

9.0 VARIANCES

9.1 Variances Authorized. The Board of Managers may hear requests for variances from the provisions of these Rules in instances where their strict enforcement would cause undue hardship because of circumstances unique to the property under consideration. The Board of Managers may grant variances where it is demonstrated that such action will be in keeping with the spirit and intent of these Rules. A variance shall contain conditions to prevent or mitigate adverse impacts from the activity.

9.2 Standard. In order to grant a variance, the Board of Managers shall determine that the special conditions that apply to the structure or land in question do not apply generally to other land or structures in the District, that the granting of the variance will not merely serve as a convenience to the applicant, and that the variance will not impair or be contrary to the intent of these Rules. A hardship cannot be created by the landowner, the landowner's agent or representative, or a contractor, and must be unique to the property. Economic hardship alone is not grounds for issuing a variance.

9.3 Term. A variance shall become void one year after it is granted if the activity requiring a variance is not initiated during that period unless the Board grants an extension of the variance. After the action requiring a variance is complete, the variance applies to the completed action in perpetuity.

9.4 Violation. A violation of any condition set forth in a variance shall be a violation of the District's Rules and shall automatically terminate the variance.

9.5 Procedures. Procedures are as identified under Rule 1.0.