



**To:** Dustin Anderson, Town Manager

**From:** Tom Vander Woude, Planning Director

**Date:** July 15, 2020

**Re:** Approval of a conditional use permit for an outdoor dining area in a CD-4.A district for a covered patio at the Danny Z's Restaurant at 1860 45th street. (BZA Docket No. 20-009)

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The purpose of this memo is to request Town Council approval of a conditional use permit for an outdoor dining area in a CD-4.A district to allow a covered patio at the Danny Z's Restaurant at 1860 45th street.

### **Background**

Daniel Zunica, owner of Danny Z's Restaurant, has submitted plans to construct a 648 square foot covered patio addition to west side of the Danny Z's Restaurant. The restaurant located at 1860 45th Street in the Pavilion on 45th Street shopping center. The proposed addition will expand the existing outdoor dining area from 445 square feet to a total of 1,093 square feet.

In a CD-4.A district, an outdoor patio is classified as a Conditional Use, which must be presented at a public hearing to the Board of Zoning Appeals (BZA). The BZA is required to forward a favorable, unfavorable or no recommendation for approval to the Town Council.

Representatives of Danny Z's appeared before the BZA at a public hearing on July 14, 2020. There were no remonstrances. After hearing their presentation, the BZA voted 5 to 0 to forward a favorable recommendation for approval to the Town Council.

The Town Council must now take final action to approve or deny the conditional use permit.

Additional details are provided in the attached BZA staff report.

### **Recommendation**

The Board of Zoning Appeals recommends the following:

Approve a conditional use permit for an outdoor dining area in a CD-4.A district to allow a covered patio at the Danny Z's Restaurant at 1860 45th street.

### **Attachments**

1. BZA Docket No. 20-009 Staff Report dated July 14, 2020
2. BZA Docket No. 20-009 Executed findings of fact