



Town of South Berwick

180 MAIN STREET
SOUTH BERWICK, MAINE 03908-1535
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APPLICATION FOR VARIANCE OR APPEAL TO BOARD OF ZONING APPEALS

Date: _____

Name of Appellant: _____

Appellant Mailing Address: _____

City/Town: _____ State: _____ Zip: _____

Telephone: _____

Name of Property Owner: _____

Map/Lot: _____ Zoning: _____

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

1. **An Administrative Appeal:** Relief from the decision, or lack of decision of Code Enforcement Officer or Planning Board regarding an application for a permit. The undersigned believes that (check one):

_____ An error was made in the denial of the permit

_____ The denial of the permit was based on a misinterpretation of the ordinance

_____ There has been a failure to approve or deny the permit within a reasonable period of time

_____ Other: _____

Please explain in more detail the facts surrounding this appeal (attach a separate piece of paper if needed). You should be as specific as possible so that the Board of Appeals can consider your case.

2. **A Variance:**

a. Nature of Variance: Describe, generally, the nature of the Variance.

In addition, a sketch plan of the property must accompany this application showing dimensions and shape of the lot, the size and locations of the existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographical peculiarities of the lot in question.

b. Justification of Variance: For a variance to be granted, the appellant must demonstrate to the BOA that the strict application of the terms of the Zoning Ordinance would cause undue hardship. There are four criteria which must be met before the BOA can find that a hardship exists. Please explain how your situation meets each of these criteria listed below.

1. The land in question cannot yield a reasonable return unless the variance is granted.

2. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood.

3. The granting of a variance will not alter the essential character of the locality.

4. The hardship is not the result of action taken by the appellant or a prior owner.

Additional Comments:

I certify that the information contained in this application and its supplement is true and correct.

Date: _____ Signature of Appellant: _____

NOTE TO APPELLANT: This form should be returned to the Code Enforcement Officer. You will be notified of the date of the hearing of your appeal.

Date Received by Code Enforcement Officer: _____