

SECTION VII. B-3 OF THE NORTH BROOKFIELD ZONING BY-LAWS

**Variances**

- To be granted a variance, a petitioner must establish that owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that the desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or bylaw.
- An appeal to the Zoning Board of Appeals shall be taken within 30 days from the date of denial by the building inspector or order of decision from which relief is sought
- When filing an application for a variance, the applicant must complete all sections of the application and provide a copy of the denial letter from the building inspector, a plot plan, and listing of abutters.
- A hearing must be held within 65 days of the filing of appeal.
- The ZBA must make a determination within 100 days of the filing of an appeal.
- A copy of the decision must be filed with the Town Clerk within 14 days of the decision.
- The Town Clerk must hold the decision for 20 days pending appeals.
- After the 20 days has elapsed, a certified copy of the decision will be sent to the applicant.
- The applicant must record the variance at the registry of deeds within one year and return a certified copy to the Town Clerk. A variance does not take effect until the decision has been recorded with the registry of deeds.
- The use or construction authorized by a variance must commence within one year of the date of granting or such authorization shall lapse.