

NOVEMBER 12, 2020

PORTION OF 6651 SUMMIT DR

ZONE CHANGE

From: R-1A Single Family Residential	
To: A-R Rural Agriculture	
Proposed Use: Agriculture	
Acreage: 0.220	
Applicant: TPC of Owensboro, LLC (2011.2137)	
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 A-R Rural Agriculture zone. The subject property is located in a Rural Community Plan Area, where agriculture/forestry uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

(a) Conservation of agriculture topsoil – Agricultural topsoil should be conserved through appropriate farming practices.

(b) Sustain forests – Forested areas should be sustained through appropriate forestry practices.

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

This proposal is to allow the subject area to be consolidated into 1686 Wrights Landing Road; of which, electricity, water and gas are available and sanitary sewage disposal is accomplished by an on-site septic system.

Development Patterns

The subject area is a 0.220 acre portion of 6651 Summit Drive, located along the southern point of the existing cul-de-sac. 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 addressed at 1686 Wrights Landing Road.

At the September 2020 OMPC meeting, the applicant proposed to rezone a different portion of 6651 Summit Drive from R-1A Single Family Residential to A-R Rural Agriculture in order to consolidate property with road frontage along Summit Drive with the farm to the west at 1686 Wrights Landing Road. The 0.147 acre request was approved by the Planning Commission; however, access to the farm from Summit Drive was limited to an agreed upon easement located elsewhere on 6651 Summit Drive.

At this time, the applicant proposes to rezone the aforementioned agreed upon easement from R-1A Single Family Residential to A-R Rural Agriculture to allow the farm's access along Summit Drive to be consolidated with the farm.

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 intends to consolidate the 0.220 acre portion of the subject property with the property to the west and use it agriculturally. The proposed A-R Rural Agriculture zone is a logical expansion of the existing A-R zoning to the west.

Planning Staff Recommendations

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

Condition:

Approval of a minor subdivision plat consolidating the 0.220 acre portion of the subject property with the 15-acre property to the west, 1686 Wrights Landing Road.

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 agriculture/forestry uses are appropriate in general locations;
3. The applicant intends to consolidate the 0.220 acre portion of the subject property with the 15 acre parcel to the west and use it agriculturally; and,
4. The proposed A-R Rural Agriculture zoning is a logical expansion of the existing A-R zoning to the west.