

APPLICATION FOR ELLSWORTH ZONING BOARD OF APPEALS

Name of Appellant _____

Mailing Address _____

City or Town _____, State _____, Zip Code _____

Telephone (____)____ - _____ Name of Property Owner _____

Property Location _____ Map/Lot _____
(if different from mailing address)

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

1. **Administrative Review** - To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by, or failure to act by, the Code Enforcement Officer or Planning Board in the administration of this ordinance.

Administrative relief may be granted only where the Board finds that the decision of the Code Enforcement Officer (or the Planning Board) from which appeal is made, was clearly contrary to the specific provisions of Unified Development Ordinance.

**In addition to this application, you must submit the following for an administration review request:*

- ✓ *A sketch drawn to scale showing lot lines, locations of existing buildings, and other physical features pertinent to the relief requested;*
- ✓ *A concise statement of the relief requested and why it should be granted:*

(or)

2. **Variance** – To authorize in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. *A variance shall apply only to area, yard space, height, or setback requirements, and in no case shall a variance apply to the use of land or structures.* A variance may be granted only if the Board finds that all of the following criteria are met:

- In the Shoreland and Resource Protection Zones as defined, the proposed structure or use would meet the provisions of the Shoreland Zoning-Article 4 of the Unified Development Ordinance except for the specific provisions which has created the non-conformity and from which relief is sought; and
- That the land in question cannot yield a reasonable return unless a variance is granted;
- That the need for a variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood;
- That the granting of a variance will not alter the essential character of the neighborhood;
- That the hardship is not the result of action taken by the applicant or a prior owner.

**In addition to this application, you must submit the following for a variance request:*

- ✓ *An original or a copy of the deed, agreement, option or other instrument showing the applicant's interest in the property:*
- ✓ *A sketch drawn to scale showing lot lines, locations of existing and proposed buildings, and other physical features such as septic system locations, well, etc.*
- ✓ *A concise statement of the nature of the variance sought:*

Your completed application and any additional documentation must be submitted to the Code Enforcement Office **21 days** prior to the Board of Appeals meeting. The meetings are scheduled monthly on the fourth (4th) Monday of every month in the Ellsworth City Council Chambers, at 6:30PM, unless otherwise notified or posted. If you have any questions regarding submission requirements, please call the Code Enforcement office at 667-4910 or code@ellsworthmaine.gov.

I certify that the information contained in this application and its supplement is true and correct, and I understand that all information that I provide to the Code Enforcement Office and Board of Appeals is public record.

Appellant Signature _____

Date _____