

APPLICANT RESPONSE STATEMENT- VARIANCES

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.
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.
4. Such conditions are peculiar to the particular piece of property involved.
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed. **NO**
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.
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.
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.
9. The condition from which relief or a variance is sought did not result from 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.

APPLICANT RESPONSE STATEMENT- VARIANCES

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. **Applicant requests variances to amend code section LDO section 7.506 #8. Residential Facing an A-Street. And Remove 30% window requirement 7.729 #5 for Residential Dwelling.**
2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography. **There are no exceptional or extraordinary conditions. However, the 30% window rule would need to be amended and the residential on an A Street as well.**
3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship. **The application of these regulations will create a hardship based on the substantial increase in cost to build a commercial front building and associated regulations on access and ADA Regulations including front building and ADA Parking.**
 3. Such conditions are peculiar to the particular piece of property involved. **Such conditions are peculiar to this property as it is unique for this property.**
5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed. **These ordinances do not deprive the applicant any rights that are allowed in the same district.**
6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance. **Granting the variance will not impair or cause detriment to the public good nor impair the intent of this ordinance. If granted this will not alter the essential character of this locality.**
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. **This variation is the minimum variation that will allow a residential building on an A street to be built.**
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. **The property owner should be able to develop the property in the most economically feasible manner.**
9. The condition from which relief or a variance is sought did not result from willful action by the applicant: **The property owner did not cause these conditions. Residential on an A street and the 30% window regulation were existing.**
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. **Allowing these Variances will not diminish property values. Or cause any harm to Woodstock residents.**

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