

**JUSTIFICATION STATEMENT/DEMONSTRATION OF APPROPRIATENESS FOR  
COMPLIANCE WITH CORNERSTONE 2040**

**Project:**

Rutledge Rezone Existing Building

**Applicant:**

Daniel V. and Gina Rutledge

**Location:** 1325 Texas Avenue

**Engineer:** Blomquist Design Group, LLC

**Request:** Change in zoning from R-5 to OR-1

**General Statement**

The property located at 1325 Texas Avenue is currently occupied by a two story brick structure that is the original structure built in early to mid last century. A Commercial Barber shop operates on the first floor and the second floor is an apartment residence. With the exception of two different time periods over the past 50 years, the building has consistently been a commercial operation on the first floor and residence on the second floor. Until recently, the Owner was of the understanding that the uses were allowed by virtue of the Non Conforming Rights section of the Land Development Code. However, we were informed last year that the property did not meet that standard and thus we are seeking a Zone Change to allow the continued use of a Commercial Barber Shop and Residence for the property at 1325 Texas Avenue.

A neighborhood meeting was held on August 30, 2022 to discuss the proposed zone change. No one showed for the neighborhood meeting and after approximately 15 minutes, the Owner and I closed the meeting.

**Why the existing zoning is not appropriate and the proposed zoning is appropriate**

The subject property at 1325 Texas Avenue is Zoned R-5 and is located in the Traditional Neighborhood Form District in the Schnitzelburg/Germantown area. The overall area is a mix of residential properties with commercial uses being located at the intersections of streets in the area. The subject property is located at the intersection of Texas Avenue and Ash Street. As stated above, the property has been operating as a commercial/residential use for several decades and being at an intersection would be consistent with the neighborhood as an OR-1 zoned property as proposed.

RECEIVED

SEP 22 2022

PLANNING &  
DESIGN SERVICES

22-ZONE-0132