

MARCH 8, 2012

10300 HIGHWAY 54

ZONE CHANGE

From: R-1A Single Family Residential	
To: I-1 Light Industrial	
Proposed Use: Mini Storage Building	
Acreage: 0.54+/-	
Applicant: Johnny K. Taul, Jr.; Robert C. & Doris S. Howard (1203.1827)	
Surrounding Zoning Classifications:	
North: R-1A	South: R-1A
East: R-1A	West: R-1A

Proposed Zone & Land Use Plan

The applicant is seeking an I-1 Light Industrial zone. The subject property is located in an Urban Residential Plan Area where light industrial uses are appropriate in very-limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns; outdoor storage areas – Building and lot patterns should conform to the criteria for “Nonresidential Development” (D7), and outdoor storage yards with “Buffers for Outdoor Storage Yards” (D1).

(b) Logical Expansion outside of Industrial Parks – Existing areas of Light Industrial use that are located outside of planned Industrial Parks may be expanded onto contiguous land that generally abuts the same street(s). Such an expansion should not significantly increase the extent of industrial uses that are located in the vicinity and outside of Industrial Parks. Also, such an expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

(c) Expansions across streets in residential areas – In Urban Residential plan areas, the expansion of Light Industrial uses that are located outside of Industrial Parks and across an intervening street should be at least one-and-one-half (1.5) acres in size, but should not occur if this would significantly increase the extent of industrial uses that are located in the vicinity and outside of Industrial Parks.

Planning Staff Review

GENERAL LAND USE CRITERIA

Environment

- It appears that the subject property is not located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO340 D.

- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

Urban Services

All urban services, including sanitary sewers, are available to the site.

Development Patterns

The subject property is located within the City of Whitesville on the corner of the Highway 54 and Jefferson Street. All surrounding properties are zoned R-1A Single-Family Residential. The properties to the east, west and south have existing residences. The property to the north contains a single-family residence and a fire station.

The applicant proposes to construct a mini-storage building on the subject property. Based on zoning ordinance requirements, if the zoning were approved, the applicant would be required to install a solid six foot element with one tree every 40 linear feet along the east property line where adjoining R-1A zoning. The other three sides of the property are streets frontages. Vehicular use area screening would be required between any paved area and the road right-of-way.

The City of Whitesville fire station is located to the north and a city park and senior citizen center are located in the vicinity. However, there are no existing industrial zones or uses in the immediate vicinity. The fire station and park can be permitted in any zone under the exemption that public uses are afforded in state statutes.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is not in compliance with the Comprehensive Plan. The subject property is located in an Urban Residential Plan Area within the City of Whitesville where light industrial uses are appropriate in very-limited locations. The proposed use of the property as a mini-storage building is consistent with uses permitted in an I-1 Light Industrial zone; however, the proposal is not a logical expansion of existing I-1 Light Industrial zoning. The properties on all four sides is zoned R-1A Single-Family Residential and the nearest industrial zoning is located more than one-half mile away. The existing zoning for the subject property is appropriate considering all adjoining properties are zone R-1A Single-Family Residential and all have existing residences. There have not been major changes of an economic, physical or social nature in the area that were not anticipated in the Comprehensive Plan that was last updated in 2007.

Planning Staff Recommendations

The planning staff recommends denial subject to the findings of fact that follow:

Findings of Fact:

1. Staff recommends denial because the proposal is not in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in an Urban Residential Plan Area where light industrial uses are appropriate in very-limited locations;
3. The proposal is not a logical expansion of I-1 Light Industrial zoning since the nearest I-1 zone is more than one-half mile away;
4. The existing zoning for the subject property is appropriate considering all adjoining properties are zone R-1A Single-Family Residential and all have existing residences; and,
5. There have not been major changes of an economic, physical or social nature in the area that were not anticipated in the Comprehensive Plan that was last updated in 2007.