

**THE BOARD OF ADJUSTMENT OF
THE CITY OF REHOBOTH BEACH
Application for Variance/Special Exception or
Appeal of a Decision of the Building Inspector**

The undersigned hereby gives notice of:

- Request for a Variance
- Appeal of a Decision of the Building Inspector
- Request for a Special Exception

The following is an application made to Board of Adjustment of the City of Rehoboth Beach on the _____ day of _____, 20____.

Location of affected property: _____

Applicant's Name: _____

Mailing Address: _____

Telephone Numbers: _____ (Home) _____ (Office) _____ (Cell)

Representative's Name: _____

Mailing Address: _____

Telephone Numbers: _____ (Home) _____ (Office) _____ (Cell)

Further information describing the affected property: _____

If this is a Request for Variance or Special Exception please provide details and attach documentation:

If this is an Appeal of the Decision of the Building Inspector please summarize the decision or determination and attach documentation:

If a **previous** Application for a Variance or Special Exception or an Appeal of the Decision of the Building Inspector on these premises has been made to the Board of Adjustment, please provide details:

It is required that you state the grounds for hardship upon which the **Appeal of a Decision of the Building Inspector** or request for a **Special Exception** is being made. If you are requesting a **Variance**, please state the hardship. **See (3)(a) below for reasons for granting a Variance or a favorable Decision of Appeal of a finding of the Building Inspector.**

Date: _____
Fee Paid: _____ Appellant/Applicant

SWORN AND SUBSCRIBED before me this _____ day of _____, A.D. 20_____.

Notary Public

INSTRUCTIONS

(1) Should a Variance/Special Exception be granted, see the following:

Section 270-77. Expiration of special exceptions and variances. Unless otherwise specified by the Board of Adjustment, a special exception or variance shall expire if the applicant fails to obtain a building permit or fails to change the use, as the case may be, within six months from the date of authorization thereof. The Board of Adjustment may grant one extension of this time period for up to three months based on good cause.

(2) This form and all supportive documentation must be prepared and delivered to the Office of the Building Inspector, along with a \$1,000 fee, on or before thirty (30) days prior to the date of the public hearing. (This form and \$1,000 fee should be submitted within thirty (30) days from the date of the Building Inspectors action in the case of an appeal from that decision.)

(3) The following are provided as guidelines when filing an Application for Variance/Special Exception or an Appeal of a Decision of the Building Inspector:

(a) State the grounds upon which the appeal is being made. Pursuant to **Section 270-74(C)** of the Code of the City of Rehoboth Beach, "To authorize, in specific cases, such variance from any zoning ordinance, code or regulation that will not be contrary to the public interest, where, owing to special conditions or exceptional situations, a literal interpretation of any zoning ordinances, code or regulation will result in unnecessary hardship or exceptional practical difficulties to the owner of property so that the spirit of the ordinance, code or regulation shall be observed and substantial justice done, provided that such relief may be granted without substantially impairing the intent and purpose of any zoning ordinance, code, regulation or map.

(b) Provide a clear and accurate description of the proposed work or use.

(c) The application for variance or appeal **MUST** be accompanied by a dimensional drawing of the property prepared by a licensed surveyor with all proposed changes, stating the distance from all adjacent properties, the city block on which the lot or property faces, the distance of all buildings on the property from all adjacent properties, the dimension of such lot or property and location of proposed construction, alteration or building with reference to the boundary lines. **The Applicant must send our office ten copies for distribution.**

(d) Applicants are urged to submit with their variance and/or special exception applications color photographs of at least 3" x 5" in size (6 copies each) depicting the following

- (i) The subject areas and existing structures where the relief or special exception from the zoning code is sought; and
- (ii) A view of the subject parcel taken from across the street that also depicts the immediately adjoining parcels or relevant portions thereof.