

## 11.6 VARIANCE FROM STANDARDS:

### 11.6.1 Description:

In the case of the applicant's request for deviation from standards, a variance may be requested on items of height, bulk, density and yard requirements. The filing fee for variance appeals shall be according to the fee schedule resolution of County Board of Commissioners.

### 11.6.2 Requirements:

In any case where, upon application of any responsible parties it appears, that by reason of exceptional circumstances, the strict enforcement of any provision of the standards would cause unnecessary hardship or that strict conformity with the standards would be unreasonable, impractical or not feasible under the circumstances, the Board of Adjustments may permit a variance therefrom upon such conditions as it may prescribe consistent with the general purposes of this ordinance and the intent of this and all other applicable State and local regulations and laws provided that:

- A. The condition causing the hardship is unique to that property.
- B. The variance is proved necessary in order to secure for the applicant a right or rights that are enjoyed by the other owners in the same area or district.
- C. The granting of the variance will not be contrary to the public interest or damaging to the rights of other persons or to the property values in the neighborhood.
- D. The granting of the variance will not be contrary to management policies of the area or district.
- E. No variance shall be granted simply because there are no objections or because those who do not object outnumber those who do; nor for any other reason than a proved hardship.
- F. A copy of all variances granted within a shoreland district shall be forwarded to the Commissioner of Natural Resources within ten (10) days of such action.
- G. A hearing for variance shall be conducted in similar manner as required for Conditional & Interim Use Permits as stated in Section 11.5 of this ordinance.
- H. Applicants for Conditional & Interim Use Permits and Variance shall be required to submit a land surveyor's plot plan showing exact lot boundary and location of existing and proposed development as a part of application. Surveyor stakes shall be in place for site inspection of lot boundary and proposed development. Above policy shall be applicable for development on all lots of one acre or smaller. *(ADOPTED 4 September 1985)*
- I. No application for a Variance shall be resubmitted for a period of one (1) year from the date of said order of denial.