

FOR OFFICE USE ONLY

Case # _____

Date Filed _____

APPLICATION FOR APPEAL

Name of Applicant(s): _____

Address: _____

Phone #: _____

E-Mail : _____

Owner of Property : _____
(if same as applicant, write "same")

Location of Property: _____
(Street, Tax Map & Lot number)

NOTE: Fill in Section 1, 2, 3, and/or 4, as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on separate sheet if the space provided is inadequate.

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 _____

Number _____ Date _____ 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 _____.

Conditions: (attach pages if necessary)

(1) The specific site is an appropriate location for such use.

(2) There is adequate area for safe and sanitary sewage disposal.

(3) The use will not adversely affect the adjacent area.

(4) There will be no nuisance or hazard created.

(5) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.

(6) The use will not impair the aesthetic values exhibited by the surrounding neighborhood.

(7) The building, parking and/or driveway area shall not exceed 50% of the lot.

Section 3. APPLICATION FOR VARIANCE

A variance is requested from Article _____ Section _____ of the zoning ordinance.

Request is to permit:

Facts supporting this request:

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

2. Granting the variance would be of benefit to the public interest because:

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

Use Variance:

(a) The zoning restriction as applied to the applicant's property interferes with the applicant's reasonable use of the property, considering the unique setting of the property in its environment because:

b. No fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restrictions on the property because:

c. Would the variance injure the public or private rights of others?:

Area Variance:

a. What special conditions of the property make an area variance necessary in order to allow the applicant to construct the development as designed?:

b. Why the applicant can not achieve the same benefit by some other reasonably feasible method that would not impose an undue financial burden?:

4. Granting the variance would do substantial justice because:

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

Section 4. APPLICATION FOR A CHANGE IN A NON-CONFORMING USE BY SPECIAL EXCEPTION (Article VI Section A(1))

An existing non-conforming use may be changed to another non-conforming use by special exception, subject to the following criteria and any conditions that may be attached to the special exception by the Zoning Board of Adjustment.

To grant a special exception, the Zoning Board of Adjustment must find that the applicant satisfies each of the following criteria: *(Please make statements regarding each of the following conditions.)*

Description of Proposed Use and Present Non-Conforming Use:

_____ A. The new non-conforming use will be equally or more conforming with the purposes of the ordinance and the intent of the use restrictions applicable in the particular zoning district;

B. The applicant must surrender all rights to continue the previously existing non-conforming use;

C. There will not be an adverse impact on the surrounding neighborhood;

D. The proposed replacement would not result in an increase in noise, vibration, dust, odor, fumes, glare and smoke detectable at the property line;

E. The numbers and kinds of vehicular trips to the site will be comparable to, or lower than, those associated with the existing use;

F. The replacement will not place increased demand on the amount and nature of outside storage or loading requirements, and there will be no net loss in the number of existing off-street parking spaces servicing the existing use(s);

G. The visual appearance of the site and structure will either remain unchanged or will be improved;

H. The proposed hours of operation for the use will result in an equal or lesser impact on the neighborhood;

I. Non-conforming characteristics including, but not limited to, signs, off-street loading and parking, lighting, landscaping, of the previously existing use shall be brought into conformance with the ordinance to the extent feasible;

J. The non-conforming use area of the lot will not be increased;

K. The gross square foot floor area of the building housing the existing non-conforming use will not be expanded as a result of the replacement;

L. The replacement will be equally or more compatible with the neighborhood, will contribute to neighborhood socioeconomic needs, or will otherwise be in the public interest.

Notification of abutters and engineers/surveyor is required by law, please list name(s), address(es), tax map & lot numbers (if applicable) below:

	Tax Map	Lot	Abutters Name & Address
1.	<input type="text"/>		<input type="text"/> <input type="text"/> <input type="text"/>
2.	<input type="text"/>		<input type="text"/> <input type="text"/> <input type="text"/>
3.	<input type="text"/>		<input type="text"/> <input type="text"/> <input type="text"/>
4.	<input type="text"/>		<input type="text"/> <input type="text"/> <input type="text"/>

New Hampton ZBA Application PG# 12

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A filing fee of \$125.00 plus the cost of certified/registered mail for each notice to abutters, applicants, property owners and engineers/surveyors, payable to the Town of New Hampton, must be paid before this application for appeal may be processed.

I understand that the filing fee covers only those minimal expenses necessary to bring my appeal before public hearing of the New Hampton Zoning Board of Adjustment.

I also understand and agree that I am liable and responsible for any additional expenses legally incurred by the New Hampton Zoning Board of Adjustment in the disposition of my appeal.

Signature(s): _____

Date: _____

AUTHORIZATION TO INSPECT

I/We hereby give permission to any member or designee of the New Hampton Zoning Board of Adjustment to enter onto my/our property located on _____ Tax Map # _____ Lot # _____, for the purpose of inspecting said property with reference to the changes, alterations, or improvements set forth in my/our Zoning Board of Adjustment application and until such time my application is finalized.

Date: _____

Owner(s) Signatures: _____

NOTE: If the applicant is not the owner(s) of record then a notarized letter to authorize the applicant to present the proposal to the Zoning Board of Adjustment will be required.