

DECEMBER 11, 2025

11009 &amp; 11237 HIGHWAY 951

**ZONE CHANGE**

<b>From:</b> EX-1 Coal Mining	
<b>To:</b> A-R Rural Agriculture	
<b>Proposed Use:</b> Farmland & Residential	
<b>Acreage:</b> 91.785	
<b>Applicant:</b> Jim Rhinerson; Nicholas & Terri Knott (2512.2329)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> A-R	<b>South:</b> A-R & EX-1
<b>East:</b> A-R	<b>West:</b> A-R

**Proposed Zone & Land Use Plan**

The applicant is seeking an A-R Rural Agriculture zone. The subject properties are 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**

- The subject properties do not appear to be located in a wetlands area per the US Department of Agriculture Soil Conservation Service map dated March 6, 1990.
- The subject properties are not located in a special flood hazard area per FIRM Map 21059C0190E.
- It appears that the subject properties are 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 on-site septic systems.

**Development Patterns**

The subject properties are existing lots, each containing adequate road frontage along Highway 951. Both properties are zoned EX-1 Coal Mining; however, with no active mining on the properties, the applicant is proposing to rezone both tracts to A-R Rural Agriculture.

Nearly all adjoining properties (including those across Highway 951) are zoned A-R Rural Agriculture, with the exception of the lot immediately to the south, which is a 25-acre tract zoned EX-1 Coal Mining

With 91-total acres and adequate road frontage, the subject properties are large enough to ensure that all proposed dwellings will be located on their own individual lots with road frontage along an existing public road, Highway 951.

Any future changes to the properties shall comply with applicable portions of the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations. Before any construction activity takes place on the properties, 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 properties are existing lots of record that are large enough in size to ensure that all proposed dwellings are located on their own individual lots with road frontage along a public road, Highway 951; 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 properties are located in a Rural Maintenance plan area, where rural large-lot residential uses are appropriate in limited locations;
3. The subject properties are existing lots of record, large enough to ensure that all proposed dwellings are located on their own individual lots with frontage along a public road, Highway 951;
4. No new roads are proposed with this request;
5. Coal mining activity on the properties has ceased; and,
6. The Owensboro Metropolitan Zoning Ordinance Article 12a.31 requires that the properties shall revert to its original zoning classification after mining.