

TOWN OF DEWITT
ZONING BOARD OF APPEALS
USE VARIANCE ADDENDUM

Name of Applicant: _____

Property Tax Map# _____ Zoning District: _____

Existing Land Use: _____

Proposed Land Use: _____

Other land uses allowed in zoning district: _____

The ZBA may not grant a use variance without a showing by the applicant that the applicable zoning regulations have caused “unnecessary hardship.” In order to prove unnecessary hardship, the applicant shall **respond in writing to each of the following criteria:** (Add additional sheets if necessary)

That for each and every permitted use under the Zoning Ordinance for the district in which the property is located:

1. the applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence; **Applicant response:**

2. that the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; **Applicant response:**

3. that the requested use variance, if granted, will not alter the essential character of the neighborhood; **Applicant Response:**

4. that the alleged hardship has not been self-created. **Applicant response:**

The ZBA may grant a use variance only if **each** of the four criteria above have been met; failure to satisfy one or more of the statutory requirements means that the variance must be denied. Conversely, where the applicant meets all the criteria, the use variance must be granted.