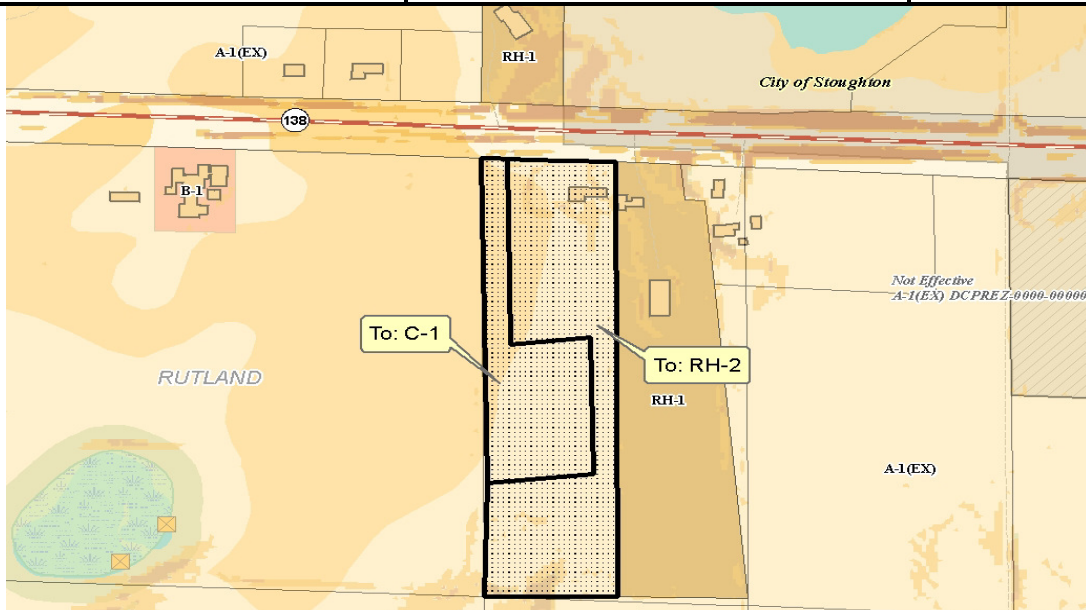




Staff Report

Zoning and Land Regulation Committee	Public Hearing: October 27, 2015	Petition: Rezone 10901
	Zoning Amendment: A-1EX Agriculture District to RH-2 Rural Homes and C-1 Commercial District	Town/sect: Rutland Section 12
	Acres: 6.6, 3.2 Survey Req.	Applicant Matt Hamacher
	Reason: Creating one residential lot and one commercial lot for lawn care business	Location: 3279 State Highway 138



DESCRIPTION: Applicant proposes to divide the existing ~10 acre property into two lots. Proposed lot 1 would be rezoned to RH-2 and include the existing single family residence; proposed lot 2 would be rezoned to C-1 and allow for operation of the applicant's landscaping and snow removal business.

OBSERVATIONS: No sensitive environmental features observed. Property consists of approximately 15% class II soils.

VILLAGE/TOWN PLAN: The property is located in the town's agricultural preservation area. The town of Rutland allows division of substandard A-1EX parcels between 8-35 acres existing as of the date of town plan adoption (6/7/78).

RESOURCE PROTECTION: No resource protection corridors located on the property.

STAFF: Staff is concerned with the abnormal layout of the proposed RH-2 parcel (lot 1). Staff has contacted the applicant and he is agreeable to revising the lot configuration in a manner that accommodates the intended use while also minimizing the potential for future nuisance complaints. Pending a revised lot layout, and with appropriate restrictions on the range of commercial uses, the proposal appears reasonably consistent with town plan policies.

Staff recommends postponement of the petition at the public hearing to provide time to work with the applicant on a revised lot design. Upon submittal of a revised lot design, staff suggests restrictions limiting commercial exclusively uses to a landscape / snow removal business. Staff also suggests a deed restriction prohibiting off premises advertising (billboard) signs.

TOWN: Approved, conditioned on limiting C-1 commercial uses to a landscape / snow removal business and sales of landscape materials on site.

10/27 ZLR: The Committee postponed action to allow time for the lot to be reconfigured.

Staff Update: The land division has been revised to a more suitable configuration. See attached.