

**TOWN OF NORTHPORT  
ZONING BOARD of APPEALS  
APPLICATION FOR HEARING**

Town Office  
16 Beech Hill Rd  
Northport, ME 04849  
Telephone: 338-3819 Fax: 338-3596

**A. General Information (The applicant must complete all parts of A.)**

1. Name of Applicant: \_\_\_\_\_

2. Mailing Address: \_\_\_\_\_

3. City or Town: \_\_\_\_\_

4. Telephone (Day and Evening): \_\_\_\_\_

5. Name of Property Owner (if different from applicant): \_\_\_\_\_

6. Location of property for which variance is requested (Street/Road  
Address): \_\_\_\_\_

7. Tax map and lot number of subject property: Map\_\_\_\_\_, Lot\_\_\_\_\_.

If property is in NVC (Bayside) what Zoning District is it in? \_\_\_\_\_.

8. The Owner has the following legal interest in the subject property.  
Check the appropriate category and attach a copy of supporting legal  
interest (e.g. a valid deed):

\_\_\_\_\_ Deed

\_\_\_\_\_ Purchase and sale agreement

\_\_\_\_\_ Lease

\_\_\_\_\_ Option agreement

\_\_\_\_\_ Other (explain) \_\_\_\_\_

9. It is always necessary for the ZBA to notify abutters to the subject property of a hearing (date, time and place) by mail. It is the Applicant's responsibility to go to the Town Office and obtain the names and tax mailing addresses of all Abutters. These may be supplied in the space provided on page 8 of this application.

An Abutter is anyone sharing a property line with the applicants or across a Town road or street from the applicant.

The Northport ZBA tends to be conservative on this matter, so if there is any question about whether someone is an Abutter, include them on the list.

10. Additional documents required to accompany this application:

If Applicant is appealing or contesting an action by the Planning Board, then a copy of portions of minutes pertaining to this appeal must be attached.

If Applicant is appealing or contesting an action by the CEO then a copy of the written order(s) from the CEO giving rise to this application for hearing must be attached.

11. If the Property Owner is not the Applicant, or is to be represented by others in any hearing, a letter authorizing the Applicant or other representatives to act for the Property Owner must be attached to this application

**B. Type of Hearing being requested**

**1. The applicant is seeking (check the appropriate category):**

\_\_\_\_\_ An Administrative Hearing to obtain relief from a decision by the Planning Board or CEO on a permit application or enforcement issue.

\_\_\_\_\_ An Administrative Hearing to obtain permission to rebuild or modify a non-conforming structure within the Northport Village Corporation ("Bayside"). Please note that special restrictions apply to "society cottages" within Historic District of the Northport Village Corp as required by the NVC Zoning Ordinance.

\_\_\_\_\_ An Appeals Hearing to obtain variance from an ordinance.

It is the Applicant's responsibility to fully understand the ordinances controlling any property changes being requested. If applicant is unsure

of the pertinent ordinances, or the type of hearing being requested, he or she should consult the CEO. Applications will be rejected if it is evident that inadequate effort has been given to understanding the ordinances applicable to the hearing being requested.

**If Applicant is seeking a Variance Hearing please skip to 4 below**

## **2. Administrative Hearing**

The Applicant seeks relief from the following action thought to be in error that was made by the Planning Board or CEO. Alternatively, the Applicant seeks permission to initiate the construction described below that is within the Northport Village Corp., and requires ZBA approval. A sketch or sketches will usually be necessary for complete understanding of the error or proposed construction. See "Sketch" under 3 below for requirements.

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(For additional space add blank pages to end of Application)

## **3. Sketch (Attached) VERY IMPORTANT**

The sketch need not be draftsman quality, but it must show a plan view (footprint) of the lot and structures with property lines clearly marked. Set backs from property lines and distances to the closest structures on abutter's property must be clearly shown to the nearest foot. The sketch should contain an estimate of the percent lot coverage by structures and the calculated square footage of the lot. Elevation views of all structures are also needed, preferably showing the lot from four sides. In addition roads and driveways should be shown as well as any water bodies adjacent to the property and any natural or topographic features peculiar to the lot. The North direction should appear on all plan views.

**If an Administrative Hearing is being applied for, the Applicant can skip to the last page and complete it.**

**4. Variance Hearing**

The applicant proposes the following changes to the property (written description) that the Planning Board or CEO has decided are in conflict with applicable ordinances. A sketch attached to this application will usually be necessary for complete understanding. See "Sketch" under 3 above for requirements.

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(For additional space add blank pages to end of Application)

(a) This lot and/or the structure(s) on it are nonconforming for the following reasons (use, size, shore frontage, setbacks, height, etc.). Please address all aspects of nonconformance:

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(b) The applicant seeks a variance(s) from the following standard(s):

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which is/are contained in section(s) \_\_\_\_\_ of the

\_\_\_\_\_ Northport Shoreland Use Ordinance

\_\_\_\_\_ Northport Village Corp Zoning Ordinance

\_\_\_\_\_ Northport Subdivision Standards

(c) The lot is currently being used for the following purpose:

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(d) The conditions and character of the neighborhood are:

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(e) The applicant requests the following type of variance (check appropriate one):

\_\_\_\_\_ Undue Hardship Variance (30-A M.R.S.A. ¶ 4353(4));

\_\_\_\_\_ Disability Variance (30-A M.R.S.A. ¶ 4353(4-A));

**C. The applicant shall complete the appropriate section below for the particular type of variance sought. (For a Hardship Variance proceed to C1 and then D; for Disability Variance proceed to C2 and then D.)**

**1. Undue Hardship Dimensional Variance.** The Board of Appeals may grant a variance only when strict application of the ordinance to the Appellant and the Appellant's property would cause undue hardship, which means that the application meets each and every one 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:**

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

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

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\_\_\_\_\_ , and

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

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d. The hardship is not the result of action taken by the Applicant or a Prior Owner:

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## **2. 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 to the time that the person with the disability lives in the dwelling. For the purpose 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 necessary for the safety or effectiveness of the structure.

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

a. Does a person with a disability reside in the dwelling? \_\_\_\_\_

b. Does a person with a disability regularly use the dwelling?  
(Explain) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. 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)  
\_\_\_\_\_  
\_\_\_\_\_

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

**D. Signature of Property Owner or Authorized Applicant in case of a Hearing or Appellant in case of an Appeal**

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

Date: \_\_\_\_\_, \_\_\_\_\_.

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

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

When this application has been completed it should be submitted to the Northport Zoning Board of Appeals (NZBA) for review for completeness. If the ZBA is satisfied as to completeness the Applicant will be informed, and seven (7) copies of the application and attachments should be left with the Town Clerk or CEO for delivery to the NZBA.

**Abutters**

Please list property abutters below, including property owners across the street/road.

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Name	Mailing Address	Map/Lot
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Name	Mailing Address	Map/Lot
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Name	Mailing Address	Map/Lot
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Name	Mailing Address	Map/Lot
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Name	Mailing Address	Map/Lot
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Name	Mailing Address	Map/Lot
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**Attachments**

Please identify on each page an identifying Attachment number and list by name and number here below.

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