

Zoning Ordinance Amendment

Associated with the Board of Zoning Appeals

Section 10-3-24 and Multiple Sections within Article W



Section 10-3-24 **Modify the existing definition of "Variance."**

- (2) No variance shall be ~~authorized~~ granted by the board unless it finds that:
- a. ~~That the~~ The strict application of this chapter would ~~produce undue hardship~~ unreasonably restrict the utilization of the property.
 - b. ~~That such~~ Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
 - c. ~~That the~~ The authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.
 - d. The property for which the variance is being requested was acquired in good faith.
 - e. Any hardship was not created by the applicant for the variance.
 - f. The relief or remedy sought by the variance application is not available through any other process available in this chapter such as modifications to this chapter or through approval of a special use permit.

Section 10-3-139 Add requirements associated with equal say during a public hearing, the availability of materials for the applicant and the public, and for issues association with open communication among all parties.

Section 10-3-140 Renumber this Section.