

AGENDA

WYOMING ZONING BOARD OF APPEALS

CITY COUNCIL CHAMBERS

September 6, 2016

1:30 P.M.

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

Appeal #V160024

Applicant: Rhoades McKee
Location: 533/535 32nd St. S.E. (Zoned I-1)

Request: The petitioner requests a variance from the City of Wyoming Zoning Code as follows:

Zoning Code Section 90-427B I-1 Light Industrial Development Standards specifies that lots shall be a minimum of 43,560 sq. ft. (one acre) in this zoning district. The petitioner proposes to transfer the north 19 feet of this property to the adjoining property. The existing property is 18,836 sq. ft., which is non-conforming to district requirements. The proposed property transfer would result in the lot being 15,974 sq. ft., which is further non-conforming. The requested variance is to authorize the land transfer, resulting in a lot area further below district requirements. P.P. #41-18-18-253-024 & 41-18-18-253-023

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

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

Application No:	<u>V160024</u>	STAFF RECOMMENDATION
Applicant:	<u>Rhodes McKee</u>	Approve <u>X</u>
Address:	<u>533/535 - 32nd Street, SE</u>	Deny: _____

FINDINGS OF FACT SHEET

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other property or class of use in the same vicinity and district because:

The petitioner proposes to transfer the north 19 feet of the property at 533-32nd Street to the adjoining northern parcel at 535-32nd Street. The property at 533-32nd Street totals 18,836 sq. ft., which is below the minimum 43,560 sq. ft. required in this I-1 Light Industrial district. Transferring the north 19 feet (2,862 sq. ft.) further reduces the size of this non-conforming parcel to 15,974 sq. ft. The receiving property is landlocked, with no street frontage, and is only 8,224 sq. ft. in area. No new construction is contemplated with the land transfer. The receiving property is used only for parking, and is intended to eventually be sold and combined with an adjoining property. There are several adjacent properties that are nonconforming in size, width and building area to the minimum requirements of this I-1 Light Industrial district. This is primarily due this being an older industrial district that was developed prior to the 1970's when the current standards were created. If the property transfer is authorized, the subject parcel would remain in character with the adjoining nonconforming parcels. As such, there are exceptional conditions applicable to the property.

2. That such variance is necessary for the preservation and enjoyment of substantial property rights because:

If the land transfer is approved, the resulting parcels will align more appropriately with their current and future use.

3. That the granting of such variance will not diminish the marketable value of adjacent land and improvements, or unduly increase congestion in the public streets because:

The authorizing of the variance will not diminish the value of adjacent land or increase traffic congestion.

4. That the condition or situation of a specific piece of property, or the intended use of said property, for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation because:

Many of these older industrial properties along 32nd Street are unique in size. The conditions applying to this property are not general or recurrent in nature.