

AGENDA

WYOMING ZONING BOARD OF APPEALS

CITY COUNCIL CHAMBERS

October 3, 2016

1:30 P.M.

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

Appeal #V160028

Applicant: HSG Investments LLC
Location: 3959 Linden Ave. SE (Zoned I-1)

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

Zoning Code Section 90-602 (4) Orientation of Overhead Doors specifies that overhead doors for truck loading areas shall not face public streets. The petitioner proposes to construct an addition to the existing building. Included is the construction of two overhead doors on the front of the building that would face Linden Avenue. The requested variance is to authorize the five overhead doors where it is not otherwise allowable.

Also, Zoning Code Section 90-427B I-1 Light Industrial District Development Standards specifies a minimum rear yard building setback of 30 feet. The proposed building addition would be setback 10 feet from the rear property line. The requested variance is a reduction of 20 feet from the required 30 foot rear yard setback. P.P. #41-18-19-276-020

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

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

Appeal #V160031

Applicant: I.E. Investments, LLC
Location: 605 Buist S.W. (Zoned R-4)

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

Zoning Code Section 90-311(5) Accessory Buildings specifies that detached accessory buildings shall be located a minimum of 10 feet from a main building. The petitioner proposes to construct a garage 6 foot 10 inches from the home. The requested variance is to authorize a reduction of 3 feet 2 inches from the required 10 foot separation requirement. P.P. #41-18-19-101-023

Appeal #V160030

Applicant: David Jousma
Location: 1660 Leetsma (Zoned R-2)

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

Zoning Code Section 90-311 (2) Accessory Buildings specifies that detached garages shall be allowed in a side yard with the same required setback as the principal building. The petitioner proposes to construct a garage 3 feet from the side lot line fronting Lee Street. The required side yard setback is 20 feet. The requested variance is a reduction of 17 feet from the required 20 foot side yard setback.

Zoning Code Section 90-311 (5) Accessory Buildings specifies that detached accessory buildings shall be located a minimum of 10 feet from a main building. The petitioner proposes to construct the garage 8 feet from the home. The requested variance is to authorize a reduction of 2 feet from the required 10 foot separation requirement. P.P. #41-17-02-406-011

Appeal #V160032

Applicant: Wyoming Housing Commission
Location: 2450 36th St. S.W. (Zoned R-4)

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

Zoning Code Section 90-707 (1) Specific Requirements Residential Districts specifies that signs shall be setback a minimum of 5 feet from any property line. The petitioner proposes to construct an entryway sign that would come to the front property line. The requested variance is to authorize a zero sign setback from the required 5 foot front yard setback.

Zoning Code Section 90-707 (2) (b) Specific Requirements Residential Districts specifies that illuminated signs shall be setback a minimum of 25 feet from the side property line of a residential district. The proposed entryway sign would come to within 7 feet of the side property line. The requested variance is to authorize a reduction of 18 feet from the required 25 foot side yard setback.

Zoning Code Section 90-707 (6) Specific Requirements Residential Districts specifies that directional signs are limited to a maximum of 6 square feet in area and 3 feet in height. The petitioner proposes to erect a directional sign 25 square feet in area and 4 feet in height. The requested variance is an increase of 19 square feet and one foot in height from the required 6 square feet and 3 feet in height. P.P. #41-17-21-226-030

Application No:	<u>V160028</u>	STAFF RECOMMENDATION
Applicant:	<u>HSG Investments LLC</u>	Approve <u>X</u>
Address:	<u>3959 Linden Avenue, S.E.</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 construct a 16,898 sq. ft. warehouse addition on the property. The development obtained Planning Commission approval on September 20, 2016 subject to conditions, including obtaining variances from the BZA for the rear yard setback and overhead doors oriented to Linden Avenue. The proposed addition would align with the rear yard setback of the existing building. A few other buildings in this area have a similar rear yard setback due to the wide County Drain which runs behind the properties. The site also has an existing overhead door, with two more adjacent proposed with the addition. These doors would be setback 280 feet from Linden Avenue. This distance is over ten times greater than the minimum 25 foot building setback required in this I-1 Light Industrial district. This substantial setback greatly diminishes the aesthetic impact of the overhead doors.

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

The petitioner proposes to expand the use of the property in conformance with the existing design and function of this industrial property. The authorizing of the variances is essential for the overall function of their business on this site.

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:

A few adjoining and nearby businesses have a similar rear yard setback and overhead doors oriented to Linden Avenue. The viable use of the property increases the marketable value of adjoining properties. Linden Avenue can readily accommodate the traffic anticipated with the proposed business use.

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:

A few nearby businesses have a similar rear yard setback. A few others have similar overhead door placement. However, the situation is not of a so general nature as to make practicable the formulation of a general regulation.