

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 has been in place since 1998. The size and location will not change. The changes are cosmetic and will not affect the public in anyway

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

As stated above the sign has been in place for 18 years. The alteration will not change the character of the sign

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

We are only requesting a face change & change the bottom cabinets on the current sign. these changes will not be a hazard to the public. if anything it will be more appealing to the area. the sign will not increase in size.

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

This is an existing business that has been in operation for many years. They would like to keep the signs that they currently have and make the sign look more appealing and modern.

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).

This station is located beside I-65. The bridge on 65 is level with the roofline of the business. There are also many trees on Floyd street that block visibility to this business.

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.

Removing the non-conforming signs would make the business very hard to see.

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

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General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

No. This sign has been existing for many years. We are requesting that the sign remains. The sign will be updated with new faces and will add LED price panels in place of the manual slide in prices

2. Will the waiver violate the Comprehensive Plan?

No, The sign has been in place since 1998

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

Yes, They would like to keep the current sign

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

Yes, have applied for a variance for the 2nd sign on site.

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