

May 12, 1988

STAFF REPORT

CASE NUMBER: SCZ-0591 & CU-314

OWNER/APPLICANT/AGENT: Ernest L. Nutsch

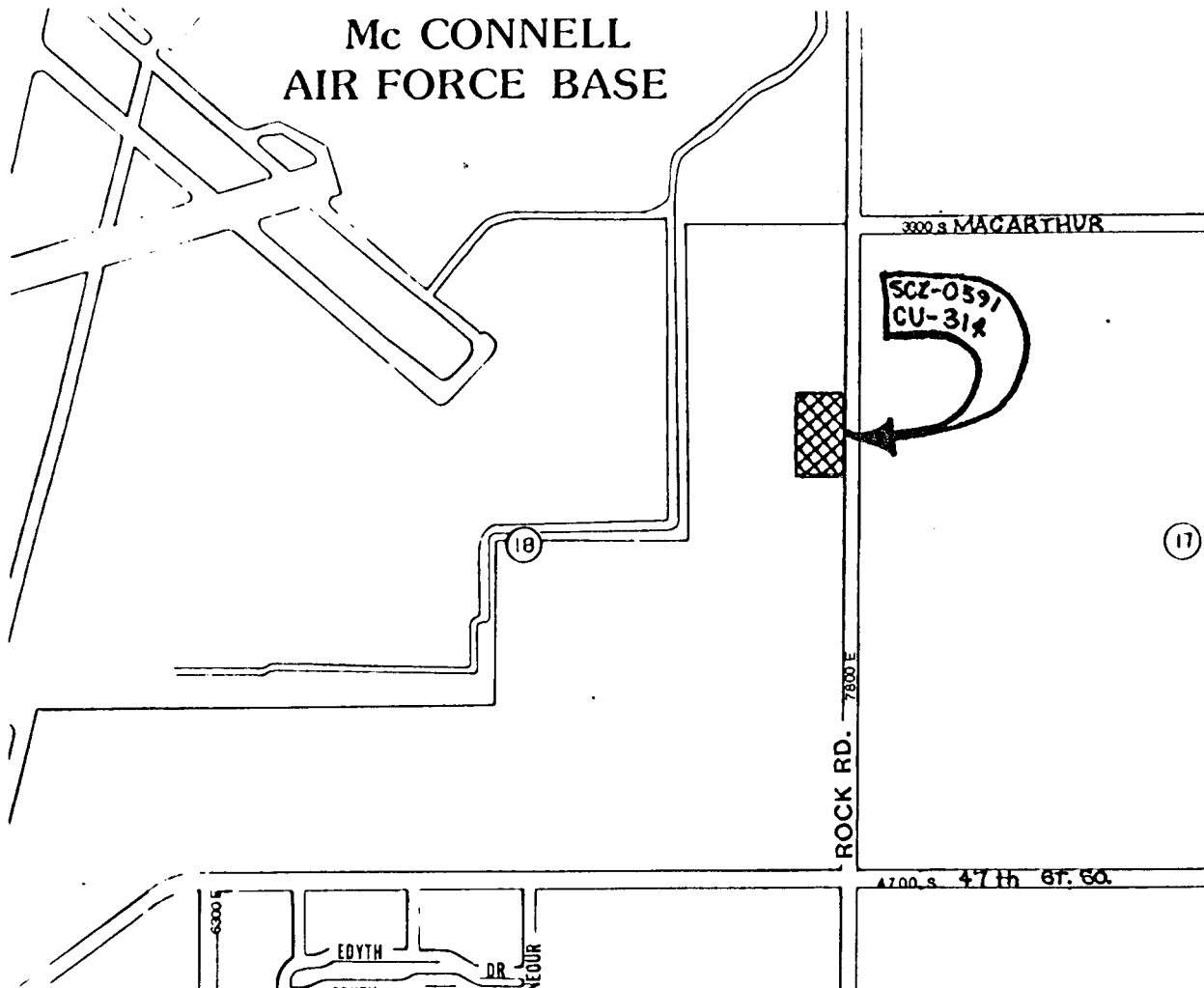
REQUEST: Zone Change to "C" General Commercial District and Conditional Use Permit for Firewood Sales and Business Inventory Storage Area

CURRENT ZONING: "R-1" Suburban Residential District

SITE SIZE: 6 acres

LOCATION: West side of Rock Road approximately 1/3-mile south of MacArthur Road, it extended from the east

PROPOSED USE: Outdoor firewood sales and storage



BACKGROUND: The applicant is requesting a zone change from "R-1" to "C" for 6 acres of his 33-acre tract of land located on the west side of Rock Road approximately 1/3-mile south of MacArthur Road, if extended from the east. This tract was formerly part of a 55±-acre site which was approved by conditional use for a riding academy and horse stables. That use was developed on the north portion of the site and is now under separate ownership. The applicant has been cited by the County Zoning Administrator's office for violation of the R-1 land use regulations, as a firewood sales business is already being operated at this location. The applicant stated that he has for years operated a hay sales business and did not realize a firewood sales business would not be permitted here. However, since the firewood is trucked in from other locations, rather than being grown on site as was the hay, it is not an agricultural accessory use. Although the County's "C" district does not list firewood sales as a permitted use, it is similar to other outdoor sales and therefore can be permitted as a conditional use in "C" (See Section 10.A.29.c.)

CASE HISTORY: CU-135 approved for riding academy and stables in 1972.

ADJACENT ZONING AND LAND USE:

NORTH	"R-1"	Agricultural; stables
SOUTH	"R-1"	Single-family residence
EAST	"R-1"	Undeveloped/agricultural
WEST	"R-1"	Agricultural

PUBLIC SERVICES: Municipal sewer and water are not available to serve the site now, nor are they anticipated in the future. Rock Road is an FAS road with 60 feet of half-street right-of-way adjacent to this site.

CONFORMANCE TO PLANS/POLICIES: The Comprehensive Plan indicates this area as vacant or agricultural.

RECOMMENDATION: Because of the proximity of this property to McConnell Air Force Base and the high level of aircraft noise, the use of the property for firewood storage and sales seems more appropriate than uses which would concentrate more people in this area for longer periods of time. Also, since municipal sanitary sewer is not available and since generally speaking the soils are not suitable for septic tanks in this area, an outdoor use with little or no need for sewage facilities would be appropriate. Nevertheless, since Rock Road is one of the major entranceways into the City, staff is concerned about the visual impact of an outdoor storage area as large as this one being requested. The site plan indicates that only about ¼ of the property will be used for the business. A smaller area than requested should be considered, as well as a setback from Rock Road and screening of all firewood not displayed in ricks.

Based on the above factors, staff recommends approval of "C" zoning and the conditional use permit on only the south 300 feet of the application area (2.7 acres) and recommends the following conditions for the conditional use permit:

- A. The applicant shall provide adequate screening to hide from ground level view any wood storage areas where the firewood is not stacked in ricks for display and sale.

- B. No display or storage of firewood shall occur within 50 feet of the east property line.
- C. The applicant shall submit the standard avigational easement and restrictive noise covenant for the area included in the approved application.
- D. The applicant shall grant by separate instrument access control except for one opening to Rock Road from the area included in the approved application.
- E. No building permits for structures other than one identification sign for the permitted activity, which is no more than 32 square feet in size, shall be issued until the application area is platted.
- F. Sufficient parking on an all-weather surfaced parking lot shall be provided, as determined by the County Zoning Administrator.