

AGENDA

WYOMING ZONING BOARD OF APPEALS

CITY COUNCIL CHAMBERS

July 18, 2016

1:30 P.M.

- 1. Call to Order
- 2. Roll Call
- 3. Approval of Minutes
- 4. Public Hearings:

Appeal #V160018

Applicant: Maple Hill Golf Course
Location: 5555 Ivanrest Ave. S.W. (Zoned ER)

Request: The petitioner requests several variances from the City of Wyoming Zoning Code as follows:

Maple Hill Golf Course desires to erect a 9,880 square foot building for the storage of retail / wholesale golf equipment and golf carts. Zoning Code Section 90-437 A and 437 B does not allow warehouses in this ER Estate Residential District. The petitioner requests a use variance to allow this warehouse use.

In addition, Zoning Code Section 90-311 limits the number, size and height of accessory buildings in this ER Estate Residential District. The Zoning Code specifies a maximum of two accessory structures, totaling a maximum of 2400 square feet, with no single building exceeding 1600 square feet, with a maximum building height of 17 feet. The proposed building would be the fifth accessory building (four existing) on the property, would bring the total accessory building area to 25,852 square feet (9,880 square feet proposed with 15,972 square feet existing), would exceed the maximum accessory building size by 8,280 square feet, and would be 20.7 feet high (exceeding the building height limit by 3.7 feet). P.P. #41-17-32-276-003

Tabled	_____	Closed	_____
Granted	_____	Denied	_____
Motion by	_____		
Seconded by	_____		
Yeas	_____	Nays	_____

- 5. Public Comment:
- 6. New Business:

Application No:	<u>V160018 (1 of 2)</u>	STAFF RECOMMENDATION
Applicant:	<u>Maple Hill Golf Course</u>	Approve
Address:	<u>5555 Ivanrest Ave. S.W.</u>	Deny: <u>X</u>

FINDINGS OF FACT SHEET FOR USE VARIANCE

1. That the condition, location, or situation of the specific piece of property or of the intended use of the property is unique to the property in the zoning district in which it is located because:

The use of the property for retail and on-line sales of golf equipment has grown over the years. On December 17, 2012, the Board of Zoning Appeals authorized a variance to allow a limited expansion of the pro shop sales and display area (see attached minutes). The approval was conditioned upon no further retail expansion and the building to be removed if the golf course use is terminated. Although the proposed 9,880 square foot warehouse building is for storage, it does contribute heavily to the retail use of the property. It also would move the use of the property further into non-conforming status.

2. That the building, structure or land cannot be reasonably used in a manner consistent with the uses allowed in the zoning district in which it is located because:

The property is otherwise permitted to continue as a golf course with a retail component. The warehousing of golf equipment can be provided off-site.

3. That the use variance will not alter the essential character of the neighborhood nor the intent of the City Master Plan, nor be of detriment to adjacent properties because:

The development of an industrial building on this site would be substantially out of character with this residential district. This would alter the character of the neighborhood.

4. That the requested use is not of so general or recurring a nature as to make reasonably practical the formulation of a general regulation or adding it to the permitted uses in the zoning district in which it is located or to permitted uses in other more appropriate zoning districts because:

The evolution of this business use in this residential district has been incremental, which is not of a general or recurrent nature.

5. That the variance will not impair the intent and purpose of this Ordinance because:

The authorizing of the variance would impair the intent and purpose of the Zoning Ordinance as it would further expand the non-conforming retail use by providing substantial on-site storage.

6. That the immediate unnecessary hardship causing the need for the variance request was not created by the applicant because:

The hardship is created by the applicant due to a desire to consolidate business activities and reduce storage expenses.

