

Nonconforming Rights Application – A 4-plex in R5B  
 2052 Midland Avenue  
 23-NONCONFORM-0008

The Applicant is requesting nonconforming rights for a 4 unit residential property in R-5B two-family zoning district.

Property Information:

Zoning: R-5B  
 Form District: Traditional Neighborhood  
 Neighborhood: 24/ COM Cherokee Triangle  
 Acreage: 0.11090 acres  
 Year Built: 1915  
 Above Grade SF: 2,178 sq. ft.  
 PVA Property Class: 405 Apartments

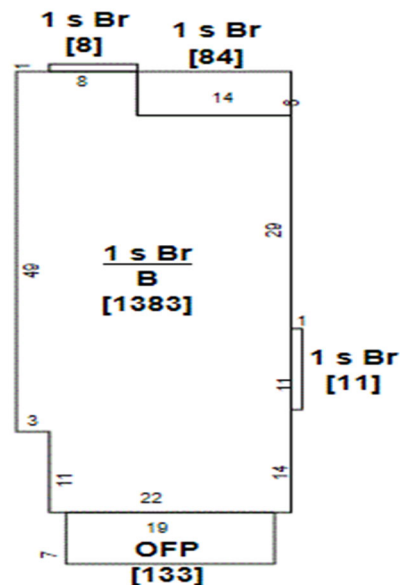


Historic Zoning	
1931	"Two-Four Family"
1937	"Two-Four Family"
1944	"Two-Four Family"
1954	"A One Family"
1965-1971	R-9 Apartment
1995	R-5B

Directory Findings:

Year	# of Directory Listings
1942	1(Caren)
1970	2 (Criss-Cross)
1971	1(Caren)
1975	2(Criss-Cross)
1976	1(Caren)
1977	2 (Criss-Cross)
1978	4 (Criss-Cross)
1981	1
1987	1, Single Family

(4) 1BR units



1965-1971 Zoning Map



1995 Zoning Map



**Findings Summary:**

According to information provided by PVA, the structure was built in 1915. According to the LDC, the applicant must prove the use was being exercised consistently since 1971. The applicant provided directory listings dating back from 1960's to the current day. The applicant also provided two notarized affidavits from previous property owners as well as historic newspaper listings. This property was subject to two area-wide rezonings in 1975 and 1988. In 1975, the property's zoning was changed from R-8 to R-6 and in 1988 it changed from R-6 to R5B two family residential. The applicant nor research conducted by planning and design staff could provide sufficient evidence the use existing in 1971. To recognize nonconforming rights, conclusive evidence showing the use's establishment and continuous existence since 1971 must be provided.

<b>YEAR</b>	<b>LISTING</b>
1969	1 (CARON),
1970	1 (CARON), 2 (CC)
1971	1 (CARON), 2 (CC)
1972	1 (CARON),
1973	1 (CARON),
1974	1 (CARON),
1975	1 (CARON), 2 (CC)
1976	1 (CARON),
1977	1 (CARON), 2 (CC)
1978	3 (CARON)
1979	1 (CARON),
1980	3 (CARON),
1981	2, one No return
1982	2 (caron)
1983	2 (Caron)
1984	3 (Caron),
1985	3 CARON
1986	3 CARON, 4 (cc)
1987	4 (CARON),
1988	3 Caron

