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COMMUNICATIONS

(CITY CLERK)

DENIAL OF VARIANCE -
REDUCE REQUIRED LOT
SIZE - 207 FIRST
STREET (PARCEL "B")
APPEALED BY MR.
MICHAEL BUTTERWORTH

City Clerk Reimche presented a letter from Mr. Michael Butterworth appealing the decision of the Planning Commission in denying his request for a Zoning Variance to reduce the required lot size at 207 First Street (Parcel "B") from 4,750 square feet to 4,515 square feet to construct a duplex, in an area zoned R-HD, High Density Multiple Family Residential. On motion of Mayor Pro Tempore Reid, Olson second, Council set the matter for Public Hearing on Wednesday, September 4, 1985 at 7:30 pm.

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL	DATE	NO.
FROM: THE CITY MANAGER'S OFFICE	July 24, 1985	
SUBJECT: DENIAL OF VARIANCE - REDUCE REQUIRED LOT SIZE - 207 FIRST STREET (Parcel "B") APPEALED - MR. MICHAEL BUTTERWORTH		

At its meeting of Monday, June 24, 1985, the Lodi City Planning Commission denied the request of Mr. Michael Butterworth for a Zoning Variance to reduce the required lot size at 207 First Street (Parcel "B") from 4,750 square feet to 4,515 square feet to construct a duplex, in an area zoned R-HD, High Density Multiple Family Residential.

Pursuant to Section 27-15(d) 2 of the Lodi Municipal Code (i.e. Zoning Ordinance), Mr. Butterworth has appealed the decision of the Planning Commission. A copy of his letter of appeal is attached. Mr. Butterworth has asked that this matter be set for Public Hearing during the week of September 2, 1985. Mr. Butterworth is a tugboat captain and would not be available until that time.

RECOMMENDED ACTION:

Set the appeal of Mr. Michael Butterworth of the Planning Commission's denial of his request for a Zoning Variance to reduce the required lot size - 207 First Street (Parcel "B") for the Regular Council Meeting of September 4, 1985.


ALICE M. REIMCHE
City Clerk

CITY COUNCIL

DAVID M. HINCHMAN, Mayor
FRED M. REID
Mayor Pro Tempore
EVELYN M. OLSON
JAMES W. PINKERTON, Jr.
JOHN K. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
CALL BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634

THOMAS A. PETERSON
City Manager

RECEIVED
ALICE M. REIMCHE
City Clerk

1985 JUN 26 AM 7 56
ROBERT D. STEIN
City Attorney

ALICE M. REIMCHE
CITY CLERK
CITY OF LODI

June 25, 1985

Mr. Michael Butterworth
207 First Street
Lodi, CA 95240

Dear Mr. Butterworth:

RE: Variance - Reduce Required Lot size -
207 First Street (Parcel "B")

At its meeting of Monday, June 24, 1985, the Lodi City Planning Commission denied your request for a Zoning Variance to reduce the required lot size at 207 First Street (Parcel "B") from 4,750 square feet to 4,515 square feet to construct a duplex, in an area zoned R-HD, High Density Multiple Family Residential.

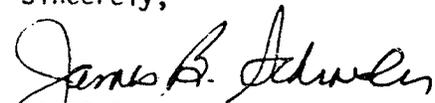
In denying your request the Planning Commission was unable to make the finding that a "Hardship", as defined in the Zoning Ordinance, existed.

Section 27-15(d) 2 of the Lodi Municipal Code (i.e. Zoning Ordinance) provides as follows:

"Appeal. Any applicant or person claiming to be directly and adversely affected by any actions of the Planning Commission may, within five days (i.e. Working Days) after the action, file a written appeal with the City Clerk for transmittal to the City Council."

If you wish to appeal this matter, your correspondence should be directed to Mrs. Alice M. Reimche, City Clerk, and it must be received by her by 5:00 p.m., Monday, July 1, 1985. The City Clerk's address is City Hall, 221 West Pine Street, Lodi.

Sincerely,



JAMES B. SCHROEDER
Community Development Director

cc: City Clerk

MICHAEL M. BUTTERWORTH
207 FIRST ST.
LODI, CA.
95240

Act for 9/4

RE: APPEAL TO COUNCIL
I WISH TO APPEAL

RECEIVED

1985 JUN -1 AM 8:54

ALICE H. REIMCHE
CITY CLERK
CITY OF LODI

Dear Mrs. Reimche,

At the June 24 meeting of the Planning Commission my request for a zoning variance to reduce the required lot size at 207 First Street (PARCEL "B") from 4750 sq. ft. to 4515 sq. ft. to construct a duplex in an area zoned R-HD, was denied. It was suggested by them that I appeal to the City Council because of a unique situation regarding lot shrinkage. My actual lot size is 230 sq. ft. less than my deeded lot size. Mr. Schroeder is familiar with the case.

I will be out of town until August, and my engineers, Baumbach & Pizzo, have advised me that it will take until August 15th to properly prepare my case. I therefore request that I not be put on the Agenda until after that time.

I am a tugboat captain and work a week on, week off schedule so tentatively for me the week of August 17th looks good as does the week of September 2nd. If these weeks are not in congruence with the Council schedule, please advise me when I can be placed on the agenda with at least 2 weeks notice so that I may arrange for a relief skipper. Thank you very much.

Sincerely,
Yours,

Michael Butterworth

NOTICE OF PUBLIC HEARING BY THE CITY COUNCIL
OF THE CITY OF LODI TO CONSIDER THE APPEAL OF
MR. MICHAEL BUTTERWORTH, 207 FIRST STREET, LODI, CA
OF THE PLANNING COMMISSION'S DENIAL OF HIS REQUEST FOR A
ZONING VARIANCE TO REDUCE THE REQUIRED LOT SIZE - 207 FIRST STREET,
LODI, CALIFORNIA (PARCEL "B")

NOTICE IS HEREBY GIVEN that on Wednesday, September 4, 1985, at the hour of 7:30 pm or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a public hearing in the Council Chambers, City Hall, 221 West Pine Street, Lodi, California, to consider the appeal of Mr. Michael Butterworth, 207 First Street, Lodi, California of the Planning Commission's denial of his request for a Zoning Variance to reduce the required lot size at 207 First Street (Parcel "B") from 4,750 square feet to 4,515 square feet to construct a duplex in an area zoned R-HD, High Density Multiple Family Residential.

Information regarding this item may be obtained in the office of the City Clerk at 221 West Pine Street, Lodi, California.

All interested persons are invited to present their views on this matter. Written Statements may be filed with the City Clerk at any time prior to the hearing scheduled herein and oral statements may be made at said hearings.

Dated: July 24, 1985

BY ORDER OF THE LODI CITY COUNCIL:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk