ZONING: Use Variance Findings*

[CITY/VILLAGE/TOWN] OF [NAME OF CITY/VILLAGE/TOWN] Board of Appeals Use Variance Findings & Decision

Applicant:	Variance No
	Zoning District:
Property Location:	Published Notice on: Notice to County Sent on: Hearing Held On:
Use for which Variance is Requested:	
Applicable Section of Village Zoning Code	:
Permitted Uses of Property:	
regulations and restrictions have caused unn	without a showing by the applicant that applicable zoning ecessary hardship. The following tests must be met for each owed by special use permit (or conditional uses).
1. Can the owner realize a reasonable evidence) Yes No	return on the property? (Based upon competent financia
Evidence:	
2. Is the alleged hardship relating to a substantial portion of the zoning district or Evidence:	the property unique? (The hardship may not apply to a neighborhood) Yes No

^{*} Prepared by Beth E. Westfall, Esq., Attorney for the Village of Afton.

3. Will the requested use variance, if granted, alter the essential character of the neighborhood? Yes No
Evidence:
4. Is the alleged hardship self-created? Yes No
Evidence:
DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:
The ZBA, after reviewing the above proofs, finds:
That the applicant has failed to prove unnecessary hardship through the application of the four-part test as required by law and therefore the use variance request is denied.
-OR-
That the applicant has proven unnecessary hardship through the application of the four-part test required by law. In finding such hardship, the ZBA grants a use variance to allow use of the property in the manner detailed below, which is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
CONDITIONS: The ZBA finds that the following conditions are necessary in order to minimize adverse
impacts upon the neighborhood or community, for the reasons following:
Condition No. 1:
Adverse impact to be minimized:
Condition No. 2:
Adverse impact to be minimized:

Adverse impact to be minimized:	
Chair, Zoning Board of Appeals	Date
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