

WAIVER

TOWN OF GREENSBORO
PO Box 119, Greensboro, VT 05841
(802) 533-2640 Fax (802) 533-2191
zoning@greensborovt.org

FOR ADMINISTRATIVE USE ONLY

Application Number: Tax Map Number
Zoning District
Date Application Received Fee Paid \$
Reason for Seeking Waiver:

Please provide all of the information requested in this application. Failure to provide all required information will delay the processing of this application. Submit the completed application and a check payable to the Town of Greensboro.

Applicant(s):

Name(s):
Mailing Address:
Telephone(s) Home: Work: Cell:
E-Mail:

Landowner(s) (if different from applicant(s)):

Name(s):
Mailing Address:
Telephone(s) Home: Work: Cell:
E-Mail:

Physical Location of Property (911 address):

Property Description:

Acreage in lot

(Please Note: If your property is enrolled in the Current Use Program, your waiver application may impact your Current Use status. Please verify your status with Vermont Property Valuation and Review, Current Use Program at 802-828-6633).

Feet of Road Frontage

Setbacks: Front (to center of road) Left Side
Right side Rear
Lakeshore Other

Dimensions of Proposed and Existing Buildings:

Existing: Proposed:
Length No. of Stories Length No. of Stories
Width Width
Height Height

Waiver is requested for which of the following: Setbacks, Lot frontage, Building Height.

Waiver is requested for the following reason:

Sketch or attach a general plot plan showing the following:

1. Location of property.
2. Location of buildings on property.
3. Location of driveway.
4. Location of requested waiver.

§ 5.6 Waivers

(A) As an alternative to some variances, the Development Review Board (DRB) may grant a waiver of setbacks, lot frontage and building heights specified in Article 2. Such waivers must be in conformance with the municipal plan [§4414(7) (a)] and state planning goals [§4302] and shall:

1. Allow for mitigation through design, screening or other remedy; or
2. Allow for structures providing for disability accessibility, fire safety and other legal requirements; or
3. Provide for energy conservation and renewable energy structures and preservation of natural and historical resources.

(B) The waiver, if authorized, will represent the minimum that will afford relief and will represent the least deviation possible from these regulations.

(C) In addition, the result will not alter the character of the neighborhood, impair reasonable or appropriate use of adjoining properties, nor cause harm to the public welfare.

(D) The process of applying for and/or appealing a waiver is same as for a variance (Section 5.5). A waiver may be granted subject to conditions. However, a waiver can only be granted on the basis of a hardship requirement proven in writing.

Variance Criteria:

"The DRB may grant a variance and render a decision in favor of the appellant only if all of the following facts are found, and findings are specified in its written decision.

1. There are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that unnecessary hardship is due to these conditions and not to the circumstances or conditions generally created by the provisions of these regulations in the neighborhood or district in which the property is located;
2. Because of these physical circumstances or condition, there is no possibility that the property can be developed in strict conformity with the provisions of these regulations and that the authorization of a variance is necessary to enable the reasonable use of the property;
3. The unnecessary hardship has not been created by the appellant;
4. The variance, if authorized, will not:
 - a) Alter the essential character of the neighborhood or district in which the property is located;
 - b) Substantially or permanently impair the appropriate use or development of adjacent property;
 - c) Reduce access to renewable energy resources;
 - d) Be detrimental to the public welfare.
5. The variance, if authorized, will represent the minimum that will afford relief and will represent the least deviation possible from these regulations and from the plan." (Pages 34 & 35) of the Greensboro Zoning By-Law).

At your DRB hearing, you will be asked to present your proposal. Please be prepared to explain why your project should be granted a waiver. You will need to have written proof of your hardship for the Development Review Board.

Permission to Enter Property & Applicant Certification Signatures

Signing of this application authorizes the Zoning Administrator to enter onto the premises for the purpose of verifying information presented.

The undersigned hereby certifies that the information submitted in this application regarding the above property is true, accurate and complete and that I (we) have full authority to request approval for the proposed use of the property and any proposed structures. I (we) understand that any permit will be issued in reliance of the above representations and will be automatically void if any are untrue or incorrect.

This permit is void if the development under this permit is not begun within one year of the date of approval or if construction is not completed within two years.

Construction may not be started until 15 days from the date of approval on this permit.

Signature of Applicant(s) _____ Date _____

Signature of Landowner(s) _____ Date _____

Note: Failure to develop your property in accordance with your application and any conditions of this permit may result in an enforcement action and may affect your ability to sell or transfer clear title to your property.

Appeal from a decision or act of the Zoning Administrator must be made in writing to the Development Review Board, c/o the Town Clerk's Office at the address shown above, with the appropriate fee, within 15 days of the decision or act. Failure to appeal this decision will mean that all interested persons are bound by this decision and will foreclose these persons from contesting this decision either directly or indirectly in the future. **This permit shall not take effect until the time for such appeal has passed.**

Please note that this is only a local permit and state permits may be needed for your project. Please contact the Permit Specialist at the VT Agency of Natural Resources at (802)751-0130.

FOR ADMINISTRATIVE USE ONLY	
{ } Referred to the Development Review Board	
Date _____	Signature _____
Remarks and/or Conditions: _____	
Date of Approval or Denial by Development Review Board: _____	
Applicant/Landowner Received a Copy of the Applicable Building Energy Standards: _____ (Date) _____	
Applicant/Landowner Did NOT Need to Receive a Copy of the Applicable Building Energy Standards (Due to the fact that the structure will not be heated or cooled): _____ (Date) _____	