

JUSTIFICATION

To justify approval of any variance, the Board or Commission considers the following criteria.

Please answer **ALL** of the following items. Use additional sheets if needed. Responses of **Yes, No, or N/A** will **NOT** be accepted.

1. Explain how the variance will not adversely affect the public health, safety, or welfare.

The variance will not harm public health, safety, or welfare. The warehouse will meet all building and fire codes, and the minor side-yard reduction does not affect emergency access. Although the rear of the property adjoins Residential Multifamily, all required rear setbacks and buffering are maintained to protect nearby residents.

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

The variance will not alter the area's character. The property is in an M-1 district surrounded by similar light-industrial uses. The 6,350 sq. ft. building is consistent with nearby development. The residential properties to the rear remain fully buffered, and the variance affects only the industrial side setbacks.

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

No hazards or nuisances will result. The project meets all drainage, lighting, traffic, and site-design standards, and operations will be typical of light industrial use. The reduced side setback does not create impacts on neighboring industrial or residential properties.

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

The request is limited to a 5-ft side-yard reduction and all other zoning standards—including rear setbacks and residential buffering—are met. The intent of the M-1 district is fully maintained.

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

The lot's width and shape limit the buildable envelope. Achieving a functional 6,350 sq ft warehouse is not possible without a minor setback reduction. This physical constraint is unique and not typical of other M-1 parcels.

6. 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.

Strict setbacks would reduce the building to about 5,080 sq ft, making the project economically and functionally impractical. A standard-size warehouse is needed for typical M-1 use and does not increase impacts on nearby residential properties.

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

No. The hardship results from the existing lot dimensions, not from any action by the applicant.

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OFFICE OF PLANNING

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