

Zoning Board of Appeals/Plan Commission Variation Checklist

Address: _____ Applicant: _____

In order to grant a variation, the Zoning Ordinance requires the Zoning Board of Appeals/Plan Commission (ZBA/PC) to establish findings of fact that the standards for variations have been met. After each of the following standards (as listed in Section 20.14.4E of the Zoning Ordinance), the Applicant must write a detailed explanation of how he or she meets each of the standards. (Attach additional pages as needed)

1. The strict application of the terms of this Chapter will result in undue hardship unless the specific relief requested is granted.

2. The particular physical surroundings, shape or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

3. The plight of the owner is due to unique circumstances inherent to the subject property and not from the personal situation of the owner and has not been created by any person presently having a proprietary interest in the property in question.

4. The variation requested represents the least deviation from the applicable regulation needed.

5. The variation will not materially:
- (a) Impair an adequate supply of light and air on adjacent properties;
 - (b) Increase the hazard from fire and other public safety dangers;
 - (c) Diminish the value of adjacent property;
 - (d) Impede the flow of traffic or create traffic hazards in the public streets;
 - (e) Otherwise impair the public health, safety, comfort, morals or general welfare;

Note: The full burden of providing evidence that a variation is justified rests with the Applicant. Self inflicted hardships or a desire for greater profit/increased property value is not sufficient evidence to warrant a variation.