

ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Joan Bassing **FILE #** 15-138-295
2. **APPLICANT:** Joan Bassing **HEARING DATE:** July 30, 2015
3. **TYPE OF APPLICATION:** Nonconforming Use Permit - Reestablishment
4. **LOCATION:** 900-902 Jenks Ave, between Forest and Mendota
5. **PIN & LEGAL DESCRIPTION:** 282922230083; Nelsons Addition Lot 8 Blk 1
6. **PLANNING DISTRICT:** 5
7. **ZONING CODE REFERENCE:** §62.109(e), §62.104 **PRESENT ZONING:** RT1
8. **STAFF REPORT DATE:** July 23, 2015 **BY:** Bill Dermody
9. **DATE RECEIVED:** July 10, 2015 **60-DAY DEADLINE FOR ACTION:** September 8, 2015
-

- A. **PURPOSE:** Reestablishment of nonconforming use as a triplex
B. **PARCEL SIZE:** 50 ft. x 125 ft. = 6,250 sq. ft.
C. **EXISTING LAND USE:** Duplex
D. **SURROUNDING LAND USE:** Single- and two-family residential (RT1)
E. **ZONING CODE CITATION:** §62.109(e) lists the conditions under which the Planning Commission may grant a permit to reestablish a nonconforming use; §62.104(e) prevents a nonconforming use from being resumed after it has been superseded by a permitted use.
F. **HISTORY/DISCUSSION:** The building was originally constructed as a duplex in 1915. In 1949, the site received City Council approval for conversion of a duplex to a triplex by creating two units of its second floor. The site was rezoned from B-Business to RT1 in 1975. A 2009 Truth-In-Sale of Housing report lists the property as a duplex. The property failed a certificate of occupancy inspection in April 2015, in part because of its use as a triplex in violation of the zoning regulations, which prompted the subject application.
G. **DISTRICT COUNCIL RECOMMENDATION:** As of this writing, the District 5 Council has not provided a recommendation.
H. **FINDINGS:**
1. The application requests reestablishment of a nonconforming triplex use at 900-902 Jenks Avenue. It is currently approved for use as a duplex.
 2. The site was approved for a conversion from a duplex to a triplex in 1949. There is no evidence that the building was deconverted to a duplex until 2009, at which time a Truth-In-Sale of Housing report lists the property as a duplex. Also, the 2010 property sale information provided in the application refers to two (2) units. Per §62.104(e), the property must abide by the zoning district regulations once a permitted use (duplex) replaces a nonconforming use (triplex).
 3. The Planning Commission's triplex conversion guidelines state that staff will recommend denial unless the following guidelines are met:
 - (a) *Lot size of at least 6,000 square feet with a lot width or front footage of 50 feet.* This guideline is met. The property is greater than 6,000 square feet with a 50 foot frontage width.
 - (b) *Gross living area, after completion of triplex conversion, of at least 2,100 square feet. No unit shall be smaller than 500 square feet.* This guideline is not met. The smaller 2nd floor unit, 900 Jenks- front, is approximately 14' x 26' including stairwells, for a total square footage of less than 364 square feet.
 - (c) *Four off-street parking spaces (non-stacked) are preferred; three spaces are the*

required minimum. This guideline is met. The site has a two-car garage and a driveway wide enough for two cars, for a total of four off-street parking spaces, all accessed via the alley.

- (d) *All remodeling work for the triplex is on the inside of the structure unless the plans for exterior changes are approved by the Planning Commission or Board of Appeals.* This guideline is met. No exterior changes are proposed.
 - (e) *For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a triplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution.* This guideline is met. The property has abated all of the code violations noted in a series of recent inspections in 2015, excepting only the zoning issue addressed by this application.
4. Section 62.109(e) states: *When a legal nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of more than one (1) year, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
- (a) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is not met. The property was sold to the applicant in 2010 as a duplex for \$72,500. Ramsey County estimates the current value at \$109,800. No building permits have been acquired for the property since prior to 2010.
 - (b) *The proposed use is equally appropriate or more appropriate to the district than the previous legal nonconforming use.* This finding is not met. A duplex is a permitted use in the RT1 district, while the proposed triplex use is not.
 - (c) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. Adequate off-street parking is provided on the property. The conversion from a duplex to a triplex will not have a significant effect on the area's character.
 - (d) *The proposed use is consistent with the comprehensive plan.* This finding is met. The Comprehensive Plan designates the site in Figure LU-B, Generalized 2030 Land Uses, as part of an Established Neighborhood, which calls for generally single- and two-family housing, but with scattered multi-family housing of higher densities such as triplexes.
 - (e) *A notarized petition of at least two-thirds of the owners of the described parcels of real estate within one hundred (100) feet of the subject property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on July 10, 2015: 15 parcels eligible; 10 parcels required; 11 parcels signed.

- I. **STAFF RECOMMENDATION:** Based on Findings 3(b), 4(a), and 4(b), staff recommends denial of the reestablishment of nonconforming use as a triplex.

EMAILED 7/2/15
USPS MAILED
SAME DATE



NONCONFORMING USE PERMIT APPLICATION
Department of Planning and Economic Development
Zoning Section
1400 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1634
(651) 266-6589

Zoning Office Use Only
File #:
Fee: 700.00
Tentative Hearing Date:
7-30-15

PD-5

282922230083

APPLICANT

Name JOAN E BASSING
Address 182 SPRING LAKE BLVD NW
City PORT CHARLOTTE FL Zip 33952 Daytime Phone 651 788 6562
Name of Owner (if different) _____
Contact Person (if different) _____ Phone _____

PROPERTY LOCATION

Address/Location 900-902 JENKS AVE E, ST PAUL 55106
Legal Description NELSON'S ADDITION LOT 8 BLK 1
P.I.D. 282922230083 Current Zoning DUPLEX RT-1
(attach additional sheet if necessary)

TYPE OF PERMIT: Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

The permit is for: Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)
 Change of nonconforming use (para. c)
 Expansion or relocation of nonconforming use (para. d)
 Reestablishment of a nonconforming use vacant for more than one year (para. e).

SUPPORTING INFORMATION: Supply the information that is applicable to your type of permit.

Present/Past Use 2010-2014 DUPLEX, 2000-2009 TRIPLEX
Proposed Use RETURN TO TRIPLEX
Attach additional sheets if necessary

Attachments as required Site Plan Consent Petition Affidavit

RECEIVED
JUL 7 - 2015
BY: _____

Applicant's Signature Joan E Bassing Date 5/5/15 City Agent pd 7/2/15
Joan E Bassing 7/2/15

CITY OF SAINT PAUL

AFFIDAVIT OF PETITIONER FOR A CONDITIONAL
USE PERMIT OR A NONCONFORMING USE
PERMIT

STATE OF MINNESOTA)

:SS

COUNTY OF RAMSEY)

The petitioner, JOAN E. BASSING, being first duly sworn, deposes and states that the consent petitioner is informed and believes the parties described on the consent petition are owners of the parcels of real estate described immediately before each name; each of the parties described on the consent petition is an owner of property within 100 feet of the subject property described in the petition; the consent petition contains signatures of owners of at least two-thirds (2/3) of all eligible properties within 100 feet of the subject property described in the petition; and the consent petition was signed by each said owner and the signatures are the true and correct signatures of each and all of the parties so described.

DOCUMENTATION RESUBMITTED
WITH ADDITIONAL 3 SIGNATURES
AS REQUESTED

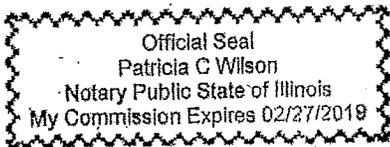
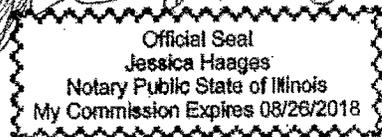
JOAN E. BASSING
NAME

182 SPRING LAKE BLVD NW
ADDRESS PORT CHARLOTTE FL 33952

651 788 6562
TELEPHONE NUMBER

Subscribed and sworn to before me this
26th day of May, 2015

Patricia Wilson Jessica Haages 10-17-15
NOTARY PUBLIC



PROPERTY OWNERS BELOW ~~WERE~~ WERE TOLD THAT ① THE PROPERTY BELOW WAS A TRIPLEX FROM 1998-2010. ② THAT I HAVE USED IT AS A DUPLEX SINCE PURCHASE IN 2010. ③ I WANT TO USE IT AS A TRIPLEX AGAIN GOING FORWARD. NONE HAD OBJECTIONS.

CITY OF SAINT PAUL

CONSENT OF ADJOINING PROPERTY OWNERS FOR A NONCONFORMING USE PERMIT

We, the undersigned, owners of the property within 100 feet of the subject property acknowledge that we have been presented with the following:

A copy of the application of Joan E Bassing
(name of applicant)

to establish a TRIPLEX
(proposed use)

located at 900-902 Jenks Ave E, St Paul MN 55106
(address of property)

requiring a nonconforming use permit, along with any relevant site plans, diagrams, or other documentation.

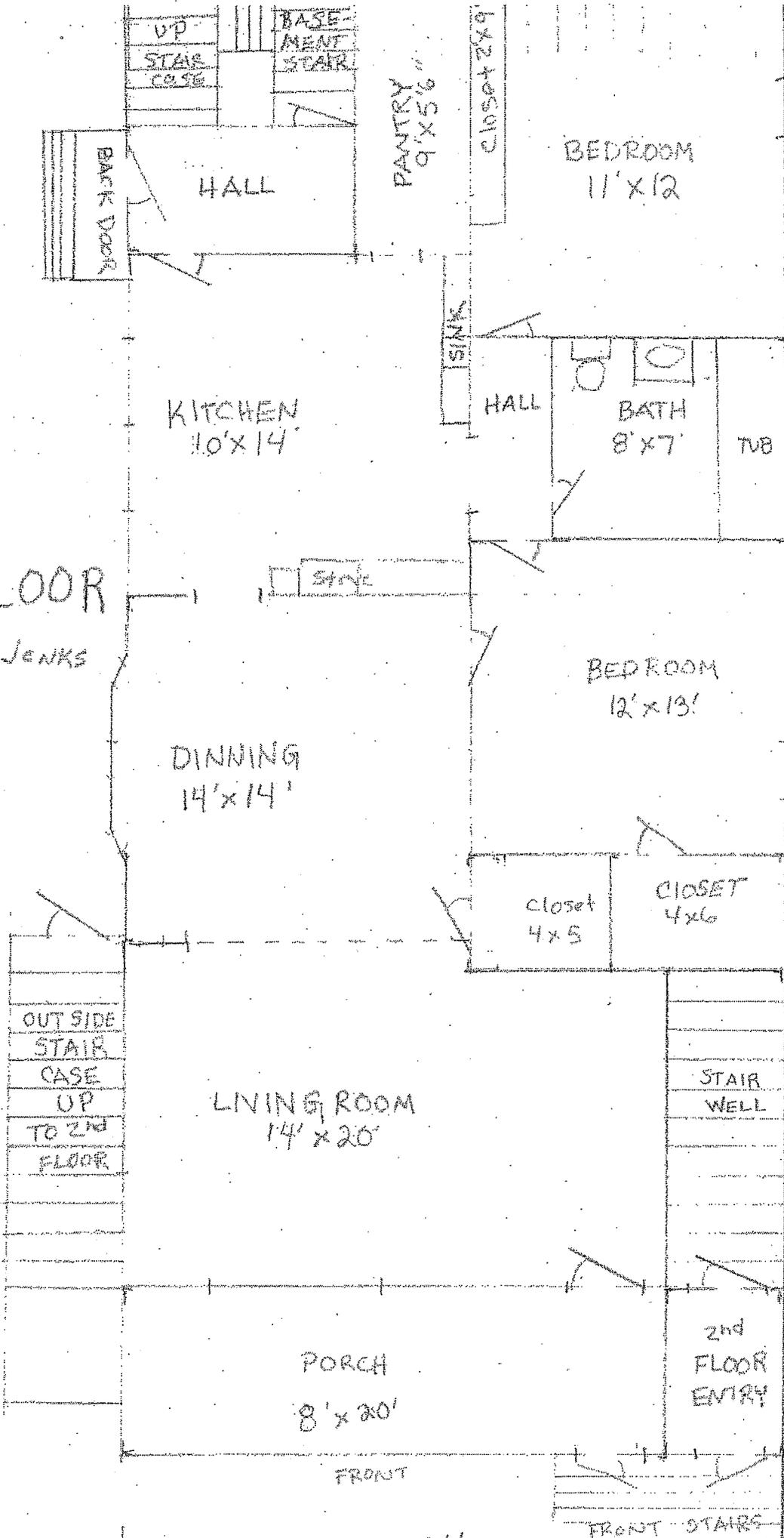
We consent to the approval of this application as it was explained to us by the applicant or his/her representative.

ADDRESS OR PIN	RECORD OWNER	SIGNATURE	DATE
908 Jenks Ave	ROBERT L BOWEN	Robert Bowen	5-7-15
899 E. Case Ave	DEBRA MAZURKIEWICZ	Debra Mazurkiewicz	5-16-15
897 Jenks Ave	XENG VANG	Xeng Vang	5-16-15
905 Jenks Ave	SARA VANG	Sara Vang	5-20-15
907 Case Ave	SAMBANUE MIN	Sambanue Min	5-20-15
895 Case Ave	YOUNG PAO VANG	Young Pao Vang	5-20-15
909 CASE AVE	CINDY ALSIDES	Cindy Alsidis	6-4-15
890 JENKS AVE	SOPHAL NHEAN	Sophal NHEAN	6-4-15
891 Case Ave	TERENCE KANVIT	Terence Kanvity	6/11/15
907 Jenks Ave	JAN SCHUELLER	Jan Schueller	6-4-15

NOTE: All information on the upper portion of this application must be completed prior to obtaining eligible signatures on this petition.

1ST FLOOR

902 JENKS



PANTRY 9'x5 1/2"

BEDROOM 11'x12

KITCHEN 10'x14'

BATH 8'x7'

BEDROOM 12'x13'

DINNING 14'x14'

LIVING ROOM 14'x20'

PORCH 8'x20'

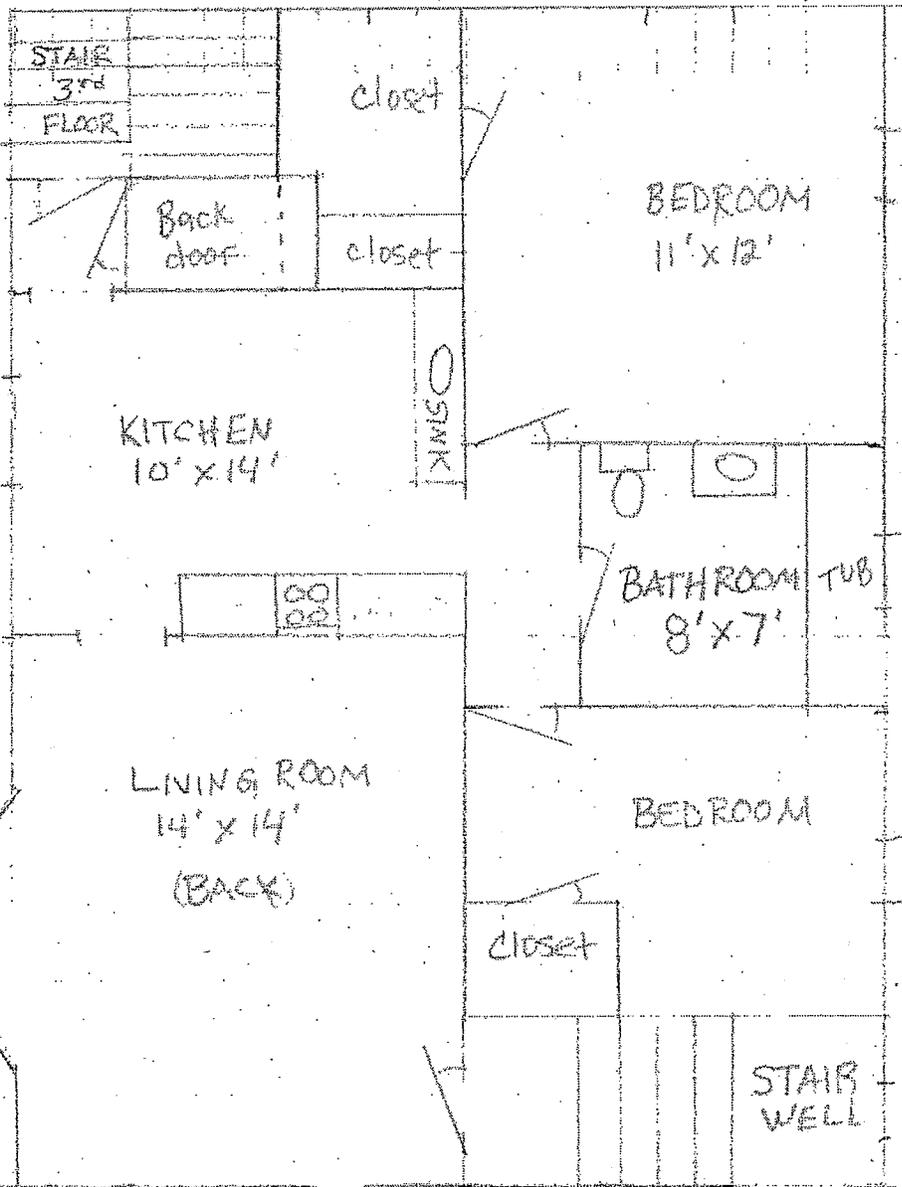
47'

8'

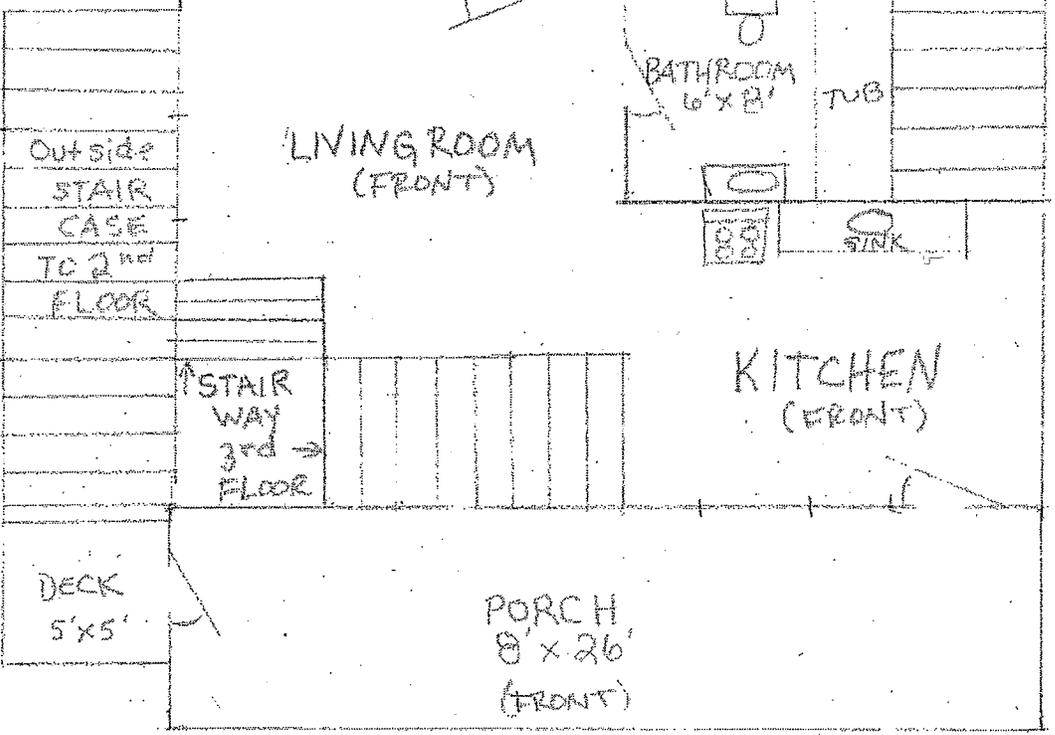
FRONT STAIRS

2nd
FLOOR

900 JENKS
REAR



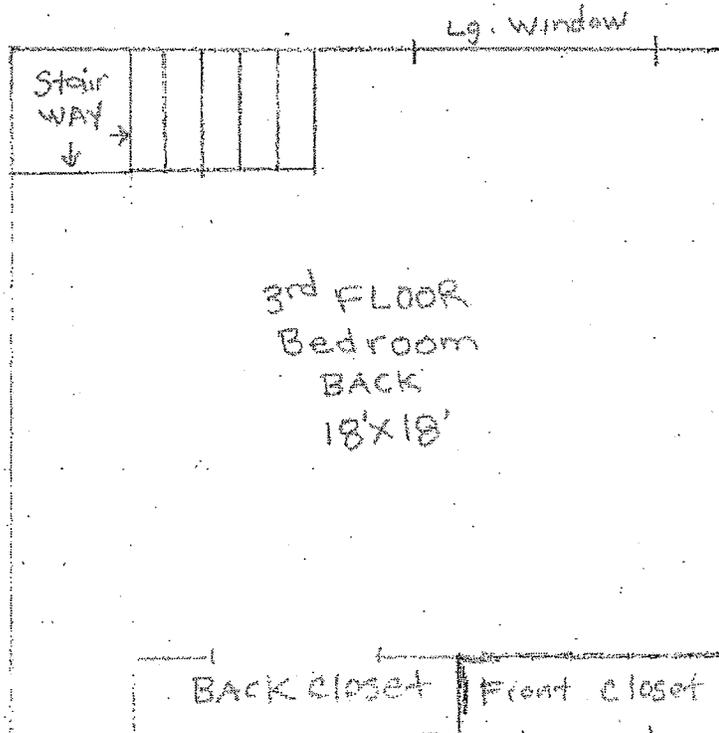
900
JENKS
FRONT



55'

3rd
FLOOR

900 JENKS REAR



900 JENKS
FRONT



FRONT OF PROPERTY

Asphalt Driveway Co.

Quality work since 1951

3350 University Ave S.E. Mpls, MN 55414
 (612) 676-1717 Fax: (612) 676-1718

Name: _____ Date: _____
 Address: _____
 Telephone: _____ Cell: _____
 E-mail: _____

Handwritten notes:
 201500
 9073
 2000.00
 for concrete
 install

Handwritten note:
 OK TO Billed up TO MY GARAGE

Signature: Robert L Bourgeois

Total Price
 (Tax & Permit Incl.)

8997.⁰⁰

Flex Scheduling
 Discount

\$ -450
8547

Coupons

\$ -450
8097.⁰⁰

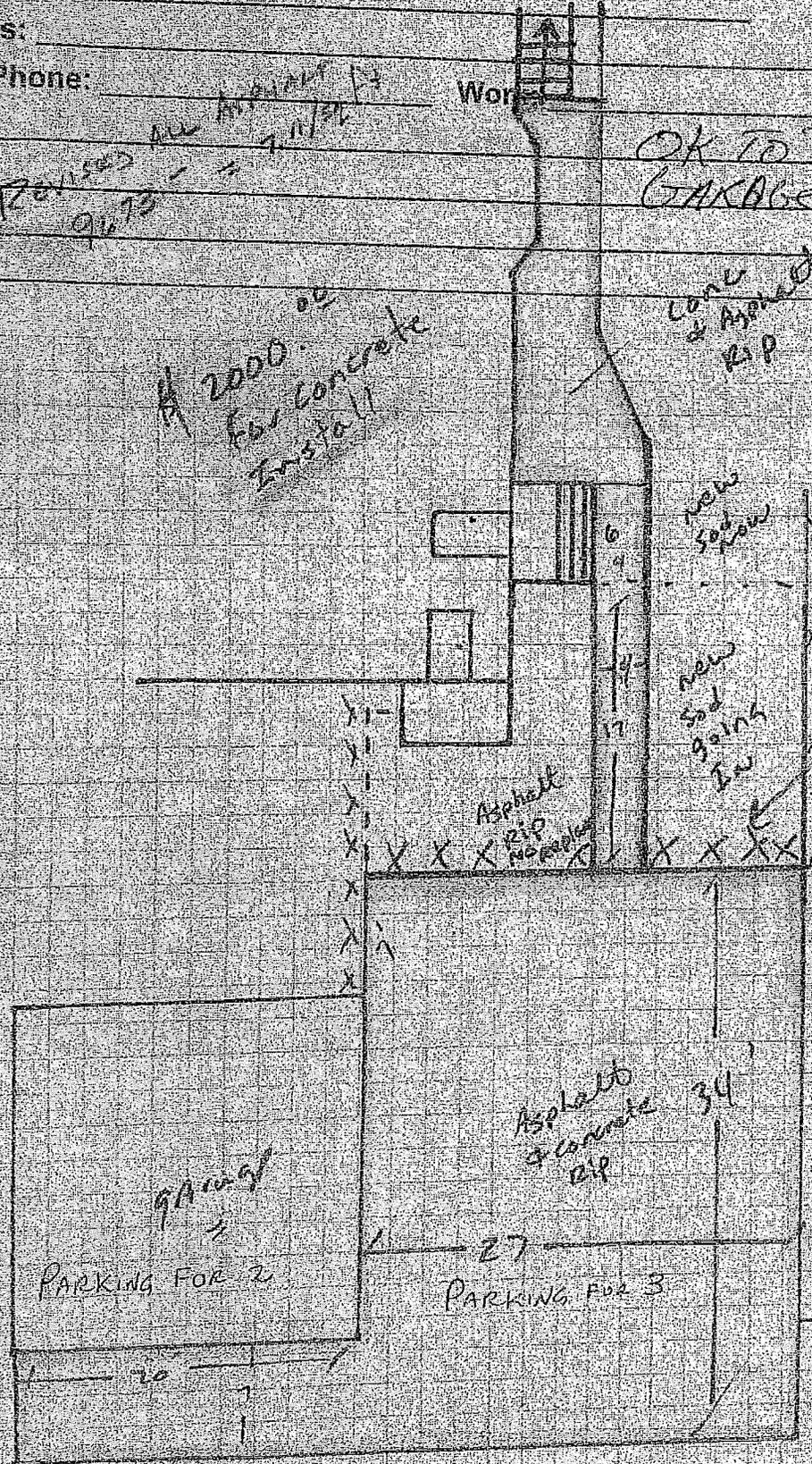
Lowest Monthly Payment

\$ + 2000 for concrete

\$ 10097.⁰⁰

Total Savings

Handwritten: Total



Orange = 1058
 4 x 17 = 68
 10 x 17 = 170
 1360 x 4 = 5440

Miles Kimball

Finish Your Order & Receive 30% Off Your Entire Purchase!

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Back to search viewing: home us minnesota saint paul, mn ramsey county jenks ave 900 jenks ave

Property Records

900 Jenks Ave
Saint Paul, MN 55106

Get your Credit Scores for \$0

Sold for **\$72,500**
on Mar 30, 2010

Share

Print

WRONG, OCT 09 Ref Rates



Estimated Values

DataQuick

\$271,171 Est.
\$122,000 Low
\$418,000 High

Get Professional Advice

Free agent analysis

Message (optional)

I would like to be contacted with regards to a FREE agent analysis of my home's value

I'm planning to...

Sell

Buy

First Name

Last Name

Your Email

Phone (Optional)

By sending a request you agree to our [Privacy Policy](#)

Overview

Schools & Neighborhood

Property History

Public Records Property information from local public records.

Beds	6 Bed	Baths	3 Bath
House Size	2,762 Sq Ft	Lot Size	6,098 Sq Ft Lot
Year Built	1915	Price	Feedback
Property Type	Multi-Family Home	Stories	2
Style	Colonial	Garage	Detached Garage
Units	1 <i>WRONG 3</i>	Cooling	Central - <i>WRONG NONE</i>
Pool	-	Construction	-
Heating	-	Year Renovated	-
Rooms	12 <i>WRONG 13</i>	Roofing	-
Fireplace	-		

Location

Show Nearby Listings

Map

Directions

Get Location

Unit Information

Number of Units Like This: 1

Total Rooms: 5
 Total Bedrooms: 2
 Total Baths: 1 Full: 1 3/4: 0 1/2: 0 1/4: 0
 Bath Char:
 Fireplaces:
 Fireplace Char:
 Appliances:
 Amenities:

Monthly Expense: \$
 Monthly Rent: \$
 Annual Rent: \$
 Finished Sq Ft:
 Oth Park Spaces: 0
 Air Conditioning:

Hardwood Floors, Natural Woodwork

Room	Level	Dimen	Room	Level	Dimen	Room	Level	Dimen
Living Rm	Main		Bedroom 1	Main				
Dining Rm	Main		Bedroom 2	Main				
Family Rm			Bedroom 3					
Kitchen	Main		Bedroom 4					

Dining Room Desc:
 Family Room Char:

Number of Units Like This: 1

Total Rooms: 5
 Total Bedrooms: 4
 Total Baths: 2 Full: 2 3/4: 0 1/2: 0 1/4: 0
 Bath Char:
 Fireplaces:
 Fireplace Char:
 Appliances:
 Amenities:

Monthly Expense: \$
 Monthly Rent: \$
 Annual Rent: \$
 Finished Sq Ft:
 Oth Park Spaces: 0
 Air Conditioning:

Hardwood Floors, Natural Woodwork

Room	Level	Dimen	Room	Level	Dimen	Room	Level	Dimen
Living Rm	Upper		Bedroom 1	Upper				
Dining Rm	Upper		Bedroom 2	Upper				
Family Rm			Bedroom 3	Upper				
Kitchen	Upper		Bedroom 4	Upper				

Dining Room Desc:
 Family Room Char:

Financial

Cooperating Broker Compensation

Buyer Broker Comp: 3 % Sub-Agent Comp: 0 % Facilitator Comp: 3 %
 Variable Rate: N List Type: Exclusive Right To Sell

Financial Remarks: **Boa Pre-Qual Or Proof Funds Reqd W/Contracts. Free Apprsl & Credit Reprt If Buyer Finace**

Sellers Terms: Thru Boa
 Existing Financing: Other
 In Foreclosure?: Free and Clear
 Lender Owned?: No
 Potential Short Sale?: Yes
 Owner is an Agent?: No

Expenses

Owner Expense: Trash, Water/Sewer
 Tenant Expense:
 Annual Electric Expense: \$ Annual Repair Expense: \$
 Annual Fuel Expense: \$ Annual Trash Expense: \$
 Annual Insurance Expense: \$ Annual Water/Sewer Expense: \$
 Annual Maintenance Expense: \$ Annual Caretaker Expense: \$
 Annual Gross Expense: \$
 Total Annual Expenses: \$

Income

Annual Gross Income: \$ Monthly Misc. Income:
 Annual Net Income: Annual Misc. Income:

Contact Information

Listing Agent: Terry Records, GRI 651-224-6333
 Listing Office: Keller Williams Premier Realty

Appointments: 866-275-6321
 Office Phone: 651-379-5252

MLS #: 3843963 Address: 900 Jenks Avenue , St Paul, MN 55106

Previous: [1] Top

Add to Cart



Display Property Full at 1 per page.



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Multi-Family • General • Detail • Address • MLS# • Today's New Listings • Hot Sheet

Welcome Jason Nordhougen

Result 1 of 1. Checked 0. Check all 1. Previous Next [1] Bottom

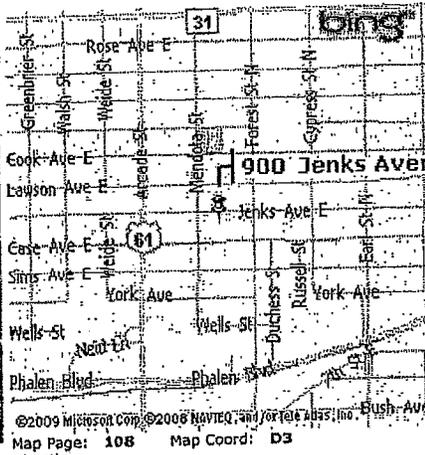
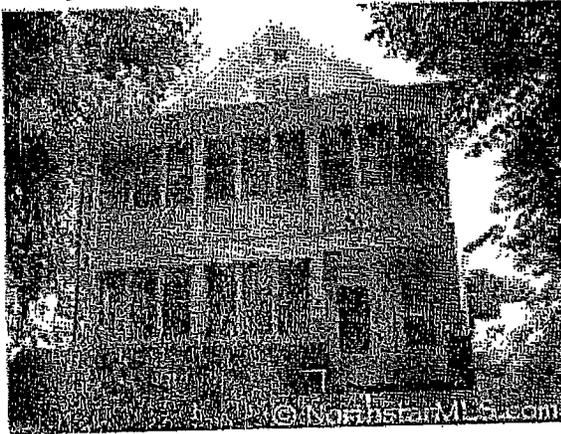
Property Full Display, Multi-Family Residential, MLS #: 3843963

900 Jenks Avenue, St Paul, MN 55106

Status: Active List Price: \$45,000

Original List Price: \$45,000

Image 1 of 8 Slideshow Open All



Rent 2060/mo
INS 1000 83/mo
TAXES 2700 225/mo
P+I 300
SAC & V.M.R.C 180/mo
790/mo

Supplements are available for this property.

- WEBForms
- Book A Showing
- Add to Watched Items

Total Units: 2 Garage: 2 Year Built: 1915

MLS Area: 714 - SP-Phalen
 Style: (MF) Two Stories
 Const Status: Previously Owned
 Foundation Size: 1,344
 AbvGrdFinSqFt: 2,688
 BelGrdFinSqFt:
 Total Fin SqFt: 2,688
 Acres: 0.140
 Lot Size: 125X50
 List Date: 10/05/2009

Received By MLS: 10/06/2009

Days On Market:

History

TAX INFORMATION

Property ID: 282922730083
 Tax Year: 2009
 Tax Amt: \$2,366
 Assess Bal: \$346
 Tax w/assess: \$2,712
 Assess Pend: Yes
 Homestead:

Inspection 12/27
\$440-9AM EARN 1270/mo
TRUE Pay BACK \$1 mo.
IF PA!

General Property Information

Legal Description: Nelson's Addition Lot 8 Blk 1
 County: Ramsey
 School District: 625 - St. Paul, 651-632-3701
 Complex/Dev/Sub: Nelson's Addition
 Restrictions/Covts: City Bus (w/in 6 blks), Tree Coverage - Light
 Lot Description: City, Curbs, Paved Streets
 Road Frontage: Residential-Multi-Family
 Zoning: Accessibility: None

Cashier's check made out to A...
use \$5,000

Remarks

Agent Remarks: SPCL SALES CONTRACT REQD & EM MUST BE HELD BY SELLERS TITLE CO. SELLER WON'T PROVIDE ANY INSPTIONS OR WARRANTIES. CTACT LIST AGNT FOR NEEDED ADDENDUMS. PLEASE ALLOW TIME FOR RESPONSE. SELLER CAN NEGOTIATE OFFERS IN ANY ORDER REGARDLESS DATE/TIME SUBMITTED

Public Remarks:

GREAT FOR INVESTMENT PORTFOLIO! WOODWORK, GARAGE, ALL SEPERATE UTILITES (EXCEPT WATER), 2BR UNIT, 4BR UNIT, CASH FLOW FROM THE GET GO!

Structure Information

Heat: Baseboard	No. of Ranges:	
Fuel: Natural Gas	No. of Refrig:	
Water: City Water - Connected	Basement:	Full
Sewer: City Sewer - Connected	Exterior:	Metal/Vinyl
Garage: 2	Fencing:	
Parking Char: Detached Garage	Roof:	Asphalt Shingles
Amenties-Shared: Porch		

on or before
close 11/6/09
10 days to inspect
for 2 days

SP 4/1/09
19900
11/15
V. B. S. C. A. M. D.



IRIS Picture Printout

Location: MN ~ Ramsey County, Minnesota

Description: 01/01/1996 - Street View - PropertyKey

B

Address: 900 JENKS AVE ST PAUL



MINUTES OF THE BOARD OF ZONING MEETING OF April 12, 1949

Acting under Ordinance No. 5840 of August 22, 1922, and subsequent amendments

FILE NAME 900-902 Jenks ZONE "B" FILE NO. 2001
 LOT 8 BLOCK 1 ADDITION Nelson's
 PETITIONER'S NAME Maurice L. Neault APPEAL PERMIT AMENDMENT

INVESTIGATION & REPORT:

1. Size - 26'x17' or 1,222 sq. ft. 50 ft. lot, 125 ft. deep.
2. Built in 1915.
3. Two and a half story frame building.
4. Home is located on the fifth lot east of Mandota on south side of Jenks.
5. Ten out of 16 of adjoining homes are 1½ story.
6. At present two families and four roomers are living in this house.
 Applicant wishes to have three families.

This is a remodelling of second floor only for two families.
 Mr. Schroeder has plans.

Moved By Schroeder Seconded By Reimbold.

To recommend: remodelling of second floor of duplex for two families.

Yeas	Nays
<input checked="" type="checkbox"/> Wahman, Chairman	
<input type="checkbox"/> Giere	
<input checked="" type="checkbox"/> Heckman	
<input type="checkbox"/> Methven	
<input checked="" type="checkbox"/> Reimbold	
<input checked="" type="checkbox"/> Schroeder	

George H. Herrold
 Executive Secretary
 Letter to Council:

C. F. No. 147080—By W. A. Parrants—
 Resolved, That upon appeal of Maurice L. Neault and Mrs. Maurice L. Neault from the decision of the Commissioner of Parks, Playgrounds and Public Buildings, and upon the favorable recommendation of the Board of Zoning, permission is hereby granted, pursuant to Ordinance No. 5340, as amended, to remodel the duplex at 900-902 Jenks Avenue into a triplex.
 Adopted by the Council April 28, 1949.
 Approved April 28, 1949.
 (April 30, 1949)

APPEAL

Notice is hereby given that a public hearing will be held before the City Council at 10 A. M. on April 27, 1949, in the City Council Chamber in the City Hall and Court House, in the matter of the appeal of Mr. and Mrs. Maurice L. Neault for permission to remodel their duplex at 900-902 Jenks Ave. into a triplex.

Dated April 12, 1949.

H. F. O'CONNELL,
 City Clerk.
 (April 16, 1949)

James

#2001

BOARD OF ZONING - 1949

Location: 900-902 Jenkins Ave.

Appeal Reasoning

Petitioner: Maurice L. Neault

Date of Petition:

Action Requested: Remodel duplex to triplex in "B" Dist.

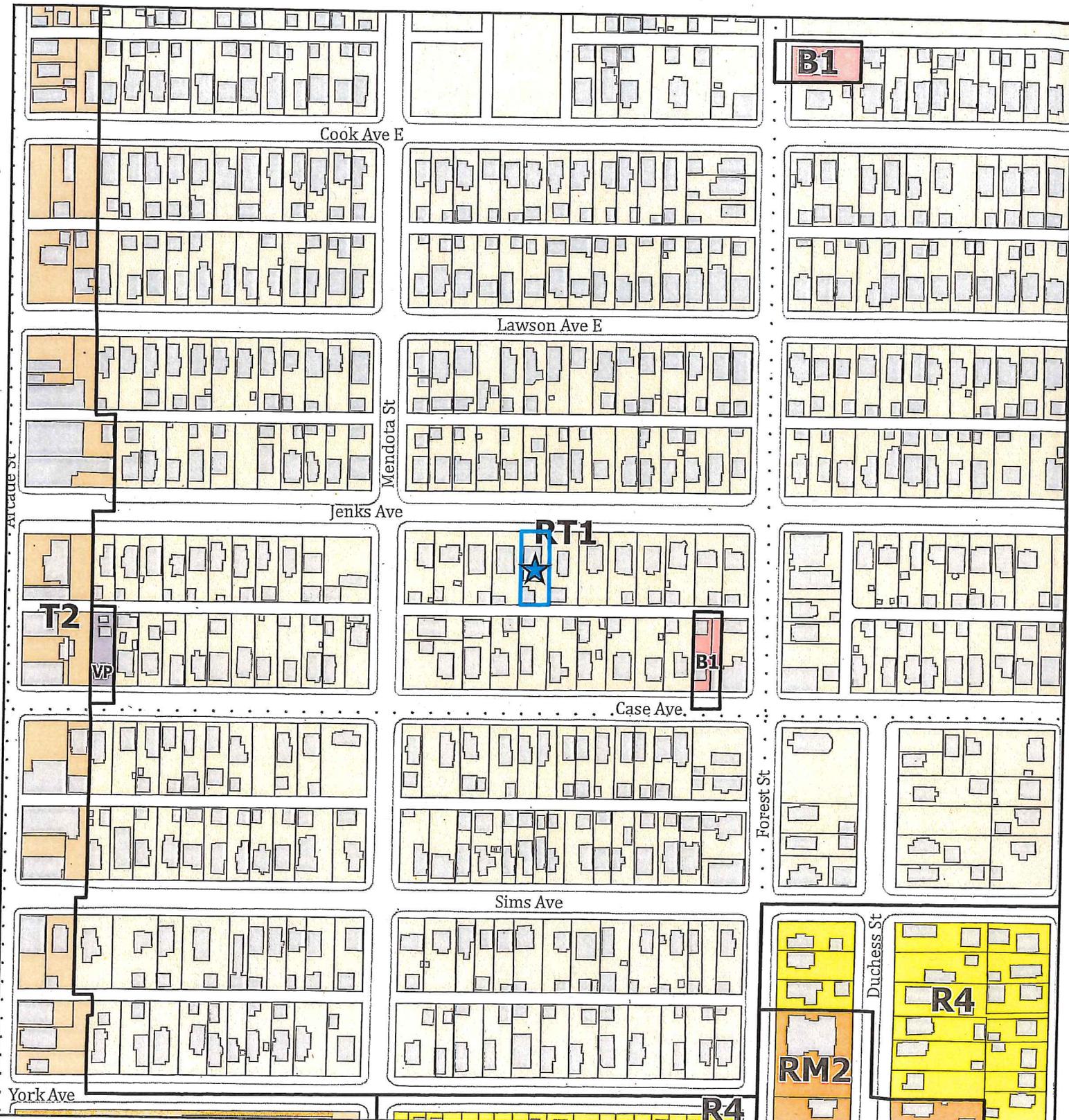
Date of Board Hearing: April 12, 1949

*So side lot
Minnesota Forest*

Action of Board: Recommended remodelling of second floor for two families.

*Lot 8 Bl 1
Nelson's add -*

C. F. 147890 Approved Apr. 28, 1949 Plat 35



FILE NAME: Joan Bassing

APPLICATION TYPE: Reestablishment of nonconforming

FILE #: 15-138295 DATE: 7-10-15

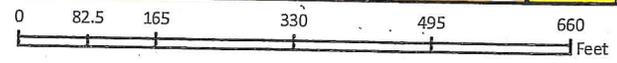
PLANNING DISTRICT: 5

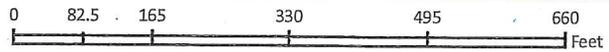
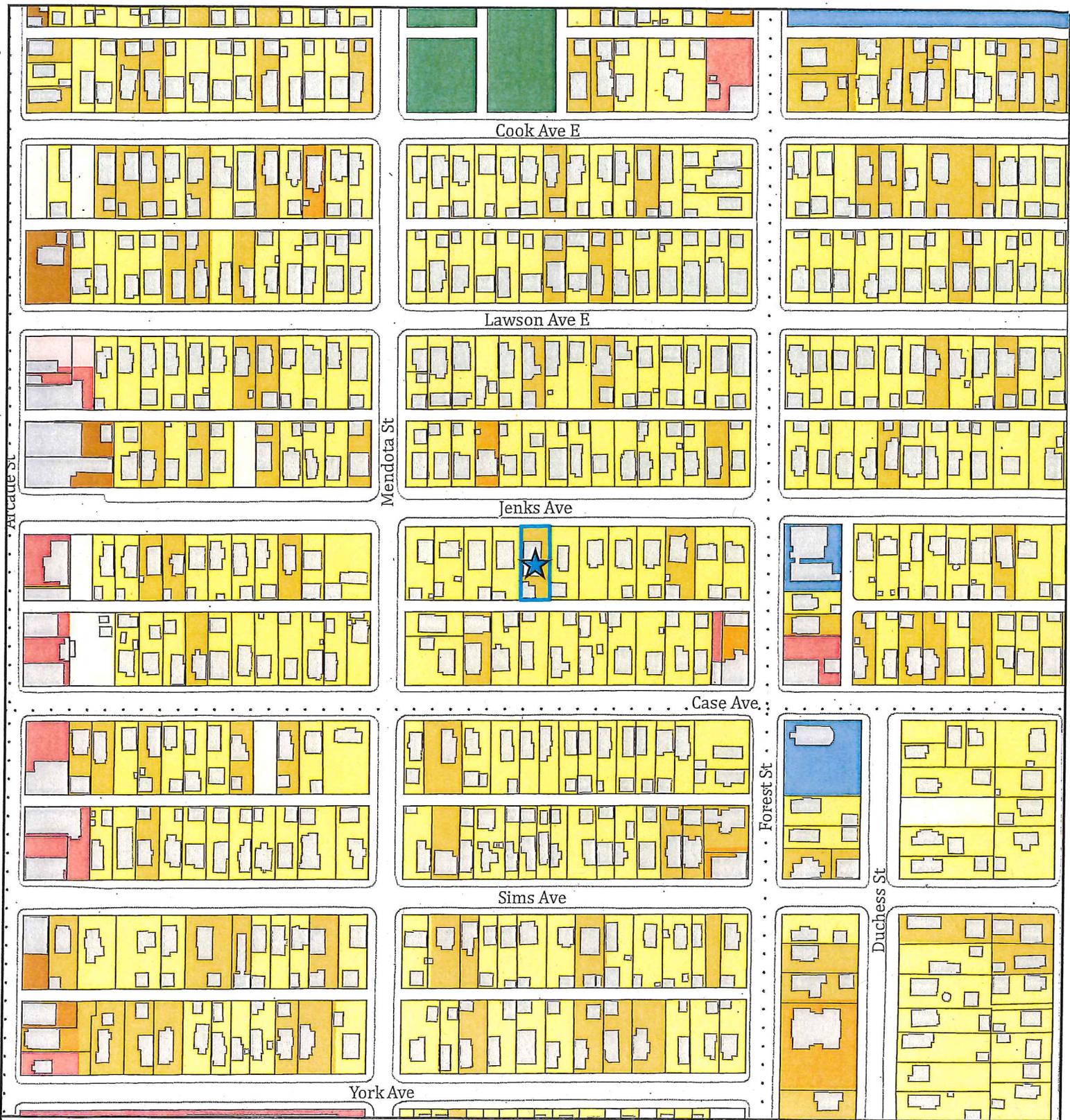
ZONING PANEL: 11

Zoning

- R4 One-Family
- RT1 Two-Family
- RM2 Multiple-Family
- T2 Traditional Neighborhood
- VP Vehicular Parking
- Subject Parcels

Section Lines





FILE NAME: Joan Bassing

APPLICATION TYPE: Reestablishment of nonconforming

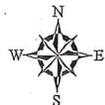
FILE #: 15-138295 DATE: 7-10-15

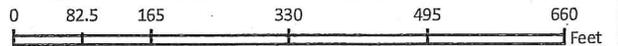
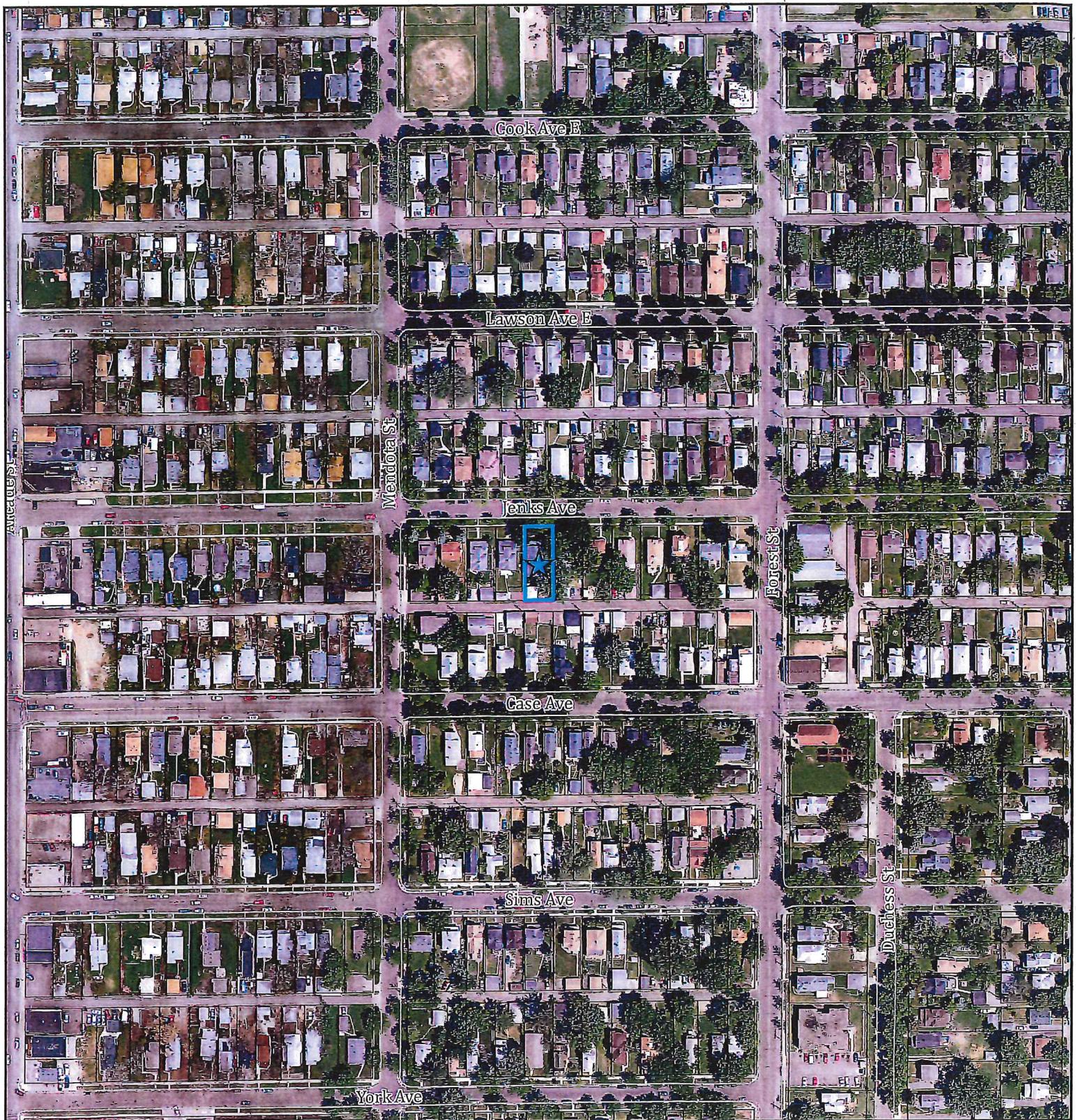
PLANNING DISTRICT: 5

ZONING PANEL: 11

Land Use

- Single Family Detached
- Single Family Attached
- Multifamily
- Office
- Retail and Other Commercial
- Mixed Use Residential
- Institutional
- Park, Recreational or Preserve
- Undeveloped
- Subject Parcels
- Section Lines





FILE NAME: Joan Bassing

Aerial

APPLICATION TYPE: Reestablishment of nonconforming use

 Subject Parcels

FILE #: 15-138295 DATE: 7-10-15

PLANNING DISTRICT: 5

ZONING PANEL: 11

