

Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

Set back variance does not encroach into any public utility or access easements.

2. Explain how the variance will not alter the essential character of the general vicinity.

Set back variance set back will not alter character of vicinity since the set back matches original Devel Plan that only required 15' Set Back + not 25' Set Back.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

Set back variance does not encroach into any public utility or access easements.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

Since this building was set to the original set back, from the original Dev. Plan, of 15' + another building is set at a 15' set back in a more prominent location, there should be not visually circumvent any zoning regulations.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

Set Building @ 25' off curb similar to an existing bldg + found out that set back is 35' off curb to allow for a 25' set back.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

Since all infrastructure was in place to original devel. plan that used a 15' Set Back, a 25' set back pushes the building front out of alignment with existing parking.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

One time variance to Allow for a 15' set back that conforms with the original devel. plan v. a 25' set back under the new guide lines.

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