

ORDINANCE NO. 19-22

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY CHANGING
THE ZONE FOR PROPERTY AT 635 WEST MAIN STREET IN THE CITY
LIMITS**

WHEREAS, Susan Martin, Owner, has filed with the Richmond Planning and Zoning Commission an Application for a Zoning Map Amendment for the property at 635 West Main Street; and

WHEREAS, the city lot property in question is currently zoned R-1B (Single Family Residential) and the applicant requested that it be rezoned to B-1 (Neighborhood Business); and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on the requested zone change on August 29, 2019 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, with the proviso, however, that the use of the property be restricted in accordance with the Certificate of Land Use Restriction attached to this ordinance and herein incorporated as though here set forth in full; 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 tract of land located in Richmond, Madison County, Kentucky, as to which the zone change shall apply is a Parcel A - 635 West Main Street as is depicted on the map submitted by the applicant along with its zone change application. The said City Lot shall be, and hereby is, re-zoned from R1-B (Single Family Residential) to B-1 (Neighborhood Business). Deed Book 775, page 111 of record in the Madison County Clerk's Office.

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 the following:

Notwithstanding the B-1 zoning designation of the property and the permitted uses in such zone, the Property maybe used only for professional offices/ services, including:

Architects
Engineers
Accountants
Banks, Investment Services
Business Consultants
Real Estate
Tax Services
Attorneys
Advertising/ Public Relations
Doctor/ Dentist Offices

No pylon or high-rise pole sign shall be constructed on the property;

That any future extensions or expansion of the existing dwelling located at 635 West Main Street or other new construction which occurs and faces Main Street shall be of an appearance that is compatible with the other existing construction surrounding it. Any dispute concerning the appearance of such new construction shall be reviewed and approved by the Richmond Board of Architectural Review, taking into consideration the appearance of adjoining property at that time.

Further, if the existing dwelling located at 635 W. Main Street is ever replaced, the façade altered, the façade of the replacement building or façade alteration shall have an appearance that is compatible with the then surrounding building facades, as determined and approved by the Richmond Board of Architectural Review.

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 24, 2019
MOTION BY: Commissioner Brewer
SECONDED BY: Commissioner McDaniel

DATE OF FINAL READING: October 8, 2019
MOTION BY: Commissioner McDaniel
SECONDED BY: Commissioner Grant

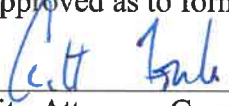
VOTE:	YES	NO
Commissioner Brewer	x	
Commissioner Grant	x	
Commissioner McDaniel	x	
Commissioner Morgan	x	
Mayor Blythe	x	



Mayor Blythe

ATTEST:


City Clerk, Lisa Cassity

Approved as to form:


City Attorney, Garrett Fowles