

ARTICLE VIII. VARIANCES

Section 8.010. Authorization to Grant or Deny a Variance.

The Director may grant variances from the provisions of this ordinance where it has been shown that owing to unusual topographic conditions, unusual conditions such as the shape of property or the location of a building on the property, or other conditions over which the applicant has had no control, the literal interpretation of this ordinance would cause an undue or unnecessary hardship. No variance shall be granted to allow the use of property for purposes not authorized within the zone in which the proposed use would be located. In granting a variance, the Director may attach conditions which he/she finds necessary to protect the best interests of the surrounding property or neighborhood and to otherwise achieve the purposes of this ordinance or the comprehensive plan.

Section 8.020. Application for a Variance.

A request for a variance may be initiated by filing an application in accordance with Article II of this Ordinance.

Section 8.030. Standards for Granting a Variance.

A variance may be granted only in the event that the applicant can show that all of the following standards have been met:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size, shape, topography, or other circumstances over which the owner of the property has no control.
2. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possess.
3. The variance would not be materially detrimental to the purposes of this ordinance, or to property in the same zone or vicinity in which the property is located, or otherwise conflict with the objectives of the comprehensive plan or other county regulation.
4. The variance requested is the minimum variance which would alleviate the hardship.