

**APPLICATION TO THE ZONING BOARD OF ADJUSTMENT
Town of New Durham**

Case No. _____

Date filed _____

(Signed- ZBA)

Name of applicant _____

Address _____

Property Owner:

(If same as applicant, write same)

Location of property _____

Map_____ Lot_____

Property Description:

(Provide information on property area: frontage of lot; side and rear lines of lot: slopes and natural features of lot: etc. Use additional paper as necessary)

Please provide 8 full copies of application materials (including supporting documents). If using survey plans please provide 5 full size copies (24 x 36) and 10 reduced size copies (11 x 17).

NOTE: Please read Instructions for a ZBA Appeal before completing this document. Fill in Section 1, 2, 3 or 4 below as appropriate. This application is not acceptable unless all required statements have been made. Additional information may be supplied on a 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.

An Appeal to an Administrative Decision must be made within 30 days of the date of decision.

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 _____

SECTION 3. APPLICATION FOR A VARIANCE

A variance is requested from Article _____ Section _____ of the zoning Ordinance to permit _____

Facts supporting this request:

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

2. Granting the variance would not be contrary to the public interest because:

3. Denial of the variance would result unnecessary hardship to the owner because:

a. The Zoning restriction as applied to the property interferes with the reasonable use of the property, considering the unique setting of the property in its environment:

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

c. The variance would not injure the public or private rights of others since:

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 EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS

An Equitable Waiver of Dimensional Requirement is requested from Article _____
Section _____ of the Zoning ordinance to permit:

Does the request involve a dimensional requirement, not a use restriction? () Yes () No

Explain how the violation has existed for 10 years or more with no enforcement
action, including written, being commenced by the town: _____

Explain how the nonconformity was discovered after the structure was substantially
completed or after a vacant lot in violation had been transferred to a bona fide purchaser:

Explain how the violation was not an outcome of ignorance of the law or bad faith but
result from a legitimate mistake _____

Explain how the nonconformity does not constitute a nuisance nor diminish the value or
interfere with future uses of other property in the area _____

Explain how the cost of correction far outweighs any public benefit to be gained:

Signature of Applicant: _____

Date: _____

Signature of Property Owner: _____

Date: _____

****If a professional ie: Attorney, Surveyor, Engineer, etc. is representing the property owner, a letter signed by the property owner must be submitted with the completed application authorizing that person to act on their behalf.**

ABUTTER'S LIST

Please list all abutters on the form provided with this application. List names and addresses of abutters or the holders of conservation, preservation or agricultural easements (pursuant to RSA 676:7), including street numbers, street names, and zip codes, and Tax Map & Lots numbers (taken from the town tax records) to be submitted with an application. Include abutters across the street, brook or stream on any lot line.

Map _____ Lot _____

Map _____ Lot _____

Map _____ Lot _____
