

**JULY 9, 2009**

**PORTION OF 4906 OLD HARTFORD RD**

**ZONE CHANGE**

|   |   |                                   |
|---|---|-----------------------------------|
| <b>From:</b> A-U Urban Agriculture  |   |                                   |
| <b>To:</b> R-1A Single-Family Residential   |   |                                   |
| <b>Proposed Use:</b> Residential  |   |                                   |
| <b>Acreage:</b> 1.650   |   |                                   |
| <b>Applicant:</b> Margaret Holbrook; Independence Bank, Trustee of the Marion H. Foor Trust U/W (0907.1755) |   |                                   |
| <b>Property Zone Existing Use</b>   | <b>to North</b><br>R-1A, A-U Residential, Agriculture |                                   |
| <b>to West</b><br>R-1A Residential  | <b>Subject</b><br>A-U ➔ R-1A Wooded                   | <b>to East</b><br>A-U Agriculture |
|   | <b>to South</b><br>A-U Agriculture                    |                                   |

**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 a 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 property established.

**Applicant's Findings**

We believe this proposal is in compliance with the Comprehensive Plan. The applicant is asking to change the zoning of this property from A-U to R-1A which will blend with the surrounding residential zoning.

**Planning Staff Review**

The subject property is located in the 4900 block of Old Hartford Road. 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 not located in a special flood hazard area per FIRM Map 21059CO277 D. It appears that a portion of the subject property is designated as prime agricultural land according to the “Important Farmlands” map created by the US Department of Agriculture Soil Conservation Service dated March 1980. 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

All urban services, including sanitary sewers, are available to the site.

## Development Patterns

The subject property is a 1.650 acre portion of a much larger agricultural farm which is adjacent to the Stone Creek Subdivision. Zonings in the vicinity are R-1A Single-Family Residential and A-U Urban Agriculture.

The applicant proposes to consolidate the 1.650 acres with an existing lot located at Stone Creek subdivision. The lot within the subdivision is zoned R-1A Single-Family Residential and the subject property is zoned A-U Urban Agriculture so a rezoning is required before a consolidation plat can be approved. The applicant has submitted a consolidation plat for the property.

A similar rezoning request was heard at the May 2009, Planning Commission meeting and received a favorable recommendation.

## SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. A consolidation plat has been submitted to consolidate the subject property with an existing lot located at Stone Creek subdivision. The residential subdivision is currently served by sanitary sewer.

## Planning Staff Recommendations

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

**Condition:** Approval of a consolidation plat to consolidate the subject property with 26 Stone Creek Park.

### Findings of Fact:

1. The subject property is located in an Urban Residential Plan Area, where single-family residential uses are appropriate in limited locations;
2. The proposed use meets the requirements for urban residential development;
3. The proposed zoning change is a logical expansion of existing R-1A zoning located to the north and west; and,
4. The consolidated lot is served by sanitary sewer.