

TOWN OF ATKINSON  
APPLICATION FOR APPEAL

Property Address \_\_\_\_\_ Map \_\_\_\_\_ Lot \_\_\_\_\_

FORM D: *Section 4.* APPLICATION FOR EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS

An equitable waiver of dimensional requirements is requested from:

Article(s): \_\_\_\_\_

Section(s): \_\_\_\_\_

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 in violation had been transferred to a bona fide purchaser**

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

**The violation was not an outcome of ignorance of the law or bad faith but resulted from a legitimate mistake**

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

**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**

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**4. Explain how the cost of correction far outweighs any public benefit to be gained**

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