Falmouth Board of Zoning Appeals Application Checklist

The following checklist is provided to assist applicants in submitting a complete and informative application package for consideration by the Board of Zoning Appeals (the "Board"). Applications deemed incomplete by the Code Enforcement Officer (the "CEO") will not be placed on the agenda. If the applicant believes that a required item is not applicable to a specific proposal, a written statement addressing the reason shall be provided. All applicants are strongly encouraged to schedule a meeting with staff prior to submitting an application to the Board.

- Unless approved by the CEO or Board, no information may be added to an application after the submission deadline has passed.
- Unless approved by majority vote of the Board, no information is to be submitted to staff or Board members the evening of a hearing.
- If information is submitted late and deemed to be material to an application or appeal, and concerned abutters have been deprived of an opportunity to review the information due to late submission, the new information may not be accepted and the application may be tabled until the next scheduled meeting.

Completed application forms and supporting documents, including all required copies, must be submitted to the Code Enforcement Office by 5:00pm on the 4th Tuesday of the month for consideration of placement on the Board's agenda for the following month.

Application packages shall include nine (9) complete sets of the following:

☐ 1.0 A completed request for hearing and application form.

☐ 2.0 Proof that the applicant has sufficient right, title or interest in the subject property to submit the application to the Board. This may include a copy of the deed, purchase and sales agreement, lease agreement, or the property owner's written authorization.

☐ 3.0 Payment of the appropriate application fee.

☐ 4.0 A scaled plot plan or boundary survey to include the following (see attached sample sketch):

- ☐ 4.1 title, date, revision dates, prepared by;
- ☐ 4.2 property address, tax ID, property owner;
- ☐ 4.3 scale;
- ☐ 4.4 north arrow;
- ☐ 4.5 property boundaries;
- ☐ 4.6 structure footprints (existing and proposed);
- ☐ 4.7 setbacks to boundary lines and distances to structures on abutting properties; and,
- ☐ 4.8 improvements such as parking and driveways (existing and proposed).

☐ 5.0 Scaled building elevations with dimensions.

☐ 6.0 Plan of general interior layout (detailed floor plans required for Home Occupations and Accessory Dwelling Units).

☐ 7.0 Structure and lot coverage calculations for existing and proposed structures and uses.

☐ 8.0 Photographs of subject and/or nearby properties to illustrate conditions as necessary.

Refer to the specific section(s) of the Code that your application/appeal is filed under for other specified material information that may be required.

Please note that this checklist covers the minimum information required by the Board to review an application, depending on the nature of the proposed project the Board may request additional information not listed here. A signed copy of this document must be included with the application submittal package.

_____ _____

Applicant(s)/Authorized Representative (Print Name(s) & Signature) Date

_____ _____

Property Owner (Print Name(s) & Signature) Date

Received by:_____ Date/Time:_____

Town of Falmouth BOARD OF ZONING APPEALS
REQUEST FOR VARIANCE

Name of Applicant: _____ **Phone #** _____

Address of Property_____

Map/Lot _____ **Tax Sheet**_____ **Zone** _____

Mailing Address (if different)_____

Property Owner (if not applicant)_____

Email Address:_____

This application and all documentation must be filed with the Code Enforcement Officer by the 4th Tuesday of the month. Public hearings on applications are held the following 4th Tuesday of the month at 6:30p.m. A one hundred dollar ($100) fee and nine (9) complete copies of all information for this application are due at submission deadline.

Describe the general nature of the variance request:

_____

_____

_____

To the applicant:

The goal of zoning is to provide building and use standards that apply to all properties equally within a given zone. Getting an exception or variance to zoning standards is purposely difficult because granting variances to the standards would diminish the value of zoning in protecting neighboring properties. It is important that you respond completely to the requests below:

1. Please complete the attached variance criteria form. Pay particular attention to the information provided in parentheses().

2. A detailed plot plan or diagram must be provided showing dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic peculiarities of the lot in question. This plot plan should also include the distances to the nearest structures on abutting properties.

3. Blueprints, surveys, photos and other documents may be helpful in explaining your variance request and should be included in your application.

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

Date _____ Signed _____

Please contact Code office prior to submission of this application
(207)781.5253
VARIANCE CRITERIA

In order for a variance to be granted, the applicant 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, each of which must be met before the ZBA can find that a hardship exists. Please explain how your situation meets each of these criteria listed below, either in the space provided or on a separate sheet:

A. The land in question cannot yield a *reasonable return* unless the variance is granted. (The applicant must demonstrate that he or she will lose all or substantially all of the value and use of the property without a variance.)

_____

_____

_____

_____

B. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood. (The applicant must show that this property has unique characteristics different from surrounding properties and that these differences are the reason for the need for a variance.)

_____

_____

_____

_____

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

_____

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_____

_____

D. The hardship is not the result of action taken by the owners or a prior owner. (The applicant must demonstrate that the need for a variance is due to the nature of the property, not the action of owners.)

_____

_____

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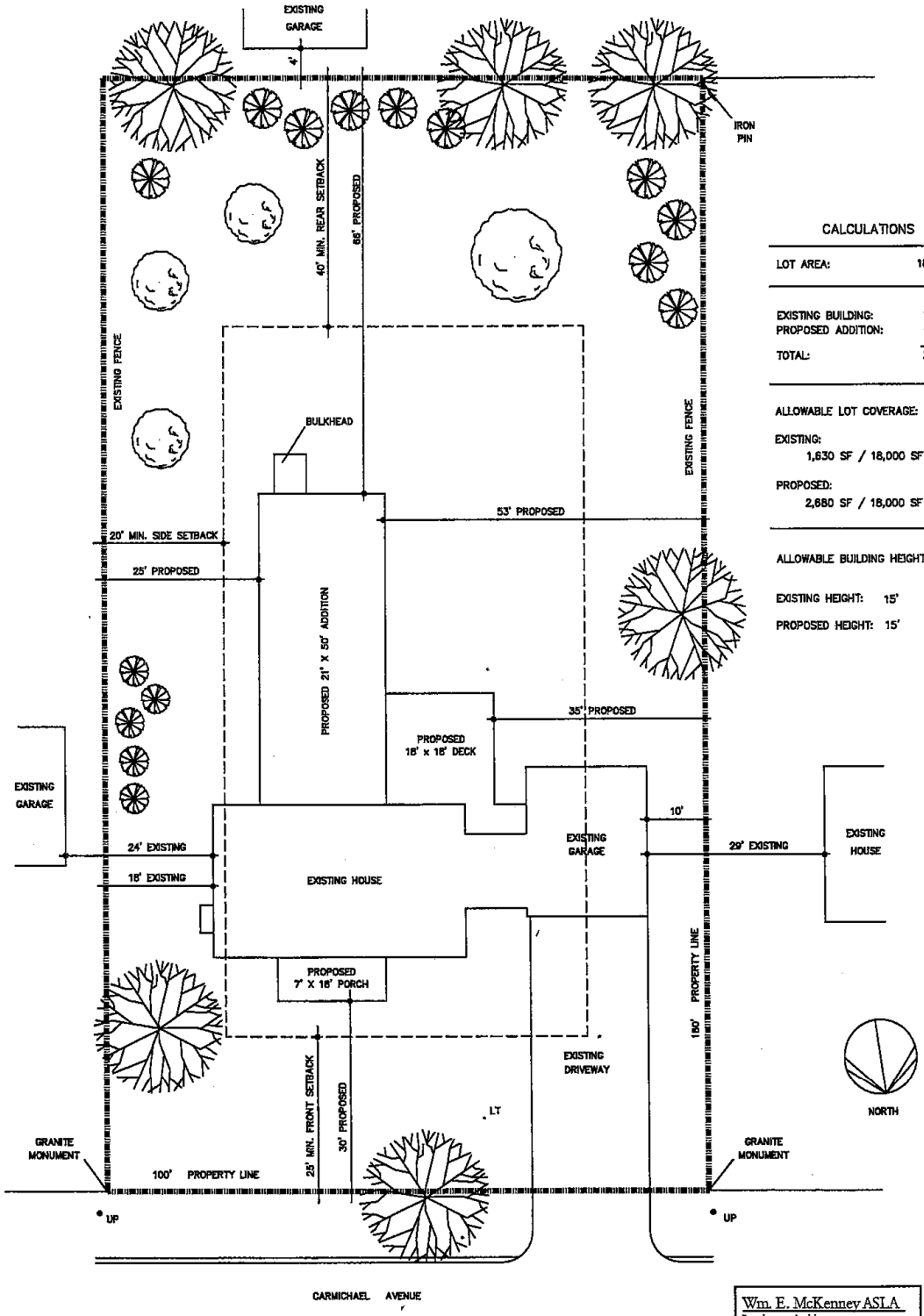
_____

REQUIRED INFORMATION FOR BOARD of APPEALS APPLICATIONS



CALCULATIONS

LOT AREA:	18,000 SF
EXISTING BUILDING:	1,630 SF
PROPOSED ADDITION:	1,050 SF
TOTAL:	2,680 SF

ALLOWABLE LOT COVERAGE: 50%

EXISTING:
1,630 SF / 18,000 SF = 9%

PROPOSED:
2,680 SF / 18,000 SF = 14.8%

ALLOWABLE BUILDING HEIGHT: 35'

EXISTING HEIGHT: 15'

PROPOSED HEIGHT: 15'

Plan provided as a courtesy by:

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(207) 671-1058

CERTIFIED LANDSCAPE ARCHITECT WILLIAM E. McKENNEY #1540 STATE OF MAINE