

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 granting of this variance will bring the existing property into compliance with many parts of the development code, including better pedestrian access, thus it will not have an adverse affect.

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

The new building will compliment the existing structure and not alter essential character.

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

The variance will allow a development that increases pedestrian access and provides a needed community service.

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

The existing structure dictates the location of the new structure therefore any circumvention will be reasonable.

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 new structure is an addition to an existing structure that was constructed prior to the adoption of the present code.

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 regulation would mean the new structure would have to be located in front of the existing structure. This would cause disruption in access to the existing structure as well as disruption to the parking area. This would deprive the applicant of reasonable use of his property.

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 existing structure was constructed prior to the adoption of the proposed code, therefore the circumstances were not the results of actions taken by the applicant.

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