

# Town of Acworth, NH

## APPLICATION FOR APPEAL TO THE ZONING BOARD OF ADJUSTMENT

Name of applicant \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

Owner \_\_\_\_\_  
(if same as applicant, write "same")

Location of property \_\_\_\_\_  
(street, number, map & lot number)

Complete ONLY ONE of the four Appeal Sections as appropriate. Additional information may be supplied on separate sheets if necessary.

Submit all FOUR pages and be sure to SIGN and DATE this application on LAST PAGE. Include all attachments listed on the checklist found at the end of the application.

### Section 1. APPEAL FROM AN ADMINISTRATIVE DECISION

Relating to the interpretation and enforcement of the provisions of the zoning ordinance.

Decision of the enforcement officer to be reviewed (Attach copy)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of decision \_\_\_\_\_

Article \_\_\_\_\_ section \_\_\_\_\_ of the zoning ordinance in question.

### Section 2. APPLICATION FOR A SPECIAL EXCEPTION

Description of proposed use showing justification for a special exception as specified in the zoning ordinance article \_\_\_\_\_ section \_\_\_\_\_

List and explain how the proposal meets each of the special exception criteria listed in the article. \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

**Section 3. APPLICATION FOR VARIANCE**

A variance is requested from article \_\_\_\_\_ section \_\_\_\_\_ of the zoning ordinance to permit \_\_\_\_\_  
\_\_\_\_\_

Facts supporting this request:

1. Granting the variance would not be contrary to the public interest because:
  
2. The use is not contrary to either the spirit or the intent of the ordinance because:
  
3. Granting the variance would do substantial justice because:
  
4. The proposal would not diminish surrounding property values because:
  
5. Denial of the variance would result in unnecessary hardship to the owner because
  - a. The following special conditions of the property distinguish it from other properties in the area:
  
  - b. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific restriction on this property for the following reasons:
  
  - c. The proposed use is a reasonable one because:
  
  - d. The property cannot be reasonably used in strict conformance with the ordinance because:

## Section 4. APPLICATION FOR EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS

An Equitable Waiver of Dimensional Requirements is requested from Article \_\_\_\_\_  
Section \_\_\_\_\_ of the zoning ordinance to permit \_\_\_\_\_

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1. Does the request involve a dimensional requirement, not a use restriction?  
( ) YES ( ) NO

2. Explain how the violation has existed for 10 years or more with no enforcement action, including written notice, being commenced by the town. \_\_\_\_\_  
\_\_\_\_\_

-or-

Explain how the nonconformity was discovered after the structure was substantially completed or after a vacant lot in violation had been transferred to a bona fide purchaser \_\_\_\_\_  
\_\_\_\_\_

and how the violation was not an outcome of ignorance of the law or bad faith but resulted from a legitimate mistake. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Explain how the nonconformity does not constitute a nuisance or diminish the value or interfere with future uses of other property in the area.  
\_\_\_\_\_

4. Explain how the cost of correction far outweighs any public benefit to be gained. \_\_\_\_\_  
\_\_\_\_\_

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Applicant _____
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Signature _____
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Date _____
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Owner _____
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Signature_____
Date_____

**CHECKLIST OF ATTACHMENTS:**

1. Copy of decision being appealed.
2. Survey or detailed sketch of the property showing area, frontage, side and rear lines, setbacks, slopes, natural features and any other relevant information.
3. Description of the proposal, including sketches, plans, pictures and any other relevant information to explain the proposed use.
4. Narrative of any additional information contributing to the appeal.
5. List showing names of and current mailing addresses (verify within 5 days of submission) for the applicant, owner, and all abutters. For the purpose of notification, holders of conservation, preservation or agricultural restrictions on the property are considered abutters.
6. Authorization for applicant to act for owner if owner has not signed application.
7. Application and notification fees (for Town fee schedule, call the Administrative Assistant at 603-835-6879).

Adopted 7-2-08, Amended 8-2011

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