

DECEMBER 10, 2020**3580 GIRL SCOUT ROAD****ZONE CHANGE**

From: EX-1 Coal Mining	
To: A-R Rural Agriculture	
Proposed Use:	Agricultural and Residential
Acreage:	23.9
Applicant:	H&E Acres, LLC (2012.2143)
Surrounding Zoning Classifications:	
North: A-U	South: EX-1
East: EX-1	West: A-R

Proposed Zone & Land Use Plan

The applicant is seeking an A-R Rural Agriculture zone. The subject property is located in a Rural Community Plan Area, where Agriculture/Forestry uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA**(a) Conservation of agriculture topsoil –**

Agricultural topsoil should be conserved through appropriate farming practices.

(b) Sustain forests – Forested areas should be sustained through appropriate forestry practices.

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 and 210590430D.
- It appears that the subject property may be 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 shall be accomplished by an on-site septic system.

Development Patterns

The subject property is a largely-wooded, 23.9 acre parcel that is zoned EX-1 Coal Mining. It appears as

though mining activity never took place at the subject property and the property is ready to revert back to an agricultural zoning classification.

The applicant intends to utilize the property for agricultural and residential uses. The proposed agricultural and residential activities are expected to sustain much of the agricultural topsoil and forested areas located on the subject property.

Surrounding properties to the west are zoned A-R Rural Agriculture and appear to be residential and agricultural in nature. Meanwhile, the adjoining property to the north, across Girl Scout Road, is zoned A-U Urban Agriculture and appears to be a large residential and agricultural property. The adjoining properties to the east and south are zoned EX-1 Coal Mining and appear to have existing single family residences on each property.

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. There is no active strip mining on the subject property. The proposed activity is expected to sustain much of the agricultural topsoil and forested areas located on the subject property.

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 Community Plan Area, where agriculture and forestry uses are appropriate in general locations;
3. The proposed agricultural and residential uses are expected to sustain the existing agricultural topsoil and forested areas located on the subject property; and,
4. There is no active strip mining on the subject property and so the zoning ordinance recommends that the property shall revert back to an agricultural zoning classification.