



Staff Report

Public Hearing: **May 10, 2016**

Petition: **Rezone 10957
CUP 2336**

Zoning Amendment:
**A-1EX Exclusive Agriculture
District to A-B Agriculture District**

Town/sect:
**Deerfield
Section 21**

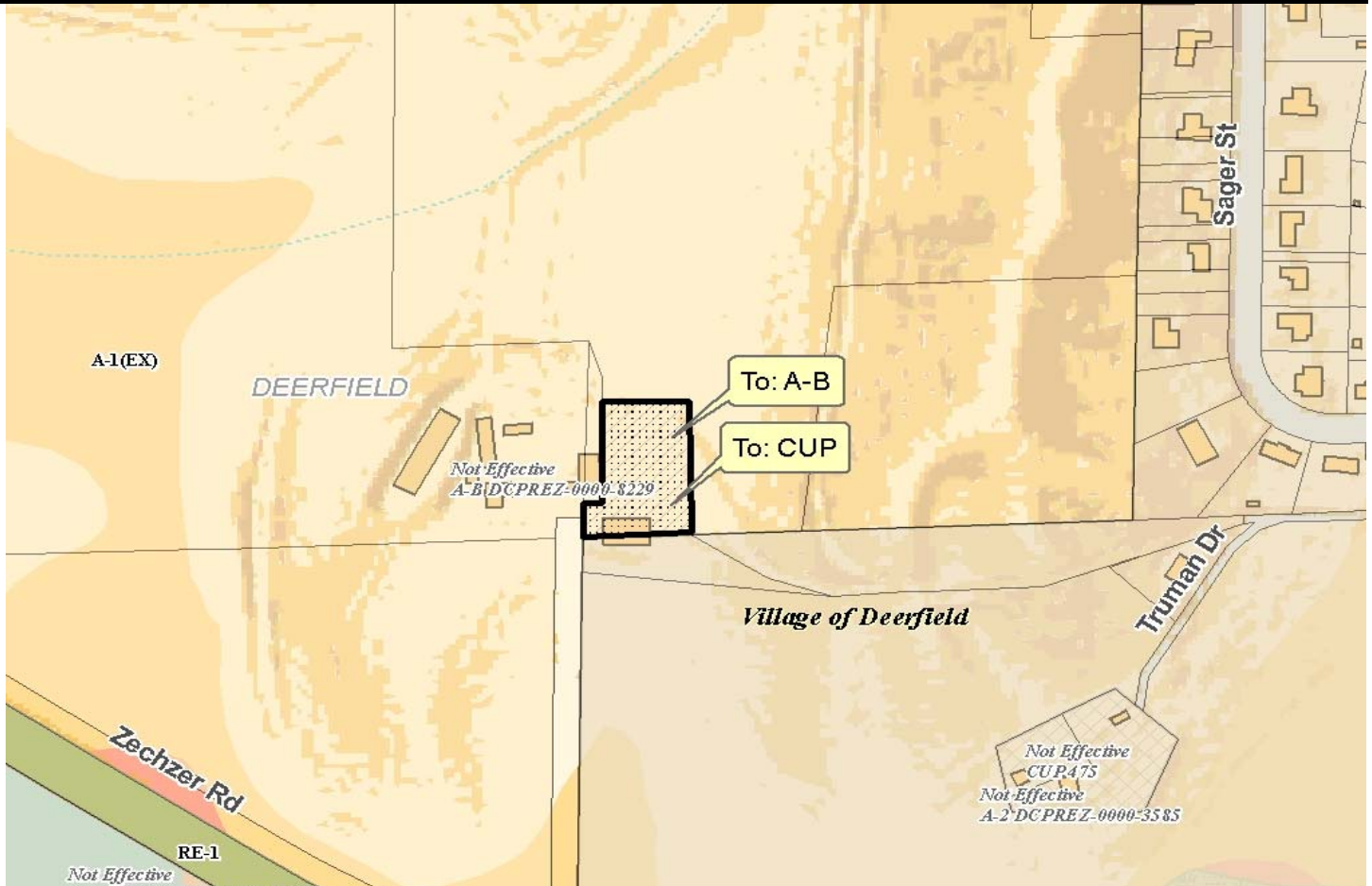
Acres: 1.0
Survey Req. Yes

Applicant
Storlie Properties LLC

Reason:
**Herbicide applicator business
CUP Description: sale and
storage of agriculture products**

Location:
922 Zechzer Road

Zoning and Land Regulation Committee



DESCRIPTION: The petitioner would like to bring the current fertilizer/herbicide business into compliance with county ordinances. An application was submitted in 2001 but approvals were placed on hold by the Town and was never approved by the County. The landowner was under the impression that approvals were granted and the business has been in operation for 15 years without complaints.

OBSERVATIONS: The property is located just outside the western boundary of the Village of Deerfield. The property is accessed from N. Nelson Road which is in the Village. The business is part of a 140-acre farm. No sensitive environmental features observed.

TOWN PLAN: The property is within the Agricultural Preservation Area. Town plan policies support agricultural related businesses in the Agricultural Preservation Area.

RESOURCE PROTECTION: The buildings are outside the resource protection area. No new development proposed.

STAFF: The existing business appears to be consistent with Town Plan policies. Staff has prepared suggested conditions appropriate for the land use.

TOWN: Approved, with no conditions.

Proposed Conditional Use Permit # 2336

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. Use is limited to the existing fertilizer and herbicide business.
2. Fertilizer and herbicides shall be stored in accordance with all applicable local, state, and federal standards.
3. Hours of operation shall be limited to 6am-10pm daily.
4. Storage and parking areas shall be located as depicted on the site plan.