

## VARIATION REQUEST FORM

(A) When requesting a Variation of Article X, Subdivision Layout Standards, the applicant (subdivider) shall provide a written response to the following information required in support of the request:

1. Name of the subdivision.
2. The specific Section of Article X for which the Variation is requested.
3. A complete description of the specific unique physical characteristics, or other factors, affecting the subdivision, which relate to the Section being varied.

(B) In addition, the applicant (subdivider) must provide a written response to each of the following standards from Article II, Administrative Provisions, Section 2-501, of the Manhattan Urban Area Subdivision Regulations, which are used in determining whether to grant the Variation:

1. Granting of the variation will not be detrimental to the public health, safety, or general welfare or be injurious to adjacent property.
2. There are unique physical characteristics of the property for which the variation is sought and not generally applicable to other property.
3. Due to the unique physical characteristics of the property, its shape or topography, an unnecessary hardship to the subdivider would result, as distinguished from a mere inconvenience, and such hardship is not based solely on economics.
4. No provision of any zoning regulations, other regulation, ordinance, or the Comprehensive Plan would be varied.

**REQUESTS FOR A VARIATION SHALL ACCOMPANY THE APPLICATION FOR PRELIMINARY OR FINAL PLAT.**

**THE MANHATTAN URBAN AREA PLANNING BOARD (MUAPB) SHALL NOT APPROVE A VARIATION UNLESS THE MUAPB SHALL MAKE FINDINGS BASED ON EVIDENCE PRESENTED TO IT IN EACH SPECIFIC THAT SUPPORT ITEMS 1-4 ABOVE.**

**THE MUAPB MAY PLACE ANY REASONABLE CONDITION OF APPROVAL AS A PART OF THE GRANTING OF THE VARIATION.**