

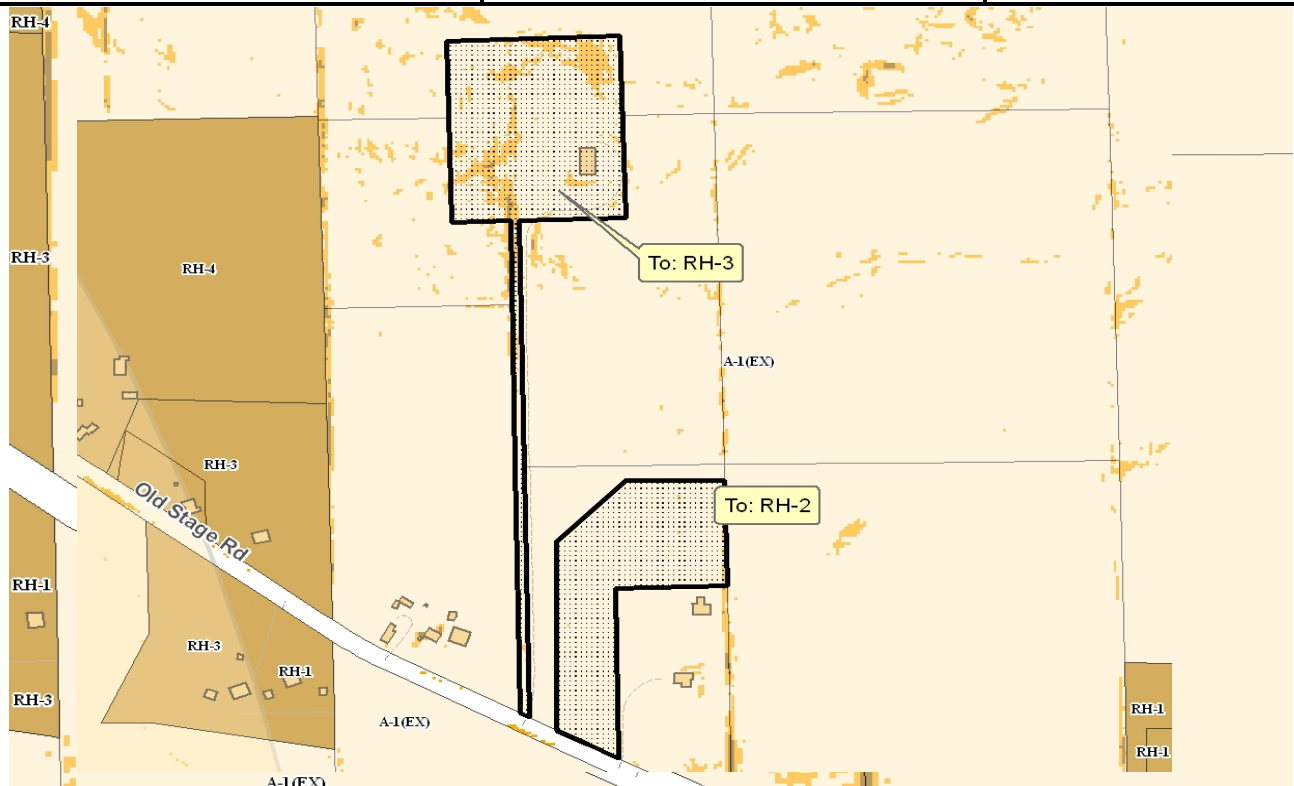


Staff Report

<i>Public Hearing:</i> December 23, 2014	<i>Petition:</i> Rezone 10781
<i>Zoning Amendment:</i> A-1EX Exclusive Agriculture District to RH-2 Rural Homes District	<i>Town/sect:</i> Rutland Section 29
<i>Acres:</i> 7 <i>Survey Req. Yes</i>	<i>Applicant</i> Gnewuch REV TR, James H
<i>Reason:</i> Creating one residential lot	<i>Location:</i> West of 4232 Old Stage Road

Zoning and Land Regulation Committee

NOTE:
Revised to add 2nd lot, 11.9 acres (RH-3)



Description: Applicant proposes to create a new 7 acre single family residential lot from the 73 acre farm property.

Observations: No sensitive environmental features observed. The property consists of 100% Class II soils.

Town Plan: The property is located in the town's Agricultural Preservation Area. Development is limited to one buildable parcel per 35 acres owned as of 6/7/1978.

Resource Protection: There are no resource protection corridors located on the property.

Staff: The current ownership parcel configuration suggests that a possible illegal land division may have occurred at some point in the past. Staff recommends that the petition be postponed to provide time for a parcel status determination to be conducted. If an illegal division has occurred, approval should be conditioned upon correcting the illegal division with either a rezoning and CSM, or re-consolidation of the property through recording of corrective instruments with the register of deeds office.

Staff update: The owner is requesting an amendment to the petition to separate the existing residence from the farm onto a ~11 acre RH-3 parcel (depicted on map, above). The proposed separation would bring the residence into compliance with zoning and land division regulations. The proposal appears consistent with town plan policies. As indicated on the attached density study, if the petition is approved, the property will remain eligible for one (1) possible split.

12/23 ZLR Meeting: Postponed to allow the applicant to amend the petition to show a second lot for the existing house.

Town: The Town re-approved the petition with one 7-acre lot being RH-2 and a second 11.9-acre lot being RH-3.