

## July 29, 2016 – 508 Michigan Street

Request for research regarding land use/nonconformity at 508 Michigan Street: Property has been utilized at least since the mid-1960s as a commercial business (contractor office/shop/yard). Zoning history indicates Lot 126 fronting on Michigan was zoned for business use from 1946 – 1966. There is no indication that the east lots (125 & 127) ever had a commercial zoning designation. Aerials over time seem to show a gradual expansion of the use of the east portion of the property for storage uses. Staff can support the registration of the Michigan frontage (Lot 126) as a legal, nonconforming use. However, there is not zoning support for the registration of the eastern portion of the property (Lots 125 & 127) for legal nonconforming status.

Options could include a request to rezone the property to CS (Commercial Strip) District similar to the zoning of Anderson Rental property to the south. The zoning request would be more logical if it included the lots to the south (Lots 128, 129 & 130 and vacated r/w) so that the district would be contiguous with the existing commercial district along 6<sup>th</sup> Street.

This property was included in the HOP (Hillcrest-Old West Lawrence-Pinckney) District Plan and shown as a commercial land use at the time (2005). The plan identified many nonconforming uses in the district and recommended a number of these properties to be rezoned to be consistent with the established uses. This property was not included in that recommendation. Therefore, any request to rezone these parcels to a commercial district should also include a Comprehensive Plan Amendment (CPA) to modify the HOP District Plan. Staff also advises that the applicant reach out to the Pinckney Neighborhood Association to discuss any proposal for rezoning prior to submission of an application.

## 500 block Michigan – Zoning History

1927/1935	U-1 District/Class A – Dwelling House District
1946	U-3 District/A – <b>Business District</b> (Ord. 2104) Michigan frontage
1949	D District ( <b>Local Business</b> ) along Michigan/2 <sup>nd</sup> Dwelling east half
1966	rezoned with new zoning ordinance to RM-1 (Multi-Family Residential District)
1978	east part (Lots 125 & 127) rezoned to RS-2 (Single-Family Residential District)
2006	Land Development Code adopted; RM-1 converted to RM12 (Multi-Dwelling Residential District and RS-2 portion rezoned to RS5 (Single-Dwelling Residential District)

2016



2013



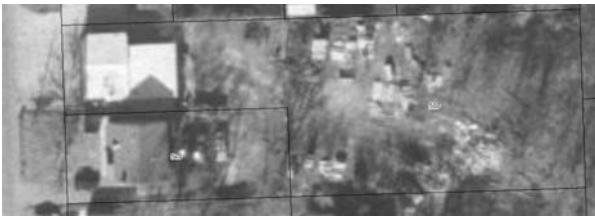
2006



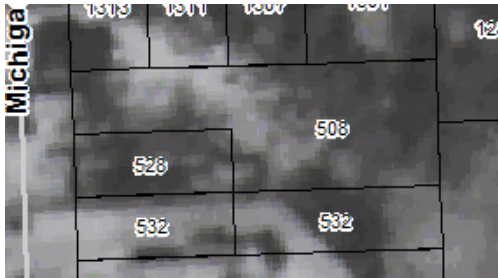
2000



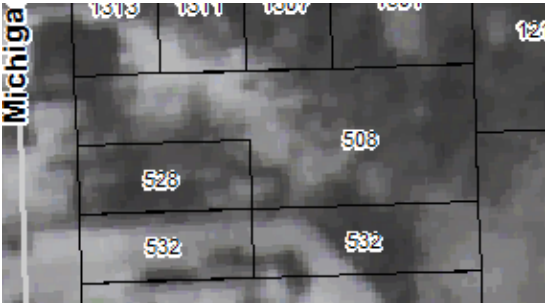
1995



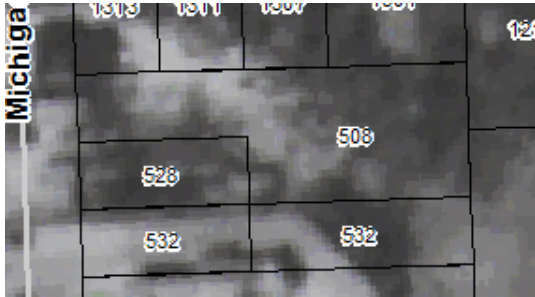
1986



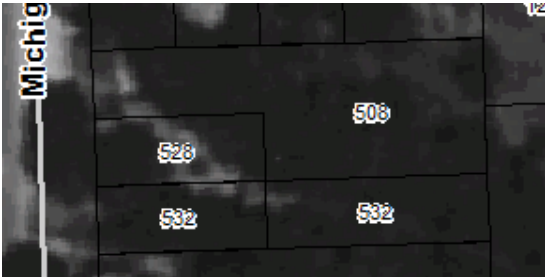
1976



1966



1954



### Ownership info – Register of Deeds records

<b><u>Lot 126</u></b>	
April & Dec 1944	quit claim deeds to Henry Smith (E ½ and W ½ under common ownership by end of year)
1946	deed Smith to Watson
1954	Watson to Rice
<b>Sept 1968</b>	Rice to <b>Comet</b>
<b>Oct 1985</b>	Comet to <b>Johnson</b>
<b><u>Lot 125</u></b>	
Oct 1980	deed Smith to Comet (E ½)
May 1983	deed Walker to Comet (W ½ - all of Lot 125 owned by Comet)
Nov 1991	Arkansas St right-of-way vacated adjacent to Lot 125
<b><u>Lot 127</u></b>	
1985	deed Maxwell to Comet (all of Lot 127)
<b>Oct 1985</b>	deed Comet to Johnson (included <b>all of Lots 125, 126 &amp; 127</b> )
Nov 1991	Arkansas St right-of-way vacated adjacent to Lot 127
2007	Johnson to Apex (Lots 125, 126, 127 & vacated r/w for Arkansas St)
Dec 2014	Apex to Johnson

(Comet Corporation incorporated in April 1963.)

(Apex Fence Company owned by Martin Johnson (sole proprietor). Business started Jan 1978.)

### Building Permit & Appraisal Information

1971	Plumbing Permit issued to Comet Corp for sewer
1972	Plumbing Permit issued for 1000 gallon gas tank
1979/1980	County Appraisal estimate for building built – classified as commercial building (standalone store or shop building)
1989	Building Permit issued to Westridge Construction

### Polk Directory Information

1927- Unknown address. First address on 500 block of Michigan is 530. Residential

Missing directories to 1961

1961 – Unknown address. First address on 500 block of Michigan is 500 & 512 - Vacant

1963 – same

1964 – same

1966 – 500 is residential (last name: Alf) - 512 is vacant

1969 – same

1970 – 500 is residential (last name: Alf) - 512 is Comet Construction & Standard Construction

1972 – same  
1973 – 508 is only listed as Comet Construction, 500 is same and 512 disappears from records  
1974 – same  
1975 – same  
1976 – same; 500 is now vacant  
1980 - 508 is Comet Const.  
1981 – same  
1982 – same  
1983 - same  
1984 – same  
1985 – same  
1986 – missing directory  
1987 – Apex Fence  
1988 – missing directory  
1989 thru 1994 – Apex Fence  
1995 thru 2001 – No entry for this address  
2002 thru 2016 – Apex Fence