

**Town of Otisfield**  
**403 State Route 121, Otisfield, ME 04270**

APPLICATION FOR VARIANCE OR ADMINSTRATIVE APPEAL TO BOARD OF APPEALS FOR ZONING

Name of Appellant \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City or Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone \_\_\_\_\_

Name of Property Owner: \_\_\_\_\_

(Please Enclose A Copy Of Deed)

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

\_\_\_\_ 1. **Administrative Appeal.** Relief from the decision, or lack of decision, of the Code Enforcement officer (CEO) or Planning Board, Health Officer or Selectmen, in regard to 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 sheet of paper). You should be as specific as possible so that the Board of Appeals can give full consideration to your case.

\_\_\_\_ 2. **Variance**

A. Nature of Variance: describe in general terms, the nature of the variance

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\_\_\_\_\_  
\_\_\_\_\_

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 or alterations, and any natural or topographic peculiarities of the lot in question.

**DO NOT WRITE IN SPACE BELOW**

Date Rec'd Boa: \_\_\_\_\_

Map \_\_\_\_\_ Lot# \_\_\_\_\_

Date Of Site Inspection: \_\_\_\_\_

Date Of Hearing: \_\_\_\_\_

JUSTIFICATION FOR VARIANCE REQUEST

In order for a variance to be granted, the appellant **MUST** demonstrate to the Board of Appeals, that a 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. **Failure to meet one of the four criteria will result in a denial of your application.**

1. THE LAND IN QUESTION CAN NOT YIELD A REASONABLE RETURN UNLESS THE VARIANCE IS GRANTED.

(Can you realize a reasonable economic return on your investment in the property w/o the variance?).

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2. THE NEED FOR A VARIANCE IS DUE TO THE UNIQUE CIRCUMSTANCE OF THE PROPERTY AND NOT TO THE GENERAL CONDITIONS IN THE NEIGHBORHOOD.

(How is your lot different from the neighboring lots, or is it the same as the rest of the neighborhood?)

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3. THE GRANTING OF THE VARIANCE WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY.

(Do the parcels in the neighborhood have something similar to what you proposed to do?)

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4. THE HARDSHIP IS NOT THE RESULT OF ACTION TAKEN BY THE APPELLANT OR A PRIOR OWNER.

(Was the Ordinance from which you seek relief in effect when you bought the property?)

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I certify that the information provided in this application and it's supplemental page (s) is/are true and correct to the best of my knowledge.

DATE: \_\_\_\_\_ APPELLANT: \_\_\_\_\_

You will be notified of the date of the hearing on your appeal by certified mail.

**(APPLICATION FEE: See CEO re: Otisfield's Fee Schedule)**