

**TOWN OF CHINCOTEAGUE
BOARD OF ZONING APPEALS APPLICATION**



APPEAL CASE NUMBER: _____ FEE: \$ 450.00

APPLICANT/APPELLANT NAME: _____

ADDRESS: _____

PHONE NUMBER _____ E-MAIL _____

OWNER/APPELLANT SIGNATURE: _____ DATE _____

ADDRESS OF PROPERTY: _____

TAX MAP#: _____ PARCEL# _____ LOT SIZE: _____

ZONING DESIGNATION: _____ DATE ACQUIRED: _____

THE APPLICANT/APPELLANT REQUEST THAT A HEARING BE CONDUCTED BEFORE THE BOARD OF ZONING APPEALS FOR THE FOLLOWING PURPOSE:

- () VARIANCE FROM ZONING REGULATIONS
- () APPEAL FROM A DECISION OF THE ZONING ADMINISTRATOR
- () INTERPRETATION OF THE ZONING DISTRICT BOUNDARIES
- () APPEAL OF A ZONING VIOLATION NOTICE
- () SPECIAL EXCEPTION
- () APPEAL FROM ANY ORDER, REQUIREMENT, DECISION, OR DETERMINATION MADE BY ANY OTHER ADMINISTRATIVE OFFICIAL
- () REVOCATION OF SPECIAL EXCEPTION, OR OTHER REQUESTED ACTION.
- () APPEAL FROM FLOOD PLAIN ORDINANCE

SECTIONS OF ZONING ORDINANCE UNDER APPEAL:

PLEASE PROVIDE RESPONSES AND EXPLANATIONS WHERE APPLICABLE TO THE FOLLOWING:

QUESTIONS 1-9 MUST BE ANSWERED FOR A VARIANCE REQUEST.

- 1. IS THE PROPERTY EXCEPTIONALLY NARROW OR SHALLOW OR POSSESS AN IRREGULAR SHAPE OR SIZE WHICH EXISTED PRIOR TO THE ADOPTION OF THE ZONING REGULATION(S) FROM WHICH A VARIANCE IS SOUGHT SO THAT THE STRICT APPLICATION OF THE TERMS OF THE ORDINANCE WOULD EFFECTIVELY PROHIBIT OR UNREASONABLY RESTRICT THE UTILIZATION OF THE PROPERTY?**

YES NO

EXPLANATION: _____

- 2. DOES THE SUBJECT PROPERTY HAVE EXCEPTIONAL TOPOGRAPHIC CONDITIONS OR SOME OTHER EXTRAORDINARY SITUATION OR CONDITION WHICH IS UNLIKE OTHER PROPERTIES IN THE IMMEDIATE VICINITY SO THAT THE STRICT APPLICATION OF THE TERMS OF THE ORDINANCE WOULD EFFECTIVELY PROHIBIT OR UNREASONABLY RESTRICT THE UTILIZATION OF THE PROPERTY.**

YES NO

EXPLANATION: _____

- 3. IS THERE SOME PARTICULAR CONDITION, SITUATION OR DEVELOPMENT ON THE PROPERTY IMMEDIATELY ADJACENT TO THE SUBJECT PROPERTY WHICH AFFECTS THE SUBJECT PROPERTY'S ABILITY TO COMPLY WITH THE REGULATION(S) FROM WHICH THE VARIANCE IS SOUGHT SO THAT THE STRICT APPLICATION OF THE TERMS OF THE ORDINANCE WOULD EFFECTIVELY PROHIBIT OR UNREASONABLY RESTRICT THE UTILIZATION OF THE PROPERTY?**

YES NO

EXPLANATION: _____

4. ON THE FACTS RELATIVE TO THE APPLICANT'S PROPERTY, WOULD THE GRANTING OF THE VARIANCE ALLEVIATE A CLEARLY DEMONSTRABLE HARDSHIP, AS DISTINGUISHED FROM A SPECIAL PRIVILEGE OR CONVENIENCE FOR THE APPLICANT?

YES NO

EXPLANATION: _____

5. WOULD THE GRANTING OF A VARIANCE CREATE SUBSTANTIAL DETRIMENT TO ADJACENT PROPERTY AND CHANGE THE CHARACTER OF THE ZONING DISTRICT?

YES NO

EXPLANATION: _____

6. IS THE HARDSHIP FROM WHICH A VARIANCE IS SOUGHT, SHARED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICTS AND THE SAME VICINITY?

YES NO

EXPLANATION: _____

7. DESCRIBE THE LAND-USE HARDSHIP WHICH HAS LIMITED THE USE OF THE PROPERTY, IF DIFFERENT FROM THE RESPONSE IN QUESTIONS 1-4 ABOVE.

EXPLANATION: _____

8. IF A RESPONSE OF “YES” IS PROVIDED FOR QUESTIONS #1, #2, #3 OR #4 ABOVE, NEVERTHELESS, IS THERE ANY REASONABLE BENEFICIAL USE FOR THE PROPERTY AS A WHOLE UNDER THE CURRENT REGULATION(S) FROM WHICH A VARIANCE IS SOUGHT?

YES NO

EXPLANATION: _____

9. IF A RESPONSE OF “NO” IS PROVIDED FOR QUESTIONS #1, #2, #3 AND #4 ABOVE, OR A RESPONSE OF “YES” IS PROVIDED FOR QUESTIONS #5, #6 OR #8, THE APPLICANT IS HEREBY ADVISED THAT THE CHINCOTEAGUE BOARD OF ZONING APPEALS, UNDER APPLICABLE STATE LAW AND THE ZONING CODE, WILL HAVE INSUFFICIENT LEGAL GROUNDS FOR GRANTING A VARIANCE. THE APPLICANT DOES, HOWEVER, HAVE LEGAL RIGHT TO PRESENT THEIR CASE TO THE BOARD FOR ITS CONSIDERATION.

10. HAS ANY DEVELOPMENT, CONSTRUCTION OR OTHER ACTIVITY OCCURRED ON THE SUBJECT PROPERTY WHILE UNDER THE CURRENT OWNERSHIP WHICH DOES NOT COMPLY WITH ANY PROVISION OF THE Code?

YES NO

EXPLANATION: _____

11. HAS A VARIANCE BEEN REQUESTED FOR THE SUBJECT PROPERTY WITHIN THE LAST 12 MONTHS.

YES NO

EXPLANATION: _____

12. IS THE PROPERTY SUBJECT TO ANY LEGAL ACTION INCLUDING BUILDING CODE VIOLATIONS, ZONING CODE VIOLATIONA OR ANY PENDING COURT ORDER?

YES NO

EXPLANATION: _____

13. THE APPLICANT IS ADVISED TO REVIEW THE ATTACHED SECTIONS OF THE TOWN OF CHINCOTEAGUE ZONING CODE IN ORDER TO FURTHER UNDERSTAND THE LEGAL REQUIREMENTS REGARDING APPEALS, VARIANCE AND SPECIAL EXCEPTIONS. IF THE OWNER OF THE PROPERTY ELECTS REPRESENTATION BEFORE THE BOARD BY LEGAL COUNSEL, AGENT OR OTHERS ACTING ON BEHALF OF THE OWNER, THE FOLLOWING INFORMATION MUST BE PROVIDED:

REPRESENTATIVE'S NAME: _____

REPRESENTATIVE'S ADDRESS: _____

REPRESENTATIVE'S PHONE NUMBER: _____

REPRESENTATIVE'S EMAIL: _____

14. ATTACH ANY APPLICABLE SITE PLANS, BUILDING ELEVATIONS, GRADING PLANS, SEWERAGE LOCATIONS OR OTHER INFORMATION THAT MAY ASSIST THE BOARD IN THEIR CONSIDERATION OF THE MATTER.

LOCATION OF EXISTING & PROPOSED CONSTRUCTION

(1). DRAW AN OUTLINE OF EXISTING BUILDINGS(S) AND INDICATE DISTANCES FROM THE BUILDING(S) TO THE FRONT, REAR AND SIDE PROPERTY LINES.

(2). DRAW AN OUTLINE OF THE PROPOSED STRUCTURE USING DASHED LINES AND INDICATE DISTANCES TO THE OTHER BUILDINGS AND TO ALL PROPERTY LINES.

(3). DRAW LOCATION OF SEPTIC SYSTEM.



SITE PLAN

OFFICIAL USE ONLY

DATE: _____

APPEAL # _____

MOTION ON APPEAL: _____

APPROVED

DENIED

CONDITIONALLY APPROVED;

FOR :

JESSIE SPEIDEL **DONNIE THORNTON** **ROBERT CHERRIX**

MIKE MCGEE **JACK GILLISS** **CHUCK WARD** **EDDIE MORAN**

AGAINST:

JESSIE SPEIDEL **DONNIE THORNTON** **ROBERT CHERRIX**

MIKE MCGEE **JACK GILLISS** **CHUCK WARD** **EDDIE MORAN**

PLEASE INDICATE YOUR APPROVAL OR DISAPPROVAL OF THE PROPOSED LAND USE AS STATED IN THE APPLICATION BY CHECKING THE APPROPRIATE SPACE. SPECIFY THE LOCATION OF YOUR PROPERTY; NORTH, EAST, SOUTH OR WEST OF THE APPLICANTS PROPERTY.

TAX MAP # _____

NAME: _____

ADDRESS: _____

PHONE: _____

COMMENTS:

() APPROVE REQUEST () DISAPPROVE REQUEST

SIGNATURE: _____ DATE: _____

TAX MAP # _____

NAME: _____

ADDRESS: _____

PHONE: _____

COMMENTS:

() APPROVE REQUEST () DISAPPROVE REQUEST

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