

BOARD OF ZONING APPEALS

MAY 9, 2022 – 6:00 P.M.

AGENDA

Please click the link below to join the webinar:

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APPLICATIONS:

1. **BOZA2022-007 – MARICELA ZAMORA**, 4639 Parallel Parkway, Zoned C-1 Limited Business District.

SYNOPSIS: This appeal is requesting two (2) variances. This appeal has been filed in conjunction with COZ2022-007, a Change of Zone from C-1 Limited Business District to CP-2 Planned General Business District, and with SP2022-022, a Special Use Permit for light automotive service and maintenance. Variance 1: This appeal has been filed to grant a variance from the rear yard setback. Section 27-466(d)(1)d states that if a property in the CP-2 District abuts a zoning district wherein a setback is required, then a rear yard setback of ten (10) feet shall be provided on the property in the CP-2 District. The subject property is adjacent to a parcel in the R-1(B) Single Family and R-2 Two Family Districts, which require setbacks. The appellant is requesting a rear yard setback of zero (0) feet, a violation of ten (10) feet. Variance 2: This appeal has been filed to grant a variance from the minimum setback for parking spaces and paved area. Section 27-466(d)(1)e states that parking spaces and other paved areas may be located no less than six (6) feet from any property line and not less than ten feet from any street right-of-way line. The appellant is requesting a paved area as close at zero (0) feet from the property and parking spaces as close as zero (0) feet from the property line, a violating of six (6) feet and six (6) feet, respectively.

2. **BOZA2022-020 - WILLIAM SISCOE**, 2306 North 102nd Street, Zoned R-1 Single Family District.

SYNOPSIS: This appeal has been filed to allow for two (2) variances. Variance 1: This appeal has been filed to grant a variance from the maximum number of accessory buildings allowed in the R-1 District. Section 27-609(2) allows for one (1) detached accessory building. The appellant is requesting the construction on an additional accessory building for a total of two (2) accessory buildings, a violation of one (1) accessory building. Variance 2: This appeal has been filed to grant a variance from the maximum accessory building floor area in the R-1 District. Section 27-609(2) requires that the total area of a detached accessory building not exceed 1,000 square feet. The appellant is requesting a total floor area of all accessory buildings of 2,028 square feet, a violation of 1,028 square feet.

3. **BOZA2022-022 – VERNON HOPKINS**, 2724 North 13th Street, Zoned C-1 Limited Business District.

SYNOPSIS: This appeal has been filed to allow for one (1) variance in conjunction with Special Use Permit SP2022-018 and Change of Zone COZ2022-006. Variance 1: This appeal has been filed to grant a variance from the amount of required parking. Sections 27-468(5) states that for the C-3 Commercial District, one (1) space for each 50 square feet of seating area plus one space for each remaining 300 square feet of total floor area is required. The subject property currently has no private parking spaces and a building square footage of 2,004 square feet, a violation of forty-one (41) parking spaces.

4. **BOZA2022-023 – BOB JOHNSON**, 4601 Rainbow Boulevard, Zoned C-1 Limited Business and R-1(B) Single Family Districts (proposed zoning to RP-6 Planned High-Rise Apartment District).

SYNOPSIS: This appeal has been filed to build a seven (7) story, 164-unit apartment building. Sec. 27-461(c)(2)a. states the front yard setback shall not be less than twenty-five (25) feet from any public street. Appellant is requesting 21.75 feet, a violation of 3.25 feet. Sec. 27-461(c)(2)b. states the side yard, interior setback shall not be less than ten (10) feet between any building and any property line, plus an additional three (3) feet for each story over four (4) to a maximum requirement of twenty-five (25) feet Appellant is requesting 23.35 feet, a violation of 1.65 feet. Sec. 27-461(c)(2)c. states the side yard, corner setback shall not be less than twenty-five (25) feet from any public street. Appellant is requesting eighteen (18) feet, one (1) inch, a violation of six (6) feet, eleven (11) inches. Sec. 27-461(c)(2)d. states the rear yard setback shall not be less than the height of the building. The building height is seventy-four (78) feet, nine (8) inches. Appellant is requesting zero (0) feet, a violation of seventy-four (78) feet, nine (8) inches.

5. **BOZA2022-024 – SAM LORING WITH GOULD EVANS**, 0 Kansas Avenue (557 River Park Drive), Zoned Unzoned (proposed zoning to CP-2 Planned General Business District).

SYNOPSIS: This appeal has been filed to convert a railroad bridge into a multi-purpose structure for a public trail, restaurants and bars and an event space. Sec. 27-466(e) states uses in this district require paved off-street parking at a ratio not less than four (4) spaces per 1,000 square feet of floor area in the building. Three (3) parking spaces are required. Sec. 27-668(a)(5) states restaurants shall provide one (1) space for each 50 square feet of seating area plus one (1) space for each remaining 300 square feet of total floor area. Such establishments with less than 500 square feet of seating area shall supply with at least ten (10) off-street parking spaces. Thirty (30) spaces are required. Sec. 27-668(a)(12) states taverns and event spaces shall provide one (1) space for each 50 square feet of seating area or assembly area plus one (1) space for each remaining 200 square feet of total floor area. Thirty-two (32) parking spaces are required for the tavern and 117 parking spaces are required for the event space. The Appellant is requesting 76 spaces for the development, a violation of 106 spaces.

6. **BOZA2022-026 – ANGELA CHASE**, 5048 Gibbs Road, Zoned R-1 Single Family District.

SYNOPSIS: This appeal has been filed to allow for five (5) variances. Variance 1: This appeal has been filed to grant a variance from the maximum depth-to-width ratio for a lot. Section 27-280(b) states that the depth of a lot shall not exceed three (3) times the width. The appellant is requesting a subdivision that will create one (1) lot, Tract 1, with a depth-to-width ratio of 3.70:1, a violation of 23%. Variance 2: This appeal has been filed to grant a variance from the minimum size of a residential lot that abuts a major street. Section 27-280(f) states that a residential lot facing or receiving access onto a street designated as a major street must have a minimum lot size of five (5) acres. The new lots created receive access from Gibbs Road, which is designated as a Collector Street per Section 27-763(f)(14). The appellant is requesting a lot (Tract 1) of 0.44 acres and a lot (Tract 2) of 0.34 acres, a violation of 4.56 acres and 4.66 acres, respectively. Variance 3: This appeal has been filed to grant a variance from the minimum frontage of a residential lot that abuts a major street. Section 27-280(f) states that a residential lot facing or receiving access onto a street designated as a major street must have a minimum frontage of 300 feet. The two (2) lots created receive access from Gibbs Road, which is designated as a Collector Street per Section 27-763(f)(14). The appellant is requesting a lot (Tract 1) with a frontage of 81.5 feet and a lot (Tract 2) with a frontage of 63.5 feet, a violation of 218.5 feet and 236.5 feet, respectively. Variance 4: This appeal has been filed to grant a variance from the interior side yard setback in the R-1 District. Section 27-454(d)(2)b requires an interior side yard setback of seven (7) feet. The appellant is requesting a

lot (Tract 1) with an interior side yard setback of zero (0) feet, and a lot (Tract 2) with an interior side yard setback of six (6) feet and four (4) inches, a violation of seven (7) feet and eight (8) inches, respectively. Variance 5: This appeal has been filed to grant a variance from the corner side yard setback in the R-1 District. Section 27-454(d)(2)c requires a corner side yard setback of 25 feet. The appellant is requesting one (1) lot, Tract 1, with a corner side yard setback of 20.5 feet, a violation of four and one-half (4.5) feet.