

**AUGUST 9, 2018****9117 AUBREY ROAD****ZONE CHANGE**

<b>From:</b> B-4 General Business	
<b>To:</b> R-1A Single Family Residential	
<b>Proposed Use:</b> Single Family Residential	
<b>Acreage:</b> 0.397	
<b>Applicant:</b> Scott Bean (1808.2053)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> A-R	<b>South:</b> R-1A & A-R
<b>East:</b> R-1B & B-4	<b>West:</b> 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 Community Plan Area where Rural Small-lot Residential uses are appropriate in general 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 and gutters.

**(b) Lot sizes adequate for septic tank systems** – Lots should be large enough in size to assure satisfactory operations of conventional septic tank systems as required by state law.

**Planning Staff Review****GENERAL LAND USE CRITERIA****Environment**

- It appears that the subject property is designated as a prime agricultural farmland per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- It appears that the subject property is 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 21059CO155 D.
- It appears that the subject property is not located 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 or other state and federal agencies as may be applicable.

**Urban Services**

All urban services are available to the subject property. Sanitary sewage disposal will be accomplished by an on-site septic system.

**Development Patterns**

The subject property, currently zoned B-4 General Business, has been owned by the applicant since 2012 and has been used as a residential lot for at least 25 years. The neighboring property to the north is zoned A-R Rural Agriculture and is owned by the applicant. All other properties on Aubrey Road, excluding the subject property, are zoned R-1A Single Family Residential or R-1B Single Family Residential.

The applicant intends to rezone the subject property to R-1A Single Family Residential in accordance with the existing use. The subject property has adequate frontage along Aubrey Road and has been granted approval from the Health Department permitting the use of a septic system at the subject property.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the community's adopted Comprehensive Plan. The subject property has frontage on a public road, Aubrey Road. At 0.397 acres the subject property does not meet the current lot size requirements for a septic system; however the applicant has received approval from the Health Department permitting an on-site septic system. Additionally, this proposal is a logical expansion of the R-1A Single Family Residential zoning to the south.

**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 property is located in a Rural Community Plan Area, where urban rural small-lot residential uses are appropriate in general locations;
3. The subject property is an existing lot of record with adequate frontage along a public road;
4. At 0.397 acres the subject property does not meet the current lot size requirements for a septic system; however the applicant has received approval from the Health Department permitting an on-site septic system; and
5. The proposal is a logical expansion of R-1A Single Family Residential zoning to the south.