

**JANUARY 11, 2018****5228 HIGHWAY 144****ZONE CHANGE**

<b>From:</b> R-1A & A-U	
<b>To:</b> A-U Urban Agriculture	
<b>Proposed Use:</b>	Residential
<b>Acreage:</b>	28.4 acres
<b>Applicant:</b>	David W. Smith, Jr. (1712.2026)
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> R-1A & A-U	<b>South:</b> A-U
<b>East:</b> R-1A & A-U	<b>West:</b> R-1A & A-U

**Proposed Zone & Land Use Plan**

The applicant is seeking an A-U Urban Agriculture zone. The subject property is located in an Urban Residential Plan Area, where rural small-lot residential uses are appropriate in limited locations.

**SPECIFIC LAND USE CRITERIA**

**(a) Separate, large, well-proportioned lots** – 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) Lots 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.

**(d) Coal mining advisory** – 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 21059CO141D.
- It does not appear that the subject property is 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**

Electricity, water and gas are existing to the subject property. Sanitary sewage disposal is accomplished by an on-site septic system.

**Development Patterns**

The subject property is two parcels totaling 28.4 acres on Highway 144. There is one single family home located on the properties along with two barns. The applicant has stated they wish to reconfigure the division line between the two tracts.

Any future changes to the properties would have to comply with applicable portions of the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations, as well as obtain any necessary permits, if required.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The subject properties are large tracts totaling 28.4 acres and the applicant proposes residential use on the properties. The subject properties have access to Highway 144 with no new roads proposed. At 28.4 acres the properties are large enough to be reconfigured and still assure satisfactory operation of conventional septic tank systems.

**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 properties are located in an Urban Residential Plan Area, where rural small-lot residential uses are appropriate in limited locations;
3. The subject properties are large tracts totaling 28.4 acres;
4. The subject properties have access to Highway 144 with no new roads proposed; and,
5. At 28.4 acres the properties are large enough to the reconfigured and still assure satisfactory operation of conventional septic tanks systems.