

**938.100 Variances; generally**

(A) Variances from the minimum lot or parcel size requirements of any district shall not be allowed unless authorized by subsections (B) or (C).

(B) A variance from a minimum property size for an authorized unit of land in a Rural Resource Zone may not be approved by the decision maker.

(C) Any authorized unit of land in the Rural Development Zone created prior to March 4, 1998, that cannot otherwise be partitioned may be divided if:

(1) the property size of each unit created by that division is not less than 95% of the minimum property size for the respective zoning district; and

(2) the application otherwise meets the requirements of the Land Development Code.

(D) Variances may not be submitted for uses specified within any zoning district.

(E) The Director may not accept an application seeking, nor may the decision maker approve a variance from the development standards set forth in:

(1) LCC 934.211 (Signs; prohibited);

(2) LCC 934.360 (Home occupations; performance standards);

(3) LCC 934.370 (Kennels; performance standards);

(4) LCC 934.442 (Development standards for private parks);

(5) LCC 934.590 (F/F (forest area) and FCM zoning district structural siting standards);

(6) LCC 934.790 (UGAZ manufactured home standards for placement on individual authorized units of land; or

(7) LCC Chapter 940 (Marijuana Code).