

ZONING BOARD OF APPEALS APPLICATION

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

The Zoning Board of Appeals meets the second Wednesday of every month at 7PM. All materials pertaining to the application must be submitted to the Planning and Code Enforcement Office no later than four weeks prior to the meeting on Wednesday at 5pm.

All applications shall be accompanied by two (2) copies and an electronic submission of a cover letter, submission checklist and all supplementary materials as required per the type of appeal/variance/special exception being requested. Plans must be folded and all submittals shall be collated.

Submittals for the Zoning Board of Appeals will not be accepted or placed on the agenda unless all the appropriate criteria are addressed in writing.

A fee of \$250 payable to the Town of Scarborough is required at the time the application is submitted.

Required electronic submissions should be emailed to:

planningdepartment@scarboroughmaine.org.

APPLICATION TYPE

- | | |
|--|--|
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Variance Appeal |
| <input type="checkbox"/> Miscellaneous Appeal | <input type="checkbox"/> Limited Reduction of Yard Size Appeal |
| <input type="checkbox"/> Practical Difficulty Appeal | <input type="checkbox"/> Special Exception |
| | Shoreland Setback Determination |

Pre-application Date: _____

If you have not had a pre-app please contact the Planning Department at planningdepartment@scarboroughmaine.org.

PROPERTY INFORMATION

Address: _____

Tax Map & Lot Number: _____ Zoning District: _____

Is the property located in a Shoreland Zone? Yes ___ No ___

Is the property located in a Flood Zone? Yes ___ No ___

OWNER INFORMATION

Owner Name: _____

Mailing Address: _____

City: _____ **State and Zip:** _____

Telephone: _____ **Email:** _____

Name of Representative (if other than property owner): _____

Representative Mailing Address: _____

City: _____ **State and Zip:** _____

Telephone: _____ **Email:** _____

APPLICATION SUBMISSION

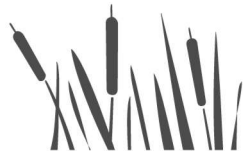
I, the undersigned, certify that the information contained in this application and the supporting documentation is true, accurate, and correct to the best of my knowledge.

Preparer's Signature: _____

Printed Name: _____ **Date:** _____

Please identify yourself (check one): Agent* _____ **Property Owner** _____

*(If you are an agent, written authorization from the property owner must be attached to this form.)



SHORELAND SETBACK DETERMINATION

Submission Checklist and Supplementary Materials

In order to reconstruct, replace, or relocate a nonconforming building or structure that is within the 75-foot shoreland setback, applicants may petition the Board of Appeals for a Determination of Shoreland Setback to the Greatest Practical Extent. The shoreland setback is measured 75 feet from the Highest Annual Tide (HAT) line and/or wetland upland edge.

Pursuant to Section 12.C.4 of the Town of Scarborough Shoreland Zoning Ordinance, the Board of Appeals may determine if any nonconforming building or structure to be destroyed or damaged regardless of the cause, by more than 50% of the market value of the structure before such damage, destruction or removal, may be rebuilt or restored provided that a permit is obtained within a period of 18 months of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the water body, tributary stream or wetland setback requirement to the greatest practical extent in accordance with the purposes of this Ordinance.

In determining whether the vertical expansion of the building meets the setback to the greatest practical extent, the Zoning Board of Appeals or its designee shall consider:

1. The size of the lot
2. The slope of the land
3. The potential for soil erosion
4. The location of other structures on the property and on adjacent properties
5. The location of the septic system and other on-site soils suitable for septic systems
6. The type and amount of vegetation to be removed to accomplish the relocation
7. The physical condition and type of foundation, if any

When it is necessary to remove vegetation within the water or wetland setback area in order to relocate a structure, the Zoning Board of Appeals shall require replanting of native vegetation to compensate for the destroyed vegetation in accordance with Section 15(R) of the Shoreland Zoning Ordinance.

PROJECT DESCRIPTION AND CIRCUMSTANCES

1. Briefly describe the project and why a determination of shoreland setback to the greatest possible extent is necessary for its completion:

REQUIRED ATTACHMENTS

To complete the application to the Zoning Board of Appeals, include the following attachments:

- Evidence showing control, right, title or interest in subject property
- Current Property Survey
- Legible PLOT PLAN drawn to scale that includes:
 1. Size and shape of lot including lot square footage
 2. Size and location of existing buildings/structures to scale, including lot coverage in square footage and percentage of total square footage as well as finished living space square footage
 3. Size and location of proposed buildings and/or alternatives to scale, including lot coverage in square footage and finished living square footage
 4. Shoreland Zone boundary (measured 75 feet from the Highest Annual Tide (HAT) line and/or wetland upland edge)
 5. Other information relevant to your specific variance such as parking, decks, utilities, drainage etc.
 6. Verification by licensed surveyor at determination of Code Enforcement Officer
- Legible BUILDING PLANS that include:
 1. Existing building floor plans with building dimensions
 2. Proposed buildings or additions with floor plans, building dimensions, external views, front, rear, right and left sides
 3. Building elevations that show each side of the building and its architecture
- Project Narrative that addresses the need for a shoreland setback determination and the criteria listed in this application. Applicants should be prepared to speak to these criteria during Board of Appeals review.

Planning & Code Enforcement