



# Staff Report

Zoning and Land Regulation  
Committee

Public Hearing: **December 18, 2018**

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

Acres: 3.76  
Survey Required? Yes

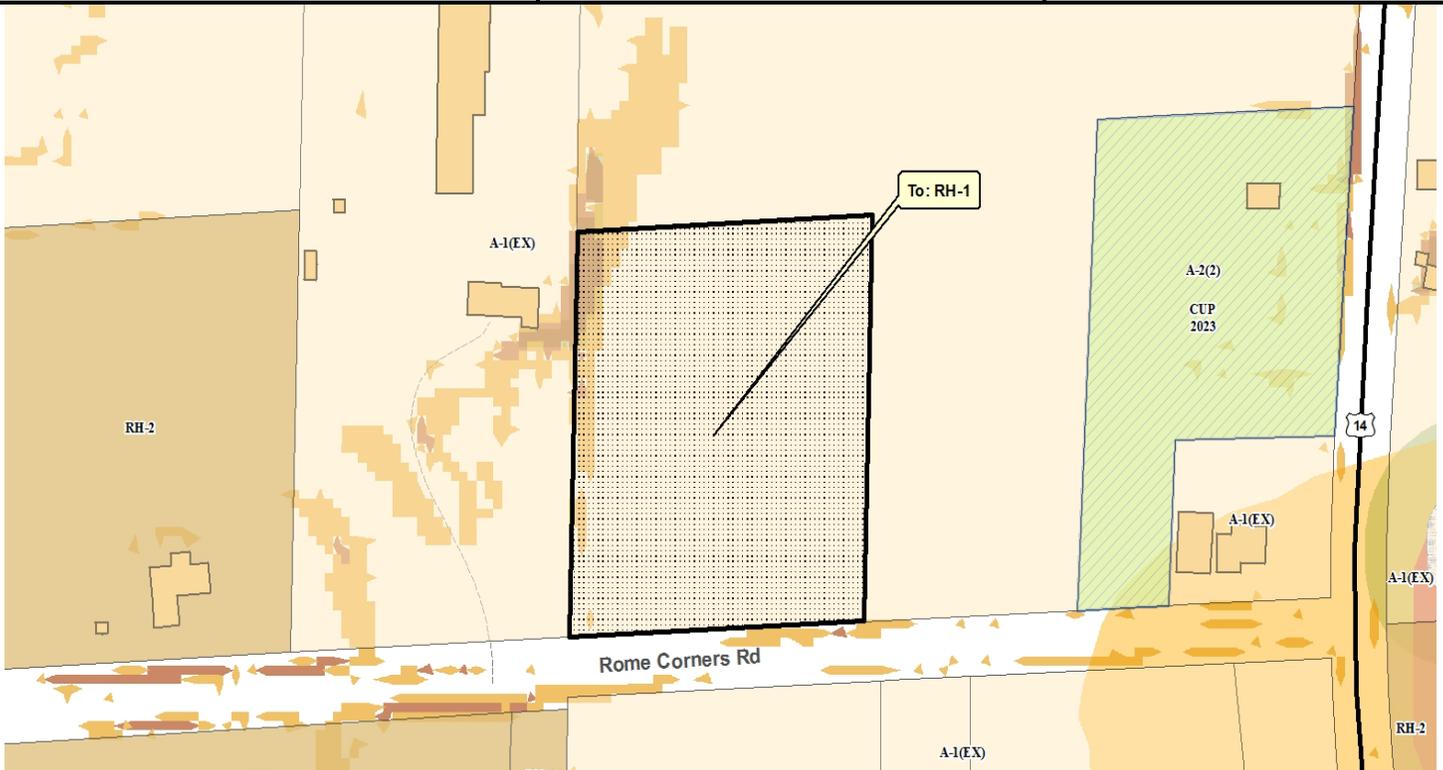
Reason:  
**Creating one residential lot**

Petition: **Petition 11368**

Town/Section:  
**Rutland, Section 19**

Applicant  
**DKR-Rutland, LLC**

Location:  
**East of 4558 Rome Corners  
Road**



**DESCRIPTION:** The applicant proposes to create a new 3.76-acre RH-1-zoned area to allow a residence to be built on the ~180-acre farm.

**OBSERVATIONS:** Surrounding land uses include agriculture / open space, scattered rural residences, and a town cemetery. The property consists of gently sloping cropland with 90% Class II soils.

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

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

**STAFF:** The proposal is consistent with town plan policies. As noted on the attached density study report, the ~180-acre DKR-Rutland farm property is subject to a conservation easement. Under the terms of that easement, only one housing density unit is permitted. In addition, the one allowed building site cannot be divided from the property onto a separate parcel. If the petition is approved, the eligible splits will be exhausted.

Staff recommends that approval be conditioned on the recording of a deed restriction on the balance of the A-1EX Agriculture zoned land prohibiting further non-farm development or division of the property in accordance with the terms of the conservation easement recorded in document #4828094.

**TOWN:** The Town Board approved the petition conditioned upon a deed restriction being recorded on the remaining A-1EX land prohibiting residential development and a restriction prohibiting the homesite being sold separately from the farmland.