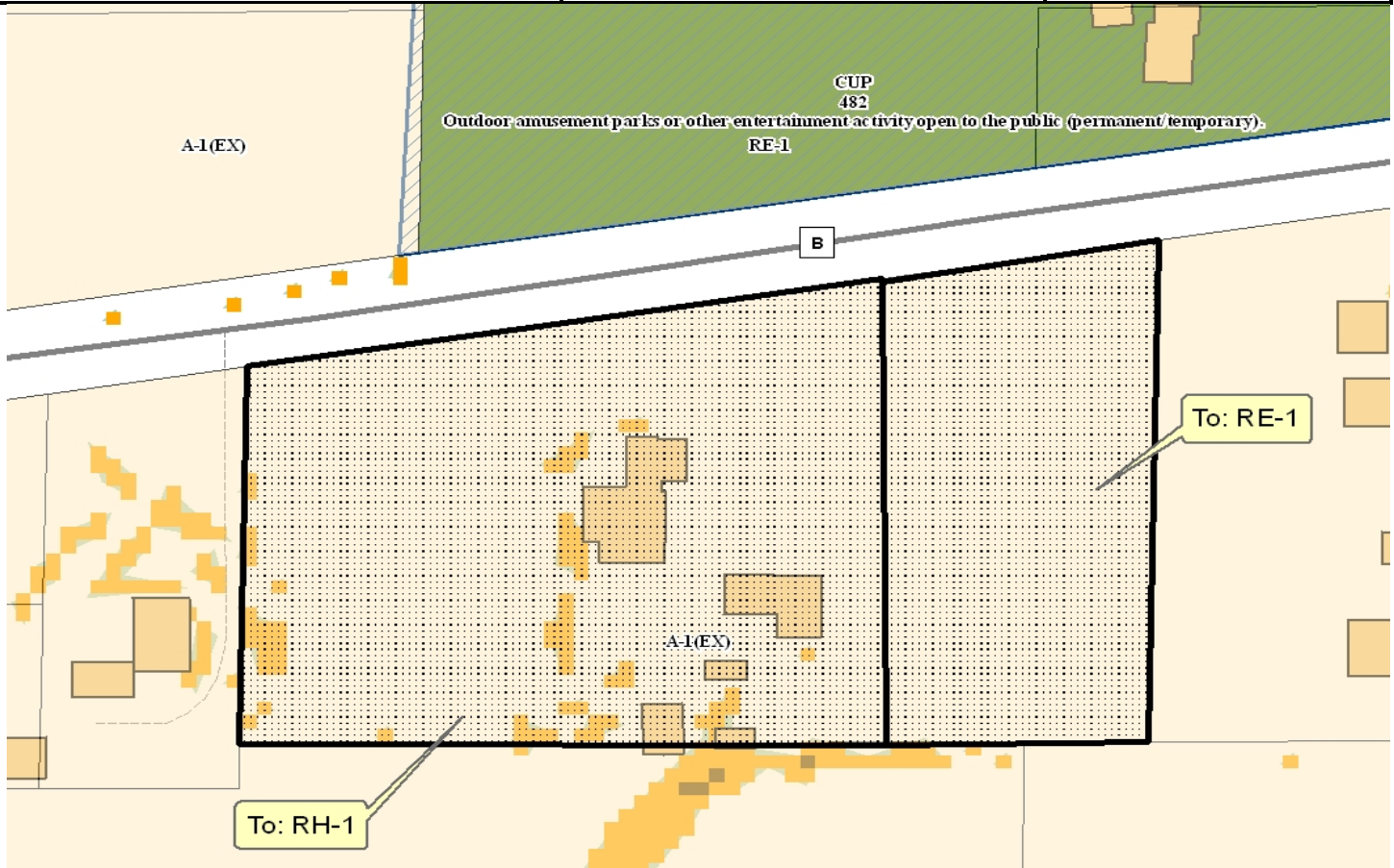




# Staff Report

<b>Public Hearing: August 26, 2014</b>	<b>Petition: Rezone 10724</b>
<b>Zoning Amendment: A-1EX Agriculture District to RH-1 Rural Homes District and RE-1 recreational District</b>	<b>Town/sect: Christiana Section 19</b>
<b>Acres: 3.0, 1.5 Survey Req. Yes</b>	<b>Applicant David Smithback</b>
<b>Reason: Creating one residence lot and one recreational lot</b>	<b>Location: 1401 County Highway B</b>

Zoning and Land Regulation Committee



**DESCRIPTION:** Applicant proposes to separate the existing residence onto a 3-acre RH-1 zoned parcel and to create a new 1.5 acre RE-1 zoned parcel to be donated to the Utica Community Association to be used as an overflow parking area for the annual Utica community festival.

**OBSERVATIONS:** There is an existing single-family residence and several outbuildings on the property. The area to be rezoned to recreational is vacant. The proposed recreational area consists entirely of Class II soils. No other sensitive environmental features observed.

**TOWN PLAN:** The property is located in the town's Agricultural Preservation Area. Development is limited to one lot or nonfarm use per 35 acres owned as of 5/3/79.

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

**STAFF:** The property appears to be a legal, substandard (a/k/a "nonconforming") A-1EX zoned parcel in single family residential use. No new nonfarm development is proposed. The proposal to separate the residence and create an RE-1 zoned parcel for the Utica Community Association to use as a parking area for the Utica park appears reasonably consistent with town plan policies. Staff recommends that the proposed RE-1 parcel be deed restricted to prohibit residential development.

**TOWN:** Approved with conditions (no residential building on RE-1 parcel).