



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **August 25, 2015**

Zoning Amendment:
C-2 Commercial District to C-2 Commercial

Acres: *1.44*
Survey Req. *No*

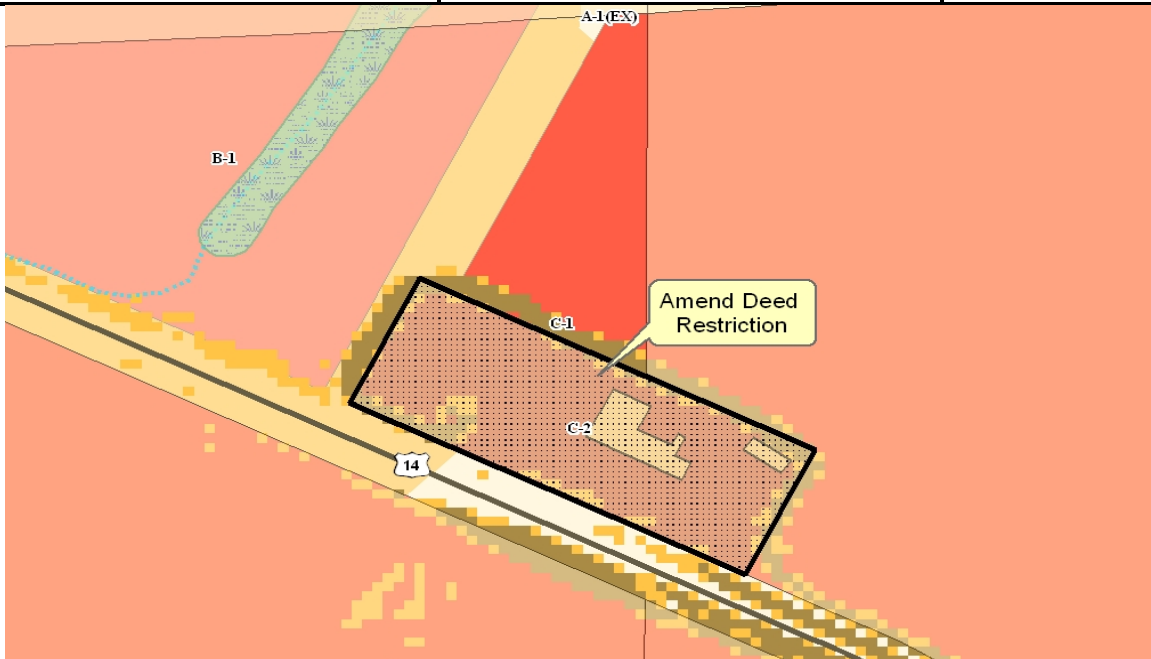
Reason:
Amend restriction to allow sale of motor vehicles and retail sales

Petition: **Rezone 10871**

Town/sect:
Rutland Section 07

Applicant
Tyler Spiegel

Location:
1222 US Highway 14



DESCRIPTION: Applicant requests that the previous deed restrictions on the property be amended to allow “motor vehicle sales”. The existing deed restrictions limit the land uses to auto repairs and maintenance. The applicant proposes to have up to 25 vehicles available for sale from the property.

OBSERVATIONS: The property currently contains an abandoned auto repair center. The surrounding properties are zoned for commercial use. No sensitive environmental features observed.

NOTE: It appears that an off-premise advertising sign was constructed some time around 2005 without proper approvals. The billboard is located on the ground and is situated approximately 200’ from other billboard signs. Billboard signs are requirement to be a minimum of 350’ away from each other. Staff suggests postponement of the petition until this matter is resolved.

TOWN PLAN: The Town Plan designates the area for commercial development purposes. The proposed land use appears to meet the policies of the Town Plan.

RESOURCE PROTECTION: No resource protection corridors on the property.

STAFF: The proposal appears reasonably consistent with town plan policies. Staff recommends that the existing deed restrictions be amended to allow vehicles for sale on the property. Any vehicle sales shall be done in compliance with applicable state law. It is suggested that the revised deed restriction address lighting on the property. All lighting shall face away from Highway 14 so as to not cast a glare onto the public right-of-way.

TOWN: Approved with conditions. The deed restriction shall be amended to limit the land uses to: auto body repair and painting; sandblasting business; neon art business; service and major repairs to motor vehicles, recreational equipment and contractor’s machinery; sales of motor vehicles, recreational equipment, and contractor machinery; Parking and storage of motor vehicles.

No more than 40 vehicles shall be visible at the front of the property at any one time. The Town of Rutland revised the number of vehicles to 20 on September 9th. See revised town action report.

8/25 ZLR: Postponed until the sign violation on the property is corrected.

Staff Update: The applicant has removed the illegal advertising sign. Staff suggests approval of the amendment to the deed restrictions on the property as noted by the Town.