

AUGUST 13, 2015**4741 MEDLEY RD****ZONE CHANGE**

From: P-1 Professional/Service
To: A-R Rural Agriculture
Proposed Use: Residential and Woodland
Acreage: 30.21
Applicant: Bon Harbor Hills, LLC (1508.1931)
Surrounding Zoning Classifications:
North: P-1 & A-R South: R-1A & A-U
East: A-R West: P-1

Proposed Zone & Land Use Plan

The applicant is seeking an A-R Rural Agriculture zoning classification. The subject property is located in a Professional/Service Plan Area where rural farm residential uses are not generally recommended.

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.
- 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 existing to the subject property. Sanitary sewage disposal would be accomplished by an on-site septic system.

Development Patterns

The subject property is currently a 30 plus acre farm with several accessory farm buildings. The applicant purchased the property from the VFW in 2006. The VFW had historically used the property for picnics and recreational activities for its members and families.

The properties to the south and east of the subject property are residential and farmland/woodland. The properties to the north are Ben Hawes Park and farmland. The property to the west is Ben Hawes Park.

The subject property has not been used in a professional/service manner since the applicant purchased the property in 2006. The applicant bought the property for personal farm and residential use and has submitted an application to construct a

residence on the property. A residence cannot be constructed in a P-1 zoning.

The land use map and current zoning of property were set up in anticipation of the adjoining park expanding. This expansion has never occurred. The current zoning of P-1 Professional/Service is not appropriate for the actual land use that has existed on the property since 2006 when the applicant purchased the property. The applicant has used the property as farmland and woodlands and intends to construct a single family residence. The proposed zoning of A-R Rural Agriculture is an appropriate zoning classification for the existing and proposed uses.

SPECIFIC LAND USE CRITERIA

The current zoning classification of P-1 Professional/Service is inappropriate and the proposed zoning classification of A-R Rural Agriculture is more appropriate. The subject property has never developed as intended by the land use map, the use of the property since 2006 has been farmland/woodland and the property is in an area of mixed agricultural and residential uses.

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 proposed zoning is inappropriate and the proposed zoning is more appropriate;
2. The intended Professional/Service use has never developed on the subject property;
3. The subject property lies within an existing area of mixed rural agricultural and residential uses; and
4. The subject property has been used as farmland/woodland since the applicant purchased the property in 2006.