



Public Hearing Item 12: Rezoning

Planning & Zoning Committee • August 6, 2024

- Current Zoning District(s):** A-1 Agriculture
- Proposed Zoning District(s):** RR-1 Rural Residence and A-1 Agriculture with A-4 Agricultural Overlay
- Property Owner(s):** Buktail Acres LLC, c/o Scott Sankey
- Petitioner(s):** Buktail Acres LLC, c/o Scott Sankey
- Property Location:** Located in the Northeast Quarter of the Southeast Quarter of Section 19 and the Northwest Quarter of the Southwest Quarter of Section 20, all in Town 13 North, Range 8 East
- Town:** Lewiston
- Parcel(s) Affected:** 634, 649
- Site Address:** N8598 Weyh Road

Background:

Scott Sankey of Buktail Acres LLC, owner, requests the Planning & Zoning Committee review and recommend approval of rezoning 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. Both parcels 634 and 649 are 40 acres in size. They are zoned A-1 Agriculture and are planned for Agricultural or Open Space land use on the Columbia County Future Land Use map. There is an existing agricultural shed on the property. Wetlands are present on both parcels. No floodplain is present. Land use and zoning of adjacent properties are shown in the table below.

Adjacent Land Uses and Zoning

Direction	General Land Use	Zoning
North	Agriculture and Wetland	A-1 Agriculture
East	Wetland and Open Space	A-1 Agriculture
South	Wetland and Open Space	A-1 Agriculture
West	Agriculture and Single-Family Residence	A-1 Agriculture

Analysis:

The property owner is proposing to split off 2 acres around the existing agricultural structure to create a building site for a new single-family residence. This lot will be rezoned to the RR-1 Rural Residence district to allow for the construction of the new home. While there is wetland on the property, the proposed building site is located well outside of this area. Accessory structures are not permitted as the first structure on an RR-1 zoned parcel; therefore, the Department will require an application for the new residence to be filed prior to approval and recording of the Certified Survey Map. To maintain a minimum density of one home per 35 acres, 33 acres of parcels 634 and 649 will be restricted from further residential development with the application of the A-4 Agricultural Overlay district. The majority of the lands proposed for restriction are located on parcel 649; however, a 33' wide flagpole area will be located along the northern end of parcel 634 so that the restricted land is contiguous with the proposed RR-1 lot, in accordance with town approval.

Access to the property is from Weyh Road via an existing easement. Parcel 634 does not have direct road frontage, so the owner is also requesting an access variance to Subsection 12.210.04(5) of the Columbia County

Land Division and Subdivision Ordinance. This proposal is in accordance with Subsection 12.125.05 of the Columbia County Zoning Ordinance.

If approved, this rezoning will allow for the creation of a 2-acre RR-1 Rural Residence lot, while maintaining the required density of one home per 35 acres through the application of the A-4 district to 33 acres. This proposal appears to be consistent with both the Columbia County Zoning Code and the Columbia County Comprehensive Plan.

Town Board Action:

The Lewiston Town Board met June 13, 2024 and recommended approval of the rezoning and access variance.

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. Legal Description
5. Town Board Action Report

Recommendation:

Staff recommends approval of rezoning 2 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 33 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.

