

STANDARDS APPLICABLE TO USE VARIANCES ("UNNECESSARY HARDSHIPS")

The applicant shall demonstrate by clear and convincing evidence that all of the following standards have been met in order to find an unnecessary hardship exists so as to justify the granting of a use variance, as determined by the Board:

A. The variance requested stems from a condition which is unique to the property at issue and not ordinarily found in the same zone or district;

B. The hardship condition is not created by actions of the applicant;

C. The granting of the variance will not adversely affect the rights of adjacent owners;

D. The granting of the variance will not adversely affect the public health, safety or general welfare;

E. The variance will be consistent with the general spirit and intent of this Ordinance;

F. The variance sought is the minimum which will afford relief to the applicant; and

G. There is no other economically viable use which is permitted in the zoning district.
