



## **Public Hearing Item 6: Rezoning**

Planning & Zoning Committee • August 5, 2025

<b><u>Current Zoning District(s):</u></b>	A-1 Agriculture
<b><u>Proposed Zoning District(s):</u></b>	RR-1 Rural Residence and A-1 Agriculture with A-4 Agricultural Overlay
<b><u>Property Owner(s):</u></b>	Raymond A Foertsch Rev Trust Dated 12/2/2021; Thomas M Foertsch Declaration Trust Dated 4/28/2020; Altenbach, Joanne M; Foertsch, Richard P
<b><u>Petitioner(s):</u></b>	Raymond A Foertsch Rev Trust Dated 12/2/2021; Thomas M Foertsch Declaration Trust Dated 4/28/2020; Altenbach, Joanne M; Foertsch, Richard P
<b><u>Property Location:</u></b>	Located in the Southeast Quarter of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 34, Town 13 North, Range 10 East
<b><u>Town:</u></b>	Marcellon
<b><u>Parcel(s) Affected:</u></b>	638, 641
<b><u>Site Address:</u></b>	W5778 Haynes Road

Raymond A Foertsch Rev Trust, Thomas M Foertsch Declaration Trust, Joanne Altenbach, and Richard Foertsch, owners, request the Planning and Zoning Committee review and recommend approval of the rezoning of the aforementioned lands from A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay. Parcels 638 and 641 are each 40 acres in size. Parcel 638 is vacant and in cultivation. Parcel 641 is wooded and there is a single-family residence and several accessory structures on site. The septic system on the property was installed in 1970 and is current on maintenance requirements. Both parcels are zoned A-1 Agriculture and are planned for Agricultural or Open Space land use on the Columbia County Future Land Use map. There are no wetlands or floodplain present. The northern 20 acres of parcel 638 that are currently in cultivation are considered to be prime farmland. Land use and zoning of adjacent properties are shown in the table below.

### **Adjacent Land Uses and Zoning**

Direction	General Land Use	Zoning
North	Woodland & Agriculture	A-1 Agriculture
East	Single-Family Residence & Agriculture	A-1 Agriculture
South	Single-Family Residence	R-1 Single-Family Residence
West	Woodland & Agriculture	A-1 Agriculture

### **Analysis:**

The property owners are proposing to split off 5 acres around the existing home. This land will be rezoned to the RR-1 Rural Residence district. The property owner is requesting this zoning change as part of a larger request to allow for the residence to be rented out on a short-term basis as a tourist rooming house. To allow for

this use, a Conditional Use Permit is also required. The owner has applied for this process as well. To maintain the minimum required density of one home per 35 acres, the western 30 acres of parcels 638 and 641 will be restricted from further residential development by rezoning to A-1 Agriculture with A-4 Agricultural Overlay. This proposal will require a Certified Survey Map (CSM). The separation of a pre-existing residence in the A-1 Agriculture zoning district is permissible under Section 12.125.02(2) of the Columbia County Zoning Code and is also in accordance with Section 12.125.05.

If approved, this rezoning will allow an existing residence to be located on a smaller 5-acre lot, while maintaining the required density of one home per 35 acres through the application of the A-4 district to 30 acres. This proposal appears to follow both the Columbia County Zoning Code and the Columbia County Comprehensive Plan.

**Town Board Action:**

The Marcellon Town Board met on June 9, 2025, and recommended approval of the rezoning.

**Documents:**

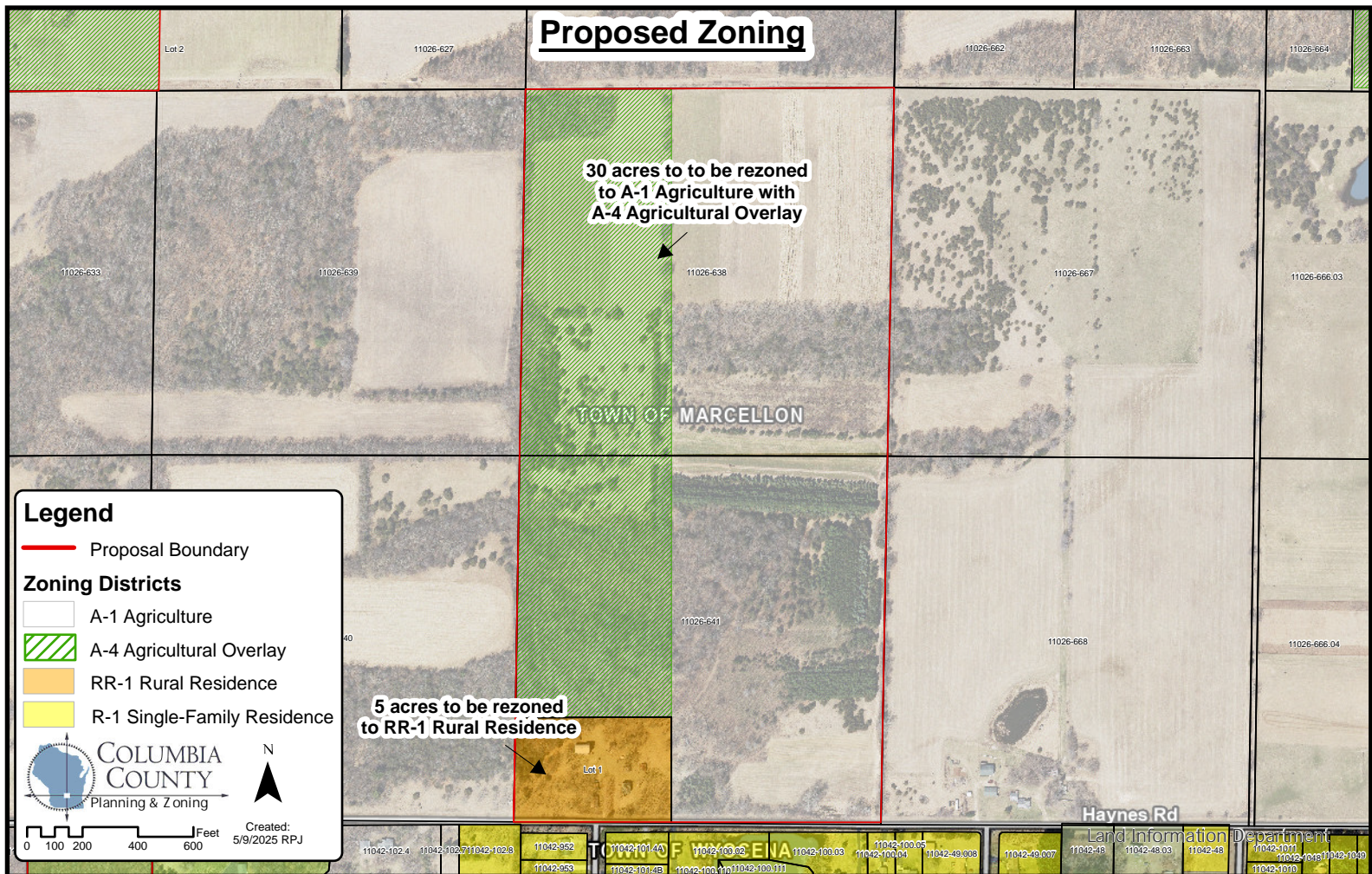
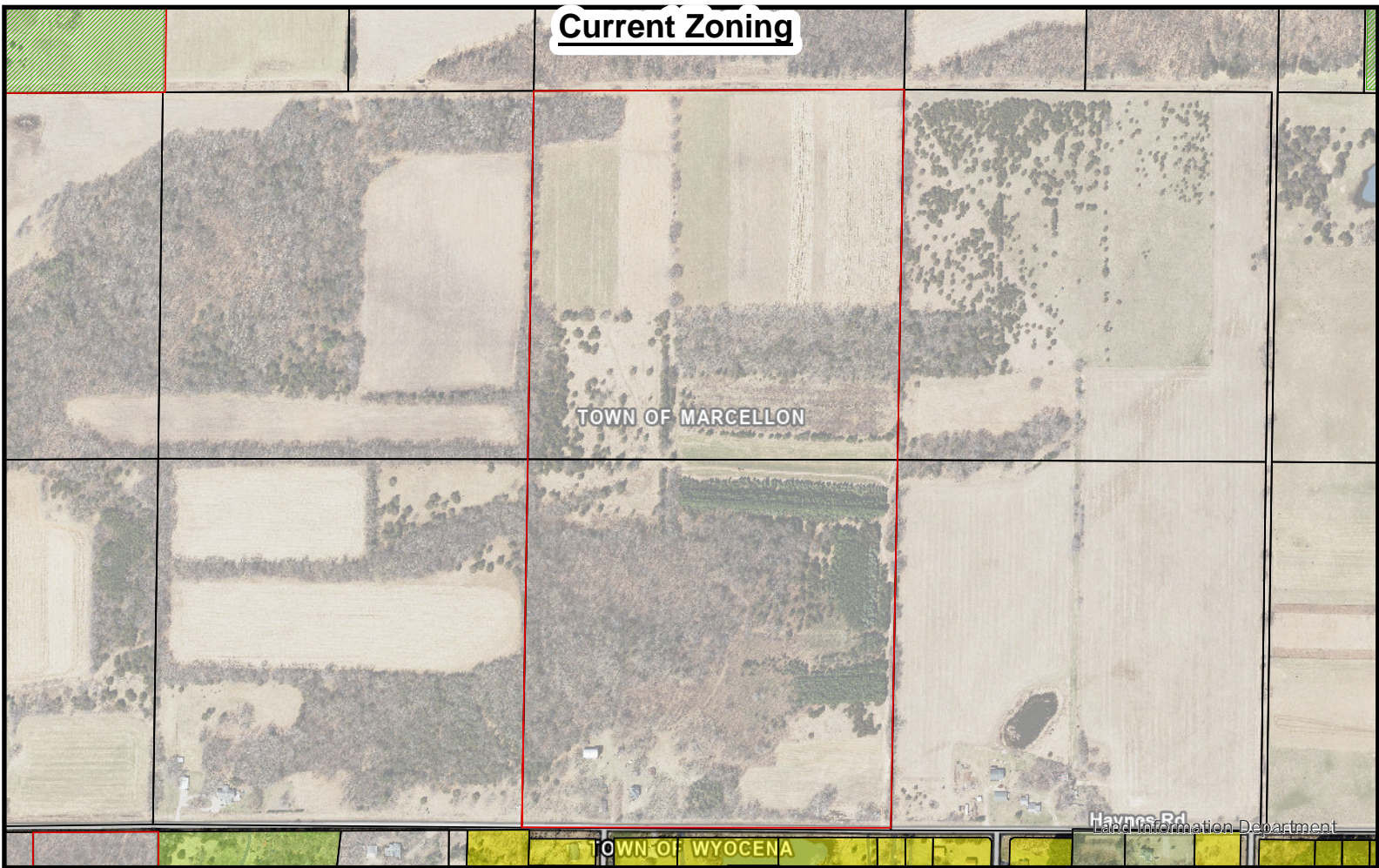
The following documents are on file with the Planning and Zoning Department:

1. Rezoning Preapplication
2. Rezoning Petition
3. Preliminary Certified Survey Map
4. Rezoning Legal Description
5. Town Board Action Report

**Recommendation:**

Staff recommends approval of the rezoning of 5.0 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence and 30.0 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, all effective upon recording of the Certified Survey Map.





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