



PLANNING AND ZONING DEPARTMENT

GENERAL INFORMATION ON VARIANCES

A variance is permission granted by the Board of Zoning Appeals to depart from the literal requirements of the zoning code as a means of relief from the practical difficulty of compliance on a property with unusual conditions.

An application for a variance can only be submitted after written denial of zoning approval. The application must address all of the following standards:

- ① that strict application of the code would result in practical difficulty; and
- ② that special circumstances or conditions exist which are unique to the property; and
- ③ that strict application of the code would deprive the applicant of reasonable use of the property; and
- ④ that granting the variance is in accord with the general purpose and intent of the code, and would not be injurious to the area or public welfare; and
- ⑤ that the variance is not granted on the grounds of convenience or profit, or mere loss of value; and
- ⑥ that any hardship is not self-created by the applicant; and
- ⑦ that the nonconforming nature of any other property is not grounds for issuing a variance; and
- ⑧ that granting the variance will not establish a use which is otherwise not permitted in the district; and
- ⑨ that the variance granted is the minimum variance necessary for reasonable use of the property; and
- ⑩ that the variance shall not reduce the level of service of any road.

The Board of Zoning Appeals will either approve, approve with conditions, or disapprove the variance; violation of any condition constitutes a punishable offense under the zoning code. The granting of a variance will expire unless acted upon within twelve months.

**THIS IS A SUMMARY OF GENERAL REQUIREMENTS,
WHICH MAY NOT BE LIMITED TO THE ABOVE ITEMS.**

