

BOARD OF APPEALS
APPLICATION FOR A VARIANCE

APPLICANT'S NAME: _____

MAILING ADDRESS:

OWNER (S) NAME: _____

STREET: _____

TOWN: _____ **STATE:** _____ **ZIP CODE:** _____

DESCRIBE LOCTION OF PROPERTY: _____

EXISTING USE OF SITE: _____

ZONING DISTRICT: _____

SIZE OF LOT: _____

NEW BUILDING: YES ___ **NO** ___ **EXISTING BUILDING: YES** ___ **NO** ___

SIZE OF EXISTING BUILDING (IF APPLICABLE): _____

PROPOSED SIZE OF NEW BUILDING (IF APPLICABLE): _____

PROPOSED SIZE OF ADDITION/EXPANSION: _____

SETBACK OF PROPOSED BUILDING:

a. **From normal high water line** _____

b. **From abutting property owners** _____

c. **From roads** _____

AREA OF LAND INVOLVED IN THE SITE _____

PERCENTAGE OF SITE PROPOSED TO BE COVERED BY NON-VEGETATED SURFACES

TOTAL NUMBER OF DWELLING UNITS PROPOSED _____

BOARD OF APPEALS

VARIANCE REQUEST CHECKLIST

SUBMISSION REQUIREMENTS: The owner of the property or his authorized agent shall submit at least six copies containing the following exhibits and information:

1. Application for a Variance

_____ a. fully executed and signed.

_____ b. **Title, Right or Interest.** A copy of the landowners' deed to the property. The applicant must establish title, right or interest in the property. If application is made by someone other than the landowner (s) then an agreement between the applicant and the landowner must authorize the applicant to act as the landowner's agent and must be attached. All landowner (s) associated with the property must be notified in writing regarding this application and a copy of this notification must be attached.

_____ c. Names and addresses of all owners of record of all abutting property.

2. Justification For Variance

___ a. A completed form which is signed by the applicant (APPENDIX A).

3. Site Plan:

___ a. The form should detail original features and proposed vegetation cutting, revegetation, earthmoving, roadways, drainage and structures (proposed and existing); fences and walls, including all landscaping and screening and indicating existing trees to be retained and areas to be left undisturbed. (This is attached as APPENDIX B and must be signed by the applicant and the Code Enforcement Office (CEO))

___ b. Current zoning boundaries and 100-year floodplain boundaries including surrounding areas to a distance of 300 feet from the perimeter of the site. (A copy of the Town tax map will suffice)

___ c. Easements; rights-of-way, existing, planned or proposed; or other reservations adjacent to or intersecting the property.

___ d. Location of watercourses, aquifers and aquifer recharge areas, wetlands, marshes, surface water, rock outcroppings, wooded areas and areas of significant tree growth. (A copy of the tax map and APPENDIX B for more detailed drawing should be used).

**Board of Appeals
Variance Request Checklist**

___ e. A sketch of the property showing the dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed building/additions or alterations. (This means you must show where the new building or new addition is going to be located to show compliance with the setback requirements of the Shoreland Zoning Ordinance. (Appendix B can be used.)

4. Plumbing Permit/Seasonal Conversion Permit

___ a. If the proposed expansion is for living space (i. e. bedrooms, den, kitchen, bathrooms, game rooms, living, etc.) then no person may expand a structure using a subsurface waste water disposal system until documentation has been provided to the Licensed Plumbing Inspector (LPI) that a subsurface water disposal application, completed after July 1, 1994 exists indicating that the dwelling’s waste water disposal system substantially complies with the States rules and applicable municipal ordinance. Substantial compliance shall meet the standards as described in the Harrison Shoreland Zoning Ordinance, Section 15 (K). Also, a Seasonal Conversion Permit is required to convert a seasonal dwelling to a year-round residence. The seasonal conversion permit is obtained from the LPI prior to converting the dwelling.

The applicant meets the Section 15 (K): _____ **YES** _____ **NO**

Seasonal Conversion Permit: _____ **YES** _____ **NO**

DATED: _____

LPI SIGNATURE

The applicant has submitted all the above requirements. The onsite inspection is scheduled for _____ and the public hearing is scheduled for _____.

DATED: _____

CEO SIGNATURE

APPENDIX A

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 ordinance would cause “Practical Difficulty”. There are Six (6) criteria which must be met before the BOA can find that a difficulty exists. Please explain how your situation meets EACH of the criteria listed below. You can attach your answers on separate sheets. You are not limited to this page. Please sign and date.

- 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 other feasible alternative to a variance is available to the petitioner;
- E. The granting of a variance will not unreasonable adversely affect the natural environment; and
- F. The property is not located in whole or in part within shoreland areas as described in the Shoreland Zoning Ordinance

As used in this subsection, “dimensional standards” means and is limited to provisions relating to lot area, and setback requirements.

As used in this subsection, “practical difficulty” means that the strict application of the ordinance to the property precludes the ability of the petitioner to pursue a use permitted in the district in which the property is located and results in significant economic injury to the petitioner.

DATED

APPLICANT

NATURE OF VARIANCE (REASON FOR REQUEST). Variances may be granted only from dimensional requirements including but not limited to, lot size (square footage per dwelling unit, etc.), lot width, structure height, percent of lot coverage, setback requirements, and road construction standards.

The undersigned hereby applies for a variance which is the setting aside of one or more requirements of the applicable Harrison ordinance (s) and is equivalent to permission to not comply with one or more ordinance provisions.

To the best of my knowledge; all information submitted in this application is true and correct.

DATED: _____

APPLICANT

In order for an agent of the landowner (s) to sign this application they must prove Right, Title and Interest per the Board of Appeals Checklist, Section 1 (b).

A COPY OF THE HARRISON SHORELAND ZONING ORDINANCE CAN BE OBTAINED AT THE TOWN OFFICE FOR \$3.00 OR ONLINE AT WWW.HARRISONMAINE.ORG.