



Staff Report

Zoning and Land Regulation Committee

Public Hearing: **January 27, 2015**

Petition: **Rezone 10794**

Zoning Amendment:
A-1EX Exclusive Agriculture District to RH-1 Rural Homes District and A-4 Small Lot Agriculture Lot

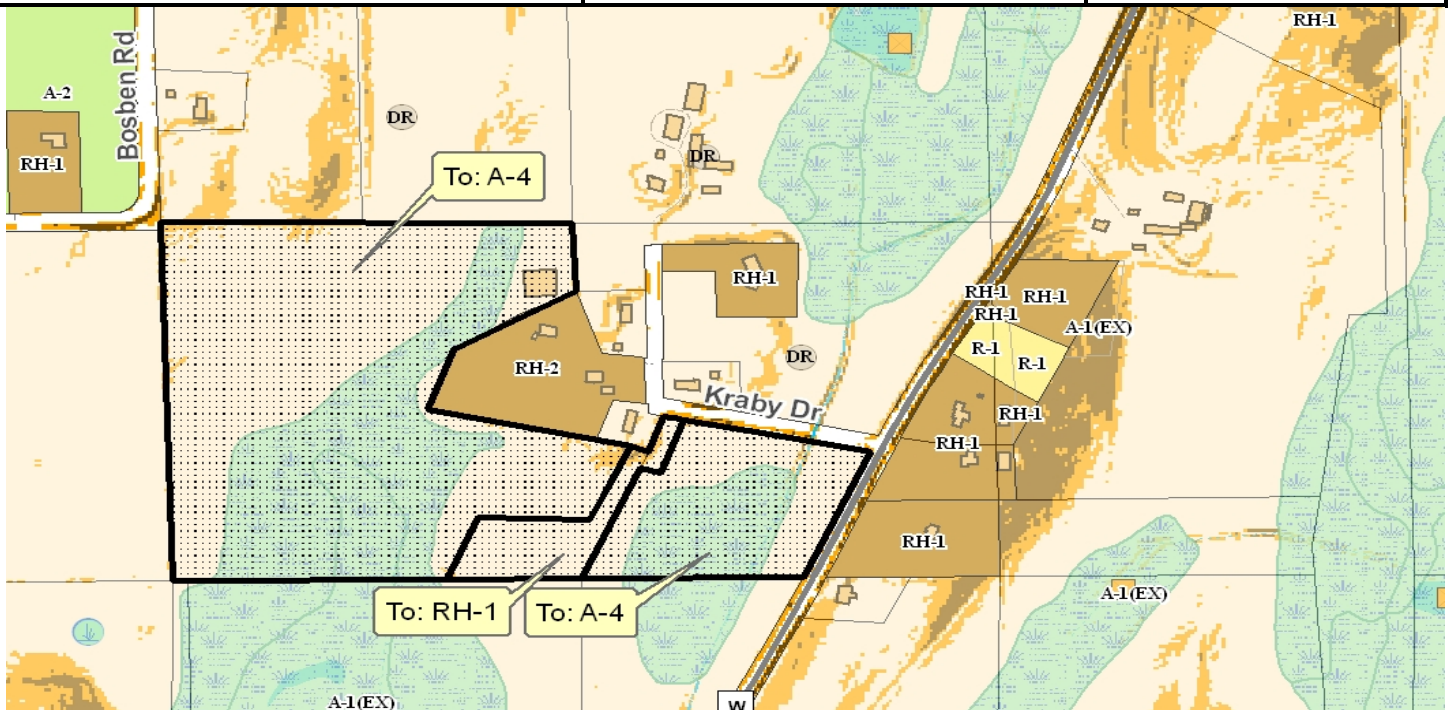
Town/sect:
Christiana Section 6

Acres: 3.0, 43
Survey Req. Yes

Applicant
Roby Lynne Rodgers

Reason:
Creating one residential lot and two small agriculture lots

Location:
1445 Kraby Rd



DESCRIPTION: The applicant proposes to create a new RH-1 zoned 3-acre single family residential parcel and also requests A-4 zoning to provide zoning compliance for 2 ag use / open space only parcels that are each under 35 acres in size. The proposed easterly 8 acre A-4 parcel would be sold together with the 3 acre RH-1 parcel.

OBSERVATIONS: There are mapped wetlands and hydric soils located on the property. The proposed RH-1 parcel does not contain any wetlands, but does have an area of hydric soils on the westerly 1/2 of the parcel. There appears to be a suitable area of upland to serve as a building site on the easterly half of the parcel. It appears that the water table for the area is at 874 feet. The highest portion of the proposed residential lot is 886 feet.

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

RESOURCE PROTECTION: There are areas of resource protection corridor associated with the mapped wetlands on the two proposed A-4 parcels. No areas of resource protection corridor located on the proposed RH-1 parcel.

STAFF: The proposal appears reasonably consistent with town plan policies. The preliminary CSM shows proposed lot 3 as totaling approximately 35 acres. Staff recommends that the parcel remain zoned A-1EX if it is over 35 net acres. If approved, the eligible splits available to the original farm property will be exhausted.

Due to the high water table in the area Staff suggests placing a condition on the residential property that the basement slab elevation shall be no lower than 876 feet NAVD 88.

NOTE: Buildings will need to be located at least 75 feet away from the east and west property lines unless a wetland study is performed to determine the actual wetland boundaries.

TOWN: Approved with no conditions.