




Report to: Zoning Board of Adjustment
From: Ryan Headley, Board Planner & Engineer 
Re: Applications for January 18, 2023 Meeting
Date: January 12, 2022

1. **Robert & Maritza Diaz** – The Applicant has requested a “D” use variance for the construction of 1,200 square foot garage (30x40). The subject property, which has an existing single family home, is approximately 0.78 acres and is located in the I-B Industrial-Business Zone. The I-B Zone does not allow single-family residential uses and by extension accessory garages. Therefore, a use variance is required for the construction of an accessory garage.
2. **Maria Del Carmen Garcia** – The Applicant has requested a certification of pre-existing non-conforming use to allow a two-family (duplex) dwelling. The subject property, which is approximately 7,710 square feet (0.18 acres), is located in the R Residential Zone. The R Residential Zone does allow two-family residential uses. However, the lot is significantly undersized for a two-family dwelling under the current standards.
3. **Yehuda (Zack) Rubin** – The Applicant has requested a certification of pre-existing non-conforming use to allow a two-family (duplex) dwelling. The subject property, which is approximately 7,500 square feet (0.17 acres), is located in the R Residential Zone. The R Residential Zone does allow two-family residential uses. However, the lot is significantly undersized for a two-family dwelling under the current standards.
4. **1667 E. Landis Wellness Park** – Please see attached Planning and Engineering Review Reports.
5. **Mauro Conte** – The Applicant requests a bulk “C” variance for the construction of an oversized garage as an accessory structure to an existing single-family dwelling. The Applicant currently has a 1,872 square foot garage of which 672 square feet is proposed to be demolished for the proposed garage expansion. The proposed expansion will be 50’x60’ (3,000 square feet) which will bring the overall proposed garage area to 4,200 square (1,200 existing and 3,000 proposed) whereas a 1,200 square foot accessory garage is permitted. Additionally, the applicant requests an additional bulk “c” variance for a proposed accessory building height of 16 feet whereas only 15 feet is permitted. The subject property, which is approximately 6.298 acres, is located in the A-6 Agricultural Zone.

6. **John Johnson** – The Applicant has requested a certification of pre-existing non-conforming use to allow a three-family (triplex) dwelling. The subject property, which is approximately 15,000 square feet (0.34 acres), is located in the R-2 Residential Zone. The R-2 Residential Zone does not allow three-family residential uses.
7. **Pavel Radziviluk** – The Applicant requests a “D” use variance to allow an automobile dealership along with a single family residential use on the subject property along with a waiver of site plan improvements. The Applicant previously received use variance approval to allow a wholesale automobile dealership and single-family residence on the subject property via Resolution No 2022-14 adopted on April 20, 2022. The Applicant now requests the allowance of retail sales of used vehicles. The subject property is approximately 28,338 square feet (0.65 acres) and is located in the B-3 Business Zone. The B-3 Business Zone does allow automobile dealerships, but not single-family residences.

Planning staff does have some concern regarding the adequacy of parking on-site. The approved site plan shows a total of eight (8) approved exterior parking spaces and five (5) garage parking spaces. An automobile dealership requires two (2) parking spaces for each employee on the main working shift and the single-family use will require two (2) additional designated parking spaces. A total of two (2) employees are proposed. Therefore, six (6) parking spaces are required for both uses on the property. This would leave a maximum of seven (7) display spaces for the Applicant. All display vehicle spaces must be on an improved vehicular surface as specified on the site plan. The Applicant shall confirm the proposed number of display spaces for vehicles and the proposed parking configuration for the site.

8. **Lombardi Mechanical** – Please see attached Planning and Engineering Review Reports.
9. **L & K Taylor Investments** – The Applicant has requested a certification of pre-existing non-conforming use to allow a two-family (duplex) dwelling. The subject property, which is approximately 5,000 square feet (0.11 acres), is located in the R Residential Zone. The R Residential Zone does allow two-family residential uses. However, the lot is significantly undersized for a two-family dwelling under the current standards.
10. **GL Realty (a.k.a. Tristate Construction)** – Please see attached Planning and Engineering Review Reports.
11. **2520 NW Blvd Amended** – Please see attached Planning and Engineering Review Reports.

Cc: Patrick Finley, Zoning Officer
Yasmin Ricketts, Secretary
Nathan Van Embden, Solicitor
David Maillet, City Engineer