

MAY 8, 2025

4660 FREE SILVER ROAD

ZONE CHANGE

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|---|-------------------|
| From: EX-1 Coal Mining | |
| To: A-R Rural Agriculture | |
| Proposed Use: Residential | |
| Acreage: 10.29 | |
| Applicant: Brandon Lanham, Western Kentucky Leasing; Barry & Alice Bickett (2505.2316) | |
| Surrounding Zoning Classifications: | |
| North: A-R & EX-1 | South: A-R |
| 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 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 may 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 map dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059C0170E.
- 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 property. Sanitary sewage disposal will be accomplished by on-site septic systems.

Development Patterns

The subject property is an existing 10+ acre lot with over 500-feet of road frontage along Free Silver Road, just south of the Pence Road intersection. The subject property is zoned EX-1 Coal Mining; however, with no active mining on the property, the applicant is proposing to rezone the property to A-R Rural Agriculture in order to construct a single family residence.

Adjoining properties to the south and to the east (across Free Silver Road) are zoned A-R Rural Agriculture. Meanwhile, the adjoining property to west (which fronts along Ridge Road) is zoned EX-1 Coal Mining. The immediately adjoining properties to the north are primarily zoned EX-1 Coal Mining, with the exception of a small, residential tract containing an existing home that is zoned A-R Rural Agriculture.

With 10+ acres in size and over 500-feet of road frontage, the subject property is large enough to ensure that all proposed dwellings will be located on their own individual lot with road frontage along an existing public road, Free Silver Road.

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 proposal is in compliance with the Comprehensive Plan. The subject property is an existing lot of record that is large enough in size to ensure that all proposed dwellings are located on their own individual lot with road frontage along a public road, Free Silver Road; and, as such, no public roads are proposed with this request.

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 subject property is an existing lot of record, large enough to ensure that all proposed dwellings are located on their own individual property with frontage along a public road, Free Silver Road;
4. No new roads are proposed with this request;
5. Coal 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.