

NOVEMBER 12, 2020

PORTION OF 6651 SUMMIT DR

ZONE CHANGE

From: A-R Rural Agriculture	
To: R-1A Single Family Residential	
Proposed Use:	Residential Neighborhood Lot
Acreage:	0.147
Applicant:	TPC of Owensboro, LLC (2011.2136)
Surrounding Zoning Classifications:	
North: R-1A	South: R-1A
East: R-1A	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 a Rural Community Plan Area, where urban low-density residential uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns – Building and lot patterns should conform to the criteria for “Urban Residential Development” (D6).

(b) Existing, expanded or new sanitary sewers – Urban Low-density Residential uses should occur only when sanitary sewer systems exist or may be expanded, or where new systems may be properly established.

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 21059CO165D.
- 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

All urban services, including sanitary sewer, are available to the subject property.

Development Patterns

The subject property is a 0.147 acre portion in the middle of 6651 Summit Drive which has approximately 70 feet of frontage on Summit Drive. The subject area is surrounded to the north, south, and east by R-1A Single Family Residential zoning on lots located within The Summit. The property to the west is a 15-acre tract zoned A-R Rural Agriculture.

This portion of 6651 Summit Drive was rezoned from R-1A Single Family Residential to A-R Rural Agriculture in September 2020 with the intent to consolidate the subject area with the 15-acre farm located behind the subject property. However, approval of the request to rezone to A-R included the condition that access from Summit Drive to the farm shall be limited to an agreed upon easement located further north on 6651 Summit Drive.

Due to the location of the approved access point, the applicant now proposes to rezone this 0.147 acre portion of 6651 Summit Drive back to R-1A Single Family Residential in order to keep this portion of land with the remainder of the parent tract as a lot within The Summit.

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 applicant's intent for this portion of land to remain intact with the remainder of 6651 Summit Drive as a portion of The Summit conforms to the criteria for Urban Residential Development.

Planning Staff Recommendations

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

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 a Rural Community Plan Area, where urban low-density residential uses are appropriate in limited locations;
3. The proposed R-1A Single Family Residential zoning is a logical expansion of the existing R-1A zoning to the north, south, and east;
4. The applicant intends for the subject area to remain a portion of 6651 Summit Drive located within The Summit, conforming to the criteria for Urban Residential Development; and,
5. The subject property has access to the existing sanitary sewer system.