



<b>EQUIT WAIVER/APPEAL ADMIN</b>	
Date Received:	_____
Case #:	_____
Rehearing #:	_____
(W)	

**TOWN OF MILFORD  
ZONING BOARD OF ADJUSTMENT  
APPLICATION  
EQUITABLE WAIVER OF DIMENSIONAL REQUIREMENTS  
or  
APPEAL FROM AN ADMINISTRATIVE DECISION**

Name of applicant: \_\_\_\_\_ Phone #: \_\_\_\_\_

Email Address: \_\_\_\_\_

Address: \_\_\_\_\_

Owner: \_\_\_\_\_

(If same as applicant, write "same")

Address: \_\_\_\_\_

Location of property: \_\_\_\_\_ Map \_\_\_\_\_ Lot \_\_\_\_\_  
(Number and street)

Description of property: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Lot dimension, total area, present use)

Notes:

Fill in section 1 for an Equitable Waiver,  
Fill in sections 2 for an Administrative Appeal,  
Complete sections 3 through 5 including the abutter list.

This application is not acceptable unless all required statements have been made. Additional information may be supplied on separate sheets if necessary.

Fees: \$75.00 per case plus \$5.60 per abutter, including owner and representative (if applicable)

**Town of Milford New Hampshire**  
One Union Square · Milford, NH 03055 · Phone (603) 249-0620 · Fax (603) 673-2273  
www.milford.nh.gov

**Section 1. APPLICATION FOR 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 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 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 \_\_\_\_\_

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

**Section 2. APPEAL FROM AN ADMINISTRATIVE DECISION**

Relating to the interpretation and enforcement of the provisions of the zoning ordinance.

Decision of the enforcement officer to be reviewed \_\_\_\_\_

Article \_\_\_\_\_ Section \_\_\_\_\_ of the zoning ordinance in question: \_\_\_\_\_

**SECTION 3 - ABUTTERS**

See attached sheet.

**SECTION 4 - ATTACHMENTS**

- A. Plan of property and all buildings, drawn to scale, is required.
- B. Building permit application as needed (to be determined by building official.)
- C. Additional explanations, justification, abutter’s statements, letters, etc.

**SECTION 5 - REPRESENTATION**

Owner(s) authorization for applicant or other agent to represent the owner at the proceedings

\_\_\_\_\_  
Print name of person or party representing the owner(s)

The applicant or agent, as stated hereon, has authorization from the property owner to submit this Zoning Board of Adjustment application and to represent the property owner on matters relative to said process.

\_\_\_\_\_  
Owner’s Signature

\_\_\_\_\_  
Date

**SECTION 6 - SIGNATURES**

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

Signature of Zoning Official \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
For office use only  
\_\_\_\_\_

**CODE ENFORCEMENT OFFICER’S DECISION AND COMMENTS:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Revised 3/10

## **Zoning Board of Adjustment**

### **INSTRUCTIONS TO APPLICANTS**

The board strongly recommends that, before making any appeal, you become familiar with the Milford Zoning Ordinance, and also with the New Hampshire Statutes TITLE LXIV, RSA, chapters 672-677, covering planning and zoning.

**ABUTTERS:** List the map, lot and mailing information.

For purposes of receiving testimony only, and not for purposes of notification, the term “abutter” shall include any person who is able to demonstrate that his/her land will be directly affected by the proposal under consideration.

For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term “abutter” means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownerships defined in RSA 205-A:1, the term “abutter” includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street, stream, or active railroad from the land under consideration by the local land use board. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being an active railroad property, the owner of the railroad property shall be notified. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case where the applicant is different from the owner of the land under consideration by the local land use board, the term “abutter” includes the applicant.

