

VARIANCES

The applicant must address the three highlighted requirements noted below:

To authorize upon appeal, or upon petition in cases where a particular use is sought for which no permit is required, with respect to a particular parcel of land or to an existing building thereon, a Variance from the terms of this ordinance, **where owing to circumstances relating to the soil conditions, shape, or topography of such land or structures** and especially affecting such land or structures, but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this ordinance would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and **where desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of this ordinance but not otherwise.**

The Board may impose conditions, safeguards and limitations both of time and use, including the continued ownership of the land or structures to which the Variance pertains by the applicant, petitioner or any owner. If the rights authorized by a Variance are not exercised within one (1) year of the date of such Variance, they shall lapse, and may be re-established only after notice of new hearing pursuant to this section.