# Resolution of the
# Town Council of Christiansburg, Virginia

*Zoning Permit Application*

WHEREAS the Town Council of Christiansburg, Virginia has studied the issuance of a Zoning Permit to Rick Howell (acting as agent for property owners Phillip M., Donna F., and John R. Hambrick) for a commercial garage and towing service at 850 Park Street (tax parcel 498 – ((6)) – 3A) in the I-2 General Industrial District.

WHEREAS, notice of the intention of the Town Council to issue the Zoning Permit was published two consecutive weeks (November 3, 2010 and November 10, 2010) in The Roanoke Times – New River Valley Current, a newspaper published in and having general circulation in the Town of Christiansburg, and further that written notice of the request of Council was mailed to property owners who could possibly be affected by the action of Council on November 4, 2010; and,

WHEREAS, a public hearing of Council of the Town was held November 16, 2010; and,

WHEREAS the Christiansburg Town Council acting upon a request by Rick Howell (acting as agent for property owners Phillip M., Donna F., and John R. Hambrick) for a commercial garage and towing service at 850 Park Street (tax parcel 498 – ((6)) – 3A) in the I-2 General Industrial District, has found that the public necessity, convenience, general welfare and good zoning practices (**permit / ~~do not permit~~**) the issuance of a Zoning Permit to Rick Howell (acting as agent for property owners Phillip M., Donna F., and John R. Hambrick) for a commercial garage and towing service at 850 Park Street.

THEREFORE be it resolved that the Christiansburg Town Council (**approves** / **~~does not approve~~**) the issuance of the Zoning Permit with the following condition(s):

1) The permit shall be valid for a commercial garage and towing service only. A separate application shall be required for an auto body shop or conducting body work.
2) The property is to be maintained in a clean, sanitary, and sightly manner.
3) All parts, including faulty parts, tires, etc. are to be kept inside the garage or a fully enclosed building (including a roof) until disposal.
4) All waste petroleum products and/or chemicals are to be disposed of properly and are not to accumulate upon the premises. Provisions are to be made for the capture of leaking petroleum products and/or chemicals.
5) There will be no storage of vehicles upon the premises except for vehicles left for temporary storage. All vehicles are to be kept on-premises and not within any public right-of-way or adjacent property. Any towed vehicles are to remain on-premises no longer than six months.
6) Mechanical work is to be done inside the building and not outside.
7) There are to be no loud offensive noises so as to constitute a nuisance to the residential properties in the vicinity.
8) There are to be no discernible noises to residential properties in the nearby vicinity between 7:00 p.m. and 7:00 a.m..
9) This permit shall be revocable for violations of Chapter 3 “Advertising” of the Christiansburg Town Code occurring on the property.
10) All vehicles left for repair are to be stored within an area surrounded by a minimum eight-foot tall privacy fence obscuring the view of the storage lot and its contents or inside the building. Such fence is to be constructed of durable materials and maintained in a sightly manner and installed within six months of the CUP approval date.
11) This permit is subject to inspections and approval of the facilities by the Fire Marshall and Building Official.
12) This permit shall be subject to review by Town Council in one year.

Upon a call for an aye and nay vote on the foregoing resolution on a motion by Vanhoozier seconded by Hall at a regular meeting of the Council of the Town of Christiansburg, Virginia held December 7, 2010, the members of the Council of the Town of Christiansburg, Virginia present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

| | Aye | Nay | Abstain | Absent |
|---|---|---|---|---|
| Mayor Richard G. Ballengee* | | | | |
| D. Michael Barber | X | | | |
| Cord Hall | X | | | |
| Steve Huppert | X | | | |
| Henry Showalter | X | | | |
| Bradford J. Stipes | X | | | |
| James W. “Jim” Vanhoozier | X | | | |

* Votes only in the event of a tie vote by Council.

_____
Richard G. Ballengee, Mayor

A True Copy Test:

_____
Michele M. Stipes, Clerk of Council