

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 area is zoned EZ-1 in a Traditional Workplace Form District which is developed for Commercial and Industrial uses. The use will redevelop a vacant property that is currently filled with unsightly and dangerous rubble/debris. In addition the site is experiencing trespassing of unauthorized individuals

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

The area is surrounded by uses exceeding the 45' building height limit within the general neighborhood. One use 1310 W. Kentucky) is a similar use. Lime Sablization plant. Some uses approaching 100'+/-. Surrounding developments are manufacturing & industrial uses

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

The site will be secured to promote public safety. Development of the vacant site will generate additional neighborhood awareness and discourage trespassing.

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

The area has several existing elements that exceed the 45' height limit. Some approaching 100' or more. The variance being requested is to allow 77' +/- which is less than surrounding properties

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 special circumstances are related to the construction of the plant equipment. The equipment has a vertical element which extends to the 77'+/- height. There are similar vertical (height) mechanisms/plants in the general vicinity.

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.

Adhering to the 45' Height limit would prohibit the use of a concrete plant since the plant unit would not fit within the 45' limit

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

No. The circumstances are related to the essential equipment needed to develop the property for this use

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