

**JUNE 10, 2021**

<b>PORTION OF 9926 OAK STREET</b>	
<b>ZONE CHANGE</b>	
<b>From:</b> A-U Urban Agricultural	
<b>To:</b> R-1A Single Family Residential	
<b>Proposed Use:</b> Residential	
<b>Acreage:</b> 0.473	
<b>Applicant:</b> Mary F. Howard; David Jennings (2106.2171)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> R-1A	<b>South:</b> R-1A
<b>East:</b> R-1A	<b>West:</b> A-U

**Proposed Zone & Land Use Plan**

The applicant is seeking an R-1A Single Family Residential zone. The subject property is located in an Urban Residential 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 use should occur only where 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 does not appear that the subject property is 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 Maps 21059CO320D and 21059CO340D.
- 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 or other state and federal agencies as may be applicable.

**Urban Services**

All urban services, including sanitary sewers, are available to the site.

**Development Patterns**

The subject property is a portion of a 21-acre agricultural property that has road frontage along Oak Street and adjoins a string of residential properties located to the east, along Main Cross Street (Highway 764).

The subject property and the adjoining property to the west are large farm tracts that are zoned A-U Urban Agriculture and are located outside of the limits of the City of

Whitesville. Meanwhile all adjoining residential properties along Oak Street and along Main Cross Street are zoned R-1A Single Family Residential and are located within the City of Whitesville.

The applicant intends to consolidate the subject area into the rear of an adjoining residential property that is located along Main Cross Street. As a result, this request is to rezone a 0.473-acre portion of the subject property to R-1A Single Family Residential in order to allow the proposed property division and consolidation.

It should again be noted that the adjoining single family residential property is located within the limits of the City of Whitesville; however, the subject area is not. In the event that this request is approved, a minor subdivision plat shall not be recorded until the 0.473-acre portion of the subject property has been annexed into the city limits.

Future changes to the properties shall 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 proposal is a logical expansion of existing R-1A Single Family Residential zoning located on the residential property to the east that the subject area shall be consolidated into, which is served by an existing sanitary sewer system.

**Planning Staff Recommendations**

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

**Conditions:**

1. Annexation of the 0.473-acre subject area into the limits of the City of Whitesville; and,
2. Approval of a minor subdivision plat consolidating the project area with the adjoining residential property located along Main Cross Street.

**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 within an Urban Residential Plan Area where urban low-density residential uses are appropriate in limited locations;
3. The proposed residential use conforms to the criteria for urban residential development;
4. The 0.473-acre subject area will be consolidated into an existing lot, which is zoned R-1A Single Family Residential; and,
5. An existing sanitary sewer system serves the residential property that the subject area shall be consolidated into.