



Planning and Zoning Commission STAFF REPORT

Monday, February 1, 2016 at 6:00 PM

CASE NUMBER: #2016-01

APPLICANT: Tim Sargent

EXISTING ZONING: R-6 (Urban Residential)

REQUEST: **#2016-01** A request by Tim Sargent for a Use Variance at 540 Blacklick Street (Parcel #185-000254).

DESCRIPTION: The applicant is requesting a use variance to allow operation of a Mechanical Contracting (HVAC) business at this location. He plans to use the front building for his business and the residential building in the rear will continue as residential use. The property is currently zoned Urban Residential (R-6) and the requested use is not a permitted or conditional use in that zoning district. In the past the building has been used for commercial purposes, which were existing non-conforming uses, but has not been used or occupied for more than two years. Per section 1181.04 (c) no non-conforming use may be reestablished where such non-conforming use has been discontinued for a period of at least two years.

CONCLUSION:

Staff has no objection to granting of the use variance as requested. However since this is primarily a residential area staff recommends the Commission members consider the following conditions:

- No equipment or process shall be used in such occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot or outside of the building. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference that any radio or television receives off the premises, or causes fluctuations in line voltage off the premises.
- There shall be no outside storage of any kind.
- The use is limited to the front building only as shown on the application any modification or expansion will require approval from council.
- Signage shall be regulated per the Historic District sign regulations.
- Restrictions to parking of commercial vehicles used in the business.