



**Town of Cheswold  
Board of Adjustments**

**VARIANCE REQUEST DESCRIPTION**

This process should only be used for requests for relief from the strict applications of the Land Use Ordinance, due to special conditions or exceptional situations, where a literal interpretation will result in unnecessary hardship or exceptional practical difficulties to the owner of the involved property.

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**VARIANCE REQUEST APPLICATION**

APPLICANT NAME: \_\_\_\_\_ CONTACT #: (     )     -

APPLICANT ADDRESS: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

APPLICATION ADDRESS: \_\_\_\_\_ CHESWOLD, DELAWARE 19936

PROPERTY OWNER NAME: \_\_\_\_\_ CONTACT #: (     )     -

OWNER ADDRESS: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

MULTIPLE OWNERS: YES  NO  IF THE ANSWER IS YES, ATTACH SEPARATE SHEET w/NAMES & NUMBERS

BUSINESS TYPE: \_\_\_\_\_

REQUEST:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SPECIFY SPECIAL CONDITIONS OF REQUEST, (as applicable):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SPECIFY EXCEPTIONAL SITUATION(S), [as applicable]:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Town of Cheswold**  
**Board of Adjustments**

**VARIANCE REQUEST APPLICATION**

REASON FOR REQUEST: UNNECESSARY HARDSHIP       EXCEPTIONAL PRACTICAL DIFFICULTIES

**EXPLAIN THE RELATIONSHIP BETWEEN THIS REQUEST and the LAND USE ORDINANCE:**

*(Ex: Pertinent provisions of Ordinance from which relief is sought; identification of the sections of the Ordinance that apply to your situation)*

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**NOTES TO APPLICANT:**

1. Plans or drawings that support or clarify your request should be attached to the application.
2. You are responsible for any incurred costs for advertisements of public hearings.
3. You have the burden of proof for presenting the information needed by the Board of Adjustment to make a determination.
4. Appeals stay all proceedings in furtherance of the action appealed from, unless the Administrator certifies to the Board of Adjustment that a stay would cause imminent peril to life or property. If such a condition exists, proceedings shall only be stayed by a restraining order granted by the Board of Adjustment or a court having jurisdiction.
5. The Board of Adjustment may attach conditions to approvals of applications.
6. A sufficiently large sign must be posted on your property, in a visible location.
7. Approval of an application by the Board of Adjustment does not supersede or obviate the need for compliance with any other Development Plan Review standards or requirements.
8. The duration of an approved application is 12 months from the approval date.
  - a. If you fail to begin construction in developing the land within 12 months, the application is automatically revoked.
  - b. The Board of Adjustment may grant only one, (1), six, (6) month extension if you can demonstrate that delays were beyond your control.
9. The Board of Adjustment will not hear or accept an application requesting the same relief or permission for the same property for a period of 12 months from the date of a resolution taking action on the application.
10. Appeals from the Board of Adjustment's decisions shall be made to the Superior Court as provided in Title 22, Sections 328-332 of the *Delaware Code*.

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**FOR OFFICE USE ONLY**

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Date Submitted to Land Use Administrator: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

Approved for BOA Meeting: YES  NO  Signed by: \_\_\_\_\_  
Land Use Administrator or Designee

Date to Town Clerk for Scheduling of BOA Meeting: \_\_\_\_\_ Received by: \_\_\_\_\_  
Town Clerk

**Town of Cheswold**  
**Board of Adjustments**

**VARIANCE REQUEST APPLICATION**

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**APPLICANT NOTIFICATION**

DATE APPLICANT NOTIFIED: \_\_\_\_\_ NOTIFIED BY: REGISTERED/CERTIFIED MAIL  IN-PERSON

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