

Zoning Hearing Board Actions and Variances

Variance

- a. The Board shall hear requests for variances filed with the Township Staff in writing.
- b. Standards. The Board may grant a variance only within the limitations of State Law. *(Note: as of the adoption date of this Ordinance, the Municipalities Planning Code provided that all of the following findings must be made, where relevant:*
 1. *There are unique physical circumstances or conditions (including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property) and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this Ordinance in the neighborhood or district in which the property is locate;*
 2. *Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and a variance is therefore necessary to enable the reasonable use of the property;*
 3. *Such unnecessary hardship has not been created by the appellant;*
 4. *The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and*
 5. *The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.)*
- c. In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this Ordinance.

For complete information please see current Zoning Ordinance for Upper Nazareth Township located at the Municipal Building.