

# CITY of WOODSTOCK

## Application for Public Hearing

RECEIVED MAY 03 2013

### Important Notes:

1. Please check all information supplied on the following pages to ensure that all spaces are filled out accurately before signing this form. This page should be the first page of your completed application package.
2. All documents required as part of the application package shall be submitted at the same time as the application. Incomplete application packages WILL NOT BE ACCEPTED.
3. Please contact the Zoning Administrator in the Community Development Department at 770.592.6039 if you have any questions regarding the application package, this application or the public hearing process.

Contact Person: Grigorios Bistolas Phone: 1 9147338895

### Applicant's Information:

Name: AVGLC LLC dba Legends Restaurant  
Address: 265 S HIGHLAND AVE Phone: 1 9149061507  
City, State, Zip: OSSINING, NEW YORK 10562 Fax: \_\_\_\_\_

### Property Owner's Information:

same as above

Name: 575 REALTY INC  
Address: 3652 ROSWELL RD Phone: 1 4048169090  
City, State, Zip: ATLANTA, GEORGIA 30305 Fax: \_\_\_\_\_

### Requested Public Hearing (check all that apply):

- Annexation  
 Rezoning  
 Variance

- Comprehensive Plan Amendment  
 Other: \_\_\_\_\_

#### STAFF USE ONLY:

Case:  # 114 - 13  
Received by: PATTY HART  
Fee Paid: \$ 700.00  
Date: 5.3.13

#### PUBLIC HEARING SCHEDULE:

Public Input Meeting: May 29, 2013 DEADLINE  
Planning Commission: July 11, 2013 @ 7 PM  
Board of Appeals: N/A  
City Council: July 22, 2013 @ 7 PM  
Other: DPC June 5, 2013 1:00 PM

**Property Information:**

Location: 185 WOODSTOCK PKY , WOODSTOCK- GEORGIA 30188

Parcel Identification Number(s) (PIN): 15N11 019 A Total Acreage: 1.7

Existing Zoning of Property: DT-GC Future Development Map Designation: CVC

Adjacent Zonings: North GC South DT-GC East DT-GC West GC

**Applicant's Request (Itemize the Proposal):**

Variance from Section 7.723 (requiring a code compliance certificate for changes to the exterior building facade additions, improvements, and renovations).

**Proposed Use(s) of Property:**

Family oriented restaurant

**Infrastructure Information:**

Is water available to this site?  Yes  No

Jurisdiction: CITY OF WOODSTOCK

How is sewage from this site to be managed?

Gravity flow -- existing sewer line managed by city of Woodstock

Will this proposal result in an increase in school enrollment?  Yes  No

If yes, what is the projected increase? \_\_\_\_\_ students

Proposed Use(s)	# of units	Multiplier	Number of Students
Single Family (Detached) Home		0.725	
Multi Family (Attached) Home		0.287	

**Traffic Generation:**

If a traffic study is not required as part of this application, complete the following charts to estimate traffic generated by the proposal. Information for additional residential and all commercial/industrial development shall follow the summary of ITE Trip Generation Rates published in the Transportation Planning Handbook by the Institute of Transportation Engineers.

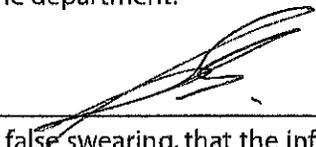
What is the estimated number of trips generated? N/A trips

Code	Land Use(s)	# of units*	Daily Trip Ends	Number of Trips
210	Single Family Home/Townhome		9.57	
220	Apartment		6.63	

\* A unit for residential purposes is equal to one residential unit. For commercial/industrial uses it is defined in the ITE table, but most often is equal to 1,000 square feet of floor area for the use specified.

**Authorization:**

Upon receipt of the completed application package, the Community Development Department shall notify the applicant of scheduled dates, times, and locations of the public meetings/hearings. The applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I,  do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

This 03 day of MAY, 2013.

Print Name GRIGORIOS BISTOLAS

## APPLICANT RESPONSE STATEMENT

### Variance Request:

We are requesting relief from variance Section 7.723 (code compliance certificate for any changes to exterior facade additions, improvements and renovations).

### Response to Variance Criteria

1. The applicant is requesting relief of variance compliance with the zoning laws in order to improve the existing facade and general appearance.
2. The special conditions existing on the property is its pre-existing status which is aesthetically unpleasant and uninviting towards patrons of the community. Furthermore, due to its abandonment through the years, its exterior is rotting and deteriorating (ex. facade, parking lot, paint, lighting).
3. Compliance with the zoning laws would cause undue hardship on the landowner and its leasee. The proposed construction is necessary for reasonable and viable use of property. Furthermore, the proposed improvements would not alter the essential character of the neighborhood and in general would improve the overall value of the property along with the adjacent properties. Finally, the proposed changes would represent the least intrusive solution possible.

4. The pre-existing conditions of the property were due to years of abandonment. This condition was not created or caused by actions of the applicant.
5. Granting of this variance will not confer any special privileges to the applicant, since the improvement of the existing facade will remove a long-time 'eyesore' in the community. The applicant is simply requesting to enhance the overall appearance of a deteriorating property to something more inviting.
6. To our knowledge we are unaware of no non-conforming use of lands or buildings in surrounding zones. Therefore their grounds of variance issuance, whether they are or not related specifically to our variance request is undetermined. The granting of our variance has as its sole purpose to make changes strictly on the exterior appearance of the property.
7. We are requesting an area variance. The applicant is asking that the zoning regulation simply be relaxed. The requested variance is the minimum necessary that will allow the reasonable use of the property in a functional and safe environment.
8. If the variance is granted, 'Legends Restaurant' will be in harmony with the zoning ordinance, it will dramatically improve the surrounding neighborhood and values, as well as providing the best product and service for the surrounding community. Our

variance will not be contrary to the public interest. The spirit of the ordinance will still be observed. No fair and substantial relationship exists between general public purposes of the ordinance provision and the specific application of that provision to the property.