

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.

The existing facility already encroaches into the required setback and all setbacks along the road will be observed. Therefore, this will not adversely affect the public health, safety or welfare.

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

Again, the existing facility encroaches into the setback so this will not alter the essential character of the general vicinity.

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

The existing facility already encroaches into the setback and we will be meeting the required setback along Dixie Highway so there will be no hazard or nuisance created by granting this variance.

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

The variance allows the owner to reconstruct their existing facility in a way that better serves the needs of their community within roughly the same developed area. Therefore this is not an unreasonable request.

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

The variance arises from the narrow, long shape and small size of the subject property, and the fact that the adjacent property, although zoned commercial, is used as residential.

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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 decrease the usable size of the property by almost 20% and decrease the width to about 60' which would significantly limit the way this property can be developed.

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

No. The existing structures date back to 1940. These structures will be removed and replaced with updated facilities.