

Staff Report



Zoning and Land Regulation Committee

**Questions? Contact:
Majid Allan – 267-2536**

Public Hearing: **November 26, 2019**

Zoning Amendment Requested:

FP-35 (General Farmland Preservation) District TO RM-16 (Rural Mixed-Use, 16 acres and up) District, FP-35 (General Farmland Preservation) District TO RM-8 (Rural Mixed-Use, 8 to 16 acres) District

Size: **28.8,11.5 Acres**

Survey Required: **Yes**

Reason for the request:

creating lot for existing residence and creating one residential lot

Petition 11494

Town/Section:

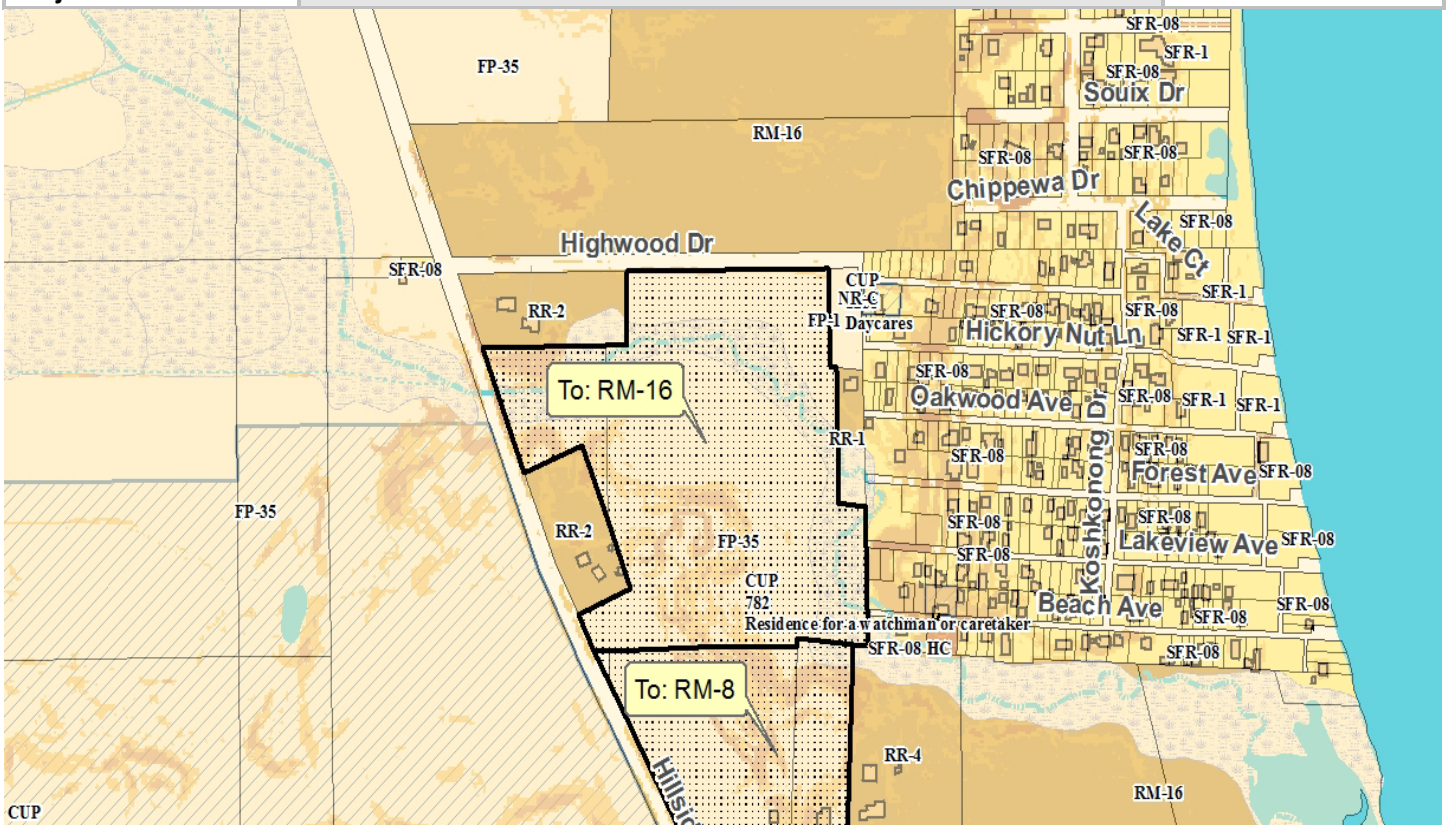
ALBION, Section 36

Applicant

ROBERT J PURNELL III

Address:

168 HILLSIDE ROAD



DESCRIPTION: Applicant requests a zoning change to appropriate Rural Mixed Use categories to accommodate a transfer of lands between adjoining owners and to create one new residential lot. Applicant already transferred approximately 7.5 acres to the owner of the adjoining 2.8 acre residential lot without obtaining the necessary zoning and certified survey approvals. The proposed rezoning and two lot Certified Survey Map will bring both properties into compliance with zoning and land division regulations. The proposal will result in a 11.5 acre RM-8 zoned lot with existing residence and a 28.8 acre RM-16 lot for future residential development (i.e., addition of one new residential lot).

OBSERVATIONS: Existing land uses on the property include rural residential and agriculture / open space. Surrounding land uses are scattered rural residences, agriculture / open space, and the residential subdivision of Indian Heights. An intermittent stream with associated floodplain and wetlands bisects the proposed RM-16 parcel. Areas of steep slope topography over 12-20% are present on both the proposed RM-8 and RM-16 properties. There appear to be several suitable areas of upland on which to build on the proposed 28.8 acre RM-16 parcel that would not impact the environmentally sensitive areas.

TOWN PLAN: The property is located in the town’s agricultural preservation area.

RESOURCE PROTECTION: Areas of resource protection corridor associated with the mapped floodplain/wetlands and steep slope topography are located on the property.

STAFF: As indicated on the attached density study report, the property remains eligible for one possible split/building site. If the petition is approved, the splits will be exhausted. Staff recommends approval with the following condition:

1. Future development on the RM-16 parcel shall occur outside of environmentally sensitive areas. The Certified Survey Map shall depict the general location of the floodplain boundary.

TOWN: The Town Board approved the petition with no conditions.