



# Staff Report

Public Hearing: **December 11, 2017**

Petition: **Petition 11230**

Zoning Amendment:  
**A-1EX Agriculture District TO RH-1 Rural Homes District**

Town/sect:  
**RUTLAND, Section 5**

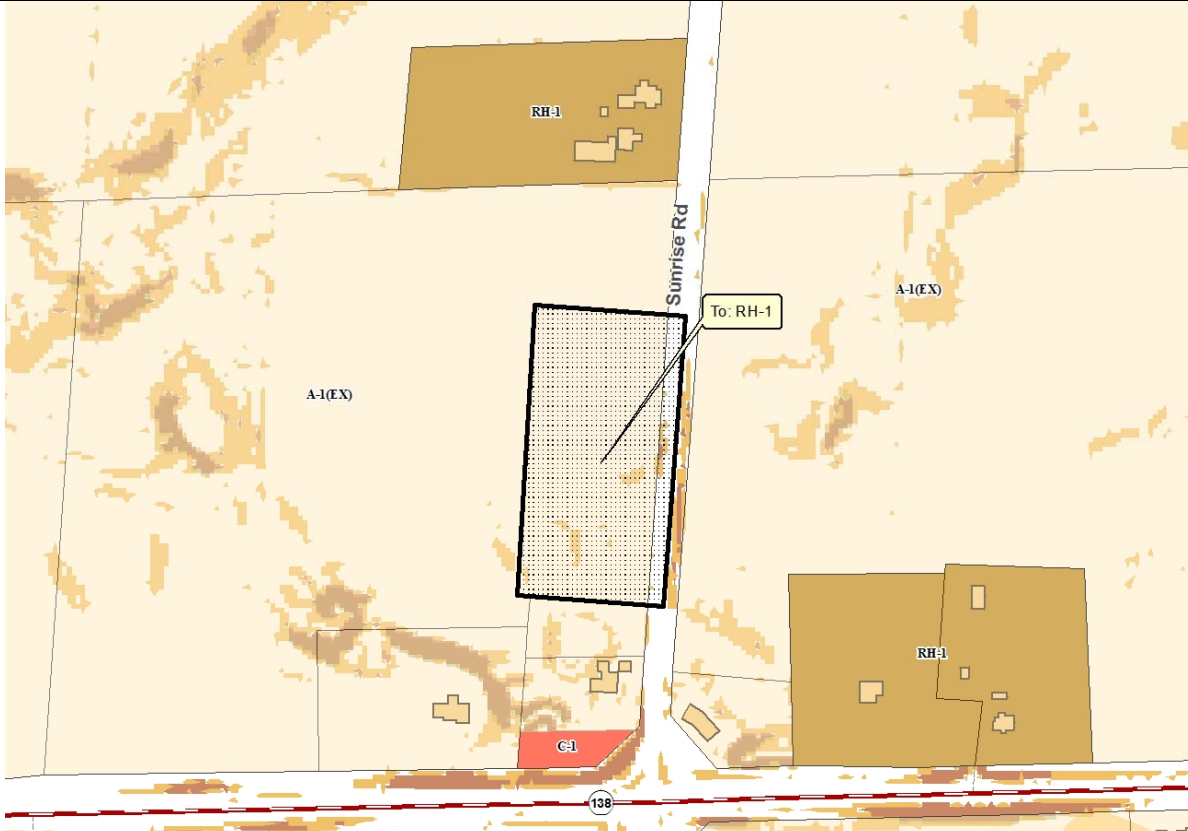
Acres: 4  
Survey Req. Yes

Applicant  
**ERIKA A KLAHN**

Reason:  
**Creating two residential lots**

Location:  
**NORTH OF 1335  
Sunrise Road**

Zoning and Land Regulation Committee



**DESCRIPTION:** Applicant proposes to create two new ~2 acre RH-1 zoned residential lots north of 1335 Sunrise Road in section 5 of Rutland. See attached preliminary CSM showing lot layout.

**OBSERVATIONS:** Surrounding land uses include rural residential and agricultural. Property consists of 60% class II soils. No sensitive environmental features observed.

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

**RESOURCE PROTECTION:** No areas of resource protection corridor located on the property.

**STAFF:** As indicated on the attached density study report, the property remains eligible for two possible splits, in addition to the existing residence on parcel #0510-054-9000-7. The proposal appears consistent with town plan policies. In accordance with town plan policies, staff recommends that approval be conditioned on recording of a deed restriction on the balance of A-1EX zoned lands owned by the applicant to prohibit further residential development (parcels 0510-054-9500-2, 0510-054-9000-7, 0510-053-8280-2).

**TOWN:** Approved with the condition of prohibiting further residential development on the remaining A-1EX lands.

**12/11 ZLR:** The petition was postponed due to public opposition. The neighbor was concerned with allowing additional residences in the neighborhood.

**STAFF UPDATE:** Staff reviewed alternative locations for the proposed lots. The original 82-acre Swenson farm fronts on State Highway 138 and Sunrise Road. Lots cannot be placed along Hwy 138 due to access restrictions. The lots have been located in less productive soils. It appears that the proposed lots have been placed in a suitable location.