

Rope Mill Road Office - APPLICANT RESPONSE STATEMENT VARIANCE

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

If this application is in response to a variance, please respond to the following standards in the form of a written narrative. In the case of concurrent variances, a response to the standards below should be provided for each variance requested.

1. Explain requested variance

Variance A

Chapter IX – TREE PRESERVATION AND REPLACEMENT STANDARDS, ARTICLE III. - TREE REPLACEMENT AND PROTECTION, ARTICLE III. – TREE REPLACEMENT AND PROTECTION, 9.300. – Tree Density Requirements. 2.

2. Planting new trees (minimum two (2) inch caliper) for lots that do not have the required one hundred (100) inches per acre.

Formula:

Required: Acreage x 100 inches = required inches per acre, $2.26 \times 100 = 226$ inches required

Proposed: Acreage x 50 inches = required inches per acre, $2.26 \times 50 = 113$ inches required

Variance B

Chapter IX – TREE PRESERVATION AND REPLACEMENT STANDARDS, ARTICLE III. - TREE REPLACEMENT AND PROTECTION, 9.302. - Preservation, Replacement and Removal of Specimen Trees. 5.b.

5. b. The removal of any specimen tree impacted by a proposed development must be mitigated by replacing the removed specimen tree with minimum four (4) inch caliper trees of comparable species on an inch-for-inch replacement basis.

Requirement: Replacement on inch-for-inch basis

Proposed: Replacement on one-half inch per inch removed basis

Variance C

Chapter VII – PERFORMANCE ZONING STANDARDS, ARTICLE V. – USE DISTRICTS AND REGULATIONS, 7.518. – Required Spaces. 2.

2. Each use has minimum parking space requirements. The maximum allowable number of parking spaces per use is ten (10) percent over the stated minimum number.

Proposed Medical office Building: 35,170 SF

Requirement: Medical or dental office: 3.33 spaces per 1,000 square feet gross floor area

Minimum: $3.33 \text{ spaces} \times 35,170 = 117$ minimum parking

Maximum: $117 \times 1.1 = 129$ maximum parking

Proposed: 178 parking spaces

Variance D

Chapter VII – PERFORMANCE ZONING STANDARDS, ARTICLE V. – USE DISTRICTS AND REGULATIONS, 7.518. – Required Spaces. 3.

3. Uses marked with an asterisk (*), which do not have internal space on-site for loading and unloading, require at least one loading space in addition to the required parking spaces, to be designed as required by Section 7.521, Off-Street Loading Requirements.
Required: Loading Space: One 13.5' x 60' x 14.5' Loading Space
Proposed: Loading Space One 13.5' x 40' x 14.5' Loading Space

Variance D

Chapter VII, Article IV. – ZONE DISTRICT PERFORMANCE STANDARDS, Development Standards Table

Proposed Zoning District: GC

Required: 40' Front Setback

Proposed: 10' Front Setback

2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.

The subject property is not currently located within the City of Woodstock and has been designed with regard to the Cherokee County Codes. Due to the size of the property, when the required design is mapped into the City of Woodstock code, a few codes cannot be met.

3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.

Without the requested variances to the regulations, this particular piece of property could not be developed with the required design and an unnecessary hardship would result.

4. Such conditions are peculiar to the particular piece of property involved.

These conditions are unique to this particular piece of property because all of the surrounding property is already zoned within the City of Woodstock and the location of this piece of property results in difficulty in providing municipal services.

5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.

The property could be developed in Cherokee County and could benefit from the same rights that others are allowed, but upon annexing the property into the City of Woodstock, the applicant would be deprived of those rights.

6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.

Relief of the regulations upon this property would be in keeping with other nearby properties and would not be a detriment to the public good.

7. Special circumstances or conditions applying to the building or land or building and land in question are peculiar to such premises and do not apply generally to other land or buildings in the vicinity.

These conditions are unique to this particular piece of property because all of the surrounding property is already zoned within the City of Woodstock and the location of this piece of property results in difficulty in providing municipal services.

8. Granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.

Granting of the application is necessary for the preservation and enjoyment of this property due to its size and location and does not merely serve as a convenience.

9. The condition from which relief or a variance is sought did not result from willful action by the applicant

These conditions are unique to this particular piece and its location are not the result of willful action by the applicant.

10. Authorizing the variance will not impair adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the City.

The authorizing of this variance will provide a benefit to the public health safety, comfort, and general welfare of the inhabitants of the City because it will eliminate one of the islands of Cherokee County zoned land within the limits of the City of Woodstock. This will provide better efficiencies to the municipal services and an improve tax base for the City.