



Report to: Zoning Board of Adjustment
From: Ryan Headley, Board Planner & Engineer
Re: Applications for April 16, 2025 Meeting
Date: April 9, 2025

1. **Prime Construction – Milano Avenue** – The Applicant has requested the following bulk “C” variances to construct a single family home:

- Front Yard Setback, Old Lake Road (25 feet proposed vs. 50 feet required)
- Side Yard Setback, Southerly, Lot 2 (31 feet proposed vs. 40 feet required)

The subject property is located in the A-5 Agricultural Zone and is approximately 29,152 square feet (0.67± acres). The site has the following existing non-conformances for single-family residences in the A-5 Zone: Lot area (29,152 square feet existing vs. 100,000 square feet required), Lot frontage & width, Old Lake Road (225.74 feet existing vs. 280 feet required), Lot frontage & width, Napoli Avenue (170± feet existing vs. 280 feet required), Lot frontage & width, Firerize Avenue (122± feet existing vs. 280 feet required), Lot depth (88 feet existing vs. 330 feet required).

2. **Prime Construction – Napoli Avenue** – The Applicant has requested the following bulk “C” variances to construct a single family home:

- Front Yard Setback, Old Lake Road (30 feet proposed vs. 50 feet required)
- Front Yard Setback, Napoli Avenue (38 feet proposed vs. 50 feet required)
- Side Yard Setback, Westerly, Lot 5 (15.5 feet proposed vs. 40 feet required)
- Side Yard Setback, Southerly, Lot 1 (34 feet proposed vs. 40 feet required)

The subject property is located in the A-5 Agricultural Zone and is approximately 11,609 square feet (0.27± acres). The site has the following existing non-conformances for single-family residences in the A-5 Zone: Lot area (11,609 square feet existing vs. 100,000 square feet required), Lot frontage & width, Old Lake Road (112.87 feet existing vs. 280 feet required), and Lot frontage & width, Napoli Avenue (116± feet existing vs. 280 feet required).

3. **Dominick Surace** – The Applicant has requested a “C” variance to construct an accessory garage for an existing single-family home. The subject property is located in the R-4 Residential Zone and is approximately 18,750 square feet. The property is a corner lot with

frontages on Redwood Drive and Garwood Drive. The applicant proposes to construct a 23' x 30' (690 square foot) accessory garage within the front yard of Redwood Drive. A "C" variance is required for the proposed location of the accessory garage only, the proposed size is allowable.

4. **Marcial Lopez** – The Applicant has requested the following bulk "C" variances to convert an existing mixed-use property to a two-family (duplex) dwelling:
 - Lot area (4,500 square feet proposed vs. 15,000 square feet existing)
 - Lot frontage (50 feet proposed vs. 65 feet required)
 - Lot depth (90 feet proposed vs. 150 feet required)
 - Front yard setback (10.67 feet proposed vs. 25 feet required)
 - Side yard setback, northerly, Lot 9 (0.67 feet proposed vs. 10 feet required)
 - Side yard setback, southerly, Lot 11 (3.21 feet proposed vs. 10 feet required)
 - Rear yard setback, Lot 11 (9.77 feet proposed vs. 20 feet required)
 - Building lot coverage (53.82% proposed vs. 40% required)
 - Impervious lot coverage (100% proposed vs. 65% required)
 - Parking space amount (5 spaces required vs. 0 spaces provided on-site)

The subject property is located in the R Residential Redevelopment Zone and is approximately 4,500 square feet.

5. **James & Lucia Marone** – 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 7,654.8 square feet (0.18 acres), is located in the R-2 Residential Zone. The R-2 Residential Zone does allow two-family dwellings.
6. **Assured Property Solutions, LLC** – 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 7,950 square feet (0.18 acres), is located in the R-2 Residential Zone. The R-2 Residential Zone does allow two-family dwellings.
7. **Dun-Rite Sand & Gravel Company** – The Applicant has requested a "D" use variance to establish a Class B and Class C recycling and composting facility. The subject property is located in the W-6 Woodlands Zone and has an existing resource extraction operation. The overall site is approximately 866 acres.

A recycling and composting facility would be classified as an outdoor recycling operation. Outdoor recycling operations are not allowable in the W-6 Woodlands Zone. This type of use is only allowed in our heaviest industrial zone (I-4). The purpose of the W-6 Woodlands Zone as defined in our ordinance is to "enhance the water quality within watersheds contributing to river segments in the National Wild and Scenic Rivers System. These areas are viewed as an essential element of the environment and are very sensitive to development. It is important that zone requirements and design standards not

be sacrificed to allow overdevelopment of properties, as this would negatively impact upon this environment. It is the intent that a single-family dwelling in a wooded setting be the preferred use of property, as none of the other permitted uses are to be considered unless all other requirements of this chapter can be met.”

The proposed outdoor recycling operation use does not meet the purpose of the W-6 Woodlands Zone and is not in conformance with the City’s Master Plan. Planning staff strongly recommends denial of this application.

8. **Cellco Partnership d/b/a Verizon Wireless** – Please see attached Planning and Engineering Reports.
9. **Prime Construction – Maple Drive** – The Applicant has requested a “D” use variance to construct a two-family (duplex) dwelling on an existing vacant lot. The subject property is located in the R-3 Residential Zone and is approximately 16,141 square feet (0.37 acres). The property also has three frontages. The R-3 Residential Zone does not allow three-family dwellings.
10. **Prime Construction – W. Park Avenue** – The Applicant has requested a “D” use variance to construct a single-family dwelling on an existing vacant lot. The subject property is located in the B-2 Business Zone and is approximately 8,648 square feet (0.20 acres). The Applicant also requests side yard setback relief of 12 feet vs. 20 feet required. The B-2 Business Zone does not allow residential uses.
11. **Richard & Donna Martine** – Please see attached Planning and Engineering Reports.
12. **Raw Health Canine Foods, LLC.** – The Applicant has requested a “D” use variance to establish an animal food processing facility along with a retail store in an existing commercial warehouse. The subject property is located in the R-B-1 Residential-Business Zone and is approximately 21,990 square feet (0.50 acres). The retail use is permitted in R-B-1 Zone, however the processing use is considered an industrial use which is not permitted. If the Zoning Board were to approve this application, a site plan application shall be required as a condition of approval.

Cc: Patrick Finley, Zoning Officer
Yasmin Ricketts, Secretary
Michael Malinsky, Solicitor
David Maillet, City Engineer