

TOWN OF RAYMOND
BOARD OF APPEALS APPLICATION INSTRUCTIONS

Please read these instructions carefully before filling out the application.

1. EIGHT (8) copies must be submitted of **all** materials, including the application form, sketch plan of the property showing dimensions and shape of the lot, the size, set backs and location of all existing buildings, plans, location and dimensions of proposed buildings or alterations, the location of any buildings within 100 feet of the lot, and any natural or topographic peculiarities of the lot in question.
2. Explain, in detail, the facts surrounding this appeal (please attach a separate piece of paper). You should be as specific as possible so that the Board of Appeals can give full consideration to your case.
3. All materials and the correct fee must be submitted to the Code Enforcement Officer no later than 3:00 pm on the Friday at least **30 days** prior to the next scheduled meeting of the Appeals Board. If all information is not submitted by the deadline, the appeal **will not** be considered. **THERE WILL BE NO EXCEPTIONS.** The final decision of the completeness of an application rests with the Board.
4. All materials submitted must be typed or printed. Illegible applications (including signatures) will not be accepted.
5. If the applicant is not the appellant (property owner), the appellant must submit a signed and notarized statement that the applicant has the authority to represent the appellant at the meeting.
6. If the Appeals Board requests additional information at the meeting, or schedules a site walk, you will be continued to a later meeting at the discretion of the Board.
7. Any variance or setback reduction granted shall expire if the work or change permitted under the variance is not begun within six (6) months and substantially completed within one (1) year of the date of the vote by the Board. Any extension of this time must be requested at the time of the application.
8. A Certificate of Variance or Setback Reduction must be recorded at the expense of the applicant in the Cumberland County Registry of Deeds within 90 days of the Boards decision or the variance shall be null and void. A building permit must be obtained after the variance is properly recorded and before work is started. If work is started without the variance being recorded and a building permit issued, a penalty of \$100.00 per day may be imposed.

Scott Dvorak, CEO
655-4742 ext. 161

**TOWN OF RAYMOND
APPLICATION TO THE BOARD OF APPEALS**

| Staff Use Only: | | Received Date |
|--------------------|-----------|---------------|
| Application Fee | \$ 75.00 | |
| Recording Fee | \$ _____ | |
| Notice Fee | \$ _____ | |
| \$8.00/abutter | _____ | |
| Publishing Fee | \$ 600.00 | |
| Escrow-if required | \$ _____ | |

Name of Applicant _____

Mailing Address _____

Primary Phone _____ C H W email _____

Date property acquired: (month and year) _____

Name of Owner (if different than applicant) _____

Mailing Address _____

Town: _____ State _____ Zip Code _____

Primary Phone _____ C H W email _____

Property Address (street number and name): _____

Town of Raymond Map _____ Lot _____ Zone _____

Registry of Deeds Book _____ Page _____

The undersigned applies for the following:

- ___ 1. ADMINISTRATIVE APPEAL. Applicant requests relief from the decision, or lack of decision, of the Code Enforcement Officer. The undersigned believes that (check one)
 - ___ An error was made in the denial of the permit
 - ___ Denial of the permit was based on the misinterpretation of the ordinance
 - ___ The permit was not approved or denied within a reasonable period of time
 - ___ Other: _____
- ___ 2. VARIANCE (the information listed on the following page must be submitted)
- ___ 3. CONDITIONAL USE PERMIT For _____ (use) in _____ Zone
- ___ 4. VARIANCE PROVISION(S) FOR NON-CONFORMING Lot Structure Use
- ___ 5. SETBACK REDUCTION

I have read, understand and agree to the above instructions and conditions. I also authorize any Board Member or other Town Officials to enter onto the site. I certify that the information contained in this application and its supplement is true and correct.

Date: _____ Appellant: _____

Date: _____ Property Owner: _____

VARIANCE CRITERIA

a. Nature of variance: Describe the nature of the variance.

NOTE: Eight (8) copies of a sketch plan of the property **must** accompany this application showing the dimensions and shape of the lot, the size, setbacks and location of **existing** buildings, the location and dimensions of proposed buildings or alterations, the location of any buildings within 100 feet of the lot, and any natural or topographic peculiarities of the lot in question.

b. Justification of variance: In order to be granted, the Appellant **MUST DEMONSTRATE** to the Board of Appeals that the strict application of the zoning ordinance would cause **UNDUE HARDSHIP. MAINE STATE LAW REQUIRES FOUR CRITERIA, WHICH MUST BE MET** before the Board of Appeals can find that the hardship exists. Please explain how your situation meets **EACH** of these criteria listed below: (If these are not answered, the appeal will not be scheduled.)

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

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

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

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

APPEALS BOARD APPLICATION FEES

| | |
|--|--|
| Residential Appeal _____ | \$75.00 |
| Non-Residential Appeal (Commerical-Industrial) _____ | \$235.00 |
| Abutter Notice Fee _____ | \$8.00 per Abutter (to be determined by staff) |
| Publishing Fee _____ | \$600.00 |
| For Variances and Setback Reductions – Recording Fee (if required) _____ | \$15.00 |

Escrow Account Requirements

If the Appeals Board or the Code Enforcement Officer requests professional review or advice, the Applicant shall establish an escrow account in the amount of \$1,500.00 before the advice is requested. The Town shall provide the Applicant with an account of how the funds are spent. Those monies deposited by the Applicant and not spent by the Town in the course of the Towns review shall be returned to the Applicant within 45 days after the decision on the application is final.

If the escrow account established for Appeals Board review drops below 50% of the amount deposited, the Board will not take any action, including any meetings on the project, until the account has been brought back up to the original balance. The applicant shall pay any amount outstanding within 45 days of the billing date by the Town.