

MAY 13, 2021

4020 THRUSTON DERMONT ROAD

ZONE CHANGE

From:	R-1A Single Family Residential & A-U Urban Agriculture
To:	A-U Urban Agriculture
Proposed Use:	Single Family Residential
Acreage:	10.229
Applicant:	Billy J. Crabtree, Jr. & Robert J. Macomber (2105.2169)
Surrounding Zoning Classifications:	
North: R-1A, A-U	South: R-1A, A-U
East: A-U	West: R-1A

Proposed Zone & Land Use Plan

The applicant is seeking an A-U Urban Agriculture 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 21059CO143D.
- It appears that the subject property is partially 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 an existing 10.229 acre parcel of land located near the intersection of Pleasant Valley Road and Thruston Dermont Road. The site spans nearly 500-feet across Thruston Dermont Road; however much of the road frontage and acreage throughout the site is comprised of an existing lake on the subject property. As a result, buildable areas and locations for access points are minimal despite the relatively large total acreage.

Thruston Dermont Road, in this vicinity, is classified as a major collector roadway with a 250-foot spacing standard; as well as a 60-foot building setback and a 30-foot roadway buffer, each measured from the centerline of Thruston Dermont Road.

The subject property is split-zoned with R-1A Single Family Residential zoning in the front (along Thruston Dermont Road) and A-U Urban Agriculture zoning to the rear. Such split-zoning is commonly found throughout Thruston Dermont Road to the north and south of the subject property; including the properties on the other side of Thruston Dermont Road. The farm operation to the east of the subject property is zoned A-U Urban Agriculture and fronts along Pleasant Valley Road.

The applicant proposes to eliminate the split-zoning on the subject property in order to allow for a future division, creating a second lot. If the property is divided as intended, the subject property and the resulting lot shall each be limited to a single, shared access point in order to ensure compliance with access management regulations.

Future changes to the property shall 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 Thruston Dermont Road, a public road. At 10.229 acres, the subject property is large enough to assure satisfactory operation of conventional septic systems. The proposed A-U Urban Agriculture zoning is a logical expansion of existing A-U zoning to the east, including existing A-U zoning located on the rear of the subject property.

Planning Staff Recommendations

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

Condition:

1. Direct access from the subject property to Thruston Dermont Road shall be limited to a single access point.

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 subject property has frontage on Thruston Dermont Road, a public road;
4. The subject property is large enough to ensure satisfactory operation of conventional septic tank systems;
5. The proposed A-U Urban Agriculture zoning is a logical expansion of the existing A-U zoning to the east, including existing A-U zoning located on the rear of the subject property; and,
6. Rezoning the subject property from A-U Urban Agriculture and R-1A Single Family Residential to A-U Urban Agriculture will eliminate the split-zoning on the subject property.