

**Applicant Response Statement for 37.50 +/- acres currently in unincorporated Cherokee County (Parcel Numbers 15N10 004B, 15N10 005, 15N10 006, 15N10 007, and 15N10 008)**

1. Explain the intent of the requested zoning.

The intent of the requested annexation and re-zoning of 17.95 acres from R-40 (Cherokee County) and to re-zone 18.514 acres of R-1 (City of Woodstock) all to a combination of FBC-T3, T4 and/or T5 (City of Woodstock) as applicable, to obtain 200 buildable residential townhome lots, 37 (42-ft wide) and 15 (52-ft wide) single family residential lots.

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 proposed zoning should be substantially suitable to adjacent and nearby properties. All the property is surrounded by PUD to the far north and far south (both in Woodstock), and Infill Village Zoning (IN-VIL) to the nearer north and directly east across Ridgewalk Parkway (both in Woodstock). Finally, to the west is USACE property. The use of adjacent or nearby properties should not be affected considering the proposed residential use is the same as virtually all of the properties excluding the USACE. Our proposed density is neither the highest or lowest density in this area described above.

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

The proposed layout has been put together with the help and guidance of the City staff to “master plan” these four remaining parcels. Once developed, there isn’t any undeveloped property surrounding this proposed plan and therefore helps “complete” the area.

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

The property is topographically challenged. As discussed earlier, we have incorporated 37 (42-ft wide lots) and 15 (52-ft wide lots) along with 200 townhome units that are allowed in R-1 and/or R40. These single family home sites offer a balance with the townhome units that allows for both types of economically feasible residential options. The proximity to I-575 and to the IN-VIL zoning also makes it a tough property to have a current reasonable economic use for a “larger lot” development as typical larger lot buyers often prefer distance privacy from such highly traveled areas. The modest single family lot and townhome zoning and product is more suitable and the only economically feasible residential option.

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 zoning will contribute a moderate increase to the use of existing streets, transportation facilities, schools, and utilities. The City plans for these additional contributions to streets, transportation facilities and utilities based on the future development map and therefore it would not be excessive or burdensome.

RECEIVED SEP 7 2018

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

The proposed zoning is in conformity with the policy and interest of the future development map as this property and its adjacent neighbors are slated for Regional Activity Center, which by definition can include residential. The east side of I-575 has cornered the commercial retail and restaurant market and provides little to zero ability for these parcels to provide anything other than the residential component.

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.

There are no existing or changed conditions known to the applicant affecting the use and development of the property that would give supporting grounds for disapproval of the zoning.

RECEIVED SEP 7 2018

**Applicant Response Statement for VARIANCE for 37.50 +/- acres currently in unincorporated Cherokee County (Parcel Numbers 15N10 004B, 15N10 005, 15N10 006, 15N10 007, and 15N10 008)**

1. Explain requested variance.

The request is to get a variance to the requirement that any a VIL shall be structured by one pedestrian shed and shall be no fewer than 40 acres and no more than 200 acres, as allocated on Table 1. See Article 3 for infill VIL acreage requirements. Because of the nature of the remaining pocket of undeveloped adjoining parcels, there is only 37.50+/- acres combined to develop together, therefore we are asking for a variance from the minimum 40 acres down to 37.50+/- acres.

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

The size of property is simply confined by surrounding property that is already developed or that is USACE property, thus requiring such a variance to reasonably apply standards that are fitting for this proposed development.

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

As described in the applicant response statement, these parcels have topographical and stream conditions that require a townhome density with a modest amount of single family homes to make any sense of a marketable development cost for residential lots. The residential use seems to be the only plausible option and blends well with the surrounding residential uses. In order to develop for townhomes and single family homes, the A VIL transect zoning is the only path that allows.

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

The USACE property adjacent to these parcels are peculiar and unique and provide a hindrance to achieving the minimum acreage that very few other properties are challenged by.

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

The USACE property restricts the applicant from pursuing additional contiguous property to get over the 40-acre threshold and seems arbitrary to restrict this property from applying for such a zoning just because the property has unusual neighbors (already developed and/or USACE property)

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

If the purpose of this portion of the ordinance was to promote master planned developments and to accommodate adjacent property owners, this variance would actually allow the intent of the ordinance