David B. Raughley, Mayor
Jay A. Miller, Councilman
Ronald C. Burge, Sr., Councilman
John D. Hanlin, II, Councilman
Ralph V. Estep, Jr., Councilman

Townsend
Delaware
A Municipal Corporation
April 3, 1885

Christopher J. Fazio, P.E., Town Engineer
Michael J. Jester, Code Enforcement Officer
David R. Anderson, Sr., Town Attorney
Maureen A. Stewart
Finance Officer, Town Clerk

APPLICATION FOR VARIANCE

To: Town of Townsend Board of Adjustment
Date: _____

Applicant: _____

_____

_____

This appeal is submitted in accordance with Section 801 of the Unified Development Ordinance.

See Attachment "A"

1. Lot Location: _____
2. Parcel Number: 25 - _ _ _ .00 - _ _ _
3. Lot Size: Frontage: _____ Depth: _____
4. Lot Zoning: _____

Variance Requested: _____

(See Attachment "B" for required written information.)

5. A Plot Plan must be attached to this application.

This application, if approved by the Board of Adjustment, does not relieve the Applicant of any restrictions placed in their deed.

_____ _____
Applicant Signature Phone Number

Cost to be paid by Check, Money Order or Cash: $500.00

**********For Official Use Only **********

Application Received
By: _____ Date: _____

Fee Paid: _____ Receipt #: _____

Public Hearing advertised on: _____

Property Posted on: _____

Abutting owners sent letters on: _____

For Board Action on: _____

P.O. Box 223 • 661 South Street • Townsend, DE 19734
Phone (302) 378-8082 • TownHall@TownsendDE.com • Fax: (302) 378-7099 • www.TownsendDE.com

Application for Variance
Attachment "A"

Zoning Code Guidelines - Board of Adjustments - Variances - Section 801

The Board of Adjustments shall have the power to grant the following Variances:

A. A modification in the area and bulk requirements in any district so as to relieve practical difficulties or particular hardships in cases where by reason of size, shape or narrowness of a parcel of property or by other exceptional or extraordinary situation or condition the use or development of the property would not conform to strict application of the regulations set forth in this Ordinance. Such grant of variance shall conform as nearly as possible with the spirit, intent and purpose of this Ordinance. Only for reasons of demonstrable and exceptional hardship upon the owner of such property will such modifications be permitted.

B. Modifications in parking and loading requirements of this Ordinance may be permitted whenever the character or use of any building is such as to make the full provision of parking and loading facilities unnecessary.

Board of Adjustments - Section 910

The Board of Adjustment shall have the following powers:

A. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement of the Town's codes and the laws of the State of Delaware and any amendment thereto or to this Ordinance.

B. To hear or decide variances to the terms of this Ordinance upon which the Board is required to pass under this Ordinance.

C. To authorize upon appeal, in specific cases, such variance from the terms of this Ordinance as will not be contrary to the public interest where owing to special conditions or exceptional situations, a literal interpretation of the provisions of this Ordinance will result in unnecessary hardship or exceptional practical difficulties to the owner of property so that the spirit of this Ordinance shall be observed and substantial justice done, provided such relief may be granted without substantial detriment to the pubic good and without substantially impairing the intent and purpose of the ordinance.

D. In exercising the above-mentioned powers, the Board of Adjustment may reverse or affirm, wholly or partially, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all powers of the officer from whom the appeal is taken. Notices of such decision shall be given to all parties in interest, as permitted by the Board of Adjustment.

APPLICATION FOR VARIANCE
ATTACHMENT "B"

Board of Adjustment – Variances

5 A Variance shall not be considered by the Board until written answers are completed to the below-listed questions:

a. That Special conditions or exceptional practical difficulties exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same district;

_____
_____
_____
_____
_____

b. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Ordinances;

_____
_____
_____
_____
_____

c. That the special conditions and circumstances do not result from the actions of the applicant;

_____
_____
_____

d. That granting of the variances will not confer on the applicant any special privilege is denied by this Ordinance to other lands, structures or buildings in the same zoning district.

_____
_____
_____
_____