

**APPLICATION
ZONING BOARD OF APPEALS
TOWN OF CHESAPEAKE BEACH**

- Decision on Interpretation or Alleged Error Special Exception
 Variance from Strict Application of Ordinance

PROPERTY INFORMATION TM _____ BLK _____ Parcel _____ Lot _____
TAX ID# _____ DEED REFERENCE: LIBER _____ FOLIO _____
STREET ADDRESS _____
PRIOR DECISION BY BOARD OF APPEALS _____ YES _____ NO
IF YES, DECISION NO. _____ DATE _____

PROPERTY OWNER

NAME _____ PHONE _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____

AUTHORIZED AGENT

NAME _____ PHONE _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____

VARIANCE

APPLICABLE SECTION OF ZONING ORDINANCE _____
DESCRIBE VARIANCE BEING REQUESTED _____

SPECIAL EXCEPTION

APPLICABLE SECTION OF ZONING ORDINANCE _____
DESCRIBE SPECIAL EXCEPTION REQUESTED _____

DECISION ON INTERPRETATION OR ALLEGED ERROR

APPLICABLE SECTION OF ZONING ORDINANCE _____
DESCRIBE DECISION OR ERROR _____
DESCRIBE CHANGE REQUESTED _____

PLEASE NOTE

In order for the Board of Appeals to consider this application, the following information must be provided to the Board either with this application or at the time the Board meets to hear this case.

VARIANCE – Reference Article 8-206

Testimony or evidence that shows the requested variance:

- (1) Is in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- (2) Will not permit the existence within a District of any use which is not permitted in that District.
- (3) Is needed because there are special circumstances or conditions fully described in the findings, applying to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in the neighborhood, and that said circumstances or conditions are such that strict interpretation of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building.
- (4) Is needed because there exists unnecessary hardship. If the hardship is general, that is shared generally by land or buildings in the neighborhood, relief shall be properly obtained only by legislative action or by court review of an attack on the validity of the Ordinance.
- (5) Is the minimum necessary for the reasonable use of the land or building and that the variance as granted by the Board is the minimum variance that will accomplish this purpose. It is not sufficient proof of hardship to show that greater profit would result if the variance were awarded. Furthermore, the hardship complained of cannot be self-created; it cannot be claimed by one who purchases with or without the knowledge of restrictions; it must result from the application of the Ordinance; it must be suffered directly by the property in question; and evidence of greater profitability and of variances granted under similar circumstances shall not be considered.

SPECIAL EXCEPTION

The applicant must provide to the Board information on how the Special Exception request is in accordance with the Town Comprehensive Plan, consistent with the purpose of the Zoning Ordinance, suitable for property including appropriate appearance and in character with neighborhood, suitable in terms of public safety and suitable in terms of traffic, congestion and hazards to the public.

DECISION ON INTERPRETATION OR ALLEGED ERROR – Reference Article 8-205

Provide copies of any applicable correspondence that would help the Board understand the purpose of this application.

Date Submitted: _____

By: _____
Property Owner (Required)

By: _____
Authorized Agent (when representing the Property
Owner in matters before the Board)