

AUGUST 9, 2018**2130 BRECKENRIDGE ST****ZONE CHANGE**

From: B-4 General Business	
To: R-4DT Inner City Residential	
Proposed Use: Residential	
Acreage: 0.202	
Applicant: Brandon Blade (1808.2054)	
Surrounding Zoning Classifications:	
North: B-4	South: B-4
East: B-4	West: B-4

Proposed Zone & Land Use Plan

The applicant is seeking an R-4DT Inner City Residential zone. The subject property is located in a Business Plan Area where Urban Low-density Residential uses are appropriate in very-limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns – Building and lot patterns should conform to the criteria for “**Urban Residential Development**” (D6).

(b) Existing, expanded or new sanitary sewers – Urban Low-density Residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established.

(c) Only logical expansions – In Future Urban, Professional/Service, Business, and Rural Preference plan areas, completely new locations of Urban Low-density Residential use should not be established. However, existing areas of this use may be expanded onto contiguous land.

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 21059CO138 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, including sanitary sewers, are available to the site.

Development Patterns

The residence on the subject property was constructed in 1950. It appears a beauty salon was operated out of the

rear of the structure with a separate entrance while the main portion of the structure was used as a residence. The beauty salon has been in operation since before the establishment of the zoning ordinance. The subject property is bound on all sides by existing B-4 General Business zoning, however all of the properties surrounding the subject property appear to be used residentially as well.

The setup with the business use to the rear of the residential use is not permitted in the B-4 General Business zone under current zoning regulations. The applicant is attempting to sell the subject property as a single family residence and has stated all the salon equipment has been removed from the subject property as well as the salon signage; this was found to be true on an inspection of the property conducted on July 25, 2018. The rezoning to R-4DT Inner City Residential is more appropriate based on the historical and proposed use of the subject property.

Since the subject property adjoins B-4 General Business properties on all sides, perimeter screening and landscaping shall be required in accordance with the zoning ordinance. A 10 foot wide landscaping easement with 1 tree every 40 linear feet plus a 6 foot high continuous element is required along all common property boundaries.

SPECIFIC LAND USE CRITERIA

The proposed zoning for the subject property is more appropriate than the existing zoning. The property has been used as a residence with an accessory use of a beauty salon for more than 60 years which is not permitted in a B-4 zone. All beauty salon equipment has been removed from the property making it a purely residential use. Additionally, although all the surrounding properties are zoned B-4 General Business, they all appear to be used residentially as well.

Planning Staff Recommendations

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

Condition – Install a 10 foot wide landscape easement with a six foot tall continuous element and one tree every 40 linear feet along all common property boundaries.

Findings of Fact:

1. Staff recommends approval because the proposed R-4DT Inner City Residential zoning is more appropriate than the current B-4 General Business zone;
2. The subject property is located in a Business Plan Area, where urban low-density residential uses are appropriate in very-limited locations;
3. The subject property has been used as a residence for more than 60 years; and,
4. The proposed zoning change will bring the property use that has exists on the site into conformance with the zoning ordinance.