

**FEBRUARY 8, 2024**

**PORTIONS OF 500 HARBOR CREST COVE**

**ZONE CHANGE**

<b>From:</b> A-U Urban Agricultural
<b>To:</b> R-1C Single Family Residential
<b>Proposed Use:</b> Residential
<b>Acreage:</b> 0.180
<b>Applicant:</b> Brekk Properties, LLC (2402.2283)
<b>Surrounding Zoning Classifications:</b>
<b>North:</b> A-U <b>South:</b> R-1C
<b>East:</b> R-1C <b>West:</b> A-U

**Proposed Zone & Land Use Plan**

The applicant is seeking an R-1C Single-Family Residential zone. The subject property is located in an Urban Residential Plan Area, where urban low-density residential uses are appropriate in limited locations.

**SPECIFIC LAND USE CRITERIA**

**(a) Building and lot patterns** – Building and lot patterns should conform to the criteria for “**Urban Residential Development**” (D6).

**(b) Existing, expanded or new sanitary sewers** – Urban low-density residential use should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be property established.

**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 21059CO116 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the OMU map dated 2015.
- A portion of the property may be 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 or other state and federal agencies as may be applicable.

**Urban Services**

The applicant's intent is to consolidate portions of the subject property with three adjoining residential lots. All urban services, including sanitary sewers, are available to the three properties.

**Development Patterns**

The subject property is a large farm tract that adjoins the subdivisions of Harbor Hills and Deer Haven. The subject property is currently zone A-U Urban Agriculture, meanwhile both adjoining neighborhoods are zoned R-1 C Single Family Residential.

At this time, three homes within Harbor Hills intend to purchase land from the subject property in order to deepen their residential lots. As a result, the applicant is proposing to rezone these portions of land from A-U Urban Agriculture to R-1C Single Family Residential to allow the proposed property divisions and consolidations. The plat has been submitted and will be heard as a related item.

Future changes to the properties shall comply with applicable portions of the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations. Before any construction activity takes place on the properties, 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. Sanitary sewer serves the lots which the subject areas will be consolidated into and the proposal is a logical expansion of existing R-1C Single Family Residential zoning located immediately south of the subject property.

**Planning Staff Recommendations**

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

**Condition:**

1. Obtain approval of a minor subdivision plat consolidating applicable portions of the subject property with the adjoining residential properties.

**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 within an Urban Residential Plan Area where urban low-density residential uses are appropriate in limited locations;
3. The proposed residential uses conform to the criteria for urban residential development;
4. The 0.180-acre portions of the subject property will be consolidated with existing lots within the adjoining residential subdivision, which are zoned R-1C Single Family Residential; and,
5. An existing sanitary sewer system serves the residential properties that the portions of the subject property will be consolidated into.