

APRIL 14, 2016

PORTION OF 3517 PLEASANT VALLEY RD

ZONE CHANGE

From: A-R Rural Agriculture	
To: R-1A Single Family Residential	
Proposed Use: Residential	
Acreage: 6.195	
Applicant: Jesse Newcomb (1604.1954)	
Surrounding Zoning Classifications:	
North: A-R & R-1A	South: A-U
East: A-R	West: R-1A & A-U

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 single-family 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 21059CO145 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the OMU map dated 2015.
- The property may be 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, the EPA, the OMPC building/electrical/HVAC division or other state and federal agencies as may be applicable.

Urban Services

Existing services on adjacent properties such as electricity, water, gas and sanitary sewage disposal via on-site septic systems will be available to the subject property after lot consolidations have taken place.

Development Patterns

The subject property is a 6.195 acre portion of an 86 acre agricultural tract owned by Jesse Newcomb that backs up to Brookview Subdivision. The applicant proposes to sell off the subject property to multiple Brookview lot owners to be consolidated with their existing lots, which front on Oakridge Court. Since the residential lots on Oakridge Court are zoned R-1A Single-Family Residential and the rear portion of the Newcomb property is zoned A-R Rural Agriculture, this rezoning request is necessary before the properties can be consolidated together.

Properties in the vicinity mostly consist of R-1A zoned residential subdivision lots as well as large residential tracts and agricultural properties zoned A-U and A-R.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The applicant is proposing to consolidate the subject property with multiple existing lots located on a public street, Oakridge Court, within Brookview Subdivision. The proposal adds area to existing parcels that are already large enough to assure satisfactory operation of conventional septic tank systems. This proposal is a logical expansion of existing R-1A zoning to the west. At 6.195 acres, 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. 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 a consolidation plat to consolidate the subject property with the Oakridge Court properties.

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 Preference Plan Area, where single-family residential uses are appropriate in very limited locations;
3. The subject property will be consolidated with multiple existing lots located on a public street, Oakridge Court, within Brookview Subdivision;
4. The proposal adds area to existing parcels that are already large enough to assure satisfactory operation of conventional septic tank systems;
5. The proposed zoning change is a logical expansion of existing R-1A zoning located to the west;
6. At 6.195 acres, 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
7. 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.