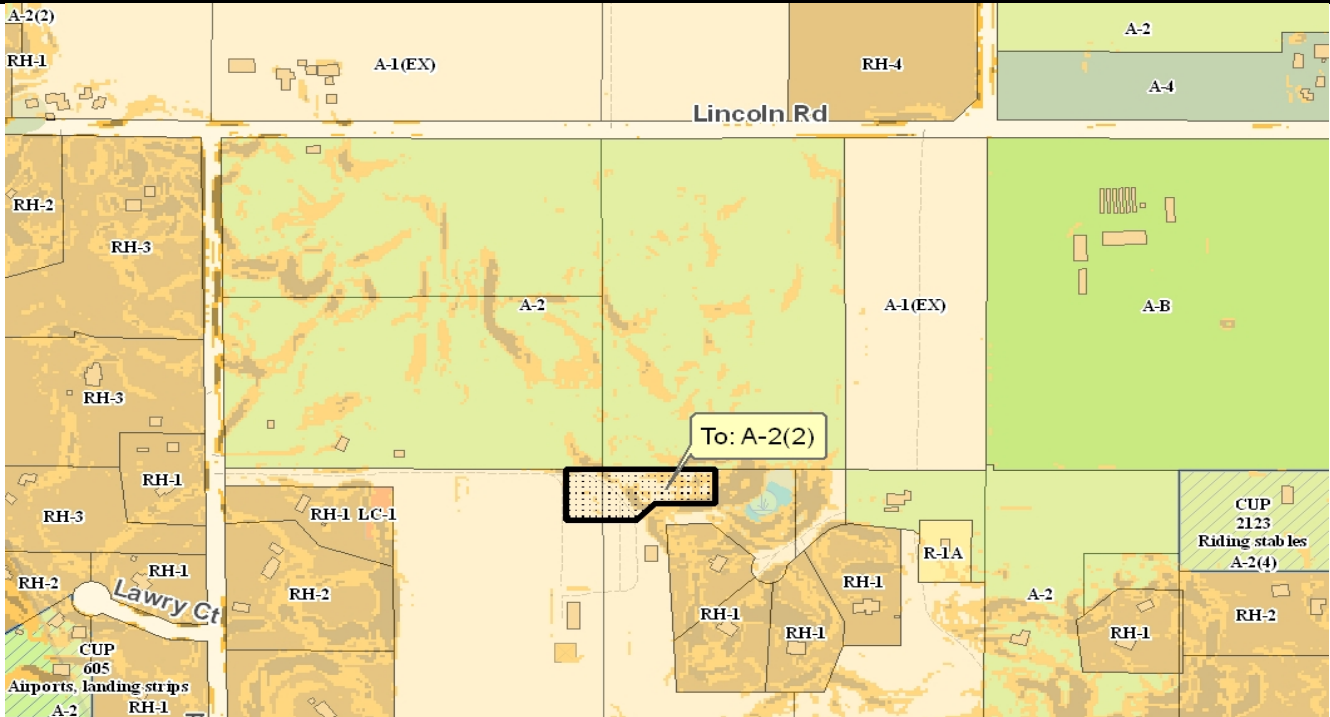




# Staff Report

<b>Zoning and Land Regulation Committee</b>	<i>Public Hearing:</i> <b>June 24, 2014</b>	<i>Petition:</i> <b>Rezone 10692</b>
	<i>Zoning Amendment:</i> <b>A-1EX Exclusive Agriculture District to A-2(2) Agriculture District</b>	<i>Town/sect:</i> <b>Oregon Section 16</b>
	<i>Acres:</i> 2.0 <i>Survey Req. Yes</i>	<i>Applicant:</i> <b>Dale D Secher</b>
	<i>Reason:</i> <b>Creating one residential lot</b>	<i>Location:</i> <b>1042 Tipperary Road</b>



**DESCRIPTION:** Applicant is proposing to create a new building site for his son who will eventually take over the Carandale farm operation. The new building site is proposed as a separate new CSM lot, but not have direct road frontage. Applicant is requesting approval of an exception to the direct road frontage requirement of the subdivision code, as provided for under s. 75.19(8). The proposed A-2(2) parcel would be accessed via an easement and shared driveway which would be located on proposed lot 2 of the CSM (35+ acre agricultural lot), so that the farm maintains ownership of the driveway. There are several existing, landlocked residential lots that are serviced by an existing shared driveway. If approved, the proposal would result in a secondary access for both the proposed, and existing, residential lots.

**OBSERVATIONS:** The proposed lot is in a primarily wooded area with Class III soils. No significant environmental features observed.

**TOWN PLAN:** The property is located in the town's agricultural preservation area. Development is limited to one lot per 35 acres owned. The town plan includes policies that support shared driveways and appear consistent with the provisions of 75.19(8).

Policy 12i) – *Driveway Access* - Where feasible and appropriate, **the Town will require shared driveway access** between homes to minimize the number of direct driveway accesses onto Town roads. The Town will use this policy when reviewing development proposals.

Policy 12j) – *Limits on Shared Driveway Use* – Any driveway proposed for joint use **will be required to have recorded multi-party access easements and maintenance agreements** reviewed and approved by the Town.

Policy 12q) – *Prohibition of Landlocked Parcels* – When dividing off a parcel of land, care should be taken so that road access to the remaining parcel is not cut off. Such divisions shall not be permitted, unless **permanent access is provided** to the landlocked parcel or lot.

**RESOURCE PROTECTION:** There are no areas of resource protection corridor located on the proposed A-2(2) parcel.

**STAFF:** 3 possible splits are available to the property. It appears the proposal, including the road frontage exception request, is consistent with applicable town plan policies. If the petition and exception are approved, the applicant should comply with the provisions of s. 75.19(8) regarding recording of an easement and shared driveway agreement.

**TOWN:** Approved with conditions (shared driveway agreement).