

NOVEMBER 11, 2021

38 HANNING LANE

ZONE CHANGE

From: B-4 General Business	
To: R-4DT Inner-City Residential	
Proposed Use: Group Home	
Acreage: 0.173	
Applicant: Mike Ballard; Darrell B. & Merry L. Hale (2111.2191)	
Surrounding Zoning Classifications:	
North: R-4DT	South: R-4DT
East: R-4DT, B-4	West: R-4DT

Proposed Zone & Land Use Plan

The applicant is seeking an R-4DT Inner-City Residential zone. The subject property is located in a Central Residential Plan Area, where urban low-density residential uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

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

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 21059CO119D.
- It appears that the subject property is not located within the Owensboro Wellhead Protection area per the OMU map dated 2015.
- 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 0.173-acre tract of land located at the intersection of Hanning Lane and Ohio Street, directly across the street from the large parking lot for English Park. The subject property, currently zoned B-4 General Business is surrounded in all directions by R-4DT Inner-City Residential zoning; excluding a portion of the English Park property, which is zoned B-4 General Business.

Both Hanning Lane and Ohio Street are classified as local streets with 25-foot building setbacks measured from the property line. Neither roadway requires a roadway buffer or spacing standards for access points.

However, due to the location of the grass median located within Hanning Lane, it is encouraged (though not required) that direct access to the site come from Ohio Street.

The application states that the applicant intends to develop a Group Home on the subject property, which are Conditionally Permitted in the proposed R-4DT Inner-City Residential zone. The specifics of the intended group home are not disclosed within the application and the corresponding Conditional Use Permit application was not submitted as a related item to this rezoning request. As a result, before any development of a Group Home can be approved at this site, the applicant will need to:

- Obtain approval of a Conditional Use Permit from the Owensboro Metropolitan Board of Adjustment;
- Obtain approval of a Site Plan or Final Development Plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage; and,
- Obtain all building, electrical and HVAC permits, inspections and certificates of occupancy and compliance.

All such items shall be performed independent of this zoning request.

Any 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 proposal conforms to the criteria for urban residential development and is a logical expansion of R-4DT Inner-City Residential zoning to the north, south, east, and west.

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 Central 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; and,
4. The proposed R-4DT Inner-City Residential zone is a logical expansion of existing R-4DT zoning to the north, south, east, and west.