



**CITY OF HUTCHINS  
ZONING BOARD OF ADJUSTMENT MEETING  
AGENDA**

**Wednesday, September 17, 2025 at 6:30 PM  
City Hall, 321 N. Main Street**

Pursuant to Section 551 of the Texas Government Code, notice is hereby given of a Regular Meeting of the Zoning Board of Adjustment Board to be held on Wednesday, September 17, 2025 at 6:30 PM located at Hutchins City Hall Council Chambers, 321 N. Main Street, Hutchins, Texas, at which time the following items will be discussed and considered.

**Board Members**

Chair, Lucille Hollis  
Vice Chair, Felix Madrigal  
Board Member, Darrell Baker  
Board Member, Guy Crawford  
Board Member, Garry Jones  
Board Member, Simone Leffall

**A. WORK SESSION**

**B. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT**

*Roll Call*

*Invocation*

*Pledge of Allegiance*

**C. CITIZEN COMMENTS** - *This agenda item provides an opportunity for citizens to address the Board on any matter that is not posted on the agenda. Anyone wishing to address the Board should complete a Citizen Comments Form and submit it to the recording secretary prior to the start of the Board meeting. There is a three (3) minute time limit for each citizen to speak. However, in accordance with the Texas Open Meetings Act, the Board cannot discuss issues raised or make any decision at this time.*

**D. CONSENT AGENDA** - *All items presented in the Consent Agenda require no deliberation by the Board. Each Board member has the opportunity of removing an item from this agenda so that it may be considered separately.*

**E. PRESENTATIONS**

**F. PUBLIC HEARINGS**

- 1.** Conduct a Public Hearing, discuss and consider a variance request by Eyad Elayan to the City of Hutchins Code of Ordinances Chapter 13 Utilities, Section 13.07.032 Grease Traps, to allow the

installation and use of a 100-pound grease trap in lieu of the minimum required 200-pound. For the property located at 101 S IH 45 Suite 12, Thomas Freeman Abst 453 PG 498, TR 39.

2. Conduct a Public Hearing, discuss and consider a variance request by Manuel Valencia to the City of Hutchins Zoning Ordinance, Chapter 28 LI – Light Industrial District, Section 28.4, B. Size of Yards, 2. Minimum Side Yard – Twenty-five feet (25’), to allow a Two-foot side yard for an existing structure on the south side of the property, to allow the property to be platted. For the property located at 412 N. IH 45, Benjamin Matthews Survey, Abst 898, TR 7.

**G. REGULAR AGENDA** - *As authorized by Section 551.071 of the Texas Government Code, the Board reserves the right to convene in Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.*

3. Discuss and consider the election of a new President, for a one-year term ending July 2026.
4. Discuss and consider the election of a new Vice President, for a one-year term ending in July 2026.
5. Discuss and consider the election of a new Secretary, for a one-year term ending July 2026.

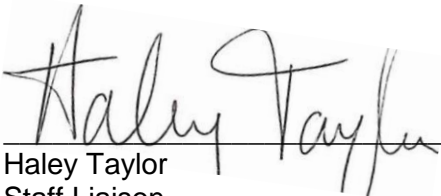
#### **H. ITEMS OF COMMUNITY INTEREST**

6. Hispanic Heritage Month Celebration, Thursday, September 18, 2025 4:30 p.m. - 7:00 p.m., Hutchins Community Center, 500 W. Hickman St., Hutchins.
7. City Council Meeting, Monday, October 6, 2025, 6:30 p.m., Hutchins City Hall, 400 N. JJ Lemmon Rd., Hutchins.
8. National Night Out, Tuesday, October 7, 2025, 6:00 p.m. - 8:00 p.m. at Campbell Park, 205 S. Denton St., Hutchins.

#### **I. ADJOURN**

#### **CERTIFICATION**

I certify that a copy of the September 17, 2025 agenda of items to be considered by the Zoning Board of Adjustment Board was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City’s website [www.cityofhutchins.org](http://www.cityofhutchins.org), in accordance with Chapter 551 of the Texas Government Code. Posted on September 10, 2025 before 6:00 p.m.



Haley Taylor  
Staff Liaison

#### **ACCESSIBILITY STATEMENT**

The meeting location is wheelchair accessible from the front door. Request for special services must be

received at least 48 hours in advance of scheduled meeting. For assistance, please call the office of the City Secretary at 972-225-6121 or email the City Secretary at [colguin@cityofhutchins.org](mailto:colguin@cityofhutchins.org)



# STAFF REPORT

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<b>MEETING DATE:</b>	September 17, 2025
<b>MEETING TYPE:</b>	Zoning Board of Adjustments
<b>SUBMITTED BY:</b>	Tim Rawlings
<b>AGENDA CAPTION:</b>	Discuss and consider a variance request by Eyad Elayan to the City of Hutchins Code of Ordinances Chapter 13 Utilities, Section 13.07.032 Grease Traps to allow the installation and use of a 100-pound grease trap in leu of the minimum required 200-pound. For property located at 101 S I45, Suite 12. Presented by: Tim Rawlings

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## **Background Information**

Eyad Elayan is opening a pizza restaurant that will be located at 101 S I45, Suite 12. Mr. Elayan has requested a variance to the City of Hutchins Code of Ordinances Chapter 13 Utilities, Section 13.07.032 Grease Traps to allow the installation and use of a 100-pound grease trap in leu of the minimum required 200-pound.

Mr. Elayan states that the 200 lb. trap is to large for his space and that his operation is not grease producing.

Staff has reviewed his proposal but was unable to approve the smaller trap because a minimum size was established within the ordinance. Staff is not apposed to Mr. Eylan's request but would recommend if approved by the Board that they stipulate that should his business close that the variance then become nullified.

## **Budget Implications**

N/A

## **Operational Impact**

N/A

## **Legal Review**

N/A

## **Staff Recommendation**

Staff recommends if approved by the Board that they stipulate that should his business close that the variance then become nullified.

## **Supporting Documentation and Attachments**

paid 8/14/15  
K-5236

CITY of Hutchins  
321 W. Main Street  
P.O. Box 500  
Hutchins, Texas 75141

**CITY OF HUTCHINS**  
APPLICATION TO  
BOARD OF ADJUSTMENTS

Phone - 972.225.612  
Fax No. - 972.225.555

**Application Type**  
 Variance Request  
 General Appeal  
 Special Exception  
 Other

**Applicant/Owner Information**

Key Contact EYAD ELAYAN  
Address 4604 OAKVIEW DR.  
City MANSFIELD  
Telephone No. 903-960-4221  
Fax No. \_\_\_\_\_

contact's Status: (check one)  Owner  Representative  Tenant  
State TX Zip Code 76063

Owner AMER HAMDAN  
Address 3404 W. Hunter Bend Ct.  
City MANSFIELD  
Telephone No. 214.683.9089  
Fax No. \_\_\_\_\_

ownership Status: (check one)  Individual  Trust  Partnership  Corporation  
State TX Zip Code 76063

**Property Information**

Site Location Hutchins Plaza, Suite #12  
Site Street Address 101 SOUTH 45. Hutchins, TX 75141  
Subdivision Thomps freeman  
Lot No. 39 Block No. 453

Present Zoning Retail Comm.  
Status of Project:  Proposed  Under Construction  Existing  
Present Land Use Commercial/Retail

Have you applied for a building permit?  Yes  No  
Has any appeal or petition been filed on this property before?  No  Yes Date \_\_\_\_\_

**Request Information**

Please answer the following questions as completely as possible. Failure to fully outline the situation by answering these questions could cause unnecessary delay in evaluating your appeal.

1. Fully explain the unique conditions or circumstances that exist which are peculiar to your land, structure, or building involved that make this request necessary. The city officials requested that we install 200 lb (100 gallon) grease trap. for this type of restaurant (pizza) we only need 50 gallon (100 lb).

2. Do similar conditions exist in the area? Explain. Yes. smaller grease traps were approved and installed for the icecream shop and coffee shop.

3. Describe how the unique conditions or circumstances do not result from your actions. The size of the requested grease trap of 100 gallon is too large and cannot fit!!!

Variance Application - Approval

**Request Information, continued**

4. Are other property owners in your area aware of your request?

N/A

5. Is there any way to do what you want without this request?

We already tried to install the requested size, but the plumbers said it is impossible to fit it.

**Acknowledgments**

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now or will be fully prepared to present the above proposal at the Board of Adjustment hearing.

I understand that in the event that I am not present or represented at the public hearing, the Board shall have the power to dismiss this proposal either at the call of the case or after the hearing, and that such dismissal shall constitute a denial.

I reserve the right to withdraw this proposal at any time, except during notice periods, upon written request filed with the City Secretary's office, and such withdrawal shall immediately stop all proceedings thereon; provided, however, withdrawal filed at any time after the giving of notice of the Board hearing shall constitute a denial by the Board. I understand the filing of fee \$250.00 (two-hundred fifty dollars) is not refundable upon withdrawal of the proposal after public notice.

Applicant Signature Eyad Elayan Owner Signature [Signature]

*Property owner must sign the application or submit a notarized letter of authorization. Please review the acknowledgments prior to signing this application.*

For Office Use Only			
Application Date: <u>8/14/25</u>	Application Fee: <u>\$500.00</u>	BOA Hearing Date	Case No: <u>V-012</u>

City of Hutchins, TX  
Friday, September 12, 2025

# Chapter 13. Utilities

## ARTICLE 13.07. INDUSTRIAL WASTE DISPOSAL REGULATIONS

### Division 2. Grease Traps

#### § 13.07.032. Grease traps.

- (a) All food establishments must be equipped with a grease trap. A plumbing permit must be obtained by a licensed plumber from the building inspector prior to installation of the grease trap.
- (b) Grease traps shall be installed and sized in accordance with the currently adopted Uniform Plumbing Code formula as follows:

Step 1		Step 2		Step 3		Step 4	=	Step 5	Step 6
No. of Meals Per Peak Hours	X	Waste Flow Rate	X	Retention Time	X	Storage Factor		Calculated Interceptor Size	Grease Interceptor
<b>Step 1</b>				<b>Number of Meal per Peak Hours</b>					
				Seating capacity X Meal factor = Meals per peak hour					
				<b>Establishment Type:</b>				<b>Meal Factor:</b>	
				Fast food (45 min)				1.33	
				Restaurant (60 min)				1.00	
				Leisure dining (90 min)				0.67	
				Dinner club (120 min)				0.50	
<b>Step 2</b>		<b>Waste Flow Rate:</b>		<b>Condition:</b>				<b>Flow Rate:</b>	
				With a dishwashing machine				6 gallons	
				Without a dishwashing machine				5 gallons	

	Single service kitchen	2 gallons
	Food waste disposer only	1 gallon
<b>Step 3</b>	<b>Retention Time:</b>	
	Commercial kitchen waste	
	Dishwasher	2.5 hours
	Single service kitchen	
	Single serving	1.5 hours
<b>Step 4</b>	<b>Storage Factor:</b>	
	<b>Kitchen Type</b>	<b>Storage Factor</b>
	Fully equipped commercial:	
	Hours of operation:	
	8 hours	1.00
	12 hours	1.50
	16 hours	2.00
	24 hours	3.0
	Single service kitchen:	1.5
<b>Step 5</b>	<b>Calculate Liquid Capacity:</b>	
	Multiply the values obtained from Step 1, 2, 3 & 4. The result is the approximate grease interceptor size for this application.	
<b>Step 6</b>	<b>Select Grease Interceptor:</b>	
	Using the approximate required liquid capacity from Step 5, select an appropriate size as recommended by the manufacturer.	

**Notwithstanding the calculation of grease trap size calculated above, the minimum grease trap size shall be 100gpm/200 lbs.**

- (c) Grease traps installed in food establishments shall be located outside the establishment unless approved in writing by the building official and director of public works, or their designee. A grease trap may not be installed in any part of the building where food is handled. Grease traps shall be located to be easily accessible for cleaning.
  
- (d) All grease trap waste shall be pumped and removed, and the tanks thoroughly cleaned at least once every three months (90 days). Any deviation from this schedule must be approved in writing by the director of public works. The director of public works may require additional pumping, increase the frequency of cleanings, or require immediate pumping of a grease trap if it is deemed necessary in order to prevent grease from entering the sanitary sewer system. Any establishment utilizing microorganisms in any grease trap within the city will still be required to comply with the aforementioned pumping schedule.

- (e) All grease waste must be transported by a grease waste hauler licensed by TCEQ. The grease hauler is responsible for proper disposal of grease waste in an approved permitted site. It is the responsibility of the grease hauler to forward a copy of each waste trip ticket to the director of public works. Section F, Item 1.
- (f) Mobile food vendors, roadside vendors, temporary food establishments, and mobile concession stands are exempt from the requirement of grease traps. The city may grant other exceptions on a case-by-case basis.

(Ordinance 2023-1167 adopted 6/5/2023)



# STAFF REPORT

<b>MEETING DATE:</b>	September 17, 2025
<b>MEETING TYPE:</b>	Zoning Board of Adjustments
<b>SUBMITTED BY:</b>	Tim Rawlings
<b>AGENDA CAPTION:</b>	Discuss and consider a variance request by Manuel Valencia to the City of Hutchins Zoning Ordinance, Chapter 28 LI – Light Industrial District, Section 28.4, B. Size of Yards, 2. Minimum Side Yard – Twenty-five feet (25’), to allow a Two-foot side yard for an existing structure on the south side of the property, to allow the property to be platted. For the property located at 412 N. IH 45. Presented by: Tim Rawlings

### **Background Information**

Manuel Valencia is trying to plat his currently unplatted property but has an existing structure that is to close to the side property line. In order for him to proceed with the platting process he requires a variance to the City of Hutchins Zoning Ordinance, Chapter 28 LI – Light Industrial District, Section 28.4, B. Size of Yards, 2. Minimum Side Yard – Twenty-five feet (25’), to allow a Two-foot side yard for an existing structure on the south side of the property. For the property located at 412 N. IH 45. This condition is unique to the property and meets the requirements for a variance.

### **Budget Implications**

N/A

### **Operational Impact**

N/A

### **Legal Review**

N/A

### **Staff Recommendation**

Staff recommends approval.

### **Supporting Documentation and Attachments**

City of Hutchins  
321 N. Main Street  
P.O. Box 500  
Hutchins, Texas 75141

**CITY OF HUTCHINS**  
**APPLICATION TO**  
**BOARD OF ADJUSTMENTS**

Phone - 972.225.6121  
Fax No. - 972.225.5559

**Application Type**

<input checked="" type="checkbox"/> Variance Request	<input type="checkbox"/> General Appeal	<input type="checkbox"/> Special Exception	<input type="checkbox"/> Other
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**Applicant/Owner Information**

Key Contact Manuel Valencia Telephone No. 214.466.3296 Fax No. \_\_\_\_\_

Address 440 Salem Drive

City Richardson State TX Zip Code 75080

Contact's Status: (check one)  Owner  Representative  Tenant

Owner Manuel Valencia Telephone No. 214.466.3296 Fax No. \_\_\_\_\_

Address 412 North IH 45 Service Road

City Hutchins State TX Zip Code 75141

Ownership Status: (check one)  Individual  Trust  Partnership  Corporation

**Property Information**

Site Location 412 N IH 45

Site Street Address 412 N. Freeway Service Rd. Hutchins, TX 75141

Subdivision Benjamin Matthews Survey, Abstract No. 898 Lot No. TR 7 ACS 0.9439 Block No. \_\_\_\_\_

Present Zoning LI (Light Industrial) Present Land Use Commercial

Status of Project:  Proposed  Under Construction  Existing

Have you applied for a building permit?  Yes  No

Has any appeal or petition been filed on this property before?  No  Yes Date \_\_\_\_\_

**Request Information**

*Please answer the following questions as completely as possible. Failure to fully outline the situation by answering these questions could cause unnecessary delay in evaluating your appeal.*

1. Fully explain the unique conditions or circumstances that exist which are peculiar to your land, structure, or building involved that make this request necessary. A request was submitted for a replat on this property. It was discovered during the review process that a metal building located on the South of the property is almost directly on the property line. A variance is being sought to allow for the building to remain.

2. Do similar conditions exist in the area? Explain. None known

3. Describe how the unique conditions or circumstances do not result from your actions. The building was existing

**Request Information, continued**  
when the property was purchased

4. Are other property owners in your area aware of your request? Other property owners are aware that the building is existing but not about the variance request.

5. Is there any way to do what you want without this request? Not according to city staff. A variance is needed to move forward with processing the replat request for improvements to property.

**Acknowledgments**

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now or will be fully prepared to present the above proposal at the Board of Adjustment hearing.

I understand that in the event that I am not present or represented at the public hearing, the Board shall have the power to dismiss this proposal either at the call of the case or after the hearing, and that such dismissal shall constitute a denial.

I reserve the right to withdraw this proposal at any time, except during notice periods, upon written request filed with the City Secretary's office, and such withdrawal shall immediately stop all proceedings thereon; provided, however, withdrawal filed at any time after the giving of notice of the Board hearing shall constitute a denial by the Board. I understand the filing of fee \$500.00 (two-hundred fifty dollars) is not refundable upon withdrawal of the proposal after public notice.

Applicant Signature Manuel Valencia Owner Signature Manuel Valencia

*Property owner must sign the application or submit a notarized letter of authorization. Please review the acknowledgments prior to signing this application.*

For Office Use Only			
Application Date:	Application Fee:	BOA Hearing Date	Case No:

WHEREAS 412 North IH 45 Service Road Series, LLC AKA 412 North IH 45 Service Road is the owner of a tract of land situated in the Benjamin Matthews Survey, Abstract No. 898, City of Hutchins, Dallas County, Texas, being that tract of land described in General Warranty Deed to 412 North IH 45 Service Road Series, LLC as recorded in Instrument Number 202100387653, Official Public Records, Dallas County, Texas, along with that tract of land described in Special Warranty Deed to 412 North IH 45 Service Road as recorded in Instrument Number 202500046354, Official Public Records, Dallas County, Texas, and being less that tract of land described in Special Warranty Deed to Roger D. Little and Patsy R Little as recorded in Instrument Number 202500256510, Official Public Records, Dallas County, Texas, and the remainder tract being more particularly described by metes and bounds as follows;

BEGINNING at a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for the east corner of Lot 2, Ma'loy Properties Addn, an addition to the City of Hutchins, Dallas County, Texas, according to the plat thereof recorded in Volume 86147, Page 3399, Deed Records, Dallas County, Texas, same lying in the north right-of-way line of E. Cleveland Road (variable width right-of-way);

THENCE North 30 degrees 42 minutes 46 seconds West, along the northeast line of said Lot 2, a distance of 127.35 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for an angle point;

THENCE North 26 degrees 24 minutes 46 seconds West, continuing along the northeast line of said Lot 2, a distance of 55.40 feet to an "X" cut in concrete for the north corner of said Lot 2, same being the east corner of that tract of land described in Special Warranty Deed to Roger D. Little and Patsy R Little as recorded in Instrument Number 202400256510, Official Public Records, Dallas County, Texas;

THENCE South 58 degrees 24 minutes 39 seconds West, along the northwest line of said Lot 2 and southeast line of said Little tract, a distance of 15.24 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for the east corner of the remainder of that tract of land described in Warranty Deed to Roger D. Little and Patsy R. Little as recorded in Volume 88129, Page 3399, Deed Records, Dallas County, Texas;

THENCE North 15 degrees 40 minutes 16 seconds West, along the east line of the of said remainder Little tract, a distance of 41.41 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" in a southeast line of said 412 IH 45 Service Road Series, LLC tract;

THENCE South 58 degrees 44 minutes 47 seconds West, along said southeast line of 412 IH 45 Service Road Series, LLC tract and the northwest line of said remainder Little tract, a distance of 36.90 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for the northeast corner of said 412 IH 45 Service Road tract;

THENCE South 62 degrees 48 minutes 57 seconds West, along the northwest line of said 412 IH 45 Service Road tract, a distance of 18.72 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" for an ell corner;

THENCE South 30 degrees 04 minutes 50 seconds East, along the southwest line of said 412 IH 45 Service Road tract, a distance of 41.25 feet to a 1/2 inch iron rod set with yellow plastic cap stamped "TXHS" in the northwest line of said Lot 2,

THENCE South 59 degrees 18 minutes 11 seconds West, along the northwest line of said Lot 2, a distance of 243.67 feet to a 2 inch iron pipe found for the west corner of said Lot 2, same lying in the northeast right-of-way line of Interstate Highway 45 (service road)(variable width right-of-way);

THENCE along the said northeast right-of-way line of State Highway 75 / Interstate Highway 45 the following bearings and distances;

North 46 degrees 10 minutes 03 seconds West, a distance of 43.48 feet to a concrete monument found for corner;

North 52 degrees 48 minutes 04 seconds West, a distance of 162.20 feet to a 1/2 inch iron rod found with yellow plastic cap stamped "Rhodes" for corner;

North 53 degrees 59 minutes 12 seconds West, a distance of 59.96 feet to a 1/2 inch iron rod found for corner;

North 59 degrees 32 minutes 07 seconds West, passing a 1/2 inch iron rod at 124.91 feet, for a point online at highbank of a creek, and continuing for a total distance of 159.21 feet to a point for corner for Lot 2R, Block A, Point South, Lot 2R, Block A, an addition to the City of Hutchins, Dallas County, Texas, according to the plat thereof recorded in Instrument Number 202100147988, Official Public Records, Dallas County, Texas;

THENCE along the southeast lines of Lot 2R, Block A and traversing a creek, the following bearing and distances;

North 58 degrees 04 minutes 35 seconds East, a distance of 74.27 feet to a point for corner;

North 61 degrees 15 minutes 12 seconds East, a distance of 95.32 feet to a point for corner;

North 39 degrees 09 minutes 08 seconds East, a distance of 85.46 feet to a point for corner;

North 49 degrees 39 minutes 46 seconds East, a distance of 92.41 feet to a point for corner;

North 33 degrees 29 minutes 30 seconds East, a distance of 47.87 feet to a point for corner;

North 33 degrees 28 minutes 58 seconds East, a distance of 1.49 feet to a point for corner;

North 19 degrees 15 minutes 23 seconds West, a distance of 84.45 feet to a point for corner;

North 02 degrees 19 minutes 53 seconds East, a distance of 194.03 feet to a point for corner;

North 57 degrees 00 minutes 37 seconds East, a distance of 77.18 feet to a 5/8 inch iron rod found with yellow plastic cap stamped "PACHECO KOCH" for the east corner of said Lot 2R, Block A, same lying in a west line of Lot 1, Block A, Point South, Lots 1 & 2, Block A, an addition to the City of Hutchins, Dallas County, Texas, according to the plat thereof recorded in Instrument Number 201500139683, Official Public Records, Dallas County, Texas;

THENCE along the west lines of said Lot 1, Block A the following bearings and distances;

South 32 degrees 58 minutes 20 seconds East, a distance of 259.03 feet to a 5/8 inch iron rod found with yellow plastic cap stamped "PACHECO KOCH" for corner;

South 24 degrees 45 minutes 28 seconds East, a distance of 358.64 feet to a 5/8 inch iron rod found with yellow plastic cap stamped "PACHECO KOCH" for corner;

South 26 degrees 07 minutes 44 seconds East, a distance of 96.51 feet to a 5/8 inch iron rod found with yellow plastic cap stamped "PACHECO KOCH" for corner;

South 26 degrees 44 minutes 13 seconds East, a distance of 52.89 feet to a 5/8 inch iron rod found with yellow plastic cap stamped "PACHECO KOCH" for corner;

South 30 degrees 41 minutes 05 seconds East, a distance of 111.96 feet to a 5/8 inch iron rod found with yellow plastic cap stamped "PACHECO KOCH" for the south corner of said Lot 1, Block A, same lying in the said north right-of-way line of E. Cleveland Road, same being the start of a non-tangent curve to the left having a radius of 258.70 feet, a delta angle of 13 degrees 39 minutes 03 seconds and a chord bearing and distance of South 46 degrees 42 minutes 05 seconds West 61.49 feet;

THENCE along said curve to the left and said north right-of-way line of E. Cleveland Road, an arc distance of 61.64 feet to the POINT OF BEGINNING and containing 242,672 square feet or 5.571 acres of land more or less.

City of Hutchins, TX  
Friday, September 12, 2025

# Exhibit 14A. Zoning Ordinance

## Part III. ZONING DISTRICTS

### § 28. LI – LIGHT INDUSTRIAL DISTRICT.

#### 28.1 GENERAL PURPOSE AND DESCRIPTION:

The LI, Light Industrial, district is intended primarily for the conduct of light manufacturing, assembling and fabrication activities, and for warehousing, research and development, wholesaling and service operations that do not typically depend upon frequent customer or client visits. Such uses do require accessibility to major thoroughfares, major highways, and/or other means of transportation.

#### 28.2 PERMITTED USES:

- A. The following uses are permitted in the Light Industrial district, provided that such light manufacturing or industrial operations shall not disseminate dust, fumes, gas, noxious odor, smoke, glare or other atmospheric influence beyond the boundaries of the property upon which such use is located, and which produces no noise exceeding the average intensity of noise of street traffic, as further defined by the Performance Standards (Section 38), at that point, and provided that such use does not create fire or safety hazards on surrounding property.
1. Those uses specified in Section 32 (Use Charts).
  2. Industrial, fabrication and manufacturing plants, including the assembling of prefabricated parts for the production of finished equipment, where the process of manufacturing or treatment of materials is such that no dust, odors, fumes, gas, smoke, glare, vibration or noise is emitted beyond the property line (see Section 36 for screening requirements).
  3. Uses of a light manufacturing type nature, employing electricity and/or other unobjectionable mode of power and which does not produce any objectionable dust, odors, fumes, gas, smoke, glare, vibration or noise.

- Such uses as may be allowed by Specific Use Permits, Section

### 28.3 HEIGHT REGULATIONS:

#### A. Maximum Height:

- Occupied structures/buildings - Three (3) stories or forty-five feet (45'), but limited to a maximum height of thirty-five feet (35') on any portion of the site that is within two hundred feet (200') of any residentially zoned property (i.e., A, SF-10, SF-8.5, SF-7, SF-PH, D, SFA, MF or MH), and a maximum height of one (1) story within sixty feet (60') of residential.
- Unoccupied structures (e.g., private grain silos, private water towers/utility structures, communications antennae, etc.) - Sixty feet (60'); Where any structure over thirty-five feet (35') in height is to be constructed on a site that is adjacent to a residential zoning district (A, SF-10, SF-8.5, SF-7, SF-PH, D, SFA, MF or MH), additional setback (i.e., front, side, rear yard) distance must be provided from the residential zoning district boundary line of one (1) additional foot for each foot that such structures exceed thirty-five feet (35'). (Also see Section 37.6 for communications antennae and support structures/towers.)
- One (1) story for accessory buildings.
- Other (Section 37.5).

### 28.4 AREA REGULATIONS:

#### A. Size of Lot:

- Minimum Lot Area - Twenty thousand (20,000) square feet
- Minimum Lot Width - One hundred feet (100')
- Minimum Lot Depth - Two hundred feet (200')

#### B. Size of Yards:

- Minimum Front Yard - Fifty feet (50'); all yards adjacent to a street shall be considered a front yard.
- Minimum Side Yard - Twenty-five feet (25')
- Minimum Rear Yard - Twenty-five feet (25')
- Adjacent to a Residential District - The side or rear setback, whichever is adjacent to a residential zoning district, shall observe a sixty-foot (60') setback for any occupied building that is over one (1) story in height, and a two hundred foot (200') setback for occupied buildings over two (2) stories or thirty-five feet (35') in height.

- C. Maximum Lot Coverage: Sixty-five percent (65%), including access to buildings.

### 28.5 SPECIAL REQUIREMENTS:

- A. Site Plan Review - Review and approval of a site plan (in accordance with Section 12) shall be required for any tract/lot within the LI district. No certificate of occupancy shall be issued unless all construction and development conforms to the Site Plan as approved by the City.
- B. Parking Requirements - As established by Section 33, Off-Street Parking and Loading Requirements.
- C. All buildings and walls shall have at least eighty percent (80%) masonry exterior construction, exclusive of doors and windows. Glass block may be counted as masonry for the purposes of this Section; stucco may be allowed with Site Plan approval (see Section 12).
- D. For landscaping requirements, see Section 34.
- E. For signage requirements, see the City's Sign Ordinance (Ordinance No. 486).
- F. Recreational vehicles, travel trailers or motor homes may not be used for on-site dwelling or nonresidential purposes.
- G. No permanent use of temporary buildings.
- H. Other Regulations: As established in the Development Standards, Sections 33 through 41.

(Ordinance 782 adopted 2/16/04; Ordinance 2009-0899 adopted 10/5/09; Ordinance 782 adopted 2/16/14; Ordinance 2014-0970 adopted 12/29/14; Ordinance 2015-0973 adopted 3/2/15; Ordinance 2015-0974 adopted 3/2/15; Ordinance 2015-0975 adopted 3/2/15)