



## Town of North East, Maryland Variance Application - Procedures and Instructions

1. The following must be mailed to the Office of Planning and Zoning, P.O. Box 528, North East, Maryland 21901-0528 OR dropped of at the Town Hall, 106 South Main Street:
  - ✓ Application
  - ✓ Sketch as outlined in Part 5 of the Application
  - ✓ Copy of current Deed or Deeds
  - ✓ Fee for application (non-refundable)

Acceptance of Application by staff DOES NOT indicate application approval. Incomplete applications will cause delays in processing.

2. Application Fee ..... \$ **200.00**

Make check payable to: Town of North East



CASE NUMBER: \_\_\_\_\_

**BOARD OF APPEALS APPLICATION  
P.O. BOX 528 / 106 SOUTH MAIN STREET  
NORTH EAST, MARYLAND 21901-0528  
PHONE 410-287-5801 / FAX 410-287-8267**

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**THIS APPLICATION IS FOR A VARIANCE**

**PART 1. APPLICANT INFORMATION**

Owner \_\_\_\_\_ Representative \_\_\_\_\_

APPLICANT NAME – (PLEASE PRINT CLEARLY – LIST ADDITIONAL NAMES ON PAGE 6): \_\_\_\_\_

APPLICANT ADDRESS: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_ FAX NUMBER: \_\_\_\_\_

**PART 2. PROPERTY INFORMATION**

PROPERTY OWNER NAME – (PLEASE PRINT CLEARLY – LIST ADDITIONAL NAMES ON PAGE 6): \_\_\_\_\_

PROPERTY OWNER ADDRESS: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_ FAX NUMBER: \_\_\_\_\_

LOCATION OF PROPERTY: \_\_\_\_\_ SIDE OF \_\_\_\_\_ (STREET)

PROPERTY ADDRESS: \_\_\_\_\_

TAX MAP # \_\_\_\_\_ BLOCK # \_\_\_\_\_ PARCEL # \_\_\_\_\_

DEED REFERENCE: LIBER \_\_\_\_\_ AND FOLIO \_\_\_\_\_

ZONING CLASSIFICATION: \_\_\_\_\_ ACRES: \_\_\_\_\_

CRITICAL AREA LAND USE DESIGNATION: \_\_\_\_\_

EXISTING USE OF PROPERTY: \_\_\_\_\_

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**PART 3. PROVISIONS OF APPLICATION**

PROVISION OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM UNDER WHICH THIS APPLICATION IS BEING SUBMITTED (IF APPLICABLE): \_\_\_\_\_

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

PROVISION OF NORTH EAST ZONING ORDINANCE UNDER WHICH THIS APPLICATION IS SUBMITTED (SECTION AND PARAGRAPH): \_\_\_\_\_

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

PURPOSE OF THIS APPLICATION (DESCRIBE): \_\_\_\_\_

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

INDICATE VARIANCE REQUESTED - STATE IN FEET AND/OR SQUARE FEET): \_\_\_\_\_

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

**PART 4 - REASON FOR REQUEST** (ATTACH ADDITIONAL SHEETS IF NECESSARY)

STATE IN DETAIL THE REASONS WHY THIS REQUEST SHOULD BE GRANTED: \_\_\_\_\_

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

**PART 5 – SKETCH OF PROPOSED PROJECT**

SKETCH THE LOCATION OF THE PROPOSED PROJECT ON THE PROPERTY, SHOWING DISTANCES FROM REAR, FRONT AND SIDE PROPERTY LINES TO PROJECT, AND THE DIMENSIONS OF THE PROJECT. IF THIS PROJECT IS IN THE CRITICAL AREA, A REQUEST FOR VARIANCE WILL NOT BE CONSIDERED UNTIL ALL PROVISIONS AND REQUIREMENTS ARE MET AS OUTLINED IN ARTICLE 9; SECTION 9-19 IN THE NORTH EAST ZONING ORDINANCE, AND APPLICABLE SECTIONS 1 E AND 1 F IN THE CRITICAL AREA PROGRAM.

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**PART 6. ADDITIONAL REQUIREMENTS (ATTACH ADDITIONAL SHEETS IF NECESSARY)**

1. DESCRIBE HOW THE LITERAL ENFORCEMENT OF THE PROVISIONS OF THIS ORDINANCE WOULD RESULT IN UNNECESSARY HARDSHIP. \_\_\_\_\_

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

2. DESCRIBE ALL SPECIAL CONDITIONS AND CIRCUMSTANCES THAT EXIST WHICH ARE PECULIAR TO THE LAND, STRUCTURE, OR BUILDING INVOLVED AND WHICH ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES, OR BUILDINGS IN THE SAME DISTRICT. \_\_\_\_\_

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

3. DESCRIBE HOW THE LITERAL INTERPRETATION OF THE PROVISION OF THIS ORDINANCE WOULD DEPRIVE THE APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME DISTRICT UNDER THE TERMS OF THIS ORDINANCE. \_\_\_\_\_

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

4. DO THE SPECIAL CONDITIONS AND CIRCUMSTANCES RESULT FROM THE ACTIONS OF THE APPLICANT? \_\_\_\_\_ YES \_\_\_\_\_ NO

IF YES, EXPLAIN: \_\_\_\_\_

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

5. DESCRIBE HOW GRANTING THE VARIANCE REQUESTED WILL NOT CONFER ON THE APPLICANT ANY SPECIAL PRIVILEGE THAT IS DENIED BY THIS ORDINANCE TO OTHER LANDS, STRUCTURES, OR BUILDINGS IN THE SAME ZONE NOR WILL IT BE DETRIMENTAL TO ADJACENT PROPERTIES.

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

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6. WILL THE CHARACTER OF THE DISTRICT BE CHANGED BY GRANTING A VARIANCE? (NO NONCONFORMING USE OR NEIGHBORING LANDS, STRUCTURES, OR BUILDINGS IN THE SAME ZONE, AND NO PERMITTED USE OF LANDS, STRUCTURES, OR BUILDINGS IN OTHER ZONES SHALL BE CONSIDERED GROUNDS FOR THE ISSUANCE OF A VARIANCE). \_\_\_\_\_ YES \_\_\_\_\_ NO

IF YES, EXPLAIN: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. DESCRIBE HOW THE GRANTING OF THE VARIANCE WILL BE IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ORDINANCE. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. DESCRIBE WHY THE GRANTING OF THE VARIANCE WILL NOT BE INJURIOUS TO THE NEIGHBORHOOD, OR OTHERWISE DETRIMENTAL TO THE PUBLIC WELFARE. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. IS THIS APPLICATION BASED UPON A LACK OF KNOWLEDGE OF THE RESTRICTIONS? \_\_\_\_\_ YES \_\_\_\_\_ NO  
IF YES, EXPLAIN: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**PART 7. LAPSE OF VARIANCE**

THE NORTH EAST ZONING ORDINANCE SECTION 9-21. LAPSE OF SPECIAL EXCEPTION OR VARIANCE INDICATES THAT AFTER THE BOARD OF APPEALS HAS GRANTED A VARIANCE, THE VARIANCE GRANTED SHALL LAPSE AFTER THE EXPIRATION OF ONE YEAR IF NO SUBSTANTIAL CONSTRUCTION HAS TAKEN PLACE IN ACCORDANCE WITH THE PLANS FOR WHICH SUCH VARIANCE WAS GRANTED, OR IF THE BOARD DOES NOT SPECIFY SOME LONGER PERIOD THAN ONE YEAR AT THE TIME OF APPROVAL, THEN THE PROVISIONS OF THESE REGULATIONS SHALL THEREAFTER GOVERN.

1. IF YOUR REQUEST FOR A VARIANCE IS GRANTED, DO YOU WANT THE BOARD TO CONSIDER A REQUEST FOR EXPIRATION FOR SOME TIME LONGER THAN ONE YEAR? \_\_\_\_\_ YES \_\_\_\_\_ NO

A. IF YES, STATE WHY YOU CAN NOT REACH SUBSTANTIAL COMPLETION IN ONE YEAR:

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

B. IF YES, STATE THE DATE YOU WOULD LIKE THE BOARD TO CONSIDER FOR EXPIRATION OF THE VARIANCE? (PLEASE STATE MONTH/DAY/YEAR):

\_\_\_\_\_

MONTH

DAY

YEAR

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LIST THE NAMES AND ADDRESSES OF ALL APPLICANTS: ATTACH ADDITIONAL SHEETS IF NECESSARY

(Please Print Clearly)

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APPLICANT NAME	ADDRESS	PHONE
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APPLICANT NAME	ADDRESS	PHONE
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APPLICANT NAME	ADDRESS	PHONE
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APPLICANT NAME	ADDRESS	PHONE
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APPLICANT NAME	ADDRESS	PHONE
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LIST THE NAMES AND ADDRESSES OF ALL PROPERTY OWNERS: ATTACH ADDITIONAL SHEETS IF NECESSARY

(Please Print Clearly)

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OWNER NAME	ADDRESS	PHONE
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OWNER NAME	ADDRESS	PHONE
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OWNER NAME	ADDRESS	PHONE
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OWNER NAME	ADDRESS	PHONE
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OWNER NAME	ADDRESS	PHONE
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