

**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.**

The video board is existing and will only have imagery attached to the back (south facing side). Visually, the board will not change size or scale, only graphically on the back side.

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

The minor change of graphics added to back (south) will not change the character of the vicinity as size and scale are not increasing, and Churchill Downs is an existing facility.

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

The board is within Churchill Downs property and is 900' from the closest residential land use.

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

A variance for the original video board has already been granted so this variance is only modifying the board to provide the graphic on the back.

*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).**

Churchill Downs is a permitted non-conforming use that is considered to be of "international prestige".

**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.**

The strict application would not permit Churchill Downs to add graphics to their existing video board.

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

Area does not conform to the regulation, but original video board was granted a variance in 2013.

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