

**ZONING BOARD OF APPEALS  
VARIANCE DECISION-UNDUE HARDSHIP**

**I. BACKGROUND INFORMATION**

- A. Applicant Name:
- B. Property Owner:

Applicant Address:

Address of Property for which variance is sought:

- E. Tax Map \_\_\_\_, Lot \_\_\_\_
- F. Zoning District:
- G. Description of variance sought:

**II. UNDUE HARDSHIP/FINDINGS AND CONCLUSIONS**

**Pursuant to 30-A M.R.S.A. §4353(4), the Board of Appeals may grant a variance only when strict application of the ordinance to the applicant and applicant's property would cause "undue hardship." To grant the variance, the Board must make a positive finding on each of the following criteria.**

- A. The land in question cannot yield a reasonable return unless a variance is granted;

**Vote \_\_ yes \_\_ no**

Findings:

**Conclusion: The land in question can/cannot yield a reasonable return if the variance is denied.**

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

**Vote \_\_ yes \_\_ no**

Findings:

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

C. The granting of a variance will not alter the essential character of the neighborhood.

**Vote \_\_ yes \_\_\_no**

Findings:

**Conclusion: The granting of a variance will/will not alter the essential character of the neighborhood.**

D. The hardship is not the result of action taken by applicant or a prior owner.

Findings:

**Conclusion: The granting of the variance is/is not the result of action taken by the applicant or a prior owner.**

**Decision:** The Board **grants/denies** the requested variance.

Vote \_\_ in favor \_\_\_ opposed

**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.

**NOTICE**

**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.**

**This variance is not valid until the Certificate of Zoning Variance Approval is recorded in the Cumberland County Registry of Deeds. The variance will become void if the Certificate is not recorded within 90 days of the date of this written appeal.**

Dated: \_\_\_\_\_ By: Zoning Board of Appeals

\_\_\_\_\_  
Chair

**Appeal notice:** 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.