

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 variance will not adversely affect the public health, safety or welfare as the building expansion is in character with the surrounding industrial uses.

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

The variance will not alter the essential character of the general vicinity as the site and surrounding properties are primarily industrial uses and zoned M-2/SWFD

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

The variance will not cause a hazard or a nuisance to the public as the building expansion will be located in an established industrial setting with the site and surrounding properties being zoned M-2/SWFD

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

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations since the site is located within an industrial setting and is zoned M-2/SWFD

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 variance arises from special circumstances as the original lot was subdivided into two tracts that created an access esmt and with the existing ditch the access road had to be shifted farther to the east creating a larger area of the lot to be encumbered by the 25' foot setback

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 of the provisions of the regulation would deprive the applicant of the reasonable use of the land, the building expansion fits into the character of the neighborhood and would not encumber access to the adjacent lot where the access esmt is located

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 circumstances are the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought, the access esmt was created in 1987 & 1985 prior to setback requirements along private access easements in the LDC

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