

MAY 11, 2017

1318 W. 7TH STREET**ZONE CHANGE**

From: I-2 Light Industrial	
To: R-4DT Inner City Residential	
Proposed Use: Single-Family Residential	
Acreage: 0.088	
Applicant: Casa de Dios Corp (1705.2003)	
Surrounding Zoning Classifications:	
North: P-1	South: I-2
East: R-4DT	West: I-2

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 not appropriate.

SPECIFIC LAND USE CRITERIA

There is not any specific land use criteria within the Comprehensive Plan for single-family residential land uses in the Business/Industrial Plan 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 21059CO119 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the OMU map dated 2015
- 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

All urban services, including sanitary sewers, are available to the site.

Development Patterns

The subject property is a 0.088 acre parcel located in a Business/Industrial Plan Area and is surrounded by a mix of residential, professional/service and industrial uses. The property to the north across W. 7th Street is a City of Owensboro owned park, zoned P-1. To the west is Casa de Dios church property, zoned I-2. To the south is an industrial property, zoned I-2. To the east are two residential properties, zoned R-4DT.

The subject property contains a single-family residential structure that was built in 1921 according to PVA records. The applicant, who is affiliated with the Casa de Dios Church, wishes to use this property as his personal residence. The subject property is legal non-conforming and could continue to be used residentially as is, if the applicant desired to leave it

industrially zoned. Any building permits to expand the residential use of the property, such as a room addition or a new detached accessory structure, would not be able to be issued under the current industrial zoning. Therefore, the applicant has chosen to pursue a residential zoning designation.

The applicant has also requested the City of Owensboro begin the alley closure process for the adjacent unimproved alley directly east of the subject property. If the alley is officially closed, then a portion of it will be added to the subject property via a minor subdivision plat.

W. 7th Street is classified as a local street and the subject property is required to have a 25' front building setback line. Access to the site must be compliant with applicable sections of the zoning ordinance. The Access Management Manual does not apply to this site since W. 7th Street is classified as a local street.

This rezoning request will trigger the requirement for a 10' landscape easement along the west and south property lines where the subject property is adjacent to industrial zoned property. Within the landscape easement a 6' continuous element and one tree per 40 linear feet will be required.

In 2009, the Owensboro Metropolitan Board of Adjustment approved an administrative appeal on adjacent property (701 Frayser Avenue) to change from one non-conforming use (a bar) to another non-conforming use (a church).

SPECIFIC LAND USE CRITERIA

The existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate. The property has been used residentially for many years and the proposed residential zoning classification will bring the use of the property into conformity with the zoning. According to PVA records, this structure was built as a residence in 1921, which pre-dates the adoption of the Comprehensive Plan and the Zoning Ordinance.

Planning Staff Recommendations

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

Condition:

1. A 10' landscape easement with a 6' high continuous element and a tree every 40 linear feet shall be required along the west and south property lines.

Findings of Fact:

1. Staff recommends approval because the existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate;
2. The property has been used residentially for many years and the proposed residential zoning classification will bring the use of the property into conformity with the zoning; and
3. According to PVA records, this structure was built as a residence in 1921, which pre-dates the adoption of the Comprehensive Plan and the Zoning Ordinance.