

NOVEMBER 14, 2019

6108 HIGHWAY 1389

ZONE CHANGE

From:	R-1A Single Family Residential
To:	A-U Urban Agriculture
Proposed Use:	Residential
Acreage:	1.115
Applicant:	James Peters & Deborah Peters (1911.2104)
Surrounding Zoning Classifications:	
North:	R-1A & A-U
South:	R-1A
East:	A-U
West:	R-1A

Proposed Zone & Land Use Plan

The applicant is seeking an A-U Urban Agriculture zone. The subject properties are 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 and 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 Map 21059CO165D.
- It appears that the subject property may be designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- 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 an on-site septic system.

Development Patterns

The subject property is an existing 1.115 acre parcel with a single family residence and multiple accessory structures. This property is currently zoned R-1A Single Family Residential and has road frontage along Highway 1389.

The property owner intends to consolidate the subject property with 0.500 acres from the farm that is located behind the subject property; which is zoned A-U Urban Agriculture. In order to do without creating a split-zoned lot, the applicant has submitted an application to rezone the subject property to A-U Urban Agriculture.

Any future changes to the property will have to comply with applicable portions of the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations, as well as obtain any necessary permits, if required.

SPECIFIC LAND USE CRITERIA

The proposed rural small-lot residential use at the existing residential lot is in compliance with the Comprehensive Plan as it is located in a Rural Community Plan Area where such uses are appropriate in general locations. The subject property has frontage along Highway 1389 and is large enough in size to assure satisfactory operation of a conventional septic tank.

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 Community Plan Area where Rural Small-lot Residential Uses are appropriate in general locations;
3. The subject property fronts along a public road, Highway 1389;
4. The subject subject property is large enough in size to assure satisfactory operation of a conventional septic system; and
5. The proposed A-U Urban Agriculture zone is a logical expansion of the A-U zone to the east.