

APRIL 13, 2006

11144 KY 662

ZONE CHANGE

From: R-1A Single-Family Residential		
To: A-R Rural Agriculture		
Proposed Use: Residential/Beauty Salon		
Acreage: 0.34		
Applicant: Karen Fireline (0604.1640)		
Property Zone Existing Use	to North A-R Agriculture	
to West A-R Agriculture	Subject R-1A ↔ A-R Residential	to East A-R Agriculture
	to South 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 Maintenance Plan Area where rural large-lot residential uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

- (a) Separate, large, well-proportioned lots** - Each dwelling should be located on its own individual lot that fronts on a public road or street. Lots should be large enough in size and width to avoid the creation of excessive numbers of lots or odd-shaped lots.
- (c) Frontage only on existing roads or streets** - In Rural Maintenance plan areas, new lots should front upon existing public roads or streets. Public roads or streets should not be created or extended to provide for new lots.
- (d) Coal mining advisory** - Prospective lot owners should be advised of the potential for coal mining activity in rural areas.

Applicant's Findings

The existing zoning classification given to the property is inappropriate and the proposed zoning classification will be appropriate for residential/beauty salon with proposed condition use permit to follow zoning change.

Planning Staff Review

The subject property is located in the 11100 block of KY 662. 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 and floodway per FIRM Map 21059CO160 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.

Development Patterns

The subject property is located in a rural section of Daviess County with scattered large lot rural residences and agricultural activities. The subject property is currently zoned R-1A and is approximately 0.34 acres which is adequate size for the zone. The subject property is the only tract in the vicinity zoned R-1A with all adjoining property currently zoned A-R.

The applicant would like to start a beauty salon business at the home which is not permitted in an R-1A zoning classification. Such use is conditionally permitted in an A-R zone. Since the minimum lot size in an A-R zone is one acre, the applicant has submitted a division and consolidation plat with the planning commission to bring the total lot size to just over an acre.

SPECIFIC LAND USE CRITERIA

With the submittal of a division/consolidation plat, the subject property will be a well-proportioned lot that is over one acre in size. The existing home has frontage and an existing driveway with access to KY 662 which is a state maintained roadway. No new streets or roads are proposed.

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: Submission and approval of a division and consolidation plat by the OMPC to create a lot that is a minimum of one acre in size.

Findings of Fact:

1. The subject property is located in a Rural Maintenance Plan Area where rural large-lot residential uses are appropriate in limited locations;
2. The subject property will be a well-proportioned lot over one acre in size once the consolidation plat is approved; and,
3. The existing home has frontage and access to KY 662, which is a state maintained roadway.