

**TOWN OF CUMBERLAND
BOARD OF ADJUSTMENT AND APPEALS**

DATE: _____
FEE: _____
BY: _____

VARIANCE APPLICATION FORM

I. BACKGROUND INFORMATION

- A. Applicant Name: _____
- B. Applicant Address: _____
- C. Applicant Phone Number: _____
- D. Address of Property for which variance is sought: _____

- E. Tax Map and Lot Number of Subject Property: _____
- F. Zoning District in which Subject Property is located: _____
- G. Zoning restriction(s) sought to be varied: _____

II. VARIANCES IN GENERAL

Pursuant to 30-A M.R.S.A. §4353(4-C), the Board of Adjustment and Appeals may grant a variance only when strict application of the ordinance to the Applicant and the applicant's property would cause "a practical difficulty" and when the following conditions exist. "Practical difficulty" shall mean that the strict application of the ordinance to the property precludes the ability of the petitioner to pursue a use permitted in the zoning district in which the property is located and results in significant economic injury to the petitioner.

"Dimensional standards" means and is limited to Ordinance provisions relating to lot coverage, frontage, and setback requirements.

The Board must make a positive finding on each of the following criteria. Please describe in the space provided how your request meets the "practical difficulty" criteria listed below.

- A. The need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;

- B. The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties;

C. The practical difficulty is not the result of action taken by the applicant or a prior owner.

D. No other feasible alternative to a variance is available to the petitioner;

E. The granting of a variance will not unreasonable adversely affect the natural environment; and

F. The property is not located in whole or in part within the shoreland areas as described in Title 38, Section 435.

APPELLANT(S)

DECISION

Following a hearing and a vote of the Cumberland Board of Adjustment and Appeals on _____, you are hereby notified that your variance has been
(GRANTED subject to the following restrictions:)
(DENIED due to a finding by the Board that:)

_____ SIGNED _____
