



JULY 14, 2005

10091 KY 405

ZONE CHANGE

From: B-4 - General Business		
To: R-1A - Single-Family Residential		
Acreage: 0.28 acres		
Applicant: Nancy Keeton (0507.1601)		
Property Zone Existing Use	to North R-1A Residence	
to West B-4 Vacant Lot	Subject B-4 ➔ R-1A Abandoned Building	to East R-1A Residence
	to South R-1A Church	

GENERAL LAND USE CRITERIA

Apply, if marked below:

Described in Comprehensive Plan on pages 445-448

Environmental ☒

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

Urban Services ⌘

- U1** Roadway Capacity
- ⌘ **U2** Electricity Supply
- ⌘ **U3** Water Supply
- U4** Stormwater Disposal
- U5** Sanitary Sewage Disposal

Development Patterns ❖

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- ❖ **D6** Residential Development
- D7** Non-Residential Development
- D8** Building Quality

Proposed Zone & Land Use Plan

The applicant is seeking an R-1A Single-Family Residential zone. The subject property is located in the Rural Community of Maceo 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 size 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.

Applicant's Findings

The subject property is located in the Rural Community of Maceo where rural small-lot residential uses are appropriate in general locations. The lot has frontage on KY 405 and is currently served by a septic system that has been inspected by the health department and is currently functioning properly.

Planning Staff Review

The subject property is located in the 10000 block of KY 405. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

According to a study prepared by the US Department of Agriculture Soil Conservation Service dated March 6, 1990, it appears that the subject property is not located in a wetlands area. The subject property is located in a special flood hazard area per FIRM Map 21059C0155 C. The developer is responsible for obtaining permits as may be required by the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

It appears that the subject property is outside the Owensboro Wellhead Protection area according to a map created by the GRADD office dated March 1999.

Urban Services

Electricity, water and gas are available to the subject property. Sanitary sewer disposal would be accomplished by an on-site septic system.

Development Patterns

The subject property was rezoned from R-1A Single-Family Residential to B-4 General Business on June 13, 1996, by the Owensboro Metropolitan Planning Commission. The applicant proposed to use the property as an antique store. However, the business was unsuccessful and the applicant is attempting to rezone the property back to residential to establish a single-family residence on the property.

The subject property is an existing lot of record that does not meet criteria for new lot divisions. New lot divisions served by septic systems are required to be a minimum of 0.75 acres in size. However, documentation has been provided by the applicant that the existing septic system is adequate to serve a single-family residence.

The properties to the north, south and east of the subject property are all zoned residentially with residences occupying two properties and a church on the third. A vacant B-4 lot exists to the west of the subject property.

SPECIFIC LAND USE CRITERIA

According to information submitted by the applicant, the Health Department indicates that the existing septic system on the lot is functioning properly. The lot has road frontage on KY 405 in the rural community of Maceo. Any change in access for the property may require approval from the Kentucky Transportation Cabinet Madisonville office.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The findings of fact that support this recommendation include the following:

Findings of Fact:

1. The subject property is located in the Rural Community of Maceo where Rural Small-lot Residential Uses are appropriate in general locations.
2. The subject property has separate road frontage on KY 405; and,

3. The site has an existing septic system that is functioning property.