

MARCH 12, 2015

PORTION OF 6110 HWY 81

ZONE CHANGE

From: A-R Rural Agriculture	
To: R-1A Single-Family Residential	
Proposed Use: Residential	
Acreage: 0.08 acre	
Applicant: Martin & Carrie Krampe; James & Patricia Krampe (1503.1919)	
Surrounding Zoning Classifications:	
North: A-R	South: A-R
East: R-1A	West: A-R

Proposed Zone & Land Use Plan

The applicant is seeking an R-1A Single-Family Residential zone. The subject property is located in a Rural Preference Plan Area where Rural Small-lot Residential Uses are appropriate in very limited locations.

SPECIFIC LAND USE CRITERIA

- a) Separate lots fronting 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 & gutters.
- (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.
- (c) Only logical expansions of limited scope** – In Rural Preference plan areas, completely new locations of Rural Small-lot Residential use should not be established. However, existing areas of this use may be expanded onto contiguous land, but should not significantly increase the extent of such uses in the vicinity, and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.
- (d) Coal mining advisory** – In Rural Preference plan areas, prospective lot owners should be advised of the potential for coal mining activity in rural areas.

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 21059CO255 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 is accomplished by an on-site septic system.

Development Patterns

The subject property in this rezoning application is a 0.08 acre portion of a 40 acre parcel known as 6110 Highway 81. The area to be rezoned is a portion of a 0.312 acre area that is proposed to be consolidated with the adjacent one acre residential parcel located at 6100 Highway 81. The area proposed to be rezoned and consolidated with 6100 Highway 81 contains a recently constructed large metal equipment shed.

Approval of a minor subdivision plat consolidating the property will require this rezoning since the area desired to be consolidated with 6100 Highway 81 currently has two zoning classifications and the creation of new split-zoned properties is prohibited.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposal only adds a small area of land to an existing lot that contains one residential dwelling and fronts on a public road. The proposal adds area to an existing parcel that is already large enough to assure satisfactory operation of a conventional septic tank system. This proposal is a logical expansion of existing R-1A zoning to the east. At 0.08 acre, the proposal is not a significant increase in Rural Small-lot Residential uses in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. The proposal does not create any new parcels; therefore there will not be any potential new property owners who need to be advised of potential coal mining activities in the rural area.

Planning Staff Recommendations

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

Condition:

- Approval of the minor subdivision plat consolidating the 0.312 acre portion with 6100 Highway 81.

Findings of Fact:

- Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
- The subject property is located in a Rural Preference Plan Area where Rural Small-lot Residential uses are appropriate in very limited locations;
- The proposal only adds 0.08 acre of new R-1A zoning to an existing lot that contains one residential dwelling and fronts on a public road;
- The proposal adds area to an existing parcel that is already large enough to assure satisfactory operation of a conventional septic tank system;
- The proposal is a logical expansion of adjacent R-1A zoning to the east.
- At 0.08 acre, the proposal is not a significant increase in R-1A zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area; and
- The proposal does not create any new parcels; therefore there will not be any potential new property owners who need to be advised of potential coal mining activities in the rural area.