



Town of Minot

Board of Appeals — Application for Administrative Appeal or Variance

This application is submitted pursuant to **Chapter 9: Appeals** of the Town of Minot Land Use Code, including §§ 9-101 through 9-401.

Filing Instructions

- Appeals must be filed **within thirty (30) days** of the official written decision being appealed, unless waived by the Board for good cause. (§9-301.1.A).
- File a **written notice of appeal** with all required supporting materials to the board secretary along with a \$100 filing fee. An additional fee of \$10 per abutter will be charged along with a \$250 publishing and notice fee for publication of the public hearing in the Sun Journal.
- Appeals of Planning Board or Board of Selectmen decisions under **Site Plan Review (Ch. 4-701)**, **Subdivision Standards (Ch. 7)**, and **Minimum Street Construction Requirements (Ch. 8)** must be taken to **Superior Court** under Rule 80B (§9-101.1).
- All other appeals are heard by the **Town of Minot Board of Appeals** (§9-101.2).
- Incomplete applications may be returned without review.

NOTE: Eight (8) copies must be submitted of **all** materials, including the application form, sketch plan of the property showing dimensions and shape of the lot, the size, setbacks, and location of all existing buildings, plans, location, and dimensions of the proposed buildings or alterations, the location of any buildings within 100 feet of the lot, and any natural or unusual topographic features of the lot in question.

Section 1 — Type of Appeal (check all that apply)

- Administrative Appeal — Code Enforcement Officer (De Novo Hearing) (§9-201.1.A)
 - Administrative Appeal — Planning Board (Appellate Review of Record) (§9-201.1.A)
 - Variance Appeal — Dimensional Requirements (§9-201.1.B; §9-201.2)
 - Floodplain Management Variance (§9-201.3)
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Section 2 — Appellant (Aggrieved Party) Information

Name(s): _____

Mailing Address: _____

City / State / ZIP: _____

Telephone: _____ **Email:** _____

Authorized Representative / Attorney (if any): _____

Section 3 — Property Owner Information (if different from Appellant)

Owner(s) of Record: _____

Mailing Address: _____

City / State / ZIP: _____

Telephone: _____ **Email:** _____

Section 4 — Property Identification

Street Address / Location: _____

Tax Map and Lot Number(s): _____

Zoning District: _____

Section 5 — Decision Being Appealed

Deciding Authority (check one): Code Enforcement Officer Planning Board

Date of Written Decision: _____

Permit / Application Number (if applicable): _____

Brief Description of Decision or Failure to Act:

Section 6 — Relief Requested and Grounds for Appeal (§9-301.1.B(1))

Provide a **concise written statement** describing the relief requested and the reasons the appeal or variance should be granted. Reference applicable ordinance provisions where possible. Attach additional pages if necessary.

Section 7 — Variance Criteria (Complete only if requesting a variance)

A. Dimensional Variance Criteria (§9-201.2)

The applicant asserts that:

The proposal meets applicable performance standards except for the specific dimensional requirement from which relief is sought.

Strict application of the ordinance would result in **undue hardship**, defined as: - The property cannot yield a reasonable return without the variance; - The hardship is due to unique circumstances of the property; - The variance will not alter the essential character of the locality; and - The hardship was not created by the applicant or a prior owner.

B. Accessibility Variance (if applicable) (§9-201.2.D)

Describe the disability-related access or egress improvements requested:

Section 8 — Floodplain Management Variance (if applicable) (§9-201.3)

Address all applicable criteria under §9-201.3, including floodway impacts, minimum necessary relief, public safety considerations, and acknowledgment of increased flood insurance risk. Attach supporting documentation.

Section 9 — Required Attachments (§9-301.1.B)

- Copy of the written decision being appealed
- Sketch drawn to scale showing lot lines, existing structures, and physical features pertinent to the relief sought. It must also include the location of any buildings within 100 feet of the lot.
- Supporting documents, reports, photographs, or correspondence
- Floodplain documentation (if applicable)

Section 10 — Certification and Acknowledgment

I/We certify that the information provided in this application and accompanying materials is true and correct to the best of my/our knowledge. I/We acknowledge that the burden of proof rests with the appellant (§9-301.2.C).

Signature of Appellant: _____ **Date:** _____

Printed Name: _____

For Municipal Use Only

Date Appeal Filed: _____

Appeal Deadline Met: Yes No Waived for Good Cause

Public Hearing Date: _____ (§9-301.1.D)

Notice Provided: Applicant Abutters Newspaper (§9-301.3)

Board Decision: Granted Granted with Conditions Denied

Date of Decision: _____

Reconsideration Requested: Yes No **Date:** _____ (§9-301.4)

Appeal to Superior Court Deadline (if applicable): _____