

**AUGUST 13, 2020****7011 HIGHWAY 56****ZONE CHANGE**

<b>From: B-4 General Business</b>	
<b>To: R-1A Single Family Residential</b>	
<b>Proposed Use:</b>	Vacant
<b>Acreage:</b>	0.330
<b>Applicant:</b>	Pinnacle Properties Partners, LLC (2008.2130)
<b>Surrounding Zoning Classifications:</b>	
<b>North: A-R</b>	<b>South: R-1A</b>
<b>East: R-1A</b>	<b>West: R-1A</b>

**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 limited 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 partially located in a special flood hazard area per FIRM Map 21059CO115D.
- 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 will be accomplished by an on-site septic system.

**Development Patterns**

The subject property is a 0.330 acre undeveloped parcel zoned B-4 General Business; there was a single family residence located on the property that was demolished around 2006. Surrounding properties to the south, east and west are all zoned R-1A Single Family Residential and are

used as such. The property to the north is zoned A-R Rural Agriculture and is farmland.

Future changes to the property 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 fronts on an existing road, Highway 56, with no new roads proposed. Although the property does not meet the current requirements for operation of a conventional septic system, the property is an existing lot of record that has historically been used residentially. The proposed R-1A zoning is a logical expansion of existing R-1A zoning to the south, east and west.

**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 limited locations;
3. The subject property has frontage on an existing road, Highway 56, with no new roads proposed,
4. Although the property does not meet the current size requirements for operation of a conventional septic system, it is an existing lot of record and has historically been used residentially; and,
5. The proposed R-1A zoning is a logical expansion of the existing R-1A zoning to the south, east and west.