

Conditional Use Application

1000 Laurel Avenue
Hamilton, OH 45015

Applicant:
Community Design Alliance
Attn: Steven Gebhart
236 High Street
Hamilton, OH 45011

Building owner:
Gerry Saurber
5358 River Road
Fairfield, OH 45014

Narrative:

A new Automotive Repair tenant is moved into a 3,378 square foot space in an existing building at 1000 Laurel Avenue. In accordance with the Hamilton Zoning Ordinance this use is required to go through a Conditional Use process in the I-2 district. The previous use of this tenant space was a concrete foundation contractor. The repair shop does body work only and will not be dealing with oil changes, and other fluid waste. The hours of operation of this business are 8 a.m.–5 p.m. The maximum occupancy is 11 persons per code, there will only be a few employees at a time in this space, likely never reaching the 11 persons allowable. The cars that are under repair and waiting repair will be located in the building. The dumpster is on wheels and is located in the space and taken out on trash night to the designated location for pickup.

The space will be brought up to building code to make sure appropriate ventilation is in place for this use. Noise has been brought up as a concern. The space will be operating during 8 a.m.- 5 p.m. business hours keeping noise to during business hours. The garage faces Zimmerman Avenue and the railroad with a few houses directly across from the space. The owner is willing to work with the neighbors if there are issues to come up with a noise solution. This area has historically been used as industrial and is not out of character of the surrounding buildings.

Variance Requests:

1. We are requesting a variance for the landscaping requirement. The building has been on the site for many decades. The building takes up the entire footprint of the site and has since before the current owner purchased the building 23 years ago. With no opportunity for landscaping without infringement on the right of way We are requesting waiving this requirement. This is a unique situation where the building footprint is the site footprint. The profile of the building is not changing with this new use and will not change the streetscape.

2. We are requesting a variance for the parking requirement. As mentioned previously, with the building footprint the same as the site, there is limited parking for this building. There are a handful of existing on street parking spaces along Laurel Avenue. Zimmerman does not have any parking spaces on street and the gravel area across the street is owned by CSX and is a part of the railroad and not parking. The nature of this area is industrial buildings along the railroad track with limited parking options due to existing density.

Condition Use Review Criteria:

1. The proposed use is to be located in a district where in such use may be permitted subject to the requirements of this Section and the Zoning Ordinance.

Yes, the proposed automotive repair is on an I-2 zoned lot, which is allowed with a Conditional Use approval.

2. The proposed Conditional Use will not substantially or permanently injure the appropriate use of neighboring property and will serve the public convenience and welfare.

This area has historically been an industrial area. Sitting along the railroad tracks that cut through the middle of Hamilton industry was built up along this corridor. There are a few houses nearby on Laurel, but they have been near industry for many decades. Auto Body Repair is a necessary service in the community.

3. The proposed Conditional Use will be harmonious with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area.

The character of this neighborhood has been historically industry and residential in proximity to each other. As mentioned in the previous answer historically this corridor along the tracks has always been industry with houses on the surrounding streets. The neighborhood was housing supply for the workers at the local factories.

4. The proposed Conditional Use shall be adequately served by essential public facilities and services such as, but not limited to, roads, public safety forces, storm water facilities, water, sanitary sewer, refuse and schools. If not, the applicant shall be responsible for the extension or establishment of any public facilities and services to effectively service the proposed Conditional Use.

Existing infrastructure is in place for the building and will not need modification for this use.

5. The proposed Conditional Use will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding streets.

This building is a unique case in that the building's footprint is the entire footprint of the parcels. Attached site plan shows the parcels dimensions. The existing on street parking is in place already on Laurel.

6. The proposed Conditional Use will comply with all applicable development standards, except as specifically altered in the approved Conditional Use.

The proposed Conditional Use will comply with applicable development standards, with the exception of our variance requests.

7. The proposed Conditional Use will not be hazardous to or have a negative impact on existing or future neighboring uses.

The neighboring uses are very similar with neighboring tenants and buildings along Zimmerman. The next several blocks along the railroad tracks have industrial buildings with garage doors opening onto Zimmerman in very similar manner.

8. The proposed Conditional Use will not involve uses, activities, processes, materials, equipment and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to any persons, property, or the general welfare by excessive production of traffic, noise, smoke fumes, glare, odor or other characteristic not comparable to the uses permitted in the base zoning district.

Hours of operation as previously mentioned above will be during normal business hours of 8am-5pm while the surrounding residents will be typically be at work and surrounding industry will also be operational. Noise will increase with this use, but not anything out of the ordinary for an industrial district. Cars being worked on are parked inside the facility. The additional traffic will mostly be employees.

9. The proposed Conditional Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The neighboring properties to the north and the east are also industrial uses and the railroad tracks border to the west.

10. State how the proposal relates to existing land use of the vicinity, or to the City of Hamilton Comprehensive Plan. If the proposed use is inconsistent with the land use in the surrounding area, justify the proposed deviation.

This is an historically industrial area. This use is consistent with surrounding industries.