



Staff Report

Public Hearing: **July 26, 2016**

Petition: **Rezone 11005
CUP 2354**

Zoning Amendment:
**A-1EX Exclusive Agriculture
District to A-2 Agriculture District**

Town/sect:
**Christiana
Section 15**

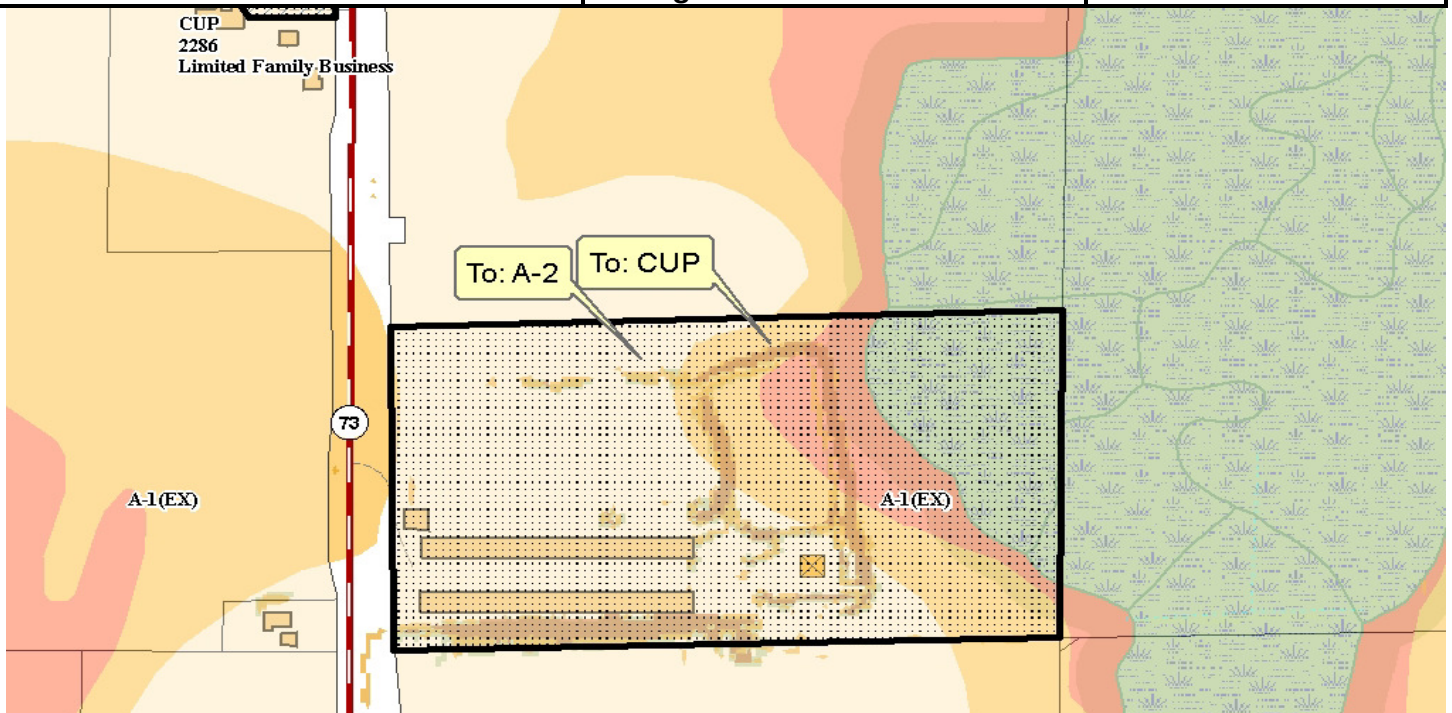
Acres: 20.1
Survey Req. No

Applicant
Daniel Hoesly

Reason:
**Zoning compliance for existing
parcel
CUP Description: Seasonal
Storage**

Location:
2538 State Highway 73

Zoning and Land Regulation Committee



DESCRIPTION: Applicant seeks to correct zoning violations on the property. A-2 zoning and a Conditional Use Permit are requested to bring the existing residential use and seasonal storage of recreational vehicles on the property into zoning compliance. The property appears to be a legal, substandard A-1EX zoned parcel in existence since prior to town adoption of A-1EX zoning.

OBSERVATIONS: The property consists of 100% Class II soils. Two existing large agricultural accessory buildings would continue to be used for seasonal storage of recreational vehicles. There is a man made pond located on the property, as well as an area of wetlands and hydric soils located on the easterly 1/5th of the property.

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

RESOURCE PROTECTION: An area of resource protection corridor associated with a large wetland complex is located on the easterly 1/5th of the property. No new development is proposed.

STAFF: The proposal appears reasonably consistent with town plan policies which allow for small, family based businesses that do not conflict with neighboring uses or the rural atmosphere of the town. See staff recommended conditions of approval for the CUP on the following page.

7/26 ZLR MEETING: The petition and CUP application was postponed due to no town action.

TOWN: Zoning: Approved with no conditions.

CUP: Approved with limited storage.

Proposed Conditional Use Permit #2354

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 shall be solely for seasonal storage of recreational vehicles in the two existing accessory buildings located on the property.
2. No additional buildings may be constructed for the seasonal storage of recreational vehicles.
3. Signage shall be limited to the existing business sign or a replacement sign not to exceed 32 square feet. No lighted signage permitted.
4. No outdoor loudspeakers shall be permitted.
5. Outdoor lighting shall be limited to security lighting and shall not cause a nuisance to neighboring property owners.
6. Outdoor storage of items, other than farm, equipment is prohibited.