

AUGUST 8, 2002

PORTION 7079 MASONVILLE-HABIT RD

ZONE CHANGE

From: R-1A Single-Family Residential

To: A-R Rural Agriculture

Acreage: 2.16 acres

Applicant: Sterling Dutton Estate, Darrell R. Dutton, Sterling Dutton, Jr., Linda Lynch, Co-Executors (0208.1492)

Property Zone Existing Use	to North R-1A Residences	
to West R-1A Residences	Subject R-1A ⇌ A-R Vacant	to East A-R Agriculture
	to South R-1A, A-R 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 an A-R Rural Agriculture zone. The subject property is located in a Rural Preference Plan Area, where Rural Farm Residential uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

- (a) Large tracts with agricultural potential-** Each dwelling should be located on a separate, large tract that has potential for productive agricultural use.
- (b) Access to existing public road via private drive-** Each dwelling/tract should have access to an existing public road; public roads should not be created or extended to provide access. Access should be provided via private drives. Not more than two dwelling/tracts should share a single private drive where it connects with a public road.

Applicant's Findings

The subject property is located within a rural agriculture area in Daviess County, Kentucky.

The subject property is bordered by Rural Agriculture zoning.

Planning Staff Review

The subject property is located in the 7101 block of Masonville-Habit Rd. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

The Map of Important Farmlands compiled in 1976 by the U.S. Department of Agriculture Soil Conservation Service identifies the subject property as prime farmland. No other important environmental criteria apply to the subject property.

Urban Services

Electricity and water are available to the subject property. Sewage disposal would require an on-site sewage disposal system.

Development Patterns

The subject property is located within an area that is residential and agricultural in nature. A number of residential lots have been created in the area, with residences and lot frontages along Masonville-Habit Rd. The subject property is also situated with frontage along Masonville-Habit Rd and the owners have previously created four one-acre tracts along the road frontage within the R-1A Single-Family Residential zoning. The applicant wishes to retain a 23.88 tract as a separate tract for sale as a Rural Farm Residential tract. The property is currently vacant. With the frontage of the property zoned R-1A, the applicant would be unable to create the farm division because the regulations applying to the residentially zoned property would need to be met, including a depth to width ratio of 3 to 1. The proposed 23.88 acres farm division will be available as a building site.

SPECIFIC LAND USE CRITERIA

A-R Rural Agriculture is an appropriate zoning classification for the subject property. Adjoining property, including property within the record tract containing the subject property, is currently zoned A-R Rural Agriculture. There is currently a residence on the A-R Rural Agriculture zoned portion of this tract. A private driveway that accesses Masonville-Habit Rd serves the residence. The subject property is designated as prime farmland. There is sufficient acreage on the entire tract to support agricultural production.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the adopted Comprehensive Plan. This recommendation is made subject to the findings of fact that follow:

1. The subject property is located in a Rural Preference Plan Area, where Rural Farm Residential uses are appropriate in general locations;
2. The subject property adjoins A-R Rural Agriculture zoning and uses;
3. The subject property is identified as prime farmland on the Map of Important Farmland, compiled in 1976 by the U.S. Department of Agriculture Soil Conservation; and
4. The proposed 23.88-acre tract is large enough to support agricultural activity.