

## JUSTIFICATION

To justify approval of any variance, the Planning Commission considers the following criteria. Please answer all the following items. Use additional sheets if needed. Responses of **yes**, **no**, or **n/a** will **not** be accepted.

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

The requested encroachment does not affect any pedestrian / vehicular traffic, and will not affect the public health, safety or welfare in any way.

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

The proposed office fits the essential character of the general vicinity in design, size, and use.

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

The current building on site already encroaches into the required side yard setback. The proposed encroachment is similar to the existing encroachment.

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

The new building is to be constructed similar to the existing building's footprint. It is reasonable for the new building to encroach into the required yard as the previous building did.

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

The limits of the previous building are similar in size and placement to the proposed construction. The required setbacks were not in place at the time of the initial construction therefore creating the special circumstance.

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.

Strict application of the provision would create a buildable area so small that would not function for the use it is zoned appropriately for.

Are the circumstances the result of actions of the applicant taken *after* the adoption of the regulation from which relief is sought?

The circumstances were existing prior to the current owner purchasing the property and proposing the reconstruction.

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