

JUSTIFICATION

To justify approval of any variance, the Board or Commission considers the following criteria.

Please answer **ALL** of the following items. Use additional sheets if needed. Responses of **Yes, No, or N/A** will **NOT** be accepted.

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

Granting the waiver would not adversely affect the public health, safety, or welfare of the general public as many of the adjoining properties have similar setbacks, with parking in front of the buildings as proposed.

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

The surrounding properties, many of which were in existence prior to the adoption of the current LDC, have similar site design characteristics.

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

Allowing parking in front of the building will not create a nuisance or hazard to the public as it provides for safe vehicular movement among the existing out parcels created by the existing minor plat and development.

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

The current commercial lots in this development are created to provide parking in front of the proposed buildings. Storm structures were built to accomodate this type of layout.

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

The available parcels have already been permitted and built. This request is to utilize the existing curb cuts and drainage structures while providing safe vehicular traffic.

6. 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 this regulation would require existing curb cuts to be demolished and the entire permitted site would have to be redesigned.

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

The parcel being utilized has already been permitted, constructed with curb cuts and drainage structures to accomodate uses such as the one proposed. The applicant did not have anything to do with the original site layout and construction.

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OFFICE OF PLANNING

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