

DECEMBER 8, 2022

PORTION OF 3517 PLEASANT VALLEY ROAD

ZONE CHANGE

From: A-R Rural Agriculture	
To: R-1A Single Family Residential	
Proposed Use: Vacant	
Acreage: 1.486	
Applicant: Gary Boswell; Charles L. Lamar & Mary Lamar (2212.2240)	
Surrounding Zoning Classifications:	
North: A-R	South: R-1A
East: A-R	West: R-1A

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 map dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO145D.
- It appear that portions of the subject property are 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 will be accomplished by an on-site septic system.

Development Patterns

The subject property is a 116+ acre farm that is largely zoned A-R Rural Agriculture. To the rear, the farm adjoins the Hilltop neighborhood that originates from Thruston Dermont Road and is zoned R-1A Single Family Residential.

The applicant proposes to rezone a 1.486-acre portion of the farm to R-1A Single Family Residential in order to consolidate the property into of one of the Hilltop properties located along Oakridge Court.

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 subject area shall be consolidated into the adjoining residential property, which will have access to a public street, Oakridge Court, and is large enough to assure satisfactory operation of a conventional septic tank system. The proposed R-1A Single Family Residential zoning is a logical expansion of existing R-1A zoning to the west and south.

Planning Staff Recommendations

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

Condition:

1. The subject area shall be consolidated into an adjoining residential property zoned R-1A Single Family Residential.

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 Preference Plan Area, where rural small-lot residential uses are appropriate in very limited locations;
3. The subject area shall be consolidated into the adjoining residential property, which will have access to a public street, Oakridge Court;
4. The resulting property shall be large enough to assure satisfactory operation of a conventional septic tank system; and,
5. The proposed R-1A Single Family Residential zoning is a logical expansion of existing R-1A zoning to the west and south.