

setback
case # 05-2023

APPLICATION FOR A VARIANCE

To: Board of Adjustment, Town of Gorham

Name of Applicant Rick + Mel Savage

Address PO Box 331 Gorham

Owner same

(if same as applicant, write "same")

Location of Property 160 Main St U6-42

(street, number, sub-division and lot number)

NOTE: This application is not acceptable unless all required statements have been made.

Additional information may be supplied on separate pages if the space provided is inadequate.

Do not write in this space.	
Case No.	_____
Date Filed	_____

(signed - ZBA)	

APPLICATION FOR A VARIANCE

A variance is requested from article IV section 4.03 D 26 of the zoning ordinance to permit setback requirements - rear 50'

Facts in support of granting the variance:

1. Granting the variance would not be contrary to the public interest because:

ITS GOING TO PROVIDE A SAFE LOCATION FOR THE COMPRESSOR, THE PREVIOUS LOCATION WAS UNSAFE, SO THEREFORE MOVING THEM TO A COVERED DECK WILL INSURE PUBLIC SAFETY

2. If the variance were granted, the spirit of the ordinance would be observed because:

THERE IS LITERALLY NO SPACE BETWEEN BUILDING + RIVER. THEREFORE THE DECK MUST EXIST TO HOLD WALK IN COMPRESSORS FOR FUNCTION OF A SAFE RESTAURANT, NO OTHER SAFE PLACE FOR THEM TO BE TO OPERATE VITAL EQUIPMENT

3. Granting the variance would do substantial justice because:

IT ALLOWS FOR PROPER OPERATION OF FRIDGE + FREEZER FOR SAFE FOOD HANDLING

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

THERE IS NO OTHER PROPERTY OR SETBACK BEING AFFECTED BY THE LOCATION OF THE COMPRESSOR DECK

5. Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

BECAUSE OF THE UNIQUE LOCATION OF OUR BUILDING THERE REALLY IS NO OTHER PLACE TO PUT IT

and:

ii. The proposed use is a reasonable one because:

WE NEED PROPER REFRIGERATOR AND FREEZER TO RUN A PROPER KITCHEN

B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

IF YOU DONT ALLOW IT IN THIS LOCATION THE ENTIRE BUILDING WOULD BE IMPACTED

Applicant


(signature)

Date

4/25/23