

**JANUARY 10, 2013**

**7251 HOBBS RD**

**ZONE CHANGE**

<b>From:</b> A-R Rural Agriculture	
<b>To:</b> B-4 General Business	
<b>Proposed Use:</b>	Retail Sales and Repair of Golf Carts & Parts
<b>Acreage:</b>	1.002
<b>Applicant:</b>	William T. Lytle (1301.1862)
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> R-1A, A-U	<b>South:</b> A-R
<b>East:</b> A-R	<b>West:</b> B-4, A-U

## Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is partially located in a Rural Community Plan Area where general business uses are appropriate in limited locations and partially located in Rural Maintenance Plan Area where general business uses are generally not recommended.

## 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 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 roadways and other necessary urban services that are available in the affected area.

## 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 is accomplished by an on-site septic system.

## Development Patterns

The subject property is located in the area of the West Louisville Rural Community. Various land uses exist in the vicinity including a restaurant, a retail firearms dealer, single-family residences, agricultural land, and the Diamond Lakes complex.

In February 2012, the applicant rezoned the 0.41 acre tract to the northwest of the subject property to B-4 General Business. The applicant proposed to relocate the non-conforming business located on the subject property to the smaller parcel but the business was never moved. The applicant is proposing to rezone the subject property to B-4 and convert the existing residential manufactured home into office space for a business.

A screening buffer will be required along the north property line between the proposed B-4 General Business zoning and the surrounding R-1A Single-Family Residential and A-U Urban Agriculture zoning. A 10 foot landscape easement with a six foot tall solid element and 1 tree every 40 linear feet is required. All vehicular use areas are required to be paved including display areas for items for sale. Vehicular use area landscaping is required where parking areas are adjacent to the road right-of-way. The vehicular use area screening consists of a three foot easement with a three foot continuous element and on tree every 40 linear feet. Since the site is in the vicinity of existing residences, all lighting on the site shall be directed away from the adjoining residential properties.

## SPECIFIC LAND USE CRITERIA

The proposed zoning for the subject property is in compliance with the adopted Comprehensive Plan. The subject property is partially located within the West Louisville Rural Community and is an expansion of existing general business zoning to the northwest. With screening as required by the zoning ordinance, the subject property should be able to integrate properly with the surrounding area.

## Planning Staff Recommendations

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

### Conditions:

1. Install required perimeter screening along the north property line consisting of a ten foot landscape easement with a six foot tall solid element and one tree every 40 linear feet;

2. All vehicular use areas are required to be paved including display areas for items for sale; and,
3. Install vehicular use area screening where parking areas are adjacent to the road right-of-way consisting of a three foot easement with a three foot tall continuous element and one tree every 40 linear feet.

**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 partially located in a Rural Community Plan Area where general business uses are appropriate in limited locations and partially located in Rural Maintenance Plan Area where general business uses are generally not recommended;
3. The proposal is an expansion of existing B-4 zoning to the northwest;
4. The expansion of B-4 zoning will not significantly increase the extent of the zone in the vicinity and will not overburden the capacity of roadways and resources available in the area.