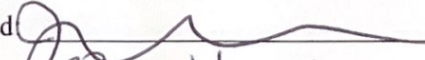


REQUEST FOR VARIANCE
TOWN OF ARLINGTON

In the matter of the Application of Jenna Francis
to the Zoning Board of Appeals for the Town of Arlington:

Application for a Variance is herewith made, in accordance with Section 3.2 of the Zoning Bylaw of the Town of Arlington, Massachusetts seeking relief from the following specific provisions of the Zoning Bylaw, and as described more fully in the attached form, *Variance Criteria*:

The Petitioner/Applicant states he/she/they is/are the owner-occupant of the land in Arlington located at 32 Appleton St with respect to such relief is sought; that no unfavorable action has been taken by the Zoning Board of Appeals upon a similar petition regarding this property within the two (2) years next immediately prior to the filing hereof. The applicant expressly agrees to full compliance with any and all conditions and qualifications imposed upon this permission, whether by the Zoning Bylaw or by the Zoning Board of Appeals, should the same be granted. The Applicant represents that the grounds for the relief sought are as follows:

E- Mail: JennaMSF@gmail.com Signed:  Date: 8-29-23
Telephone: 24-886-2243 Address: 32 Appleton St

Variance Criteria:

The power of the Board of Appeals to grant a Variance from the literal application of the Zoning Bylaw is strictly limited by State Law. Under MGL, Chapter 40a, Section 10, the Board of Appeals must “specifically find” for a particular piece of land or a specific structure 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 ... by-law would involve substantial hardship, financial or otherwise, to the petitioner ... , and that 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.” (emphasis added.)

Thus, Under State Law, a Variance may only be granted when **all of the four (4) following criteria are met:**

1). Describe the circumstances relating to the soil conditions, shape, or topography especially affecting such land or structures but not affecting generally the Zoning District in which it is located that would substantiate the granting of a Variance.

N/A

2). Describe how a literal enforcement of the provisions of the Zoning Bylaw, specifically relating to the circumstances affecting the land or structure noted above, would involve substantial hardship, financial or otherwise, to the Petitioner or Appellant.

Without the ability to run my practice out of my home I would have to work for someone else resulting in making 50% less income.

3). Describe how desirable relief may be granted without substantial detriment to the public good.

Variance granted will only have positive impact on the neighborhood & public good.

4). Describe how desirable relief may be granted ... without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw of the Town of Arlington, Massachusetts.

See above.

State Law (MGL Chapter 40a, Section 10) requires that the Zoning Board of Appeals must find that all four (4) criteria are met in order to be authorized to grant a Variance. If any one of the standards is not met, the Board must deny the Variance.