



OWLS HEAD BOARD OF APPEALS APPLICATION

APPELLANT/APPLICANT INFORMATION (please print)

Name Applicant(s)/Appellant(s) _____

Street Address(s) _____ Map _____ Lot _____

Appellant Mailing Address _____

Appellant Tel # _____ Cell _____ Fax _____ Email _____

Name of Appellants Agent/Legal Rep. _____

Agents Mailing Address _____

Agents Tel # _____ Fax _____ Email _____

INFORMATION ON PROJECT / ACTION BEING APPEALED OR APPLIED FOR

Name of Project _____

Street Address of Project/Action _____ Map: _____ Lot: _____

Name of Owner _____

Owners Mailing Address _____

Owner's Tel. # _____ Fax _____ Email _____

TYPE OF APPEAL REQUIRING REVIEW

(please check off and complete appropriate attached sheet for specific type of appeal)

___ Administrative appeals of the order or decision or lack of determination of the Planning Board or the Code Enforcement Officer

___ Variances authorized by the Ordinance.

___ Ordinance interpretation

___ Miscellaneous appeals

IMPORTANT INFORMATION FOR APPELLANTS AND APPLICANTS

1. Please provide 7 (12 preferred) copies of a complete appeal application and supporting documentation;
2. Please enclose a check for Board of Appeals hearing fee;
3. The Owls Head Board of Appeals should meet within 30 days after a formal request has been received by the Code Enforcement Office;
4. Complete applications must be submitted to the Code Enforcement Office 15 days before a scheduled meeting;
5. The Code Office by B.O.A. Chairman Approval will schedule a meeting date upon receipt of a complete application, supporting documentation & fee;
6. Applications that are not complete will be returned to the appellant by the Planning Office for additional information.

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

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VARIANCES: A variance is a relaxation of the terms of the Land Use Ordinance that can be granted only where such variance will not be contrary to the public interest and only where literal enforcement of the Ordinance will result in 'undue hardship'. Under the Land Use Ordinance a variance is authorized only for height, area of lot and associated density, size of structures, and/or size of yards and setbacks. A side yard or rear yard setback shall not be granted if it will interfere with firefighting to a structure. The amount of variance granted should only be sufficient to relieve the 'undue hardship'. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance.

Notes to the applicant: The Board of Appeals may grant a variance only if all of the 'undue hardship' criteria can be met. : The term 'undue hardship' means:

1. The land in question cannot yield a reasonable return unless a variance is granted;
2. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;
3. The granting of the variance will not alter the essential character of the locality; and
4. The hardship is not the result of action taken by the applicant or a prior owner.

.If you are requesting a 'disability variance' please contact the Code Office.

IMPORTANT INFORMATION FOR VARIANCE APPLICANTS

1. Please provide a memo addressed to the Board of Appeals explaining how the requested variance will meet each of the undue hardship criteria for the type of variance you are requesting;
2. Please provide supporting documentation and exhibits including site plans and drawings to support your position. For side or rear yard setbacks variances of less than 25 feet, a written statement from the Fire Chief concerning fire safety is required;
3. Please provide seven (12 preferred) copies of a completed appeals board application, variance memo and supporting documentation
4. Please enclose a check for Board of Appeals hearing fee;
5. The Board of Appeals meets within 30 days after a formal request has been received by the Code Enforcement Office
6. Complete applications must be submitted to the Code Enforcement Office 21 days before a scheduled meeting;
7. The Code Enforcement Office through the Board of Appeals Chairman will schedule a meeting date upon receipt of a complete application, supporting documentation & fee;
8. Applications that are not complete will be returned to the applicant by the Code Office for additional information.

Please contact the Owls Head Code Office for additional assistance.