

## **BOARD OF ADJUSTMENT**

### **Variance Criteria (UDO Article 5-3.2):**

- (A) 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;
- (B) That 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;
- (C) That the special conditions and circumstances do not result from the actions of the applicant;
- (D) That the hardship is of a physical nature and not economic; and
- (E) The granting of the variance requested will not confer upon the applicant any special privilege to use the applicant's property (hereinafter "the property") in a manner that is denied to other owner's of land, structures, or buildings within the same zoning district. For purposes of this Ordinance, "use" shall mean the purpose, activities, or kind of occupation intended, designed, and arranged to take place upon the property.