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VARIANCE FINDINGS

A variance allows some exception to zoning standards. For example, an applicant may request an exception to a required front yard, height limit, or parking requirement. Variances cannot be granted for density.

Variances are granted when some unusual natural (not man-made) characteristic of the site itself, such as its size, shape, difficult topography, the existence of a creek running through it, or some similar natural condition, essentially deprives the property owner of reasonable use of the property, compared to other property in the vicinity with the same zoning. In other words, if the property can be reasonably developed without approval of a variance, it will be difficult or impossible for the Planning Commission to approve a variance. State law requires that the Planning Commission make three specific findings to approve such an exception.

Please explain how the following State-required findings are met for the site:

1. Because of special circumstances applying to the property, such as size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity in the same zone. Describe the special circumstances applying to your property:

   _____

   _____

   _____

2. The variance shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity in the same zone. Explain how the exception will not be a grant of special privilege not available to other properties in the vicinity:

   _____

   _____

   _____

3. The variance does not authorize a use or activity that is not otherwise permitted by the zone. Explain why the request does not permit a use otherwise not allowed in the zone:

   _____

   _____

   _____

Variance findings cannot be based on the existence of similar existing nonconforming or illegal situations in the vicinity. However, such situations may be evidence that the request is not a "grant of special privilege" that would not be granted to other properties with similar characteristics.