

Applicant request a Special Exception under Section 2.16.050 B (Two or More Non-Conforming) in an M-1 (Light Manufacturing) zone.

This would allow an existing 5,442 sq. ft. office building which is proposed to encroach 1,485 sq. ft. into the required front and side street yard setbacks, and be located to within 2.95' and zero feet, respectively, of these setbacks. Additionally, a proposed 880 sq. ft. garage structure is proposed to encroach 322 sq. ft. into the rear and side street yard setbacks, and be located to within 5' and 4', respectively.

The required front yard setback is 15', rear yard setback is 10', and side street yard setback is 10' in the M-1 zone district.

BACKGROUND

There are five properties in the same block and in the blocks across Mills and Willow streets with similar nonconforming situations: 2000, 2001, 2015, 2102, and 2130 Mills.

The existing structure dates to at least 1956 as evidenced by aerial imagery and the 1956 Sanborne Insurance Map.

The Planning Division has not received any communications in support or opposition to the special exception request.

CALCULATIONS

Required front yard setback = 15'

Requested front yard setback = 2.95'

Required rear yard setback = 10'

Requested rear yard setback = 5'

Required side street yard setback = 10'

Requested side street yard setback = 0'

STAFF RECOMMENDATION

Staff recommends approval of the request as it meets the requirements of the Special Exception B.

The Zoning Board of Adjustment is empowered under Section 2.16.050 B to:

“Permit the modification of setback requirements as the board deems necessary to secure an appropriate development of a lot; provided, however, that:

1. The lot is in a legally recorded and developed subdivision of at least ten years;
2. There are two or more lots that do not conform to Title 20 located within the same block on the same side of the street or within the block directly across and abutting the street;
3. The modifications are in the same nature as the existing nonconforming lots and do not permit construction less conforming than the least conforming of the nonconforming lots; and
4. If the subject lot is located at the intersection of two streets (a corner lot), then nonconforming lots within the same block on the same side of either intersecting street or directly across and abutting either intersecting street, but not lots located diagonally from the subject lot, may be used in determining the nonconforming lot restrictions of this special exception.”

ZONING MAP



NOTIFICATION MAP



