

**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 location of the addition is adjacent to a parking lot and not the residence of the OR zoning. The addition will not affect line of site for those units adjacent to the property line.

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

The addition is in keeping with the aesthetics of the existing building and the commercial properties adjacent.

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

The addition will shield the OR zoned property from the Owners parking lot and their on site vehicular traffic. The addition will act as a fence between the two properties where one does not exist.

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

The existing building, though non-conforming, addresses the intent of the required 25' setback at the adjacent OR apartment building. The addition will not impact residences in the apartment.

*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).

While some properties in the vicinity have been purpose built for their need, the owner is leasing the property once owner by Ehlers Dairy and over the past 15 plus years remodeled the space several times to align with their business plan. Without additional space operating the store is problematic

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 owner is restricted in its present confines to provide efficient and varied products and services the community is requesting.

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. The property has operated as a C-1 zoning for decades.

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PLANNING & DESIGN SERVICES

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