

MEMORANDUM

TO: Members of the Board of Zoning Appeals
FROM: Richard A. Hayward, City Manager ^{RAM}
SUBJECT: Request for Variance - Douglas L. Bischoff
DATE: February 9, 1987

BZA 87-01

RECOMMENDATION

It is recommended that the Board of Zoning Appeals approve a Variance for Douglas L. Bischoff, Susan K. Bischoff and Donald F. Bischoff Jr. for the purpose of expanding an existing du-plex into a tri-plex.

BACKGROUND

An application has been received from Douglas L. Bischoff, Susan K. Bischoff and Donald F. Bischoff Jr. requesting a Variance to Section 151.39(B) and (C) of the City of Napoleon, Code of Ordinances to allow them to covert an existing du-plex apartment building into a tri-plex. The building is located at 602 East Washington Street.

The building is located in a Planned Business District, which only allows for planned apartment development. The existing structure is a non-conforming use which requires a Variance from the Board of Zoning Appeals before any expansion is allowed.

Staff has reviewed the request, and in as much as the structure is located across the street from a "C" Residential Zoning District which does allow this type of use, it is recommended that the Variance be allowed.

The request meets the Standards for Variation in the following manner:

1. The request is exceptional due to the fact that the building is a non-conforming use.
2. The Variance is necessary to preserve a property right enjoyed by others in the area.
3. Granting the Variance will not be materially detrimental to the public welfare.
4. Granting the Variance will not alter the land use characteristics of the district.