

RECOMMENDATION TO THE ZONING BOARD OF REVIEW

JUNE 5, 2024

Application Type

Special Use Permit and Dimensional Variance

Neighborhood

West End

Applicant

Jose Amado Duran Castillo

Parcel

AP 37 Lot 479

Address

77 Union Ave

Parcel Size

± 5,625 SF

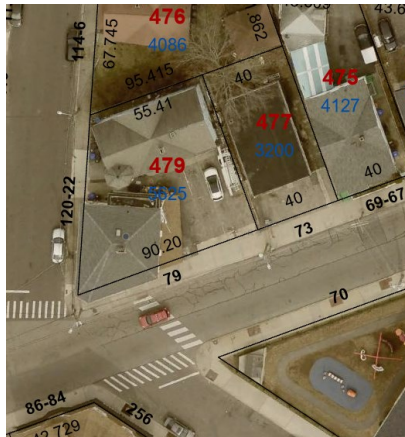
Zoning District

R-3

Variance Requested

1. Special Use Permit for expansion of neighborhood commercial use
2. Dimensional variance for building lot coverage

77 UNION AVE



Location Map

View from Union Ave

SUMMARY

Project Description

The applicant is requesting a special use permit pursuant to Zoning Ordinance Table 12- 1 and Sections 1202.T. & 2006.B.2., and a dimensional variance seeking relief from the Table 4-1 building coverage maximum of 45%, given a proposed increase from 49.6% to 55.25%, to expand the existing Neighborhood Commercial Establishment (Retail) with a 317 square foot addition.

Discussion

The lot is occupied by two buildings. The subject building is a mixed use structure in the R-3 zone with a grocery store on the ground floor and residential space on the upper stories. The building is considered a neighborhood commercial establishment due to its mixed use nature, which requires a special use permit for a proposed expansion into the side yard.

Based on plans provided, the expansion area will be located under an existing canopy, in an area that is already paved. The expansion is not expected to affect neighboring property or be detrimental to the health of the community as it will not intensify the use beyond what is currently permitted or encroach beyond a permitted setback. The addition will not result in an increase in impervious surface, but will increase the

allowable building coverage to 55.25% where 45% is permitted, for which dimensional relief is requested.

The DPD does not object to granting the requested relief as the effect on neighboring property is expected to be minimal. However, the applicant should be required to bring the site into closer conformance with the ordinance by introducing pervious surface and making plantings to offset the excess paving and site coverage

Recommendation

Based on the foregoing discussion, the DPD recommends that the requested relief be granted subject to the following condition:

The applicant shall introduce more pervious surface on the site and make plantings to offset the excess paving. The applicant can work under the guidance of the City Forester.

