

Statement of Variance (Use and Dimensional)

Please submit a statement of variance for each variance that you are requesting. **No variance can be granted unless the Board finds that all of the following facts and conditions exist.**

1. **Preservation of Intent.** A variance would not be inconsistent with the spirit, purpose and intent of the regulations for the district in which it is requested.
2. **Exceptional Circumstances.** Exceptional, extraordinary or unusual circumstances or conditions apply to the lot or intended use that do not apply generally to other properties or uses in the same district, and the variance is not of so general or recurrent nature to suggest amendment of the regulation.
3. **Preservation of Property Rights.** The variance is necessary for the preservation and enjoyment of the same substantial property rights, which are possessed by other properties in the same district and same vicinity.

4. **Absence of Detriment.** The variance will not create substantial detriment to adjacent property, and will not materially impair or be contrary to the spirit, purpose and intent of this chapter, or the public interest.

5. **Hardship Use Variance.** The alleged difficulty or hardship is not self-imposed nor is it based solely on economic grounds.

Hardship Dimensional Variance. In the case of a dimensional variance request, compliance with the code requirement from which the variance is requested would unreasonably prevent the property owner from using his or her property for a permitted purpose or would otherwise be unnecessarily burdensome.