

OCTOBER 11, 2012

**PORTION OF 100 BLK OF HILL POINTE
XING****ZONE CHANGE**

From: A-U Urban Agricultural	
To: R-1C Single Family Residential	
Proposed Use: Residential	
Acreage: 0.160	
Applicant: Orville Miller & Fred Bowen; Robert Wimsatt (1208.1855)	
Surrounding Zoning Classifications:	
North: A-U	South: R-1C
East: A-U, R-1C	West: A-U

Proposed Zone & Land Use Plan

The applicant is seeking an R-1C Single-Family Residential zone. The subject property is located in an Urban Residential Plan Area, where urban low-density residential uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns – Building and lot patterns should conform to the criteria for “Urban Residential Development” (D6).

(b) Existing, expanded or new sanitary sewers – Urban low-density residential use should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be property established.

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 21059CO116 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- A portion of the property may be 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

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

Development Patterns

The subject property is a portion of a large remainder tract from previous residential subdivision development in the vicinity. Land uses in the area are typically single-family residential in

nature with a few larger tracts to the north. The application states the intended use for the property is residential.

The applicant proposes to consolidate the subject property with two existing lots located at 4601 Harbor Hills Trace and 4615 Harbor Hills Trace in the Harbor Hills Subdivision; although a minor subdivision plat showing the division and consolidation has not been submitted at this time. The existing tracts are zoned R-1C and a consolidation cannot be completed unless the subject property is rezoned to R-1C. A minor subdivision plat will need to be submitted and approved before the division and consolidation are completed.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. Sanitary sewer serves the lots to which the subject property will be consolidated and the proposal is a logical expansion of existing R-1C Single Family Residential located immediately south and east of the subject property.

Planning Staff Recommendations

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

Condition: Approval a minor subdivision plat dividing and consolidating the subject property to the existing adjacent lots within Harbor Hills Subdivision.

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 a portion of a large remainder tract from the surrounding residential development;
3. The subject property will be consolidated with existing, adjoining lots, within the residential subdivision;
4. Sanitary sewer currently serves the existing properties to which the subject property will be consolidated; and,
5. The proposed residential use of the property complies with the urban residential development criteria for building and lot patterns.