

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

Staff Use Only:	Received Date
Application Fee \$ 75.00	
Recording Fee \$ 0	
Notice Fee \$	
\$8.00/abutter	
Publishing Fee \$ 300.00	
Escrow-if required \$ -	

Name of Applicant Jeffrey D. Clark and Bethany A.F. Clark
 Mailing Address 715 Webbs Mills Rd Raymond, Me
 Primary Phone 207-655-6270 C H W email jnbclark87@gmail.com
 Date property acquired: (month and year) 7/7/2020

Name of Owner (if different than applicant) SAME
 Mailing Address _____
 Town: _____ State _____ Zip Code _____
 Primary Phone _____ C H W email _____

Property Address (street number and name): 3 Orchard Estates
 Town of Raymond Map(012) Lot 044/000 Zone R
 Registry of Deeds Book 36921 Page 259

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: 2/14/2021 Appellant: Jeffrey Clark Bethany Clark
 Date: 2/14/2021 Property Owner: Jeffrey & Bethany Clark

VARIANCE CRITERIA

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

To create (1) one buildable (3) three-acre lot to allow for construction of a new home and to create (1) one non-conforming 2.05 acre lot, which will encompass existing structures which are mortgage free, but would have to be included in a mortgage on the new house if unable to obtain the non-conforming lot, and still build a house on same lot.

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.

By limiting/decreasing the square footage on the mobile home, in order to build a new house, thus having (2) two houses on the existing lot, the mobile home would be less rentable and less income yielding, decreasing the income derived currently.

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

The lot size is currently not large enough to have two full sized dwellings without decreasing the overall square footage on the mobile home.

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

The request for a variance would not alter the essential character of the locality – it would remain rural residential.

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

This is the size of the lot and it was never intended to be split by the prior owners.

