

SEPTEMBER 8, 2022

6841 HIGHWAY 144

ZONE CHANGE

From:	R-1A Single Family Residential & A-U Urban Agriculture
To:	A-U Urban Agriculture
Proposed Use:	Airbnb Rentals
Acreage:	6.541
Applicant:	Krishta Poole & Zachariah Hendley (2209.2229)
Surrounding Zoning Classifications:	
North: A-U	South: R-1A & A-U
East: R-1A & A-U	West: R-1A & A-U

Proposed Zone & Land Use Plan

The applicant is seeking an A-U Urban Agriculture zone. The subject property is located in a Rural Community 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 and 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 map dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO165 D.
- It does not appear that the subject property may be 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 and water are available to subject property. Sanitary sewage disposal is accomplished by an existing on-site septic system.

Development Patterns

The subject property is a 6.541-acre tract of land located along Highway 144. Highway 144, in this vicinity, is a

Major Collector Roadway with a 60-foot building setback and a 30-foot roadway buffer, each measured from the center of the highway. Located outside of the Urban Service Area, access to this site is regulated by the County Engineer and the Kentucky Transportation Cabinet.

The subject property is a relatively narrow and deep lot with just over 300-feet of road frontage, and approximately 900-feet of average depth. The property is split-zoned R-1A Single Family Residential along the highway and A-U Urban Agriculture in the rear, as are all properties along Highway 144 located in the immediate vicinity. The purpose of this rezoning is to eliminate the existing split-zoning on the subject property.

As stated within the application the applicant's ultimate plan is to:

- Rezone the entirety of the subject property to A-U Urban Agriculture; and,
- Apply for a Conditional Use Permit to allow the site to be used as an Airbnb style campground.

The application and supporting documentation for the aforementioned Conditional Use Permit has not been submitted to the OMPC office. Once submitted, the Conditional Use Permit will be heard by the Owensboro Metropolitan Board of Adjustment at a separate meeting.

Any future changes to the property shall comply with applicable portions of the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations; which may include the requirement for a Final Development Plan should the proposed campground be approved by the Owensboro Metropolitan Board of Adjustment. 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.

It is recommended that the applicant speak to the Building Staff prior to submittal of the Conditional Use Permit in order to discuss building code requirements pertaining to building setbacks, electricity, and other code requirements that may be applicable for a campground to operate at this location. The Health Department should also be consulted regarding the septic system requirements for this type of proposed development.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the community's adopted Comprehensive Plan. The subject property is an individual lot with road frontage on a public road, Highway 144. At 6.541 acres, the subject property is large enough to assure satisfactory operation of a conventional septic tank system for typical single family residence. The proposed A-U Urban Agriculture zoning is a logical expansion of existing A-U zoning and will eliminate existing split-zoning on the subject property.

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 Rural Community Plan Area, where rural small-lot residential uses are appropriate in general locations;
3. The subject property has road frontage on an existing public road, Highway 144;
4. At 6.541 acres, the subject property is large enough to assure satisfactory operation of a conventional septic tank system for typical single family residential uses; and,
5. The proposed A-U Urban Agriculture zone is a logical expansion of existing A-U zoning, and will eliminate existing split-zoning on the subject property.