



Staff Report

Public Hearing: **June 26, 2018**

Petition: **Petition 11286**

Zoning Amendment:
**RH-3 Rural Homes District TO A-2
(8) Agriculture District**

Town/sect:
RUTLAND, Section 31

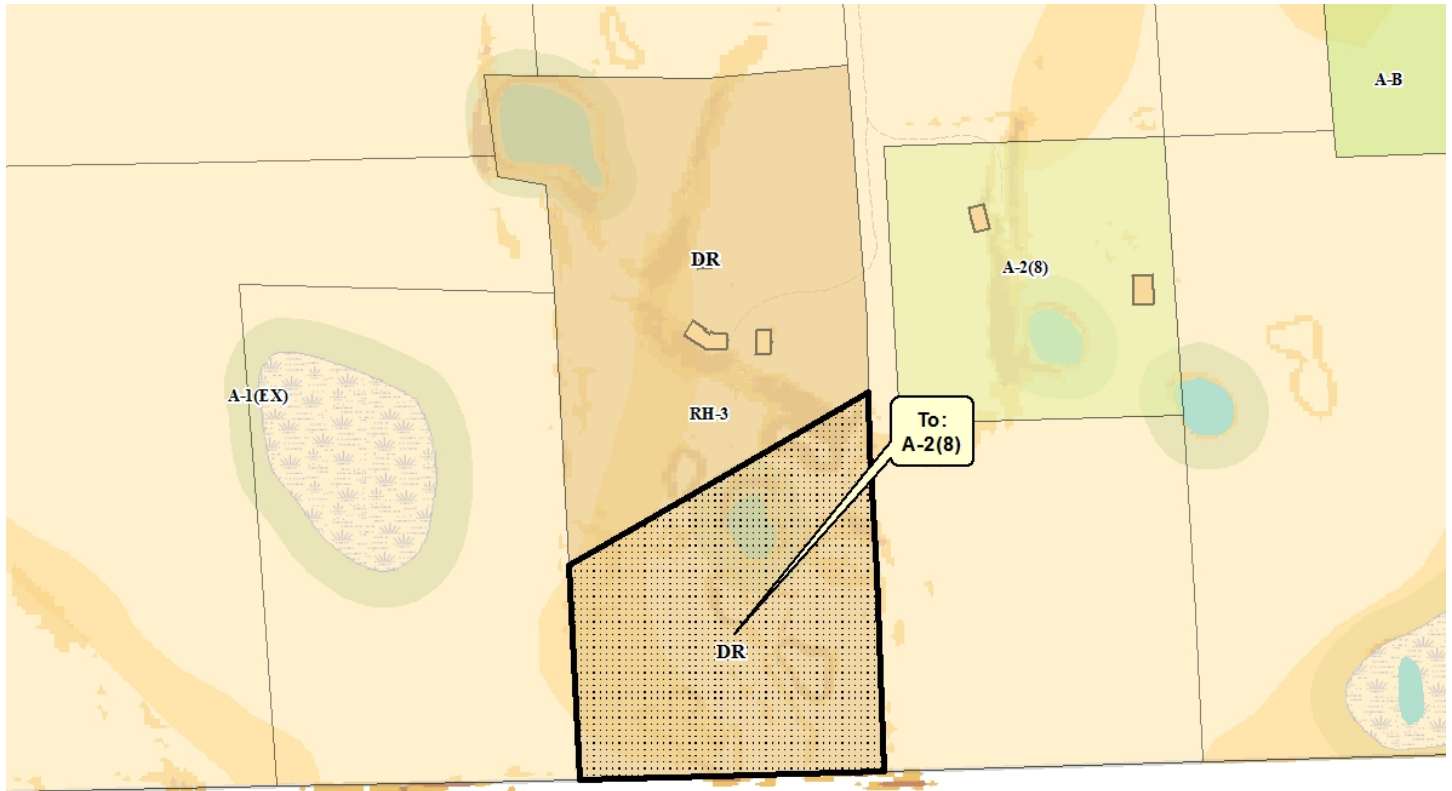
Acres: 9.49
Survey Req. No

Applicant
JAMES G LEHMAN

Reason:
**ALLOW FOR ACCESSORY
BUILDING PRIOR TO RESIDENCE**

Location:
**SOUTH OF 4603 STATE
HIGHWAY 92**

Zoning and Land Regulation Committee



DESCRIPTION: The applicant wishes to construct an accessory building (a garage or shop) prior to the planned construction of a single family residence in the next 3-5 years. There are no intended business uses.

OBSERVATIONS: The property is located approximately ¼ mile east of the Village of Brooklyn. The lot is fully wooded with no structures and land locked (does not front onto a public right-of-way). The lot is accessed by a 2000-foot joint driveway shared by 3 other property owners. The property currently has a deed restriction on it prohibiting further residential development other than the existing zoning allows (one house).

TOWN PLAN: There is no increased development so it is consistent with the Town's density policy.

RESOURCE PROTECTION: There is a small pond on the property that the DNR surface water inventory shows as non-navigable but would be considered wetland. Any development within 75 feet of the wetland/pond area will need to be reviewed for compliance with Shoreland/wetland requirements.

STAFF: The proposal meets the size and uses of the proposed zoning district. The proposal is reasonably consistent with the Town's Comprehensive Plan. If the zoning is changed, the current deed restriction will become null and void. Staff suggests that a new deed restriction be placed on the property prohibits further division of the property.

TOWN: The Town Board has approved the petition conditioned upon a new deed restriction being placed on the property prohibiting further residential development other than the one house allowed.