

APRIL 13, 2023

**PORTION OF 3584 THRUSTON DERMONT ROAD****ZONE CHANGE**

<b>From:</b> R-1A Single Family Residential	
<b>To:</b> A-U Urban Agriculture	
<b>Proposed Use:</b> Residential	
<b>Acreage:</b> 0.968	
<b>Applicant:</b> John Shelton & Denise Shelton (2304.2258)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> R-1A	<b>South:</b> R-1A
<b>East:</b> A-U	<b>West:</b> A-U & R-1A

**Proposed Zone & Land Use Plan**

The applicant is seeking an A-U Urban Agriculture zone. The subject property is located in an Urban Residential 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 & 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 21059CO143D.
- It appears that the subject property is not 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, water, and gas are available to the subject property. Sanitary sewage disposal is accomplished by an on-site septic system.

**Development Patterns**

The subject property is a 1.72-acre tract of land that is located along Thruston Dermont Road and zoned R-1A

Single Family Residential. The adjoining property to the rear, 4555 Honeysuckle Lane, is an existing 2.361-acre tract that is zoned A-U Urban Agriculture. The applicant intends to sell the rear portion of the subject property to the adjoining tract along Honeysuckle Lane. A minor subdivision plat has been submitted in conjunction with this rezoning and will be heard as a related item. As illustrated on the plat, the proposed division will leave the subject property at least 0.75 acres in size.

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 property. The proposal is not intended to create any additional lots. Both existing properties front along public roads, Thruston Dermont Road and Honeysuckle Lane. Both lots shall remain a minimum of 0.75-acres in size, large enough to assure satisfactory operation of conventional septic tank systems.

**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 the adjoining residential property zoned A-U Urban Agriculture.

**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 an Urban Residential Plan Area, where rural small-lot residential uses are appropriate in general locations;
3. The subject area shall be consolidated into the adjoining residential property – both, the subject property and the adjoining property will front along public roads, Thruston Dermont Road and Honeysuckle Lane;
4. The subject property shall remain large enough to assure satisfactory operation of a conventional septic tank system; and,
5. The proposed A-U Urban Agricultural zoning is a logical expansion of existing A-U zoning to the east.