

Full text of amendment No. 2

2. Amend Article VIII Section E.(4) to read:

Denial of the variance would result in unnecessary hardship to the property owner as defined by the following conditions:

- a. If the request is for a dimensional deficiency or requirement (dimensional variance):
 - i. special conditions of the property make a variance necessary in order to allow the development as designed.
 - ii. the benefit sought by the applicant cannot be achieved by some other reasonably feasible method that would not impose an undue financial burden.
- b. If the request is for a use not allowed under the zoning ordinance (use variance)
 - i. the zoning restriction as applied to the property interferes with the reasonable use of the property, considering the unique setting of the property in its environment.
 - ii. no fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restriction on the property
 - iii. the variance would not injure the public or private rights of others

Add to definitions:

Dimensional Variance a variance for a dimensional characteristic of the property, such as frontage, setbacks, minimum acreage; or dimensions of structures on the property, such as floor area, building height, etc.

Use Variance a variance for a use that is not allowed by the zoning ordinance