

## **STAFF REPORT**

**DATE:** May 12, 2026  
**TO:** Zoning Board of Appeals  
**FROM:** Francisco Jimenez, Planner  
**RE:** Petition Number: 2026-28  
Applicant / Owner: Brian Contreras  
Location: 556 Ward Ave (COUNCIL DISTRICT #4)  
Request: 2026-28: Repeal of a Variation of Use (Ordinance #12065) to allow a 4-unit residence, an R-4 (multifamily residential) use, in an R-3 (one-and-two-family residential) Zoning District

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### **Purpose**

The applicant is requesting to repeal a previously approved Variation of Use (Ord. 12065) that allowed an R-4 (multi-family) use in an R-3 (one-and-two family) zoning district.

The Variation of Use request must be considered by the City Council following the recommendation of the Zoning Board of Appeals.

### **Site Specific Information**

The City Council approved a Variation of Use (Ord. 12065) in 1998 that allowed the reduction from five units to four units within this two-story building in the R-3 (one-and-two family residential) zoning district. The building had one unit on the first floor and three units on the second. The building suffered extensive fire damage in 2024 and has remained vacant since that time. The petitioner has submitted building permits for the building and will be remodeling and updating the units when permits are approved.

### **Surrounding Zoning, Land Use and Character**

North: Railroad, I-2 (General Industrial) District  
South: Single Family, R-2 (Single-Family Residential) District  
East: Single Family, R-2 (Single-Family Residential) District  
West: Single Family, R-2, (Single-Family Residential) District

### **Applicable Regulations**

- Section 47.7.1 Permitted Principal Uses
- Section 47-17.28: Variation of Use

**Section 47-17.28: Variation of Use:** *A "variation of use" shall be defined to mean relief from strict compliance with the use limitations of this Ordinance regarding the classification, regulation, and restriction of the location where trades, industries, businesses, and residences may exist.*

### **Discussion**

The petitioner has applied for the repeal of the previously approved Variation of Use that allowed an R-4 (multifamily) use in an R-3 (one-and-two-family) residential district. The petitioner has stated in their application that they are planning to convert the existing, but vacant, four unit building into two units. They stated that by having two units instead of four, they will be able to make the individual units larger, and the building would be more in character of the neighborhood. The property has a paved parking area in the rear that is accessed via an alley and provides the required number of spaces. The surrounding properties are all single-family homes.

### **Recommended Action**

Staff recommends approval of the repeal as it would align the proposed two-unit residential use of this property with the two-unit zoning designation for this property. The repeal also enables the property to better fit the zoning and land use of nearby properties and should not alter the character of the surrounding area.

### **Conditions**

1. That all necessary building permits shall be obtained prior to the Certificate of Occupancy being issued;
2. That the property shall be enrolled in and comply with the City's Rental Inspection Program;
3. That the use of the property shall not be expanded in the future;
4. Should the property be declared a public nuisance, it may be subject to rehearing and possible revocation of the Variation of Use.