



## **Town of Wilmington Area Variance Test**

### **Area Variances Criteria and Test**

A. The Zoning Board of Appeals shall have the power, upon an appeal from a decision or determination of an administrative official charged with the enforcement of this Code, to grant area variances from the area or dimensional requirements of this Code.

B. In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against any detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board shall also consider the following tests. Not all five tests are required to be met in order to grant the area variance.

C. The Zoning Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

APPLICANT: \_\_\_\_\_

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**AREA VARIANCE TEST**

**To be filled out by the applicant:**

Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance.

Whether the requested area variance is substantial.

Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance

**NARRATIVE:**

Board	Use:
YES	NO