

**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.**

This site is located where an industrial area meets a residential area. The location of the silo is tucked at the back of the property which places the primary structure between the accessory structure and the nearby residences, thereby eliminating the impact on the public health, safety and welfare.

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

Again, this is in an existing industrial area and the proposed silo will be adjacent to existing silos. It is set 137' back from Marret Avenue and is even farther from existing residential uses in the area and therefore, will not alter the essential character of the general vicinity.

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

The variance will not cause a hazard or nuisance to the public because it will be set back 137' from Marret Avenue, and away from residential structures in the area.

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

The variance will allow this existing user to improve their business with minimal impact to the surrounding area. Therefore, this variance is not an unreasonable circumvention of the requirements of the zoning regulation.

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*Additional consideration:*

DESIGN SERVICES

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

This variance arises due to needs specifically related to this existing business. The size of the storage tank that is required to increase efficiency, exceeds the maximum building height.

**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 regulations would prohibit the applicant from efficiently growing his business, thereby creating an unnecessary hardship.

**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 need for the variance arises due to the improvement needs of an existing business.