

DECEMBER 12, 2013

238 HILLBRIDGE RD

ZONE CHANGE

From: R-1A Single Family Residential
To: B-4 General Business
Proposed Use: Individual Storage
Acreage: 0.220
Applicant: Koger Properties, LLC (1312.1887)
Surrounding Zoning Classifications:
North: R-1A South: R-1A
East: B-4 West: R-1A

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in a Rural Community Plan Area, where general business uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns; outdoor storage yards – 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 zone 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 21059C0290 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

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 Utica and has frontage on Hillbridge Road. The subject property is currently vacant. The properties in the area are mainly zoned R-1A Single Family Residential and A-U Urban Agriculture and are

used for farm land and single family residences. However, the adjoining property to the east of the subject property is zoned B-4 General Business, but appears to be a residential structure.

The applicant proposes to use the property for individual storage. Individual storage is Conditionally Permitted in a B-4 General Business zone in unincorporated Daviess County provided the conditions laid out in Section 8.2L7/48a-f of the Zoning Ordinance are met. A Conditional Use Permit should be submitted to the Owensboro Metropolitan Board of Adjustment to construct and operate individual storage. Additionally, if more than one structure is to be constructed on the property, a Development Plan would be required for the property. All vehicular use areas shall be paved and vehicular use area screening shall be installed along the road right-of-way and where the subject property adjoins residentially zoned property. Screening consisting of a 6 foot tall element and 1 tree every 40 linear feet will be required along the south property line where the subject property adjoins residentially zoned property.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed B-4 General Business zoning will be nonresidential development located within the Utica Rural Community. The proposal is a logical expansion of existing B-4 General Business zoning located immediately east of the subject property. At 0.220 acres, the proposal is not a significant increase in commercial zoning in the area and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Planning Staff Recommendations

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

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 general business uses are appropriate in limited locations;
3. The proposal conforms to the Comprehensive Plan criteria for nonresidential development;
4. The proposal is a logical expansion of B-4 zoning to the east; and,
5. At 0.220 acres, the proposal is not a significant increase in commercial zoning in the area and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.