

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 new wall will replace an existing wall. The existing wall is dilapidated. The new wall will not block any sight lines and will actually improve the safety because it will replace the dilapidated wall.

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

The new wall will replace the dilapidated wall that is existing. Since it is a replacement, the character of the vicinity will not negatively change, but will be a positive change.

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

The wall will replace an existing dilapidated wall. It will improve the aesthetics of the area, so it will be not be a nuisance.

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

Not allowing the variance will not allow the City of Lynnview to upgrade its aesthetics and replace an existing and dilapidated wall.

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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).

This is a unique situation as the sign is for a sub City within Louisville metro and not a private development.

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.

Not allowing the variance will not allow the City of Lynnview to upgrade its aesthetics and replace an existing and dilapidated wall. It would deprive them of improving their city.

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 existing sign was in place before the current regulations. The City of Lynnview wants to replace the sign with one that is more aesthetic.

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