



**BOARD OF ZONING APPEALS  
CHECKLIST**

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THE FOLLOWING INFORMATION MUST ACCOMPANY AN APPLICATION TO THE BOARD OF ZONING APPEALS AND IS TO BE PROVIDED BY THE APPLICANT:

The application form must be completed by the applicant in its entirety. Incorrect or inaccurate information may result in dismissal of the appeal on procedural grounds.

- Application and justification statement
  
- The appropriate drawings showing all existing and proposed improvements on the property, with dimensions and distances to property lines, all abutting streets, and any special conditions of the property that may justify the request
  
- The fee has been determined by the City Council.                      **\$200.00**

**FOR OFFICE USE:**

Case Number: \_\_\_\_\_ Date Filed: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

Placard Posted on Property: \_\_\_\_\_ Notice Published in Newspaper: \_\_\_\_\_

Decision of Board: \_\_\_\_\_

Applicant (s) Notified of Decision by mail: \_\_\_\_\_



# City of Cambridge

## Variance Requests to the Board of Zoning Appeals

### Article V Section 55:

1. An application for a variance shall be submitted to the Board of Appeals by filing a copy of the application with the Zoning Official. Applications shall be handled in the same manner as applications for zoning certification and building permits in conformity with the provisions of Section 37, 43, and 44.
2. A variance may be granted by the Board of Appeals if it concludes that strict enforcement of the ordinance would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of the ordinance will be observed, public safety and welfare secured, and substantial justice done. It may reach these conclusions if it finds that:
  - a. If the applicant complies strictly with the provisions of the ordinance, he can make no reasonable use of his property.
  - b. That special conditions or circumstances exist that are unique to the subject property or structure and that a strict enforcement of the provisions of this Ordinance would result in unwarranted hardship which is not generally shared by owners of the property in the same land use classification.
    - i. The hardship of which the applicant complains is one suffered by the applicant rather than by neighbors or the general public,
    - ii. The hardship relates to the applicant's land, rather than personal circumstances,
    - iii. The hardship is unique, or nearly so, rather than on shared by many surrounding properties,
    - iv. The hardship is not the result of the applicant's own actions, and
    - v. That strict enforcement of the provisions of this Ordinance would deprive the property owner of rights commonly shared by other owners of property in the area.

- c. That the granting of a variance will not confer upon an applicant any special privilege that would be denied to other owners of like property and/or structures within the Zoning District.
  - d. That the variance request is not based upon conditions or circumstances which are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming which are related to adjacent parcels.
  - e. That greater profitability or lack of knowledge of the restrictions shall not be considered a sufficient cause for a variance.
  - f. That the proposed variance is consistent with the City of Cambridge Comprehensive Plan.
  - g. The variance will neither result in the extension of a nonconforming situation in violation of Article VIII nor authorize the initiation of a nonconforming use of land.
3. In granting variances, the Board of Appeals may impose such reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties.
  4. A variance may be issued for an indefinite duration or for a specified duration only.
  5. The nature of the variance and any conditions attached to it shall be entered on the face of the zoning permit, or the zoning permit may simply note the issuance of the variance and refer to the written record of the variance for further information. All such conditions are enforceable in the same manner as any other applicable requirement of this ordinance.