

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 cabinet will be added to an existing pylon that will have been deemed structurally sound. By adding to an existing sign, the feel and layout of the property will not change.

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

This cabinet will be added to an existing pylon, meaning no new structure will need to be build in-ground, preserving the essential character of the property.

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

The sign cabinet will not cause a hazard or nuisance to the public because it is being placed on an existing pylon on the property – it will be securely fastened and not cause visibility issues due to its height off the ground.

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

The proposed cabinet sign is smaller than either of the two existing signs, which respects the existing businesses and also follows the precedent they set.

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 existing cabinets on this pylon sign surpass the square footage allowance per number of tenants. Since DaVita Kidney Care does not have frontage, this cabinet sign is their best and only option for visibility.

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.

DaVita Kidney Care does not have frontage property, which limits their visibility. Without this sign, DaVita Kidney Care will lose clients and people will be challenged when they are looking for their business.

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 initial sign permit for the added cabinet was denied due to the square footage of the existing signs. This sign variance will fight for DaVita to have space due to the lack of visibility from the frontage road and the existing signs having sufficient space for an addition.