



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **June 24, 2014**

Petition: **Rezone 10688**

Zoning Amendment:
A-1EX Exclusive Agriculture District to RH-1 Rural Homes District, RH-4 Rural Homes District and A-4 Small lot Agriculture District

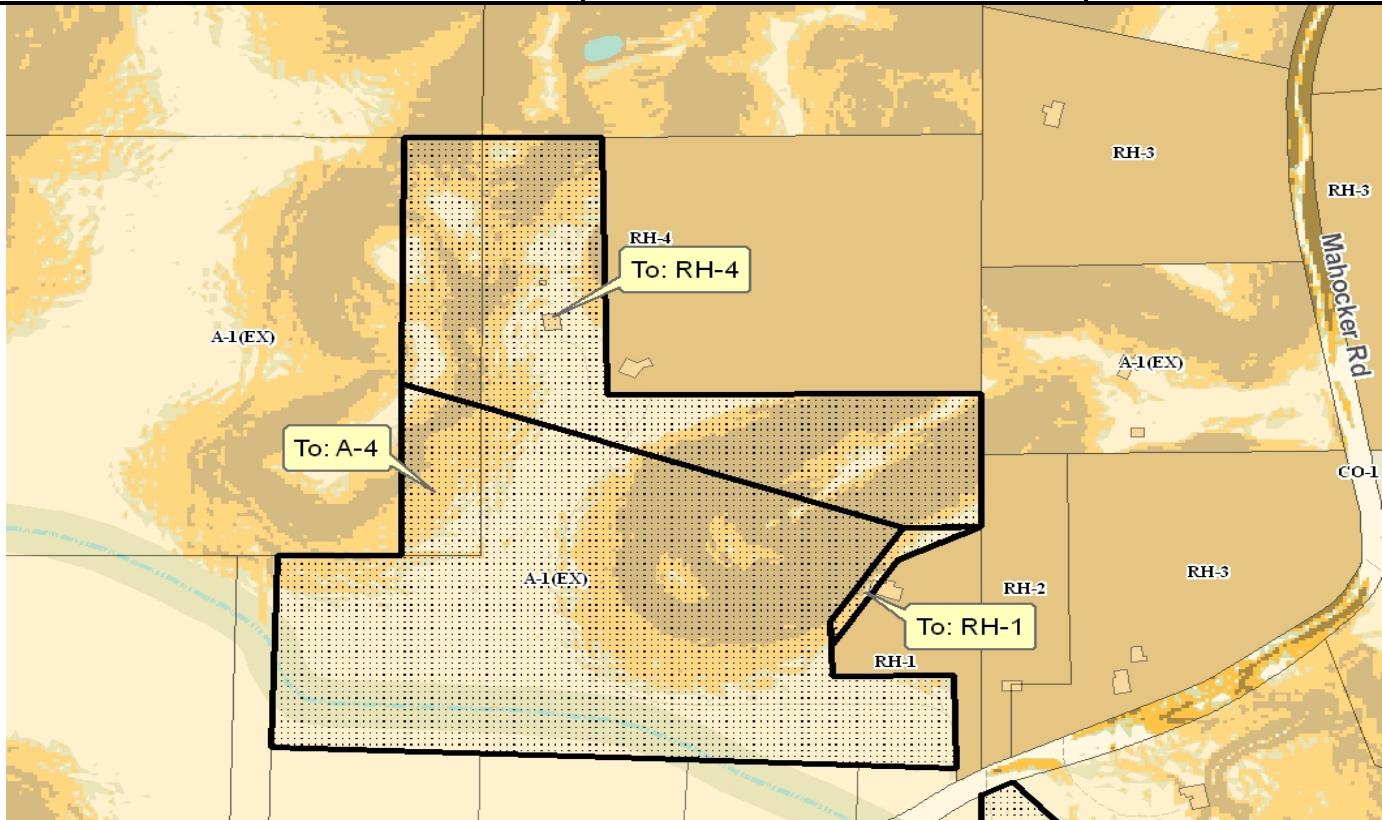
Town/sect:
Black Earth Section 19

Acres: 16.73, 34.56, 0.49
Survey Req. Yes

Applicant
Rodney L Nelson

Reason:
Creating two residential lots for existing residences and creating one agricultural lot

Location:
5361 & 5359 Mahocker Rd



DESCRIPTION: Applicant proposes to modify the boundaries of 2 existing residential lots and to provide zoning compliance for a remnant parcel. Lands would be added to the northern boundary of the existing RH-1 parcel. As a result of the boundary adjustment, the remaining lands will drop below 35 acres, necessitating a rezone out of A-1EX. No new development is proposed. A 3-lot CSM is proposed to accomplish the boundary adjustment and zoning compliance.

OBSERVATIONS: The majority of the proposed RH-4 lot is wooded and includes areas of steep slope topography. The proposed A-4 parcel is comprised primarily of farmland with Class III soils.

TOWN PLAN: The property is located in the town's agricultural preservation area.

RESOURCE PROTECTION: There are areas of resource protection corridor associated with the steep slope topography, located primarily on the proposed RH-4 parcel.

STAFF: With no new development proposed, the proposal appears consistent with town plan policies. The applicant will require a waiver from the 66' of road frontage requirement of the subdivision ordinance for proposed lots 1 (RH-4) and 2 (A-4). Because the proposed RH-4 parcel would be 35 acres in size (over twice the 16 acre minimum lot size requirement for the RH-4 district), staff recommends that a deed restriction prohibiting division of the RH-4 parcel be required as a condition of approval.

TOWN: Pending.

6/24 ZLR: The petition was postponed due to no town action.

UPDATE: The Town approved the petition conditioned upon the A-4 parcel being deed restricted to prohibit residential development.