

## 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.
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.

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1. The Owner(s) are requesting a variance to allow a 25% encroachment of the front, rear, and/or side setbacks, by right, for all non dwelling structures, such as decks, chimneys, and porches. The Owner(s) agree that the structures would still need to maintain ten feet of separation. This encroachment variance would not allow for the encroachment of any utility easements.
2. Oakhurst is a unique development utilizing a new urbanist concept. We have pushed the boundaries of traditional suburban development by employing an urban land plan. To date, Oakhurst has been a great success. When GDCI and Brock Built purchased the community, the average home was worth \$180,000. Home values have increased significantly, and continue to do so. Brock Built recently sold a basement home for \$503,000 in Oakhurst. Due to the dramatic increase in values, our buyers profile has changed. We are seeing a much broader range of buyer profiles, and require additional flexibility to be able to meet the market demands.
3. The proposal above would allow a better use, and more creative product, within the community.
4. Brock Built Homes, LLC has been developing new urbanist communities for over a decade. In that time, we have continued to learn and grow in our abilities. The requested proposal is an item that we have learned is necessary within this type of development. Supporting this proposal will help to make Oakhurst conform more closely to conditions we experience in most other municipalities. The majority of our Mews communities no longer employ setbacks, but rather greenspace requirements, and separation between structures.
5. A literal interpretation of this ordinance would not deprive the applicant of any rights that others in the same district are allowed, but would restrict the ability of future residents to construct the product in the manner they desire.
6. Supporting this proposal will not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance. Supporting this proposal would further demonstrate the City of Woodstock's ability to encourage progressive development.
7. The circumstances and conditions of the Oakhurst property is unique, and do not generally apply to other land or buildings in the vicinity. Oakhurst is not a traditional suburban neighborhood, but a new urbanist development focused on encouraging neighbors to gather and interact outdoors, providing a real sense of community. This is achieved with smaller private lots, smaller private yard space, and increased, functional greenspaces.
8. Granting of the application would be a convenience to the applicant, as it would allow the applicant to serve a broader range of prospective purchasers. The real value of granting this application is the impact it would have on the buyers within Oakhurst, allowing them to further customize their home. The ability to customize your home leads to homeowners increasing the amount of time they stay in the community, ultimately leading to a more cohesive community of involved residents.
9. The applicant did not commit any willful action resulting in seeking relief for this variance. This application was submitted after the applicant met with several homebuyers and discussed their desires for their new homes. It was found, that if the above proposal was to be granted, the applicant would then be able provide a greater level of satisfaction to these purchasers.
10. Authorizing this variance will have no impact on the supply of light and air to adjacent properties. This variance will have no impact on the congestion of public streets. The variance will not increase the danger of fire, create a peril to public safety, or impair health, safety, comfort, morals, or general welfare of the inhabitants of the City. The variance will not diminish or impair the established property values within the surrounding area, but will actually allow for a greater variation in product, which may in turn further increase Oakhurst property values.

**FEB 04 2016**

#### APPLICANT RESPONSE STATEMENT - VARIANCE

1. The Owner(s) are requesting to reduce the front yard setback on specific interior lots, attached as "Mews Lots List," from ten feet to five feet. The reduction in the front yard setback will not reduce the common space as originally approved and platted. The reduction in the front yard setback will allow buyers the ability to request a larger private backyard, a longer driveway for additional parking, or deeper house plans which could accommodate a master bedroom on the main floor.
2. These lots were originally designed for a small cottage product. We have seen a large demand for larger square footage homes, and therefore reduced our approved lot count from 157 to 140. This lot count reduction created wider lots, which would accommodate a wider product. The lot count reduction did not increase the depth of the lots. With the demand for larger product, the applicant is seeking to increase the buildable depth of the "Mews" lots. Five feet does not seem like a big number, but it is the difference in being able to construct a master down ranch product, and being stuck only constructing two story master up homes. The market is increasingly demanding more variation in product type.
3. The proposal above would allow a better use, and more creative product, within the community.
4. Brock Built Homes, LLC has been developing new urbanist communities for over a decade. In that time, we have continued to learn and grow in our abilities. The requested proposal is an item that we have learned is necessary within this type of development. Supporting this proposal will help to make Oakhurst conform more closely to conditions we experience in most other municipalities. The majority of our Mews communities no longer employ setbacks, but rather greenspace requirements, and separation between structures.
5. A literal interpretation of this ordinance would not deprive the applicant of any rights that others in the same district are allowed, but would restrict the ability of future residents to construct the product in the manner they desire.
6. Supporting this proposal will not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance. Supporting this proposal would further demonstrate the City of Woodstock's ability to encourage progressive development.
7. The circumstances and conditions of the Oakhurst property is unique, and do not generally apply to other land or buildings in the vicinity. Oakhurst is not a traditional suburban neighborhood, but a new urbanist development focused on encouraging neighbors to gather and interact outdoors, providing a real sense of community. This is achieved with smaller private lots, smaller private yard space, and increased, functional greenspaces.
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9. The applicant did not commit any willful action resulting in seeking relief for this variance. This application was submitted after the applicant met with several homebuyers and discussed their desires for their new homes. It was found, that if the above proposal was to be granted, the applicant would then be able provide a greater level of satisfaction to these purchasers.
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