

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 requested variance for the proposed building addition encroachment into the 10' side yard setback will have no affect on public health, safety, or welfare.

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

The requested variance will not alter the essential character of the general vicinity as the property is located in an existing commercial & industrial area with existing conditions similar to the requested variance.

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

The requested variance will not cause a hazard or nuisance to the public as the proposed building addition encroachment into the 10' side yard setback will not be accessible by the public.

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

The requested variance will not allow unreasonable circumvention of the requirements of the zoning regulations since the proposed building encroachment into the 10' side yard setback will be compatible with the adjacent property affected.

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JUN 14 2019

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 requested variance arises from special circumstances, which do not generally apply to land in the general vicinity as the property lies within a TNFD which requires a 10' side yard setback.

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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 the reasonable use of the land since the requested variance continues the pattern of the surrounding area.

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 zoning regulation from which relief is sought as the applicant is requesting a variance and has not begun construction.