

**TOWN OF DELMAR, DELAWARE
 DELAWARE BOARD OF ADJUSTMENTS (BOA)
 100 S. Pennsylvania Avenue
 Delmar, Maryland 21875**

	Special Exception
	Variance
	Appeal

Date Submitted:	
Hearing Date:	

Contact Information:			
Applicant (s):			
Address of Subject Property:			
Office Phone #:		E-mail Address:	
Mobile Phone #:			
Mailing Address of Applicant(s)			

Applicant's Representative, (if any):			
Phone Number:		E-Mail Address:	
Address of Representative:			

Property Owner (if different from applicant):			
Phone Number:		E-Mail Address:	
Address of Property Owner:			

Delaware Board of Adjustments Authority - Title 22, Chapter 3, Section 321 of the Delaware Code / Planning & Zoning Regulations for the Town of Delmar Section 31.C

Brief Summary of Request - Including the Proposed Use of Property:

1. **Current** Certified Site Plan - **Must be prepared by Licensed Surveyor**
 - A. The Site Plan **must show** the following (where applicable):
 1. All Existing Structures
 2. Any and All Proposed Construction
 3. Property Lines & Building Setbacks
 4. Dimensions from Proposed Construction to Setback and/or Property Line (As Applicable)
 5. Existing and/or proposed streets/driveway
 6. Underground Utilities
 7. Signs (if Applicable) - Ref. Section 24 of Delmar Zoning Code Regs. - **Tenants Shall provide written approval from the legal Property Owner(s) on record.**
 2. All applicable Floor Plans and Elevations (Notate applicable height restrictions on elevators)
 3. Current Color Photographs or Renditions (As Needed)
 4. HOA - Subdivision Property Owners shall provide written clearance from the HOA for proposal.

I hereby agree to allow the posting of a Public Notice on this property

Signature:		Date:	
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Map #:		Parcel #:	
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To obtain a variance, an applicant must show by a preponderance of the evidence, to the satisfaction of the BOA, the strictly adhering to the Zoning Code's standard would result in a "hardship" for the applicant. To this end, a written statement of hardship must accompany an application for a standard variance. Please complete this Statement of Hardship, **by addressing all of the factors listed below that are relevant to your situation.** Additional documents may be submitted as further proof.

In deciding whether to grant a variance, BOA will consider the following factors in determining whether a practical difficulty exists:

A. Explain special conditions or circumstances that exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same Zoning District. (examples of this are: exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures or conditions):

B. Explain how the property in question would not yield a responsible return or there could not be any beneficial use of the property without the variance.

C. Explain why the essential character of the neighborhood would not be substantially altered or adjoining properties would suffer a substantial detriment as a result of the variance.

D. Did the applicant purchase the property without knowledge of the zoning restriction?

E. Explain whether the special conditions or circumstances (listed in response to question A above) were a result of actions of the owner.

F. Explain whether the spirit and intent behind the zoning requirement would be observed and/or substantial justice done by granting the variance.

G. Explain why granting the variance request will not confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.

If you have questions, please contact Planning & Zoning Staff Liasion at (410) 896-2777 or (302) 846-2664

Any modifications during review shall warrant an updated application

I do hereby solemnly declare and affirm that the information provided by this application and the documents attached hereto accurately present the conditions of the request and that submission of an incomplete application will be returned for correction prior to processing.

Signature of Applicant or Agent: _____

Date: _____

Printed Name of Applicant or Agent: _____

For Official Use Only

Project Number:	<input type="text"/>	Fee Received	<input type="text"/>
Application Number:	<input type="text"/>	Application Notification	<input type="text"/>
Filing Date:	<input type="text"/>	Property Posting Date	<input type="text"/>
Hearing Date:	<input type="text"/>	Notice(s) Published	<input type="text"/>

Revised: 4/2021