

MARCH 9, 2006

4524 HONEYSUCKLE LA

ZONE CHANGE

From:	R-1A Single-Family Residential A-U Urban Agriculture	
To:	A-U Urban Agriculture	
Proposed Use:	Farming	
Acreage:	16.23 acres	
Applicant:	Gary M. and Margaret L. Boswell (0603.1634)	
Property Zone Existing Use	to North A-U, R-1A Agricultural, Residential	
to West R-1A Residential	Subject R-1A, A-U → A-U Farming	to East A-U Agricultural, Residential
	to South A-U, R-1A Agricultural, Residential	


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 agricultural uses are generally not appropriate.

Applicant's Findings

The existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate. The two building on this tract have always been used in conjunction with the balance of the 16.23 acre farm tract which is zoned A-U. The entire tract of 17.23 was a small farm and residence all the way back before the 1950s. When the zoning maps were created they put this small piece of ground into R-1A (approximately 1.5 acres) even though it was being used for farming purposes.

Planning Staff Review

The subject property is located in the 4501 block of Honeysuckle Lane. 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 21059CO145 C and Map 21059CO285 C. It appears that the subject property is not 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 currently accomplished by an on-site septic system. Although sanitary sewer service is available in the vicinity of the subject property, the applicant has no current plans or requirement for connection.

Development Patterns

The subject property is located in an area of agricultural uses with scattered residences to the north, east and south. Single-family residences are located along Honeysuckle Lane east of the subject property. Single-family residential zoning and use abuts the subject property to the south with these properties fronting on Spring Lane.

As stated in the applicant's findings, the historical use of the subject property has been agricultural in nature since before zoning was established. The frontage of the original tract was zoned R-1A with the balance zoned A-U. An R-1A single-family residential lot was subdivided out of the subject property in the past along Thruston-Dermont Road. However, R-1A zoning still remains on the subject property. The applicant proposes to rezone the subject property from R-1A and A-U to A-U in order to have uniform zoning on the entire tract. The majority of the subject property is currently zoned A-U.

With the historical and intended use of the subject property as agricultural, the agricultural zoning is a more appropriate zone. However, since the property is located in an Urban Residential Plan Area, there could be future potential for urban residential development if sanitary sewer service were extended to the site.

Planning Staff Recommendations

Staff recommends approval because the historical use of the subject property has been agricultural in nature and the majority of the subject property is currently zoned A-U, with only a small portion zoned R-1A. The A-U zoning classification is a more appropriate zoning classification for the property given the historical and proposed use. The R-1A zoning classification is not an appropriate zone for agricultural use. The findings of fact that support this recommendation include the following:

Findings of Fact:

1. The subject property is located in an Urban Residential Plan Area where agricultural uses are generally not appropriate;
2. Agricultural uses have been active on the subject property since the 1950s;
3. The road frontage along this portion of Thruston-Dermont Road was originally zoned R-1A and only a small portion of the single-family residential zoning remains on the subject property ; and,
4. Based on the historical and proposed use of the subject property, an agricultural zoning is more appropriate for the entire tract than an R-1A zoning classification.