



# Notice of Public Hearing

Zoning and Land Regulation Committee

Public Hearing: **June 27, 2017**

Zoning Amendment:  
**TO CUP: OUTDOOR STORAGE OF MORE THAN 12 VEHICLES AND PIECES OF CONSTRUCTION EQUIPMENT**

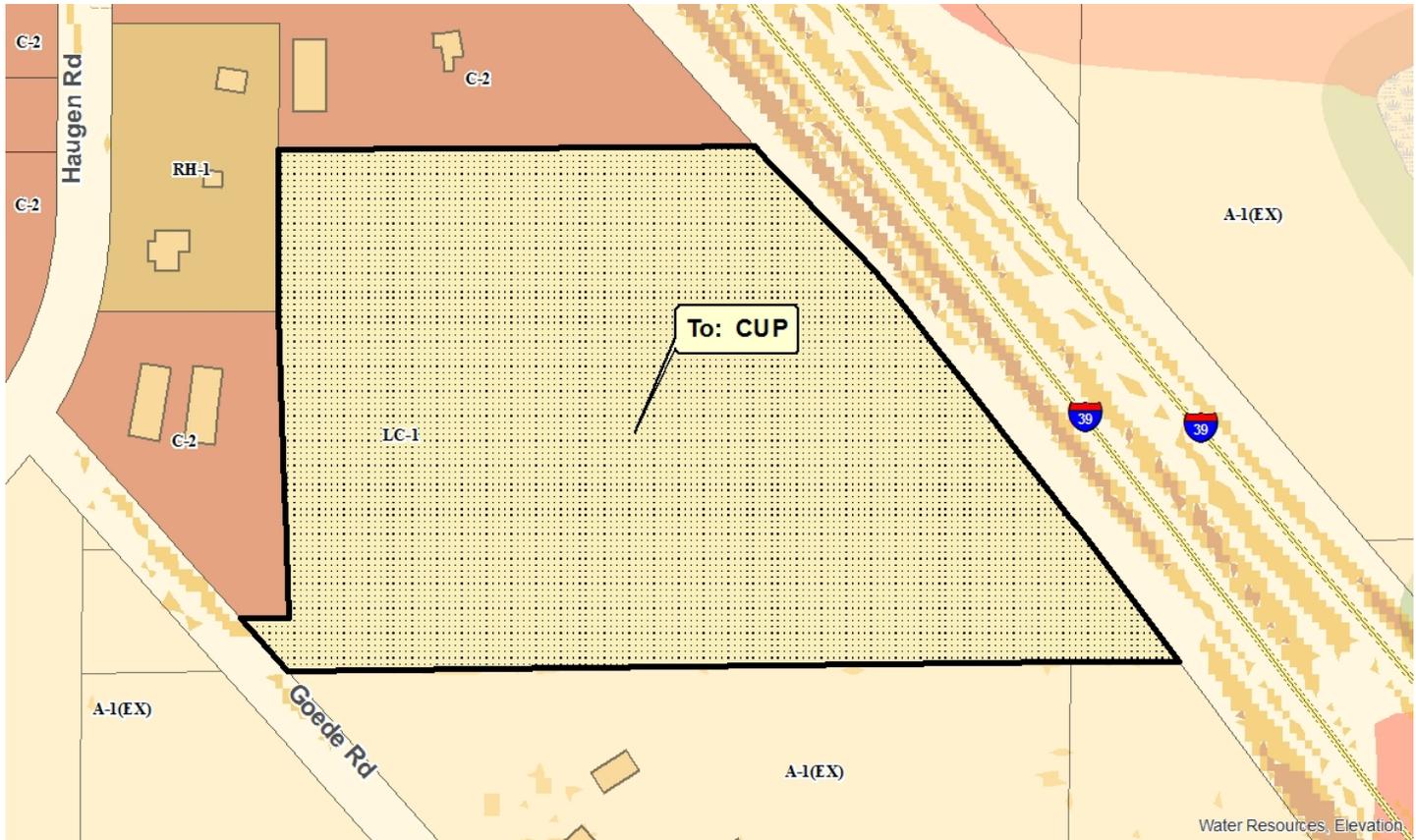
Petition: **CUP 02382**

Town/sect:  
**ALBION, Section 26**

Acres:  
Survey Req.  
Reason:  
**BRING EXISTING VEHICLE / EQUIPMENT STORAGE USES INTO ZONING COMPLIANCE**

Applicant  
**PETTIT PROPERTIES LLC**

Location:  
**318 GOEDE RD**



**DESCRIPTION:** Applicant seeks to correct a zoning violation – outdoor storage of more than 12 pieces of equipment / vehicles. A CUP is requested to allow for outdoor storage of over 12 pieces of equipment / vehicles. Applicant operates Pettit Trucks & Equipment on the neighboring C-2 zoned property. The LC-1 zoned property is being used to store vehicles and equipment associated with the business, including trucks, construction equipment, trailers, and other items. The requested CUP would bring the use into zoning compliance.

**OBSERVATIONS:** No sensitive environmental features observed on the property. No new development proposed. The property consists of a large gravel parking / storage area. Surrounding uses include single family residences (west and south), mini-warehouses (west), and Interstate 39/90 (east).

**TOWN PLAN:** The property is in the town's "current commercial" area.

**RESOURCE PROTECTION:** No areas of resource protection corridor located on the property.

**STAFF:** The proposal appears reasonably consistent with town plan policies. Staff has recommended a number of conditions of approval on page 2, below.

**TOWN:** Approved.

### **Proposed Conditional Use Permit # 2382**

In order for an applicant to obtain a Conditional Use Permit, the Zoning and Land Regulation Committee must find that all of the following standards are met for the proposed land use:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or welfare.
2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.
3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and
5. That adequate measures have been or will be being taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Staff has prepared a list of conditions that may be used in order to meet the six standards as listed above to allow the conditional use on the property. Please note that the conditions may need to be changed or additional conditions added to address potential nuisances that may come to light during the public hearing.

1. The CUP is limited to outdoor storage of equipment, machinery, trucks, and other vehicles associated with Pettit Trucks & Equipment.
2. Screening shall be installed along the length of the shared property boundary with the RH-1 parcel to the west. Said screening shall consist of either a planted evergreen screen at least six (6) feet in width and initially landscaped with four (4) foot tall evergreen shrubs to ultimately form a continuous hedge not less than five (5) feet in height and maintained with healthy shrubs, or a decorative wall or fence without signs and impervious to sight not less than six (6) feet nor more than eight (8) feet in height.
3. Storage and display areas shall be limited exclusively to within 150' of the eastern and southern property boundaries.
4. No outdoor lighting shall be permitted. If a building is constructed on the LC-1 zoned property, outdoor security lighting shall be permitted, but must be down-shrouded or otherwise directed away from adjoining properties and public rights of way.
5. The property shall be maintained in a clean and orderly manner.
6. The CUP shall expire upon sale of the property to an unrelated 3<sup>rd</sup> party.