

JANUARY 10, 2002

10651 KY 144

ZONE CHANGE

From: EX-1 Coal Mining

To: A-R Rural Agriculture

Acreage: 15 ± acres

Applicant: Dennis Buck, James D. Payne
(0201.1464)

Property Zone Existing Use	to North A-R Rural Residential	
to West EX-1 Pastureland	Subject EX-1 → A-R Rural Residential	to East A-R Rural Residential
	to South A-R Rural Residential/ farm land	

GENERAL LAND USE CRITERIA

Apply, if marked below:

Described in Comprehensive Plan on pages 445-448

Environmental ☒

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

Urban Services ⌘

- U1** Roadway Capacity
- ⌘ **U2** Electricity Supply
- ⌘ **U3** Water Supply
- ⌘ **U4** Stormwater Disposal
- ⌘ **U5** Sanitary Sewage Disposal

Development Patterns ♦

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- ♦ **D6** Residential Development
- D7** Non-Residential Development
- D8** Building Quality

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 farm residential uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

- (a) **Large tracts with agricultural potential** – Each dwelling should be located on a separate, large tract that has potential for productive agricultural use.
- (b) **Access to existing public road via private drive** – Each dwelling/tract should have access to an existing public road; public roads should not be created or extended to provide access. Access should be provided via private drives. No more than two dwellings/tracts should share a single private drive where it connects with a public road.

Applicant's Findings

The existing zoning is inappropriate and the proposed zoning is appropriate.

The property was partially mined several years ago and has since been reclaimed and used for residential purposes.

The subject property is located in the Rural Maintenance Plan Area and is large enough in size and width to avoid the creation of odd-shaped lots and contains sufficient road frontage to allow for the creation of new lots without the construction of new streets.

Planning Staff Review

The subject property is located in the 10601 block of KY 144 with frontage also on St. Lawrence Rd. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

No important environmental criteria apply to the subject property.

Urban Services

Water and electricity are available to the subject property. The site is served by an on-site septic system.

Development Patterns

The subject property adjoins A-R Rural Agriculture zoning to the north, east and south. Rural residential uses also adjoin the subject property to the north, east and south. The property to the west is zoned EX-1 Coal Mining and is currently used as pastureland.

A rural residence is located on the subject property and the property has been used for residential purposes. Mining activity on the subject property has ceased and the applicant proposes that the property be zoned back to A-R Rural Agriculture.

SPECIFIC LAND USE CRITERIA

The proposed zoning change from EX-1 Coal Mining to A-R Rural Agriculture is appropriate. There are no current coal mining activities on the property. An existing rural residence is located on the subject property. The subject property is adjacent to A-R Rural Agriculture properties and rural residential uses to the north, east and south. The subject property is a large, separate tract that has potential for productive agricultural use. The existing tract has frontage on existing public roads.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the adopted Comprehensive Plan. Findings of fact in support of this recommendation are as follows:

1. The subject property is located in a Rural Maintenance Plan Area, where rural farm residential uses are appropriate in general locations;
2. The subject property is adjacent to A-R Rural Agriculture zoning and rural residential uses;
3. An existing rural residence is currently located on the subject property;
4. There are no current coal mining activities on the subject property;
5. The subject property has frontage on existing public roads; and,
6. The subject property consists of a large separate tract that has potential for productive agricultural use.