

**JULY 11, 2013****1500 E 11<sup>TH</sup> ST****ZONE CHANGE**

<b>From:</b> I-1 Light Industrial
<b>To:</b> R-4DT Inner-City Residential
<b>Proposed Use:</b> Residence
<b>Acreage:</b> 0.668
<b>Applicant:</b> Denver Ray Moore III (1307.1880)
<b>Surrounding Zoning Classifications:</b>
<b>North:</b> I-1 <b>South:</b> I-1
<b>East:</b> I-1 <b>West:</b> I-1

**Proposed Zone & Land Use Plan**

The applicant is seeking an R-4DT Inner-City Residential zone. The subject property is located in a Business/Industrial Plan Area, where urban low-density residential uses are generally not recommended.

**Planning Staff Review****GENERAL LAND USE CRITERIA****Environment**

- It appears that the subject property is not located in a wetland 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 21059CO138 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 in an area of primarily industrial uses; however, there are a few scattered residences in the vicinity. The properties across E 11<sup>th</sup> Street to the north are both industrial zoned but have residences on them. The home on the subject property was constructed in 1905 per PVA records and it appears as though the site has been used for residential purposes since prior to the establishment of zoning. The applicant has gone through the process of closing an unimproved portion of Elsmere Street right-of-way that bisected his property. The street was closed by Ordinance 22-2013 and a consolidation plat was approved in May 2013.

**SPECIFIC LAND USE CRITERIA**

The proposed R-4DT Inner-City Residential zoning is more appropriate for the subject property than the current I-1 Light Industrial zone. The property was likely zoned industrial at the time of initial zoning due to the proximity to existing industrial uses and the railroad track to the north. However, the subject

property has not redeveloped and has been used as a residence since 1905. The property is bound by road right-of-way on three sides but the west side does adjoin industrially zoned property. The zoning ordinance requires a 10 foot wide landscape easement with a solid six foot element and one tree every 40 linear feet between non-compatible zones.

**Planning Staff Recommendations**

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

**Condition** – Install a 10 foot wide landscape easement with a six foot tall solid wall or fence and one tree every 40 linear feet along the east and west property lines.

**Findings of Fact:**

1. Staff recommends approval because the proposed R-4DT Inner City Residential zoning is more appropriate than the current I-1 Light Industrial zone;
2. The subject property is located in a Business/Industrial Plan Area, where urban low-density residential uses are generally not recommended;
3. The subject property has been used as a residence for over 100 years; and,
4. The proposed zoning change will bring the property use that has existed on the site since 1906 into conformance with the zoning ordinance.