

By Mr. Zeiser of Wellesley, petition of Robert L. Halfyard for legislation to modify the requirements for granting variances under zoning ordinance or by-laws. Urban Affairs.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-Two.

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AN ACT TO MODIFY THE REQUIREMENTS FOR GRANTING A VARIANCE.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 The first sentence of chapter 40A section 15, subsection (3)  
2 is hereby amended to strike the word "hardship" and to  
3 substitute therefor the word "inconvenience" so that the sen-  
4 tence will read: —

5 To authorize upon appeal, or upon petition in cases where a  
6 particular use is sought for which no permit is required, with  
7 respect to a particular parcel of land or to an existing building  
8 thereon a variance from the terms of the applicable zoning  
9 ordinance or by-law where, owing to conditions especially  
10 affecting such parcel or such building but not affecting general-  
11 ly the zoning district in which is located, a literal enforcement  
12 of the provisions of the ordinance or by-law would involve  
13 substantial inconvenience, financial or otherwise to the appel-  
14 lant, and where desirable relief may be granted without sub-  
15 stantial detriment to the public good and without nullifying or  
16 substantially derogating from the intent or purpose of such  
17 ordinance of by-law, but not otherwise.

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The Government of ...

In the ...

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