
APPLICANT RESPONSE STATEMENT VARIANCES

1) **Explain requested variance.**

- a. Allow for parking in excess of the required parking to be impervious paving. Woodstock Code Section 7.767.

2) **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.**

- a. As a gas station with an active convenience store, parking is critical. The Applicant proposes 42 parking spaces but the code only allows a maximum of 18 spaces with any excess needing to be paved with pervious paving. Because the store is a combination of fuel sales and a convenience market with significant food offerings and high staffing needs, 18 spaces cannot adequately serve the store. Unfortunately, pervious paving is not recommended for convenience store use. Therefore, RaceTrac proposes a variance to allow the additional parking spaces to be paved with impervious paving.

3) **How the literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of right commonly enjoyed by other properties within the same district under the terms of the Zoning Ordinance.**

The proposed variance relate to the specific and unique use of a RaceTrac convenience store with significant in store food offerings. The purpose of the parking ordinance is to provide adequate parking for the use. The parking ratio does not anticipate the employee and customer demands of a modern convenience store.

4) **How the special conditions and circumstances do not result from the actions of the applicant.**

The applicant proposes this variance as part of a comprehensive development plan. The variance is not being sought because the applicant has created a situation where after the fact variance are needed.

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

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The requested variance relates specifically to this project and do not relate to other projects.

- 6) **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.**

The variance is a variance requested to allow for flexibility within this development to be able to build a convenience store with adequate parking for its customers.

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

The Applicant is requesting a variance based upon development needs and is asking for no other variances.

- 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.**

The zoning ordinance is intended to create developments that are aesthetically pleasing and the proposed variance relates to making the most attractive project possible.