

City of Woodstock: Variance Application
Applicant Response Statements (page 4b)

Variance Narratives:

For Variance 1- Front Setback from Secondary Street (*ref.: sec. Table 11, T4O Standards*):

1. Explain requested variance.

The owner is asking for a variance to increase the required setback from the secondary street (Ridge Trail) from the specified 10 feet to approximately 470 feet.

2. Explain how any special conditions and circumstances existing on the property which are peculiar to the land, structure(s) or building(s) involved and which are not applicable to other lands, structure(s) or building(s) in the same district.

Because of the existing slope of the street and site, a retaining wall will be required along Ridge Trail to allow the site to be re-graded to conform to typical tolerances for parking lot slopes. The height difference between the flattened parking lot and the street creates an untenable condition for placing a building within 10 feet of the Ridge Trail lot line.

3. Explain how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.

Locating the building 10 feet from the property line as required by the Zoning Ordinance, would require a building layout that would be untenable for its intended use as a car sales and service facility. The sloping site makes a consistent street frontage impossible without retaining walls or considerable slopes.

4. Explain how special conditions or circumstances do not result from the actions of the applicant.

The slope of the road and site are already in place, making required slopes and retaining walls to accommodate a new functional structure a necessity. These slopes require a greater distance from the property line than the 10 feet required by the Ordinance.

5. Explain how granting of the variance requested will not confer on the applicant any special privileges that are denied by the Zoning ordinance to other lands, structure(s), or building(s) in the same district.

This variance is required to produce a functional and affordable building at this location and does not confer any special privilege denied to other properties located in this Zoning District.

6. Explain how no non-conforming use of neighboring lands, structure(s) or building(s) in the same district and not permitted or non-use of lands, structure(s) or building(s) in other districts shall be considered grounds for issuance of a variance.

This variance is required to produce a functional building at this site. Because of the functional requirements of an automobile dealership located on this site the required set-back requirement cannot be provided.

7. **Explain how this requested variance is the minimum necessary that will allow reasonable use of the land, structure(s) or Building(s).**

The setback distance from the property line is the minimum required to accommodate the necessary slope required to produce a functioning building at this location.

8. **Explain how, if granted, this requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, surrounding properties or otherwise detrimental to the public welfare**

This variance will provide for the construction of a significant new commercial business in this district producing tax revenues and providing a vital service to the public at large. The project designer will work closely with the City of Woodstock in order to produce a building that meets the spirit of the Zoning Ordinance and that does not harm the general intent of the Ordinance in any way.

For Variance 2a & b- Parking in the Third Layer Only (ref.: sec. Table 11, T4O Standards) and Screening of Parking (ref.: sec. 18.410.2.B.9):

1. **Explain requested variance.**

The owner is asking for a variance to allow selective vehicle displays on the private frontage sidewalk along Ridgewalk Parkway which is within the 1st Site Layer as defined by Table 13- Lot Structure.

2. **Explain how any special conditions and circumstances existing on the property which are peculiar to the land, structure(s) or building(s) involved and which are not applicable to other lands, structure(s) or building(s) in the same district.**

Since the building is a car dealership, some public display of vehicles is essential to the function of the business.

3. **Explain how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.**

To adequately communicate the character and focus of a business, some display of products visible to the public is necessary. Since the applicant's business is a car dealership, some vehicle display along the public frontage is essential to the function of the business.

4. **Explain how special conditions or circumstances do not result from the actions of the applicant.**

The nature of the intended use requires display of vehicles.

5. **Explain how granting of the variance requested will not confer on the applicant any special privileges that are denied by the Zoning ordinance to other lands, structure(s), or building(s) in the same district.**

This variance is required to produce a functional and affordable building at this location and does not confer any special privilege denied to other properties located in this Zoning District.

6. **Explain how no non-conforming use of neighboring lands, structure(s) or building(s) in the same district and not permitted or non-use of lands, structure(s) or building(s) in other districts shall be considered grounds for issuance of a variance.**

This variance is required to produce a functional building at this site. Because of the functional requirements of an automobile dealership located on this site the required parking location requirement cannot be provided.

7. **Explain how this requested variance is the minimum necessary that will allow reasonable use of the land, structure(s) or Building(s).**

This variance is required to produce a functional building at this site. Because of the functional requirements of an automobile dealership located on this site the required parking location requirement cannot be provided.

8. **Explain how, if granted, this requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, surrounding properties or otherwise detrimental to the public welfare**

This variance will provide for the construction of a significant new commercial business in this district producing tax revenues and providing a vital service to the public at large. The project designer will work closely with the City of Woodstock in order to produce a building that meets the spirit of the Zoning Ordinance and that does not harm the general intent of the Ordinance in any way.

For Variance 3- Storefront Glazing at Street Frontages (*ref.: sec. 18.412.3.c*):

1. **Explain requested variance.**

The owner is asking for a variance to have less than the required 50% glass at the Ridge Trail street frontage façade.

2. **Explain how any special conditions and circumstances existing on the property which are peculiar to the land, structure(s) or building(s) involved and which are not applicable to other lands, structure(s) or building(s) in the same district.**

Since the building is a car dealership, requiring a large shop area without windows making the glass requirement impossible to meet.

3. **Explain how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.**

Since the building is a car dealership, large windows into the shop and storage areas are not required and are functionally unnecessary.

4. **Explain how special conditions or circumstances do not result from the actions of the applicant.**

Since the building is a car dealership, large windows into the shop and storage areas are not required and are functionally unnecessary.

5. **Explain how granting of the variance requested will not confer on the applicant any special privileges that are denied by the Zoning ordinance to other lands, structure(s), or building(s) in the same district.**

This variance is required to produce a functional and affordable building at this location and does not confer any special privilege denied to other properties located in this Zoning District.

6. **Explain how no non-conforming use of neighboring lands, structure(s) or building(s) in the same district and not permitted or non-use of lands, structure(s) or building(s) in other districts shall be considered grounds for issuance of a variance.**

This variance is required to produce a functional building at this site. We feel the inclusion of unnecessary fenestration represents an undue financial burden on the building owners and operators. The designer will work with the City of Woodstock to find acceptable aesthetic expression at this façade.

7. **Explain how this requested variance is the minimum necessary that will allow reasonable use of the land, structure(s) or Building(s).**

This variance is required to produce a functional building at this site. We feel the inclusion of unneeded glazing represents an undue financial burden on the building owners and operators making the entire project cost prohibitive.

8. **Explain how, if granted, this requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, surrounding property or otherwise detrimental to the public welfare**

This variance will provide for the construction of a significant new commercial business in this district producing tax revenues and providing a vital service to the public at large. The project designer will work closely with the City of Woodstock in order to produce a building that meets the spirit of the Zoning Ordinance and that does not harm the general intent of the Ordinance in any way.

For Variance 4- Required 42" Parapet Wall to Screen Roof-Mounted Mechanical Units

(ref.: sec. 18.412.3.g):

1. Explain requested variance.

The owner is asking for a variance to replace parapet screening with a screen to be located on the roof.

2. Explain how any special conditions and circumstances existing on the property which are peculiar to the land, structure(s) or building(s) involved and which are not applicable to other lands, structure(s) or building(s) in the same district.

The provided roof mounted screen will be less visible from the street and hide all of the mechanical units as required.

3. Explain how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.

Raising the front and side building parapets would be unnecessarily expensive and disruptive to the overall appearance of the building.

4. Explain how special conditions or circumstances do not result from the actions of the applicant.

A roof mounted screen will successfully accomplish the goals of this Ordinance and conceal roof-mounted mechanical equipment.

5. Explain how granting of the variance requested will not confer on the applicant any special privileges that are denied by the Zoning ordinance to other lands, structure(s), or building(s) in the same district.

This variance is required to produce a functional and affordable building at this location and does not confer any special privilege denied to other properties located in this Zoning District.

6. Explain how no non-conforming use of neighboring lands, structure(s) or building(s) in the same district and not permitted or non-use of lands, structure(s) or building(s) in other districts shall be considered grounds for issuance of a variance.

This variance is required to produce a functional and aesthetically pleasing building at this site. We feel the inclusion of a screen wall at the roof will accomplish the goals of this regulation.

7. Explain how this requested variance is the minimum necessary that will allow reasonable use of the land, structure(s) or Building(s).

This variance is required to produce a functional and aesthetically pleasing building at this site. We feel the inclusion of a screen wall at the roof will accomplish the goals of this regulation.

- 8. Explain how, if granted, this requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, surrounding properties or otherwise detrimental to the public welfare**

This variance will provide for the construction of a significant new commercial business in this district producing tax revenues and providing a vital service to the public at large. The project designer will work closely with the City of Woodstock in order to produce a building that meets the spirit of the Zoning Ordinance and that does not harm the general intent of the Ordinance in any way.

For Variance 5- Maximum Block Face Perimeter (ref.: sec. 18.205.1.b):

- 1. Explain requested variance.**

The owner is asking for a variance to have a block face greater than 2,400 feet in length.

- 2. Explain how any special conditions and circumstances existing on the property which are peculiar to the land, structure(s) or building(s) involved and which are not applicable to other lands, structure(s) or building(s) in the same district.**

The building's use as an automobile dealership precludes breaking the overall site area into smaller, more compact blocks as required by the Ordinance. Doing so would make the dealership site non-functional.

- 3. Explain how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.**

The building's use as an automobile dealership precludes breaking the overall site area into smaller, more compact blocks as required by the ordinance. Doing so would make the dealership site non-functional.

- 4. Explain how special conditions or circumstances do not result from the actions of the applicant.**

The building needs to sit on one large continuous lot in order to be functional and economically viable.

- 5. Explain how granting of the variance requested will not confer on the applicant any special privileges that are denied by the Zoning ordinance to other lands, structure(s), or building(s) in the same district.**

This variance is required to produce a functional and affordable building and site at this location and does not confer any special privilege denied to other properties located in this Zoning District.

- 6. Explain how no non-conforming use of neighboring lands, structure(s) or building(s) in the same district and not permitted or non-use of lands, structure(s) or building(s) in other districts shall be considered grounds for issuance of a variance.**

This variance is required to produce a functional building at this site. Splitting functionality over smaller block faces would simply make the dealership inefficient and non-functional without producing any of the intended benefits of a small scale block structure (Pedestrian functionality, human scale, etc.).

- 7. Explain how this requested variance is the minimum necessary that will allow reasonable use of the land, structure(s) or Building(s).**

This variance is required to produce a functional building at this site. Splitting functionality over smaller block faces would simply make the dealership inefficient and non-functional without producing any of the intended benefits of a small scale block structure (Pedestrian functionality, human scale, etc.).

- 8. Explain how, if granted, this requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, surrounding properties or otherwise detrimental to the public welfare**

This variance will provide for the construction of a significant new commercial business in this district producing tax revenues and providing a vital service to the public at large. The project designer will work closely with the City of Woodstock in order to produce a building that meets the spirit of the Zoning Ordinance and that does not harm the general intent of the Ordinance in any way.

For Variance 6- Maximum Lot Width (*ref.: sec. 18.206.1.b*):

- 1. Explain requested variance.**

The owner is asking for a variance to have a lot width greater than 96 feet in length.

- 2. Explain how any special conditions and circumstances existing on the property which are peculiar to the land, structure(s) or building(s) involved and which are not applicable to other lands, structure(s) or building(s) in the same district.**

The building's use as an automobile dealership precludes breaking the overall site area into smaller, more compact blocks as required by the ordinance. Doing so would make the dealership site non-functional. These types of facility require large unbroken parcels of land.

- 3. Explain how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.**

The building's use as an automobile dealership precludes breaking the overall site area into smaller, more compact blocks as required by the ordinance. Doing so would make the dealership site non-functional.

- 4. Explain how special conditions or circumstances do not result from the actions of the applicant.**

The building needs to sit on one large continuous lot in order to be functional and economically viable.

5. **Explain how granting of the variance requested will not confer on the applicant any special privileges that are denied by the Zoning ordinance to other lands, structure(s), or building(s) in the same district.**

This variance is required to produce a functional and affordable building and site at this location and does not confer any special privilege denied to other properties located in this Zoning District.

6. **Explain how no non-conforming use of neighboring lands, structure(s) or building(s) in the same district and not permitted or non-use of lands, structure(s) or building(s) in other districts shall be considered grounds for issuance of a variance.**

This variance is required to produce a functional building at this site. Splitting functionality over smaller block faces would simply make the dealership inefficient and non-functional without producing any of the intended benefits of a small scale block structure (Pedestrian functionality, human scale, etc.).

7. **Explain how this requested variance is the minimum necessary that will allow reasonable use of the land, structure(s) or Building(s).**

This variance is required to produce a functional building at this site. Splitting functionality over smaller block faces would simply make the dealership inefficient and non-functional without producing any of the intended benefits of a small scale block structure (Pedestrian functionality, human scale, etc.).

8. **Explain how, if granted, this requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, surrounding properties or otherwise detrimental to the public welfare**

This variance will provide for the construction of a significant new commercial business in this district producing tax revenues and providing a vital service to the public at large. The project designer will work closely with the City of Woodstock in order to produce a building that meets the spirit of the Zoning Ordinance and that does not harm the general intent of the Ordinance in any way.

For Variance 7a & b- Minimum Façade Built Out at Site Frontage (ref.: Table 11, T4O Standards) and One outbuilding to the rear (ref.: sec. 18.405.1.c):

1. **Explain requested variance.**

The owner is asking for a variance to exclude the requirement that the building occupy a minimum of 60% of the buildable frontage. In conjunction with that, the owner is asking for a variance to increase the number of outbuildings from 1 to a total of five and

to locate the outbuildings along the principal frontage instead of to the rear of the principal building so that they can't act as liner buildings.

2. **Explain how any special conditions and circumstances existing on the property which are peculiar to the land, structure(s) or building(s) involved and which are not applicable to other lands, structure(s) or building(s) in the same district.**

The site's necessary large size precludes the building from occupying 60% or more of the lot's main frontage. Enclosed car display pavilion outbuildings have been proposed along Ridgewalk Parkway to function as liner buildings and expand the buildable frontage percentage, but it is not practical to achieve the 60% minimum considering the size of the lot required and the need for inventory storage.

3. **Explain how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.**

The building's use as an automobile dealership and its location make the 60% frontage requirement functionally impossible to meet.

4. **Explain how special conditions or circumstances do not result from the actions of the applicant.**

The building's use as an automobile dealership and its location make the 60% frontage requirement functionally impossible to meet.

5. **Explain how granting of the variance requested will not confer on the applicant any special privileges that are denied by the Zoning ordinance to other lands, structure(s), or building(s) in the same district.**

This variance is required to produce a functional and affordable building and site at this location and does not confer any special privilege denied to other properties located in this Zoning District.

6. **Explain how no non-conforming use of neighboring lands, structure(s) or building(s) in the same district and not permitted or non-use of lands, structure(s) or building(s) in other districts shall be considered grounds for issuance of a variance.**

This variance is required to produce a functional building at this site. The relative size of the building compared to site functions make the requirement for the building to occupy 60% of the total frontage impossible.

7. **Explain how this requested variance is the minimum necessary that will allow reasonable use of the land, structure(s) or Building(s).**

This variance is required to produce a functional building at this site. The relative size of the building compared to site functions make the requirement for the building to occupy 60% of the total frontage impossible.

8. **Explain how, if granted, this requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the**

neighborhood, surrounding properties or otherwise detrimental to the public welfare

This variance will provide for the construction of a significant new commercial business in this district producing tax revenues and providing a vital service to the public at large. The project designer will work closely with the City of Woodstock in order to produce a building that meets the spirit of the Zoning Ordinance and that does not harm the general intent of the Ordinance in any way.

For Variance 8- Use of split face concrete masonry units as a building material (ref.: sec. 18.412.3.h):

1. Explain requested variance.

The owner is asking for a variance to use painted split face concrete masonry units as a façade material at the shop area (south end) of the building.

2. Explain how any special conditions and circumstances existing on the property which are peculiar to the land, structure(s) or building(s) involved and which are not applicable to other lands, structure(s) or building(s) in the same district.

Since the building is a car dealership, requiring a large shop area with durable materials on the exterior and interior —using concrete masonry units at this location is functionally important and cost effective.

3. Explain how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.

Since the building is a car dealership, requiring considerable shop area to be brick or stucco be impractical and cost prohibitive. We feel that the split face concrete masonry units would give the City the aesthetic appearance that it desires.

4. Explain how special conditions or circumstances do not result from the actions of the applicant.

Since the building is a car dealership, requiring a considerable shop area to be brick or stucco be impractical and cost prohibitive.

5. Explain how granting of the variance requested will not confer on the applicant any special privileges that are denied by the Zoning ordinance to other lands, structure(s), or building(s) in the same district.

This variance is required to produce a functional and affordable building at this location and does not confer any special privilege denied to other properties located in this Zoning District.

6. Explain how no non-conforming use of neighboring lands, structure(s) or building(s) in the same district and not permitted or non-use of lands, structure(s) or building(s) in

other districts shall be considered grounds for issuance of a variance.

This variance is required to produce a functional building at this site. Because of the functional requirements of an automobile dealership located on this site, the palette of materials provided by the Zoning Ordinance would result in excessive cost. We feel the treatment of the proposed split face concrete masonry units will meet the overall aesthetic intent for this District.

7. Explain how this requested variance is the minimum necessary that will allow reasonable use of the land, structure(s) or Building(s).

This variance is required to produce a functional building at this site. Because of the functional requirements of an automobile dealership we feel that the proposed materials and treatment will be adequate to produce the desired aesthetic effect envisioned in the Zoning Ordinance.

8. Explain how, if granted, this requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, surrounding properties or otherwise detrimental to the public welfare

This variance will provide for the construction of a significant new commercial business in this district producing tax revenues and providing a vital service to the public at large. The project designer will work closely with the City of Woodstock in order to produce a building that meets the spirit of the Zoning Ordinance and that does not harm the general intent of the Ordinance in any way.

For Variance 9- Articulate the Base, Middle and Top of the Building Facade

(ref.: sec. 18.412.2):

1. Explain requested variance.

The owner is asking for a variance to articulate the base and middle of the building façade. The top will be defined as stipulated by the Nissan Prototype.

2. Explain how any special conditions and circumstances existing on the property which are peculiar to the land, structure(s) or building(s) involved and which are not applicable to other lands, structure(s) or building(s) in the same district.

The buildings articulation will include a defined base and middle—the top will be defined by a shorter course of brick. This articulation is allowed by the Nissan prototype.

3. Explain how the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.

The building needs to comply closely with the Nissan prototype in order to be approved and constructed.

- 4. Explain how special conditions or circumstances do not result from the actions of the applicant.**

The building needs to comply closely with the Nissan prototype in order to be approved and constructed.

- 5. Explain how granting of the variance requested will not confer on the applicant any special privileges that are denied by the Zoning ordinance to other lands, structure(s), or building(s) in the same district.**

This variance is required to produce a functional and affordable building at this location and does not confer any special privilege denied to other properties located in this Zoning District.

- 6. Explain how no non-conforming use of neighboring lands, structure(s) or building(s) in the same district and not permitted or non-use of lands, structure(s) or building(s) in other districts shall be considered grounds for issuance of a variance.**

This variance is required to produce a functional and aesthetically pleasing building at this site. We feel the building as designed will provide a structure that is aesthetically compatible with the intent of the Zoning Ordinance.

- 7. Explain how this requested variance is the minimum necessary that will allow reasonable use of the land, structure(s) or Building(s).**

This variance is required to produce a functional and aesthetically pleasing building at this site. We feel the building as designed will provide a structure that is aesthetically compatible with the intent of the Zoning Ordinance.

- 8. Explain how, if granted, this requested variance will be in harmony with the general purpose and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, surrounding properties or otherwise detrimental to the public welfare**

This variance will provide for the construction of a significant new commercial business in this district producing tax revenues and providing a vital service to the public at large. The project designer will work closely with the City of Woodstock in order to produce a building that meets the spirit of the Zoning Ordinance and that does not harm the general intent of the Ordinance in any way. It should also be noted that there are significant nearby structures that do not conform to the standards of this code.