



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **September 29, 2015**

Petition: **Rezone 10885**

Zoning Amendment:

A-1EX Exclusive Agriculture District to A-2(4) Agriculture District

Town/sect:

Berry Section 29

Acres: *8.02*

Survey Req. *Yes*

Applicant

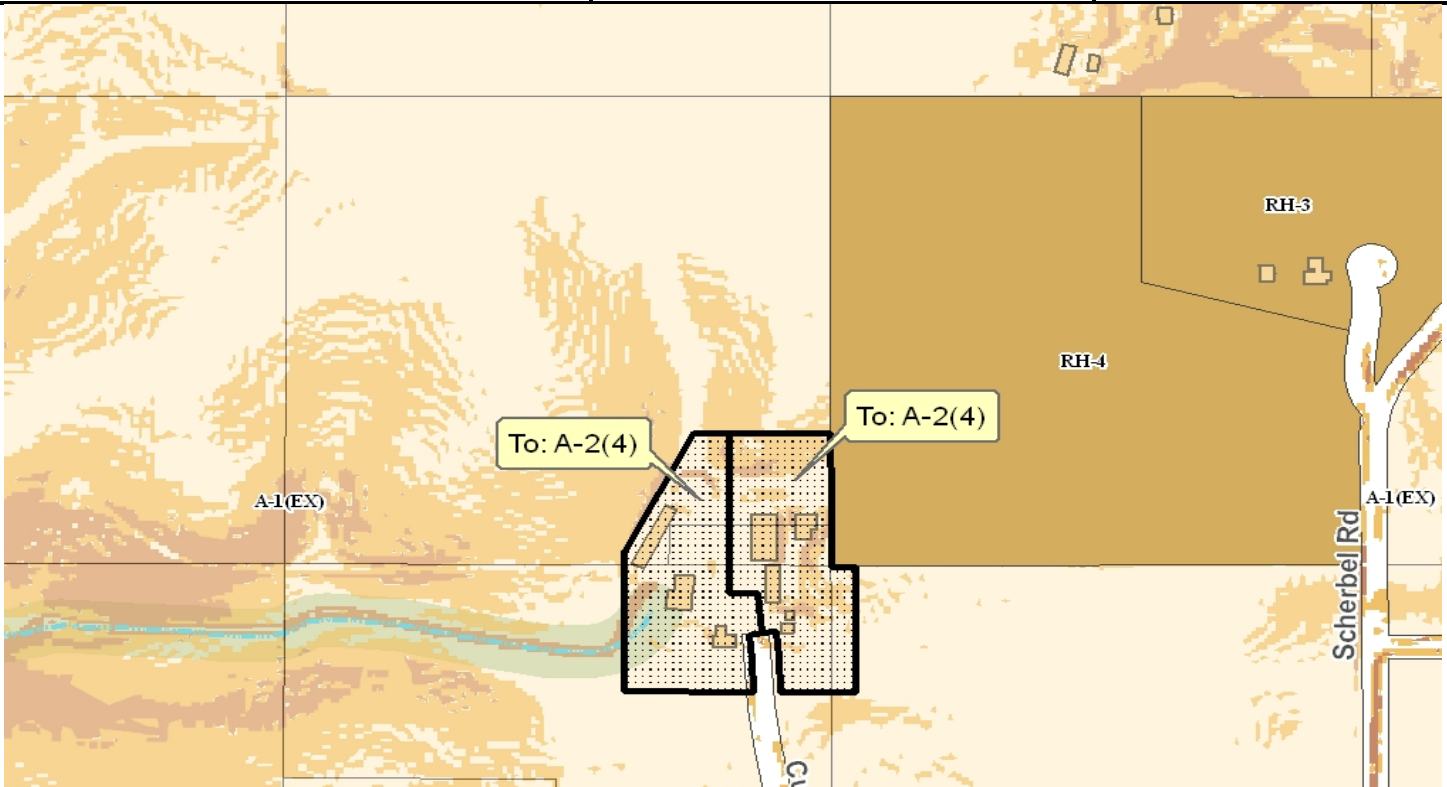
Oak Ridge Farm LLC

Reason:

Separating two existing residences from the farmland

Location:

9110 & 9112 Curtis Kahl Road



DESCRIPTION: Applicant proposes to separate two existing residences from the farm.

OBSERVATIONS: There are existing residences and accessory building on the properties. The structures meet the 10% maximum building coverages for the proposed lot sizes. There is an intermittent stream located at the westerly edge of the proposed westerly parcel. No other sensitive environmental features observed. No new development proposed.

The proposed land divisions will create a remnant parcel that will be less than 35 acres in size at the corner of Scherbel Road and Kahl Road. Staff suggests that the remnant area be part of the certified survey map to be in compliance with Land Division Regulations.

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

RESOURCE PROTECTION: A small area of resource protection corridor associated with the intermittent stream is located on the westerly proposed lot. No new development proposed.

STAFF: As indicated on the attached density study report, the property remains eligible for housing density right. Note that the town does not count separation of residences built prior to 4/13/81 as a split. If the petition is approved, one possible split will remain available to the farm.

Staff suggests that the petition be amended to include the 30-acre remnant parcel as part of the certified survey map. It is suggested that the area be rezoned to A-4 Small Lot Agriculture or a zoning district suitable to the Town.

TOWN: Approved.