

**VARIANCE JUSTIFICATION STATEMENT
FOR
BANNON WOODS VETERINARY HOSPITAL (1000 Dezern Court)**

The proposed variance to allow the building to remain beyond the maximum setback will not adversely affect the public health, safety or welfare. The proposal that led to the rezoning application of which this variance is a part was to build a small addition to the existing veterinary hospital. The hospital building has been in place for some time, and the small addition will have no impact on adjacent properties.

The variance will not alter the essential character of the general vicinity. The Bannon Woods Veterinary Hospital is part of a larger agricultural property and has been set back from the road in order to make it clear that it is part of the agricultural property. The small building addition that has led to this variance request will not impact the general vicinity at all.

The variance will not cause a hazard or nuisance to the public. As shown on the proposed development plan, the proposal is for a small addition to the existing veterinary hospital. Bannon Woods will continue to see and treat horses and other farm animals but will add rooms to allow for the treatment of smaller domestic animals, like dogs and cats.

The variance will not allow an unreasonable circumvention of the maximum setback rules but will instead allow for an existing veterinary hospital to see more and different animals. Although dogs and cats are often associated with agricultural operations, treating them in the hospital building and addition will require a portion of the subject property to be rezoned, creating the need for the variance request.

The variance arises from special circumstances in that the existing Bannon Woods Veterinary Hospital is open and operating on the subject property. The addition of rooms to treat smaller domestic animals requires that a portion of the subject property be zoned commercial, creating the need for the variance.

The strict application of the regulations would necessitate building closer to Dezern Court, a largely residential street. This would create a hardship on both the owner of Bannon Woods and the adjacent property owners.

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Bannon Woods Veterinary Hospital

11116 Dezern Ave.

Rezoning from R-4 Single Family Residential to C-1 Commercial

Proposed Expansion of Existing Veterinary Hospital

Bannon Woods Veterinary Hospital is a longstanding veterinary hospital located in Fairdale. For several years, Bannon Woods has served the community by working with horses, pigs, goats and other farm animals. Long associated with the Bannon Woods Farm and Equestrian Center, Bannon Woods Veterinary Hospital has grown to serve as a go-to emergency veterinary hospital for communities outside of Fairdale, as well. In an attempt to keep up with this demand, Bannon Woods plans to construct a small addition to its existing facility to allow for dedicated small animal rooms. Because the Division of Planning & Design Services has interpreted the expansion to go beyond the previously-allowed “agricultural accessory” use, Bannon Woods must rezone a portion of the subject property from R-4 to C-1. The proposed change in zoning complies with the applicable Goals and Policies of Plan 2040.

The proposed development complies with the intent and applicable Policies of the Community Form Plan Element. The subject property is located in the Village Form District, a district that “is distinguished by...farmland...” The proposed development is part of the Bannon Woods Farm and Equestrian Center. The proposed development plan shows a small area within the farm that will be rezoned, which area is surrounded by residentially-zoned property. The proposed development provide appropriate transitions between the existing building and the surrounding properties. There will be no increase in traffic, nor will there be any increase in noise, light or odors associated with the hospital. The applicant is providing significant buffers around the development site in order to make sure there will be no adverse impacts on adjacent residents. The hospital will use the existing access point that it currently shares with the larger farm.

The proposed development complies with the intent and applicable Policies of the Mobility Plan Element. The proposed building expansion will merely create a dedicated area for the treatment of smaller animals, away from the large equestrian facilities that make up the bulk of the existing building. Access to the proposed development will continue to be from Dezern Court, just as access to the larger farm and existing hospital have been for many years. While access through areas of lower intensity is often discouraged, here there will be no “significant nuisances” due to the small expansion of the hospital. The proposed development will continue to use the existing joint access with the larger farm.

The proposed development complies with the Community Facilities Plan Element in that it is served by adequate utilities.

The proposed development complies with the intent and applicable Policies of the Economic Development Plan Element. The proposed change in zoning will allow for a small expansion to a long-standing veterinary hospital in order to serve smaller animals and provide a needed service to the Fairdale community.

The Housing Plan Element is not applicable to the proposed development.

Bannon Woods Veterinary Hospital was permitted as an accessory use to Bannon Woods Farm and Equestrian Center. Now that Bannon Woods would like to see smaller animals, it has been deemed to go beyond the limitations of that previous interpretation. While the applicant disagrees that seeing smaller animals, many of which (cats and dogs) are routinely part of farm life, constitutes an expansion beyond an allowable agricultural use, the applicant believes that the proposed change in zoning is fully compliant with Plan 2040.

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