



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

Date: June 23, 2011

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

Referral to: Zoning & Planning Committee

Subject: James P. Peters, on behalf of Bruce Shoemaker et. al., has appealed the decision of the Board of Adjustment denying the appeal of the Zoning Administrator's interpretation that the proposed use of the property located at 340 27th Ave NE is a recycling facility in the I2 Medium Industrial District.

Recommendation: The following action was taken by the Board of Adjustment on April 7, 2011 (BZZ 5082):

2. 340 27th Ave NE (BZZ-5082, Ward 1)

Appeal: James P. Peters, on behalf of Bruce Shoemaker et al., has appealed the decision of the Zoning Administrator's interpretation that the proposed use of the property located at 340 27th Ave NE is a recycling facility in the I2 Medium Industrial District.

Actions: The Board of Adjustment **adopted** the findings and **denied** the appeal of the decision of the Zoning Administrator's interpretation that the proposed use of the property located at 340 27th Ave NE is a recycling facility in the I2 Medium Industrial District.

Ward: 1

Prepared by: Steve Poor, Planning Manager (612-673-5837) Approved by: Jason Wittenberg, Planning Manager Presenters in Committee: Steve Poor, Planning Manager
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Financial Impact

- No financial impact

Community Impact

- Neighborhood Notification: The Holland Neighborhood Improvement Association, Concerned Citizens of Marshall Terrace, Columbia Park neighborhood association and the Above the Falls Citizen Advisory Committee were notified of the appeal application.
- City Goals: See staff report
- Comprehensive Plan: See staff report
- Zoning Code: See staff report
- End of 60/120-day decision period: On February 24, 2011, staff sent a letter to the applicant extending the 60/120 day decision period to no later than June 6, 2011. On February 28, 2011 the applicant submitted a letter requesting an extension of the time limit to August 5, 2011.

Supporting Information

James P. Peters, on behalf of Bruce Shoemaker et. al., has appealed the decision of the Board of Adjustment denying the appeal of the Zoning Administrator's interpretation that the proposed use of the property located at 340 27th Ave NE is a recycling facility in the I2 Medium Industrial District. The Board of Adjustment voted 8-0 to uphold the determination of the zoning administrator and deny appeal. The appellant has submitted additional information that is included in the packet with the appellant's statement of the reasons for the appeal is attached. The Board of Adjustment minutes and Planning Division staff report are also attached.