

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.

Applicants are required to schedule a pre-application appointment with Town staff at least one (1) week prior to submitting their application. Contact the Planning Department at planningdepartment@scarboroughmaine.org to schedule a pre-app.

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. Applicants are encouraged to submit supplementary materials such as photographs of the subject property and/or street or aerial imagery of neighboring properties to illustrate existing conditions and the need for the variance. In some instances, Town staff may suggest submitting financial documentation, contractor quotes, or architectural plans as supplementary evidence of the need for a variance.

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

Administrative Appeal

Miscellaneous Appeal

Practical Difficulty Appeal

Variance Appeal

Limited Reduction of Yard Size Appeal

Special Exception

Shoreland Setback Deter

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.)

Planning & Code Enforcement

SPECIAL EXCEPTION USE

Submission Checklist and Supplementary Materials

The Zoning Board of Appeals may grant a special exception when a proposed use is designated as a special exception in the zoning district in which the use will be located, as long as the proposed use meets the standards and applicable provisions set forth in the Town of Scarborough's Zoning Ordinance. In this application, you will document and describe your project, and why it meets the standards for a Special Exception as outlined in the Zoning Ordinance.

STANDARDS FOR SPECIAL EXCEPTIONS

Before it issues a special exception permit, the Board of Appeals shall find, as a matter of fact, that the proposed use meets the criteria established by Section IV.I.4 of the Scarborough Town Ordinance. Please note you may also need to address how the proposed use will comply with any applicable performance standards from Section IX of the Scarborough Town Ordinance.

PROJECT DESCRIPTION AND CIRCUMSTANCES

1. Describe the proposed use requiring a Special Exception:

2. Standards for Special Exceptions: Please describe how your project meets each of the criteria listed below.

- a. The proposed use will not create unsanitary or unhealthful conditions by reason of sewage disposal, emissions to the air or water, or other aspects of its design or operation:

- b. The proposed use will not create unsafe vehicular or pedestrian traffic conditions when added to existing and foreseeable traffic in its vicinity:

- c. The proposed use will not create public safety problems which would be substantially different from those created by existing uses in the neighborhood or require a substantially greater degree in municipal fire or police protection than existing uses in the neighborhood:

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- d. The proposed use will not result in sedimentation or erosion, or have an adverse effect on water supplies:

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- e. The proposed use will be compatible with existing uses in the neighborhood, with respect to physical size, visual impact, intensity of use, proximity to other structures and density of development:

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- f. If located in a Shoreland zone as depicted on the Town of Scarborough Official Shoreland Zoning Map, the proposed use will comply with all of the requirements of the Town of Scarborough Shoreland Zoning Ordinance:

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- g. The applicant has sufficient right, title or interest in the site of the proposed use to be able to carry out the proposed use.

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- h. The applicant has the technical and financial ability to meet the standards of this Section and to comply with any conditions imposed by the Board of Appeals pursuant to subsection 5 of this Section:

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- i. The proposed use will be compatible with existing uses in the neighborhood, with respect to the generation of noise and hours of operation:

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scarboroughmaine.org

CONDITIONS ON SPECIAL EXCEPTIONS

Upon consideration of the criteria for special exceptions, the Board of Appeals may attach such condition, in addition to those required by other provisions of this Ordinance, as it finds necessary to ensure compliance with those standards and all other applicable requirements of this Ordinance. Violation of any of those conditions shall be a violation of this Ordinance. Such conditions may include, but are not limited to, specifications for type of vegetation, increased setbacks and yards, specified sewage disposal and water supply facilities, landscaping and planting screens, hours of operation, operation controls, professional inspection and maintenance, sureties, location of piers, docks, parking and signs, and types of construction.

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 BUILDING PLANS that include:**
 1. Existing building floor plans with building dimensions
 2. Proposed buildings or additions with floor plans, building dimensions, external elevation showing views, front, rear, right and left sides; identify area where special exception activity will be conducted
 3. Any improvements to the property associated with the special exception use

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