

# ZONE CHANGE STAFF REPORT

City-County Planning Commission  
1141 State Street  
Bowling Green, Kentucky 42101  
(270) 842-1953

**Summary:** The applicants are proposing to rezone 5.77 acres of property from **AG** (Agriculture) to **R-E** (Residential Estate) located on Bethel Lane in order to create three (3) single family residential lots. The applicants have agreed to certain site restrictions as outlined in the Binding Elements.

<p><b>Docket Number:</b> 2010-12-Z-CO</p> <p><b>Public Hearing Date:</b> May 6, 2010</p> <p><b>Pre-application Conference:</b> March 24, 2010</p>	<p><b>Owner(s):</b> Chris and Kelly Blevins</p> <p><b>Address:</b> 144 Proctor Trail Bowling Green, KY 42101</p>
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<p><b>Development Plan:</b> This zoning map amendment request was filed with a general development plan (Binding Elements).</p>	<p><b>Zone Map Amendment Request:</b> <b>FROM:</b> AG (Agriculture) <b>TO:</b> R-E (Residential Estate)</p>
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<p><b>Location of Proposed Zone Change:</b> Bethel Lane, approximately 403.5 feet east of the right-of-way of Goshen Church South Road.</p> <p><b>Acreage or Square Footage of Tract:</b> 5.77 Acres</p> <p><b>PVA Parcel Number:</b> 073A-29</p>	<p><b>Site District:</b> Rural Density Development District</p> <p><b>Focal Point:</b> 116 Louisville Road/I-65</p> <p><b>Development Status:</b> Stable</p> <p><b>Infra Status:</b> U (Sanitary sewer not available)</p> <p><b>Characteristics:</b> Agriculture/Open Space. Mostly agriculture but with scattered low density single family residential.</p>
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<p><b>Existing Land Use:</b> Vacant</p> <p><b>Zoning History:</b> AG (Agriculture) is the original zoning.</p> <p><b>Surrounding Zoning, Land Use, and Subdivisions:</b> See attached maps.</p>	<p><b>Soil Analysis:</b>  <b>Approx. 50% BaC:</b> Baxter gravelly silt loam, 6-12% slopes  <b>Approx. 43% BaD:</b> Baxter gravelly silt loam, 12-20% slopes  <b>Approx. 7% BaB:</b> Baxter gravelly silt loam, 2-6% slopes</p> <p><b>Flood Plain:</b> The property is not located in the 100-year flood area according to FEMA FIRM map # 21227C0335 E.</p>
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<p><b>Traffic Considerations:</b> The property has frontage on Bethel Lane, a County maintained rural roadway with fifty feet (50') of right-of-way and sixteen feet (16') of pavement width.</p>	<p><b>Additional Documentation Required:</b></p> <p><u>  N/A  </u> Traffic Impact Analysis</p> <p><u>  N/A  </u> Environmental Assessment</p> <p><u>  X  </u> Fire Protection Requirement Threshold Waiver.</p>
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<p><b>Water:</b> There is no waterline along Bethel Lane; however, a 4" waterline providing less than 250 GPM with less than 20 PSI is available along Goshen Church South Road. This does not meet the minimum fire control standards of Warren County; however a waterline will have to be extended from Goshen Church Road to serve the property. The applicant has submitted a signed Fire Protection Threshold Waiver.</p>	<p><b>Sewer:</b> There are no public sanitary sewers available within 1,500 feet of this property; on-site septic systems will be utilized. The applicants should contact the Barren River District Health Department for the approval of a site evaluation prior to the issuance of a building permit.</p>
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## DEVELOPMENT PLAN REVIEW

**Items of concern:**

<b>Comprehensive Plan Element:</b>	<b>Application:</b>
<p><b>Intended use of the property and building(s).</b></p> <p><b>Maximum density level, intensity of use, or maximum number of lots.</b></p>	<p>The applicants are proposing to rezone 5.77 acres of property from <b>AG</b> (Agriculture) to <b>R-E</b> (Residential Estate) located on Bethel Lane in order to adjust several lot lines with properties that are currently adjacent to the property. The applicants will also create three (3) single family residential lots with sizes ranging from 1.91 acres to 1.94 acres.</p>
<p><b>General location of internal streets and travelways, average daily trips (ADT) generated by the proposed use, access points to existing streets and parking.</b></p>	<p>The applicants are proposing three (3) additional building lots for residential use and access to each lot should be approved by the Warren County Road Department prior to the issuance of a building permit.</p>

- *Adequate Fire Protection;*
- *Compatibility with surrounding properties;*
- *Total number of residential lots.*

**COMPREHENSIVE PLAN COMPLIANCE**

Comprehensive Plan Policy:	Application:
<b><u>LU-1A-2</u></b> In preparing a general development plan, surrounding property owners must be consulted prior to submitting a zone change request to the Planning Commission.	The Staff recommends to all applicants that they contact adjacent neighbors prior to the public hearing or have a neighborhood meeting. No information of a neighborhood meeting was forwarded to the Planning Commission Staff.
<b><u>LU-4C-1</u></b> Rural density single family detached residential development may occur throughout Warren County on appropriately zoned AG, RR, and RE lots. Minimum lot sizes in these districts should be exclusive of drainage easements and flood plain areas.	The subject property shall be developed into individual lots for single family residences with a maximum of three (3) lots; and a minimum lot size of one and a half (1.5) acres. (Binding Element I)
<b><u>LU-4C-2</u></b> Rural Density Residential development must be provided with public water supply with greater than 250 GPM and 20 PSI residual pressure.	<p>There is no waterline along Bethel Lane; however, a 4" waterline providing less than 250 GPM with less than 20 PSI is available along Goshen Church South Road.</p> <p>According to the Warren County Water District, the long range capital plan does include a waterline extension from Goshen Church South Road to Carl Jordan Road along Bethel Lane. The applicants have agreed that in the event that the Warren County Water District does not extend a waterline along Bethel Lane; the property owner will be responsible for extending the waterline to the subject property prior to the issuance of a building permit. (Binding Element V)</p>
<b><u>LU-4C-3</u></b> On-site waste disposal systems must be approved by the Barren River District Health Department prior to the issuance of a building permit.	There are no public sanitary sewers available within 1,500 feet of this property; on-site septic systems will be utilized. The applicants should contact the Barren River District Health Department for the approval of a site evaluation prior to the issuance of a building permit.
<p><b><u>LU-4A-9</u></b> Residential development should not exceed density of surrounding developments by more than 50 percent.</p> <p><b><u>LU-4C-4</u></b> Lot sizes, lot widths and building setbacks in new rural density residential development should reflect the overall pattern of development in the surrounding area.</p> <p><b><u>LU-4C-5</u></b> All rural density residential development should maintain existing natural physical features such as woods, streams, green areas, etc. as open space.</p>	<p>As can be seen from the attached zoning map, there are lots of similar size in the general vicinity. (See Attached Zoning Map)</p> <p>All principal structures located on any lot shall have a foundation of either a split faced block or brick foundation. (Binding Element IV)</p> <p>All accessory structures shall be constructed with a similar exterior material to the primary structure. (Binding Element III)</p> <p>No additional changes are proposed at this time.</p>
<b><u>TR-2</u></b> Measures must be taken to ensure that all private and public development is undertaken in a manner which minimizes increased traffic congestion on existing streets, roads and intersections.	<p>The property has frontage on Bethel Lane, a County maintained rural roadway with fifty feet (50') of right-of-way and sixteen feet (16') of pavement width.</p> <p>Any new access points shall be approved by the Warren County Road Department prior to the issuance of a building permit. (Binding Element II)</p>

## STAFF REVIEW AND RECOMMENDATION

The Staff finds that the proposed **zoning** is in agreement with the adopted Comprehensive Plan and recommends that the Zoning Map Amendment, together with the General Development Plan, be **APPROVED**.

### MOTIONS

I make the motion to **approve** the proposed zoning map amendment, together with and conditioned upon the General Development Plan, docket number, **2010-12-Z-CO**. My motion is based on the findings of fact as presented in the staff report, and the testimony presented in this public hearing, that the zoning map amendment is in agreement with the adopted Comprehensive Plan as demonstrated by its compliance with the Comprehensive Plan's following Policies:

***LU-1A-2;***

***LU-4A-9;***

***LU-4C-1, 3, 4 & 5;***

***and TR-2.***

Further, I request that the findings of fact and recommendation include a summary of the evidence and testimony presented by the proponents and/or opponents of the proposed amendment.

### OR

I make a motion to **deny** the proposed zoning map amendment, docket number **2010-12-Z-CO**. My motion is based on the findings of fact as presented in the staff report and the testimony as presented in this public hearing that the zoning map amendment is **not** in agreement with the adopted Comprehensive Plan as demonstrated by its non-compliance with the Comprehensive Plan's following Policies:

***(State specific policies such as :)***

***LU-4C-2***

Further, I request that the findings of fact and recommendation include a summary of the evidence and testimony presented by the proponents and/or opponents of the proposed amendment.