

Town of Acworth, NH

APPLICATION FOR APPEAL TO THE ZONING BOARD OF ADJUSTMENT

Name of applicant _____

Address _____

Telephone _____ E-mail _____

Owner _____
(if same as applicant, write "same")

Location of property _____
(street, number, map & lot number)

Complete ONLY ONE of the four Appeal Sections as appropriate. Additional information may be supplied on separate sheets if necessary.

Submit all FOUR pages and be sure to SIGN and DATE this application on LAST PAGE. Include all attachments listed on the checklist found at the end of the application.

Section 1. APPEAL FROM AN ADMINISTRATIVE DECISION

Relating to the interpretation and enforcement of the provisions of the zoning ordinance.

Decision of the enforcement officer to be reviewed (Attach copy)

Date of decision _____

Article _____ section _____ of the zoning ordinance in question.

Section 2. APPLICATION FOR A SPECIAL EXCEPTION

Description of proposed use showing justification for a special exception as specified in the zoning ordinance article _____ section _____

List and explain how the proposal meets each of the special exception criteria listed in the article. _____

Section 3. APPLICATION FOR VARIANCE
USE _____ or AREA _____

A variance is requested from article _____ section _____ of the zoning ordinance to permit _____

Facts supporting this request:

1. The proposed use would not diminish surrounding property values because: _____

2. Granting the variance would not be contrary to the public interest because: _____

3. Denial of the variance would result in unnecessary hardship to the owner because:

USE VARIANCE ONLY

a. the zoning restriction as applied to the property interferes with the reasonable use of the property, considering the unique setting of the property in its environment for the following reasons:

b. no fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restriction on this property for the following reasons:

c. the variance would not injure the public or private rights of others for the following reasons:

AREA VARIANCE ONLY

a. the following special conditions of the property make an area variance necessary in order to allow the development as planned:

b. the same benefit cannot be achieved by some other reasonably feasible method that would not impose an undue financial burden for the following reasons:

4. Granting the variance would do substantial justice because:

5. The use is not contrary to either the spirit or the intent of the ordinance because:

Section 4. APPLICATION FOR EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS

An Equitable Waiver of Dimensional Requirements is requested from Article _____
Section _____ of the zoning ordinance to permit _____

1. Does the request involve a dimensional requirement, not a use restriction?
 YES NO

2. Explain how the violation has existed for 10 years or more with no enforcement action, including written notice, being commenced by the town. _____

-or-

Explain how the nonconformity was discovered after the structure was substantially completed or after a vacant lot in violation had been transferred to a bona fide purchaser _____

and how the violation was not an outcome of ignorance of the law or bad faith but resulted from a legitimate mistake. _____

3. Explain how the nonconformity does not constitute a nuisance or diminish the value or interfere with future uses of other property in the area.

4. Explain how the cost of correction far outweighs any public benefit to be gained.

Applicant _____
Signature _____
Date _____
Owner _____
Signature _____
Date _____

CHECKLIST OF ATTACHMENTS:

1. Copy of decision being appealed.
2. Survey or detailed sketch of the property showing area, frontage, side and rear lines, setbacks, slopes, natural features and any other relevant information.
3. Description of the proposal, including sketches, plans, pictures and any other relevant information to explain the proposed use.
4. Narrative of any additional information contributing to the appeal.
5. List showing names of and current mailing addresses (verify within 5 days of submission) for the applicant, owner, and all abutters. For the purpose of notification, holders of conservation, preservation or agricultural restrictions on the property are considered abutters.
6. Authorization for applicant to act for owner if owner has not signed application.
7. Application and notification fees (for Town fee schedule, call the Administrative Assistant at 603-835-6879).

Adopted 7-2-08

