

**ORDINANCE NO. 17-17**

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY CHANGING THE ZONE FOR RICHMOND DEVELOPMENT COMPANY, LLC PROPERTY AT 45 CASEY CIRCLE IN THE CITY LIMITS**

**WHEREAS**, Richmond Development Company, LLC., Owner, has filed with the Richmond Planning and Zoning Commission an Application for a Zoning Map Amendment for the property at 45 Casey Circle; and

**WHEREAS**, the 3.66-acre property in question is currently zoned R-1B (Single Family-Medium Lot) and the applicant requested that it be rezoned to B-3 (Highway Business); and

**WHEREAS**, the Planning and Zoning Commission conducted a public hearing on the requested zone change on April 27, 2017 in the course of which it received evidence and testimony from persons in favor of and opposed to the requested zone change; and

**WHEREAS**, at the conclusion of the public hearing, the Planning and Zoning Commission voted to recommend that the zone change be granted; and

**WHEREAS**, the Planning and Zoning Commission, at its meeting, adopted written Findings of Fact as to the zone change, and the issue is now before the Board of Commissioners for final determination; and

**WHEREAS**, the Board of Commissioners believes it to be in the public interest that it adopt the recommendation of the Planning and Zoning Commission in accordance with the Findings of Fact adopted by that body;

**NOW, THEREFORE, BE IT ORDAINED** that:

**SECTION I**

The Board of Commissioners does hereby adopt the recommendation of the Richmond Planning and Zoning Commission as to the requested zone change.

The tract of land as to which the zone change shall apply is a tract of 3.66 acres of land as is depicted on the map submitted by the applicant along with its zone change application, same being a portion of the same tract of approximately 26  $\frac{3}{4}$  acres as was conveyed by Ronald B. Hale and others to Richmond Development Company, LLC by deed dated March 24, 2017. The said 3.66 acre tract shall be, and hereby is, re-zoned from R-1B to B-3. The full legal description of the tract in question is as is set forth in the attached exhibit, incorporated herein as though here set forth in full.

The Board of Commissioners does hereby adopt the written Findings of Fact adopted by the Planning and Zoning Commission as its Findings of Fact as to the zone change.

**SECTION II**

The Director of Planning and Zoning shall make the appropriate changes to the official map of the City of Richmond, Kentucky.

**SECTION III**

This Ordinance shall be effective immediately upon its enactment following second reading, and publication in accordance with the requirements of applicable Kentucky law.

**DATE OF FIRST READING:** May 30, 2017  
**MOTION BY:** Commissioner Morgan  
**SECONDED BY:** Commissioner Blythe

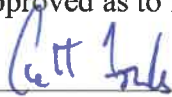
| <b>VOTE</b>         | <b>YES</b> | <b>NO</b> |
|---------------------|------------|-----------|
| Commissioner Blythe | x          |           |
| Commissioner Eaves  | absent     |           |
| Commissioner Morgan | x          |           |
| Commissioner Newby  | x          |           |
| Mayor Barnes        | x          |           |

**DATE OF SECOND READING:** June 13, 2017  
**MOTION BY:** Commissioner Newby  
**SECONDED BY:** Commissioner Blythe

| <b>VOTE</b>         | <b>YES</b> | <b>NO</b> |
|---------------------|------------|-----------|
| Commissioner Blythe | x          |           |
| Commissioner Eaves  | absent     |           |
| Commissioner Morgan | x          |           |
| Commissioner Newby  | x          |           |
| Mayor Barnes        | x          |           |

  
 \_\_\_\_\_  
 Mayor Barnes

**ATTEST:**  
  
 \_\_\_\_\_  
 City Clerk

Approved as to form:  
  
 \_\_\_\_\_  
 City Attorney, Garrett Fowles