



**JANUARY 10, 2019**

**PORTION OF 2851 KNOTT ROAD**

**ZONE CHANGE**

<b>From:</b>	R-1A Single Family Residential
<b>To:</b>	A-U Urban Agriculture
<b>Proposed Use:</b>	Catholic Cemetery
<b>Acreage:</b>	0.285
<b>Applicant:</b>	Frances Benita Riney & Janet May (1901.2073)
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b>	R-1A
<b>South:</b>	R-1A & A-U
<b>East:</b>	A-U
<b>West:</b>	A-U

**Proposed Zone & Land Use Plan**

The applicant is seeking an A-U Urban Agriculture 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 & 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 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 Maps 21059C0095D and 21059C0115D.
- It appears that the subject property is designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- 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**

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

**Development Patterns**

The subject property is an existing 1.035 acre tract that is zoned R-1A Single Family Residential and is located along Knott Road, approximately 105-feet south of the Knott Road and Highway 56 intersection.

The property to the east of the subject property is the existing 7.64 acre St. Mary Magdalene Catholic Cemetery which primarily fronts Highway 56 and is currently zoned A-U Urban Agriculture. The applicant intends to rezone the rear 0.285 acres of the subject property from R-1A to A-U in order to donate this portion of land to the neighboring cemetery.

Following the division and consolidation of land, the subject property will be 0.75 acres of land, which is the minimum lot size allowed for properties serviced by septic systems. Additionally, current subdivision ordinances require that lots under 10 acres in size comply with a 3-to-1 ratio regulation in which the depth of a property shall not exceed three times to the amount of road frontage that a lot contains. The subject property, which existed prior to the establishment of the subdivision regulations, does not currently comply with this regulation. However, dividing the rear 0.285 acres from the property will decrease the lot's depth by +/- 130 feet, bringing the subject property into compliance with the 3-to-1 ratio regulation.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The subject property is an existing lot with frontage on a public road, Knott Road. No new roads will be created. Additionally, the subject property will remain 0.75 acres in size, large enough to assure satisfactory operation of conventional septic tank systems as regulated by state law.

**Planning Staff Recommendations**

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

**Condition:**

1. Obtain approval of a Minor Subdivision Plat.

**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 rural small-lot residential uses are appropriate in general locations;
3. The subject property is an existing lot of record with sufficient frontage along on a public road, Knott Road;
4. Each dwelling unit within the project area is located on its own individual lot; and
5. Completion of the property division and consolidation with the neighboring property will bring the subject property into compliance with current subdivision regulations.