



# Staff Report

Zoning and Land Regulation Committee

Public Hearing: **July 22, 2014**

Zoning Amendment:  
**A-1EX Exclusive Agriculture District to RH-1 Rural Homes District**

Acres: 3.0  
Survey Req. Yes

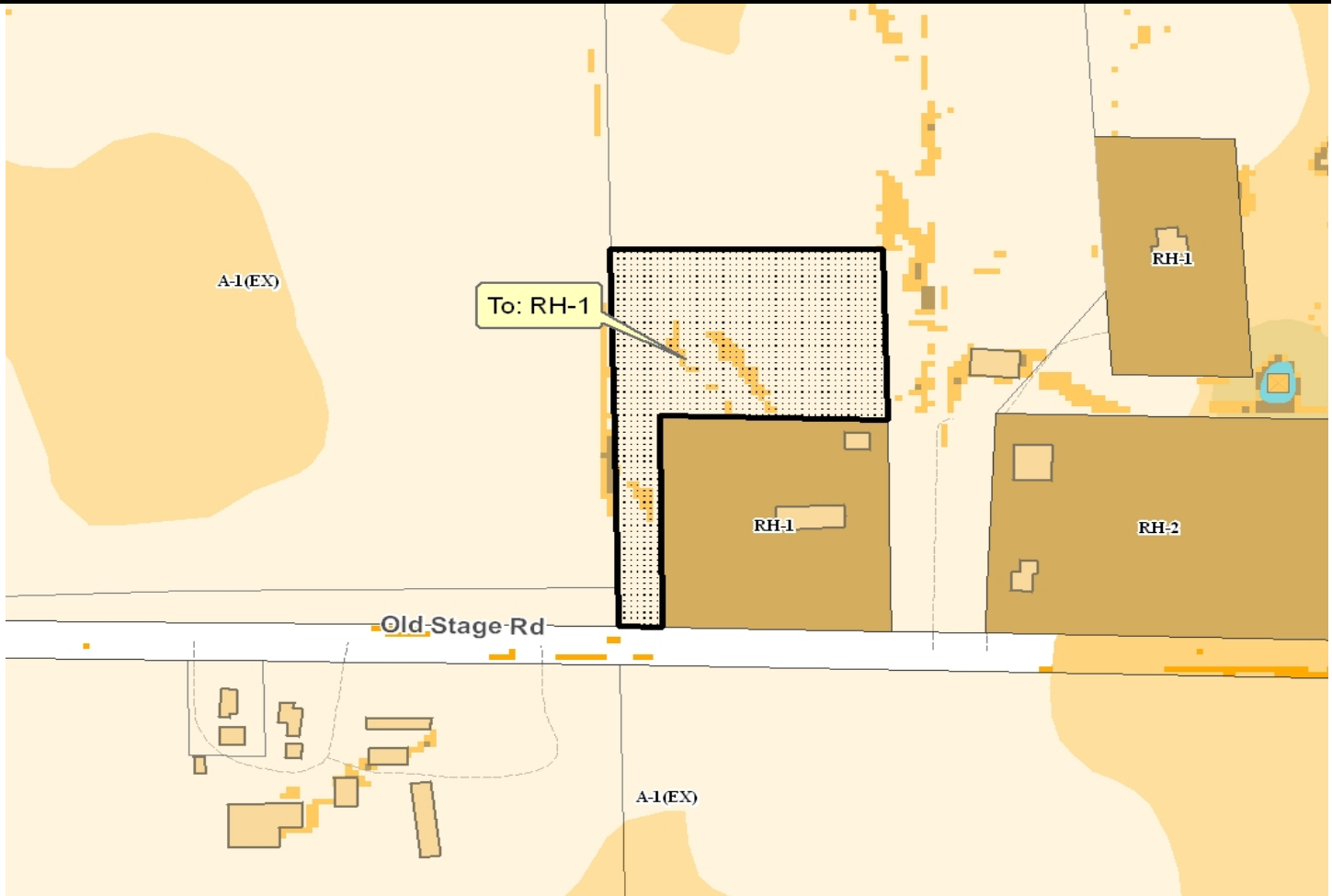
Reason:  
**Creating one residential lot**

Petition: **Rezone 10718**

Town/sect:  
**Rutland Section 28**

Applicant  
**Shawn Hillestad**

Location:  
**West of 4126 Old Stage Road**



**DESCRIPTION:** Applicant proposes to create a new 3 acre residential lot.

**OBSERVATIONS:** The property consists of Class II and III soils.

**TOWN PLAN:** The property is located in the town's Agricultural Preservation Area. Development is limited to 1 lot per 35 acres owned as of June 7, 1978.

**RESOURCE PROTECTION:** There are no areas of resource protection corridor located on the property.

**STAFF:** As indicated on the attached density study report, it appears that one possible split remains available to the property. Staff recommends that a deed restriction prohibiting further development on the balance of A-1EX zoned land from the original Halverson farm be recorded with the register of deeds as a condition of rezone approval. It should be noted that a second area of RH-1 zoning is located on the same ownership parcel as the applicants existing home. The zoning code does not allow for two primary residences to be located on a single ownership parcel. In order for the second building site to be used, the existing home will need to be separated onto a new parcel of land, which will require a certified survey map and, possibly a zoning change.

**TOWN:** Approved.