

APPLICATION FOR VARIANCE OR ADMINISTRATIVE APPEAL
TO THE APPEALS BOARD

Name of Appellant _____

Mailing Address _____ Telephone _____

Town/City _____ Zip _____

Name of Property Owner _____ Map _____ Lot _____

Location of Property _____ Book _____ Page _____

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

_____ 1. **An Administrative Appeal.** Relief from the decision, or lack of decision, of the Code Enforcement Officer or Planning Board in regard to an application for a permit, pursuant to the China Land Development Code, Chapter 9, Appeals, Section 2(B):

_____ 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 (please attach a separate piece of paper). You should be as specific as possible so that the Board of Appeals can give full consideration to your case.

_____ 2. **A Variance.**

a. Nature of Variance: Describe generally the nature of the variance _____

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 features of the lot in question.

b. Justification of Variance: In order for a variance to be granted, the appellant must demonstrate to the Board of Appeals that the strict application of the terms of the land use ordinance would cause undue hardship. There are four criteria, all of which must be met before the Board of Appeals can determine that a hardship exists. Please explain how your situation meets each of these criteria listed below, pursuant to the China Land Development Code, Chapter 9, Appeals, Section 2(A):

1. The land in question can not yield a reasonable return unless the 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 a variance will not alter the essential character of the locality.

4. The hardship is not the result of action taken by the appellant or a prior owner.

I certify that the information contained in this application is true and correct.

Date: _____ Signature of appellant _____

Please return this form to the China Town Office at 571 Lakeview Drive, China, ME 04358 with the \$25 application fee. You will be notified of the date of the hearing on your appeal. Please note, all costs to advertise the public hearing notice in the newspaper and to send notice certified mail, return receipt to all abutters (China Land Development Code, Chapter 9, Appeals Section 2(A)(IV), Notification) is the responsibility of the appellant.