

**TOWN OF ISLESBORO
BOARD OF APPEALS AND BOARD OF ASSESSMENT REVIEW**

Application for Administrative Appeal

Name of Appellant _____

Mailing Address _____

Telephone _____ (Optional) Cell Phone _____

Tax Map: Map _____ Lot _____

Land Use Ordinance District _____

Name of Owner of Property Which is Subject of Appeal _____

Please describe in detail the facts surrounding this appeal. Explain in detail why you believe the decision you are appealing is incorrect. Explain what action you want the Board of Appeals to take in this matter. If additional space is needed, please continue on a separate sheet of paper and attach it to this application.

I certify that the information contained in this application is true to the best of my knowledge and belief.

Date _____ Signed _____

Printed Name _____

TOWN OF ISLESBORO
BOARD OF APPEALS AND BOARD OF ASSESSMENT REVIEW
APPLICATION FOR VARIANCE 

A. General Information

1. Name of Applicant _____
2. Mailing Address _____
3. City or Town _____ State: _____ ZIP _____
4. Telephone (_____) _____ (Optional) Cell Phone (_____) _____
5. Name of Property Owner (if different from applicant) _____
6. Location of property for which variance is requested (street/road address)

7. Land Use Ordinance District in which property is located _____

Tax map and lot number: Map _____ Lot _____

9. The applicant has the following legal interest in the subject property (deed, purchase and sale agreement, lease, option agreement or other – *circle appropriate one and attach copy*).

B. Reasons/Supporting Information for Variance

1. The applicant proposes the following building, structure, use or activity on the subject property

2. The applicant seeks a variance(s) from the following dimensional standard(s)
_____ which is/are contained in section(s)
_____ of the Land Use Ordinance/ Development Review Ordinance.
3. The lot is currently being used for the following _____
4. The conditions and character of the neighborhood are _____

5. The applicant requests the following type of variance (check appropriate one):

- a. _____ Undue Hardship Variance (30-A M.R.S.A. § 4353(4));
- b. _____ Disability Variance (30-A M.R.S.A. § 4353(4-A));
- c. _____ Setback Variance for Single-Family Dwellings (30-A M.R.S.A. § 4353(4-B); or
- d. _____ Practical Difficulty Dimensional Variance (30-A M.R.S.A. § 4353(4-C),

C. The applicant shall complete the appropriate section below for the particular type of variance sought:

1. Undue Hardship Dimensional Variance. The Board of Appeals may grant a variance only when strict application of the ordinance to the petitioner and the petitioner's property would cause undue hardship, which means that the application meets each of the criteria listed below.

Please explain why you believe that the subject property meets each of the following criteria for this type of variance:

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

b. The need for a variance is 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 locality

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

2. Disability Variance. The Board of Appeals may grant a variance to an owner of a dwelling for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. The Board shall restrict any variance granted under this provision solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability. The Board may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives in the dwelling. For the purposes of this provision, a disability has the same meaning as a physical or mental handicap under the Maine Human Rights Act and the term "structures necessary for access to or egress from the dwelling" is defined to include railing, wall or roof systems necessary for the safety or effectiveness of the structure.

Please answer the following questions to explain why you believe that the subject property meets each of the following criteria for this type of variance:

a. Does a person with a disability reside in the dwelling? _____

b. Does a person with a disability regularly use the dwelling? _____

c. Is the installation of equipment or the construction of structures proposed under this application necessary for access to or egress from the dwelling by the person with the disability?

(Explain)_____

d. Does the disability have a known duration? _____ If so, what is that duration?

3. Set-back variance for single-family dwellings. A variance may be permitted from a set-back requirement only when strict application of the ordinance to the petitioner and the petitioner's property would cause undue hardship, which means that the application meets each of the criteria listed below.

1. This is a single-family dwelling that is the primary year-round residence of the petitioner.

2. A variance under this provision may not exceed 20% of a set-back requirement and may not be granted if the variance would cause the area of the dwelling to exceed the maximum permissible lot coverage.

3. A variance under this subsection may exceed 20% of a set-back requirement (other than minimum setbacks from a wetland or water body required within shoreland districts by rules adopted pursuant to Title 38, chapter 3, subchapter I, article 2-B) if there is undue hardship and the petitioner has obtained the written consent of affected abutting landowners.

Please explain why you believe that the subject property meets each of the following criteria for this type of variance:

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

b. The granting of a variance will not alter the essential character of the locality _____

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

d. The granting of the variance will not substantially reduce or impair the use of abutting property _____

e. The granting of a variance is based upon demonstrated need, not convenience, and no other feasible alternative is available _____

f. Are letters from abutting property owners attached if 20% setback variance is being applied for: Yes _____ No _____

4. Variance from dimensional standards. The Board may grant a variance from the dimensional standards of an ordinance when strict application of the ordinance to the petitioner and the petitioner's property would cause a practical difficulty, which means that the application meets each of the criteria listed below.

(As used in this provision, "dimensional standards" means and is limited to ordinance provisions relating to lot area, lot coverage, frontage and setback requirements. As used in this provision, "practical difficulty" means that the strict application of the ordinance to the property precludes the ability of the petitioner to pursue a use permitted in the district in which the property is located and results in significant economic injury to the petitioner.)

Please explain why you believe that the subject property meets each of the following criteria for this type of variance:

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

b. The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties _____

c. The practical difficulty is not the result of action taken by the petitioner or a prior owner _____

d. No other feasible alternative to a variance is available to the petitioner _____

e. The granting of a variance will not unreasonably adversely affect the natural environment _____

f. The property is not located in whole or in part within shoreland areas as described in Title 38 M.R.S.A. § 435 _____

D. Additional Information

In addition to the information provided above, please submit a sketch plan of the property showing dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings, additions and alterations, the locations of roads and driveways, the location of any water body adjacent to the property, and any natural and topographic peculiarities of the lot in question.

E. Signature of Applicant

To the best of my knowledge, all information submitted on and with this application is true and correct.

Date _____

Signed _____

Printed Name _____

If additional space is needed, please continue on a separate sheet of paper and attach it to this application.

**TOWN OF ISLESBORO BOARD OF ASSESSMENT REVIEW
APPLICATION FOR ASSESSMENT REVIEW**

Case No. _____

Applicant(s)/Taxpayer(s): _____
[State the full name(s)]

vs.

Tax Assessor, Town of Islesboro, Respondent

1. This is an appeal from the refusal of the Assessor to abate a tax for the year 20____, assessed on the property (real or personal) owned (or occupied) by the Applicant(s) in the Town of Islesboro, Maine.

2. On April 1, 20____, the Applicant was the owner/occupier of such property in Islesboro located at _____
(Road and number)

Tax Map _____ Lot _____

Consisting of _____

[Briefly describe type of property]

3. The Assessor valued the property at \$ _____ and assessed to _____

[Name of person assessed]

a tax thereon, at the rate of \$ _____ -per \$1,000 in the total amount of \$ _____

4. The tax was paid on 20____, with \$ _____ interest. *[If the tax has not been paid, or if partial payment has been made, state that fact, giving the amount and day of any partial payment and the reason for not paying the full amount of the tax assessed. Attach separate sheet.]*

5. Service of papers in connection with this appeal may be made on

[Person(s) / attorney]

at the following address: _____

Telephone number: (____) _____ (Optional) Cell Phone number: (____) _____

Dated: _____

Signature: _____
[If applicant is corporation or other business entity, give official office or title of signer.]

NOTE:

(1) *If question to be raised on appeal is one other than fair market value of property assessed, strike those parts of the form not relevant and attach separate sheet giving all facts as required.*

(2) *Additional information may be submitted on attachments to this application if necessary.*