

TEMPLATE MOTIONS
PZBA 23-11 – 876 HORACE BROWN DRIVE

Approval

Move to APPROVE the modification of an existing non-conforming banquet hall at 876 Horace Brown Drive to allow for private events, after the required public hearing, based upon the following findings:

- 1) The request meets the criteria for changing the operations of a non-conforming use contained in Section 10.503(5)(c) of the Zoning Ordinance in that the proposed use reduces the level of nonconformity on site; and
- 2) The request meets the Zoning Board of Appeals standards of Section 10.805 of the Zoning Ordinance. In particular.
 - a. The assembly of persons in connection with the use will not be hazardous to the neighborhood or be incongruous therewith or conflict with normal traffic of the neighborhood; and
 - b. The nature, location, size and site layout of the use will be such that its operations will not be objectionable to nearby dwellings, by reason of noise, fumes or flash of lights to a greater degree than is normal with respect to the proximity of commercial to residential uses, will not interfere with an adequate supply of light and air, and will not increase the danger of fire or otherwise endanger the public safety.

Approval is granted with the condition that events at the banquet hall shall end no later than 11 p.m. in order to reduce impacts to adjacent residential properties.

Denial

Move to DENY the modification of an existing non-conforming banquet hall at 876 Horace Brown Drive to allow for private events, after the required public hearing, based upon the following findings:

- 1) The request does not meet the criteria for changing the operations of a non-conforming use contained in Section 10.503(5)(c) of the Zoning Ordinance in that it does not reduce the level of nonconformity on site; and
- 2) The request does not meet the Zoning Board of Appeals standards of Section 10.805 of the Zoning Ordinance. In particular.
 - a. The assembly of persons in connection with the use will be hazardous to the neighborhood and will be incongruous therewith or conflict with normal traffic of the neighborhood; and
 - b. The nature, location, size and site layout of the uses will be such that its operations will be objectionable to nearby dwellings, by reason of noise, fumes or flash of lights to a greater degree than is normal with respect to the proximity of commercial to residential uses.