



# Staff Report

Public Hearing: **May 22, 2018**

Petition: **Petition 11279  
CUP 02418**

Zoning Amendment:  
**R-1 Residence District and A-2 (4)  
Agriculture District TO A-2 (2)  
Agriculture District**

Town/sect:  
**BLOOMING GROVE,  
Section 32**

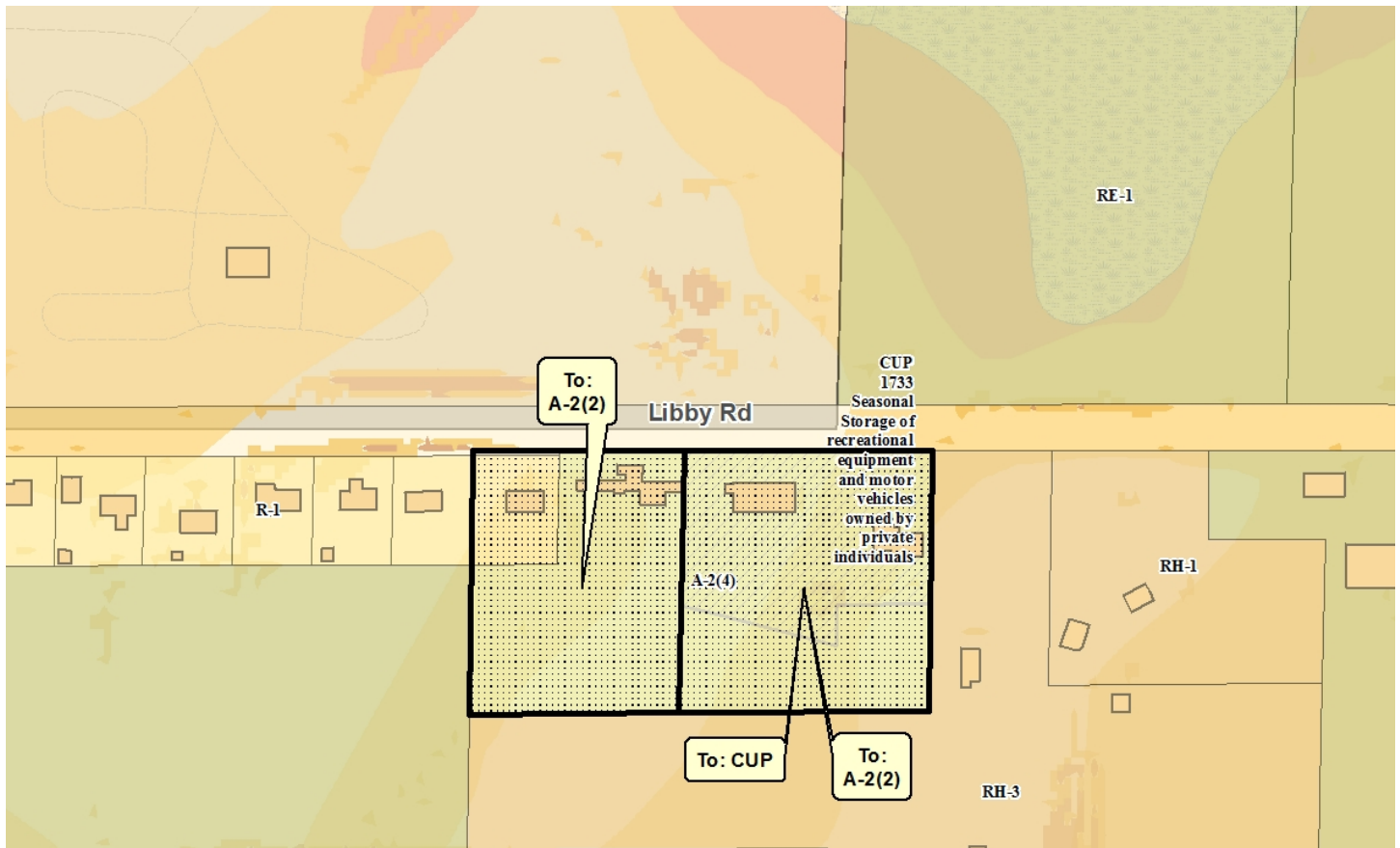
Acres: 0.46,5.42  
Survey Req. Yes

Applicant  
**JOSEPH E RANE**

Reason:  
**LOT LINE ADJUSTMENT  
CUP: EXPAND BOUNDARIES OF  
RECREATIONAL STORAGE**

Location:  
**4439 LIBBY RD**

Zoning and Land Regulation Committee



**DESCRIPTION:** The applicant would like to sell approximately 2 acres of land to the adjacent landowner. The area contains an existing accessory building. Along with the property line adjustment, the owner would like to revise the boundaries of an existing conditional use permit which allows the storage of boats and recreational vehicles. The boat storage facility has been in operation since 2001.

**OBSERVATIONS:** Subject property is located approximately ½ mile from the Lake Farm Park boat landing. There is an existing house on the property in which the owner resides. The property is fully fenced and gated. Adequate screening has been established around the property lines. There have been no complaints lodged about the facility since being established in 2001.

**TOWN PLAN:** The proposal is consistent with the Town of Blooming Grove plan.

**RESOURCE PROTECTION:** The subject property is not located in a resource protection area.

**STAFF:** Staff recommends approval with conditions. (See below)

**TOWN: Zoning Change:** The Town Board has approved the petition with no conditions.

**Conditional Use:** The Town Board has approved the CUP with no conditions.

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. CUP 2418 is for seasonal storage of recreational equipment and recreational motor vehicles, inside and outside.
2. Screening shall be implemented and maintained as approved by the Zoning Administrator.
3. CUP 2418 shall automatically expire on sale of the property or the business to an unrelated party.