

AUGUST 14, 2003

6315 THROUGH 6671 HORRELL RD

ZONE CHANGE

From: EX-1 Coal Mining		
To: A-R Rural Agriculture		
Acreage: 34.4 acres		
Applicant: Charles J. Kamuf and Linda Kamuf (0308.1525)		
Property Zone Existing Use	to North EX-1 Agricultural	
to West A-R Agricultural	Subject EX-1 ⇌ A-R Vacant	to East A-R Agricultural
	to South A-R Agricultural	

**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 Agricultural 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 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.
- (b) **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.
- (c) **Coal mining advisory** Prospective lot owners should be advised of the potential for coal mining activity in rural areas.

Applicant's Findings

The proposed rezoning is in accord with the Comprehensive Plan. The subject property is presently zoned EX-1 Coal Mining, and the mining operation has ceased, and the property has been reclaimed to an agricultural use. According to the Comprehensive Plan and zoning ordinance, the subject property should be rezoned to its original zoning classification of A-R.

Planning Staff Review

The subject property is located in the 6301 through 6601 blocks of Horrell Rd, located on the north side of Horrell Rd. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

The subject property contains some steep slopes. No other important environmental criteria apply to the subject property.

Urban Services

All urban services are available to the site, with the exception of sanitary sewer. The subject property will be served by on-site septic systems.

Development Patterns

The subject property adjoins agricultural property on all sides. Property to the north of the subject property is zoned EX-1 Coal Mining, but mining activities have ceased. The applicant is proposing to sell large lots for residential use. A major/minor subdivision has been reviewed, which required the surety for fire hydrants to provide fire protection for the lots created. Mining activities have ceased in this area and the applicant wishes to zone the property back to A-R Rural Agriculture in accordance with the Owensboro Metropolitan Zoning Ordinance, Article 12a.31.

SPECIFIC LAND USE CRITERIA

Each lot is large, well proportioned, and has adequate frontage on Horrell Rd, a public road. No new streets are proposed.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. Findings of fact in support of this recommendation include:

Findings of Fact:

1. The subject property is located in a Rural maintenance Plan Area, where rural large-lot residential uses are appropriate in limited locations;
2. Each lot will have frontage on Horrell Rd and no new streets will be created;
3. Mining activities have ceased on the subject property; and,
4. The Owensboro Metropolitan Zoning ordinance, Article 12a.31 requires that the property shall revert to its original zoning classification after mining.