

**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.

The Variance WILL NOT AFFECT PUBLIC Health, Safety or The Welfare. We have approval from the Fire Dept, M.S.D and The Health Department.

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

The General Vicinity will not be affected do to the Layout of proposed Lots and the Homes. The Homes will be behind a 30' B.L. and required Finished Floor Elev. per M.S.D.

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

The proposed residential Homes will have 1.00 Ac. + per Lot with approx. 125' + Lot Frontage

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

The proposed homes will be build according to R-4 Regulation With a 30' B.L. and 25' ± side yards. The rear yards will consist of approx 200' ±.

*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).

Zoning Staff have Flaged the Waterway Buffer. M.S.D reviewed and approved construction as long as we keep a require Finished Floor Elevation.

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.

By not approving said development will cause the owner a great Lot Financially as well time involved. He bought said property as a tract created by minor Plat approved that did not show the Waterway Layout.

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 Development or structure construction has been stated.

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