

JANUARY 12, 2023

11911 HIGHWAY 951

ZONE CHANGE

From: EX-1 Coal Mining	
To: A-R Rural Agriculture	
Proposed Use:	Crop Land
Acreage:	3.556
Applicant:	Timothy Sheldon; Marijane Sheldon (2301.2247)
Surrounding Zoning Classifications:	
North: A-R, EX-1	South: EX-1
East: A-R	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 agriculture/forestry uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

(a) Conservation of agricultural 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 map dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO180D.
- It appears that the subject property is not designated as prime agriculture 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 properties. Sanitary sewage disposal will be accomplished by an on-site septic system.

Development Patterns

The subject property is a 3.556-acre parcel of land that is located along Highway 951, between Highway 1389 and the intersection of Highway 951 and Highway 1513.

All surrounding properties are zoned either EX-1 Coal Mining or A-R Rural Agriculture and appear to be agricultural and residential in nature.

There is no active coal mining on the subject property and so, at this time, the applicant is proposing to rezone the property to be entirely A-R. The applicant intends to consolidate the subject property with the existing A-R property to the north resulting in a 125.556-acre farm.

As a large farm property, the agricultural topsoil should be conserved through appropriate farming practices, and the existing forested areas should be sustained through appropriate forestry practices.

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. The agricultural topsoil will be conserved through appropriate farming practices and any forested areas will be sustained through appropriate forestry practices.

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 Agricultural/Forestry uses are appropriate in general locations;
3. Agricultural topsoil will be conserved through appropriate farming practices; and,
4. Any forested areas will be sustained through appropriate forestry practices.