

ZONE CHANGE STAFF REPORT

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

Summary: The applicant is proposing to rezone property from **AG** (Agriculture) to **R-E** (Residential Estate) in order to modify certain property lines and create three (3) single family residential lots. The applicants have agreed to certain site restrictions as outlined in the Binding Elements.

Docket Number: 2010-15-Z-CO
Public Hearing Date: May 20, 2010
Pre-application Conference: March 26, 2010

Owner: Ruth M. Hunton\ Gail Hunton - POA
 258 Kettlestick Road
 (formerly Cox Cemetery Road)
 Rockfield, KY 42274

Development Plan:
 This zoning map amendment request was filed with a general development plan (Binding Elements).

Zone Map Amendment Request:
FROM: AG (Agriculture)
TO: R-E (Residential Estate)

Location of Proposed Zone Change:
 Blue Level – Providence Road, approximately 265 feet from the intersection of Kettlestick Road (formerly Cox Cemetery Road)
Acreage or Square Footage of Tract:
 3.487 acres
PVA Parcel number:
 028B-33-003 and a portion of 028B-33

Site District: Rural Conservancy District
Focal Point: 111-2 Hillwood
Development Status: Stable
Infra Status: U (Sanitary sewers unavailable)
Characteristics: Agriculture/Open Space. Rural conservancy will little pressure for development.

Existing Land Use: Agriculture/ Vacant
Zoning History: Agriculture is the original zoning.
Surrounding Zoning, Land Use, and Subdivisions:
 See attached maps.

Soil Analysis:
100% ZaB: Zanesville silt loam, 2-6% slopes
Flood Plain:
 The property is not located in the 100 year flood area according to FEMA FIRM map #21227C0285 E.

Traffic Considerations: The property has frontage on Blue Level – Providence Road, a county maintained rural roadway with fifty feet (50') of right-of-way and sixteen feet (16') of pavement width.

Additional Documentation Required:
N/A Traffic Impact Study
N/A Environmental Assessment
N/A Fire Protection Requirement Threshold Waiver.

Water:
 A 6" waterline providing over 250 GPM at over 20 PSI is available along Blue Level – Providence Road. An additional 3" waterline providing over 250 GPM at over 20 PSI is also available along the roadway. These lines are adequate for domestic uses and to meet the minimum fire control standards of Warren County.

Sewer:
 There are no sanitary sewers within 1,500 feet of the property; on-site septic systems will be utilized.

DEVELOPMENT PLAN REVIEW

Comprehensive Plan Element:	Application:
<p>Intended use of the property and building(s).</p> <p>General placement of the building(s), maximum height of the building(s), and the bulk of the building(s).</p>	<p>The applicant is proposing to rezone property from AG (Agriculture) to R-E (Residential Estate) in order to modify certain property lines and create three (3) single family residential lots.</p> <p>Each residential structure shall be a minimum of 1,200 square feet, exclusive of open patios, porches, garages, breezeways and basements. No manufactured or mobile homes will be permitted on the property.</p>
<p>Maximum density level, intensity of use, or maximum number of lots.</p>	<p>The proposed lots sizes range from 1.001 acres to 1.377 acres. The applicant has committed to limiting the property to three (3) single-family residential lots.</p>
<p>General location of internal streets and travelways, average daily trips (ADT) generated by the proposed use, access points to existing streets and parking.</p>	<p>The proposed lots will have three (3) new individual access points onto Blue Level – Providence Road. The applicant should consult (prior to platting) with the County Road Department to assure driveway locations can be located on the proposed lots.</p>

Items of Concern:

- *Compatibility with surrounding properties;*
- *Driveway access point for each lot.*

COMPREHENSIVE PLAN COMPLIANCE

Comprehensive Plan Policy:	Application:
<p><u>LU-1A-2</u> In preparing a general development plan, surrounding property owners must be consulted prior to submitting a zone change request to the Planning Commission.</p>	<p>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.</p>
<p><u>LU-4C-1</u> 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.</p>	<p>The applicant is proposing to rezone property from AG (Agriculture) to R-E (Residential Estate) in order to modify certain property lines where the property shall be limited to three (3) single-family residential lots. (Binding Element V)</p> <p>The proposed lots sizes range from 1.001 acres to 1.377 acres.</p>
<p><u>LU-4C-2</u> Rural Density Residential development must be provided with public water supply with greater than 250 GPM and 20 PSI residual pressure.</p>	<p>A 6” waterline providing over 250 GPM at over 20 PSI is available along Blue Level – Providence Road. An additional 3” waterline providing over 250 GPM at over 20 PSI is also available along the roadway. These lines are adequate for domestic uses and to meet the minimum fire control standards of Warren County.</p>
<p><u>LU-4C-3</u> On-site waste disposal systems must be approved by the Barren River District Health Department prior to the issuance of a building permit.</p>	<p>There are no sanitary sewers within 1,500 feet of the property; on-site septic systems will be utilized.</p>
<p><u>TR-2</u> 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>	<p>Each lot shall be limited to one access point to the public road(way). (Binding Element II)</p>

COMPREHENSIVE PLAN COMPLIANCE (continued)

Comprehensive Plan Policy:	Application:
<p><u>LU-4A-4</u> Future growth and development must not jeopardize existing neighborhoods. Therefore, future growth and development shall be compatible with adjacent properties and neighborhoods with respect to (but not limited to) scale, identity, bulk, and site planning.</p>	<p>As can be seen from the attached zoning map, lots in this area range in size from 0.4 acres to 145.6 acres with an average lot area of 14.04 acres. (See Attached Zoning Map)</p> <p>The total floor living area of the main structure upon any lot, exclusive of open patios, porches, breezeways, and basements shall not be less than 1,200 square feet. (Binding Element III)</p>
<p><u>LU-4A-9</u> Residential development should not exceed density of surrounding developments by more than 50 percent.</p>	<p>The proposed lots sizes range from 1.001 acres to 1.377 acres.</p>
<p><u>LU-4C-4</u> 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>There shall be no manufactured (or) mobile homes placed on the property. (Binding Element I)</p> <p>No block foundation may be exposed. (Binding Element IV)</p>
<p><u>LU-4C-5</u> All rural density residential development should maintain existing natural physical features such as woods, streams, green areas, etc. as open space.</p>	<p>No additional changes are proposed at this time.</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, **2010-15-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-4 & 9;
LU-4C-1, 2, 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 **2010-15-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-4A-9 & LU-4C-4

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.