

JUNE 12, 2014

**PORTION OF 5850-6000 BLK HAYDEN  
BRIDGE RD****ZONE CHANGE**

<b>From:</b> EX-1 Coal Mining	
<b>To:</b> A-R Rural Agriculture	
<b>Proposed Use:</b> Rural Residential	
<b>Acreage:</b> 8 +/-	
<b>Applicant:</b> Thomas R. & Debra T. Osborne (1406.1907)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> EX-1, A-R	<b>South:</b> A-R
<b>East:</b> A-R	<b>West:</b> 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 Maintenance Plan Area, where rural large-lot residential uses are appropriate in limited locations.

**SPECIFIC LAND USE CRITERIA**

**(a) 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.

**(c) Frontage only on existing roads or streets** – In Rural Maintenance plan areas, new lots should front upon existing public roads or streets. Public roads or streets should not be created or extended to provide for new lots.

**(d) Coal mining advisory** – Prospective lot owners should be advised of the potential for coal mining activity in rural areas.

**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 dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO235 D.
- 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**

Electricity, water and gas are existing to the subject property. Sanitary sewage disposal is accomplished by an on-site septic system.

**Development Patterns**

The subject property is a large tract that is located in an area of scattered rural residences and mining activity. As stated in the applicant's findings, the property was zoned

for mining purposes but no mining activity ever took place on the property. This eight acre portion of the subject property is to be divided off the larger farm and consolidated with property along Horrell Road creating an 18.54 acre tract with an existing single family residence and a single access to Horrell Road. A minor subdivision plat dividing and consolidating the properties has been submitted to the Planning office for approval.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The subject property is a portion of larger farm tract that is to be consolidated with property along Horrell Road and will have access to Horrell Road, no new streets are proposed.

**Planning Staff Recommendations**

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

**Condition:**

Approval of a minor subdivision plat dividing and consolidating the property.

**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 a Rural Maintenance Plan Area, where rural large-lot residential uses are appropriate in limited locations;
3. The subject property will have access to Horrell Road with no new roads proposed;
4. Strip-mining activity never took place on the property; and,
5. The Owensboro Metropolitan Zoning Ordinance Article 12a.31 requires that property shall revert to its original zoning classification after mining.