

Variance Justification: Exceeding Over All Height

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.

Because the store across the street has the same size

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

Because the gas station across the street has one as well

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

The lights aren't bright ^{enough} to distract anyone

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

It will only draw attention to the of the Red light

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 gas station across the street has the same size that we want

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.

If not allowed then we can't an ^{offer} improvement to help us draw in new Team Members & ^{increase} sales for our customers

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

Yes

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Variance Justification: Exceeding Max Squarefootage

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.

It wait Thornton across the street has pole sign that high

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

~~at gas~~ Gas station has a big sign as well

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

It's at a red light so the only ones that really see it when light is red

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

Because the gas station across the street has the sign size

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 gas station next to us has a sign that big

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.

We can't have the ability for customer and future this to our signage

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

Yes

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18 Variance 1116

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. There is a residential district within 300 feet of the store but they are behind the store so it will not affect them. The sign faces east and west, it will not face a residential district.

2. Will the waiver violate the Comprehensive Plan?

I do not believe so.

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

I believe it is the min requirement due to the type of signage we have currently and with the speed of traffic around this location as well as the red light. So we are able to advertise as well as recruit new team members while our business is growing.

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?

Not allowing the EMC faces in the existing sign would create an unnecessary hardship. The addition of the EMC faces to the sign would help with advertising.

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18 Waiver 1027

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, there will not be an adverse effect to any one as we are replacing the existing logo with a new logo that is the same size. The existing sign lights up the entire sign. The new sign will only light up the green perimeter, the Papa John's channel letters and the pizza ribbon at the top of the sign. See attachment for an example of what the sign will look like at night. This will improve the image of the structure.

2. Will the waiver violate the Comprehensive Plan?

The comprehensive plan limits freestanding signs to monument style signs unless it will compromise the effectiveness of the sign. We would like to replace the existing sign with a new sign that is the exact same size as the sign that is currently there. If we were to comply with the monument style sign it will greatly effect the visibility of the sign.

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

The request for relief is fair per point #1.

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?

We believe that if we comply with going from a pole sign to a monument type sign the business will be greatly effected due to the decrease in visibility. Thank you for your consideration with this reasonable request.

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18 Waiver 1027