

MAY 2, 2019

2388 OLD HIGHWAY 144**ZONE CHANGE**

From:	R-1A Single Family Residential & A-R Rural Agriculture
To:	R-1A Single Family Residential
Proposed Use:	Single-Family Residential
Acreage:	8.212 acres
Applicant:	Steven M. & Elizabeth A. Burch (1905.2084)
Surrounding Zoning Classifications:	
North: R-1A, A-R	South: A-R
East: R-1A, A-R	West: 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 Preference Plan Area, where rural large-lot residential uses are appropriate in general 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. Lots should be large enough in size and width to avoid the creation of excessive numbers of lots or odd-shaped lots.

(b) Frontage on existing roads or on new streets – In Rural Preference plan areas, new lots may front existing public roads or streets, or may front new subdivision streets that should be constructed to urban specifications, including curbs and gutters.

(d) Coal mining advisory – In Rural Preference plan areas, 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 21059CO145D.
- It appears as though the subject property is designated as additional farmland of statewide importance 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 property. Sanitary sewage disposal is accomplished by an on-site septic system.

Development Patterns

The subject property is an existing 8.212 acre tract with a single family residential home and contains road frontage along Old Highway 144 – a local street with a building setback that is 60-feet from the centerline of the roadway per the most recently recorded plat.

The subject property is currently split zoned R-1A Single Family Residential and A-R Rural Agriculture. Approximately 3 acres of the subject property, in the front along Old Highway 144, is currently zoned R-1A Single Family Residential. Meanwhile, the remaining +/- 5 acres at the rear of the subject property is zoned A-R Rural Agriculture. The properties to the south and west are zoned A-R Rural Agriculture and the adjoining residence to the east, as well as the properties to the north – across Old Highway 144 – are split zoned R-1A Single Family Residential and A-R Rural Agriculture.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. At 8.212 acres in size, the subject property is a large, well-proportioned lot with frontage on a public road, Old Highway 144. At approximately 5 acres in size at the rear of an existing lot, the expansion of the existing R-1A zoning will not significantly increase the extent of the zone in the vicinity or overburden the capacity of roadways and other necessary urban services that are available in the affected area.

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 Preference Plan Area, where rural large-lot residential uses are appropriate in general locations;
3. At 8.212 acres in size, the subject property is a large, well-proportioned lot with frontage on a public road, Old Highway 144; and
4. At approximately 5 acres in size at the rear of an existing lot, the expansion of the R-1A zoning classification will not significantly increase the extent of the zone in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.