

(2) [For the purposes of this definition the word "plan" shall include] "PLAN" INCLUDES general plan, master plan, comprehensive plan, community plan, and the like as adopted in accordance with §§ 3.01[-] THROUGH 3.09 of this article.

(G) "Regulation" means any rule of general applicability and future effect including any map or plan.

(H) "Special exception" means a grant of a specific use that would not be appropriate generally or without restriction and shall be based upon a finding that certain conditions governing special exceptions as detailed in the zoning ordinance exist, that the use conforms to the plan and is compatible with the existing neighborhood.

(I) (1) "Subdivision" means the division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or of building development.

(2) [It] SUBDIVISION includes resubdivision and, when appropriate to the context, relates to the process of resubdividing or to the land or territory subdivided.

(J) "Variance" means a modification only of density, bulk, or area requirements in the zoning ordinance where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property, and not the results of any action taken by the applicant, a literal enforcement of the ordinance would result in EITHER, AS SPECIFIED BY THE LOCAL GOVERNING BODY IN A ZONING ORDINANCE, unnecessary hardship OR PRACTICAL DIFFICULTY. IF THE PRACTICAL DIFFICULTY STANDARD IS TO BE USED IN THE GRANTING OF A VARIANCE FOR PROPERTIES THAT ARE CURRENTLY COMMERCIAL OR INDUSTRIALLY ZONED, THE VARIANCE MAY NOT EXCEED BY 50% THE CURRENTLY AUTHORIZED DENSITY, BULK OR AREA REQUIREMENTS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed retroactively and shall be applied and interpreted to validate any variance issued prior to the effective date of this Act by a county or municipal corporation using a practical difficulty standard in accordance with its local zoning ordinance.

SECTION 2, 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved May 14, 1991.

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## CHAPTER 351

### (House Bill 152)

AN ACT concerning

#### **Commercial Law – Bad Checks – Presentment Rights of Holders**

FOR the purpose of expanding the law on negotiable instruments by permitting the