



**BAR HARBOR BOARD OF APPEALS**  
**APPLICATION TO CHANGE NONCONFORMING USE**  
(as permitted in Section 125-55.D of the Bar Harbor Land Use Ordinance)

**APPLICATION #** \_\_\_\_\_

**APPLICANT**

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

Email \_\_\_\_\_

**APPLICANT'S REPRESENTATIVE (ATTACH AUTHORIZATION SHEET)**

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

Email \_\_\_\_\_

**SUBJECT PROPERTY**

Physical Location \_\_\_\_\_

Zoning District \_\_\_\_\_

Tax Map and Lot Number \_\_\_\_\_

Owner \_\_\_\_\_



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Describe in detail the proposal as required by §125-54 of the Bar Harbor Land Use Ordinance and attach an existing site plan.

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Please state how this proposed new use will have no greater impact on the subject and adjacent properties and resources, including water dependent uses, than the existing use:

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Has the Planning Board granted site plan approval and found that the proposed use meets all standards set forth in Article V of the Bar Harbor Land Use Ordinance except those that cause the existing use to be nonconforming? State application number and attach copy of written decision:

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*Is the use in the Resource protection, Shoreland Limited Residential, Shoreland General Development, and Stream Protection districts? If yes, continue below. Attach additional sheets if necessary.*

Please state how this change of nonconforming use will have no greater adverse impact on the probable effects on public health and safety:

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Please state how this change of nonconforming use will have no greater adverse impact on the probable effects on erosion and sedimentation:

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Please state how this change of nonconforming use will have no greater adverse impact on the probable effects on water quality:

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Please state how this change of nonconforming use will have no greater adverse impact on the probable effects on fish and wildlife habitat:

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Please state how this change of nonconforming use will have no greater adverse impact on the probable effects on vegetative cover:

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Please state how this change of nonconforming use will have no greater adverse impact on the probable effects on visual and actual points of public access to waters:

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Please state how this change of nonconforming use will have no greater adverse impact on the probable effects on natural beauty:

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Please state how this change of nonconforming use will have no greater adverse impact on the probable effects on flood plain management.

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Please state how this change of nonconforming use will have no greater adverse impact on the probable effects on archaeological and historic resources:

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Please state how this change of nonconforming use will have no greater adverse impact on the probable effects on commercial fishing and maritime activities:

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Please state how this change of nonconforming use will have no greater adverse impact on the probable effects on other functionally water dependent uses:

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**THE FOLLOWING MUST BE ATTACHED:**

- Your deed or other evidence of interest in the property and a letter of authorization signed by the property owner allowing another party to make or represent this application, if applicable;
- A detailed diagram of subject property showing physical characteristics necessitating the change of nonconforming use;
- Photographs of the subject property depicting those areas from which and to which the change of nonconforming use is sought;
- Other documentary evidence you wish in order to demonstrate the requirements of the Bar Harbor Land Use Ordinance will be met;
- Copy of the Planning Board minutes at which the Board found that the proposed use meets all standards set forth in Article V of the Bar Harbor Land Use Ordinance except those that cause the existing use to be nonconforming and decision;
- List of landowners within 300 feet of the subject property.

**CERTIFICATION:**

*This application and all information submitted herewith are true and correct to the best of my knowledge.*

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**Applicant**

**Date**



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**PROPOSED MOTION**

As required by §125-54D of the Bar Harbor Land Use Ordinance, the Appeals Board finds “ that the proposed change of nonconforming use to another nonconforming use will have no greater adverse impact on the subject and adjacent properties and resources, including water dependent uses, than the existing use, and second, that the Planning Board grants site plan approval upon finding that the proposed use meets all standards set forth in Article V except those that make it nonconforming.” The Board of Appeals also finds “ that there will be no greater adverse impact in regards to:

- A. The probable effects on public health and safety;
- B. Erosion and Sedimentation;
- C. Water quality;
- D. Fish and wildlife habitat;
- E. Vegetative cover;
- F. Visual and actual points of public access to waters;
- G. Natural beauty;
- H. Flood plain management;
- I. Archaeological and historic resources;
- J. Commercial fishing and maritime activities;
- K. Other functionally water-dependent uses”