

**SUP08-1, Hawksbill Creek Farm/John R. Mrotek
Special Use Permit Application
for
Commercial Storage in a R3 Zoning District**

Location and Proposed Use

The subject 6.6-acre parcel (Tax Map # 42A11 (A) 242B) is located to the north of the intersection of Virginia Avenue (U.S. Highway 340 South) and Linden Avenue. It is unknown if this parcel has a 911 address. Presently an 8,000 square foot accessory-type structure is located on the parcel and the applicant is presently using the structure for personal storage.

The applicant is seeking a Special Use Permit in order to utilize the existing structure for commercial storage. In the R3 zoning district commercial storage is not an enumerated use permitted by special use permit; instead the applicant is requesting a special use permit under the Town Code's provision in the R3 zoning district which states that a special use permit can be issues for "other uses not specifically permitted, which are not expected to be recurring or of general application".

Background

The applicant purchased the property in 1994 and constructed the existing accessory structure located on the parcel. The applicant uses the structure for the storage of personal items. The accessory structure has approximately 8,000 square feet "under roof".

If granted the special use permit, the applicant intends to use the accessory structure for dry storage of "recreational vehicles, boats, and other like equipment".

Conditions of the Special Use Permit

As previously stated, the applicant intends to utilize the structure for the dry storage of "recreational vehicles, boats, and other like equipment". A brief statement – submitted by the applicant – further clarifies the desired uses for the building. The applicant has also stated that the storage of such items will exclusively be done so within the confines of the accessory structure.

Comprehensive Plan

The Town's comprehensive plan is neutral in regard to this request. The comprehensive plan does state that existing neighborhoods should be protected from incompatible uses; however this request is not believed to be incompatible with the nearby residential uses.

Other Considerations

- If approved, the applicant would need to apply for a Town business license. Additionally, prior to being issued a business license the Town would require a statement from the County Building Official indicating that the subject structure is in-compliance with all relevant building code requirements for a commercial storage facility.

Summary

The request for a special use permit to utilize an existing accessory structure for the storage of “recreational vehicles, boats, and other like equipment” appears to be an appropriate request. From a use perspective, the subject property is currently being utilized for storage – albeit for personal storage. If approved, the utilization of the existing accessory structure for the storage of recreational vehicles, boats, and other like equipment is not expected to negatively impact the surrounding area.

PLANNING COMMISSION: Approval

March 12, 2008

The Planning Commission approved the applicant’s request by a 5 – 0 vote. Members of the Planning Commission believed the applicant’s proffer statement provided adequate assurance that the request would be compatible with the surrounding area.