

**JUNE 13, 2024**

**416 JED PLACE**

**ZONE CHANGE**

<b>From:</b> B-4 General Business	
<b>To:</b> R-1C Single Family Residential	
<b>Proposed Use:</b> Residential	
<b>Acreage:</b> 0.122	
<b>Applicant:</b> Danny Calhoun (2406.2296)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> B-4	<b>South:</b> B-4
<b>East:</b> B-4 & R-1C	<b>West:</b> B-4

**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 uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established.

**Planning Staff Review**

**GENERAL LAND USE CRITERIA**

**Environment**

- It appears that the subject property may be 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 21059CO119D.
- The subject property is not located within the Owensboro Wellhead Protection area per the OMU map dated 2015.
- 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**

All urban services, including sanitary sewers, are available to the subject property.

**Development Patterns**

The subject property is an existing 0.122-acre vacant parcel that is zoned B-4 General Business. It is immediately adjoined by additional B-4 zoning on all four sides – north, south, east, and west. However, the adjoining property to the south, while zoned B-4, is a legal non-conforming residential use. Additional adjoining

properties to the east, across Jed Place, are zoned R-1C Single Family Residential and are utilized appropriately within the residential neighborhood. At this time, the applicant intends to construct a single family home and proposes to rezone the subject property to R-1C Single Family Residential, consistent with existing zoning across the street and land uses throughout the immediate vicinity.

It should be noted that, if approved, this proposal creates a situation in which unlike zones adjoin one another. As such, the subject property shall be responsible for maintaining a 10-foot wide landscaping easement consisting of a 6-foot tall continuous element and 1-tree per 40-linear-feet where adjoining B-4 General Business zoning.

Future changes to the subject property 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. The proposed single family residential use conforms the criteria for urban residential development and an existing sanitary sewer system is available to the subject property. Lastly, the proposal is a logical expansion of existing R-1C Single Family Residential zoning to the east, across Jed Place.

**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 an Urban Residential plan area, where urban low-density residential uses are appropriate in limited locations;
3. The proposed single family residential use conforms to the criteria for Urban Residential Development;
4. Existing sanitary sewer systems are available to the subject property; and,
5. The proposed R-1C Single Family Residential zoning is a logical expansion of existing R-1C zoning to the east, across Jed Place.