

**TOWN OF PARSONSFIELD – Zoning Board of Appeals (ZBA)**

634 North Rd, Parsonsfield, Maine 04047

PHONE: (207)-625-4558 FAX: (207)-625-8172 [planning@parsonsfeld.org](mailto:planning@parsonsfeld.org)

**Variance/Appeal Application - Please Print Clearly**

Fees Paid: \$100.00 Application Fee and \$150.00 Escrow Fee

Date CEO Reviewed & Accepted: 2/18/2025 *(JW)*

Date Received and Paid for at Clerk's Office: 2/18/25 *Danielle Taylor*

Date Received by Zoning Board of Appeals Administrative Assistant: 2/19/2025

Zoning Board of Appeals Administrative Assistant Signature: *Diana Lyl*

Property Owner(s): Name & Mailing Address

Applicant(s): Name & Mailing Address  
(If different from Owner)

Kelly and Lisa Libby  
38 Hillside Ave  
Parsonsfeld ME 04047

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

Telephone: 207 415 4621

Telephone: \_\_\_\_\_

**Property Owner's Authorization** (fill out only if applicant is not owner). The undersigned property owner hereby certifies that the information submitted in this application regarding the property is true, accurate, and complete and that the Applicant has full authority to request approval for this proposal.

Property Owner Email address: Kelly-libby@yahoo.com

Property Owner's Signature: *[Signature]*

Applicant Email address: Kelly-libby@yahoo.com

Applicant's Signature: \_\_\_\_\_

Site Location/Address: \_\_\_\_\_

Tax Map# B=10-2 Lot# 18

Zoning District: \_\_\_\_\_ Acreage of subject parcel: \_\_\_\_\_

Date of Action: Zoning Board of Appeals Meeting: \_\_\_\_\_

Date of Action: Zoning Board of Appeals Site Walk (If applicable): \_\_\_\_\_

Date of Action: Zoning Board of Appeals Hearing: \_\_\_\_\_

Approval: \_\_\_\_\_ Denial: \_\_\_\_\_

Conditions: \_\_\_\_\_

Application for a variance/appeal shall be submitted to the Town Clerk, who shall notify the Chairperson of the ZBA through the Administrative Assistant. A \$100.00 Application Fee and \$150.00 Escrow Fee **MUST** be paid with this application. Additional funds may be required to complete the processing of this appeal.

*Applicant(s) should review Land Use Ordinance Article VI. Appeals.*

**A. Variance Application Content:** Application must include the following exhibits and information. **Please attach information on a separate sheet of paper. You should be as specific as possible so that the ZBA can give full consideration to your case.**

1. Application for Variance (pages 1 and 2)
2.
  - a. Copy of Code Enforcement Officer's decision being appealed.
  - b. Copy of the Planning Board Decision being appealed.
  - c. Copy of denied building permit.
3. **Nature of Variance:** Describe generally the nature of the variance. In addition, a sketch plan of the property must accompany this application showing the dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of the proposed buildings or alterations, and any natural or topographic peculiarities of the lot in question (hand drawn is acceptable).
4. Written description of what the applicant/appellant is proposing to do.
5. Proof of appellant/applicant's standing to appeal or request a variance (Copy of the Deed, Lease Agreement, Power of Attorney, etc.).
6. Map and Lot designation is required on all submitted documentation.
7. Abutters: Complete list of the property abutters of the property to be appealed on a separate sheet of paper.
8. Submit **seven (7)** copies of the completed application.
9. **Previous Approvals:** List all previous uses, variances or special conditions associated with this property.
10. **Justification of Variance:** In order for a variance to be granted, the appellant must demonstrate to the ZBA that the strict application of the terms of the zoning ordinance would cause undue hardship. There are four criteria, which **must** be met before the ZBA can find that a hardship exists.

**Please explain how your situation meets each of these criteria listed, use a separate sheet of paper as necessary:**

- i. The land in question cannot yield a reasonable return unless the variance is granted.  
As the structure sits now its purpose is  
not functional
- ii. The need for a variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood.  
The way the property was laid out was to have the driveway  
come up in front of the house but deemed unusable in the winter
- iii. This hardship is not the result of action taken by the appellant or a prior owner.  
The hardship is due to safety concerns of not being able to use the  
garage to park in and having to walk up the driveway at night in icy conditions
- iv. The granting of a variance will not alter the essential character of the locality.  
The foot print of the garage to the street will stay the same and  
be six feet wider toward neighboring home, 34 Hillside Ave,

**B. Appeal Application Content:** The Applicant requests relief from the decision, or lack of decision, of the Code Enforcement Officer or Planning Board regarding an application for a permit. The undersigned believes that (check one):

- An error was made in the approval/denial of the permit.
- The denial of the permit was based on a misinterpretation of the ordinance.
- There has been a failure to approve or deny the permit within a reasonable period of time.
- Other

Applications must include the following exhibits and information. **Please attach information on a separate sheet of paper. You should be as specific as possible so that the ZBA can give full consideration to your case.**

1. Application for Appeal (page 1 and 3)
2.
  - a. Copy of Code Enforcement Officer's decision being appealed.
  - b. Copy of the Planning Board Decision being appealed.
  - c. Copy of denied building permit.
3. Site Plan showing dimensions of lot, proposed placement, and dimensions of structures, etc. (hand drawn is acceptable) if applicable.
4. Written description of what the applicant/appellant is proposing to do.
5. Proof of appellant/applicant's standing to appeal or request a variance (Copy of the Deed, Lease Agreement, Power of Attorney, etc.).
6. Map and Lot designation is required on all submitted documentation.
7. **Abutters:** Complete list of the property abutters of the property to be appealed on a separate sheet of paper.
8. Submit **seven (7)** copies of the completed application.
9. **Previous Approvals:** List all previous uses, variances or special conditions associated with this property.

**C. Request for Reconsideration of ZBA Decision:**

1. The ZBA may reconsider any decision withing **45 days** of its prior decision.
2. Requests for reconsideration must be filed within **10 days** of the decision being reconsidered.
3. A vote to reconsider and the action taken on that reconsideration must occur and be completed within **45 days** of the date of the vote on the original decision.
4. Please complete page 1 of this application if requesting that the ZBA reconsider their decision.
5. **On a separate sheet of paper** please explain why the ZBA should reconsider their decision.

**D. Fees:**

1. Application Fee: **\$100.00** – non-fundable (Variance, Appeal or Reconsideration).
2. Escrow Fee: **\$150.00** (Assumes 2 ads at \$45.00 each plus abutter notices.)
3. When the escrow amount does not meet actual expenditures, the applicant shall submit additional funds as specified by the Board. Payment is required to continue the ZBA process.
4. Independent Review and Advice/Professional Services: Additional fees may be required if the ZBA requires that a consultant or other appropriate professional advisor review one or more of aspects of the application or assist the Board. The consultant or other advisors shall first estimate the cost of the review and the applicant shall deposit, with the Town, the full estimated cost, or a good determination of costs, which the Town shall place in the appellant's escrow account. This fee must be paid before proceeding with the appeal.
5. When a Final Signed Decision is made by the ZBA, any outstanding balance shall be paid by the appellant prior to the ZBA releasing the decision. Any remaining funds in escrow will be reimbursed to the applicant.

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**ABUTTERS LIST FORM**

(Make additional copies of this form as needed to submit a complete list.)

ABUTTER NAME(S): Forbes  
MAILING ADDRESS: 34 Hillside Ave  
CITY/STATE/ZIP: Parsonsfeld ME 04047  
PROPERTY ADDRESS: 34 Hillside Ave  
MAP # B1 LOT # 17

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ABUTTER NAME(S): Napa Auto Parts  
MAILING ADDRESS: 163 Federal Rd  
CITY/STATE/ZIP: Parsonsfeld, ME 04047  
PROPERTY ADDRESS: 163 Federal Rd. Parsonsfeld, ME 04047  
MAP # \_\_\_\_\_ LOT # \_\_\_\_\_

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ABUTTER NAME(S): \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
CITY/STATE/ZIP: \_\_\_\_\_  
PROPERTY ADDRESS: \_\_\_\_\_  
MAP # \_\_\_\_\_ LOT # \_\_\_\_\_

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ABUTTER NAME(S): \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
CITY/STATE/ZIP: \_\_\_\_\_  
PROPERTY ADDRESS: \_\_\_\_\_  
MAP # \_\_\_\_\_ LOT # \_\_\_\_\_

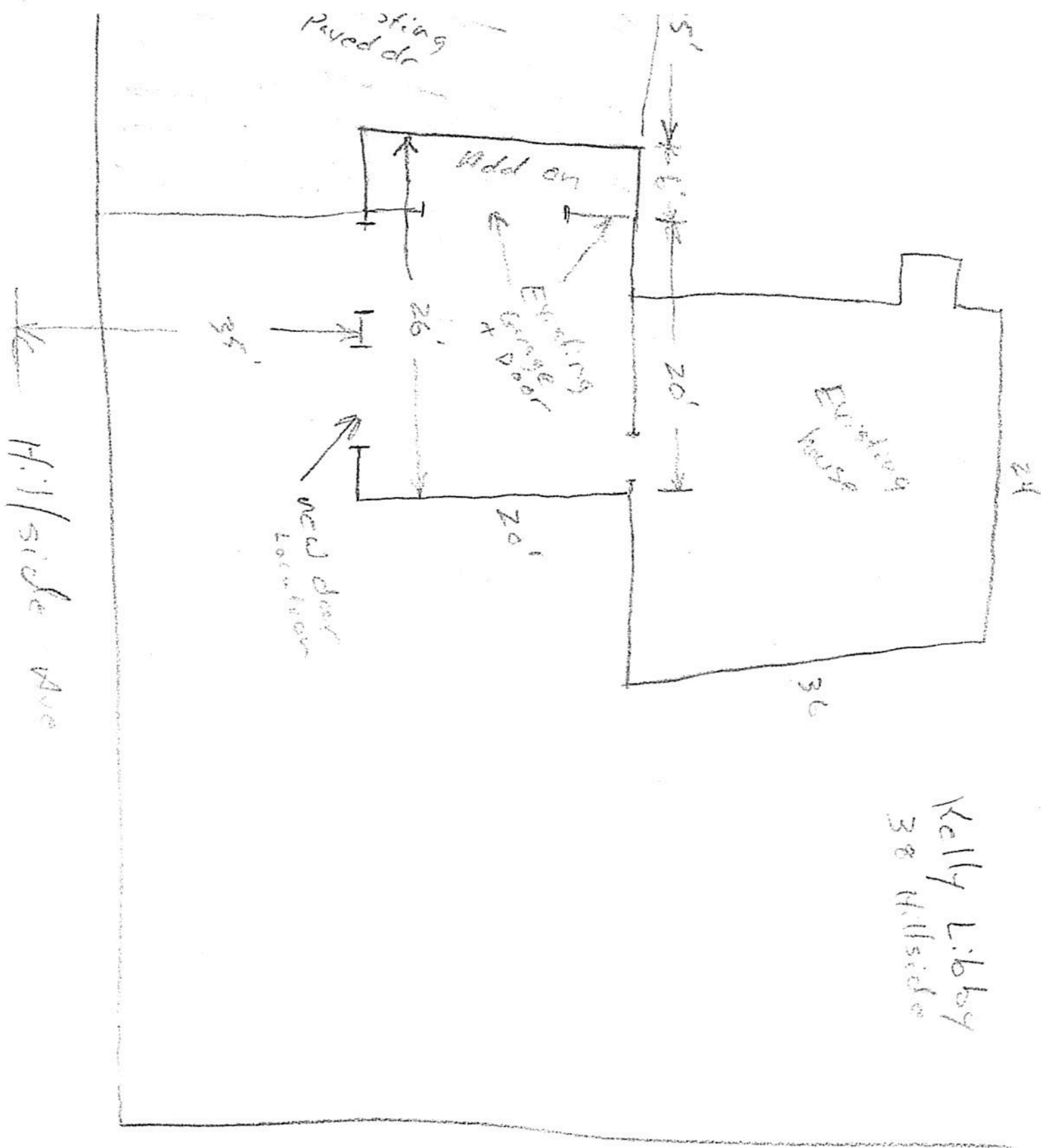
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ABUTTER NAME(S): \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
CITY/STATE/ZIP: \_\_\_\_\_  
PROPERTY ADDRESS: \_\_\_\_\_  
MAP # \_\_\_\_\_ LOT # \_\_\_\_\_

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ABUTTER NAME(S): \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
CITY/STATE/ZIP: \_\_\_\_\_  
PROPERTY ADDRESS: \_\_\_\_\_  
MAP # \_\_\_\_\_ LOT # \_\_\_\_\_

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Kelly Libby  
 38 Hillside