

JUNE 14, 2007

PORTION OF 6745 KY 144

ZONE CHANGE

From: B-4 General Business

To: R-1A Single-Family Residential

Proposed Use: Residential

Acreage: 0.90

Applicant: Robert E. Brumbaugh (0706.1684)

Property Zone Existing Use	to North A-U, R-1A Agricultural, Residential	
	to West A-U, R-1A Residential	Subject B-4 ⇄ R-1A 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 R-1A Single-Family Residential zone. The subject property is located in a Rural Community 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 specification, including curbs & 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

Applicant request zone change of subject property from B-4 General Business to R-1A Single-Family Residential. The subject property has never been used for general business purposes.

The subject property is located in a Rural Community Plan Area. Within a Rural Community Plan Area, rural small-lot residential uses are appropriate in general locations. The applicable criteria state that the property should be located on a lot with frontage on an existing public road and should be adequate in size for a septic tank system. The subject property has adequate road frontage on Hwy 144, is currently served by a septic system, and exceeds the 0.75 acre minimum required for a septic system.

Planning Staff Review

The subject property is located in the 6701 block of KY 144. 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 21059CO120 C. 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.

appropriate for the subject property based on the historic use of the property and the character of the surrounding area.

Urban Services

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

Development Patterns

The subject property is located in an area of mixed agricultural and rural small-lot residential uses. All adjoining properties are currently split zoned R-1A Single-Family Residential and A-U Urban Agriculture. The small portion of B-4 zoning on the subject property is the only commercial zoning in the vicinity.

An existing home is located on the subject property that is zoned B-4. The remainder of the parent tract is split zoned R-1A and A-U. A minor subdivision plat has been submitted to divide a one acre tract for the existing residence. However, due to the split zoning, the plat cannot be approved until the rezoning is complete. The subject property is served by a single drive access to KY 144. The applicant wishes to maintain the use of the structure as a residence. The existing residence is currently served by a septic system.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The subject property has road frontage on an existing roadway within the state highway system and the existing residence on the subject property is currently served by a septic system.

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 Community Plan Area where rural small-lot residential uses are appropriate in general locations;
2. The subject property has adequate road frontage on KY 144 which is a state maintained roadway;
3. An existing septic system serves the residence located on the subject property; and,
4. The existing zoning of B-4 on the subject property is inappropriate and the proposed R-1A zoning is