
APPLICANT RESPONSE STATEMENT ANNEXATIONS AND REZONING

1) Explain the intent of the requested zoning.

The applicant proposes to rezone the property from DT-GC to GC with a Conditional Use Permit to redevelop a vacant restaurant into a modern and attractive climatized self-storage facility.

2) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The property is adjacent to I-575 and directly adjacent to a car dealership and a convenience store. The restaurant has opened and closed many times and this use is problematic given this history. Redeveloping the property for a modern self-storage facility will provide a needed use and will be suitable in view of the development in the area.

3) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

The proposed zoning will not adversely affect adjacent uses. In fact, the proposed use is compatible with the surrounding uses. The use will provide needed storage for the existing residents in downtown Woodstock.

4) Whether the property to be affected by a proposed zoning has a reasonable economic use as currently zoned.

The restaurant building on the property has never been viable having failed multiple times. Over the last ten years, the building has been vacant and for sale more than it has been occupied. The property is at the edge of the Downtown (DT) zoning and rezoning to a standard GC would not alter the intent of the DT district. The property is more oriented towards the interstate than Downtown.

5) Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

The proposed use will have less of an impact on transportation or other public infrastructure than any other potential use for the property. The self-storage use will produce less traffic and add a needed use for the residents of downtown Woodstock.

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6) Whether the proposed zoning is in conformity with the policy and interest of the land use plan.

The proposed use is consistent with the Community Village Center designation in the Comprehensive Town Plan. The building will be attractive and provide a good use of a property that is heavily impacted by its proximity to I-575.

7) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproval of the proposed zoning.

The modern self-storage facility has nothing in common with the storage facilities that were developed at the time the original restriction was added. The new facilities are attractive and are a needed amenity for local businesses and residents in houses with minimal storage.

APPLICANT RESPONSE STATEMENT VARIANCES

1) Explain requested variance.

LDO Section 7.767 Required Parking Spaces – reduce the required parking from 45 spaces to 5 spaces with additional loading areas.

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

The property is small which limits the amount of parking area allowed. Also, the use does not need as much parking as the code requires based upon the industry standard. There will not be any outdoor storage of vehicles and the location will not rent vehicles for hauling.

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

The use does not generate the parking that is required by the code and to create the number of parking spaces that are required would needlessly create impervious area.

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

The parking condition is unique to this property and this proposed use.

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

The parking standard is designed to create enough parking spaces for specific uses. If the parking standard is followed it would make the applicant create a lot more spaces than are necessary for the proposed use. The public is negatively impacted if additional impervious area is needlessly created.

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

The public good is harmed if the applicant is required to create an excess of parking spaces.

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- 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.**

The special circumstance is peculiar to this property, the proposed building and this use.

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

The property right is limited to requiring a property owner to create sufficient parking for the proposed use and to not require additional parking spaces that are not needed.

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

The applicant is not creating the need for the variance.

- 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 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 variance will actually benefit the public by reducing needless paving and the negative impact of a parking lot that is too big for the proposed use.