



NOVEMBER 11, 2004

6617 STEVENS SCHOOL ROAD

ZONE CHANGE

From: EX-1 – Coal Mining		
To: A-R – Rural Agriculture		
Acreage: 7.37 acres		
Applicant: Dennis & Donna Mills (0411.1580)		
Property Zone Existing Use	to North A-R Single Family, Wooded	
to West EX-1 Single Family	Subject EX-1 ➔ A-R Single Family	to East A-R Single Family
	to South A-R Vacant	

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 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 shall 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.

Applicant's Findings

The proposed rezoning amendment is in compliance with the comprehensive plan. Mining operations have ceased and the property has been reclaimed and is now ready to be rezoned to EX-1 (Mining) to an A-R (Rural Agriculture) zone.

Planning Staff Review

The subject property is located in the 6600 block of Stevens School Road. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

According to a study prepared by the US Department of Agriculture Soil Conservation Service dated March 6, 1990, it appears that the subject property is not in a wetlands area. The subject property does not appear to be in a special flood hazard area per FIRM Map 21059CO320C. It appears that the subject property is not designated a prime agricultural land according to the "Important Farmlands" map created by the US Department of Agriculture Soil Conservation Service dated March 1980. The developer is responsible for obtaining permits as may be required by the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

It appears that the subject property is outside the Owensboro Wellhead Protection area according to a map created by the GRADD office dated March 1999.

Urban Services

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

Development Patterns

The subject property is located in a predominately agricultural area with scattered rural large-lot residential uses. The applicant is proposing to construct a home on the subject property. In accordance with Owensboro Metropolitan Zoning Ordinance Article 12a.31, the applicant must return the property to the previous zoning after mining activities have ceased and before a building permit can be issued for construction of a new residence.

SPECIFIC LAND USE CRITERIA

The subject property has adequate frontage on Stevens School Road, a publicly maintained road within the Daviess County roadway system, and no new streets are proposed.

Planning Staff Recommendations

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

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. The subject property is a separate lot of record with frontage on a public road and no new roads or streets are proposed;
3. Mining activities on the subject property have ceased; and,
4. The Owensboro Metropolitan Zoning Ordinance Article 12a.31 requires that property shall revert to its original zoning classification after mining.