

**NOVEMBER 10, 2005**

**4641 KY 1514, 4601 BLK KY 1514**

**ZONE CHANGE**

<b>From:</b>	R-1A Single-Family Residential A-R Rural Agriculture	
<b>To:</b>	<b>A-R Rural Agriculture</b>	
<b>Acreage:</b>	64.61 acres	
<b>Applicant:</b>	Kevin Ferguson (0511.1616)	
<b>Property Zone Existing Use</b>	<b>to North</b> A-R Woods	
<b>to West</b> A-R Cropland	<b>Subject</b> A-R ↔ R-1A Single-Family Residential	<b>to East</b> A-R Woods
	<b>to South</b> A-U Residential & Pasture	

**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 Maintenance Plan Area where agricultural uses are appropriate in general locations.

**SPECIFIC LAND USE CRITERIA**

- (a) Conservation of agricultural topsoil** - Agricultural topsoil should be conserved through appropriate farming practices.

**Applicant's Findings**

Subject property is currently the tracts of land containing the golf course and clubhouse for the Panther Creek Golf Club and are zoned R-1A and A-R. This zoning designation is not in compliance for a commercial property. We propose a zoning change to A-R to bring this property into compliance with the Comprehensive Plan.

**Planning Staff Review**

The subject property is located in the 4601 block of KY 1514. 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 21059CO265 C. 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**

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

## Development Patterns

The subject property is located just outside of the Panther Rural Community. All surrounding properties are zoned agriculture with wooded, agricultural and large-lot residential uses. The current and proposed use for the subject property is the golf course and club house for the Panther Creek Golf Club. A golf course is a conditionally permitted use within an agriculture zone and this rezoning will rezone the only remaining portion of the tract that is zoned residential to an A-R zone.

The applicant is proposing to remove the existing clubhouse located on the subject property. To do so, a new conditional use permit must be sought. The current zoning of a portion of the subject property of R-1A is not appropriate for a conditional use permit for a commercial golf course. The zoning needs to be changed in order for conditional use permit approval. The subject property has been used historically as a golf course since the early 1970s and the requested zoning change will bring the property into conformance with the current zoning standards. The applicant also proposes to consolidate the existing separate tracts.

## SPECIFIC LAND USE CRITERIA

Agricultural uses, including recreational uses such as golf courses, which are conditionally permitted in an agricultural zone, are appropriate in general locations within a Rural Maintenance Plan Area.

## 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 a Rural Maintenance Plan Area where agricultural uses are appropriate in general locations;
2. The use of the subject property will remain as the golf course and club house for the Panther Creek Golf Club;
3. The current zoning is inappropriate and the proposed zoning is more appropriate as the property has been used as a golf course since the early 1970s and clubhouse since the early 1990s; and,
4. The rezoning will bring the entire site into compliance with the conditional use permit process that is applicable to the subject property.