

**ZONING BOARD OF APPEALS
VARIANCE DECISION-PRACTICAL DIFFICULTY VARIANCE**

The applicant has/has not (circle one) shown that strict application of the ordinance to the applicant and the applicant's property would cause a practical difficulty.

(To the Board--Please state the facts that support your decision that the subject property meets or does not meet each of the following criteria for this type of variance.)

a. The strict application of the ordinance to the property precludes the ability of the applicant to pursue a use permitted in the zoning district in which the property is located:

b. The strict application of the ordinance to the property results in significant economic injury to the applicant:

c. The need for a variance is/is not (circle one) due to the unique circumstances of the property and not to the general condition of the neighborhood:

d. The granting of a variance will/will not (circle one) produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties:

e. The practical difficulty is/is not (circle one) the result of action taken by the petitioner or a prior owner:

f. Another/No other (circle one) feasible alternative to a variance is available to the petitioner:

g. The granting of a variance will/will not (circle one) unreasonably adversely affect the natural environment:

h. The property is/is not (circle one) located in whole or in part within shoreland areas as described in Title 38, § 435:

C. Decision

On the basis of the above Findings of Fact and Conclusions of Law, the Zoning Board of Appeals voted by vote of _____ to grant/deny (circle one) the application for variance, subject to the following Conditions of Approval.

D. Conditions of Approval

1. This approval is dependent upon and limited to the proposals and plans contained in the application, supporting documents submitted and testimony given by the applicant. Any variation from the supporting documents is subject to review and approval by the Board prior to implementation.

- 2. _____
- 3. _____
- 4. _____

E. Recording of Variance

As required by 30-A M.R.S.A. § 4353(5), the applicant must record a certificate of variance in the Cumberland County Registry of Deeds within 90 days of this notice or else this variance shall be void.

F. Expiration of Approval

Any right secured by this approval shall expire if the work or change involved has not begun within one year of the date on which the appeal was granted, or if the work is not completed within two years from date the appeal was granted.

G. Appeals

Parties aggrieved by this decision may appeal it to Superior Court within 45 days from the date of decision pursuant to 30-A M.R.S.A. §§ 2691 and 4353 and Rule 80B of the Maine Rules of Civil Procedure.

Date: _____ By: _____
Chair