

16.5.5 Transmittal of Resolutions

A copy of each resolution passed upon by the Board of Appeals shall be submitted to the Township Clerk and to the Secretary of the Planning Commission and Zoning Administrator.

16.6 VARIANCES

No variance in the provisions or requirements of this Ordinance shall be authorized by the Board of Appeals unless the Board of Appeals makes findings, based upon competent, material and substantial evidence on the whole record.

16.6.1 Dimensional Variances

- a) To obtain a dimensional variance, the applicant must show “practical difficulty” by demonstrating all of the following:
 1. That special conditions and circumstances exist which are peculiar to the land, structure, building, or use, involved and would not be of general application to other parcels in the immediate area or the Township in general;
 2. That strict application of these regulations would result in exceptional or undue hardship upon the property;
 3. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same Zoning District under the terms of this Ordinance;
 4. That the special conditions and circumstances do not result from the actions of the applicant;
 5. That granting the variance will not alter the essential character of the area.
- b) The Board of Appeals shall make a finding that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, will not cause undue impact to the surrounding neighborhood, and will not be otherwise detrimental to the public health, safety and welfare.
- c) The Board of Appeals shall further make a finding that the reasons set forth in the application for variance justify the granting of the variance, and the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.