

According to the Tennessee Code Annotated and the corresponding local zoning regulation, **Article 12-104.4**, the board shall not grant a variance, unless it makes findings based upon the evidence as follows:

- 1) That by reason of exceptional narrowness, shallowness, or shape of a particular piece of property at the time of enactment of the original Zoning Resolution (September 1, 1988), or by reason of exceptional topographic conditions or other exceptional and extraordinary situation or condition of such piece of property, the strict application of any regulation contained within this resolution would result in peculiar and exceptional practical difficulties to or exceptional or undue hardship upon the owner of such property; and
- 2) That the variance is the minimum variance that will relieve such difficulties or hardship and thereby make possible the reasonable use of the land, building, or structure; and
- 3) That the variance will not authorize activities in a zone district other than those permitted by this resolution; and
- 4) That financial returns only shall not be considered as a basis for granting a variance; and
- 5) That the granting of the variance will not be detrimental to the public welfare, injurious to other property or improvements in the area in which the subject property is located, or a substantial impairment to the intent and purpose of the zoning district wherein such property is located or of the general provisions of this zoning resolution; and
- 6) That the proposed variance will not impair an adequate supply of light and air to the adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety; and
- 7) That the alleged difficulty or hardship has not been knowingly and intentionally created by any person having an interest in the property after the effective date of this resolution.