



# Staff Report

Zoning and Land Regulation  
Committee

Public Hearing: **November 27, 2018**

Petition: **CUP 02442**

Zoning Amendment:  
**TO CUP: LFB AUTO REPAIRS**

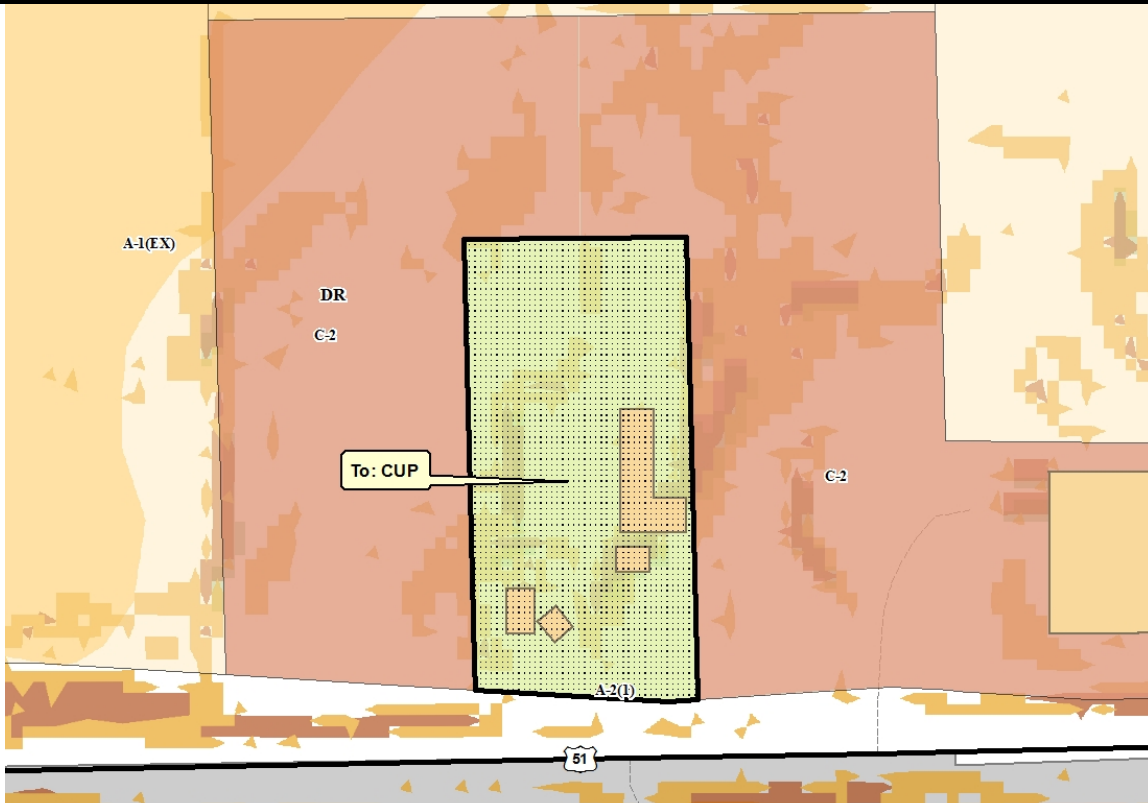
Town/sect:  
**DUNKIRK, Section 3**

Acres: 1.8  
Survey Req.

Applicant  
**CONTROLLED SURFACE  
FINISHING, INC**

Reason:  
**Limited Family Business - AUTO  
STORAGE & REPAIRS**

Location:  
**830 US HIGHWAY 51**



**DESCRIPTION:** Applicant is requesting approval of a Conditional Use Permit to allow for a Limited Family Business for the storage and repair of race vehicles used in demolition derbies. The business would be run out of the existing accessory building on the property with hours of operation 9am-9pm daily. The proposal also involves outdoor storage of up to 12 vehicles and 12 trailers.

**OBSERVATIONS:** Surrounding land uses include open space / agriculture, the owner's commercial building / business, and scattered rural residences. No sensitive environmental features observed.

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

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

**STAFF:** Staff has concerns regarding the scope of the proposal and its consistency with town plan policies for the agricultural preservation area. Additional detail is needed for the site and operations plan. It is unclear from the information provided if the proposed use fits with the description or requirements of a Limited Family Business. In addition to repair and maintenance of race/demolition cars, the proposal would also involve outdoor storage of cars and trailers, as well as preparation of vehicles for recycling. The description of uses appears similar to that of a small salvage recycling center – a use that requires a separate CUP and a minimum 3 acre area in the A-2 district.

The proposal, as submitted, is inconsistent with town plan policies and appears more accurately described as a small salvage recycling center. Staff recommends that the petition be postponed at the public hearing to provide time for the town to take action and to discuss with the applicant possible modifications to the scope of the proposal.

**TOWN:** Pending.