

### **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.**

By adding the cooler, shed and fence we will be screening the train track and roling stock.

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

By beiling outside of the max front setback this utility addition will not be a prominate feature and will not compete with the dominate building massing and design.

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

The cooler location will be out ot the only internal vehicular traffic flow and parking on site

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

The limited scope, lack of buildable land available and the configuration of the site geometry will not impact the intent of the zoning code for this property or alter the nature its presence in the neighborhood.

*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).**

Due to the triangular shape of the property, building a shed and cooler to respect the maximum front setback would sacrifice limited parking and not be contiguous to the rear location of the kitchen.

**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 property is land locked on all sides except this side and is adjacent to the restaurants current undersized cooler/freezer. To provide for an efficient use of the kitchen the Owner needs additional capacity to serve it customers. Alternate solutions would negatively impact limited on site parking.

**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

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MAY 02 2022

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22 - VARIANCE - 0061