



Variance Application  
Town of Falmouth Board of Zoning Appeals  
19-121 Set-back Variance For Single-Family Dwellings

Name of Applicant: \_\_\_\_\_ Phone # \_\_\_\_\_

Address of Property \_\_\_\_\_

Map/Lot \_\_\_\_\_ Tax Sheet \_\_\_\_\_ Zone \_\_\_\_\_

Mailing Address (if different) \_\_\_\_\_

Property Owner (if not applicant) \_\_\_\_\_

Email Address: \_\_\_\_\_

Public hearings on applications are held on the 4<sup>th</sup> Tuesday of the month at 6:30p.m. This application and all documentation must be filed with the Code Enforcement Office 28 days prior to any hearing date. A three hundred- and seventy-five-dollar (\$375) fee is due at submission. Staff will not accept new or supplemental information after the deadline.

The undersigned requests that the Board of Appeals consider the following variance request:  
(Describe the general nature of the request.)

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

Date \_\_\_\_\_ Signed \_\_\_\_\_

**\*Please contact the Code Office prior to submission of this application\***  
**(207)699-5310**

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 applying 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.

**Application packages shall include a complete set of the following:**

- ☐ 1. A completed request for hearing and application form.
- ☐ 2. 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, or lease agreement. If the applicant is someone other than the property owner, owner must submit written permission for applicant to submit on their behalf.
- ☐ 3. Payment of the appropriate application fee.
- ☐ 4. A scaled plot plan or boundary survey to include the following:
  - ☐ 4.1 title, date, revision dates, prepared by;
  - ☐ 4.2 property address, tax ID, property owner;
  - ☐ 4.3 scale;
  - ☐ 4.5 property boundaries;
  - ☐ 4.6 structure footprints (existing and proposed);
  - ☐ 4.7 setbacks to boundary lines;
  - ☐ 4.8 improvements such as parking and driveways (existing and proposed).
- ☐ 5. Scaled building elevations with dimensions. For properties in the Water View Overlay District, if an improvement or modification would obscure, either in whole or in part, any views of the water from adjacent or nearby properties or public rights of way the elevation drawings shall be submitted in the form of overlay drawings where existing building elevations are overlaid by the proposed building elevations.
- ☐ 6. Plan of general interior layout.
- ☐ 7. Structure and lot coverage calculations for existing and proposed structures and uses.
- ☐ 8. 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: \_\_\_\_\_

ADDRESS \_\_\_\_\_ MAP/LOT \_\_\_\_\_ NAME \_\_\_\_\_

**Sec. 19-121 Set-back Variance For Single-Family Dwellings**

Notwithstanding subsection 19-120, the Board may grant a set-back variance for a single-family dwelling when strict application of this Ordinance to the petitioner and the petitioner's property would cause undue hardship. The term "undue hardship" as used in this subsection means (*please explain how you meet the each of the criteria below*):

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

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

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C. The hardship is not the result of action taken by the applicant or a prior owner.

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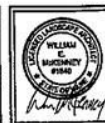
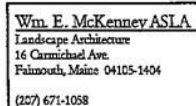
D. The granting of the variance will not substantially reduce or impair the use of abutting property.

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E. The granting of a variance is based upon demonstrated need, not convenience, and no other feasible alternative is available.

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# REQUIRED INFORMATION FOR BOARD of APPEALS APPLICATIONS



Plan provided as a courtesy by: