

APRIL 1, 2021

2747 & 2757 SOUTH HAMPTON RD

ZONE CHANGE

From:	R-1A Single Family Residential & A-R Rural Agriculture
To:	A-R Rural Agriculture
Proposed Use:	Single Family Residential
Acres:	2.000
Applicant:	Charles & Lilianette Barr (2104.2162)
Surrounding Zoning Classifications:	
North: A-R	South: R-1A
East: R-1A, A-R	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 Preference Plan Area, where rural small-lot residential uses are appropriate in very 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.

(c) Only logical expansions of limited scope – In Rural Preference plan areas, completely new locations of Rural Small-lot Residential use should not be established. However, existing areas of this use may be expanded onto contiguous land, but should not significantly increase the extent of such uses in the vicinity, and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

(d) Coal mining advisory – In Rural Preference plan areas, prospective lot owners should be advised of the potential for coal mining activity in rural areas.

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 are available to the subject property. Sanitary sewage disposal is accomplished by an on-site septic system.

Development Patterns

The subject properties are two adjoining tracts of land, each one acre in size. Both properties are located on South Hampton Road and are split-zoned R-1A Single Family Residential in the front and A-R Rural Agriculture in the rear. One of the properties, 2747 South Hampton Road, has an existing home on the property while the other is a vacant lot. The applicant intends to consolidate the two parcels of land to create a single two-acre tract.

Split zoning with R-1A Single Family Residential in the front and A-R Rural Agriculture in the rear is commonly found throughout the north side of South Hampton Road; specifically on neighboring lots in both directions of the subject properties. The adjoining property to the north, behind the subject properties, is zoned A-R Rural Agriculture while the adjoining properties to the south, across South Hampton Road, are zoned R-1A Single Family Residential.

South Hampton Road in this vicinity is classified as a local county road where access is determined by the County Engineer. Because of the topography in the area, access to the proposed lots and tracts may be limited due to the sight distance. The County Engineer's office should be contacted prior to the construction of any access points along South Hampton Road for the proposed divisions.

Any 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 properties, 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 properties front along a public road, South Hampton Road and, at one acre each, both lots are currently large enough in size to assure satisfactory operation of a conventional septic tank system. The proposed A-R Rural Agriculture zoning classification is a logical expansion of existing A-R zoning to the north, including existing A-R zoning already located on the rear of both subject properties. At two total acres in size, the expansion of the A-R zone shall not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

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 properties are located in a Rural Preference Plan Area, where rural small-lot residential uses are appropriate in very limited locations;
3. The subject properties have frontage on a public road, South Hampton Road;
4. Each subject property is currently one-acre in size; large enough to assure satisfactory operation of conventional septic tank systems;
5. The proposed A-R Rural Agriculture zoning classification is a logical expansion of the existing A-R zone located to the north of the subject properties, as well as existing A-R zoning located on the rear portions of the subject properties;
6. The proposed A-R Rural Agriculture zone will eliminate the split zoning on both subject properties; and,
7. At two total acres in size, the expansion of the A-R Rural Agriculture zone shall not overburden the capacity of roadways and other necessary urban services that are available in the affected area.