

TOWN OF OLD ORCHARD BEACH

Zoning Board of Appeals

Miscellaneous Appeal

Application



This application and all accompanying submissions shall conform to the applicable provisions of the Old Orchard Beach Zoning Ordinance.

PLEASE RESPOND TO ALL QUESTIONS:

❖ **RECORD OWNER OF PROPERTY:**

Corporate Contact Person (if applicable): _____

Mailing Address: _____

Telephone Number: _____

Email Address: _____

Daytime: _____

Evening: _____

❖ **APPLICANT/AGENT** (if different from owner): _____

Mailing Address: _____

Telephone Number: _____

Email Address: _____

Daytime: _____

Evening: _____

❖ **STREET LOCATION** (Address of the property): _____

Tax Map #: _____ Block #: _____ Lot #: _____ Zone: _____

❖ **RIGHT, TITLE OR INTEREST IN THE PROPERTY:**

_____ Record Owner

_____ Contract to purchase, option or lease

Deed Book #: _____ & Page #: _____

❖ **EXISTING USE OF PROPERTY:** _____

❖ **PROPOSED USE OF PROPERTY:** _____

❖ **DESCRIBE THE PROPOSED PROJECT:** _____

OFFICE USE ONLY:

Date Received:	
Date Application Fee Paid:	
Received By:	

In order for the miscellaneous appeal to be granted, the appellant must demonstrate to the Board of Appeals that the following criteria are met for a Limited Reduction of Yard Size/Limited Expansion of Lot Coverage or Nonconforming Means of Egress Construction as per Section 14.3.3.1 and 14.3.3.2 of the Zoning Ordinance.

1. LIMITED REDUCTION OF YARD SIZE/LIMITED EXPANSION OF LOT COVERAGE

a. The existing buildings or structures on the lot for which the limited reduction of yard size/limited expansion of lot coverage is requested were erected prior to the date of adoption of this provision or the lot is a vacant nonconforming lot of record.

b. The requested reduction is reasonably necessary to permit the owner or occupant of the property to use and enjoy the property in essentially the same manner as other similar properties are utilized in the zoning district.

c. Due to the physical features of the lot and/or the location of existing structures on the lot, it would not be practical to construct the proposed expansion, enlargement or new structure in conformance with the currently applicable yard size or lot coverage requirements.

d. The impacts and effects of the enlargement, expansion or new principal building or structure on existing uses in the neighborhood will not be substantially different from or greater than the impacts and effects of a building or structure which conforms to the yard size requirements.

2. NON-CONFORMING MEANS OF EGRESS CONSTRUCTION

a. *The requested stairway or ramp is the minimum structure, dimensionally, as required by the Town of Old Orchard Beach Building Code*

b. *Due to physical features of the lot or location of structures on the lot, it would not be practical to construct the proposed stairway or ramp in conformance with applicable space and bulk requirements.*



List the space and bulk dimensions:

	<u>Existing</u>	<u>Proposed</u>	<u>Required</u>
1) Frontage:	_____	_____	_____
2) Front Yard:	_____	_____	_____
3) Left Side Yard:	_____	_____	_____
4) Right Side Yard:	_____	_____	_____
5) Rear Yard:	_____	_____	_____
6) % of Lot Coverage:	_____	_____	_____
7) Height:	_____	_____	_____
8) Width:	_____	_____	_____
9) Minimum Net Lot Area per Family Unit:	_____	_____	_____
10) Building Coverage:	_____	_____	_____
11) Other: _____	_____	_____	_____



The Zoning Board of Appeals Clerk will fill this section out for the applicant if they do not have all the information requested below. Applicant will be responsible for the cost and mailing of these letters. Your abutters must legally be notified by registered mail at least 10 days before the scheduled meeting. Please be accurate.

On the left side of your home:
On the right side of your home:
Directly behind your home:
One house to the right behind your home:
One house to the left behind your home:
House directly across the street from your home:
One house to the right directly across the street from your home:
One house to the left directly across the street from your home:
Your mailing address:

THE APPLICANT WILL BE RESPONSIBLE FOR THE COST AND MAILING OF THESE LETTERS.

INCLUDE TEN COPIES OF THIS APPLICATION WITH THE FOLLOWING:

- COPIES OF THE DEED TO THE PROPERTY;
- COPIES OF A PLOT PLAN;
- APPLICATION FEE MADE PAYABLE TO THE TOWN OF OLD ORCHARD BEACH.

THE PLOT PLAN MUST INCLUDE:

- THE SHAPE AND DIMENSIONS OF THE LOT,
- EXISTING AND PROPOSED STRUCTURES (GARAGES, SHEDS, POOLS, ETC.)
INCLUDING STAIRS, PORCHES AND DECKS,
- SETBACKS OF EXISTING AND PROPOSED STRUCTURES FROM THE PROPERTY LINES,
- ABUTTERS,
- ROADS, STREETS,

NOTE TO THE APPELLANT: The fee for a Zoning Board variance hearing is \$75.00. Please attach a check for that amount made payable to the Town of Old Orchard Beach.

The undersigned hereby makes application to Town of Old Orchard Beach for approval of the attached plans and declares the foregoing to be true and accurate to the best of his/her knowledge:

Signature of Owner, Applicant or Agent

Date

Helpful Tips for your Zoning Board Appeal

- You must attend the meeting for the board to hear your appeal. If you are not present, the board will not hear the item. Meetings are in Council Chambers on the 3rd floor of Town Hall at 6:30 p.m.
- The application must be filled out **completely**. If you are having trouble with the application, please feel free to set up an appointment with CEO Rick Haskell for assistance.
- You must, by law, notify abutting properties of the public hearing. (see page 4 of your application). These need to be mailed at least (10) days prior to the ZBA meeting.
- If the ZBA approves your appeal you are required to file the certificate of approval with the York County Registry of Deeds and submit a copy of this to our office.
- Once the approval is filed with the Registry of Deeds, you will need to apply for a building permit for the work requested to be done. Work cannot begin until you have a building permit from the Building Department.

James Butler, Code Enforcement Officer 207-937-5615

Valdine Camire, ZBA Clerk 207-937-5645