



# City of Grand Island

Tuesday, March 27, 2007

Council Session

## Item H2

**Consideration of Request from Jerry & Teresa Sinner for Non-Conforming Use and Building Permit Located at 1822 East 7th Street**

Staff Contact: Craig Lewis

# **Council Agenda Memo**

**From:** Craig A. Lewis, Building Department Director

**Meeting:** March 27, 2007

**Subject:** Request of Jerry & Teresa Sinner of 1822 East 7<sup>th</sup> Street, Grand Island, NE for Approval of an Extension to a Legal Non-Conforming Use

**Item #'s:** H-2

**Presenter(s):** Craig Lewis – Building Department Director

## **Background**

This request is for Council approval to allow for the expansion of the existing single family dwelling at 1822 East 7<sup>th</sup> Street. The applicant is proposing to construct a 24' x 34' addition onto the approximately 22' x 34' dwelling. The property is currently zoned M-2 (Heavy Manufacturing) zoning classification that does not allow for residential uses and specifically excludes any residential use. The existing dwelling along with others neighboring this property have been in existence for decades as manufacturing entities have grown around this cluster of residential properties. The Grand Island Zoning Code considers these types of residential uses in manufacturing zones as legal non-conforming uses and requires that any expansion of such legal non-conforming uses must first be approved by the City Council.

## **Discussion**

The City code section 36-35 allows for extensions and expansions of such structures in all cases where refusal to do so would bring hardship to the owner or occupants and in all cases where justice requires the granting of the same. The City Council may attach appropriate conditions to the granting of any such relief. The site location is such that expansions would not appear to have any negative impact on the neighboring properties.

As a condition to this request I would suggest that a time limit requiring the exterior be completed within a 12 month period be included in any approvals.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the request.
2. Disapprove or /Deny the request.
3. Modify the request to meet the wishes of the Council
4. Table the issue

## **Recommendation**

City Administration recommends that the Council approve the request and authorize the expansion of the non-conforming use with the condition that the exterior construction be completed within the next 12 month period.

## **Sample Motion**

Motion to approve the request to allow for an expansion of the legal non-conforming use with the condition that the exterior construction be completed within the next 12 months.

Jerry + Teresa Sinner

1822 East 7th  
Grand Island Ne. 68801  
308-381-4693



*March 4, 2007*

*Dear City Counsel Members*

*We are writing to request a building permit. We are a family of four and have out grown our home and we need to add an addition. Here lies the problem we are currently zoned M2 Heavy Manufacturing. We are in the process of rezoning to R2 High Density Residential but this is a lengthy process. And we would like to start building as soon as the weather is permitting. Therefore we need an approval for a building permit from City Counsel. Your help would be greatly appreciated.*

*Sincerely,*

*Signature*

*Jerry + Teresa Sinner*

SCALE 1:20

