



Notice of Public Hearing

Zoning and Land Regulation Committee

Public Hearing: **July 25, 2017**

Zoning Amendment:
**RH-2 Rural Homes District TO A-2
(4) Agriculture District**

Acres: 6.94
Survey Reg. No

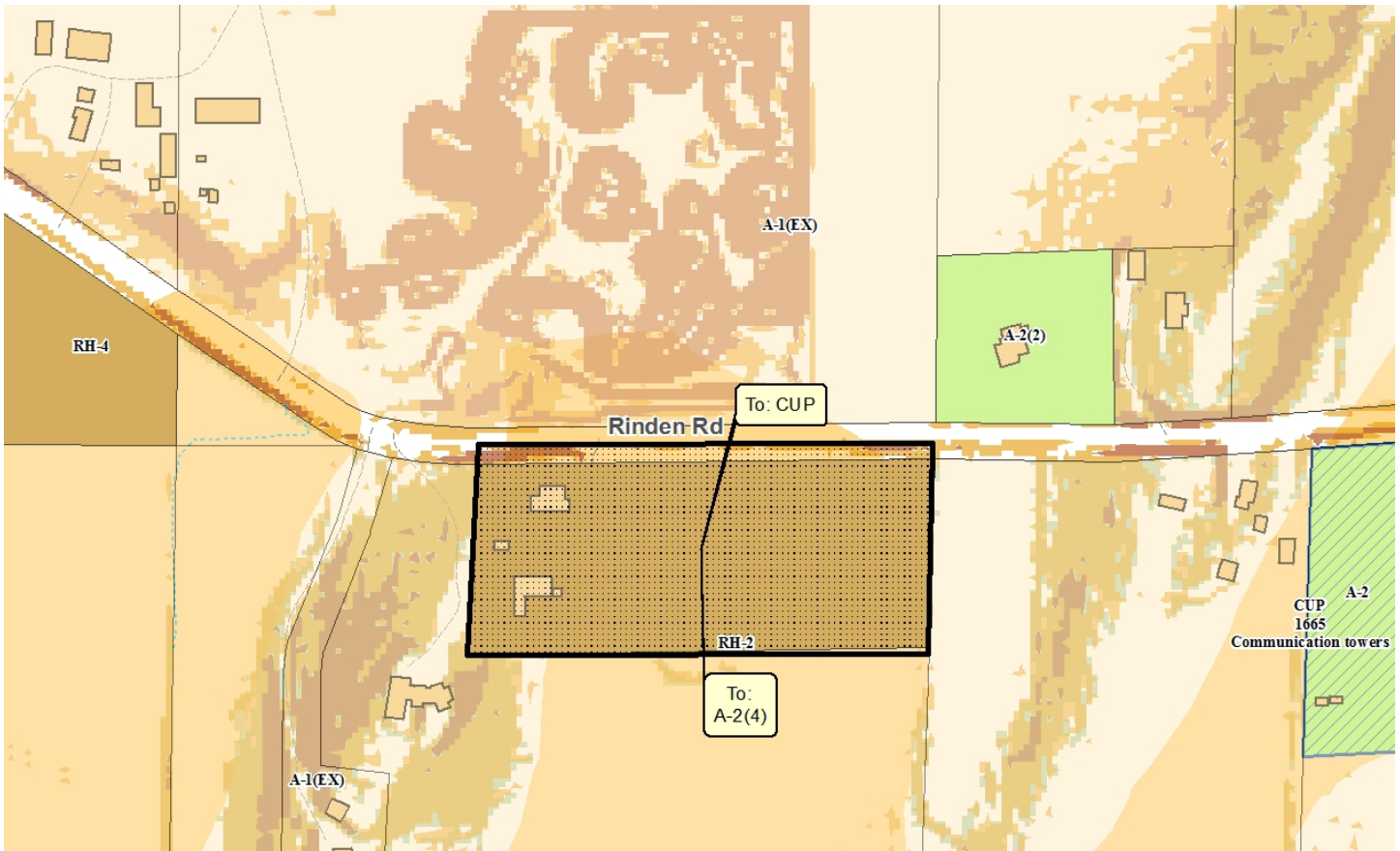
Reason:
**Zoning to allow for a Limited
Family Business
TO CUP: FOR LIMITED FAMILY
BUSINESS AND SANITARY
PLUMBING FIXTURE USES.**

Petition: **Petition 11154
CUP 02383**

Town/sect:
**PLEASANT SPRINGS,
Section 10**

Applicant
AMY C FROCHTZWEIG

Location:
2277 RINDEN ROAD



DESCRIPTION: Applicants are requesting A-2(4) zoning and a Conditional Use Permit to allow operation of a Limited Family Business (C&D Welding shop) in a new 2,000 square foot accessory building to be constructed on the ~7 acre property. The building would be located approximately 33' from the westerly property line. The business would be operated by the property owners and would have no more than 1 full time employee.

OBSERVATIONS: No sensitive environmental features observed. Neighboring uses include several rural residences, and an active nonconforming mineral extraction site.

TOWN PLAN: The property is located in the town's agricultural preservation area. Town policies provide for small scale, home-based businesses that are compatible with the town's rural atmosphere and surrounding land uses.

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

STAFF: The proposal appears reasonably consistent with town plan policies. Per the requirements of section 10.192 regarding operation of Limited Family Businesses, the conditional use shall expire upon sale of the property to an unrelated 3rd party. See proposed conditions of approval on page 2, below.

TOWN: Approved with conditions (town conditions incorporated in recommendations on page 2, below).

Proposed Conditional Use Permit # 2383

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 conditional use permit is for operation of a Limited Family Business – C&D Welding.
2. The proposed new building shall be built according to plans submitted with CUP #2383.
3. No signage shall be permitted.
4. No outside storage of business materials shall be permitted.
5. A bathroom with sanitary fixtures shall be allowed in the accessory building housing the welding shop. Prior to sale of the property to an unrelated 3rd party, the sanitary fixtures shall be removed, and the system shall be capped and disconnected from the septic system.
6. The building shall not be used as a dwelling unit under any circumstances. Violation of this condition shall be grounds for revocation of this Conditional Use Permit.
7. Utilities shall be single phase existing power.
8. Trash collection - remains the same and/or possible one additional recycling bin.
9. Business materials to be sent by US Postal Service.
10. Business materials sending, owner drives to FEDX business site.
11. Business materials received through FEDEX delivery trucks, current preferred method.
12. Truck Traffic type - No change in typical truck traffic type on Rinden Road.
13. The conditional use permit shall expire upon sale of the property to an unrelated 3rd party.