

JULY 9, 2020

3139 RUSSELL ROAD

ZONE CHANGE

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| From: EX-1 Coal Mining |
| To: A-R Rural Agriculture |
| Proposed Use: Rural Residential |
| Acreage: 24.298 |
| Applicant: Kristopher M. Trogden (2007.2126) |
| Surrounding Zoning Classifications: |
| North: EX-1 South: A-R |
| East: EX-1 West: EX-1 |

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 should 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.

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 Map 21059C0410D.
- It appears that the subject property is 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 and water are available to subject property. Sanitary sewage disposal is accomplished by an on-site septic system.

Development Patterns

The subject property is a 24.298 acre parcel that is zoned EX-1 Coal Mining; and currently contains a single family residential dwelling and several accessory structures. Mining activity has ceased and the property is ready to revert back to the original zoning classification.

Surrounding properties to the north and east are zoned EX-1 Coal Mining and contain vacant farmland and pasture land. The property to the south of the subject property is zoned A-R Rural Agriculture and consists of vacant woods. The adjacent properties to the west are zoned EX-1 Coal Mining and contain several rural large lot single family residential uses.

Any future changes to the property will have to comply with applicable portions of the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations. Before any construction activity takes place on the property, the OMPC Building, Electrical and HVAC department shall be contacted regarding any necessary permits, inspections and certificates of occupancy and compliance.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. At 24.298 acres, the parcel is a large, well proportioned lot. The subject property has frontage on a public road, Russell Road, with no new roads proposed. 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 rural large-lot residential uses are appropriate in limited locations;
3. The 24.298 acre parcel is a large, well-proportioned lot;
4. The subject property has access to Russell Road, a public road, with no new roads proposed;
5. Strip-mining activity has ceased; and,
6. The Owensboro Metropolitan Zoning Ordinance Article 12a.31 requires that property shall revert to its original zoning classification after mining.