

APRIL 13, 2023

7094 US HIGHWAY 231

ZONE CHANGE

From: B-4 General Business	
To: R-1A Single Family Residential	
Proposed Use: Single Family Residential	
Acreage: 2.651	
Applicant: Corey & Kirsty Thomas; Donna Wink Mitchell (2304.2259)	
Surrounding Zoning Classifications:	
North: A-U	South: A-U
East: A-U	West: R-1A

Proposed Zone & Land Use Plan

The applicant is seeking an R-1A Single Family Residential zone. The subject properties are 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 21059CO295 D.
- It does not appear 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 and water are available to subject properties. Sanitary sewage disposal is accomplished by an on-site septic system.

Development Patterns

The subject property is an existing 2.651-acre parcel with approximately 171-feet of road frontage along US Highway 231. This property is currently zoned B-4 General Business and is utilized as an existing antique store.

The applicant proposes to rezone the property to R-1A Single Family Residential and use the existing building as a residence. R-1A zoning can be found on the immediately adjoining properties to the west, and on additional properties further east on US Highway 231. The subject property is immediately adjoined by A-U Urban Agricultural zoning to the south and east. Additional A-U zoning can be found to the north (across US Highway 231).

US Highway 231, in this vicinity is classified as a Major Collector roadway with a 150-foot spacing standard for residential uses, as well as a 60-foot building setback and a 30-foot roadway buffer, each measured from the centerline of US Highway 231. The applicant should be made aware that this property is located outside of the Urban Service Area and is along a State Highway (US Highway 231) where access is regulated by the Kentucky Transportation Cabinet.

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 subject property has approximately 171-feet of frontage along a public road, US Highway 231. At 2.651 acres, the subject property 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.

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 along a public road, US Highway 231;
4. At 2.651 acres, the subject property is large enough to assure satisfactory operation of a conventional septic tank system for single family residential uses; and,
5. The proposed R-1A Single Family Residential zone is a logical expansion of existing R-1A zoning to the west.