



Planning and Economic Development

Ed Anzek, AICP, Director

From: James Breuckman, AICP
To: Planning Commission
Date: 9/1/2011
Re: 2020 S. Rochester Road Gas Station

Request

Provide guidance for the Zoning Board of Appeals regarding your willingness in principle to reduce the required rear yard setback from 50 to 25 feet for the redevelopment of the existing gas station at 2020 S. Rochester Road.

Background

The applicant wishes to demolish the existing gas station building on the site and to construct a new, larger building. The site is zoned B-5.

1. Setback Requirements. The zoning ordinance requires a 75 foot front yard setback from all streets in the B-5 district, and a 50 foot rear yard setback. Footnote J to the schedule of regulations allows the Planning Commission to reduce the rear yard setback requirement to 25 feet where rear yards abut a non-residential zoning district.
2. Existing Development. The existing building on the site has a front yard setback of 75 feet from Rochester Road, a front yard setback of 69 feet from Auburn Road, and approximately 35 foot setbacks from both rear property lines. The existing building is nonconforming with respect to front yard setback requirements.
3. Variance Request. The applicant has filed a request to reduce the rear yard setbacks on the site to 10 feet. This item has been noticed for public hearing at the ZBA's September 14 meeting. The variance was noticed as a 40 foot setback variance (from 50 to 10 feet).
4. Planning Commission Guidance. Staff is requesting that the Planning Commission provide guidance to the Zoning Board of Appeals regarding its willingness to reduce the rear yard setback requirement from 50 to 25 feet at this site. If the Planning Commission indicates that it is willing in principal to reduce the setback, the ZBA can reduce the variance to a 15 foot variance (25 feet required -10 feet requested =15 foot variance) rather than a 40 foot variance.
5. Site Considerations. Refer to the following page for a site map showing the location of the buildable area on the site with the 25 and requested 10-foot rear yard setback lines on the site.
6. B-5 District Sites In General. We have also attached an inventory of all existing B-5 zoned sites in the City indicating that nearly all sites are nonconforming with respect to one or more of the dimensional requirements of the Ordinance. We will explore this issue in more detail in a package of potential Ordinance amendments to be distributed at the meeting on September 6.

