

Nonconforming Rights Application – Three Units in R-6

1335 E Washington St

21-NONCONFORM-0007

The Applicant is requesting nonconforming rights for three units in the R-6 multifamily zoning district. The density only permits 1 unit.

Property Information:

Zoning: R-6

Form District: Traditional Neighborhood

Location: Butchertown

Acreage: 0.067 acres

Year Built: 1875

Above Grade SF: 2,990

PVA Property Class: Apartments Multi-Res



Historic Zoning	
1931	K – Heavy Industrial (All Uses Permitted)
1945	F - Commercial
1965	M-3 Industrial
1967	Changed to R-6 under 9-126-66
1995	R-6 Multifamily



Directory Findings:

Year	1335 E Washington St.	126 Webster St.	Total # of Directory Listings
1940	Weber AC Grocery	Not Listed	0
1960	1 Listing	Not Listed	1
1971	Leonhardt Tavern	Not Listed	0
1979	Leonhardt Tavern	3 Listings	3
1982	Leonhardt Tavern	1 Listing	2
1989	Vacant	Vacant	0
1999	1 Listing	Not Verified	2
2008	No Listing	No Listing	0
2012	2 Listings	No Current Listing	3
2016	1 Listing	No Current Listing	2

Materials Provided by Applicant:

The applicant provided photos showing the three separate utility meters for each unit.





FIREMEN ATTACK TWO-ALARM BLAZE at 1335 E. WASHINGTON

Fires Hurt Woman, Hit Home Of 6

A woman was critically burned in one fire, and a widow and her five children lost all their possessions in another blaze that gutted a 2½-story building last night.

Firemen found Mrs. Nella Mae Stull, 53, lying unconscious outside her burning one-story frame house at 1908 Eddy after fire broke out there about 7 p.m.

How the fire started, and how Mrs. Stull got outside the house was not determined. She was taken to General Hospital in critical condition with burns over more than 90 percent of her body.

Starts In Tavern

A few minutes earlier, about 6:40 p.m., a two-alarm blaze broke out at Bob Leonhardt's Tavern, 1335 E. Washington, and spread to second-story apartments in the brick building. The tavern was closed for the day.

Mrs. John Hardin, a resident of one of the apartments,

Break-In Damage Tops Loot Value

Break-ins reported to police yesterday included one in which the amount of damage to the store exceed the value of the merchandise stolen.

John R. Roberts, owner of Roberts Appliance Sales & Service, 906 Dixie Highway, told police that someone entered his store at about 4:20 a.m. by breaking a glass front door.

The flying glass, he said, broke the picture tube of a color-television receiver and damaged the cabinets on three other sets.

One burglar climbed over a phonograph and badly damaged the cabinet.

Roberts set the total damage at about \$1,000.

The burglars walked off with four portable television receivers, with a total value of about \$360.

John Fischer, owner of Johnny's Market, 601 E. Jacob, told police about \$160 in cash and at least \$202 in mer-

chandise was taken from his store between 8 p.m. Saturday and 8 a.m. yesterday.

The burglar entered by forcing open a second-story window.

The money was taken from a bag underneath the meat counter and from two cash registers. The burglars also took hams, cigarettes, cigars, razor blades, and other merchandise.

Change, Whisky Stolen

Morris Metry, owner of the Brass Rail Cafe, 501-3 E. Jefferson, said about \$80 in change was taken from vending machines and about \$40 worth of whisky was stolen between midnight and noon yesterday. Burglars forced open a rear door, he said.

Burglars entered Gordon's Golden Horse, 637 S. Fourth,

4 Accused Of Burglary,

Newspaper Article from 1964 indicating apartments on the second floor of the structure. The article mentions 3 different tenants which would suggest at least 3 apartments existed.



Apt 2 & 3 common hall
entry door

Apt 1 entry
door

RFM LLC
OWNER

FENCED IN
YARD SPACE
FOR APT #5

APT 1 + 3
ON 1ST FLOOR

BACK
YARD
ENTRY

APT #3
ON 1ST FLOOR

STAIRWELL TO SECOND FLOOR
+ APT #2 ENTRY
DOOR

APT #3 ENTRY
DOOR

EXTERIOR
COMMON
DOOR
ENTRY
APT #2 +
#3

APT #1
ON 1ST FLOOR

SIDEWALK

WEBSTER ST.

PORCH APT 1

APT 1
ENTRY DOOR

1335 E WASHINGTON

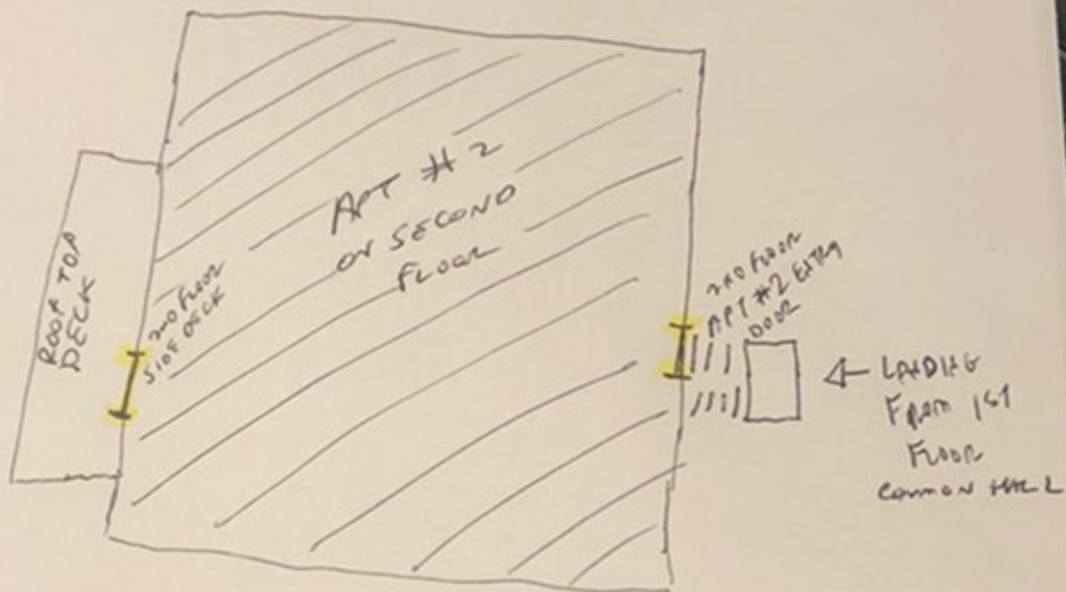
SIDEWALK

WASHINGTON ST

1 of 2

RFM LLC
OWNER

APT 2
ON SECOND
FLOOR



1335 E. WASHINGTON
2ND FLOOR

2 of 2

Findings Summary:

The applicant is seeking nonconforming rights for 3 dwelling units in R-6 zoning. The density of 17.42 du/acre restricts the lot to only allowing 1 unit. The directory information was not reliable for the site. There are at least three addresses associated with the site likely due to the location on the corner of E Washington Street and Webster Street. The applicant provided photos of the three separate meters for the units. Researching historic newspaper articles showed that there were at least three units in the structure, in addition to the tavern, in 1964. The structure was built prior to zoning regulations going into effect and the zoning was accommodating of residential uses until the M-3 zoning in 1965. The site was zoned to R-6 in an areawide rezoning in the Butchertown neighborhood in 1967. Zillow listings showed units one and three and provided photos. The applicant's explanations on the application claim that the structure has been used as a triplex since at least 2011 when they purchased the property, and the structure was a triplex prior to them purchasing the property as well. The main concerns are the directories being an unreliable source for this specific circumstance due to the mixed use and several associated addresses, and there is not ample evidence that the structure has been used consecutively as a triplex since the closing of the bar in the 1980s. The 1980 Butchertown Neighborhood plan confirms the nonconforming tavern but does not speak to the apartment units. The 1981 Riverfront Plan shows that the existing land use of the site was industrial, which is incorrect based on the other evidence collected. It is likely that apartments and a tavern existed on the site for several decades, and the tavern was the most verified use in the directories. However, the only confirming evidence of the three units existing prior to 1971 is the newspaper article.