

Application for Appeal or Variance To the Board of Appeals



Map: _____ Lot: _____

Name of Appellant: _____

Mailing Address: _____

Town: _____ State: _____ Zip: _____

Telephone: _____ Name of Owner: _____
(if different from above)

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

1. **An Administrative Appeal.** Relief from the decision, or lack of decision, of the Code Enforcement Officer or Planning Board in regard to an application for a permit. The Appellant 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. (please attach a separate piece of paper.) You should be as specific as possible so that the Board of Appeals can give full consideration to 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 existing buildings, the locations and dimensions of proposed buildings of alterations, and any natural or topographic peculiarities of the lot in question.

b. Justification of 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 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.

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

Date: _____

(Appellant)

Note to Appellant: This form should be returned to the Chairman of the Board of Appeals. You will be notified of the date of the hearing on your appeal.