

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.

Granting the variance will not have an adverse effect on the public health, safety or welfare as there will still be adequate spacing and buffering included in the site layout.

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

Granting the variance will not alter the essential character of the general vicinity, which is already developed as a mixture of residential and non-residential uses.

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

Granting the variance will not cause a hazard or a nuisance to the public as there will still be significant spacing between the buildings and screening and plantings will be provided.

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

Granting the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations because the variance is sought due to the irregular shape and depth of the subject site.

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 variance request arises from special circumstances most notably the extremely irregular shape of the subject site which restricts site layout options.

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 provisions of the regulation would deprive the applicant of reasonable use of a portion of the subject property and a reduction in the parking area would be required, which would be problematic with the proposed parking demand of the facility.

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

The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the regulations as the site has existed in this configuration for many years.