AUGUST 24, 2005

PORTION OF 6845 US 231

ZONE CHANGE

From: R-1A Single-Family Residential A-U Urban Agriculture
To: B-4 General Business

Acreage: 0.336 acres

Applicant: Lewis & Betty Oldham (0504.1592)

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<tr>
<th>Property Zone</th>
<th>Existing Use</th>
<th>to North</th>
<th>to West</th>
<th>Subject</th>
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<td>R-1A, A-U B-4</td>
<td>Vacant</td>
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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 B-4 General Business zone. The subject property is located in a Rural Community Plan Area, where General Business uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns; outdoor storage yards – Building and lot patterns should conform to the criteria for “Nonresidential Development,” and outdoor storage yards, with “Buffers for Outdoor Storage Yards.”

(b) Logical zoning expansions of proportional scope – Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadway and other necessary urban services that are available in the affected area.

Applicant’s Findings

The proposed zoning map amendment is in compliance with the Comprehensive Plan. It is an expansion of an existing B-4 General Business zone. The owner-applicant, wishes to consolidate the 0.336 acre tract to his existing B-4 tract situated at 6831 US 231.

Planning Staff Review

The subject property is located in the 6800 block of US 231 in the rural community of Masonville. 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 does not appear to be in a special flood hazard area per FIRM Map 21059CO295C. It appears that 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. However, any loss of prime farmland has already occurred with the development of these lots. 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 is located in the Rural Community of Masonville where single-family residential and large tract agricultural uses are typical. All of the property surrounding the subject property is either zoned R-1A Single-Family Residential or A-U Urban Agriculture with the exception of a B-4 lot immediately adjacent to the subject property.

The 0.336 acre tract will be consolidated with the existing lot at 6831 US 231 that is currently zoned B-4. The proposed use is furniture repair. According to the applicant, the rezoning and consolidation will allow expansion of the existing furniture repair business located on the property.

If a new drive to US 231 is requested, an application must be submitted to the Kentucky Transportation Cabinet for approval. It is the responsibility of the applicant to obtain all necessary permits.

SPECIFIC LAND USE CRITERIA

Since the subject property is contiguous to an existing B-4 General Business zone to the south, it is a logical expansion because it does not significantly increase the extent of the zone in the vicinity of the expansion and does not overburden capacity of roadways and other necessary urban services in the affected area.

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: Submittal and approval of a consolidation plat to join the subject property with the B-4 lot located at 6831 US 231 prior to the issuance of any permits.