

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.

This empty lot is on the corner of Reservoir Ave. & Kenton Ave. The variance being requested is only asking to change the building maximum setback off of Kenton Ave., to allow better, more efficient use of the property. Nothing will negatively affect public health, safety or welfare of any APO's

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

Granting the variance will allow for more open green space at the intersection of Reservoir Ave. & Kenton Ave., than if the variance were not granted.

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

Granting the variance will actually make the intersection more safe, allowing better visibility for traffic concerns, as it will allow the building to be built farther back from the Kenton Ave. property line.

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

This lot is a rare piece of property, as it is basically a peninsula. I do not think that asking for, or giving a variance for this lot would be unreasonable at all. I think that part of developing land is to make the most efficient use of the land. No set of zoning regulations can anticipate every unique situation.

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).

Being on a corner lot, placing the building as proposed, helps to eliminate the blocking of the surrounding streets, while a truck would be loading / unloading. The truck would be able to be completely off of the street.

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 denying the variance, the building would have to be placed in such a way as to make it difficult to utilize the building in the most useful way. It would be very difficult to back large trailers into the overhead doors, to load / unload products.

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

We are seeking relief from setback regulations. This is a new construction project, and relief would allow for better use of the land.