

ORDINANCE NO. 23-05

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY CHANGING
THE ZONING CLASSIFICATION FOR PROPERTY ON BEREA ROAD
LOCATED WITHIN CITY LIMITS**

WHEREAS, Spangler Apartments, LLC, and Richmond Development Company, LLC Owners, has filed with the Richmond Planning and Zoning Commission an Application for a Zoning Map Amendment at Berea Road, for 100 Acres +/- of 230 +/- Acres on Berea Road, Richmond, KY; and

WHEREAS, the property is currently zoned Agriculture (A) and requesting change to Single Family Residential-small lot (R1-C) 44.8 Acres, and Two -Family Duplexes (R-2) 41.0 Acres, and Multi-family Apartments (R-3) 21.3 Acres

WHEREAS, the Planning and Zoning Commission conducted a public hearing on the requested zone change on August 17, 2022 and December 21, 2022 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 hearings, 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 adopts 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 property in question, located in Richmond, Madison County, Kentucky, as to which the zone change shall apply, are:

Berea Road, Parcel 0069-0000-0020

currently zoned Agriculture (A) and requesting change to Single Family Residential-small lot (R1-C) 44.8 Acres, and Two -Family Duplexes (R-2) 41.0 Acres, and Multi-family Apartments (R-3) 21.3 Acres

Spangler Apartments, LLC, and Richmond Development Company, LLC Owners

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

The Findings, the zoning of the said property shall be, and hereby are, changed from **Agriculture (A) and requesting change to Single Family Residential-small lot (R1-C) 44.8 Acres, and Two -Family Duplexes (R-2) 41.0 Acres, and Multi-family Apartments (R-3) 21.3 Acres**

SECTION II

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

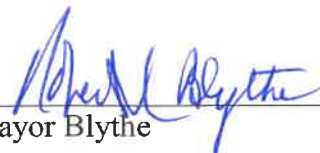
SECTION III

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: **WITHDRAWN**
DATE OF FIRST READING: **January 24, 2023**
MOTION BY: **Commissioner Newby**
SECONDED BY: **Commissioner Goble**

DATE OF SECOND READING: **February 14, 2023**
MOTION BY: **Commissioner Brewer**
SECONDED BY: **Commissioner Newby**

VOTE	YES	NO
Commissioner Brewer	x	
Commissioner Cole	x	
Commissioner Goble	x	
Commissioner Newby	x	
Mayor Blythe	x	




Mayor Blythe

ATTEST: 

City Clerk

Approved as to form:



City Attorney, Tyler Frazier

**ATTORNEY'S CERTIFICATION AS TO SUMMARY OF ORDINANCE FOR
PUBLICATION**

COMES NOW the undersigned Tyler Frazier, who does certify as follows:

1. That he is a licensed and practicing attorney in the Commonwealth of Kentucky.
2. That he has prepared, for purposes of publication in accordance with the requirements of Chapter 424 of the Kentucky Revised Statutes, the attached summary or summaries of Ordinance(s) duly enacted by the Board of Commissioners for the City of Richmond, Kentucky.

Dated this the 17 day of Feb, 2023.



Tyler Frazier

Ordinance: 23.05