
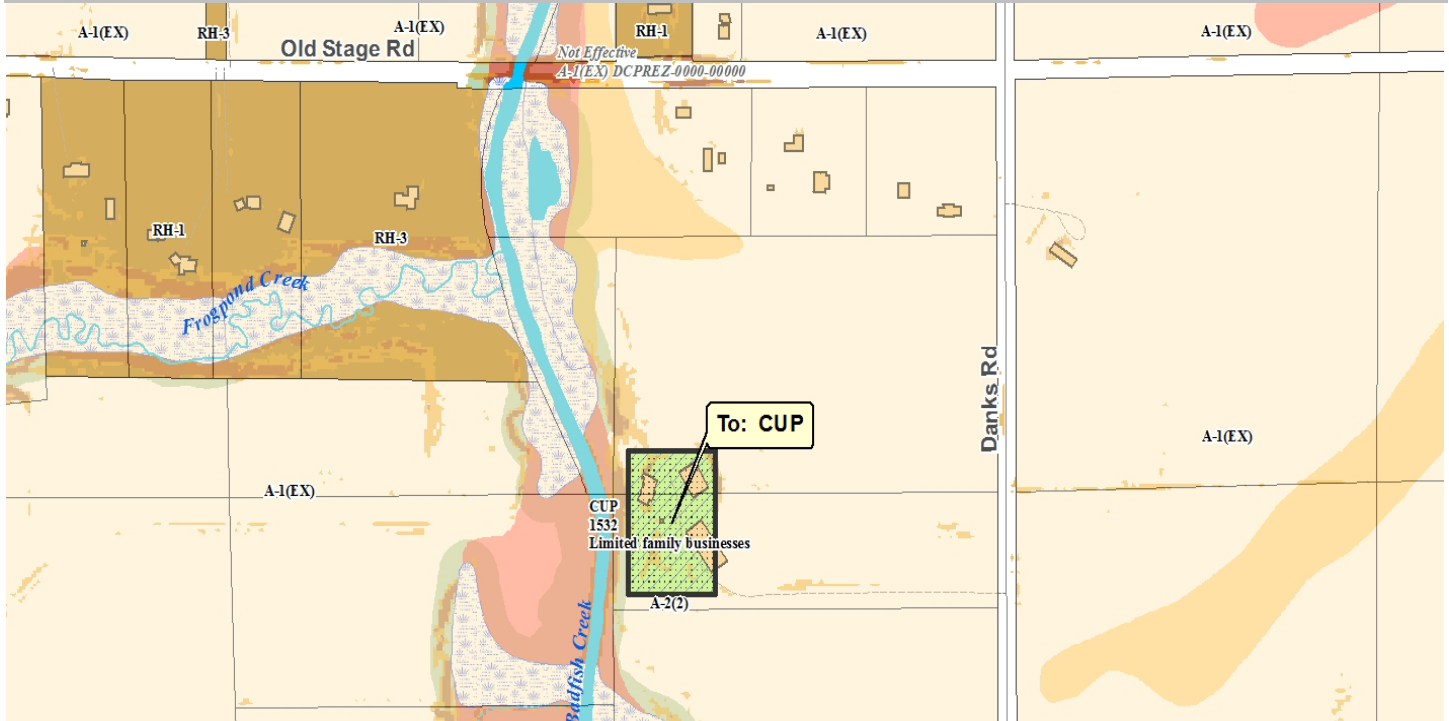


Staff Report  Zoning and Land Regulation Committee	<u>Public Hearing:</u> January 22, 2019 February 12, 2019		CUP 02448
	<u>Zoning Amendment Requested:</u> CUP for a Limited Family Business		<u>Town/Section:</u> Rutland, Section 36
	<u>Size:</u> 3 Acres	<u>Survey Required?</u> No	<u>Applicant:</u> Lucie Arendt
	<u>Reason for the Request:</u> CUP for a Limited Family Business to allow for an art studio		<u>Address:</u> 49 Danks Road



DESCRIPTION: The applicant, Lucie Arendt, is applying for a Limited Family Business conditional use permit (CUP) to allow operation of her glass artist studio out of a large existing accessory building on the ~40-acre property. There would be no employees, and no specific hours of operation are proposed. No nuisances associated with noise, odors, lighting, or traffic generation are anticipated. Public access would be limited to occasional teaching lessons and visits by appointment. The prior owner of the property previously operated a Limited Family Business on the property, but it expired upon sale of the property.

OBSERVATIONS: Surrounding land uses include agriculture and open space. The closest neighboring residence is located approximately 1,300' away. The western property line is bordered by the Badfish Creek. No other sensitive environmental features are observed. No new development is proposed.

TOWN PLAN: The property is located in the town's agricultural preservation area.

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

STAFF: The proposal appears consistent with town plan policies which support the establishment of small family businesses compatible with the rural character of the town and surrounding land uses.

TOWN: Approved with two conditions: 1) CUP expires upon change of ownership, and 2) Hours of operation limited between 8:00 a.m. and 10 p.m.

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. The conditions below included those required by the town of Rutland.

1. This Conditional Use Permit shall be for a Limited Family Business – Artist Studio.
2. No accessory buildings shall be used for human habitation.
3. Hours of operation shall be limited to 8am to 10pm daily.
4. The Conditional Use Permit shall expire upon sale of the property to an unrelated 3rd party.