

Fee: \$175  
 Abutter Notification: \$9 x \_\_\_\_\_  
 TOTAL: \_\_\_\_\_  
 Check# \_\_\_\_\_  
 Cash  Other \_\_\_\_\_



Date Received: \_\_\_\_\_  
 By: \_\_\_\_\_ M/L: \_\_\_\_\_  
 District: \_\_\_\_\_  
 Case# \_\_\_\_\_  
 Hearing Date: \_\_\_\_\_

## APPLICATION FOR A VARIANCE

*NOTE: This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.*

Applicant's Name: \_\_\_\_\_  
*Owner or Agent*

Name of Property Owner, if different: \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Property Address: \_\_\_\_\_

Existing Use: \_\_\_\_\_ Feet of Frontage: \_\_\_\_\_ Sq. Ft. of Lot: \_\_\_\_\_

Owner's Phone #/Email: \_\_\_\_\_

Agent's Phone #/Email: \_\_\_\_\_  
*Written permission to represent owner must be submitted with application.*

**Description of the request for a Variance from Article \_\_\_\_\_ Section \_\_\_\_\_ of the Zoning Ordinance to permit:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Facts in support of granting the variance:**

1. Granting the variance would not be contrary to the public interest because-

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. If the variance were granted, the spirit of the ordinance would be observed because –

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. Granting the variance would do substantial justice because –

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4. If the variance were granted, the values of the surrounding properties would not be diminished because –

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5. Unnecessary Hardship-Answer A(i), A(ii) and B. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because –

A(i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because –

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A(ii) The proposed use is a reasonable one because –

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B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

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Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_



|                |       |
|----------------|-------|
| Date Received: | _____ |
| By:            | _____ |
| M/L:           | _____ |
| District:      | _____ |
| Case#          | _____ |

## ZONING BOARD CHECKLIST

*NOTE: Please refer to the instructions for your application type. The checklist below (APPLICANT column) must be completed and attached to the front of your submission. If an item is not applicable, check N/A and be prepared to explain why.*

Applicant's Name: \_\_\_\_\_

Name of Property Owner, if different: \_\_\_\_\_

Property/Project Street Address: \_\_\_\_\_

Type of Application: \_\_\_ Variance \_\_\_ Special Exception

| Requirements                                   | APP | LU | ZBA |
|--|-----|----|-----|
| Completed Application                          |     |    |     |
| Abutter List                                   |     |    |     |
| Written Permission to Represent Owner          | N/A |    |     |
| Project Narrative (Written Description)        |     |    |     |
| Scaled Plot Plan / Survey                      |     |    |     |
| • All Building Dimensions                      |     |    |     |
| • All Setback Dimensions                       |     |    |     |
| • All Lot Coverage Calculations                |     |    |     |
| • Parking/Travel Lanes                         | N/A |    |     |
| • Loading/Dumpster Zones                       | N/A |    |     |
| • Streets & ROW's                              |     |    |     |
| • North Arrow & Locus Map                      |     |    |     |
| Very Recent Photos, not more than 30 days old. |     |    |     |
| Elevations                                     | N/A |    |     |
| NHDOT Application (Access/Driveways)           | N/A |    |     |
| NHDES Well/Septic                              | N/A |    |     |
| NHDES CSPA (Shoreland, incl. Rivers)           | N/A |    |     |

Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

I herein acknowledge the receipt of the application form and instructions, that I have read the instructions and have provided all required information, including the reasons supporting my application to the Board.

# Instructions: Variance

## Bristol Zoning Board of Adjustment (ZBA)

To do something that the Zoning Ordinance does not permit, you must get a variance. Make sure to review Section 5.3. Your request for a variance may be approved if you show that the (State of New Hampshire) standards of RSA 674:33,I(b) are met. You can visit [www.bristolnh.gov](http://www.bristolnh.gov) → Boards and Committees → Zoning Board of Adjustment to download application documents. (Variance is on the left-hand side.)

### Notifying Abutters

We must contact the owners of property adjacent to yours. An abutters list shall be submitted with the variance application that has current mailing address, property address, and tax map-lot for each abutter. Abutters include property owners directly across a road or waterbody. State law RSA 672:3 may be of interest. NOTE: For the purposes of notification, the applicant (and owner if different) and any professionals who have provided their service are considered abutters.

If you represent the property owner, you must be one of the following:

1. The holder of a valid option for purchase of the subject property.
2. A hired professional to represent the applicant.

### Variance Application

It can be challenging to get a variance from the ZBA because a variance is relief from the Zoning Ordinance as written by the people of Bristol. However, you may have a good case for why it doesn't make sense to follow the strict letter of the law in your situation. The following corresponds to the five State-mandated elements of our variance application form. It provides some explanation and a couple *examples* to help you. Know that you must answer the statements truthfully in your own words:



1. Granting the variance would *not* be contrary to the **PUBLIC INTEREST** because...
  - To complete this statement, think about other residents of Bristol and people visiting. Consider the context of this request—how the public may be impacted.
2. If the variance were granted, the **SPIRIT** of the ordinance would be observed because...
  - To complete this statement, ask yourself why the rule you're seeking to break was adopted. Occasionally, the purpose of a rule had a general circumstance in mind and your proposal does not violate this purpose.
3. Granting the variance would do **SUBSTANTIAL JUSTICE** because...
  - This may be a harder statement to complete. The Board cannot take personal financial circumstances into account, so think about other ways in which justice might play a role in your situation here. For *example*, does everyone else in this area have a shed and the only place to locate yours is in the side setback?
4. If the variance were granted, the **VALUES OF THE SURROUNDING PROPERTIES** would not be diminished because...

- To complete this statement, you will have to do just that. Would the impact of your proposal be neutral to the neighboring properties or complement them? Perhaps locating that shed near your house would preserve a natural area that extends the forest behind you—for *example*.

5. On **HARDSHIP**

- There are two parts to this (relatively challenging) element of the variance application. You may find that your answers are somewhat repetitive. Just make sure to answer each question. Remember that the Board cannot take your specific financial circumstances into consideration. Is there something unique about your property that makes it reasonable for the Board to grant you relief from the Zoning Ordinance rule? 5B is something like a summary of 5A.

## Timeline

Checklist, original application, fees, and all required supporting documents must be received in the Land Use Office by the filing deadline. Application materials can be mailed or delivered. PDF is good but plans larger than 11x17 need to be printed by the applicant—2 copies. Payment must be cash or check. Monthly application deadlines are posted on the Town website.

Public hearings take place the first Tuesday of each month. Hearing notices will be posted and printed in a newspaper having broad circulation. Staff work to notify all abutters including you (and any other parties which the Board deems to be interested, or as required by RSA) by way of verified mail at least 14 days before the hearing date. All such parties can speak to this variance request—whether they support it or not.

NOTE: If you the applicant/owner fail to attend the scheduled hearing, ZBA can deny your variance request or continue it to the next meeting. The same is true if your application packet is incomplete. You may ask for a continuance if necessary. Once the Board has considered the variance and decided on it, you will be given a Notice of Decision.

Should the ZBA aggrieve you with their decision regarding the variance request, you may file a Motion for Rehearing within 30 days of said decision. This appeal period is open to the applicant and abutters alike. See Motion for Rehearing instructions.

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*Representatives need to have written permission from the owner to speak on their behalf.*

*Other approvals (beyond a variance) may be relevant to your situation. They are handled separately.*

# Town of Bristol Abutter Notification List

Name and address should be those of current owners as recorded in the Tax Records at the time of submission of your application. If more room is needed, copy this sheet and attach. Be sure to make note of how many abutter sheets you are submitting - \_\_\_\_\_ # of sheets. For the purposes of notification, the applicant (and owner if different) and any professionals who have provided their service are considered abutters.

1) Owner's Name \_\_\_\_\_ Tax Map # \_\_\_\_\_

Mailing Address \_\_\_\_\_ Lot # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

2) Owner's Name \_\_\_\_\_ Tax Map # \_\_\_\_\_

Mailing Address \_\_\_\_\_ Lot # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

3) Owner's Name \_\_\_\_\_ Tax Map # \_\_\_\_\_

Mailing Address \_\_\_\_\_ Lot # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

4) Owner's Name \_\_\_\_\_ Tax Map # \_\_\_\_\_

Mailing Address \_\_\_\_\_ Lot # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

5) Owner's Name \_\_\_\_\_ Tax Map # \_\_\_\_\_

Mailing Address \_\_\_\_\_ Lot # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

6) Owner's Name \_\_\_\_\_ Tax Map # \_\_\_\_\_

Mailing Address \_\_\_\_\_ Lot # \_\_\_\_\_

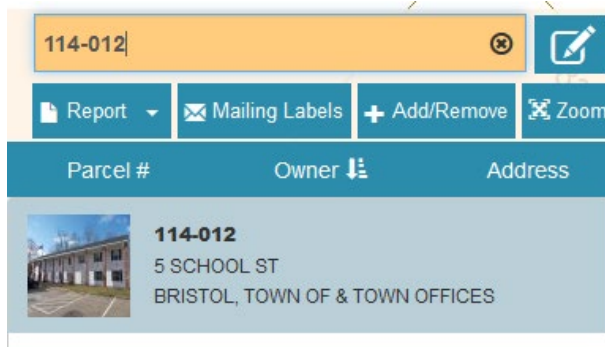
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

**Addresses Verified – Date:** \_\_\_\_\_

**By Whom:** \_\_\_\_\_ **Department** \_\_\_\_\_

## How to obtain an Abutter's list using the Town website.

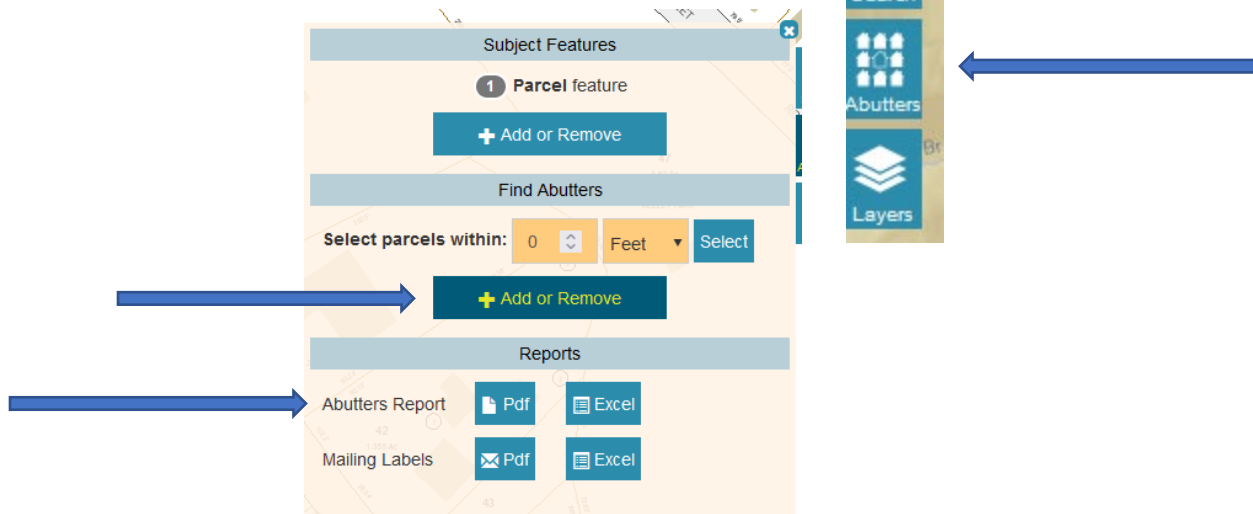
- Go to the Homepage at [www.bristolnh.gov](http://www.bristolnh.gov)
- Click the **Maps** button in the left-hand column.
- This will take you to <https://www.axisgis.com/BristolNH/>
- Click the **magnifying glass** to search:
- Enter property address or Map and Lot number.



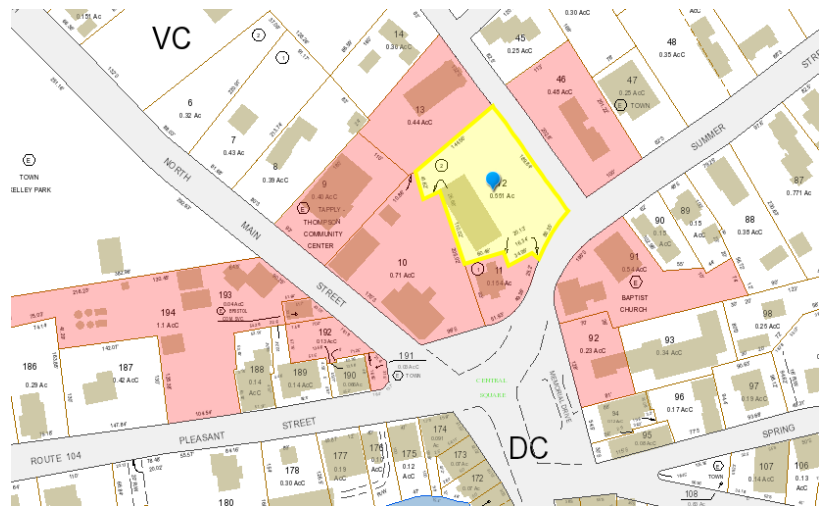
The property you chose will show in yellow.



- Click the **Abutters Icon**.
- Under Find Abutters, click **Add or Remove**.



- Click on the parcels surrounding your property.  
(Abutters are those sharing a border and across any streets or rivers. If the property address is located in an association, the Land Use Office will assist you with identifying the appropriate abutters. )
- Abutting properties will appear in red.
- Under Reports, click **Abutter's Report PDF**
- Print and submit this report to the Land Use Office with your Application. (The Land Use Office will verify your abutter's list.)





# LOT COVERAGE CALCULATION WORKSHEET

Property Address: \_\_\_\_\_

Tax Map/Lot #: \_\_\_\_\_

Owner Name(s); \_\_\_\_\_

Case Type: \_\_\_\_\_

Total Area of Lot/Parcel, in Square Feet: \_\_\_\_\_ (A)

**Existing Impervious Square Footage**

**New Impervious Square Footage**

|                               |       |  |       |
|-------------------------------|-------|--|-------|
| House/Building                | _____ |  | _____ |
| Driveway                      | _____ |  | _____ |
| Walkway(s)/patio(s)           | _____ |  | _____ |
| Equipment pad/shed(s)         | _____ |  | _____ |
| Garage/shed/other building(s) | _____ |  | _____ |
| Screen room/pool              | _____ |  | _____ |
| Other: _____                  | _____ |  | _____ |

**TOTAL SQUARE FEET** \_\_\_\_\_ (B) **TOTAL SQUARE FEET** \_\_\_\_\_ (C)

Please add together the totals from (B) and (C) above and enter here: \_\_\_\_\_ (D)

Divide (D) by (A)  $(D \div A) = \text{Coverage}$  \_\_\_\_\_

To get the %, multiply the coverage by 100 = PERCENTAGE \_\_\_\_\_

**PERCENTAGE ALLOWED BY DISTRICT:**

|                            |                           |
|----------------------------|---------------------------|
| Village Commercial = 70%   | Corridor Commercial = 60% |
| Village Residential = 55%  | Rural = 40%               |
| Downtown Commercial = 100% | Lake = 35%                |
| Industrial = 75%           |                           |

Completed by: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_