

Approval Standards for Variations (Zoning Ordinance, § 4.3(E))

No variation from the provisions of the Zoning Ordinance shall be granted unless the Plan Commission/Zoning Board of Appeals and Village Board makes specific written findings based on the following standards - please respond after each with a short narrative stating how the proposed variation meets or is consistent with each standard:

1. The strict application of the terms of this Zoning Ordinance will result in undue hardship.

2. The plight of the owner is due to unique circumstances and not applicable generally to other property within the same zoning classification.

3. The variation, if granted, will not alter the essential character of the locality.

In addition the Plan Commission/Zoning Board of Appeals and Village Board, in making its findings may require into the following evidentiary issues, as well as any others deemed appropriate. Please respond after each with a short narrative stating how your request meets each standard.

4. The particular physical surroundings, shape or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

5. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.

6. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.

7. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety or impair property values within the neighborhood.

8. The proposed variation is consistent with the spirit and intent of the Village's Zoning Ordinance and the adopted Comprehensive Plan.

9. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.
