## Zoning Variance Applications - Board of Zoning Appeals

Variance Initiation

**Review Procedure** 

**Property Owner** 

Application

Public Hearing with the Board of Zoning Appeals

Decision

**Review Criteria** 

The BZA shall have the power to authorize upon appeal in specific cases

Area/Dimensional Variance

**Use Variance** 

The BZA shall not be authorized to grant a variance for a use that is otherwise prohibited in the zoning district in which the property is located

The BZA may authorize a variance when such variance will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the resolution will result in unnecessary hardship, and so that the spirit of the resolution shall be observed and substantial justice done

Review Criteria Continued

The BZA may authorize a variance when such variance will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the resolution will result in unnecessary hardship, and so that the spirit of the resolution shall be observed and substantial justice done

The BZA may impose such conditions and restrictions upon the property benefited by a variance as the BZA may deem necessary to comply with the standards set forth in this section, to reduce or minimize the impact of such variance upon other property in the neighborhood and to further the purpose and intent of this zoning resolution

Review Criteria Continued

No granting of a variance shall be authorized unless the BZA finds that such variance from the provisions or requirements of this zoning resolution will not be contrary to the public interest, and owing to special conditions pertaining to a specific piece of property, the literal enforcement of the provisions or requirements of this zoning resolution would cause unnecessary hardship. The BZA may attach thereto such conditions regarding the location, character and other features of the proposed structure or use, as it may deem necessary in the interest of the furtherance of the purposes of the zoning resolution and in the public interest

No variance shall be considered or granted by the BZA, which would allow a change in use of a parcel, building or structure where such change of use could be accomplished by a redistricting of the subject property