

OCTOBER 5, 2023

8696 KINGFISHER LAKE ROAD

ZONE CHANGE

From:	R-1A Single Family
To:	A-R Rural Agriculture
Proposed Use:	Single Family Residential
Acreage:	1.439
Applicant:	Dita L. Thompson Neely; Kentucky Department of Fish & Wildlife Sources (2310.2273)
Surrounding Zoning Classifications:	
North:	R-1A
South:	A-R
East:	R-1A & A-R
West:	A-R

Proposed Zone & Land Use Plan

The applicant is seeking an A-R Rural Agriculture zone. The subject property is located in a Rural Community Plan Area, where rural large-lot residential uses are not generally recommended.

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 21059C0155D.
- It appears that the subject property is not designated as prime agriculture 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 will be accomplished by an on-site septic system.

Development Patterns

The subject property is an existing lot of record located across from Kingfisher Lake. At this time the applicant intends to rezone the property from R-1A Single Family Residential to A-R Rural Agriculture, and then consolidate the majority of the lot into the large farm tract to the rear which is currently zoned A-R and contains an existing residence. This consolidation plat will be heard by the OMPC as a related item to the proposed zone change.

The subject property is located in a Rural Community Plan Area where rural large-lot residential uses are not generally recommended. However, the existing farm tract to the rear is located in a Rural Maintenance Plan Area where rural large-lot residential uses are appropriate in limited locations if in compliance with the following criteria:

- **Separate, large, well-proportioned lots** – Each dwelling should be located on its own individual lot that fronts on a public road or street. Lots should be large enough in size and width to avoid the creation of excessive numbers of lots or odd-shaped lots.
- **Frontage only on existing roads or streets** – In Rural Maintenance plan areas, new lots may front upon existing public roads or streets. Public roads or streets should not be created or extended to provide for new lots.
- **Coal mining advisory** – Prospective lot owners should be advised of the potential for coal mining activity in rural areas.

Once consolidated into the adjoining farm to the south, the resulting lot will comply with above referenced criteria for rural large-lot residential uses within a Rural Maintenance Plan Area and, as such, the proposed A-R Rural Agriculture zoning is deemed appropriate.

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

Although the subject property is located within a Rural Community Plan Area where rural large-lot residential uses are not generally recommended, the intent is to consolidate the majority of the property into the farm tract to the south, which is located within a Rural Maintenance Plan Area where such uses are appropriate in limited locations. Once consolidated, the resulting lot will comply with all criteria for such uses within the Rural Maintenance Plan Area. Additionally, the proposed A-R Rural Agriculture zoning is a logical expansion of existing A-R zoning to the south. As such, the proposed A-R zoning is more appropriate than the existing R-1A Single Family Residential zoning.

Planning Staff Recommendations

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

Findings of Fact:

1. The subject property is located in a Rural Community Plan Area, where rural large-lot residential uses are not generally recommended. However, staff recommends approval because, with the intended property consolidation, the proposed A-R Rural Agriculture zoning is more appropriate than the existing R-1A Single Family Residential zoning;
2. Once consolidated into the farm tract to the south, the resulting property will maintain compliance with all criteria associated with rural large-lot residential uses within Rural Maintenance Plan Areas; and,
3. The proposed A-R Rural Agriculture zoning is a logical expansion of existing A-R zoning to the south, east and west.