

## 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.

Placement of the signs at the high elevations will enhance public safety by making the business more visible to drivers so that they can make safe driving decisions for when they will need to turn to access the businesses.

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

The height of the building lends itself to have identification at higher placements than is allowed by code. And, it will be consistent with properties further down Shelbyville Rd that are taller.

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

The signs will be further away from public access at the higher locations and therefore not subject to direct interaction with the public.

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

The request is for a small change in the mounting height. The size of the signs and type of signs complies with code.

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

This building is a new development in the area which brings its own characteristics that differ from the surrounding properties. Specifically, the overall height of the structure is three stories. The property is named Morris Pointe, therefore necessitating identification for the businesses that occupy the premises to provide guidance to their offices.

RECEIVED

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PLANNING & DESIGN SERVICES

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.

By only allowing identification at the lower level multiple businesses, specifically on the upper two floors, will be left without any manner to guide patrons to their office. Without branding of the building for easy identification from a distance patrons will potentially be confused trying to get to their destination.

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

The building structure has been approved by the city, even though it is being constructed after the adoption of the regulations. As such, appropriate signage to incorporate with the building is needed.

23-VARIANCE-010