

**MAY 13, 2021**

**4379 RIDGE ROAD**

**ZONE CHANGE**

**From:** EX-1 Coal Mining

**To:** A-R Rural Agriculture

**Proposed Use:** Residential

**Acreage:** 68.000

**Applicant:** Brandon Lanham; Bryan and Linda Langford (2105.2167)

**Surrounding Zoning Classifications:**

**North:** EX-1                      **South:** EX-1, 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 farm residential uses are appropriate in general locations.

**SPECIFIC LAND USE CRITERIA**

**(a) Large tracts with agricultural potential –**

Each dwelling should be located on a separate, large tract that has potential for productive agricultural use.

**(b) Access to existing public roads via private drive –**

Each dwelling/tract should have access to an existing public road; public roads should not be created or extended to provide access. Access should be provided via private drives. No more than two dwellings/tracts should share a single private drive where it connects with a public road.

**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 21059CO170D.
- 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, water and gas are available to the subject property. Sanitary sewage disposal is accomplished by an on-site septic system.

**Development Patterns**

The subject property is a large, existing tract of land that is land-locked and totals 68.000 acres in size. There is an existing home on the property which is addressed from Ridge Road and accessed through a platted ingress/egress easement stemming from Ridge Road.

The subject property is currently zoned EX-1 Coal Mining, as are most of the adjoining properties. Other properties in the immediate vicinity are zoned A-R Rural Agriculture and consist of agricultural and residential uses. There is no active coal mining on the subject property and so the applicant intends for the zoning classification to revert back to the agricultural zone in order to allow residential uses.

Any future changes to the property shall 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 68.000 acres, the subject property is large enough to provide potential for productive agricultural uses. Although the subject property does not have frontage along a public road, it is an existing tract of land that has access to Ridge Road through a platted ingress/egress easement and, as such, no new roads are proposed with this request. 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 farm residential uses are appropriate in general locations;
3. At 68.000 acres, each subject property is large enough in size to provide the potential for productive agricultural uses;
4. Although the subject property does not have frontage along a public road, it is an existing tract of land that has access to Ridge Road through a platted ingress/egress easement and, as such, no new roads are proposed with this request;
5. Strip-mining activity on the property has ceased; and,
6. The Owensboro Metropolitan Zoning Ordinance Article 12a.31 requires that the property shall revert to its original zoning classification after mining.