



## Legislation Details (With Text)

**File #:** 12-099      **Version:** 1      **Name:** Appeal of the decision of the BZA's revocation of PLN2011-00021

**Type:** Staff Report      **Status:** Filed

**On agenda:** 3/5/2012      **In control:** City Council

**Enactment date:**      **Final action:** 3/5/2012

**Enactment #:**

**Title:** Staff Report for the Matter of Appeal by D. McKinney, Appellant, of the Decision of the Board of Zoning Adjustment's Revocation of PLN2011-00021; Conditional Use Permit (CUP) to Operate a Trailer Rental and Sales Business at 2661 Alvarado Street, Unit 22. The property referenced in the CUP was used for an unauthorized activity other than the operation of the trailer rental business through rental to an entity that conducted a public assembly in the trailer business location. The unauthorized occupancy violated the PLN2011-00021 Conditions of Approval. Assessor's Parcel Number 77A-648-3-11; R. Legallet, 2661 Alvarado LLC (property owner); IG Industrial General District.

**Sponsors:** Luke Sims

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/5/2012	1	City Council	Received and Filed	

Matter of appeal by D. McKinney, appellant, of the decision of the Board of Zoning Adjustment's revocation of **PLN2011-00021**; Conditional Use Permit (CUP) to operate a trailer rental and sales business at 2661 Alvarado street, Unit 22. The property referenced in the CUP was used for an unauthorized activity other than the operation of the trailer rental business through rental to an entity that conducted a public assembly in the trailer business location. The unauthorized occupancy violated the PLN2011-00021 Conditions of Approval. Assessor's Parcel Number 77A-648-3-11; R. Legallet, 2661 Alvarado LLC (property owner); IG Industrial General District.

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### RECOMMENDATION

On January 5, 2012, the Board of Zoning Adjustments revoked a conditional use permit that was approved September 1, 2011 to C&M Trailer Rental, operated by Mr. Damon McKinney, and the property owned by Mr. Robert Legallet, 2661 Alvarado LLC, to have a trailer rental and sales business at 2661 Alvarado Street, Unit 22. On January 20th, within the 15 day appeal period, Mr. McKinney filed an appeal with the City Clerk.

This matter was scheduled and noticed for the City Council meeting date of March 5, 2012. On February 21st, after already noticing the public hearing for the appeal, the appellant contacted the City and requested postponing the matter to another hearing date due to a scheduling conflict. The appellant was agreeable to rescheduling this matter to the April 16, 2012 City Council agenda.

Staff recommends that the City Council make a motion to continue this matter to the April 16, 2012

City Council meeting.

**PREPARED BY:** Elmer Penaranda, Senior Planner, Community Development Department