

DECEMBER 8, 2022

11143 HIGHWAY 56

ZONE CHANGE

From: R-1A Single Family Residential

To: A-U Urban Agriculture

Proposed Use: Agricultural

Acres: 6.606

Applicant: Benedict A. O'Bryan (2212.2241)

Surrounding Zoning Classifications:

North: A-U **South:** R-1A

East: R-1A & B-4 **West:** 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 Agriculture/Forestry Uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

(a) Conservation of agricultural topsoil – Agricultural topsoil should be conserved through appropriate farming practices.

(b) Sustain forests – Forested areas should be sustained through appropriate forestry practices.

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 21059CO230D.
- It appears that a portion of the subject property may be designated as additional farmland of statewide importance 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 on-site septic system.

Development Patterns

The subject property is a 6.606 acre agricultural property located near the intersection of Highway 56 and Highway 256.

The subject property is adjoined by A-U Urban Agriculture zoning to the north and west, R-1A Single-Family Residential zoning to the south, and R-1A Single-Family Residential and B-4 General Business zoning to the east.

All surrounding properties appear to be agricultural and residential in nature.

The applicant intends to consolidate the subject property with a portion of the farm to the west resulting in a 10.103 acre tract of land.

Highway 56, in this vicinity, is classified as a Major Collector roadway with a 60-foot building setback and a 30-foot roadway buffer each measured from the centerline of Highway 56.

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 community's adopted Comprehensive Plan. The agricultural topsoil will be conserved through appropriate farming practices and any forested areas will be sustained through appropriate forestry practices.

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 Agricultural/Forestry Uses are appropriate in general locations;
3. Agricultural topsoil will be conserved through appropriate farming practices; and,
4. Any forested areas will be sustained through appropriate forestry practices.