



Staff Report

Zoning and Land Regulation
Committee

Public Hearing: **September 17, 2018**

Zoning Amendment:
**A-1EX Agriculture District to R-3
Residence District**

Acres: 0.5
Survey Req. No

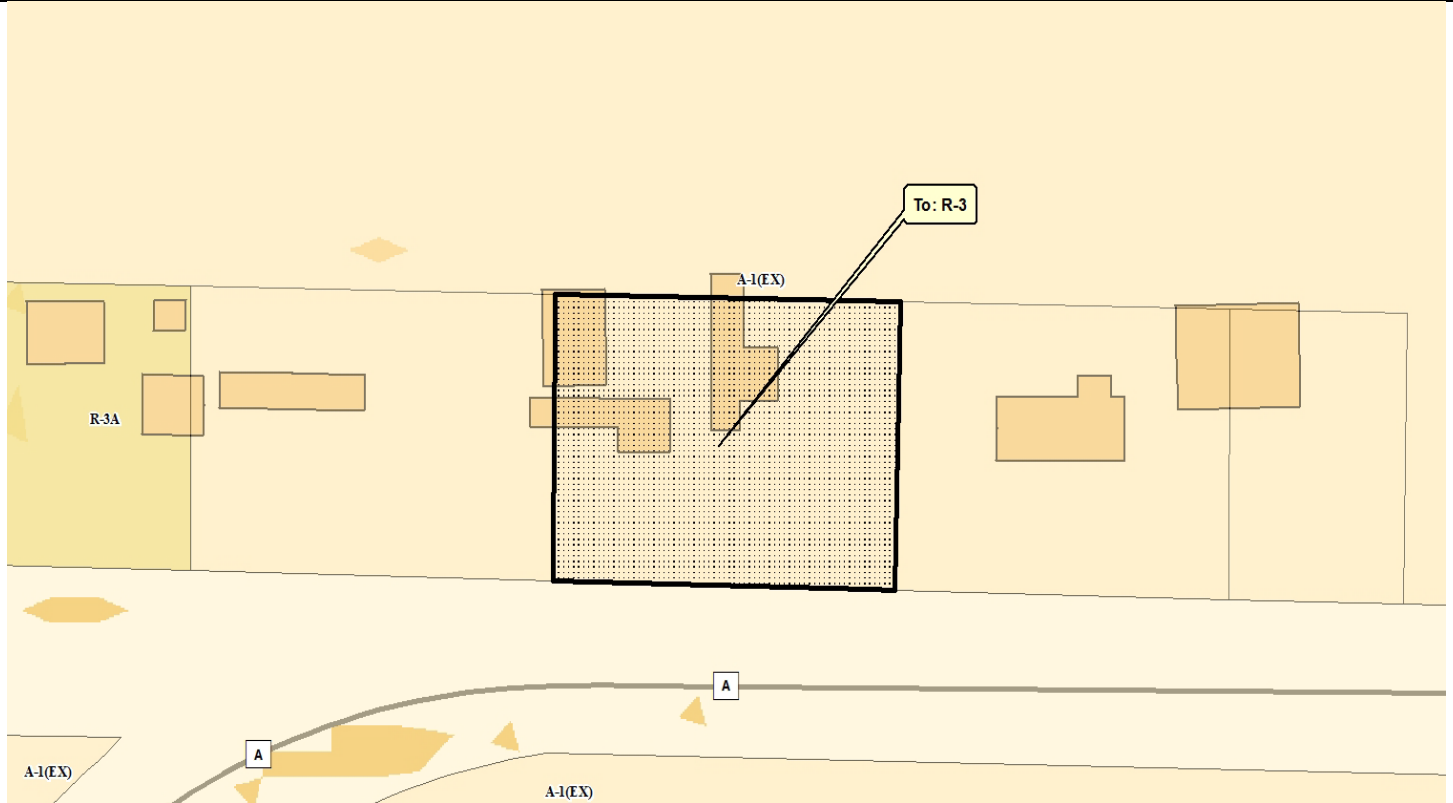
Reason:
**Allow for a decreased rear yard
setback for a future single-family
residence**

Petition: **Petition 11333**

Town/sect:
Rutland, Section 13

Applicant
Mark Nelson

Location:
3196 County Highway A



DESCRIPTION: The applicant owns an existing ½-acre, A-1EX Agriculture zoned parcel of land. The parcel predates the adoption of the ordinance and is considered “grandfathered.” Such lots are allowed to be used as a residential building site under both the county zoning code and the town of Rutland comprehensive plan. The proposed rezoning to R-3 Residential will allow for a less restrictive rear yard setback (25 feet) than the current A-1EX zoning (50 feet).

OBSERVATIONS: Surrounding uses of property include scattered single-family residences, agriculture, and other open space. No sensitive environmental features are observed on the subject property.

COUNTY HIGHWAY DEPT: County Highway A is not a controlled access highway. Any changes in use will require a highway permit. Joint use driveways will be required where possible.

TOWN PLAN: The property is located in the town’s Agricultural Preservation Area.

RESOURCE PROTECTION: No areas of resource protection corridor are located on or near the property.

STAFF: As indicated in the attached parcel status determination, the property is considered a legal lot of record that predates the adoption of A-1EX zoning in the town of Rutland (6/1978). No Certified Survey Map is required because of the lot’s existing legal status. The proposal is consistent with town plan policies.

TOWN: The Town Board approved the petition with no conditions.