

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 sign in question has been in existence for many years, and has not posed any threat throughout its lifespan. Allowing this variance would cause no adverse affects to the public health, safety or welfare.

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

Due to the sign's long tenure along Interstate 264 it has become a landmark of sorts. To allow it to stay would be seamless and would have no negative impacts to the character of the community.

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

The sign is internally illuminated and structurally sound. In fact, included in the plans for sign renovation is the addition of support elements that intend to make the sign safer and more secure than it already is.

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

This sign has been in place for many years. There is no ill intent to circumvent or disregard the zoning regulations, but rather an effort to improve the sign in a good-natured and appropriate way.

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).

The sign was placed so that motorists on interstate 264 can easily see it. Without this variance, that will not be the case. The highway's elevation should constitute a special circumstance.

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 owner of this property recently acquired this land and building under the belief that they would be able to utilize the high rise sign to meet their needs. The strict application of the regulation would cause substantial damage to their company and challenge its success.

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

The owner purchased the property with this sign in place. They are looking to enhance the sign slightly to meet their standard specs and brand requirements.

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AUG 15 2016

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