

APRIL 13, 2017

5850-6000 BLOCK HAYDEN BRIDGE RD

**ZONE CHANGE**

<b>From:</b> EX-1 Coal Mining	
<b>To:</b> A-R Rural Agriculture	
<b>Proposed Use:</b> Agricultural	
<b>Acreage:</b> 144.125	
<b>Applicant:</b> Thomas R. & Debra T. Osborne (1704.1993)	
<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 agricultural land uses are appropriate in general locations.

**SPECIFIC LAND USE CRITERIA**

**(a) Conservation of agricultural topsoil** – Agricultural topsoil should be conserved through appropriate farming practices.

**(b) Sustain forests** – Forested areas should be sustained through appropriate forestry practices.

**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 Maps 21059CO235D & 21059CO255D.
- It appears that the property is not 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, the EPA, the OMPC building/electrical/HVAC division or other state and federal agencies as may be applicable.

**Urban Services**

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

**Development Patterns**

The subject property is a 144.125 acre heavily forested tract with road frontage on Hayden Bridge Road. There are no structures on the property. Land uses in the vicinity are rural residential, agricultural and coal mining. According to the applicant's findings, mining activity has long since ceased and the site is ready to revert back to

the original zoning classification. The applicant has stated they wish to maintain the woodland character of this property and practice topsoil conservation when applicable.

Any future changes to the property would have to comply with applicable portions of the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations, as well as obtain any necessary permits, if required.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. Agricultural topsoil will be conserved through appropriate farming practices when applicable. Forested areas will be sustained through appropriate forestry practices. Mining activity has ceased on the property and it is ready to revert back to its original zoning classification.

**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 a Rural Maintenance Plan Area where agricultural land uses are appropriate in general locations;
3. Agricultural topsoil will be conserved through appropriate farming practices when applicable;
4. Forested areas will be sustained through appropriate forestry practices;
5. Mining activity has ceased on the property and it is ready to revert back to its original zoning classification; and
6. The Owensboro Metropolitan Zoning Ordinance Article 12a.31 requires that property shall revert to its original zoning classification after mining.