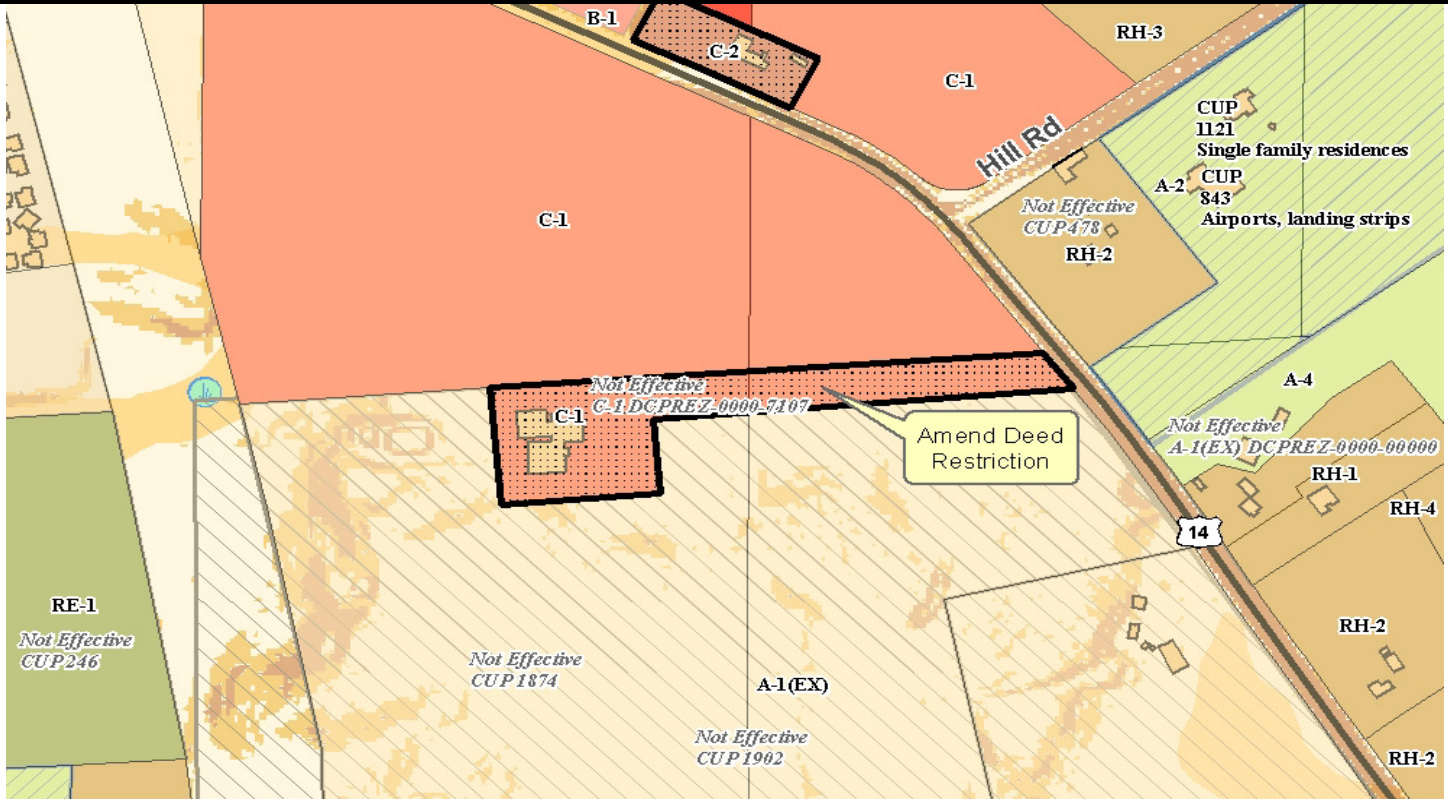




Staff Report

<i>Public Hearing:</i> January 26, 2016	<i>Petition:</i> Rezone 10926
<i>Zoning Amendment:</i> None	<i>Town/sect:</i> Rutland Section 07
<i>Acres:</i> 4.5 <i>Survey Req. No</i>	<i>Applicant</i> Buckys Portable Toilets Inc
<i>Reason:</i> Remove deed restriction to allow the construction of a multi-tenant building and outdoor storage	<i>Location:</i> 1185 US Highway 14

Zoning and Land Regulation Committee



DESCRIPTION: The petitioner would like to amend the deed restrictions on the property to allow the property to be redeveloped. The proposal is to construct a new 8400 square-foot building. The building will be designed for office space for Bucky's Portable Toilets along with several other commercial business spaces. There is a designated area for the outside storage of portable toilets.

OBSERVATIONS: The majority of the 70-acre property is pasture land. There 4.5 acres designated for commercial purposes (not a separate lot). The property was previously used as a lab animal breeding facility. The current deed restrictions on the property limit the use specifically to a breeding facility. The building was demolished in the fall of 2015.

Approximately 15% of the property consists of Class II soils. There are no other sensitive environmental features observed. The property is just east of the Highway 14 realignment corridor.

TOWN PLAN: The property is located in a Commercial Development Area. The area is intended for a host of small to medium commercial businesses in designated areas.

RESOURCE PROTECTION: The property is outside the resource protection area.

STAFF: In order to allow outdoor storage of material, the zoning district classification will need to be changed to C-2 Commercial Zoning District. Staff suggests limiting the land uses on the property to ones compatible with the surrounding area.

TOWN: Approved conditioned upon the zoning district being amended to C-2 Commercial and 6 conditions. See attached sheet.

Petition 10926 continued

1/26 ZLR meeting: Petition was postponed due to no town action.

Suggested Conditions:

A Deed Restriction shall be recorded on the property with the following conditions:

1. Land Uses shall be limited to: portable toilet rental business; outdoor storage of portable toilet units in designated area (see site plan); offices and manufacturing facilities; office and warehousing for construction businesses; warehousing of business supplies; indoor storage of vehicles; and repair of lawn and garden equipment.
2. Land uses expressly prohibited: outdoor storage of material other than portable toilets and related equipment; storage units; storage of personal belongings (mini-warehousing).
3. There shall be a maximum of 4 businesses operating on the property.
4. Division of property through a condominium plat is prohibited.
5. A site plan shall be approved by the Town Board showing building layout, outdoor storage area, employee/equipment parking area and business signage prior to issuance of zoning and building permits.
6. Off premises (billboard) signage is prohibited.