

Loudspeakers or paging systems	Designed, installed, and used such that they are not heard at the property line of adjacent properties
Operations involving Recreational Vehicles	Hours of operation limited to 7:00 am until 7:00 pm
Outside storage and loading areas	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 200 feet from any residentially zoned property
Refuse and solid waste containers	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 100 feet from all property lines
Sanitation facilities, temporary or permanent	Screened from view from adjacent properties and from the public right-of-way Setback a minimum of 100 feet from all property lines

Concerning the subject property, the Future Development Map of the Comprehensive Plan depicts the property as being within a “Rural Residential” Character Area that is supportive of lower density residential development while maintaining a rural atmosphere. Loch Laurel Club has been established for many, many years, and wishes to continue its operation as a private club.

Staff has been in communication with the applicants for over a year on options available to them to continue as a private club while being in compliance with the ULDC. Staff’s suggestion to the applicants was to apply and receive successful Variances to the Supplemental Standards. The success of the requested Variances, as well as their compliance to the remaining Supplemental Standards for Outdoor Recreation Facilities, and other components of the ULDC, will allow improvements to existing structures, as well as future improvements.

Staff Recommendations:

Minimum Setback. Regarding the 150’ setback Variance to the “outdoor recreation areas”, staff is of the opinion that the lake area existed prior to the adoption of the ULDC standards. The special circumstances are not the result of the actions of the applicants, and the use of the recreation area has not caused any negative impacts to adjoining properties. Beyond the water body is heavy vegetation that has grown and matured over the years thereby creating a natural barrier along the exterior boundaries for which staff would like to see undisturbed. Given these conditions, staff is unanimously recommending approval to the Minimum Setback for Outdoor Recreation Areas.

Minimum Buffer. Regarding the Buffer Area requirement, staff is satisfied with relieving the planting requirements as referenced above and relieving the requirement for a fence or wall. The existing mature vegetation is functional and appears to meet the intent of the ULDC. Given these conditions, staff is unanimously recommending approval to the Minimum Buffer requirement with 1 condition: 1) the vegetation along the exterior boundaries of the subject property shall remain undisturbed at a width of forty-five (45’) feet.

Expiration of Variance Approval. Regarding the provisions for nullifying Variances for which construction has not commenced from the date when the Variance was granted, staff is recommending approval based on the private club’s inability to project when future improvements and/or new construction may occur. Staff believes the property will be self-monitored and adhere to the provisions of the ULDC at the point when future improvements and/or future Variances are needed.

The ULDC provides that variances may be granted upon a finding by the ZBA that one the following conditions have been met:

- A. *There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography;*
- B. *Such conditions are peculiar to the particular piece of property involved;*
- C. *The application of this ULDC to this particular piece of property would create an unnecessary hardship;*
- D. *Relief, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of this ULDC;*
- E. *A literal interpretation of the provisions of this ULDC would deprive the applicant of rights commonly enjoyed by other properties of the zoning district in which the property is located;*
- F. *Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the zoning district in which the applicant's property is located;*