
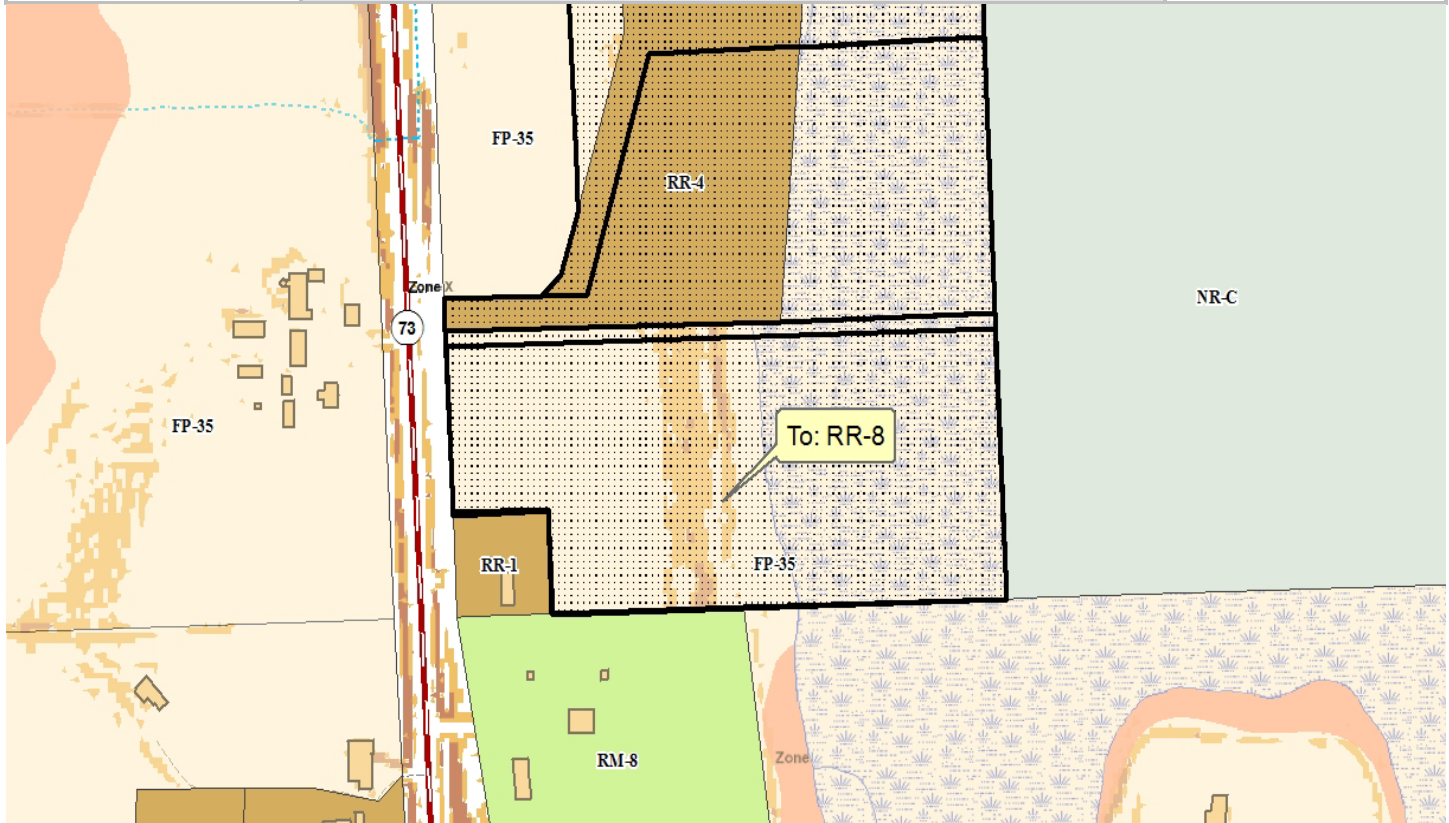


<p>Staff Report</p>  <p>Zoning and Land Regulation Committee</p> <p>Questions? Contact: Majid Allan – 267-2536</p>	<p><i>Public Hearing:</i> January 28, 2020</p>	<p>Petition 11505</p>
	<p><i>Zoning Amendment Requested:</i> FP-1 (Small Lot Farmland Preservation) District TO RR-8 (Rural Residential, 8 to 16 acres) District</p>	<p><i>Town/Section:</i> DEERFIELD, Section 4</p>
	<p><i>Size:</i> 14 Acres</p>	<p><i>Survey Required:</i> YES</p>
	<p><i>Reason for the request:</i> Creating one residential lot</p>	



DESCRIPTION: Applicant is proposing to create a ~14 acre RR-8 zoned parcel to allow for future residential development on the property.

OBSERVATIONS: The property is part of the pending Bittersweet subdivision plat consisting of 5 adjoining parcels. The subject property will be defined as lot 5 of the plat and be assigned FP-1 zoning. Current uses of the property are agriculture / open space. Surrounding land uses include agriculture, open space, and scattered rural residences. There is an area of steep slope topography over 12% grade, as well as an area of mapped wetlands associated with a large wetland complex that extends onto adjoining properties to the north, south, and east. There appears to be a sufficient area of upland to serve as a future building site.

TOWN PLAN: The property is located in the town’s agricultural preservation area. Development is limited to 1 lot per 35 acres owned as of 10/26/1978.

RESOURCE PROTECTION: An area of resource protection corridor associated with the mapped wetlands is located on the easterly ½ of the property.

STAFF: The proposed rezoning represents the final split available to the property. The property was rezoned to the FP-1 district under previous zoning petition 11427 and is slated to be defined as lot 5 in the Bittersweet subdivision plat which is pending final approvals and recording with the register of deeds office. Assuming the plat is finalized and

recorded, no additional survey work will be needed to effectuate the proposal. As required under previous rezoning petition 11427, the approximate location of the wetland boundary will be delineated on the subdivision plat.

If the final plat is recorded prior to the 1/28/20 ZLR public hearing, staff recommends approval of the petition, subject to the condition listed below. If, however, the final plat has not been recorded as of the date of the public hearing on this petition, staff recommends postponement until the plat is recorded.

1. The property owner shall record a deed restriction on the remaining FP-35 zoned land (currently in tax parcels 071204382000, 071204395007, 071204480307, 071204485010, and 071204490010) that states the following:

“Further residential development or division of the property is prohibited.”

TOWN: The Town Board approved the petition conditioned upon a deed restriction being recorded on the property to prohibit further development on the remaining FP-35 (agricultural preservation) lands.