

PETITION FOR EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENT

Applicant: \_\_\_\_\_  
Address: \_\_\_\_\_  
Map/Lot: \_\_\_\_\_

Case # \_\_\_\_\_  
For ZBA use only

North Hampton Zoning Ordinance from which relief is sought: \_\_\_\_\_

Description of proposed use: \_\_\_\_\_

1. Does the request involve a dimensional requirement and not a use restriction?

Yes (It is a dimensional requirement)  No (It is a use restriction)

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

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

- or -

2b. 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 -

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

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

4. Explain how the nonconformity does not constitute a nuisance nor diminish the value or interfere with future uses of other property in the area: \_\_\_\_\_

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

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

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

North Hampton Zoning Board of Adjustment

6. Existing Variances or Special Exceptions: Are there any existing Variances or Special Exceptions on the property?  Yes  No If yes, please explain when and why such was required: \_\_\_\_\_

7. Previous Denials: Has an application for a Variance or Special Exception on this property ever been denied? (If you are unsure of the answer to this question, please ask the Planning and Zoning Administrator)  Yes  No If yes, please explain when and why: \_\_\_\_\_

8. Material Differences if Previously Denied: If you were denied previously, state how this particular application and use proposed is now materially different from that which was denied: \_\_\_\_\_

Additional Actions:

1. Does your proposed use also require Subdivision Approval by the Planning Board?  Yes  No
2. Does your proposed use also require a Site Plan Approval by the Planning Board?  Yes  No
3. Is this application required as a prerequisite to, or otherwise necessary for, a Site Plan Approval by the Planning Board?  Yes  No

**CERTIFICATION: I hereby certify that:**

- \_\_\_\_\_ I have read the instructions for completing this application.
- \_\_\_\_\_ I have completed this application as completely and fully as possible.
- \_\_\_\_\_ I have completed the checklist provided in the instructions and have attached all evidence, including plans or sketches that I intend to discuss at the Public Hearing on the application.
- \_\_\_\_\_ I understand that if this application is incomplete, it will be returned within a reasonable time following its submission, and that this may delay the scheduling of a Public Hearing.
- \_\_\_\_\_ I understand that I must appear in person at the Public Hearing to present and discuss this application. If I cannot appear in person, I will notify the Chair of the ZBA, in writing, designating the name of the individual who will appear for me.
- \_\_\_\_\_ The ZBA has permission to enter the property in order to conduct scheduled site walks upon reasonable prior notice.

**Initials**

**Applicant's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Agent or Legal Counsel's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_