

**Staff Report**



**Zoning and Land Regulation Committee**  
**Questions? Contact:**  
**Majid Allan – 267-2536**

*Public Hearing:* **May 12, 2020**

Zoning Amendment Requested:

**FP-35 (General Farmland Preservation) District TO RR-2 (Rural Residential, 2 to 4 acres) District, RR-8 (Rural Residential, 8 to 16 acres) District TO RR-2 (Rural Residential, 2 to 4 acres) District, SFR-08 (Single Family Residential, small lots) District**

Size: **4.5,0.6,0.55 Acres**

Survey Required: **Yes**

Reason for the request:

**Transfer of lands between adjoining owners, reconfiguring two existing residential lots and creating one new residential lot.**

**Petition 11531**

Town/Section:

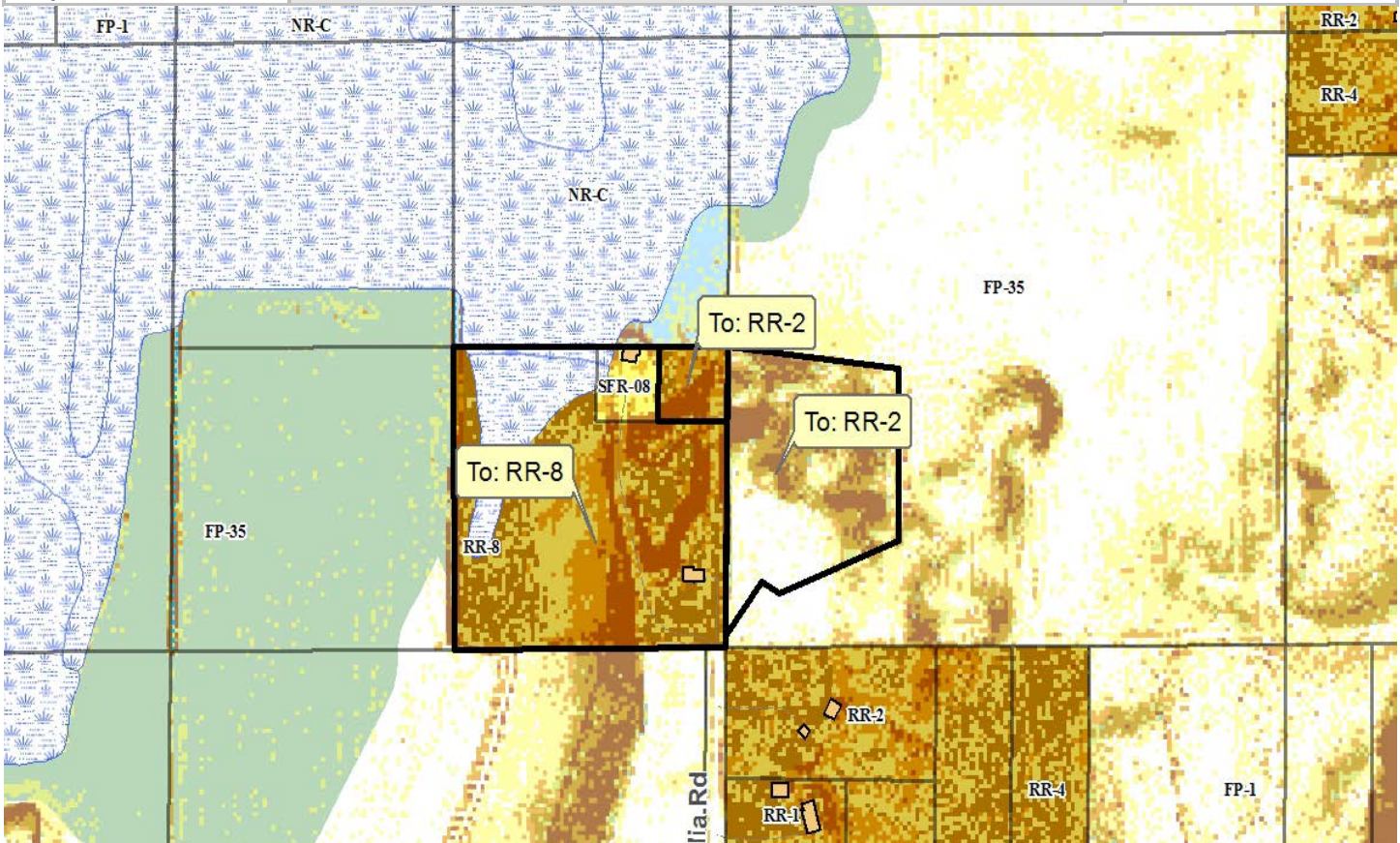
**CHRISTIANA, Section 8**

Applicant

**ARINGTON TREE FARM LLC**

Address:

**EAST OF 2771 OLIA RD**



**DESCRIPTION:** Applicant proposes a transfer of lands between adjoining owners to reconfigure two existing residential lots, and to also create a third new RR-2 parcel. The existing ~.5 acre SFR-08 parcel is owned by Arington Tree Farm, and the existing ~10 acre RR-8 parcel is owned by Dennis Kopf. Arington and Kopf would exchange roughly equivalent ½ acre parcels of land. Arington in turn proposes to add ~2.2 acres of his adjoining land to the east to recreate the previous .5 acre building site as a new, expanded 2.7 acre site. Arington would also create a new, adjacent 2.1 acre building site. Kopf proposes no additional changes to the 10 acre parcel beyond the .5 acre transfer of land. Net addition of 1 new building site. There is a proposed extension of Olia Road and installation of a cul de sac bulb to accommodate access to the reconfigured Arington parcels.

**OBSERVATIONS:** Current land uses of the properties are rural residential, woodland, and agriculture / open space. Surrounding uses are woodland, agriculture / open space, and scattered rural residences. There are wetlands and hydric soils present on the westerly portion of the Kopf property. Steep slopes over 12% grade are present on portions of each of the 3 proposed lots.

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

**RESOURCE PROTECTION:** There are several areas of resource protection corridor associated with the mapped wetlands and steep slopes. No new development is proposed on the Kopf property. The proposed Arington lots appear to have suitable areas to build outside of the resource protection corridors.

**STAFF:** This petition proposes a net total of one new residential lot. As indicated on the attached density study report, the Arington property remains eligible for one possible housing density unit / split. If approved, the splits will be exhausted. The proposal is reasonably consistent with town plan policies. Staff recommends the following conditions of approval (note that these include the town required condition):

1. Any proposed building on proposed lot 1 shall be located outside of the steep sloped area over 20% grade. The final CSM shall show the approximate location of steep slopes exceeding 20% grade, or alternatively a suitable building envelope located outside of the steep sloped areas shall be delineated.
2. Arington shall record a deed restriction on the balance of FP-35 zoned lands from the original farm unit prohibiting further non-farm development in accordance with town density policies. The restriction shall apply to the following tax parcels comprising ~109 acres: 061208185510, 061208281000, and 061208295002.
3. Kopf shall record a deed restriction on proposed lot 3 of the Certified Survey Map prohibiting further non-farm development (tax parcel 061208293200).
4. The planned cul de sac shall be shown and dedicated to the town in the final CSM. The cul de sac must be installed prior to dwelling occupancy.

**TOWN:** Approved with conditions (incorporated in the staff recommendations, above).