

ORDINANCE NO. 22-06

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY CHANGING
THE ZONING CLASSIFICATION FOR PROPERTY ON 120 BOGGS LANE
AND 436 BIG HILL AVENUE LOCATED WITHIN CITY LIMITS**

WHEREAS, Boone Square Shopping Center, LLC, Owners, has authorized JT Barrett Land Holdings, LLC to file with the Richmond Planning and Zoning Commission an Application for a Zoning Map Amendment for 0.619 Acres located at southwesterly corner of Boggs Lane and Big Hill Ave; and

WHEREAS, the property located at 120 Boggs Lane is currently zoned Single-Family Residential (R-1B), and 436 Big Hill Ave is currently zoned Highway Business (B-3) and requesting both properties change to Multi-Family Residential (R-3)

WHEREAS, the Planning and Zoning Commission conducted a public hearing on the requested zone change on January 19, 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 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 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:

**Zone Change from R-1B and B-3 to R-3
Boone Square Shopping Center, LLC, Owners,
has authorized JT Barrett Land Holdings, LLC
0.619 Acres**

Tract A
0.619 Acres

All that certain piece, parcel or tract of land located in the City of Richmond, Madison County, Kentucky, lying at the southwesterly intersection of Big Hill Avenue (US 25/421) and Boggs Lane, and more particularly described as follows:

("Rebar set" are 1/2" x 18" rebar with a red cap stamped "Spencer, PLS 4068")

Beginning at a rebar set in the westerly right of way line of Boggs Lane, being the northeast corner of Paul & Janice Mays (DB 477, Pg 352); thence leaving said right of way with the line of Mays N 68°49'15" W a distance of 194.50' to a 1/2" rebar found (LS 3205) in the line of Pebblecreek Crossing Limited Partnership (DB 722, Pg 470); thence with the line of Pebblecreek Crossing, N 21°43'14" E a distance of 49.45' to a rebar set, a corner to Alford Properties, LLLP (DB 807, Pg 693); thence with the line of Alford Properties and Ramsey & Ramsey, LLC (DB 746, Pg 620), S 68°58'36" E a distance of 145.19' to a rebar set; thence continuing with Ramsey & Ramsey, LLC, N 20°31'28" E a distance of 259.76' to a Mag Nail set in the southerly right of way line of Big Hill Avenue (50' right of way); thence with said right of way 60.34' along the arc of a curve turning to the right, having a radius of 2,266.83', a chord bearing S 64°31'58" E, and a chord length of 60.34', to a 1/2" rebar found (LS 3265); thence 30.08' along the arc of a curve turning to the right, having a radius of 19.00', a chord bearing S 19°29'55" E, and a chord length of 27.04', to a rebar set in the westerly right of way line of Boggs Lane (varied r/w width); thence with Boggs Lane S 25°51'41" W a distance of 235.36' to a rebar set; thence N 68°58'36" W a distance of 5.01' to a 1/2" rebar found (LS 3265); thence S 23°11'31" W a distance of 50.02' to the Point of Beginning, having an area of 0.619 acres, as surveyed by Spencer Land Surveying (Job No. 2596) on November 22, 2021, Stuart W. Spencer, PLS 4068, as depicted on a plat recorded in Plat Book _____, Page _____, in the office of the Madison County Clerk.

Being all of the property conveyed as follows:

- From City of Richmond to Boone Square Shopping Center, LLC, on February 27, 2018, by deed recorded in Deed Book 756, Pg 331;
- From Foster Ratliff et al to Boone Square Shopping Center, LLC, on February 9, 2012, by deed recorded in Deed Book 675, Pg 380;
- From Foster Ratliff et al to Boone Square Shopping Center, LLC, on February 9, 2012, by deed recorded in Deed Book 675, Pg 380;

all in the office of the of the Madison County Clerk.

The Board of Commissioners does hereby adopt the written Findings of Fact adopted by the Planning and Zoning Commission as its Findings of Fact. In accordance with those Findings, the zoning of the said property shall be, and hereby are, changed from R-1B and B-3 to now R-3 (Multi-Family Residential)

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 22, 2022
MOTION BY: Commissioner Arnold
SECONDED BY: Commissioner Brewer

DATE OF SECOND READING: March 08, 2022
MOTION BY: Commissioner Brewer
SECONDED BY: Commissioner Newby


VOTE	YES	NO
Commissioner Arnold	x	
Commissioner Brewer	x	
Commissioner McDaniel	x	
Commissioner Newby	x	
Mayor Blythe	x	



Mayor Blythe

ATTEST:


City Clerk

Approved as to form:


City Attorney, Tyler Frazier