

# TOWN OF DAYTON

33 CLARKS MILLS ROAD  
DAYTON, MAINE 04005

## BOARD OF APPEALS APPLICATION FOR VARIANCE

### A. General Information

1. Name of Applicant: \_\_\_\_\_
2. Mailing Address: \_\_\_\_\_
3. City or Town: \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_
4. Telephone: \_\_\_\_\_
5. Name of Property Owner: \_\_\_\_\_
6. Location (road address) of property for which variance is requested:  
\_\_\_\_\_
7. Zoning district in which the property is located: \_\_\_\_\_
8. Tax map and lot number of subject property: Map \_\_\_\_\_ Lot \_\_\_\_\_
9. The applicant has the following legal interest in the subject property (attach copy):
  - \_\_\_\_\_ Deed
  - \_\_\_\_\_ Lease
  - \_\_\_\_\_ Purchase and sale agreement
  - \_\_\_\_\_ Option agreement
  - \_\_\_\_\_ Other (specify): \_\_\_\_\_
10. Type of variance being requested (check appropriate one):
  - \_\_\_\_\_ Undue Hardship Variance (complete Sections B and C)
  - \_\_\_\_\_ Disability Variance (complete Sections B and D)

**B. Reasons/Supporting Information for Variance.**

1. The applicant proposes the following building, structure, use or activity on the subject property: \_\_\_\_\_  
\_\_\_\_\_

2. The applicant seeks a variance(s) from the following dimensional requirement(s) in Article 4 of the Zoning Ordinance:  
\_\_\_\_\_  
\_\_\_\_\_

3. The lot is currently being used for the following: \_\_\_\_\_  
\_\_\_\_\_

**C. Undue Hardship Dimensional Variance.**

The Board of Appeals may grant a variance only when strict application of the ordinance to the applicant and the applicant's property would cause undue hardship, which means that the application meets each of the criteria listed below.

**Please explain why you believe that the subject property meets each of the following criteria for this type of variance:**

1. The land in question cannot yield a reasonable return unless a variance is granted:

\_\_\_\_\_  
\_\_\_\_\_;

2. The need for the variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood:

\_\_\_\_\_  
\_\_\_\_\_;

3. The granting of the variance will not alter the essential character of the locality:

\_\_\_\_\_

\_\_\_\_\_ ; and

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

\_\_\_\_\_  
\_\_\_\_\_

**D. Disability Variance.**

The Board of Appeals may grant a variance to an owner of a dwelling for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. The Board shall restrict any variance granted under this provision solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability. The board may impose conditions on the variance, including limiting the variance to the duration of the disability or the time that the person with the disability lives in the dwelling. For the purposes of this provision, a disability has the same meaning as a physical or mental handicap under the Maine Human Rights Act and the term "structures necessary for access to or egress from the dwelling" is defined to include railing, wall or roof systems for the safety or effectiveness of the structure.

**Please answer the following questions to explain why you feel that the subject property meets each of the following criteria for this type of variance:**

1. Does a person with a disability reside in the dwelling? \_\_\_\_\_.
2. Does a person with a disability regularly use the dwelling? \_\_\_\_\_.
3. Is the installation of equipment or the construction of structures proposed under this application necessary for access to or egress from the dwelling by the person with the disability? (Explain) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

4. Does the disability have a known duration? \_\_\_\_\_. If so, what is that duration?  
\_\_\_\_\_

**E. Additional Information**

In addition to the information provided above, please submit the following:

1. A sketch plan of the property showing dimensions and shape of the lot;
2. The size and relative locations of existing buildings,
3. The locations and dimensions of proposed buildings,
4. The locations and dimensions of proposed additions and alterations,
5. The locations of roads and driveways,
6. The location of any water body adjacent to the property,
7. Any natural and topographic peculiarities of the lot in question,
8. The names and mailing addresses of all owners of property abutting the subject property.
9. The names and mailing address of all owners of property within 500 feet of the subject property.

**F. Application Fee**

An Application Fee of \$150.00, payable to the Town of Dayton, must accompany the filing of this application. *(Additional costs for Certified Mail and legal postings are due and payable before the date of the Public Hearing).* The application is to be filed with the Town Clerk.

**G. Hearing Date**

The Board will review this application for completeness ~~by~~ before a hearing date is scheduled.

**H. Signature of Applicant**

To the best of my knowledge, all information submitted on and with this application is true and correct.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)