

SEPTEMBER 12, 2019

10711, 10715, 10723 LAFAYETTE ST

ZONE CHANGE

From:	I-1 Light Industrial, A-U Urban Agriculture
To:	R-1A Single Family Residential
Proposed Use:	Single Family Residential
Acreage:	0.964
Applicant:	James & Margaret Embry; Janet Embry (1909.2096)
Surrounding Zoning Classifications:	
North: A-U	South: A-U
East: A-U	West: R-1A

Proposed Zone & Land Use Plan

The applicant is seeking an R-1A Single Family Residential zone. The subject property is located in a Rural Maintenance Plan Area where urban low-density residential uses are not generally recommended.

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 the 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 uses should not be established. However, existing areas of this use may be expanded onto contiguous land.

(d) Expansions of limited scope – In Rural Preference plan areas, an expansion of Urban Low-density Residential uses should not significantly increase the extents of such uses in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

(e) 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.

- 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.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO340D.
- 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

All urban services are available to subject property, including sanitary sewers.

Development Patterns

The subject properties consist of three tracts totaling 0.964 acres. A single family residence constructed in 1967 is located on 10711 Lafayette Street while 10715 and 10723 Lafayette Street are currently vacant. 10711 Lafayette Street is split zoned A-U Urban Agriculture and I-1 Light Industrial; 10715 and 10723 are zoned I-1 Light Industrial. The applicant intends to rezone all three tracts bringing 10711 Lafayette Street into compliance with the zoning ordinance and opening the potential for single family homes to be constructed on both 10715 and 10723 Lafayette Street. The applicant contends the current zoning of the properties of I-1 and A-U is inappropriate and the proposed zoning of R-1A is more appropriate given the single family residence constructed in 1967 and the size of the tracts.

Adjacent properties to the north, south and east are zoned A-U Urban Agriculture and are residential and agriculture in nature. The property to the west is zoned R-1A Single Family Residential and is used by the Whitesville Baptist Church as a recreation area.

Any future changes to the properties would have to comply with applicable portions of the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations. Before any construction activity takes place on the property, the OMPC Building, Electrical and HVAC department shall be contacted regarding any necessary permits, inspections and certificates of occupancy and compliance.

SPECIFIC LAND USE CRITERIA

The current zoning of the properties, I-1 Light Industrial and A-U Urban Agriculture, is inappropriate and the proposed R-1A Single Family Residential zoning is more appropriate. The proposed use of

single family residential and the size of the existing tracts conforms to the criteria for urban residential development. 10711 Lafayette Street is connected to The City of Whitesville sanitary sewer system and service can be extended to 10715 and 10723 Lafayette Street according to the City of Whitesville. The request is a logical expansion of the R-1A Single Family Residential zoning to 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 existing zoning of I-1 Light Industrial and A-U Urban Agriculture is inappropriate and the proposed zoning of R-1A Single Family Residential is more appropriate;
2. The existing single family residence at 10711 Lafayette Street was constructed in 1967, predating the Zoning Ordinance;
3. The existing and proposed use of single family residential and the existing size of the tracts conforms to the criteria for Urban Residential Development;
4. 10711 Lafayette Street is connected to The City of Whitesville sanitary sewer system and service can be extended to 10715 and 10723 Lafayette Street according to the City of Whitesville; and
5. The request is a logical expansion of the R-1A Single Family Residential zoning to the west.