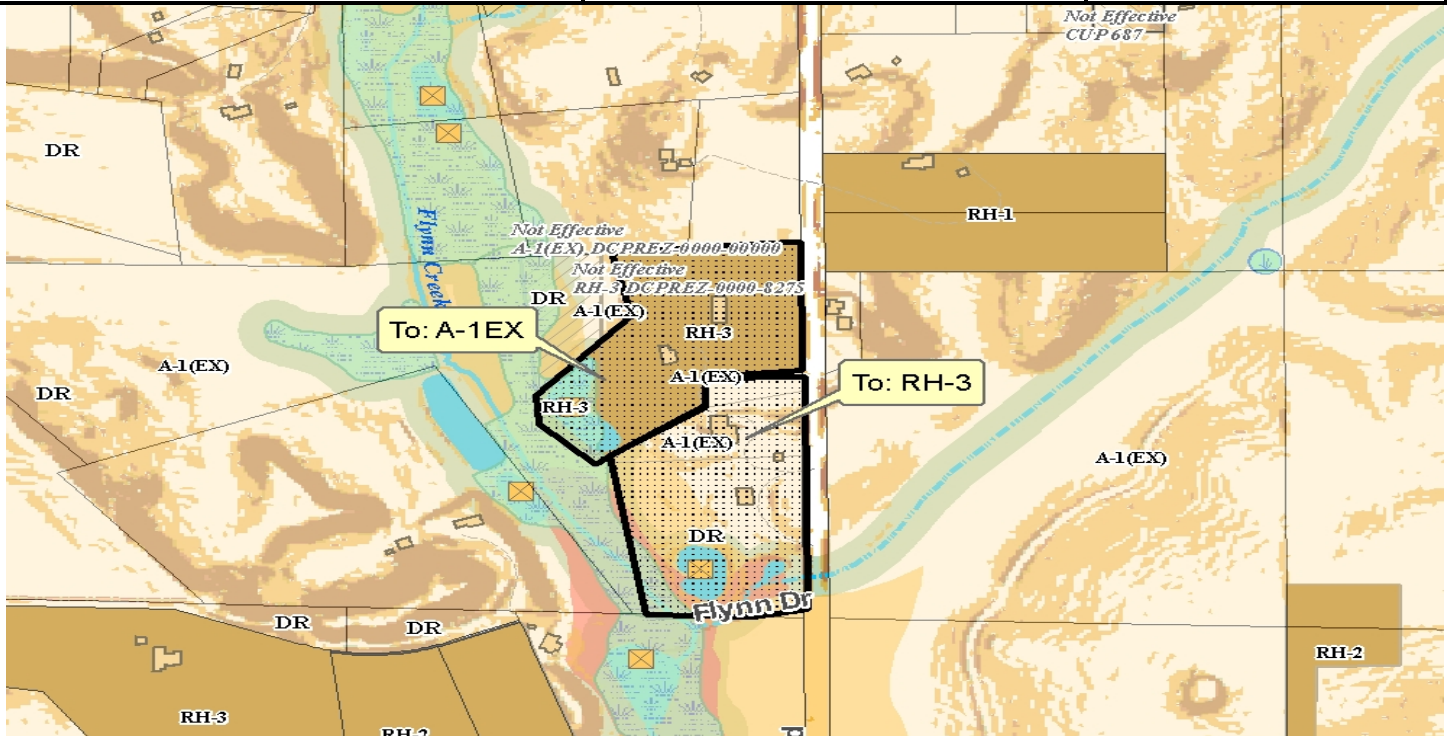




Staff Report

Zoning and Land Regulation Committee

<i>Public Hearing:</i> February 23, 2016	<i>Petition:</i> Rezone 10941
<i>Zoning Amendment:</i> A-1EX Exclusive Agriculture District and RH-3 Rural Homes District to RH-3 Rural Homes District and A-1EX Exclusive District	<i>Town/sect:</i> Montrose Section 06
<i>Acres:</i> 9.27, 8.36 <i>Survey Req. Yes</i>	<i>Applicant</i> Christensen REV TR
<i>Reason:</i> Shifting of property lines between adjacent land owners	<i>Location:</i> 1391 Fritz Road



DESCRIPTION: The petitioner would like to sell approximately 26 acres of land to the adjacent neighbor. The adjacent neighbor's land will total just over 35 acres in size and is requesting that the property be zoned entirely to A-1 EX Exclusive Agriculture.

OBSERVATIONS: There are single-family residences on each property along with several outbuildings. Flynn Creek runs through the property just west of the houses. There are wetlands and a flood hazard area surrounding the creek. Areas within 300 feet of the creek or 1000 feet of the ponds are subject to shoreland regulations

TOWN PLAN: The property is located in the Agricultural Preservation Area. The housing density rights have been exhausted on the original farm. There will be no increase in housing density as part of this petition.

RESOURCE PROTECTION: The Town Plan designates all areas with the wetlands and floodplain are part of the resource protection area. No development is proposed for these areas.

STAFF: The proposal meets the dimensional standards of the zoning districts.

NOTE: The existing residence being placed in the proposed A-1 EX Exclusive Agriculture area will be considered a legal non-conforming structure due to the absence of being associated with a farm operation. Additions or expansion of the residence will be prohibited until residential zoning is assigned to the entire property.

TOWN: Approved conditioned upon a new deed restriction being recorded on the proposed 35-acre lot which prohibits further residential development.