

VILLAGE OF SPENCER ORDINANCE NO. 5-85

ARTICLE 12 Sec. 1207.4 Application & Standards for Variances

A variance from the terms of this Ordinance shall not be granted by the Board of Zoning Appeals unless and until a written application for a variance is submitted to the Zoning Inspector and the Board of Zoning Appeals containing:

- A. Name, address, and phone number of applicants.
- B. Legal description of property.
- C. Description of nature of variance requested.
- D. A narrative statement demonstrating that the requested variance conforms to the following standards:
 - 1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
 - 2. That a literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
 - 3. That special conditions and circumstances do not result from the actions of the applicant.
 - 4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
- E. Name addresses and phone numbers of affected residents.

A variance shall NOT be granted unless the Board makes specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed by subsection D of this section have been met by the applicant.