

CITY OF ALTOONA

ZONING HEARING BOARD

PUBLIC HEARING NOTICE

A public meeting of the City of Altoona Zoning Hearing Board will be held on **Wednesday, June 10th, 2026, at 1:15pm** in the 4th Floor Conference Room, located at City Hall, 1301 12th Street, Altoona, Pennsylvania. If assistance is needed to participate or to obtain a copy of the supporting documentation, please contact the City Clerk's Office.

Applicant: Brad Miller

Address: 5008 Broad Avenue

Tax ID: 01.12-03..-006.01-000

Requesting two (2) variances under the following sections to construct a 24x24 garage on a vacant lot located in a Residential Neighborhood A Zone.

§800-32: To allow an accessory structure on an adjacent vacant lot in common ownership.

§800-32(D): To provide a structure on a parcel of land not legally tied together with the principal structure.

Applicant: William Frank Jr.

Address: 2304-06 10th Avenue

Tax ID: 01.05-13..-109.00-000

Requesting two (2) variances under the following sections to construct a 40x36 garage located in a Residential Neighborhood B Zone.

§800-32: To allow an accessory structure on an adjacent vacant lot in common ownership.

§800-32(D): To provide a structure on a parcel of land not legally tied together with the principal structure.

Applicant: Robert Luciano

Address: 1924-1928 Union Avenue

Tax ID: 01.09-08..-097.00-000

Requesting a Special Exception for Commercial Adaptive Reuse of an existing nonconforming building located in a Mixed Use Neighborhood Zone.

§800-35: Special Exception is to be used to allow the reuse and preservation of existing buildings and not new construction.

Applicant: Simington Plaza IV LLC

Address: 1301 Broadway

Tax ID: 01.13-09..-070.00-301

Requesting seven (7) variances under the following sections for the redevelopment of the former Juniata Mill into a Multi-Tenant Commercial Use Building in an Industrial Flex Zone.

§800-29: To allow a Day-care Center over 5,000 SF, whereas less than 5,000 SF is permitted.

§800-29: To allow a Drive-Through Facility, whereas not permitted in the I-F Zone.

§800-18.B.1.D: To allow more than 75% impervious coverage.

§800-18.B.2.F: To allow a 5' rear yard setback for drive-thru lane, whereas 10' setback is required.

§800-60.D.1: To allow 85 off-street parking spaces, whereas 126 spaces are required.

§800-61.F.1.a: To provide no parking lot island at the end of the center parking lot row.

§800-61.F.1.d: To provide smaller parking lot island, whereas 9' is required.

(INSTRUCTIONS LOCATED ON THE REVERSE SIDE)

PROPERTY LOCATION: 5008 Broad Ave
PURPOSE OF APPEAL: Build a garage on vacant lot.
DESCRIPTION OF PREMISES: Flat vacant lot
USE OF PREMISES: nothing
OFF-STREET PARKING: _____

PLEASE FILL IN ALL PORTIONS BELOW, "SAME" AND "NON-APPLICABLE" IF NEEDED

PROPERTY OWNER INFORMATION


NAME: Brad Miller	
ADDRESS: bymm4@verizon.net / 5016 Broad Ave Altoona PA	
PHONE: 814-935-4300	EMAIL: bymm4@verizon.net

APPLICANT INFORMATION

NAME: Brad Miller	
ADDRESS: 5016 Broad Ave Altoona PA 16601	
PHONE: 814-935-4300	EMAIL: bymm4@verizon.net

DESIGN PROFESSIONAL INFORMATION

NAME:	
ADDRESS:	
PHONE:	EMAIL:



SIGNATURE OF APPLICANT

DATE

OFFICE USE ONLY

<input checked="" type="checkbox"/> VARIANCE \$500.00	<input type="checkbox"/> APPEAL DETERMINATION \$500.00	<input type="checkbox"/> OTHER
<input type="checkbox"/> SPECIAL EXCEPTION \$500.00	<input type="checkbox"/> APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		

I am asking for approval to build a garage on a vacant lot that is already owned next to my current property. The garage will meet all setback zoning requirements and all required measurements according to the township ordinance.

I do not want to combine the two lots because there are future plans to build a house on the vacant lot at a later date. The garage would simply be built first before the house construction begins. Keeping the lots separate is important so the vacant lot can still be used as its own buildable lot in the future. Combining the lots now would make future development more difficult and could affect the ability to build the planned home.

The proposed garage will fit with the surrounding area and will not negatively affect neighboring properties. All requirements and standards are being followed, I am respectfully asking for approval to move forward with the garage while keeping the lots separate for future residential use.

20 ft

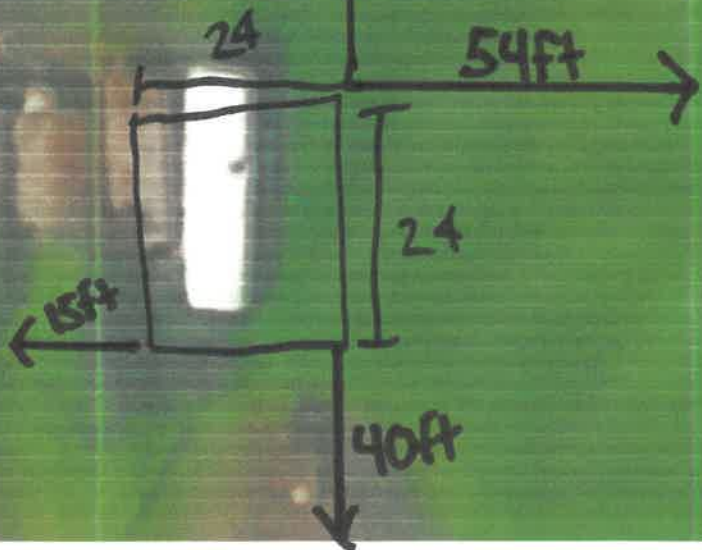
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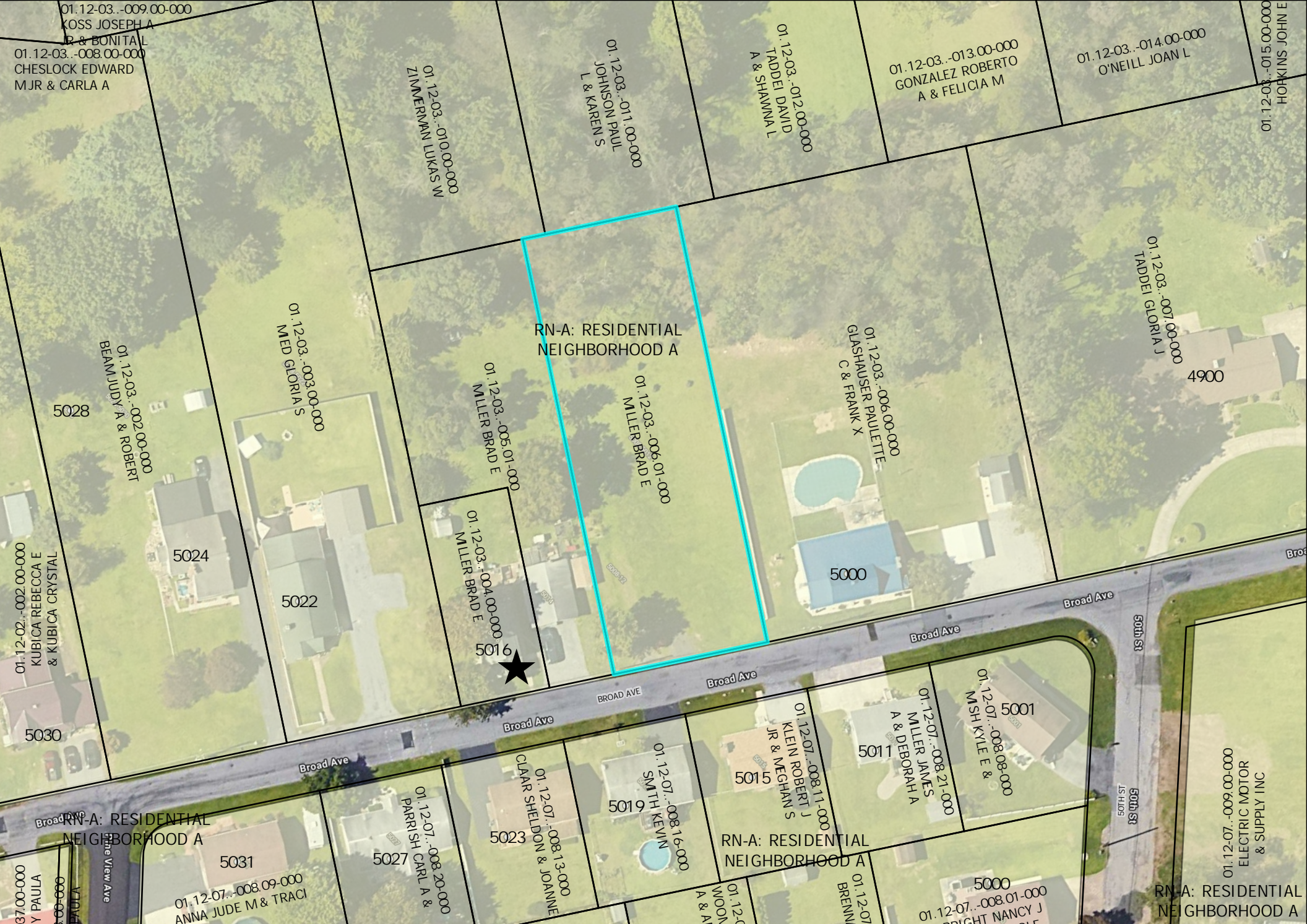
BRAD E
MILLER

BRAD E
MILLER

201 ft

BRAD E
MILLER





Parcel Number	Situs Address	Owner Name	Address	Lot Size	Deed Acreage	Deed Reference	Sale Date
01.12-03.-006.01-000	5008 BROAD AVE	MLLER BRAD E	5016 BROAD AVE	88 X 256.85	0.519	2010-21435	12/23/2010

0101.00-000
USE'S
community

Section 800-31

Accessory Dwelling Unit (ADU)

Accessory Dwelling Unit (ADU)

- A. The development of an accessory apartment (ADU) shall comply with all minimum dimensional requirements in districts where ADUs are permitted. Where an existing building is nonconforming with respect to one or more of the minimum yard requirements, the expansion or conversion may occur provided that there is no increase in the extent of nonconformity.
- B. For the conversion or construction of an ADU, the building shall be located on a lot which meets the requirement for the minimum lot size, as specified in the applicable zoning district.
- C. One attached ADU shall be permitted on a lot containing a single-unit or two-unit principal residential structure.
- D. An ADU shall be attached to or integrated within the existing principal residential structure or an existing accessory structure such as a garage or carriage house.
- E. An ADU shall not exceed 1,000 square feet or 80% of the size of the principal structure, whichever is smaller.
- F. ADUs shall not be permitted in cluster developments.
- G. The owner(s) of any lot containing an ADU shall permanently reside in at least one of the dwelling units on the premises.
- H. ADUs shall be affixed to or constructed on a permanent foundation and shall not be a manufactured home or a movable structure.
- I. The ADU shall be of the same architectural style and constructed of the same materials as the principal dwelling or existing accessory structure. The AA shall be visually and physically integrated into the principal dwelling or existing accessory structure, such as a garage or carriage house.
- J. All buildings with an ADU shall have separate and distinct addresses and mail receptacles for the principal dwelling and ADU.
- K. An ADU shall only be occupied as a principal place of residence.

Section 800-32

Accessory Structures/Uses On Adjacent Lots In Common Ownership

Accessory Structures/Uses On Adjacent Lots In Common Ownership

- A. The size, scale and type of structure is normally associated with the predominant structures / uses in the district.
- B. No public street runs between the principal structure and the proposed accessory structure. An alley shall not be considered a street for this finding.
- C. The structure is designed so that it cannot be converted into a second dwelling unit or other principal use unless it is to be directly attached and fully integrated into the principal structure for use by a member of the immediate family of the occupant of the principal structure.

**Section
800-33**
Bed-and-breakfast
Facilities

- D. The involved parcels of land are legally tied together such that they cannot be individually conveyed into separate ownership until the accessory structure(s) approved under this subsection have been fully removed.

Bed-and-breakfast Facilities

- A. The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
- B. The appearance of the building shall be residential in character (i.e., gabled rooflines, wood siding or brick, an articulated footprint, varied facade, etc.).
- C. Off-street parking shall be provided at a ratio of one parking space per available room. This shall be in addition to the required parking for a single-family dwelling. The Zoning Hearing Board may approve off-site parking to accommodate this requirement as part of the approval of the special exception for the bed-and-breakfast.
- D. Lodging shall not be rented for more than one month for any given person in any six-month period.
- E. The property owner must use the building as his or her principal residence and manage the bed-and-breakfast.
- F. The area reserved for the owner’s residence and the bed-and-breakfast areas shall be connected internally, and each shall share a common main entrance.
- G. As part of any approval, the Zoning Hearing Board may require an applicant for a bed-and-breakfast to sign an affidavit certifying that the applicant agrees to these provisions and agrees to uphold them for as long as the bed-and-breakfast is in operation.

**Section
800-34**
Bus Shelters

Bus Shelters

- A. Shall not impair sight distances at intersections or otherwise pose a hazard to moving traffic.
- B. Shall not contain advertising of any kind except identification of the bus company and a posting of relevant schedule and service information.
- C. Shall be perpetually maintained and kept clean and sanitary. This guarantee can be made through an agreement or other binding legal instrument.
- D. Shall not be placed on private property without the owner’s consent.
- E. Shall be completely removed and the site restored to its original condition if the location no longer warrants a shelter. This guarantee can be made through an agreement or other binding legal instrument.
- F. Shall not interfere with adjacent property owners’ use and enjoyment of property.

Section 800-30

Accessory Use Table

Accessory Use Table

USES	Residential Districts				Mixed Use Districts		Commercial Districts	Campus District	Industrial Districts		Supplemental Regulations
	RN-A	RN-B	RN-C	RN-D	MX-N	MX-C	C-C	UC-C	I-F	I-G	
Accessory Structures/Uses on Adjacent Lots - Common Ownership	SE	SE	SE	SE	SE	SE	SE	-	SE	SE	Section 800-32
Building for Housing Pets, Playhouse	P	P	P	P	P	P	-	-	-	-	
Cafeteria and Recreational Facility for Employees or Clientele	-	-	-	-	P	P	-	P	-	P	
Drive-Through Facility	-	-	-	-	-	-	P	-	-	-	Section 800-38
Electric Vehicle Charging Stations	P	P	P	P	P	P	P	P	P	P	
Food Truck/Mobile Food Dispensing Cart	-	-	-	-	P	P	P	P	P	P	
Garden House, Greenhouse, Shed	P	P	P	P	P	P	P	P	P	P	
Keeping of Household Pets	P	P	P	P	P	P	P	P	P	-	
Outdoor Farmer, Craft or Art Market	-	-	-	-	P	P	-	P	-	-	
Outdoor Display	-	-	-	-	P	P	P	-	P	-	
Sidewalk Cafe / Outdoor Seating Area	-	-	-	P	P	P	P	P	P	-	
Outdoor Storage	-	-	-	-	P	-	-	-	-	P	
Outdoor Storage of Boats	-	-	-	-	-	-	-	-	-	P	
Satellite Dish	P	P	P	P	P	P	P	P	P	P	
Solar Voltaic System	P	P	P	P	P	P	P	P	P	P	Section 800-53
Swimming Pool	P	P	P	P	-	-	-	P	-	-	
Tennis Court, Paddle Court and Similar Accessory Recreation Facility	P	P	P	P	-	-	-	P	-	-	



COMMUNITY DEVELOPMENT
DEPARTMENT
1301 12TH STREET, SUITE 400
ALTOONA, PA 16601
(814) 949-2465

ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE

(INSTRUCTIONS LOCATED ON THE REVERSE SIDE)

PROPERTY LOCATION:	2304-06 10 Ave
PURPOSE OF APPEAL:	
DESCRIPTION OF PREMISES:	Vacant land
USE OF PREMISES:	Garage
OFF-STREET PARKING:	

PLEASE FILL IN ALL PORTIONS BELOW, "SAME" AND "NON-APPLICABLE" IF NEEDED

PROPERTY OWNER INFORMATION

NAME:	William Frank, Jr	
ADDRESS:	2319 11 th Ave Altoona Pa 16601	
PHONE:	814-650-1606	EMAIL:

APPLICANT INFORMATION

NAME:	84 Lumber	
ADDRESS:	4400 26th Ave Altoona	
PHONE:	814-942-8400	EMAIL:

DESIGN PROFESSIONAL INFORMATION

NAME:	84 Lumber	
ADDRESS:	4400 6 th Ave Altoona	
PHONE:	814-942-8400	EMAIL:

SIGNATURE OF APPLICANT

DATE 5-21-26

OFFICE USE ONLY

<input type="checkbox"/> VARIANCE \$500.00	<input type="checkbox"/> APPEAL DETERMINATION \$500.00	<input type="checkbox"/> OTHER
<input type="checkbox"/> SPECIAL EXCEPTION \$500.00	<input type="checkbox"/> APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		

Zoning Hearing Board Narrative

-I would like to build this garage, to keep my classic cars out of the weather.

Thank you,

William Frank, Jr



APPLICATION FOR BUILDING PERMIT, ZONING REVIEW AND PLAN EXAMINATION

AT (Location) 2304-06 10th Ave LOT SIZE 50-120

APPLICANT NAME William Frank, Jr EMAIL ADDRESS _____

APPLICANT ADDRESS 2319 11th Ave PHONE NO 814-650-1606

OWNER NAME William Frank, Jr EMAIL ADDRESS _____

OWNER ADDRESS 2319 11th Ave PHONE NO 814-650-1606

CURRENT USE & OWNERSHIP

What is the primary use for the property? (e.g. residence, bakery, car repair, etc.?) Car storage

What is the secondary use for the property? None

Private ownership Public ownership (federal, state, local govt.) _____

TYPE OF WORK

- Repair/Replacement
- Alteration
- Demolition (see Page 2)
- Addition
- New Building
- Moving (relocation)
- Change of Use
- Sign
- Other _____

PROPOSED USE

RESIDENTIAL

- One Family
- Two or More Family (Units _____)
- Garage
- Carport
- Shed
- Pool
- Other _____

PROPOSED USE

COMMERCIAL

- Amusement/Recreational
- Church, other religious
- Industrial
- Services Station/Repair Garage
- Tanks, Towers
- Office, bank, professional
- Public utility
- School, Educational
- Stores, Mercantile
- Other Garage

COST

	(omit cents)
General Construction <i>(The following not to be included in General Cost)</i>	\$ <u>20,000</u>
Electrical	\$ _____
Plumbing	\$ _____
Heating/Air Conditioning	\$ _____
Other (elevator, etc.)	\$ _____
TOTAL COST	\$ <u>20,000</u>

JOB DESCRIPTION – Describe in detail the proposed work. If applying for a residential addition, garage, shed, or pool, please use back page to draw sketch of proposed work. New residential construction requires separate drawings. Commercial work will require the submittal of four (4) sets of stamped drawings.

Build a garage for car storage

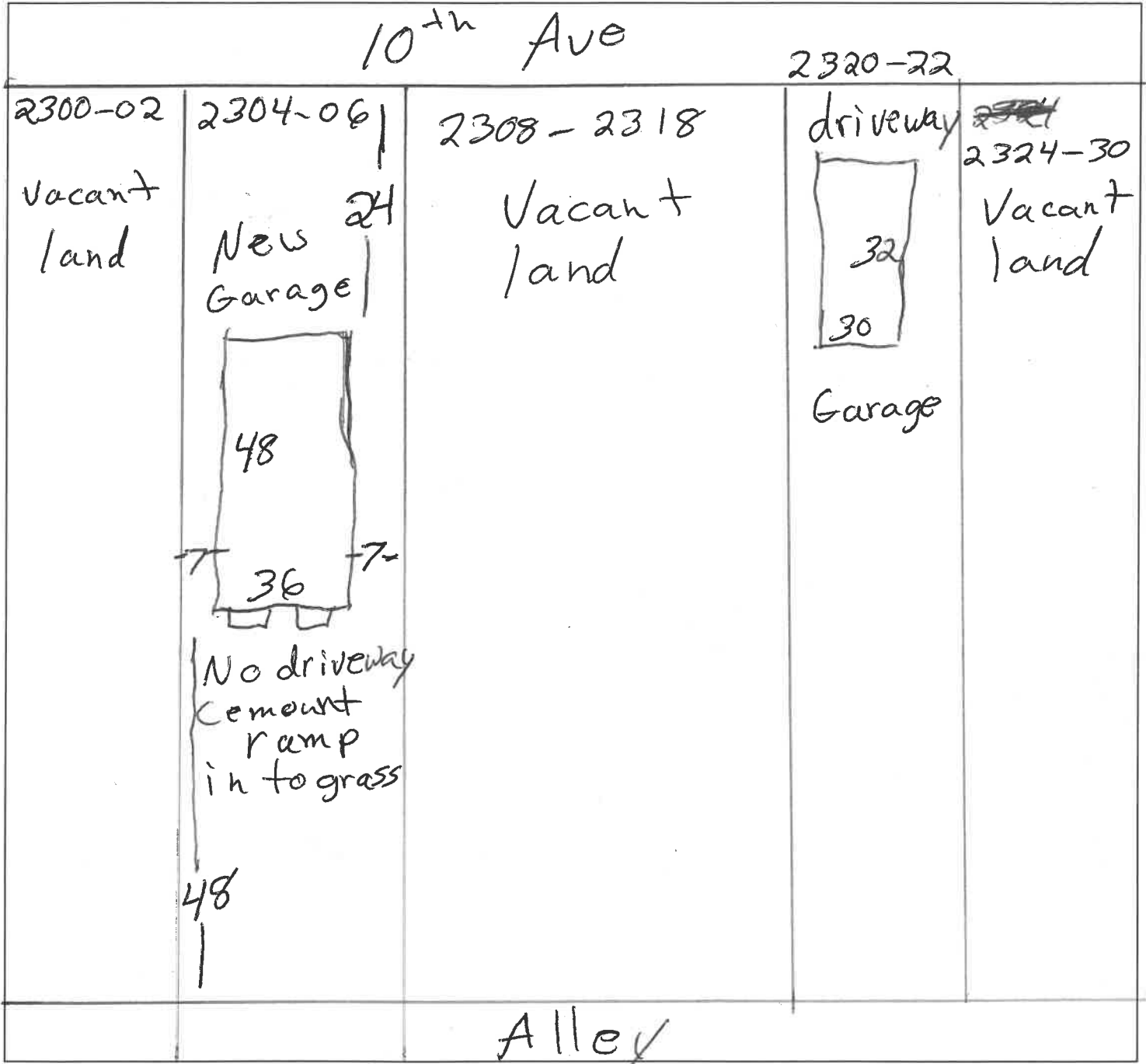
IDENTIFICATION

	Name	Address	Phone	Email
Contractor	<u>Owner</u>	<u>2319 11th Ave</u>	<u>650-1606</u>	
Architect/Engineer				
Plumber				
Electrician				
Mechanical/HVAC				

All contractors must be licensed to conduct work in the City of Altoona. Separate license requirements apply for Plumbers and Electricians. Please call the Department of Codes and Inspections at 949-2456 for questions regarding licensing.

SITE OR PLOT PLAN _____

SEE ATTACHED DRAWINGS _____



I (we) verify and swear/affirm that the statements made in this Application are true and correct to the best of my (our) personal knowledge or information and belief. I (we) understand that false statements (perjury) herein, are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities. In addition, any such false statements shall be cause for the City of Altoona to revoke any permit, permission and/or approval granted pursuant to said Application and/or stop work with regard to the same without further action by the City of Altoona and shall also subject the individual(s) making such false statements to the penalties set forth in the applicable ordinances under which said permit, permission and/or approval is granted.

SIGNATURE OF APPLICANT William A. [Signature] DATE 5-20-26

SIGNATURE OF OWNER William A. [Signature] DATE 5-20-26



84 Lumber Company Quotation Package



QUOTATION FOR:

Bill Frank
Customer Address Not Provided
City, State, & Zip Not Provided
Customer Phone Not Provided

CONTACT:

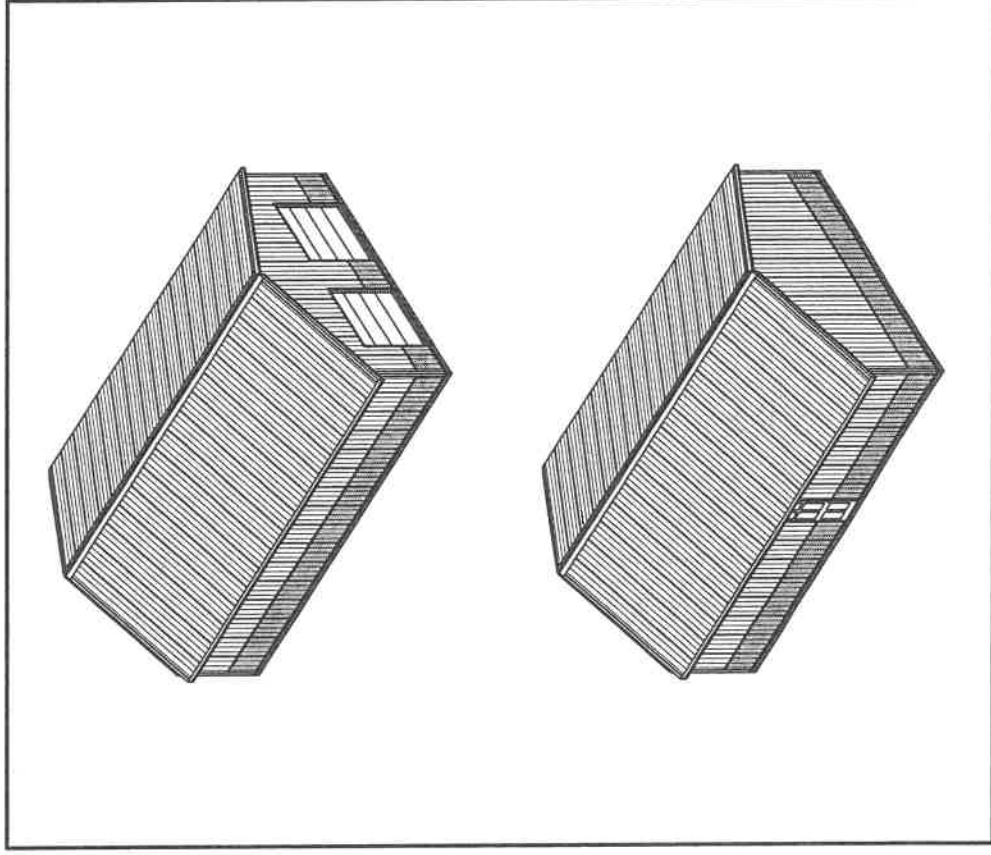
Derek Dougherty
1019 Route 519
Eighty Four, PA 15330
724-228-4094

CONSTRUCTION: DIMENSIONS:

Post Frame
32' X 48' X 8'

SPECIFICATIONS FOR 32' X 48' X 8' POST FRAME PACKAGE:

- **MATERIAL PACKAGE**
 - Pre-Engineered Wood Trusses (4/12 Pitch, 4' O/C)
 - 6 x 6 Treated Eave Posts (8' O/C)
 - 6 x 6 Treated Gable Posts (8' O/C)
 - 2 x 6 Treated Skirt Boards (2 Rows)
 - 2 x 6 Wall Girts (24" O/C)
 - 2 x 4 Roof Purlins (24" O/C)
 - 2 x 12 Double Top Girt Truss Carrier
 - White Classic Rib Steel Siding
 - Ash Grey Steel Wainscot on All Four Sides
 - White Classic Rib Steel Roof
 - Three Bags of Concrete Mix per Post Hole
- **DOORS & WINDOWS**
 - Two Quality 9 X 7 Overhead N.Ins. Std. Trk. w/o Openers
 - One 3' 6 Panel Entry Door
- **12" EAVE OVRHG., 0" GABLE OVRHG. STEEL SOFFIT**
- **FASTENERS**
 - 1 1/2 In. Metal to Wood Screws for Steel Wall, Roof Panels
 - 1/2 X 10 In. Carriage Bolts W/Nuts & Washers for Truss Carrier
 - 16D Galv. Common Nails for Skirt Board
 - Galvanized Steel Framing Nails
- **DETAILED BUILDING PLANS**



QUOTATION DATE: 5/6/2026

ESTIMATE NUMBER: 25829





Parcel Number	Situs Address	Owner Name	Address	Lot Size	Deed Acentage	Deed Reference	Sale Date
01.05-13.-109.00-000	2304 10TH AVE	FRANK WILLIAM A JR	2319 11TH AVE	50 X 122	0.14	2019-15406	10/04/2019

NEIGHBORHOOD

the GIS
community

Section 800-31

Accessory Dwelling Unit (ADU)

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- B. For the conversion or construction of an ADU, the building shall be located on a lot which meets the requirement for the minimum lot size, as specified in the applicable zoning district.
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Section 800-32

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- B. No public street runs between the principal structure and the proposed accessory structure. An alley shall not be considered a street for this finding.
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**Section
800-33**
Bed-and-breakfast
Facilities

- D. The involved parcels of land are legally tied together such that they cannot be individually conveyed into separate ownership until the accessory structure(s) approved under this subsection have been fully removed.

Bed-and-breakfast Facilities

- A. The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
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- C. Off-street parking shall be provided at a ratio of one parking space per available room. This shall be in addition to the required parking for a single-family dwelling. The Zoning Hearing Board may approve off-site parking to accommodate this requirement as part of the approval of the special exception for the bed-and-breakfast.
- D. Lodging shall not be rented for more than one month for any given person in any six-month period.
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**Section
800-34**
Bus Shelters

Bus Shelters

- A. Shall not impair sight distances at intersections or otherwise pose a hazard to moving traffic.
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- C. Shall be perpetually maintained and kept clean and sanitary. This guarantee can be made through an agreement or other binding legal instrument.
- D. Shall not be placed on private property without the owner’s consent.
- E. Shall be completely removed and the site restored to its original condition if the location no longer warrants a shelter. This guarantee can be made through an agreement or other binding legal instrument.
- F. Shall not interfere with adjacent property owners’ use and enjoyment of property.

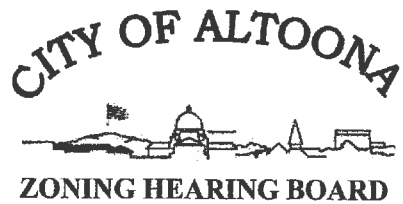
**Section
800-30**

Accessory Use
Table

Accessory Use Table

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Cafeteria and Recreational Facility for Employees or Clientele	-	-	-	-	P	P	-	P	-	P	
Drive-Through Facility	-	-	-	-	-	-	P	-	-	-	Section 800-38
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Food Truck/Mobile Food Dispensing Cart	-	-	-	-	P	P	P	P	P	P	
Garden House, Greenhouse, Shed	P	P	P	P	P	P	P	P	P	P	
Keeping of Household Pets	P	P	P	P	P	P	P	P	P	-	
Outdoor Farmer, Craft or Art Market	-	-	-	-	P	P	-	P	-	-	
Outdoor Display	-	-	-	-	P	P	P	-	P	-	
Sidewalk Cafe / Outdoor Seating Area	-	-	-	P	P	P	P	P	P	-	
Outdoor Storage	-	-	-	-	P	-	-	-	-	P	
Outdoor Storage of Boats	-	-	-	-	-	-	-	-	-	P	
Satellite Dish	P	P	P	P	P	P	P	P	P	P	
Solar Voltaic System	P	P	P	P	P	P	P	P	P	P	Section 800-53
Swimming Pool	P	P	P	P	-	-	-	P	-	-	
Tennis Court, Paddle Court and Similar Accessory Recreation Facility	P	P	P	P	-	-	-	P	-	-	

1301 12th Street, Suite 103
Altoona PA 16601
Phone (814) 949-2456
Fax (814) 949-2203
inspections@altoonapa.gov



Richard Andrews
Cory Gehret
Matthew Gindlesperger
Horace McAnuff
William J. Stokan, Solicitor

William A. Frank, Jr.
2319 11th Avenue
Altoona, PA 16601

In Re: 2320-2322 Tenth Avenue

REQUEST FOR SPECIAL EXCEPTION TO BUILD A 30x30 GARAGE FOR PERSONAL USE IN A SINGLE HOUSEHOLD RESIDENTIAL ZONE, Code 800-48 (C)(6) ACCESSORY STRUCTURES ON ADJACENT LOTS IN COMMON OWNERSHIP

Your Petitioner was represented by his paramour, Karen Ebersole.

Based on the testimony presented at the hearing on September 8, 2021, the Board makes the following:

FINDINGS OF FACT

1.

Your Petitioner has an ownership interest in the subject property.

2.

The requisite notices were made, and the property posted.

3.

The Petitioner would like to construct a 30x30 foot garage for personal use in a single household residential zone located at 2320-2322 Tenth Avenue.

4.

The garage will need to be located across the alley from your Petitioner's primary residence of 2319 11th Avenue, and thereby adjacent by definition along Tenth Avenue thereto.

5.

As such, a Special Exception Application and Request is necessary.

6.

The vehicles your Petitioner plans to place in the proposed garage are currently sitting exposed on the vacant lot.

7.

There is no space on the principal lot for construction of the garage.

8.

The garage doors on the proposed garage will face Tenth Avenue.

9.

There is sufficient space on the lot for the proposed garage and setbacks as required by the subject ordinances.

10.

The garage will not have a deleterious effect on the neighborhood, especially due to the fact that the vehicles are currently sitting "out in the open." The vehicles would actually be sheltered by the proposed garage.

11.

No structures will need to be demolished in order to create the garage.

12.

From the foregoing testimony the Board makes the following:

CONCLUSIONS OF LAW

1.

Your Petitioner has adequately demonstrated compliance in and with the requirements for such a special exception under and by virtue of that required by Code 800-48 Section C, Subsection 6.

DECISION

WHEREFORE, THIS 30 DAY OF SEPTEMBER, A.D., 2021, THE BOARD GRANTS THE REQUEST OF YOUR PETITIONER;

PROVIDED, HOWEVER, THAT YOUR PETITIONER, OF COURSE, COMPLY WITH ANY AND ALL LAND USE RULES AND/OR REGULATIONS APPLICABLE AND PERTINENT THERETO, INCLUDING BUT NOT LIMITED TO, THE COMPLETION OF A SURVEY TO ENSURE THAT THE PROPOSED GARAGE SITS ON ONLY ONE LOT.


PETITIONER MUST, OF COURSE, MEET ANY AND ALL OTHER CITY, STATE AND FEDERAL REGULATIONS AND/OR REQUIREMENTS PERTAINING TO THE SUBJECT PREMISES, WHICH MAY BE OTHERWISE OUTSIDE OF THE JURISDICTION OF THE ALTOONA ZONING HEARING BOARD;

ANY AND ALL OTHER NECESSARY PERMITS INVOLVED MUST BE SECURED WITHIN SIX (6) MONTHS FROM THE DATE OF THIS NOTICE, OR THIS AUTHORIZATION SHALL BECOME NULL AND VOID WITHOUT FURTHER ACTION OF THE BOARD;

ANY PERSON AGGRIEVED BY THE DECISION OF THE ZONING HEARING BOARD MAY APPEAL THEREFROM TO THE COURT OF COMMON PLEAS WITHIN

THIRTY (30) DAYS FROM THE DATE OF THIS NOTICE, IN THE MANNER SO PROVIDED BY LAW.


THE ZONING HEARING BOARD
OF THE CITY OF ALTOONA,

 9-21-21

Horace McAnuff, Acting Chair

 9/23/21

Cory Gehret

 9/29/21

Matthew Gindlesperger



Ted Beam

MAILED TO YOUR PETITIONER: Sept 30, 2021
Date

cc: William J. Stokan, Zoning Board Solicitor
Rebecca M. Brown, Director of Codes and Inspections

1301 12th Street, Suite 103
Altoona, PA 16601

Phone (814) 949-2456
Fax (814) 949-2203



Rebecca M. Brown
Director

Cory Gehret
Ted Beam

Matthew Gindlesperger

Horace McAnuff

Mariska Eash

William J. Stokan, Solicitor

William A. Frank, Jr.
2319 11th Avenue
Altoona, PA 16601

In Re: 2320-2322 10th Avenue, Altoona

**REQUEST FOR A SPECIAL EXCEPTION TO CONSTRUCT A 30x40
GARAGE FOR PERSONAL USE IN A SINGLE-HOUSEHOLD
RESIDENTIAL ZONE. CODE §800-48(C)(6).**

Your Petitioner appeared on his own behalf.

From the testimony presented at the hearing of May 8, 2024, the Board makes the following:

FINDINGS OF FACT

1.

Your Petitioner has an ownership interest in the subject property.

2.

Requisite notices were made, and the property posted.

3.

The subject property is owned on both sides of the subject lot by your Petitioner owning 2304-2330 Tenth Avenue.

4.

The request is to store his personal classic cars, and the garage will be located across the alley from your Petitioner's primary residence within the subject distance, and as such, falls within the definition of that being required by the Ordinance

5.

The vehicles the Petitioner otherwise wants to place in the garage are currently sitting and Exposed in the vacant lot.

6.

There is no space on the principal lot for a construction of the subject garage.

7.

The doors of the proposed garage will face Tenth Avenue. The garage will not have a deleterious effect on the neighborhood.

8.

The Board had previously made a similar grant and your Petitioner simply has failed to obtained the necessary permits within six (6) months from the date of the previous Decision.

From the foregoing testimony, the Board makes the following:

CONCLUSIONS OF LAW

1.

Your Petitioner adequately demonstrated compliance in and with and to that required by Code §800-48(C)(6) for such a special exception.

DECISION

WHEREFORE, THIS 6th DAY OF June ~~MAY~~, A.D., 2024, THE BOARD GRANTS THE REQUEST OF YOUR PETITIONER:

PROVIDED FURTHER, THAT YOUR PETITIONER MUST AND SHALL COMPLY WITH LAND USE RULES AND/OR REGULATIONS APPLICABLE AND/OR PERTINENT HERETO.


THE PETITIONER MUST, OF COURSE, MEET ANY AND ALL OTHER CITY, STATE AND FEDERAL REGULATIONS AND/OR REQUIREMENTS PERTAINING TO THE SUBJECT PREMISES, WHICH MAY BE OTHERWISE OUTSIDE OF THE JURISDICTION OF THE ALTOONA ZONING HEARING BOARD.

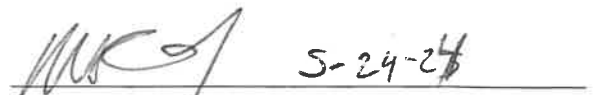
ANY AND ALL OTHER NECESSARY PERMITS INVOLVED MUST BE SECURED WITHIN SIX (6) MONTHS FROM THE DATE OF THIS NOTICE, OR THIS AUTHORIZATION SHALL BECOME NULL AND VOID WITHOUT FURTHER ACTION OF THE BOARD.

ANY PERSON AGGRIEVED BY ANY THE DECISION OF THE ZONING HEARING BOARD MAY APPEAL THEREFROM TO THE COURT OF COMMON PLEAS WITHIN THIRTY (30) DAYS FROM THE DATE OF THIS NOTICE, IN THE MANNER SO PROVIDED BY LAW.

THE ZONING HEARING BOARD
OF THE CITY OF ALTOONA,


Cory Gehret


Horace McAnuff


Matthew Gindlesperger


Ted Beam

MAILED TO YOUR PETITIONER: June 6, 2024
Date

cc: William J. Stokan, Zoning Board Solicitor
Rebecca M. Brown, Director of Code, Inspections, Land Development, Zoning GIS



ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE

(INSTRUCTIONS LOCATED ON THE REVERSE SIDE)

PROPERTY LOCATION:	1924/1928 Union Ave Altoona, PA 16601
PURPOSE OF APPEAL:	Want to operate Auto Motive Repair Facility, like the original intentions for the property
DESCRIPTION OF PREMISES:	Approximately 2 Bay Garage
USE OF PREMISES:	Automotive Repairs
OFF-STREET PARKING:	Yes

PLEASE FILL IN ALL PORTIONS BELOW, "SAME" AND "NON-APPLICABLE" IF NEEDED

PROPERTY OWNER INFORMATION

NAME:	Robert L. Luciano Sr.		
ADDRESS:	1600 Pleasant Valley Blvd. Altoona, PA 16602		
PHONE:	814-329-0856	EMAIL:	roblelucianoinc.com

APPLICANT INFORMATION

NAME:	Robert L. Luciano Sr.		
ADDRESS:	1600 Pleasant Valley Blvd. Altoona, PA 16602		
PHONE:	814-329-0856	EMAIL:	roblelucianoinc.com

DESIGN PROFESSIONAL INFORMATION

NAME:			
ADDRESS:			
PHONE:		EMAIL:	

SIGNATURE OF APPLICANT

5-13-20
DATE

OFFICE USE ONLY

<input type="checkbox"/> VARIANCE \$500.00	<input type="checkbox"/> APPEAL DETERMINATION \$500.00	<input type="checkbox"/> OTHER
<input type="checkbox"/> SPECIAL EXCEPTION \$500.00	<input type="checkbox"/> APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		

1924 – 28 Union Ave Narrative

This property has been in the automotive industry since its birth.

Glass Mender Inc was purchased by Robert Luciano, Sr., in 1986. Glass Mender has remained a small business in Altoona since. With the advances in technology, the auto glass industry has shifted, and is now to forefront of automotive calibration.

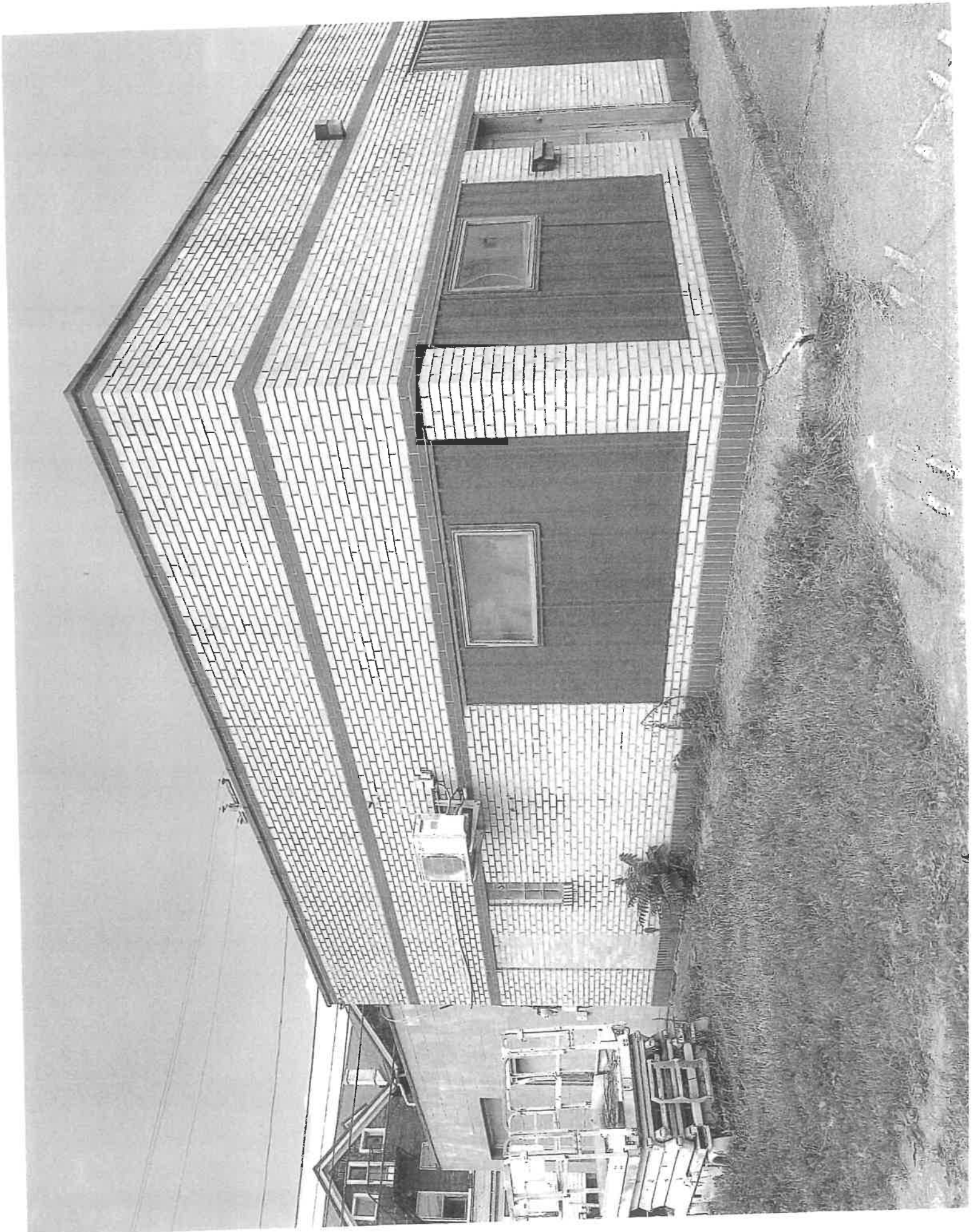
Calibrations are now a requirement for a large number of vehicles and are continuing to grow. Vehicle calibrations adjust and align cameras, radar, and sensors that power vehicles Advanced Driver Assistance Systems. Calibrations ensure features like automatic emergency braking, blind spot monitoring, and lane assistance back to the way manufacturers intended.

The plans are to move Glass Mender Inc along with the calibration equipment to 1924 – 28 Union Ave. The calibration requires a building space that is equivalent to what would be needed for a frontend alignment machine. This is a level floor garage space, big enough for two vehicles.

Due to the change in market of the auto glass industry, Glass Mender Inc has added a new employee and is hoping to add more employees to better service the area in the future.

1. The building is indeed commercial in both construction and design.
2. It has always been a commercial use.
3. The basic design or architecture will remain the same, commercial.
4. While previously built and used as an automobile repair and gasoline station, I have had the gas tanks removed so that I can use it as I have asked permission for.
5. The use I will make of it, is very similar, basically automotive repair of windshields and fixing/adjusting the automobiles' radar/sensors.
6. To convert this into anything other than commercial would be costly and basically prohibitive in amount.
7. My use is very much like its prior use, which was a gasoline station and auto repairs, and will have less of an impact on the neighborhood as we operate by appointment, not a drive-in business like the old gasoline station was. The old gasoline station created lots more traffic coming and out and onto Union Avenue.
8. Public notice was given and property posted.
9. More than enough parking exists for the business that I will conduct there.
10. All of the parking is on-site, so it really will not compete with neighborhood parking needs.
11. The hours and days of operation are only M-F 8:00 - 5:00 SAT BY APPT 1-VAE960
12. There are really no odors or noises outside of the building itself as the work is done inside and not outside.
13. The building itself is not going to be enlarged.
14. There are really no deliveries that would change the character of the neighborhood.
15. The property fronts Union Avenue which is a well-known commercial Avenue.
16. There will be no loudspeakers or outside audible signals.
17. The only signs that I will have will be those as allowed by the City and its ordinances.







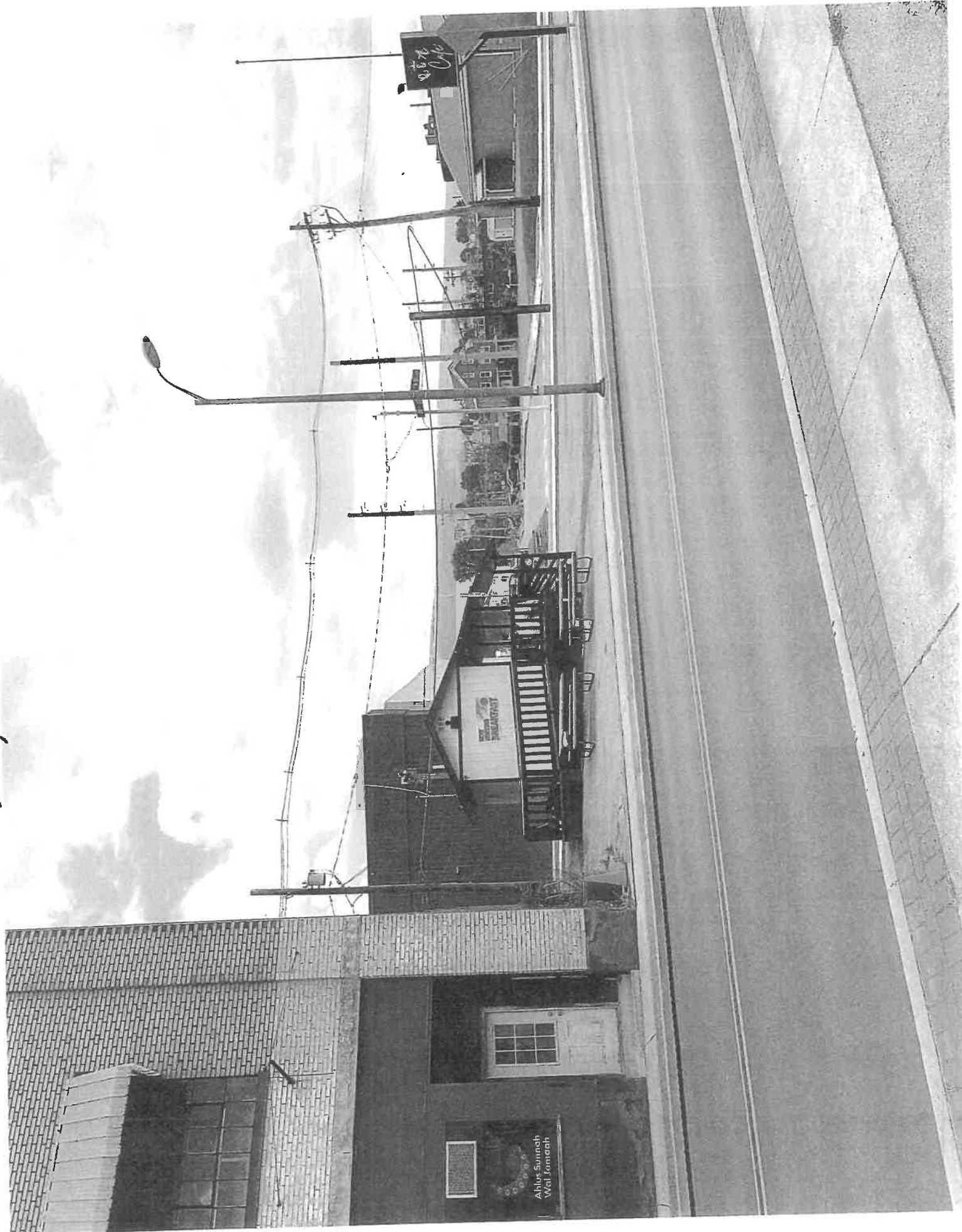
beside it



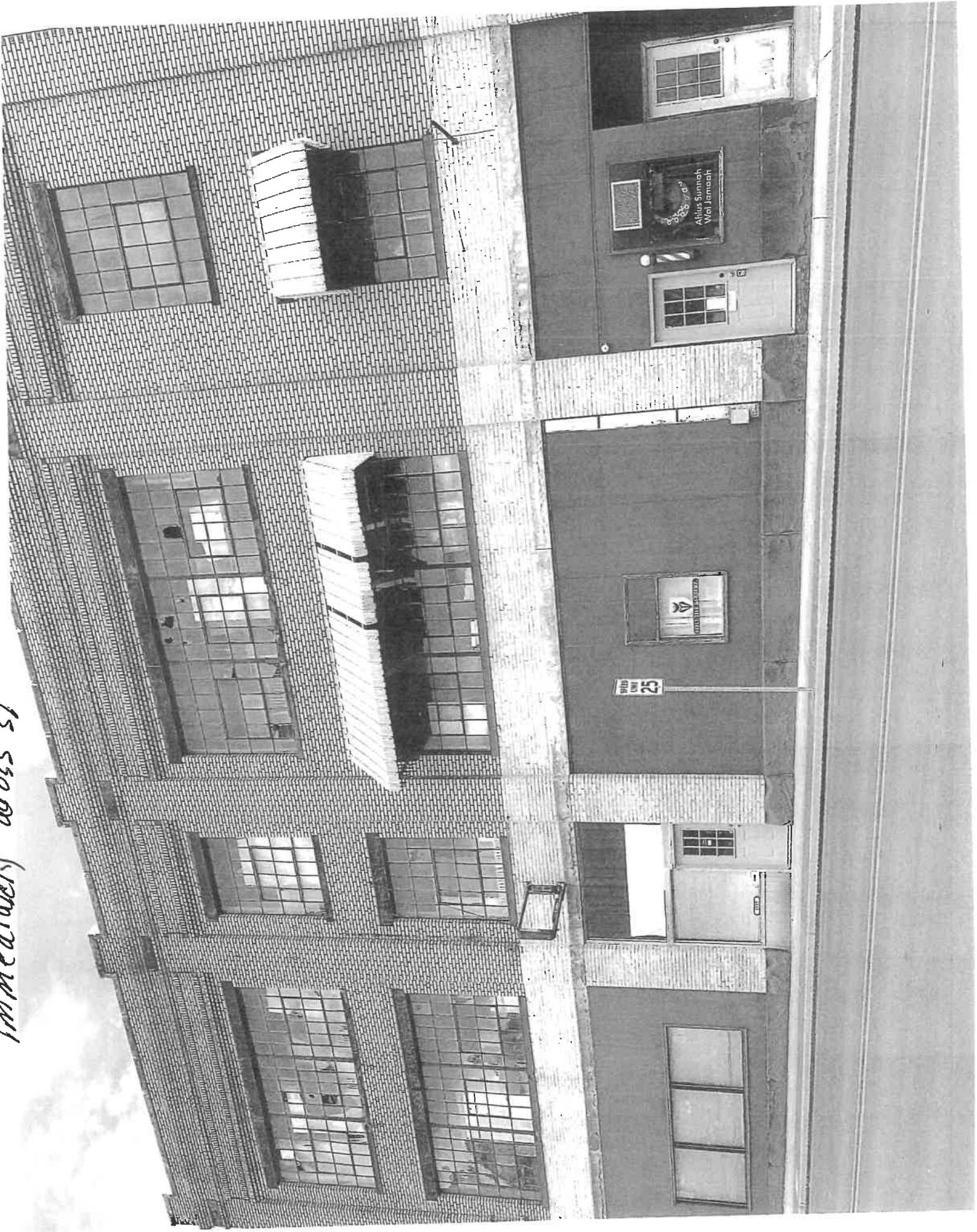
across side st.



Diagonal



immediately across st





Parcel Number	Situs Address	Owner Name	Address	Lot Size	Deed Acentage	Deed Reference
01.09-08.-096.00-000	1928 UNION AVE	1924 UNION-BEALE LLC	1600 PLEASANT VALLEY BLVD	100 X 100	0.23	2026-05675
01.09-08.-097.00-000	UNION AVE	1924 UNION-BEALE LLC	1600 PLEASANT VALLEY BLVD	50 X 100	0.115	2026-05675

Section 800-29
Principal Use Table

Principal Use Table

USES	Residential Districts				Mixed Use Districts		Commercial Districts	Campus District	Industrial Districts		Supplemental Regulations
	RN-A	RN-B	RN-C	RN-D	MX-N	MX-C	C-C	UC-C	I-F	I-G	
RESIDENTIAL USES											
1 Unit	P	P	P	P	P	-	-	-	-	-	
2 Units	-	P	P	P	P	P	-	-	-	-	
3 Unit	-	-	P	P	P	P	-	-	-	-	
4 Unit	-	-	P	P	P	P	P	-	P	-	
5+ Unit	-	-	-	P	P	P	P	-	P	-	
Accessory Dwelling Units (ADUs)	P	P	-	-	-	-	-	-	-	-	Section 800-31
Conversions Apartments	-	-	SE	SE	SE	SE	-	-	-	-	Section 800-36
Dormitory	-	-	-	-	-	SE	-	P	-	-	Section 800-37
Group Home - Protected Class	P	P	P	P	P	P	P	-	P	P	
Group Home - Not Protected Class	-	-	SE	SE	-	-	-	-	-	-	Section 800-41
Halfway House - Protected Class	P	P	P	P	P	P	P	-	P	P	
Halfway House-Not Protected Class	-	-	SE	SE	-	-	-	-	-	-	Section 800-42
Institutionalized Housing	-	-	-	SE	-	-	-	-	-	-	Section 800-45
Live-Work Housing	-	-	-	-	P	P	-	-	P	-	
Major-impact Home-based Business	SE	SE	SE	SE	P	-	-	-	-	-	Section 800-44
No-impact Home-based Business	P	P	P	P	P	-	-	-	-	-	
Manufactured Home Park	-	-	-	-	-	-	-	-	-	-	
Rooming and Boarding Home	-	-	-	SE	SE	-	-	-	-	-	Section 800-51
Short-term Rental	P	P	P	P	P	P	P	-	P	-	
Student Home	SE	SE	SE	SE	SE	SE	-	-	-	-	Section 800-55
Townhome	-	P	P	P	P	-	-	-	P	-	

USES	Residential Districts				Mixed Use Districts		Commercial Districts	Campus District	Industrial Districts		Supplemental Regulations
	RN-A	RN-B	RN-C	RN-D	MX-N	MX-C	C-C	UC-C	I-F	I-G	
PUBLIC OR QUASI-PUBLIC USES											
Bus Shelter	SE	SE	SE	SE	P	P	P	-	P	P	Section 800-34
Cemetery	P	P	P	P	P	P	P	-	P	P	
Cultural Center or Facility	-	-	-	-	P	P	P	P	P	P	
Emergency Shelters	-	-	P	SE	P	-	-	P	P	P	
Forestry Activities	P	P	P	P	P	P	P	-	P		
Government Facility	P	P	P	P	P	P	P	-	P	P	
Public Libraries and Museums	SE	SE	SE	P	P	P	-	P	-	-	Section 800-49
Park or Recreation Facility	P	P	P	P	P	P	P	P	P	P	
Parking Structure	-	-	-	-	-	P	P	P	P	-	
Places of Worship	P	P	P	P	P	P	P	P	P	P	
Public or Quasi-Public Community Facility	P	P	P	P	P	P	P	P	P	P	
Public, Private Schools, Parochial Schools and Preschools	SE	SE	SE	P	P	-	P	-	-	-	Section 800-39
INSTITUTIONAL AND OFFICE USES											
Health Services	-	-	-	SE	P	P	P	P	P	P	Section 800-43
Professional Office Less Than 5,000 SF	-	-	-	-	P	P	P	-	P	P	
Professional Office More Than 10,000 SF	-	-	-	-	-	P	P	-	P	P	
Outpatient Medical Care	-	-	-	-	-	P	P	-	P	-	
Hospital	-	-	-	-	-	P	-	-	-	-	
Pharmacy	-	-	-	-	P	P	P	-	P	-	
COMMERCIAL AND RETAIL USES											
Adult Use	-	-	-	-	-	-	-	-	SE	SE	Section 800-52
Agricultural Operations	-	-	-	-	-	-	-	-	P	P	

USES	Residential Districts				Mixed Use Districts		Commercial Districts	Campus District	Industrial Districts		Supplemental Regulations
	RN-A	RN-B	RN-C	RN-D	MX-N	MX-C	C-C	UC-C	I-F	I-G	
Animal Hospital and Animal Boarding Facility	-	-	-	-	-	-	-	-	P	P	
Arts, Crafts, or Food Market	-	-	-	-	-	P	P	-	P	-	
Art or Craft Studio, Studio for Teaching Performing Arts	-	-	-	-	P	P	P	-	P	P	
Automotive Assembly	-	-	-	-	-	-	-	-	P	P	
Bar or Drinking Establishment	-	-	-	-	P	P	P	-	P	-	
Bed and Breakfast Facility	SE	SE	SE	SE	SE	P	-	-	-	-	Section 800-33
Brewery, Distillery or Cidery	-	-	-	-	P	P	P	-	P	P	
Commercial Adaptive Reuse	SE	SE	SE	SE	SE	SE	SE	-	-	-	Section 800-35
Community Garden	P	P	P	P	P	P	P	P	P	P	
Conference Center, Event Center, Commercial Event Venue	-	-	-	-	P	P	-	P	P	P	
Convenience Store	-	-	-	-	P	P	P	-	P	P	
Dance Club, Discotheque, Nightclub	-	-	-	-	-	P	P	-	-	-	
Eateries Less than 10,000 SF	-	-	-	-	P	P	P	P	P	P	
Eateries More than 10,000 SF	-	-	-	-	-	P	P	-	P	P	
Market Garden	-	-	-	-	P	P	P	-	P	-	
Day-Care Center	-	-	-	-	P	-	-	-	-	-	
Day-Care Center Less Than 5,000 SF	-	-	-	-	P	P	P	P	P	-	
Fast Food Restaurant	-	-	-	-	P	P	P	-	-	-	
Funeral Home	-	-	-	P	P	P	-	-	-	-	
Overnight Lodging	-	-	-	-	P	P	P	-	P	P	
Mixed Use Building	-	-	-	-	P	P	-	-	-	-	

USES	Residential Districts				Mixed Use Districts		Commercial Districts	Campus District	Industrial Districts		Supplemental Regulations
	RN-A	RN-B	RN-C	RN-D	MX-N	MX-C	C-C	UC-C	I-F	I-G	
Motor Vehicle Detail / Cleaning Shop	-	-	-	-	SE	-	SE	-	P	P	Section 800-46
Motor Vehicle Fuel/ Gasoline Station	-	-	-	-	P	-	P	-	P	P	Section 800-47
Motor Vehicle Service and Repair Facility	-	-	-	-	-	-	P	-	P	P	Section 800-47
Motor Vehicle Sales	-	-	-	-	-	-	P	-	P	P	Section 800-47
Museum, Art Gallery and Cultural Facility	-	-	-	-	P	P	P	P	P	P	
Professional Services Less Than 8,000 SF	-	-	-	-	P	P	P	-	P	P	
Professional Services Greater Than 8,000 SF	-	-	-	-	-	P	P	-	P	P	
Recreational Facility, Commercial	-	-	-	-	P	P	P	-	P	-	
Radio, Television, Broadcast, or Recording Studio	-	-	-	-	-	P	P	P	P	P	
Retail Store or Shop Less than 8,000 SF	-	-	-	-	P	P	P	-	P	P	
Retail Store or Shop Less than 10,000 SF	-	-	-	-	-	P	P	P	-	-	
Smoke Shop	-	-	-	-	P	P	P	-	P	P	
Theater or Auditorium	-	-	-	-	-	P	P	P	P	-	
INDUSTRIAL USES											Section 800-83
Artisan Food and Beverage	-	-	-	-	-	P	P	P	P	P	
Artisan Manufacturing	-	-	-	-	-	-	-	-	P	P	
Bakery, Industrial	-	-	-	-	-	-	-	-	P	P	
Cold Storage Plant or Food Processing Plant	-	-	-	-	-	-	-	-	-	P	
Communication Antenna	-	-	-	-	-	-	-	-	-	P	

**Section
800-35**

Commercial Uses

Commercial Uses

- A. New office, retail, restaurant uses, and these uses mixed with residences may be established in existing former commercial, public school and industrial buildings and government facilities within this district so long as the Zoning Hearing Board does the following. Note that this special exception is to be used to allow the reuse and preservation of existing buildings and not new construction. Former buildings that have already been converted to residences are not eligible for this special exception.
1. Finds a demonstrated history of the building being used for commercial, retail, office, public school, governmental, or industrial purposes.
 2. Finds exterior features of the building demonstrating that it was designed for commercial, retail, office, public school, governmental, or industrial purposes. The essential architectural character of the building is to be preserved.
 3. Finds that converting the building into a conforming permitted use or activity would be cost-prohibitive.
 4. Finds that the proposed use of the building is similar to the use for which the building was designed and used, or will have less of an impact than that use – especially on traffic and parking.
 5. Finds that the required public notice was given.
 6. Finds that enough parking exists on site and on the adjacent streets and avenues so that the activity proposed for the building will not compete with the surrounding neighborhood's parking needs. In counting the number of parking spaces available for the building, the on-street spaces adjacent to its lot shall be counted. Estimates of parking needs shall not exceed those set forth in Chapter 640.
 7. Sets reasonable limits on the hours of operation, number of employees, noise levels, and odors of the proposed business.
 8. Requires that the building not be expanded more than 20% of its existing height or footprint unless this is otherwise required by building codes. Note that all existing lot coverage and setback requirements shall apply.
 9. Finds that the traffic and deliveries generated by the proposed business will not significantly change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
 10. Requires that no exterior loudspeaker systems or other audible signals which can be heard at the property line will be used.
 11. Finds that signage will be limited to either the building's existing signage or one wall sign per each street frontage not exceeding 10 square feet. Traffic signs shall be permitted as necessary through the land development process, and off-premises outdoor advertising shall be prohibited on such buildings.
 12. Hears staff recommendations on the above requirements.

**Section
800-36**

Conversion
Apartments

**Section
800-37**

Dormitory

- B. As part of any approval, the Zoning Hearing Board may attach any reasonable conditions and safeguards, in addition to the requirements of this chapter, that it deems necessary to protect the surrounding neighborhood from the impacts of the building being reused.
- C. As part of any approval, the Zoning Hearing Board may require the applicant to sign an affidavit certifying that the applicant agrees to these provisions and agrees to uphold them and any other conditions imposed by the Board for as long as the business is in operation.

Conversion Apartments

- A. Any single-family dwelling existing at the effective date of this chapter may be converted into a multifamily dwelling, providing that:
 - 1. It does not exceed density standards.
 - 2. The lot area per dwelling unit shall conform to the regulations for the zone in which it is located.
 - 3. Fire escapes, where required, shall be in the rear of the structure and shall not be located on any wall facing a street.
 - 4. Parking shall be provided in accordance with the provision of Article 4.

Dormitory

- A. Dormitories may be established in the Central Business Zoning District, subject to the Zoning Hearing Board finding the following conditions to be true:
 - 1. Off-street paved parking spaces must be provided as described in Article 4. This may be provided off site through a lease presented to the Board.
 - 2. The maximum number of occupants permitted in a dormitory shall be determined, as it is for all dwellings, by Chapter 550 of the City of Altoona Code which adopts the IPMC as the City's property maintenance code.
 - 3. A dormitory cannot be established on a lot smaller than 6,000 square feet.
 - 4. An effective and acceptable operation and management plan must be provided to the Zoning Hearing Board for consideration and approval at the hearing. This plan must state the policies for internal and external security and oversight, noise control, and the hours of operation of any nonresidential activities on premises.
 - 5. The proposed dormitory will not create detrimental impacts on surrounding properties given this plan.
 - 6. For each dormitory, a responsible party or property manager within 50 miles of Altoona must be identified before the Zoning Hearing Board.



ZONING APPEAL APPLICATION – ALTOONA PLANNING CODE

(INSTRUCTIONS LOCATED ON THE REVERSE SIDE)

PROPERTY LOCATION:
PURPOSE OF APPEAL:
DESCRIPTION OF PREMISES:
USE OF PREMISES:
OFF-STREET PARKING:

PLEASE FILL IN ALL PORTIONS BELOW, "SAME" AND "NON-APPLICABLE" IF NEEDED

PROPERTY OWNER INFORMATION

NAME:	
ADDRESS:	
PHONE:	EMAIL:

APPLICANT INFORMATION

NAME:	
ADDRESS:	
PHONE:	EMAIL:

DESIGN PROFESSIONAL INFORMATION

NAME:	
ADDRESS:	
PHONE:	EMAIL:

SIGNATURE OF APPLICANT

DATE

OFFICE USE ONLY

<input type="checkbox"/> VARIANCE \$500.00	<input type="checkbox"/> APPEAL DETERMINATION \$500.00	<input type="checkbox"/> OTHER
<input type="checkbox"/> SPECIAL EXCEPTION \$500.00	<input type="checkbox"/> APPEAL VIOLATION NOTICE \$500.00	
PREVIOUS APPEAL TO ZONING HEARING BOARD? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		
SECTIONS AND PROVISIONS OF ZONING ORDINANCE RELIED UPON:		

SIMINGTON PLAZA IV LLC

1301 BROADWAY
ALTOONA, PA 16601
(814) 329-9462
sds7160@gmail.com

JUNIATA MILL

MAY 26th, 2026

Narrative

This property was purchased by our father, Brinton M Simington, in 2018. My brothers and I would like to finish what he started. We've already demolished / removed three sections of the 3.5 acre building to create off street parking lots. Even having done so, unfortunately we're still short 13 parking spaces according to City Ordinance requirements. First, we're asking for a variance from Ordinance Section 800-60(D) and allowing us to proceed with rehabbing this building. Please note that there are 33 additional on street parking spaces surrounding our property. Second, we are asking for a variance from Ordinance Section 800-30 and allowing us to install a drive-thru window for a new business going into our building dba Coffee on 3rd. Studies have shown that a drive thru window increases sales for coffee by 300%. I've included photos of other businesses in the same zone as me, two blocks away, that have drive thru lanes. Third, we're asking for a variance from Ordinance Section 800-29 for a Daycare center over 5,000 sq ft. in a mixed use area. Fourth, we're asking for a variance from Ordinance Section 800-22 (b-2) (e-h) requiring 10 foot rear set back running along W 14th Avenue. Fifth, we're asking for a variance Ordinance Section 800-61 (f-2) requiring a parking island at the end of each parking row. Lastly, we're asking for a variance from Ordinance Section 800-22.B (1)(D) requiring that all impermeable surfaces may not exceed more than 75% of the total lot size.

Thank you for your attention to this matter.



Scott D Simington



Parcel Number	Situs Address	Owner Name	Address	Lot Size	Deed Acerage	Deed Reference
01.13-09.-070.00-000	1301 BROADWAY	SIMINGTON PLAZA IV CONDOMINIUM	418 SANDY RUN RD		4.37	2018-15037

**Section
800-29**
Principal Use Table

Principal Use Table

USES	Residential Districts				Mixed Use Districts		Commercial Districts	Campus District	Industrial Districts		Supplemental Regulations
	RN-A	RN-B	RN-C	RN-D	MX-N	MX-C	C-C	UC-C	I-F	I-G	
RESIDENTIAL USES											
1 Unit	P	P	P	P	P	-	-	-	-	-	
2 Units	-	P	P	P	P	P	-	-	-	-	
3 Unit	-	-	P	P	P	P	-	-	-	-	
4 Unit	-	-	P	P	P	P	P	-	P	-	
5+ Unit	-	-	-	P	P	P	P	-	P	-	
Accessory Dwelling Units (ADUs)	P	P	-	-	-	-	-	-	-	-	Section 800-31
Conversions Apartments	-	-	SE	SE	SE	SE	-	-	-	-	Section 800-36
Dormitory	-	-	-	-	-	SE	-	P	-	-	Section 800-37
Group Home - Protected Class	P	P	P	P	P	P	P	-	P	P	
Group Home - Not Protected Class	-	-	SE	SE	-	-	-	-	-	-	Section 800-41
Halfway House - Protected Class	P	P	P	P	P	P	P	-	P	P	
Halfway House - Not Protected Class	-	-	SE	SE	-	-	-	-	-	-	Section 800-42
Institutionalized Housing	-	-	-	SE	-	-	-	-	-	-	Section 800-45
Live-Work Housing	-	-	-	-	P	P	-	-	P	-	
Major-impact Home-based Business	SE	SE	SE	SE	P	-	-	-	-	-	Section 800-44
No-impact Home-based Business	P	P	P	P	P	-	-	-	-	-	
Manufactured Home Park	-	-	-	-	-	-	-	-	-	-	
Rooming and Boarding Home	-	-	-	SE	SE	-	-	-	-	-	Section 800-51
Short-term Rental	P	P	P	P	P	P	P	-	P	-	
Student Home	SE	SE	SE	SE	SE	SE	-	-	-	-	Section 800-55
Townhome	-	P	P	P	P	-	-	-	P	-	

USES	Residential Districts				Mixed Use Districts		Commercial Districts	Campus District	Industrial Districts		Supplemental Regulations
	RN-A	RN-B	RN-C	RN-D	MX-N	MX-C	C-C	UC-C	I-F	I-G	
PUBLIC OR QUASI-PUBLIC USES											
Bus Shelter	SE	SE	SE	SE	P	P	P	-	P	P	Section 800-34
Cemetery	P	P	P	P	P	P	P	-	P	P	
Cultural Center or Facility	-	-	-	-	P	P	P	P	P	P	
Emergency Shelters	-	-	P	SE	P	-	-	P	P	P	
Forestry Activities	P	P	P	P	P	P	P	-	P		
Government Facility	P	P	P	P	P	P	P	-	P	P	
Public Libraries and Museums	SE	SE	SE	P	P	P	-	P	-	-	Section 800-49
Park or Recreation Facility	P	P	P	P	P	P	P	P	P	P	
Parking Structure	-	-	-	-	-	P	P	P	P	-	
Places of Worship	P	P	P	P	P	P	P	P	P	P	
Public or Quasi-Public Community Facility	P	P	P	P	P	P	P	P	P	P	
Public, Private Schools, Parochial Schools and Preschools	SE	SE	SE	P	P	-	P	-	-	-	Section 800-39
INSTITUTIONAL AND OFFICE USES											
Health Services	-	-	-	SE	P	P	P	P	P	P	Section 800-43
Professional Office Less Than 5,000 SF	-	-	-	-	P	P	P	-	P	P	
Professional Office More Than 10,000 SF	-	-	-	-	-	P	P	-	P	P	
Outpatient Medical Care	-	-	-	-	-	P	P	-	P	-	
Hospital	-	-	-	-	-	P	-	-	-	-	
Pharmacy	-	-	-	-	P	P	P	-	P	-	
COMMERCIAL AND RETAIL USES											
Adult Use	-	-	-	-	-	-	-	-	SE	SE	Section 800-52
Agricultural Operations	-	-	-	-	-	-	-	-	P	P	

USES	Residential Districts				Mixed Use Districts		Commercial Districts	Campus District	Industrial Districts		Supplemental Regulations
	RN-A	RN-B	RN-C	RN-D	MX-N	MX-C	C-C	UC-C	I-F	I-G	
Animal Hospital and Animal Boarding Facility	-	-	-	-	-	-	-	-	P	P	
Arts, Crafts, or Food Market	-	-	-	-	-	P	P	-	P	-	
Art or Craft Studio, Studio for Teaching Performing Arts	-	-	-	-	P	P	P	-	P	P	
Automotive Assembly	-	-	-	-	-	-	-	-	P	P	
Bar or Drinking Establishment	-	-	-	-	P	P	P	-	P	-	
Bed and Breakfast Facility	SE	SE	SE	SE	SE	P	-	-	-	-	Section 800-33
Brewery, Distillery or Cidery	-	-	-	-	P	P	P	-	P	P	
Commercial Adaptive Reuse	SE	SE	SE	SE	SE	SE	SE	-	-	-	Section 800-35
Community Garden	P	P	P	P	P	P	P	P	P	P	
Conference Center, Event Center, Commercial Event Venue	-	-	-	-	P	P	-	P	P	P	
Convenience Store	-	-	-	-	P	P	P	-	P	P	
Dance Club, Discotheque, Nightclub	-	-	-	-	-	P	P	-	-	-	
Eateries Less than 10,000 SF	-	-	-	-	P	P	P	P	P	P	
Eateries More than 10,000 SF	-	-	-	-	-	P	P	-	P	P	
Market Garden	-	-	-	-	P	P	P	-	P	-	
Day-Care Center	-	-	-	-	P	-	-	-	-	-	
Day-Care Center Less Than 5,000 SF	-	-	-	-	P	P	P	P	P	-	
Fast Food Restaurant	-	-	-	-	P	P	P	-	-	-	
Funeral Home	-	-	-	P	P	P	-	-	-	-	
Overnight Lodging	-	-	-	-	P	P	P	-	P	P	
Mixed Use Building	-	-	-	-	P	P	-	-	-	-	

USES	Residential Districts				Mixed Use Districts		Commercial Districts	Campus District	Industrial Districts		Supplemental Regulations
	RN-A	RN-B	RN-C	RN-D	MX-N	MX-C	C-C	UC-C	I-F	I-G	
Motor Vehicle Detail / Cleaning Shop	-	-	-	-	SE	-	SE	-	P	P	Section 800-46
Motor Vehicle Fuel/ Gasoline Station	-	-	-	-	P	-	P	-	P	P	Section 800-47
Motor Vehicle Service and Repair Facility	-	-	-	-	-	-	P	-	P	P	Section 800-47
Motor Vehicle Sales	-	-	-	-	-	-	P	-	P	P	Section 800-47
Museum, Art Gallery and Cultural Facility	-	-	-	-	P	P	P	P	P	P	
Professional Services Less Than 8,000 SF	-	-	-	-	P	P	P	-	P	P	
Professional Services Greater Than 8,000 SF	-	-	-	-	-	P	P	-	P	P	
Recreational Facility, Commercial	-	-	-	-	P	P	P	-	P	-	
Radio, Television, Broadcast, or Recording Studio	-	-	-	-	-	P	P	P	P	P	
Retail Store or Shop Less than 8,000 SF	-	-	-	-	P	P	P	-	P	P	
Retail Store or Shop Less than 10,000 SF	-	-	-	-	-	P	P	P	-	-	
Smoke Shop	-	-	-	-	P	P	P	-	P	P	
Theater or Auditorium	-	-	-	-	-	P	P	P	P	-	
INDUSTRIAL USES											Section 800-83
Artisan Food and Beverage	-	-	-	-	-	P	P	P	P	P	
Artisan Manufacturing	-	-	-	-	-	-	-	-	P	P	
Bakery, Industrial	-	-	-	-	-	-	-	-	P	P	
Cold Storage Plant or Food Processing Plant	-	-	-	-	-	-	-	-	-	P	
Communication Antenna	-	-	-	-	-	-	-	-	-	P	

USES	Residential Districts				Mixed Use Districts		Commercial Districts	Campus District	Industrial Districts		Supplemental Regulations
	RN-A	RN-B	RN-C	RN-D	MX-N	MX-C	C-C	UC-C	I-F	I-G	
Distribution Center	-	-	-	-	-	-	-	-	-	P	
Extraction and Mining of Raw Materials	-	-	-	-	-	-	-	-	-	P	
Light Manufacturing	-	-	-	-	-	-	-	-	P	P	
Medical Testing Laboratory	-	-	-	-	-	-	-	-	-	P	
Newspaper Printing or Job Printing	-	-	-	-	-	-	-	-	P	P	
Permanent Containerized Storage	-	-	-	-	-	-	-	-	SE	SE	Section 800-48
Public Utility	P	P	P	P	P	P	P	P	P	P	
Private Transportation Service	-	-	-	-	-	-	-	-	P	P	
Research and Development	-	-	-	-	-	-	-	P	P	P	
Self-Storage Facility	-	-	-	-	-	-	-	-	P	P	
Truck Terminal	-	-	-	-	-	-	-	-	-	P	
Warehouse	-	-	-	-	-	-	-	-	P	P	
Waste Processing Facilities	-	-	-	-	-	-	-	-	-	SE	Section 800-56
Small Cell Wireless Facilities	P	P	P	P	P	P	P	P	P	P	595
Wholesale Sales and Services	-	-	-	-	-	P	P	-	P	P	
Wind Turbines or Wind Energy Conversion Systems	-	-	-	-	-	-	-	-	-	SE	Section 800-57

**Section
800-30**

Accessory Use
Table

Accessory Use Table

USES	Residential Districts				Mixed Use Districts		Commercial Districts	Campus District	Industrial Districts		Supplemental Regulations
	RN-A	RN-B	RN-C	RN-D	MX-N	MX-C	C-C	UC-C	I-F	I-G	
Accessory Structures/Uses on Adjacent Lots - Common Ownership	SE	SE	SE	SE	SE	SE	SE	-	SE	SE	Section 800-32
Building for Housing Pets, Playhouse	P	P	P	P	P	P	-	-	-	-	
Cafeteria and Recreational Facility for Employees or Clientele	-	-	-	-	P	P	-	P	-	P	
Drive-Through Facility	-	-	-	-	-	-	P	-	-	-	Section 800-38
Electric Vehicle Charging Stations	P	P	P	P	P	P	P	P	P	P	
Food Truck/Mobile Food Dispensing Cart	-	-	-	-	P	P	P	P	P	P	
Garden House, Greenhouse, Shed	P	P	P	P	P	P	P	P	P	P	
Keeping of Household Pets	P	P	P	P	P	P	P	P	P	-	
Outdoor Farmer, Craft or Art Market	-	-	-	-	P	P	-	P	-	-	
Outdoor Display	-	-	-	-	P	P	P	-	P	-	
Sidewalk Cafe / Outdoor Seating Area	-	-	-	P	P	P	P	P	P	-	
Outdoor Storage	-	-	-	-	P	-	-	-	-	P	
Outdoor Storage of Boats	-	-	-	-	-	-	-	-	-	P	
Satellite Dish	P	P	P	P	P	P	P	P	P	P	
Solar Voltaic System	P	P	P	P	P	P	P	P	P	P	Section 800-53
Swimming Pool	P	P	P	P	-	-	-	P	-	-	
Tennis Court, Paddle Court and Similar Accessory Recreation Facility	P	P	P	P	-	-	-	P	-	-	

- 7. The City Fire Department must inspect and approve each dormitory according to their requirements before the hearing, and annually thereafter.
- 8. For each dormitory, updated lists of tenant names, as well as the responsible party or property manager, must be provided to the Zoning Officer. Any change in residents or management must be so reported within 24 hours of the change. The property owner bears the onus for reporting this information as required.
- 9. All interior and exterior repairs to smoke/carbon dioxide detectors or other life/safety violations required by any City code must be made within 10 days of notice. All other required repairs must be made within 45 days of notice.

Section 800-38

Drive-through Facilities.

Drive-through Facilities

- A. An access driveway providing access to a drive-through facility may encroach into the required five-foot setback from the building at the point(s) of contact between the driver and the drive-through attendant. It is recommended that this be done through use of an extension on the building to reach the driveway rather than placing the driveway close to the length of the building wall.
- B. Service windows, drawers, or similar devices shall protrude from the building across the one-foot setback.
- C. A face-to-face setup shall be used for all drive-through facilities to eliminate speaker noise. Alternatives may be considered by the Zoning Officer or Planning Commission where it can be shown that transactions will not be heard at the lot line at any time of day or night.
- D. The exterior edge of the driveway shall be planted with a three-foot-high hedge to screen automotive lights and noise.
- E. Drive-through driveways shall provide stacking for a minimum of five cars without interfering with parking lot operations, bicycle and pedestrian flow, or street traffic. Alternative designs may be considered where multiple windows or lanes are proposed.

Section 800-39

Educational Services

Educational Services

- A. The perceived scale of the proposal shall not detract from the residential character of the surrounding neighborhood.
- B. The appearance of the building should be residential in character (i.e., scale, compatible building materials, window transparency, an articulated footprint, varied facade, etc.).
- C. Proposed traffic will not severely change the residential nature of the neighborhood, and all public and private roads (existing and proposed) serving the site shall be of adequate design and width to handle such traffic.
- D. There shall be no exterior loudspeaker systems or other audible signals which can be heard at the property line.

3. No parked vehicle shall impede the flow of traffic or the ability of pedestrians to utilize the sidewalk area, whether or not a physical sidewalk has been installed.

D. Parking Spaces Required

1. The table below conveys required vehicle parking spaces for land uses organized by land use category.

RESIDENTIAL USES		
Land Use	Minimum	Maximum
Single-unit residential	1 per dwelling unit	3 per dwelling unit
Two-unit residential	1 per dwelling unit	2 per dwelling unit
Multi-unit residential	1 per dwelling unit	2 per dwelling unit
Conversion apartment	1 per dwelling unit	3 per dwelling unit
Low-rise apartment	1 per dwelling unit	2 per dwelling unit
Boarding house or Lodging house	1.5 per bedroom	-
Group home	1.5 per dwelling unit	-
Halfway house	1.5 per dwelling unit	-
Institutionalized home	1.5 for every 6 beds	-
Home-based business	1 space in addition to what is otherwise required	3 spaces in addition to what is otherwise required
Shelter	1 space per 1,000 SF	2 spaces per every 1,000 SF

RESIDENTIAL USES

Land Use	Minimum	Maximum
Townhouse and attached single-unit home	1.5 spaces per dwelling unit	2 spaces per dwelling unit

CIVIC AND INSTITUTIONAL USES

Land Use	Minimum	Maximum
Athletic field	1 space for every 8 spectator seats	1 space for every 4 spectator seats
Cemetery	1 space for every 2 employees	1 space for every 1 employee
Cultural facility	1 space per every 1,000 SF	2 spaces per every 1,000 SF
Government facility	-	-
Health service or hospital	3 spaces per every 1,000 SF	-
House of worship	1 space per every 1,000 SF	2 spaces per every 1,000 SF
Utility	1 space for every 2 employees	1 space for every 1 employee

COMMERCIAL AND MIXED USES

Land Use	Minimum	Maximum
Animal grooming salon	1 spaces per every 1,000 SF	2 spaces per every 1,000 SF
Art gallery	1 spaces per every 1,000 SF	2 spaces per every 1,000 SF
Automotive sales	1 space per every 1,000 SF	2 spaces per every 1,000 SF
Automotive services	3 spaces per every 1,000 SF	10 spaces per every 1,000 SF
Bank or financial establishment	2 spaces per every 1,000 SF	3 spaces per every 1,000 SF
Bar or drinking establishment	2 spaces per every 1,000 SF	6 spaces per every 1,000 SF

COMMERCIAL AND MIXED USES

Land Use	Minimum	Maximum
Barbershop	2 spaces per every 1,000 SF	3 spaces per every 1,000 SF
Bowling alley	2 spaces per every 1,000 SF	3 spaces per every 1,000 SF
Convenience store	2 spaces per every 1,000 SF	5 spaces per every 1,000 SF
Dance or martial arts studio	2 spaces per every 1,000 SF	3 spaces per every 1,000 SF
Daycare center	2 spaces per every 1,000 SF	3 spaces per every 1,000 SF
Dental office	2 spaces per every 1,000 SF	4 spaces per every 1,000 SF
Eatery or restaurant	2 spaces per every 1,000 SF	4 spaces per every 1,000 SF
Educational services	2 spaces per every 1,000 SF	5 spaces per every 1,000 SF
Health club	2 spaces per every 1,000 SF	3 spaces per every 1,000 SF
Hotel or motel	1 space per each guest room	1.5 spaces per each guest room
Mixed-use building	1 space per every 1,000 SF	2 spaces per every 1,000 SF
Motor vehicle rental establishment	2 spaces per every 1,000 SF	3 spaces per every 1,000 SF
Nursing home	1 space for every 3 bedrooms	1 space for every 2 bedrooms
Professional and business office	2 spaces per every 1,000 SF	4 spaces per every 1,000 SF
Professional service	2 spaces per every 1,000 SF	4 spaces per every 1,000 SF
Retail - sales establishment	2 spaces per every 1,000 SF	4 spaces per every 1,000 SF
Retail - service establishment	2 spaces per every 1,000 SF	4 spaces per every 1,000 SF

COMMERCIAL AND MIXED USES

Land Use	Minimum	Maximum
Stadium	1 space per every 4 seats	-
Wholesale - sale establishment	1 space per every 1,000 SF	2 spaces per every 1,000 SF
Wholesale - service establishment	1 space per every 1,000 SF	2 spaces per every 1,000 SF

INDUSTRIAL USES

Land Use	Minimum	Maximum
Agricultural use	2 spaces per every 1,000 SF	3 spaces per every 1,000 SF
Forestry activity	1 space per every 1,000 SF	-
Manufacturing use	1 space per every 1,000 SF of area used for manufacturing and related activity	2 spaces per every 1,000 SF of area used for manufacturing and related activity
Medical laboratory or diagnostic facility	2 spaces per every 1,000 SF	3 spaces per every 1,000 SF
Mining and extracting activity	1 space per employee on shift	2 spaces per employee on shift
Printing and publishing activity	2 spaces per every 1,000 SF	3 spaces per every 1,000 SF
Research and development facility	2 spaces per every 1,000 SF	3 spaces per every 1,000 SF
Storage unit	1 space for every 10 units available to rent	1 space for every 5 units available to rent
Transportation services	1 space per employee on shift	2 spaces per employee on shift
Warehousing facility	1 space per employee on shift	2 spaces per employee on shift

- a. Shrubs and trees may be distributed throughout the site, rather than concentrated solely at the foundation wall, subject to review and approval by the Planning and Zoning Officer.
 - b. This requirement does not apply to proposed development or redevelopment projects in the Mixed-Use Center (MX-C) zoning district.
2. The landscaped area for perimeter landscaping shall be consistent with the required buffer yard area.
 3. The perimeter landscaping area shall be seamlessly integrated with the street tree requirements as well as the interior landscaping and foundational landscaping requirements:
 - a. Along the frontage, the area shall be planted with shrubs and trees to provide a pleasant driving and walking atmosphere and to minimize the impact of the project on the street. Frontage/perimeter landscaping must be designed so it does not interfere with drivers entering and leaving the property.
 4. Elsewhere the plantings shall be designed to screen and filter out noise, light, and odor produced by the proposed development and create a full screen within five years.
 5. The required setback between parking lots and buildings shall be landscaped to eliminate large expanses of blank wall.

F. Parking Lot Landscaping

1. Interior landscaping shall be required between the frontage/perimeter and foundational landscaping, particularly in the parking lot. Landscaping shall be required to provide definition and traffic control within a parking lot as follows:
 - a. Parking lot islands are required at the end of all rows of parking spaces.
 - b. No more than 20 consecutive parking spaces may be provided without a landscape interior island.
 - c. Interior islands must be distributed evenly throughout the parking lot. Interior islands may be consolidated, or intervals may be expanded to preserve existing trees.
 - d. An interior island abutting a single row of parking spaces must be a minimum of 9 feet in width and 150 square feet in area. Each island must include 1 canopy tree and shrubs or groundcover plantings for full coverage of the island at the time of maturity.
 - e. An interior island abutting a double row of parking spaces must be a minimum of 9 feet in width and 300 square feet in area. Each island must include 2 canopy trees and shrubs or groundcover plantings for full coverage of the island at the time of maturity.
 - f. Interior islands must be installed below the level of the parking lot surface to allow for storm water runoff capture. A six-inch