

**AUGUST 8, 2019**

**2886, 2888 SETTLES ROAD**

**ZONE CHANGE**

<b>From:</b>	R-1A Single Family Residential & A-U Urban Agriculture
<b>To:</b>	<b>R-1A Single Family Residential</b>
<b>Proposed Use:</b>	Single Family Residential and Water Tower
<b>Acreage:</b>	4.54
<b>Applicant:</b>	Martin & Sarah Walker; Daviess County Water District (1908.2095)
<b>Surrounding Zoning Classifications:</b>	
<b>North: R-1C</b>	<b>South: A-U</b>
<b>East: R-1A &amp; A-U</b>	<b>West: R-1A &amp; A-U</b>

## Proposed Zone & Land Use Plan

The applicant is seeking an R-1A Single-Family Residential zone. The subject property is located in an Urban Residential Plan Area, where single-family residential uses are appropriate in 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.

## 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 21059CQ281D.
- It does not appear 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 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 available to the subject property. Sanitary sewage disposal is accomplished by an existing on-site septic system.

## Development Patterns

The subject properties combine to create 4.54 acres spanned over two tracts that are currently split-zoned R-1A Single Family Residential and A-U Urban Agriculture. Subject property, 2886 Settles Road, is currently a single family residential home; whereas, 2888 Settles Road is a 0.230 acre tract that is land-locked and is utilized for a Southeast Daviess County Water District tower.

Adjacent properties to the east and west consist of R-1A Single Family Residential and A-U Urban Agriculture zoning classifications. Meanwhile all adjoining properties to the south are zoned A-U Urban Agriculture. To the north, across Settles Road, the adjoining properties are zoned R-1C Single Family Residential and are a part of the Lake Forest development.

The applicant proposes to rezone the entirety of the subject properties to R-1A Single-Family Residential to create one uniform zoning classification. The single family residential use will conform to the criteria for Urban Residential Development as the density will be consistent with the character of the streets and urban services in the area.

## SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan and conforms to the criteria for Urban Residential Development. Because this residential use is serviced by an on-site septic system, it does not meet the requirement for available sanitary sewer systems; however, the request is a logical expansion of the R-1A Single Family Residential zone, expanding from portions of the subject properties and from adjoining properties to the east and the west.

## 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 single-family residential uses are appropriate in limited locations;
3. The proposed use conforms to the criteria for Urban Residential Development;
4. Because this residential use is serviced by an existing on-site septic system, it does not meet the requirement for available sanitary sewer systems; however, the request is a logical expansion of the R-1A Single Family Residential zone, expanding from portions of the subject properties and from adjoining properties to the east and the west.