

FILE
14-348038

**DUPLEX AND TRIPLEX CONVERSION
GUIDELINES FOR ZONING CASES**

Approved by the Board of Zoning Appeals June 30, 2009
Approved by the Planning Commission August 21, 2009 (09-52)

DUPLEX CONVERSION GUIDELINES

Application Requirements:

Plans. In addition to the general application requirements of sections 61.301, 61.302, and 61.801(b) (for rezonings), applications shall include a site plan showing total lot area and proposed off street parking (improved with a durable, permanent, dustless surface). In calculating the floor area of habitable rooms, only those portions of the floor area of a room having a clear ceiling height in excess of five (5) feet may be included. At least half of the floor area of any habitable room shall have a clear ceiling height of seven (7) feet or more. If exterior changes are proposed, exterior changes shall be consistent with the General Design Standards in section 63.110. All plans and drawings must show dimensions or be drawn to scale.

Economic Feasibility Analysis. An economic analysis worksheet provided by the City shall be completed and submitted with the application.

MLS Listing from Most Recent Sale. A copy of the MLS listing from the most recent sale shall be submitted with the application.

1. Applications for *variances* in RT-1 or higher residential zones

For proposed conversions of existing single-family structures to duplexes, staff will recommend denial unless, in addition to the required findings for variances contained in § 61.600 of the Zoning Code, the following guidelines are met:

- A. Lot size of at least 5000 square feet with a lot width or front footage of 40 feet.
- B. Gross living area, after completion of duplex conversion, of at least 1,500 square feet. Neither unit shall be smaller than 500 square feet.
- C. Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum.
- D. All remodeling work for the duplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance. (The Planning Commission will approve these changes for the cases they handle.)
- E. For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a duplex without the necessary permits, a A code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire

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structure into building and fire code compliance within the time specified in the resolution.

2. Applications for *establishment of legal nonconforming use or re-establishment of legal nonconforming*

For residential uses in residential districts, staff will recommend denial unless the following guidelines are met:

- A. All required findings for nonconforming use permits in § 62.109 (a) *Establishment of legal nonconforming use or (e) Reestablishment of nonconforming use* in the Zoning Code are met
- B. That guidelines A - E as outlined above in section 1 are met

3. Applications to *rezone* single parcels to RT-1 to provide for conversion to a duplex

Staff will assess the on-street parking conditions in the area as well as review the application against the following guidelines. Staff will recommend denial unless these guidelines are met:

- A. Lot size of at least 6,000 square feet with a lot width or front footage of 50 feet.
- B. Gross living area after completion of the conversion of at least 1500 square feet for the two units. Neither unit shall be smaller than 500 square feet.
- C. Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum.
- D. The proposed duplex structure is located in a mixed density neighborhood, not in a homogeneous single-family area.
- E. Notwithstanding any other law to the contrary, for the purpose of protecting the welfare and safety of the occupants of any structure that was converted without building permits prior to the application for rezoning, a code compliance inspection shall be conducted, and the necessary permits obtained to bring the entire structure up to building and fire code standards; or the property owner must make the necessary improvements to bring the entire structure into building and fire code compliance prior to registration of the structure as a duplex.

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**DUPLEX AND TRIPLEX CONVERSION
GUIDELINES FOR ZONING CASES**

Approved by the Board of Zoning Appeals June 30, 2009
Approved by the Planning Commission August 21, 2009 (09-52)

TRIPLEX CONVERSION GUIDELINES

Application Requirements:

Plans. In addition to the general application requirements of . 61.301, 61.302, and 61.801(b) (for rezonings), applications shall include a site plan showing total lot area and proposed off street parking (improved with a durable, permanent, dustless surface). In calculating the floor area of habitable rooms, only those portions of the floor area of a room having a clear ceiling height in excess of five (5) feet may be included. At least half of the floor area of any habitable room shall have a clear ceiling height of seven (7) feet or more. If exterior changes are proposed, exterior changes shall be consistent with the General Design Standards in section 63.110. All plans and drawings must show dimensions or be drawn to scale.

Economic Feasibility Analysis. An economic analysis worksheet provided by the City shall be completed and submitted with the application.

MLS Listing from Most Recent Sale. A copy of the MLS listing from the most recent sale shall be submitted with the application.

1. Applications for *variances* in RT-2 or higher residential zones:

For proposed conversions of existing single-family and duplex structures to triplexes, staff will recommend denial unless in addition to the findings for variances contained in § 61.600 of the Zoning Code, the following guidelines are met:

- A. Lot size of at least 6,000 square feet with a lot width or front footage of 50 feet.
- B. Gross living area, after completion of triplex conversion, of at least 2,100 square feet. No unit shall be smaller than 500 square feet.
- C. Four off-street parking spaces (non-stacked) are preferred; three spaces are the required minimum.
- D. All remodeling work for the triplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance. (The Planning Commission will approve these changes for the cases they handle)
- E. For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a triplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution.

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2. Applications for *establishment of legal nonconforming use and reestablishment of nonconforming use*

For residential uses in residential districts, staff will recommend denial unless the following guidelines are met:

- A. All required findings for nonconforming uses permits in § 62.109 (a) *Establishment of legal nonconforming use, (b) Reestablishment of nonconforming use* in the Zoning Code are met.
- B. That guidelines A - E in section 1. are met.

3. Applications to *rezone* single parcels to RT2 or higher to permit conversion to a triplex:

Staff will assess the on-street parking conditions in the area as well as review the application against the following guidelines. Staff will recommend denial unless these guidelines are met:

- A. Lot size of at least 9,000 square feet.
- B. Gross living area after completion of the conversion of at least 2,100 square feet for the three units. No unit shall be smaller than 500 square feet.
- C. Four off-street parking spaces (non-stacked) are preferred; three spaces are a minimum requirement.
- D. The property is located within a mixed density or mixed use neighborhood.
- E. The units must be inspected by the Fire Marshal's Office as part of the Certificate of Occupancy program required for all residential structures with three or more units. The entire structure must meet building and fire code standards; or the property owner must obtain the necessary permits for the necessary improvements to bring the entire structure into building and fire code compliance.

Information Needed From Applicant For Cases Where:

1. The applicant is proposing to construct one or more new dwelling units and there is an insufficient amount of land to accommodate that new use as required by the zoning code.
2. The applicant is proposing to legalize an existing residential structure with too many units and where one of the reasons for the proposal is economic feasibility.

The applicant must submit this information with the application form or within the following week. The list below identifies various property and financial information needed for two periods of time. For case (1) above, information must be submitted for the property both **before** and **after** the proposed construction. For case (2) above, information must be submitted for both the **continued use** of the property and for the **alternative use** that reconversion would require. The applicant should, in any case, be submitting two sets of data to meet these requirements.

Housing unit breakdown:

- Number of units, existing and proposed
- Number of bedrooms in each unit
- Size of each unit in square feet

Income

- Monthly contract rent for all units
- Income from the property other than rent above
- Existing vacancy (if any)

Expenses

- Operating expenses (provide detail)

Debt

- Initial principal amount and interest rate
- Term of mortgage/debt financing and time remaining on note
- Balance on existing debt
- Monthly debt/mortgage payment

For rehabilitation projects:

- Type of improvements (provide detail)
- Estimated cost of improvements (provide detail)

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SUMMARY INFORMATION SHEET FOR DUPLEX AND TRIPLEX COVERSION CASES

Housing unit breakdown:	Existing	Proposed
Number of units		
Number of bedrooms in each unit		
Unit 1		
Unit 2		
Unit 3		
Size of each unit in square feet		
Unit 1		
Unit 2		
Unit 3		
Debt:		
Initial principal amount		
Initial interest rate		
Term of mortgage/debt financing		
Time remaining on note		
Balance on existing debt		
Rehabilitation		
Type of improvements:		

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**PRO FORMA INFORMATION SHEET
FOR DUPLEX AND TRIPLEX CONVERSION CASES
Continuation of Extra Units**

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Required information	With Continuation of Extra Units in Structure	With Conversion of Structure to Legal Number of Units
Income		
Total monthly rent income for all units		
Monthly income from structure other than rent		
Existing vacancy (if any)		
Effective gross income (EGI) / month ¹	\$ -	\$ -
Effective Gross Income / year	\$ -	\$ -
Operating Expenses (Annual) ²	\$ -	\$ -
Maintenance		
Insurance		
Utilities (only include amount paid by landlord)		
Other (identify)		
Taxes		
Net Operating Income (Annual) ³	\$ -	\$ -
Monthly debt / mortgage payment		
Annual debt payment	\$ -	\$ -
Rehab projects		
Total cost of improvements		
Monthly rehab debt payment		
Annual rehab debt payment	\$ -	\$ -
Cash Flow: profit, (loss) ⁴	\$ -	\$ -

NOTE: 1. Effective Gross Income = (Total rent income) - (Vacancy, if there is any)

2. Operating expenses are the sum of the next five lines, incl maintenance, insurance, utilities, taxes and others

3. Net Operating Income = (Effective Gross Income) - (Operating Expenses)

4. Cash Flow = (Net Operating Income) - (Annual debt payments)

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**PRO FORMA INFORMATION SHEET
FOR DUPLEX AND TRIPLEX COVERSION CASES
Addition of Units to Structure**

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Required information	Prior to/Without Additional Units in Structure	After Addition of Units to Structure
Income		
Total monthly rent income for all units		
Monthly income from structure other than rent		
Existing vacancy (if any)		
Effective gross income (EGI) / month ¹	\$ -	\$ -
Effective Gross Income / year	\$ -	\$ -
Operating Expenses (Annual) ²	\$ -	\$ -
Maintenance		
Insurance		
Utilities (only include amount paid by landlord)		
Other (identify)		
Taxes		
Net Operating Income (Annual) ³	\$ -	\$ -
Monthly debt / mortgage payment		
Annual debt payment	\$ -	\$ -
Rehab projects		
Total cost of improvements		
Monthly rehab debt payment		
Annual rehab debt payment	\$ -	\$ -
Cash Flow: profit, (loss) ⁴	\$ -	\$ -

- NOTE: 1. Effective Gross Income = (Total rent income) - (Vacancy, if there is any)
 2. Operating expenses are the sum of the next five lines, incl maintenance, insurance, utilities, taxes and others
 3. Net Operating Income = (Effective Gross Income) - (Operating Expenses)
 4. Cash Flow = (Net Operating Income) - (Annual debt payment)

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