

ZONING ADMINISTRATOR REVIEW

Joseph Malik - Special Land Use Permit

Hearing: Wednesday, September 9, 2026 at 6:30 p.m.

Property: Vacant property on Livingston Street; Tax Parcel 4711-22-401-008

Request: Construct one single-family home in the Central Business District (CBD)

Recommendation: APPROVAL. As Zoning Administrator, I recommend approval of the special land use permit, subject to final site-plan review and compliance with all applicable Village requirements. The proposed single-family home is an allowed special land use in the CBD through the ordinance's R3 cross-reference and, based on the materials submitted, is an appropriate use for this vacant parcel.

Why the use is allowed

Section 152.162(A) allows all permitted uses in the R3 District to be considered as special land uses in the CBD.

Section 152.101(A) permits one single-family dwelling per lot in the R3 District.

Reading these sections together, one single-family home may be approved as a special land use on this CBD property. The property remains zoned CBD, and the project must meet the applicable CBD development standards and the general special land use standards in § 152.242.

Benefits to the Village and surrounding area

- **Productive use of vacant property:** The project places an undeveloped parcel into active, maintained use and reduces the likelihood that the property remains vacant for an extended period.
- **Additional housing:** The home adds another housing opportunity within the Village and supports continued residential investment in the community.
- **Stronger tax base:** Construction of a new home adds taxable value to the property and supports the Village's long-term financial base.
- **Support for downtown:** A resident living near the downtown area can support nearby businesses, community events, parks, and other Village services.
- **Compatible development:** A single-family home is generally a low-impact use. With appropriate design, setbacks, access, parking, drainage, and landscaping, it can fit the surrounding area without creating the impacts associated with a more intensive commercial use.
- **Private investment:** The project represents private investment in the Village and improves the property through new construction and ongoing maintenance.

Items to confirm before final approval

- A complete, dimensioned site plan showing the house, garage, driveway, parking, lot lines, and all required setbacks.
- Final building elevations, exterior materials, colors, roof design, windows, and lighting that are compatible with nearby properties and applicable CBD architectural standards.
- Adequate water, sewer, drainage, grading, emergency access, and other required public services.
- Compliance with all applicable zoning, building, driveway, utility, stormwater, and other permit requirements.

Recommended motion

I move to approve the special land use permit requested by Joseph Malik to construct and use one single-family dwelling on Tax Parcel 4711-22-401-008 pursuant to § 152.162(A). The Planning Commission finds that the use is authorized through the permitted R3 use identified in § 152.101(A), is compatible with the surrounding area, provides a reasonable and beneficial use of the vacant property, and satisfies the applicable standards of § 152.242, subject to the following conditions:

1. Final administrative approval of a complete site plan demonstrating compliance with applicable CBD development standards.
2. Final approval of the building elevations, exterior materials, colors, lighting, access, parking, grading, drainage, and utility connections.
3. Receipt of all other required permits and agency approvals before construction begins.
4. Construction and use of the property in substantial compliance with the approved plans and all conditions of approval.

Zoning Administrator's conclusion: I believe this proposal is consistent with the Village Zoning Ordinance and is a positive use of this vacant property. I recommend approval subject to the conditions above and any additional reasonable conditions adopted by the Planning Commission based on the public hearing record.