

STANDARDS FOR AN AREA VARIANCE

To grant a variance, the Board of Appeals must find:

1. Denial may result in hardship due to exceptional, extraordinary, or unusual circumstances or conditions applying to the lot that do not apply generally to other properties in the same district.
2. Granting the variance will not be of so general or recurrent nature as to suggest the Zoning Ordinance would be changed.
3. The conditions are unique to the property and the variance is necessary for the preservation and enjoyment of substantial property rights already possessed by other properties in the same district and vicinity.
4. The variance is not based exclusively upon a desire to increase the value or income potential of the property.
5. Granting the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.
6. Granting the variance will not undermine the spirit and purposes of the Zoning Ordinance. The purposes of the Zoning Ordinance are defined in Sec. 10-1-2 in the Zoning Chapter of the Village's Land Use Regulations, Code of Ordinances: "The purpose of this Chapter is to promote the health, safety, prosperity, aesthetics, and general welfare of the Village of Cleveland."

A variance will expire within 6 months unless substantial work has commenced pursuant to the variance.

The Board of Appeals may impose such conditions or restrictions upon the premises as may be necessary.