

ORDINANCE NO. 19-05

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY CHANGING
THE ZONE FOR A PORTION OF THE PROPERTY AT 606 LANCASTER
AVENUE IN THE CITY LIMITS**

WHEREAS, Luxon Morgan Group, LLC, Owner, filed with the Richmond Planning and Zoning Commission an Application for a Zoning Map Amendment for the entire tract of property located at 606 Lancaster Avenue containing 1.746 acres; and

WHEREAS, the property is currently zoned R-1A (Single Family Residential) and the applicant requested that the property, consisting of Tract I and Tract II as described in the deed of record in the office of the Madison County Court Clerk in Deed Book 762, page 679, be rezoned as R-3 (Multi-Family Residential); and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on the zone change on October 18, 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 change be granted as to the 1.746 acre tract, conditioned, however, on the restrictive conditions to be applicable to the property as set forth in the Certificate of Land Use Restriction tendered and agreed to by the Owner; and

WHEREAS, the Owner has modified its re-zoning request and does presently seek to re-zone from R-1A to R-3 only a 0.664 acre portion of the property, with the remaining 1.082 portion of the property to retain its present R-1A zoning classification; and

WHEREAS, 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 grant the requested zone change as to the 0.664 acre portion of the property, leaving untouched the existing zoning of the remaining 1.082 portion, all in accordance with the Findings of Fact attached to this Ordinance and herein incorporated as though here set forth in full;

NOW, THEREFORE, BE IT ORDAINED that:

SECTION I

1. The Board of Commissioners does hereby grant the requested zone change as follows:

The zoning classification of Lot 14-A as reflected on the Minor Consolidation Plat tendered by the Owner and to be recorded in the Office of the Madison County Court Clerk, the said

lot consisting of 0.664 acres, is hereby changed from R-1A (single family residential) to R-3 (multi-family residential), and the zoning classification of Lot 13-B as reflected on the said Plat and consisting of 1.082 acres shall remain R-1A.

2. The Board of Commissioners does hereby adopt the written Findings of Fact attached to this Ordinance as its findings of fact relating to the zone change.

3. The use of the said Lot 14-A shall be restricted as is set forth in the Certificate of Land Use Restriction, a copy of which is attached to this Ordinance and the original of which shall be recorded in the Office of the Madison County Court Clerk.

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: February 26, 2019
MOTION BY: Commissioner Morgan
SECONDED BY: Commissioner Brewer

DATE OF SECOND READING: March 12, 2019
MOTION BY: Commissioner McDaniel
SECONDED BY: Commissioners Brewer


VOTE	YES	NO
Commissioner Brewer	x	
Commissioner Grant	absent	
Commissioner McDaniel	x	
Commissioner Morgan	x	
Mayor Blythe		x


Mayor Blythe

ATTEST:


City Clerk

APPROVED AS TO FORM:



City Attorney