

Staff Report

ACTION ITEM: Request a 26' variance from the required 30' front setback for approximately 97' in a C-2 General Commercial District to subdivide the lot at 2336 S Old Orchard Rd.

APPLICANT: KB413, LLC (John W. King III)

APPLICANT STATUS: Owner

PURPOSE: Variance to subdivide the two (2) buildings.

SIZE: 4 acres

PRESENT USES: Gymnasium/workout facility

PROPOSED USE: One building may be used as storage once subdivided.

PROPERTY ZONING: C-2 General Commercial

SURROUNDING ZONING: Not in the City Limits

HISTORY: This used to be the old gymnastics building.

TRANSPORTATION AND PARKING: All required parking and street frontage currently exist.

CODE SECTION REQUESTED TO BE VARIED: Zoning Code (Chapter 65)

Sec. 65-12. - C-2 General commercial district regulations.

(3) Height, area, and lot size regulations. In addition to the specific requirements for the C-2 General commercial district, all height, area, and lot size regulations and exceptions set forth in [section 65-19](#), as they apply to uses in the C-2 General commercial district, shall be observed.

b. Area. No building or structure shall be erected or enlarged unless the following yards are provided and maintained in connection with such building, structure, or enlargement:

1. *Front yard.* Each lot upon which a building is constructed shall have a front yard of not less than thirty (30) feet.

2009 COMPREHENSIVE PLAN: Industrial use

FLOODPLAIN INFORMATION: Property is not in the flood plain per FEMA panel 29031C0251E dated 9-29-2011.

PHYSICAL CHARACTERISTICS: 4-acre lot with two (2) large buildings.

COMMENTS: The owner would like to subdivide the 4-acre lot. The proposed property lines would make the south building not have a far enough front setback for about 97 feet. Please see the proposed property line map inside the packet for more details.

ACTION REQUIRED: The board shall approve or deny this variance based on the criteria for granting variances.