



Request for City Council Committee Action from the Department of Community Planning & Economic Development - Planning Division

Date: August 22, 2013

To: Council Member Gary Schiff, Chair, Zoning & Planning Committee and Members of the Committee

Referral to: Zoning & Planning Committee

Subject:

Name of Appellant: Dana Avery
Name of Original Applicant: Dana Avery
Property Address: 2924 Grand Avenue South
Ward #: 6

Appeal of decision of the Zoning Board of Adjustment: Dana Avery on behalf of Maze Properties, LLC, has filed an appeal of the decision of the Zoning Board of Adjustment denying an application for a certificate of nonconforming use to establish legal nonconforming rights to a three-unit, multiple-family residence in an existing structure located at 2924 Grand Avenue South in the R2B Two-Family District.

Recommendation:

The Zoning Board of Adjustment concurred with the recommendation of CPED Staff to deny the requested certificate of nonconforming use on July 11, 2013, for the property at 2924 Grand Avenue South, Ward #6, as follows:

4. 2924 Grand Avenue South (BZZ #6082, Ward 6) (Sether)

Certificate of Nonconforming Use: Dana Avery on behalf of Maze Properties, LLC, has applied for a Certificate of Nonconforming Use to establish legal nonconforming rights to a three-unit, multiple-family residence in an existing structure located at 2924 Grand Avenue South in the R2B Two-Family District.

Action: The Board of Adjustment adopted staff findings and **denied** the Certificate of Nonconforming Use to establish legal nonconforming rights to a three-unit, multiple-family residence in an existing structure located at 2924 Grand Avenue South in the R2B Two-Family District.

Previous Directives: None

Prepared by: Shanna Sether, Senior City Planner, 612-673-2307 Approved by: Jason Wittenberg, Planning Manager, 612-673-2297 Presenters in Committee: Shanna Sether, Senior City Planner, 612-673-2307

Community Impact

- Neighborhood Notification: Whittier Alliance was notified of the appeal application on August 12, 2013.
- City Goals: See staff report
- Comprehensive Plan: See staff report
- Zoning Code: See staff report
- End of 60/120-day decision period: On July 25, 2013, staff sent a letter to the applicant extending the City’s decision period for an additional 60 days, to October 15, 2013.

Background/Supporting Information

Dana Avery on behalf of Maze Properties, LLC, has filed an appeal of the decision of the Zoning Board of Adjustment denying an application for a certificate of nonconforming use to establish legal nonconforming rights to a three-unit, multiple-family residence in an existing structure located at 2924 Grand Avenue South in the R2B Two-Family District. At its meeting on July 11, 2013, the Board of Adjustment voted 6-1 to adopt staff findings and deny the requested certificate of nonconforming use. The appellants’ complete statement of the actions and reasons for the appeal are attached. The staff report and attachments are also attached.