
Application Fee

Date Received

TOWN OF FRYEBURG, MAINE
BOARD OF APPEALS
VARIANCE REQUEST APPLICATION

Applicant: _____

The Applicant does hereby request a Variance for relief from the following provisions of the Fryeburg Planning Ordinance:

The Applicant states as follows:

1. The owner of the property is _____.

2. The property is located at _____, Street, in the
_____ District, identified on the municipal Tax Maps as Map _____ Lot _____,
containing approximately _____ (acres/ sq ft).

3. The Applicant has a legal interest in the property as follows: _____
(owner, lessee, purchaser, etc.) and has attached hereto copy of a _____,
(deed, lease, contract, option, etc.)

4. The Application proposes to do the following: _____

5. The property is currently being used as: _____

6. The condition and character of the locality are: _____

7. The condition(s) of the Applicant's property are: _____

8. Reason(s) which Applicant presents for a variance are: _____

9. Any other relevant facts which the Applicant wishes the Board to consider, which relate to this variance request are: _____

(The statements set forth may be continued on a separate page, if necessary.)

10. The Applicant must attached sketch of his/her proposal, if appropriate, which will form a basis for the variance if granted.

11. The Applicant should submit this Variance Request in completed form to the Chairman of the Board of Appeals.

12. At such time the Board has scheduled a public hearing on this request, the Applicant must notify all abutting landowners of the Variance Request and of the public hearing, at least 7 days in advance, either by certified mail, return receipt requested, or by personal notification. In the case of personal notification, the Applicant should obtain from each abutter or his/her representative a written receipt of notification.

Dated: _____

Applicant

Submitted to the Board of Appeals on _____, 20 _____

Variance Criteria Land Use Ordinance Section 18-2

Variations may be permitted only under the following conditions:

1. Variations may be granted only from dimensional requirements: lot size, lot frontage, structure height, lot coverage, and setback requirements.
2. Establishment or expansion of uses otherwise prohibited are not allowed by variance.
3. A variance may not be granted simply because of the presence of non-conformity in the district or uses in adjoining districts.
4. The Board of Appeals may grant a variance that:
 - a. The land in question cannot yield a reasonable return unless a variance is granted;
 - b. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood.
 - c. The granting of a variance will not alter the essential character of the locality.
 - d. The hardship is not the result of action take by the applicant or prior owner.
5. Such hardship may only be found by the Board of Appeals where this Ordinance, as applied to the applicant's property, substantially destroys or decreases the value of the property in question for any permitted use to which the land or property can reasonably be put. Mere inconvenience to the property owner does not satisfy this requirement. Financial hardship alone or pleading that a greater profit may be realized from the applicant's property if a variance is granted is not sufficient evidence of unnecessary hardship. Personal hardship may not be considered as grounds for a variance, since the variance will continue to affect the character of the neighborhood after title to the property has been passed...