

MARCH 8, 2012**7026 HIGHWAY 815****ZONE CHANGE**

From: R-1A Single Family Residential	
To: A-U Urban Agriculture	
Proposed Use: Residential	
Acreage: 0.65	
Applicant: Cecil D. Martin, Jr. & Nicole R. Martin; Patrick R. & Susan R. O'Bryan (1203.1828)	
Surrounding Zoning Classifications:	
North: R-1A	South: A-U
East: A-U	West: A-U

Proposed Zone & Land Use Plan

The applicant is seeking an A-U Urban Agriculture zone. The subject property is located in a Rural Community Plan Area where rural small lot residential uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA**(a) Separate lots front on public roads or streets -**

Each dwelling should be located on its own individual lot that fronts on a public road or street. New subdivision streets should be constructed to urban specifications, including curbs and gutter.

(b) Lot sizes adequate for septic tank systems – Lots should be large enough in size to assure satisfactory operation of conventional septic tank systems as regulated by state law.

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 21059CO235 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- The property is not designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- 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

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

Development Patterns

The subject property is located in the Rural Community of West Louisville. Residential structures are the primary use in the area but some commercial zoning does exist in the vicinity.

The applicant applied for a building permit at 7022 Highway 815 to construct a residential room addition. In order to meet the appropriate building setbacks the applicant was advised to consolidate 7022 Highway 815 with the subject property, which they also owned. A minor subdivision plat was submitted to consolidate the subject property with a 7022 Highway 815, a 7.2 acre tract to the west of the subject property, and a 0.39 acre tract to the east, but the zonings for the adjacent tracts was not the same and the plat could not be signed until the zonings are consistent. The end result will be an 8.245 acre tract which meets the minimum requirements of the zoning ordinance for lot size within an A-U Urban Agriculture zone and exceeds the 0.75 acre minimum for lots without a sanitary sewer system.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The subject property is an existing lot within the Rural Community of West Louisville with road frontage on Highway 815 which is a county maintained road. A minor subdivision plat has been submitted that will add another 7.595 acres of land to the subject property and consolidate it with a tract with an existing residence and septic system. Rezoning will allow the properties to be consolidated with like zoning.

Planning Staff Recommendations

The planning staff recommends approval subject to the condition and findings of fact that follow:

Condition: Submission and approval of a minor subdivision plat consolidating 7022 and 7026 Highway 815.

Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in a Rural Community Plan Area, where rural farm residential uses are appropriate in general locations;
3. The subject property is an existing lot with frontage on Highway 815; and,
4. The subject will be consolidated to create an 8.245 acre tract that has an existing residence and septic system.