

DECEMBER 11, 2003

PORTION OF 591 KY 140 E

ZONE CHANGE

From: EX-1 Coal Mining		
To: A-R Rural Agriculture		
Acreage: 19.0 acres		
Applicant: Keavin Hayden, Ellen Hayden (0312.1542)		
Property Zone Existing Use	to North A-R Agriculture	
to West A-R Agriculture	Subject EX-1 → A-R Agriculture	to East A-R Manufactured home
	to South A-R Single-Family Residence, lake	

**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 agricultural uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

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

Applicant's Findings

This proposal is for a portion of the property located at 591 KY 140 East. The proposal is in compliance with the Comprehensive Plan. In 1989 the property in consideration was rezoned from A-R Rural Agriculture to EX-1 Coal Mining for the purpose of anticipated mining of coal. The coal was mined the same year and the property reclaimed. We are now proposing that the property zoning revert to A-R Rural Agriculture zoning classification.

Planning Staff Review

The subject property is located in the 501 block of KY 140 E at the northwest corner of KY 140 E and Greenbriar Road. 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.

Development Patterns

The applicant's findings above adequately address this section.

SPECIFIC LAND USE CRITERIA

The property is located in a Rural Maintenance Plan. Agricultural uses are appropriate in general locations. The Owensboro Metropolitan Zoning Ordinance requires that property be zoned back to its original zoning classification once mining activities have ceased and the property has

been reclaimed. Topsoil can be conserved through appropriate farming practices.

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 are as follow:

1. The subject property is located in a Rural Maintenance Plan Area, where agricultural uses are appropriate in general locations;
2. Coal mining activities have ceased on the subject property; and,
3. The Owensboro Metropolitan Zoning Ordinance requires that property revert to its original zoning classification once mining activities have ceased.