

ORDINANCE NO. 18-26

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY CHANGING
THE ZONE FOR K&L DEVELOPERS, LLC PROPERTY AT GREY OAKS
SUBDIVISION IN THE CITY LIMITS**

WHEREAS, K&L Developers, LLC, Owners have filed with the Richmond Planning and Zoning Commission an Application for a Zoning Map Amendment for the properties on the back portion of Grey Oaks Subdivision; and

WHEREAS, the Properties are currently zoned R1-B (Single-Family Medium Lots) and the applicant requested that 7.73 acres be rezoned as R-3 (Multi-Family Residential); and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on the zone change on August 23, 2018 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 changes 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 following described Tract of land consisting of **7.73 acres**, the zoning classification of the following described Property at the back portion of Grey Oaks Subdivision shall be, and hereby is, changed from **R1-B (Single-Family Medium Lots)** to **R-3 (Multi-Family Apartments)**.

See attached Legal Description.

The property is recorded at the Madison County Court Clerk's Office in Deed Book 591, Page 364.

The Board of Commissioners does hereby adopt the written Findings of Fact adopted by the Planning and Zoning Commission as its Findings of Fact and, in accordance with the

agreement of the Applicant expressed at the hearing before the Planning & Zoning Commission, does further adopt the Certificate of Land Use Restriction attached to this Ordinance and does restrict the use of the subject property as is set forth in that Certificate.

That Certificate of Land Use Restriction shall be recorded in the office of the Madison County Court Clerk. Further the property shall be subdivided from the larger tract of which it is a part and all necessary subdivision approval shall be obtained from the Richmond Planning & Zoning Commission. The property described may be used for condominium development only and not for multi-family/ apartment development. The total density on the development shall not exceed 28 units for this total tract. The property owner will record a master deed and restrictions prior to selling any units.

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: September 11, 2018

MOTION BY: Commissioner Eaves

SECONDED BY: Commissioner Newby

DATE OF SECOND READING: September 25, 2018

MOTION BY: Commissioner Eaves

SECONDED BY: Commissioner Blythe

VOTE	YES	NO
Commissioner Blythe	x	
Commissioner Eaves	x	
Commissioner Morgan	x	
Commissioner Newby	x	
Mayor Barnes	x	



Mayor Barnes

ATTEST:



City Clerk

Approved as to form:

Garrett Fowles

City Attorney, Garrett Fowles