

**DUBLIN ZONING BOARD OF ADJUSTMENT**  
**Application for an Equitable Waiver of Dimensional Requirements**



**Do not write in this space.**

Case No: \_\_\_\_\_

Date accepted: \_\_\_\_\_

\_\_\_\_\_  
(signed – ZBA)

Name of Applicant \_\_\_\_\_ Tel \_\_\_\_\_ Email Address \_\_\_\_\_

Mailing Address \_\_\_\_\_

Owner \_\_\_\_\_

(if same as applicant, write “same”)

Location of Property \_\_\_\_\_ Map \_\_\_\_\_ Lot \_\_\_\_\_

(street, number, map & lot number)

Note: This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.

**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. \_\_\_\_\_

—or—

Explain how the nonconformity was discovered after the structure was substantially completed or after a vacant lot 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 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. \_\_\_\_\_

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

**NOTES:**

1. The application will not be considered complete unless all required statements have been made and the application signed and dated by the applicant. The application will be considered accepted when signed and dated by the Board Chairman or his/her designated representative.
2. A site visit and recommendations relating to the proposed use from the Planning Board, Conservation Commission, and Health Officer may be required (at the discretion of the Board of Adjustment Chairman) prior to the Board hearing on the appeal. The applicant, or a designated knowledgeable representative, shall be present at the scheduled site visit time to respond to any questions. A sealed drawing or sketch is recommended as an attachment to this application to visually explain the issue and may be required by the Board of Adjustment.
3. In certain instances, the Board of Adjustment may require professional or technical consultants to assist the Board in the assessing the impact of your request if a majority of the Board deems such information necessary during the hearing. If so, the applicant agrees that said consultant(s) will be selected by the Board and the cost of the work will be paid by the applicant, with full payment to be made prior to any decision rendered by the Board.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Any conditions stipulated by the board of adjustment's decision is binding unless changed by a subsequent board of adjustment appeals hearing to modify them, and failure to adhere to any specified condition(s) effectively places the use in violation of our zoning. Conditions imposed by the board of adjustment may not be altered by any other Town Board or Official.