



PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION

REVISED

December 31, 2008

Mr. and Mrs. S. T. Demetriades
2065 Vista Ave
Sierra Madre, CA 91024-1553

**RE: Request for information regarding a nonconforming use at 217 S. Michigan Ave.
Pasadena, CA**

Dear Mr. and Mrs. Demetriades:

This revised letter is in response to your letter dated November 29, 2008, regarding your business located at 217 S. Michigan Ave (Eddie's Market) in the City of Pasadena. Specifically, you are asking if you are allowed to continue the market at the subject property and can you continue the alcohol sales which were part of the market. Markets are classified as "Food Sales" or if they are 3,500 square feet or less are classified as a "Convenience Stores" use. According to records from ABC, Eddie's Market had a license to sell beer and wine. This property is located within the RM-48 Zoning District (Multi-Family Residential), and "Food Sales," "Convenience Stores" and "Alcohol Sales" uses are not allowed uses in the RM-48 Zoning District, therefore the uses were considered a legal nonconforming use.

Chapter 17.71 of the City of Pasadena Zoning Code regulates Nonconforming Uses and Structures. Specifically, Section 17.71.060.B of the City's Zoning Code states that a nonconforming use that is discontinued for a continuous period of at least 12 months shall not be reestablished. According to the City's Records, the market has been in existence at the subject location without a cease in the business license, therefore the market on the property may continue to exist.

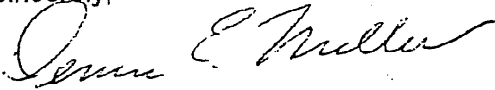
From the limited information contained in your letter, it appears that the alcohol sales use ceased to exist on the subject property around September 2007 when you took possession of the business from the existing tenant. Therefore the alcohol sales has been discontinued for a period of more than 12 months and can not be reestablished.

This decision is appealable to the Board of Zoning Appeals. If you are interested in filing an appeal, please come to Window #3 in the Permit Center (175 No. Garfield) and get an appeal application. There is a fee of \$650.00 to file such an appeal. In filing such an appeal, you will need to show how the use has not been discontinued for a period of 12 months. The last day to

file an appeal is Monday, January 12, 2009. The decision becomes effective Tuesday, January 13, 2009. I have enclosed a copy of the appeal application.

Hopefully this information is of assistance. Please call our office if you have additional questions or have concerns with any other zoning matter. Our office hours are 8:00 AM until 5:00 PM, Monday through Thursday, and 8:00 AM until 12:00 PM on Fridays. You may contact our office by telephone at (626) 744-6777.

Sincerely,



Denver E. Miller
Zoning Administrator

DEM:byu

cc: 2008 Reading File