

**NOVEMBER 8, 2018**

**5030 & 5060 NEWBOLT ROAD**

**ZONE CHANGE**

<b>From:</b>	R-1A Single Family Residential & A-U Urban Agriculture
<b>To:</b>	<b>A-U Urban Agriculture</b>
<b>Proposed Use:</b>	Agriculture
<b>Acreage:</b>	23.082
<b>Applicant:</b>	David A. Buckner; David Lee Buckner (1811.2067)
<b>Surrounding Zoning Classifications:</b>	
<b>North: R-1A &amp; A-U</b>	<b>South: R-1A &amp; A-U</b>
<b>East: A-U</b>	<b>West: A-U</b>

**Proposed Zone & Land Use Plan**

The applicants are seeking an A-U Urban Agriculture zone. The subject properties are located in an Urban Residential 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 & 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.

**Planning Staff Review**

**GENERAL LAND USE CRITERIA**

**Environment**

- It appears that the subject properties are not located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject properties are not located in a special flood hazard area per FIRM Map 21059CO281D.
- It does appear that the subject properties are designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- It appears that the subject properties are 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, 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 properties. Sanitary sewage disposal is accomplished by on-site septic systems.

**Development Patterns**

The subject properties combine to form 23.082 acres located on Newbolt Road, south of Millers Mill Road. The property addressed as 5030 Newbolt Road is 20.150 acres in size and is currently split-zoned. The front of the property, along Newbolt Road, is zoned R-1A Single Family Residential. The majority of the property, to the rear, is zoned A-U Urban Agriculture. The property addressed at 5060 Newbolt Road is 2.932 acres in size and is currently zoned R-1A Single Family Residential. Each property has adequate frontage along Newbolt Road and currently has one single family residence on its lot, as well as detached structures.

In the surrounding areas, there are a mix of residential and agricultural uses and zones. The properties to the north, along Newbolt Road, are zoned R-1A Single Family Residential. Also to the north is a 24.885 acre tract of land, zoned A-U, that is currently vacant and fronts along the stub street of Bridgewood; the main drive of Bridgewood subdivision. The properties to the south, along Newbolt Road, also appear to be primarily residential in nature and are zoned R-1A Single Family Residential and A-U Urban Agriculture.

To the east, across Newbolt Road, the properties appear to be residential in nature and are all zoned A-U Urban Agriculture. To the west of the project boundary is a 76.429 acre tract of land that is currently vacant and zoned A-U Urban Agriculture; as well as a 73.496 acre tract that has frontage from Settles Road, is split-zoned A-U Urban Agriculture and R-1A Single Family Residential, and is utilized residentially.

Newbolt Road is classified as a major collector roadway. Thus, the subject properties have front yard building setbacks of 60-feet from the centerline of Newbolt Road or 25-feet from the property line (whichever is greater) and a roadway buffer of 30-feet from the centerline of Newbolt Road. Additionally, because of the roadway classification, Newbolt Road has a spacing standard of 150-feet for existing residential lots and 250-feet for new residential development.

The applicants intend to eliminate the split-zoning of 5030 Newbolt Road, and rezone the property of 5060 Newbolt Road in order to allow agricultural activities to occur.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The subject properties are separate lots fronting on a public road, Newbolt Road. At 20.150 acres and 2.932 acres, the lots are large enough to assure satisfactory operation of a conventional septic system; septic systems exist on the properties.

**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 general locations;
3. The subject properties have frontage on a public road, Newbolt Road; and,
4. At 20.150 acres and 2.932 acres, the lots are large enough to assure satisfactory operation of a conventional septic system; septic systems exist on the properties.