



GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

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DEPARTMENT OF PLANNING AND NATURAL RESOURCES

Report on Petition to Amend Official Zoning Map No. STZ-8

Application No. ZAT-23-5

Petition of Dry Marina, LLC requesting that a use variance be granted to the C (Commercial) zoned Parcel No. 17D-1 Estate Bovoni, Nos. 1 & 2 Frenchman's Bay Quarter, St. Thomas.

PROJECT PROFILE

Owner/applicant: Dry Marina, LLC as per Special Warranty Deed dated October 17, 2016, Document No. 2016007849.

Acreage: The property consists of 1.0012 acres and is described on Survey Drawing No. D9-4352-T88.

Current Use: A portion of the property is used by a trucking company for parking/truck storage (approximately 5,000 square feet). The rest of the property is undeveloped.

Proposed Use: A fuel storage facility consisting of a guardhouse/office, maintenance/storage building, parking/truck storage, and fuel storage containment structure.

Surrounding Uses/Zones: To the north is the Bulk Storage facility, to the east are mechanic shops and recycling businesses (metal and plastic), to the south is residential and commercial activity, and to the west is a laydown yard. The surrounding area is zoned R-1 (Residential-Low Density) and C-Commercial.

Infrastructure: Water needs will be supplied by cistern. Wastewater will be handled by porta-potties.

Public Response: At DPNR's public hearing held July 17, 2023, one adjacent property owner expressed no objection and requested that any fuel stored be appropriately housed/screened and in adequate facilities. There were no other registered objections or concerns.

Analysis: During the department's public hearing, Mr. Christian Rosenberg, sole member of Dry Marina, LLC, testified the proposed development is being pursued for the intended tenant Petroleum Brokers. Petroleum Brokers stores fuel and delivers on demand to gas stations and others. The single-phase development could take one to two months and depends on the granting of a major Coastal

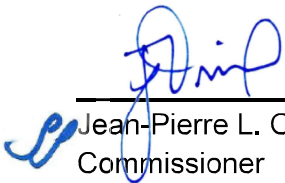
Zone Management permit, which is in process. The site is already occupied by a trucking company. The fuel storage facility proposal will consist of three, one-story buildings. Approximately three employees would be occupying the site daily and approximately 10,000 gallons of fuel would be stored on the property.

The current C-Commercial zoning was granted March 7, 2000, by Act No. 6343. The properties on the surrounding boundaries (Plots 17-D Remainder and 17-E) were also granted rezonings to C-Commercial (Act Nos. 6523 and 6909). The portion of Estate Bovoni located to the south of the Bovoni Road has been granted numerous zoning map amendments to allow for commercial and industrial uses, particularly those properties adjacent to the landfill. The C-Commercial zoning allows for manufacturing and light industrial uses. It does not, however, allow for fuel storage which would be allowed as a matter of right under the categories, "Explosive & Inflammable Liquids, Storage; Flammable Liquids, Storage; and Propane & Manufactured Gas, Storage and Distribution." The activity would be allowed in the I-1 and W-2 industrial zones or accessory to gas stations and the airports.

As previously noted, the Bovoni area south of Bovoni Road has developed into an area for manufacturing/light-industrial uses due to the landfill's proximity. There are a few pockets of residential activity that are slowly disappearing. The department recognizes the area's change and recommends approval of the use variance request, however, with the attachment of a condition to protect the few remaining residential activity to the south.

Recommendation:

The Department of Planning and Natural Resources recommends that a use variance be granted to the C (Commercial) zoned Parcel No. 17D-1 Estate Bovoni, Nos. 1 & 2 Frenchman's Bay Quarter, St. Thomas to allow a fuel storage facility with the condition of a 100-foot setback from any residential structures.



Jean-Pierre L. Oriol
Commissioner

28-July-2023

Date