

**APPLICATION FOR AN EQUITABLE WAIVER
OF DIMENSIONAL REQUIREMENTS**

To: Board of Adjustment, Town of Waterville Valley

Name of Applicant: _____

Applicant Address: _____

Applicant Phone Number: _____

Applicant E-mail Address: _____

Owner: _____
(if same as applicant, write "same")

Location of Property: _____
(street, number, sub-division and lot number)

NOTE: This application is not complete unless all required statements and information have been made and provided.

Additional information and statements may be supplied on a separate sheet of paper if the space provided is inadequate.

An incomplete application may be grounds for denial.

**APPLICATION FOR AN EQUITABLE WAIVER OF DIMENSIONAL
REQUIREMENTS**

An Equitable Waiver of Dimensional Requirements is requested from Article ____
Section _____ of the Zoning Ordinance to permit _____

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. _____

Do not write in this space.
Case No. _____
Date Filed _____
_____ (signed - ZBA)

- 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 good faith error in measurement or calculation. _____

3. Explain how the nonconformity does not constitute a nuisance nor 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. _____

Please provide each of the following:

- ☐ A completed Application, signed by the Applicant. If the Applicant is not the owner of the property, you must provide a signed letter of authorization or power of attorney, signed by the owner.
- ☐ A list of abutters. The accuracy of the list is your responsibility.
- ☐ A filing fee of \$200.00. Make your check payable to the Town of Waterville Valley. If you withdraw your Application, or if your Application is denied, you will not receive a refund.

- ☐ A fee equal to the Town's costs in providing notice. This charge will be calculated by the Town and will vary based upon the number of abutters. Make your check payable to the Town of Waterville Valley. Failure to pay this cost shall constitute valid grounds for the board to terminate further consideration and to deny the appeal without a public hearing. If you withdraw your Application, or if your Application is denied, you will not receive a refund.

Applicant _____ Date _____
(signature)