

FEBRUARY 12, 2004

4639 KY 54

ZONE CHANGE

From: R-1A Single-Family Residential

To: A-U Urban Agriculture

Acreage: 2.76 acres

Applicant: Wendy Gupta (0402.1549)

Property Zone Existing Use	to North R-1A, A-U Residential, agriculture	
to West A-U, R-1C Agriculture, residential	Subject R-1A ↔ A-U Residence	to East A-U Agriculture, residential
	to South R-1A, A-U Residential, 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-U Urban Agriculture zone. The subject property is located in an Urban Residential 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.

Applicant's Findings

The proposed rezoning is not in compliance with the Land Use Plan map which denotes this area to be urban residential.

The majority of this tract of land currently is zoned agricultural (A-U) and has been used for row crop production.

The applicant is requesting the residential portion of the tract be rezoned to agricultural to match the majority of the site.

The applicant plans to submit a lot division on this site to divide out the existing home site. Both tracts will have frontage on KY 54, but will share the existing drive for access. Each tract will be of adequate size to accommodate a septic tank system.

Planning Staff Review

The subject property is located in the 4601 block of KY 54 within the Urban Service Area. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

While the subject property is not classified as prime farmland on the Map of Important Farmlands prepared by the U.S. Department of Agriculture Soil Conservation in 1976, it is identified as other farmland of statewide

importance. No other important environmental criteria apply to the subject property.

Urban Services

Electricity, gas and water are available to the subject property. Sanitary sewer service is currently not available. The existing residence is served by an on-site sewage disposal system.

Development Patterns

The subject property is located in an area of residential and agricultural uses. There is Single-Family Residential and Urban Agriculture zoning to the north, south, east and west of the subject property with residential and agriculture uses.

The applicant wants to create a small rural lot that contains an existing single-family dwelling. The subject property is a portion of a larger tract that is mostly zoned A-U. The applicant needs to change the zoning classification to A-U so that the property division will conform to the regulations for a lot division with an agricultural remainder of over 10 acres. The larger tract of which the subject property is a portion, has historically been used for row crop production.

Intersection & Driveway Spacing

KY 54 is a minor arterial roadway. The subject property is located within the Urban Service Area, where access management standards apply. No new direct access to KY 54 should be permitted. The proposed lot to be created on the subject property should share driveway access with the remaining agricultural tract.

SPECIFIC LAND USE CRITERIA

The subject property is located in an area where sanitary sewer service is not currently available and meets the criteria for rural small lots. The proposed division will create a small rural lot and an agricultural tract, each having frontage on the existing roadway, KY 54. Each lot will be large enough in size to assure satisfactory operation of an on-site sewage disposal systems.

Planning Staff Recommendations

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

Condition:

1. No new access drives to KY 54 shall be permitted. Access shall be shared between the two lots proposed to be created.

Findings of Fact:

1. The subject property is located in an Urban Residential Plan Area, where rural small lot residential uses are appropriate in general locations;
2. Each dwelling will be located on its own individual lot that fronts on a public road; and,
3. Proposed lots will be large enough in size to assure satisfactory operation of conventional septic tank systems as regulated by state law.