

ZBA. Meeting _____

Rec'd. _____
Fee _____

APPLICATION TO THE ZONING BOARD OF APPEALS
FOR PRACTICAL DIFFICULTY VARIANCE

NAME OF APPELLANT _____

MAILING ADDRESS _____

CITY OR TOWN _____ STATE _____ ZIP CODE _____

TELEPHONE _____

NAME OF OWNER _____

ADDRESS OF PROPERTY (PROJECT) _____

TAX ASSESSOR'S MAP NO. _____ LOT NO. _____ ZONE _____

The undersigned requests that the Board of Appeals consider the following:

PRACTICAL DIFFICULTY VARIANCE:

Nature of Variance: Describe the requested variance.

In addition, a scaled plan of the property must accompany this application showing dimensions and shape of lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings and alterations, and any natural or topographic peculiarities of the lot in question. Please include a sketch showing distance from property lines to existing and proposed structures.

Justification for Variance: In order for a variance to be granted, the appellant must demonstrate to the Board of Appeals that the strict application of the terms of the zoning ordinance would cause a practical difficulty. The Board of Appeals must determine that your application meets the requirements for the variance that you seek. Please explain how your situation meets each of these criteria listed below:

Practical Difficulty Variance (limited to variances of lot area, lot coverage or frontage or setback requirements; also, the lot must be located outside of a shoreland zone. If your request does not meet these requirements, please fill in the Undue Hardship Variance application, not this application).

- A. The need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood;
- B. The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties;
- C. The practical difficulty is not the result of action taken by the petitioner or a prior owner;
- D. No feasible alternative to a variance is available to the petitioner;

- E. The granting of a variance will not unreasonably adversely affect the natural environment; and
- F. The property is not located in whole or in part within shoreland areas as described in Title 38, section 435.

As required by 30-A M.R.S.A. Section 4353(4-C), practical difficulty means that the strict application of the ordinance to the property precludes the ability of the appellant to pursue a use permitted in the zoning district in which the property is located and results in significant economic injury to the appellant.

PLEASE INCLUDE A SKETCH WITH DETAILED DIMENSIONS

I CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION AND ITS SUPPLEMENTS IS TRUE AND CORRECT.

DATE

APPELLANT