



ZONING BOARD OF ADJUSTMENT

Date of Hearing: April 9, 2026
Date of Decision: May 5, 2026
Zone Case: 32 of 2026
Address: 5253 Liberty Avenue
Lot and Block: 51-L-262
Zoning Districts: UNC
Ward: 8
Neighborhood: Bloomfield
Request: Restaurant
Application: BDA-2025-11579

Special Exception	Sections 911.02/911.04.A.57.a	Restaurant (General)
-------------------	-------------------------------	----------------------

Appearances:

Applicant: Mike Sebben, Randa Jordan, Tanner Lantz, Will Diekemper

Findings of Fact:

1. The Subject Property is located at 5253 Liberty Avenue in a UNC (Urban Neighborhood Commercial) District in Bloomfield.
2. The area of the Subject Property is approximately 1.5 acres and its frontage on Liberty Avenue extends from S. Pacific Avenue to S. Atlantic Avenue.
3. The Subject Property is the site of a mixed-use building that has been designed to include several commercial tenant spaces. A 48-space parking area is located at the rear of the building.
4. The 48-space parking area, which as depicted in the development plans that the City approved, is intended to provide sufficient parking for all of the uses within the development.
5. The Applicant proposes to use a 3,600 sf tenant space on the ground floor of the building for a restaurant (general) use.
6. The Department of City Planning determined that, in accordance with the Zoning Code's parking schedule, 3 off-street parking spaces are required for the proposed restaurant use.

7. The Applicant explained that no parking spaces are to be reserved for the restaurant, but asserted that the development and parking lot were designed to ensure that sufficient parking spaces would be available to accommodate all of the parking needs associated with the development, including the proposed restaurant use.

8. The Applicant also noted that the mechanical equipment and ventilation associated with the use would be internal to the site and would not impact any nearby residential properties.

9. No one appeared at the hearing to oppose the request.

Conclusions of Law:

1. Section 911.02 allows the restaurant (general) use as a special exception in UNC Districts, subject to the specific criteria in Section 911.04.A.57.a. These criteria require the Board to consider whether the parking facilities for the proposed restaurant use have been designed to meet the anticipated demand for the use; and whether any possible off-site impacts of the restaurant will be controlled to avoid conflicts with any nearby residential properties.

2. The Applicant seeks a special exception to allow the proposed 3,600 sf restaurant (general) use on the Subject Property.

3. Consistent with the requirements of Section 911.04.A.57.a, the Applicant provided credible evidence that sufficient parking would be available on-site to accommodate the restaurant's parking needs and that the restaurant would not impact nearby residential properties.

4. For these reasons, consistent with the evidence and testimony presented, and the applicable legal standards governing special exceptions, the Board concludes that approval of the request for a special exception for the restaurant (general) use is appropriate

Decision: The Applicant's request for a special exception pursuant to Sections 911.02 and 911.04.A.57 to allow a 3,600 restaurant (general) use on the Subject Property is hereby APPROVED.

s/Alice B. Mitinger
Alice B. Mitinger, Chair

s/Lashawn Burton-Faulk
LaShawn Burton-Faulk

s/ John J. Richardson
John J. Richardson

Note: Decision issued with electronic signatures, with the Board members' review and approval.