

AUGUST 13, 2020

REAR PORTION OF 4430 ENGLEWOOD DR

ZONE CHANGE

From: A-R Rural Agriculture	
To: R-1A Single Family Residential	
Proposed Use:	Single Family Residential
Acreage:	1.155
Applicant:	Thomas F. & Sarah A. Kamuf Family Irrevocable Trust c/o Tonya Murphy & Kimberly Woodall, Trustees (2008.2129)
Surrounding Zoning Classifications:	
North: R-1A	South: A-R
East: A-U & A-R	West: A-R

Proposed Zone & Land Use Plan

The applicant is seeking an R-1A Single Family Residential zone. The subject property is located in an Urban Residential 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 specifications, 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.

Planning Staff Review

GENERAL LAND USE CRITERIA

Environment

- It appears that the subject property is not located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO118D.
- It does not appear that the subject property is designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA, the EPA, the OMPC building/electrical/HVAC division or other state and federal agencies as may be applicable.

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 a 1.155 acre portion to the rear of 4430 Englewood Drive that is zoned A-R Rural Agriculture, the front portion of 4430 Englewood Drive is zoned R-1

Single Family Residential. Surrounding properties to the north are zoned R-1A Single Family Residential and are used as such. To the south and west the properties are zoned A-R Rural Agriculture and are used for row crops. The property to the east is zoned A-U Urban Agriculture and A-R Rural Agriculture and is a church.

The applicant has submitted a minor subdivision plat which divides and consolidates portions of the subject property with 4420 Englewood Drive and 4328 W 5th Street Road while keeping the remainder with 4430 Englewood Drive. However, the above mentioned properties are zoned R-1A Single Family Residential while this portion of the subject property is zoned A-R. The applicant is seeking to rezone this 1.155 acre portion in order to create a uniform zoning and complete the division and consolidations.

Future changes to the properties would have to comply with applicable portions of the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations. Before any construction activity takes place on the property, the OMPC Building, Electrical and HVAC department shall be contacted regarding any necessary permits, inspections and certificates of occupancy and compliance.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The subject property has frontage on Englewood Drive, a public road. The subject property has an existing septic system and is large enough to assure satisfactory operation. The proposed R-1A zoning is a logical expansion to the existing zoning to the north.

Planning Staff Recommendations

The planning staff recommends approval subject to the following findings of fact:

Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in an Urban Residential Plan Area, where rural small lot residential uses are appropriate in general locations;
3. The property has frontage on Englewood Drive, a public road;
4. The subject property has an existing septic system and is large enough to ensure satisfactory operation; and,
5. The proposed R-1A zoning is a logical expansion of the existing R-1A zoning to the north.