

MEMORANDUM

TO: Board of Zoning Appeals
FROM: Roger O. Freytag, Zoning Administrator RUF
SUBJECT: Request for Variance - Roy Kistner - rebuild body shop - 360 East Riverview Ave.
DATE: 8-24-88
MEETING: 8-30-88 4:30 p.m. BZA 88-15

RECOMMENDATION

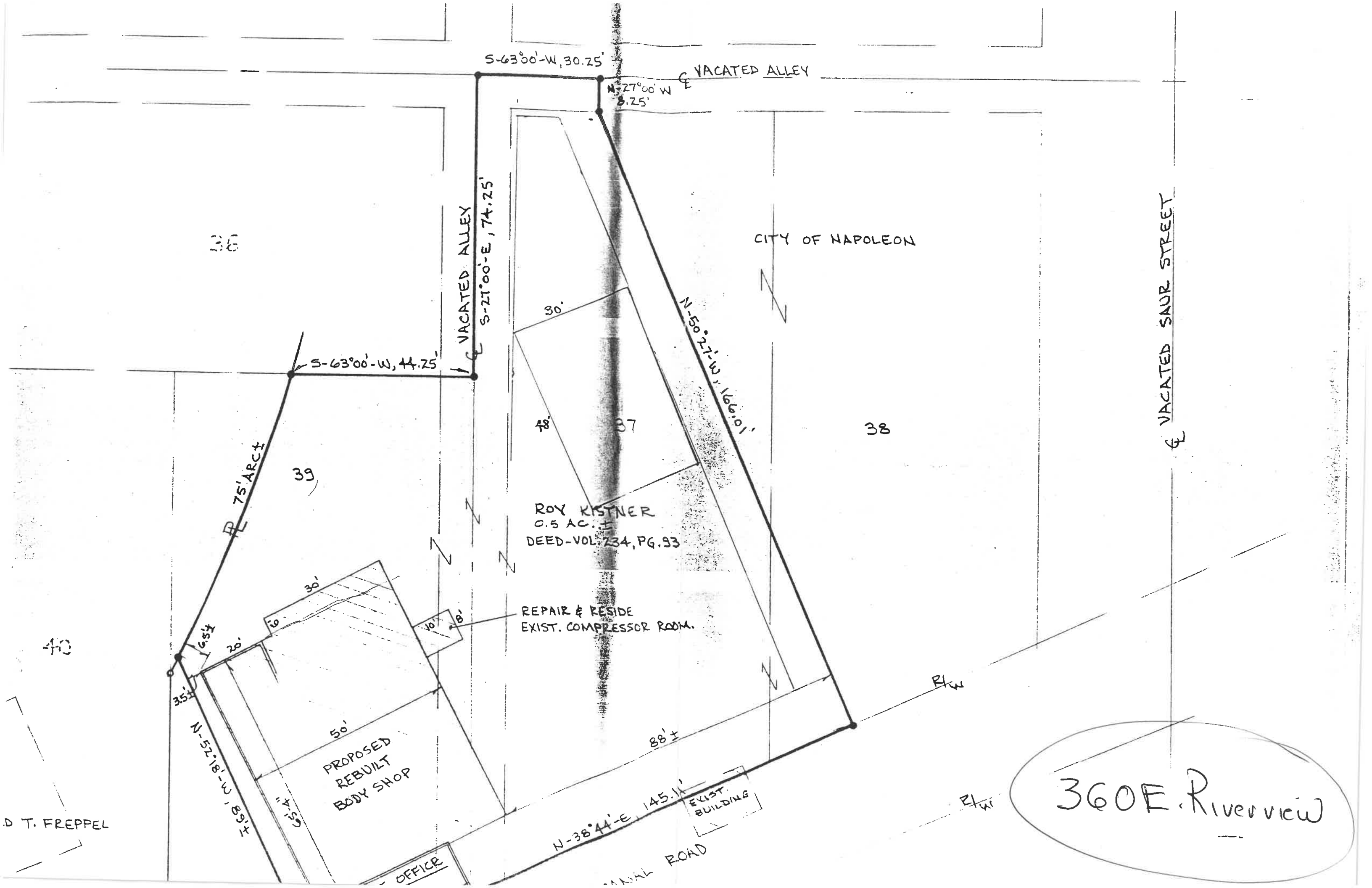
It is recommended that the Board of Zoning Appeals approve a Variance for the front, side and rear set back requirements for a new building to be built to replace the body shop destroyed by lightening and fire at 360 E. Riverview Ave.

BACKGROUND

An request has been received from Roy Kistner to rebuild his building in the same location as it was before it was destroyed by fire. I would suggest that he not be allowed to rebuild on the Canal Road right of way again.

After reviewing the situation, I would recommend in favor of Variation for the following reasons:

- a. That there is an extraordinary circumstance in that there is additional area between the proposed building and SR 424 where the unused right-of-way of Canal Road serves somewhat as a front yard setback.
- b. That such Variance is necessary for the enjoyment of a property right possessed by other businesses in the "I-1" Enclosed Industrial District.
- c. That granting such a Variance will not be detrimental to the public welfare or injurious to other property in the same vicinity.
- d. That the granting of the Variance will not alter the land use characteristics of the vicinity or district.



S-63°00'-W, 30.25'

VACATED ALLEY

N-27°00' W
3.75'

VACATED ALLEY
S-27°00'-E, 74.25'

CITY OF NAPOLEON

36

39

30'

78'

37

N-50°27'-W, 166.01'

38

S-63°00'-W, 44.75'

75' ARCT

ROY KISTNER
0.5 AC. ±
DEED-VOL. 234, PG. 93

REPAIR & RESIDE
EXIST. COMPRESSOR ROOM.

PROPOSED
REBUILT
BODY SHOP

OFFICE

CANAL ROAD

EXIST.
BUILDING

N-52°18'-W, 189.1±

20'

65±

35±

30'

10'

10'

8'

50'

65±

88±

N-38°44'-E, 145.1±

R/W

R/W

VACATED SAUR STREET

360 E. Riverview

D. T. FREPPEL