

Effective Date: 2/1/05

SECTION 15. BOARD OF APPEALS

15.01.

There shall be a Board of Appeals with all the powers and duties conferred by law, among which are:

15.01.01.

To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the Enforcement Officer in the enforcement of the regulations.

15.01.02.

To hear and decide all matters upon which it is required to pass by the specific terms of the regulations.

15.01.03.

To determine and vary the application of the regulations in harmony with their general purposes and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of the regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured.

15.01.04.

To adopt rules of procedure including the time within which appeals to said Board shall be taken.

15.01.05.

Except as otherwise provided by law, each applicant for a hearing by the Board of Appeals shall, at the time of making application thereto, pay a fee appropriate to cover the cost of advertising the notice therefor.

15.02. Use Variances

Use variances shall not be permitted for any use or activity in the MR (Main Street Residential) or FR (Farm Residential) zones which require the issuance of a Home Occupation Permit, Site Plan Approval or a Special Exception by the Planning and Zoning Commission.

