

APPLICATION FOR VARIANCE

In order for a variance to be granted, the applicant must prove to the Board of Adjustment that all of the criteria set forth in the Zoning Ordinance for granting a variance have been satisfied. The Board of Adjustment may prescribe appropriate conditions and safeguards in conformance with the Zoning Ordinance for any variance granted. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the Zoning Ordinance and punishable under Section 16.9 of the same. The Board of Adjustment shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought. **As part of the application, it is incumbent upon the applicant to submit in writing demonstration that the following criteria have been met.**

1. The required variance arises from special circumstances, which do not generally apply, to land in the general vicinity, or in the same zone.
2. That the strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land or would create an unnecessary hardship on the applicant.
3. Such special circumstances are not the result of actions of the applicant taken subsequently to the adoption of this ordinance.
4. Reasons that the variance will not adversely affect the public health, safety and welfare, and will not alter the essential character of the general vicinity and will not cause a hazard or nuisance to the public.