

APRIL 14, 2005

PORTION OF 6845 US 231

ZONE CHANGE

From:	R-1A Single-Family Residential A-U Urban Agriculture	
To:	B-4 General Business	
Acreage:	0.336 acres	
Applicant:	Lewis & Betty Oldham (0504.1592)	
Property Zone Existing Use	to North A-U Residential	
to West R-1A & A-U Vacant	Subject R-1A, A-U ➔ B-4 Vacant	to East R-1A & A-U Residential
	to South B-4 Residential	

**GENERAL LAND USE CRITERIA
Apply, if marked below:**

Described in Comprehensive Plan on pages 445-448

Environmental ☒

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

Urban Services ☒

- U1** Roadway Capacity
- ☒ **U2** Electricity Supply
- ☒ **U3** Water Supply
- ☒ **U4** Stormwater Disposal
- ☒ **U5** Sanitary Sewage Disposal

Development Patterns ❖

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- D6** Residential Development
- ❖ **D7** Non-Residential Development
- D8** Building Quality

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in a Rural Community Plan Area, where General Business uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns; outdoor storage yards – Building and lot patterns should conform to the criteria for “**Nonresidential Development,**” and outdoor storage yards, with “**Buffers for Outdoor Storage Yards.**”

(b) Logical zoning expansions of proportional scope – Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadway and other necessary urban services that are available in the affected area.

Applicant's Findings

The proposed zoning map amendment is in compliance with the Comprehensive Plan. It is an expansion of an existing B-4 General Business zone. The owner-applicant, wishes to consolidate the 0.336 acre tract to his existing B-4 tract situated at 6831 US 231.

Planning Staff Review

The subject property is located in the 6800 block of US 231 in the rural community of Masonville. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

According to a study prepared by the US Department of Agriculture Soil Conservation Service dated March 6, 1990, it appears that the subject property is not located in a wetlands area. The subject property does not appear to be in a special flood hazard area per FIRM Map 21059CO295 C. It appears that the subject property is designated as prime agricultural land according to the “Important Farmlands” map created by the US Department of Agriculture Soil Conservation Service dated March 1980. However, any loss of prime farmland has already occurred with the development of these lots. The developer is responsible for obtaining permits as may be required by the Division of Water, The Army Corp of Engineers,

FEMA or other state and federal agencies as may be applicable.

It appears that the subject property is outside the Owensboro Wellhead Protection area according to a map created by the GRADD office dated March 1999.

Urban Services

Electricity, water and gas are available to the subject property. Sanitary sewer disposal would be accomplished by an on-site septic system.

Development Patterns

The subject property is located in the Rural Community of Masonville where single-family residential and large tract agricultural uses are typical. All of the property surrounding the subject property is either zoned R-1A Single-Family Residential or A-U Urban Agriculture with the exception of a B-4 lot immediately adjacent to the subject property.

The 0.336 acre tract will be consolidated with the existing lot at 6831 US 231 that is currently zoned B-4. The proposed use is furniture repair. According to the applicant, the rezoning and consolidation will allow expansion of the existing furniture repair business located on the property.

If a new drive to US 231 is requested, an application must be submitted to the Kentucky Transportation Cabinet for approval. It is the responsibility of the applicant to obtain all necessary permits.

SPECIFIC LAND USE CRITERIA

Since the subject property is contiguous to an existing B-4 General Business zone to the south, it is a logical expansion because it does not significantly increase the extent of the zone in the vicinity of the expansion and does not overburden capacity of roadways and other necessary urban services in the affected area.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The condition and findings of fact that support this recommendation include the following:

Condition: Submittal and approval of a consolidation plat to join the subject property with the B-4 lot located at 6831 US 231 prior to the issuance of any permits.

Findings of Fact:

1. The subject property is located in a Rural Community Plan Area, where General Business uses are appropriate in limited locations;
2. Development of the subject property will be nonresidential in nature;
3. The subject property will be consolidated with the existing B-4 zoning and use contiguous to the subject property at 6831 US 231; and,
4. The applicant's proposal is a logical expansion of an existing B-4 zone and use that will not significantly increase the extent of the zone in the vicinity and will not overburden capacity of roadways and other necessary urban services in the affected area.