

920.5
BOOK 3

**SCOTT COUNTY, KENTUCKY
ORDINANCE NO. 18-01**

AN ORDINANCE RELATING TO A ZONE CLASSIFICATION CHANGE FOR 81.397 ACRES±, LOCATED OFF U.S. HIGHWAY 25 NORTH (CINCINNATI PIKE) SITUATED ON THE WEST SIDE OF U.S. HIGHWAY 25, JUST NORTH OF THE ENTRANCE TO MALLARD POINT SUBDIVISION FROM A MIX OF R-1A; (SINGLE FAMILY RESIDENTIAL) AND B-1; NEIGHBORHOOD COMMERCIAL TO A-1 (AGRICULTURAL) FOR THE ENTIRE 81.296 ±ACRES.

WHEREAS, the application of Marion A. Cox having been properly filed with the Georgetown-Scott County Joint Planning Commission (Planning Commission) to change the zone classification on that certain real estate owned by Marion A. Cox consisting of 81.397 acres ± and located on the west side of U.S. Highway 25 (Cincinnati Pike) just north of the entrance to Mallard Point Subdivision from a mix of R-1A; (Single Family Residential) and B-1; Neighborhood Commercial to A-1 (Agricultural) for the entire 81.296± acres; and,

WHEREAS, this matter having been considered by the staff and further evidence and/or testimony concerning said application was heard before the Planning Commission at a duly noticed and advertised public hearing on February 8, 2018; and,

WHEREAS, after said public hearing the Planning Commission made the findings that the subject application satisfied the requirements of K.R.S. 100.213 and voted to recommend to the Scott County Fiscal Court that the requested zone classification change be granted to change the existing zone classifications from a mix of R-1A; (Single Family Residential) and B-1; Neighborhood Commercial to A-1 (Agricultural) for the entire 81.296± acres subject to conditions; and,

WHEREAS, the Scott County Fiscal Court having received and considered the record of the Planning Commission's public hearing of February 8, 2018, the recommendations of the staff of the Planning Commission, the petition of the applicant for the zone classification change; and being otherwise sufficiently advised hereby makes and adopts the following findings of fact:

FINDINGS OF FACT:

- 1) Before any zoning map amendment is granted, the planning commission must find that the proposed map amendment is in agreement with the adopted comprehensive plan of the planning unit, or in the absence of such a finding, that one (1) or more of the following apply and such shall be recorded in the minutes and records of the Planning Commission or the appropriate legislative body:
 - a) That the existing zone classification given to the property is inappropriate and that the proposed zoning classification is appropriate;
 - b) That there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the adopted Comprehensive Plan and which have substantially altered the basic character of such area.
- 2) In this matter the existing Comprehensive Plan for Scott County provides guidance for the consideration of the subject zone classification change request. The Future Land Use Plan Map in the Comprehensive Plan designates the subject area as agricultural. It is also consistent with the Community Forum chapter in the Comprehensive Plan or properties outside the Urban Service Boundary to not have

urban scale residential or commercial development. The proposed zone classification change would establish a maximum density for this property of one (1) dwelling unit per five (5) acres. Therefore, it is not necessary to consider subsections a) and b) above:

NOW THEREFORE IN CONSIDERATION OF THE FOREGOING APPLICATION, RECOMMENDATION OF THE PLANNING COMMISSION STAFF AND THE PLANNING COMMISSION AFTER A DULY NOTICED AND ADVERTISED PUBLIC HEARING AND THE FOREGOING FINDINGS OF FACT, IT IS HEREBY DECIDED AND ORDAINED BY THE SCOTT COUNTY FISCAL COURT AS FOLLOWS:

Section I. That the Georgetown, Sadieville, Stamping Ground Zoning Ordinance be amended to show a zone classification change from (B-1) Neighborhood Commercial to (A-1) for 13.888± acres and R-1A: (Single Family Residential) to (A-1) for 67.408± acres of the applicant's property which is described on Exhibit A attached.

Section II. That the Georgetown-Scott County Joint Planning Commission is hereby directed to show this zone classification change on the official zone classification map of Scott County, Kentucky and to make reference to the number of this ordinance on such change.

Section III. That this zone change is subject to the conditions set forth by the Planning Commission at its' public hearing on February 8, 2018 which conditions are set forth as follows:

- i) The setback line from U.S. Highway 25 will be established at 225 feet as shown on the Concept Plan.
- ii) All applicable requirements of the Zoning Ordinance and Subdivision and Development Regulations shall be satisfied.

Section IV. This ordinance was read for the first time on March 9, 2018 and for the second time on March 22, 2018.

Section V. This ordinance shall become effective on the date of its' publication.

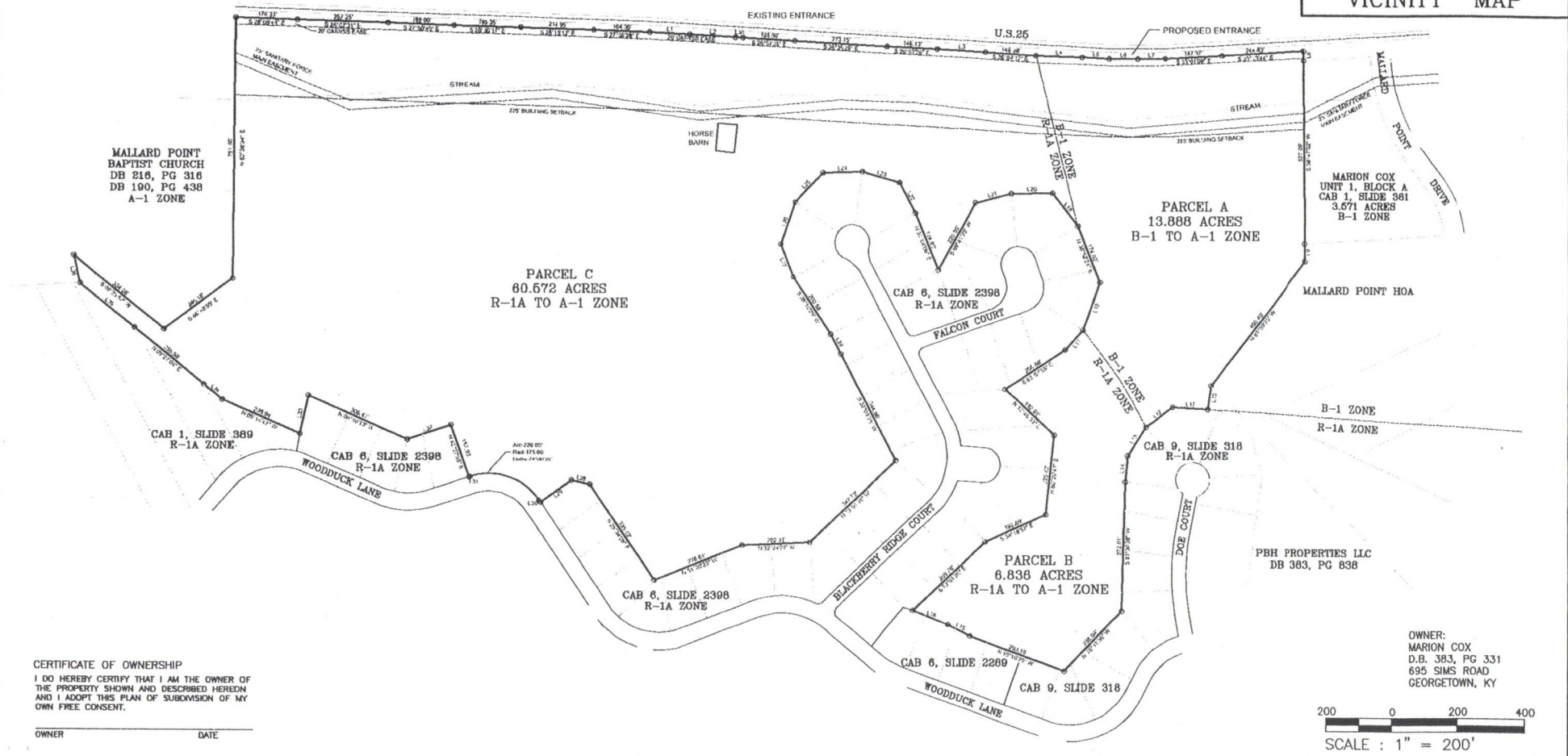
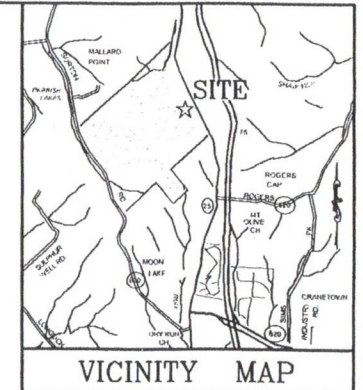
SCOTT COUNTY FISCAL COURT

BY: George Lusby
George Lusby, Judge/Executive

Attest: Stacy Hamilton 3-22-18
Stacy Hamilton Date
Fiscal Court Clerk

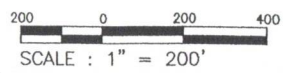
HAVE SEEN: Rand Marshall
Rand Marshall
Scott County Attorney

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 26° 52' 39" E	117.22	L19	N 22° 24' 48" E	118.61
L2	S 26° 40' 11" E	134.21	L20	N 30° 36' 07" W	118.93
L3	S 26° 53' 44" E	132.19	L21	N 44° 10' 13" W	108.78
L4	S 27° 46' 16" E	133.68	L22	N 31° 58' 53" E	99.19
L5	S 26° 45' 53" E	78.63	L23	N 13° 31' 07" W	114.22
L6	S 29° 29' 27" E	83.00	L24	N 31° 26' 28" W	116.52
L7	S 37° 50' 09" E	81.87	L25	N 78° 07' 08" W	118.38
L8	S 59° 45' 39" W	27.77	L26	S 60° 53' 58" W	128.20
L9	S 58° 46' 43" W	50.44	L27	S 37° 29' 49" W	101.42
L10	S 58° 40' 29" W	70.31	L28	N 17° 49' 06" W	55.09
L11	N 63° 31' 44" W	103.22	L29	N 64° 45' 34" W	112.17
L12	N 65° 49' 43" W	97.41	L30	N 29° 34' 28" E	7.92
L13	N 65° 59' 11" W	97.56	L31	N 48° 22' 31" W	4.01
L14	S 55° 28' 42" W	75.52	L32	N 48° 29' 29" W	131.57
L15	N 02° 58' 16" W	71.92	L33	S 72° 14' 52" W	111.20
L16	N 07° 59' 54" W	110.01	L34	N 09° 27' 06" E	68.55
L17	S 78° 28' 95" E	78.36	L35	N 09° 27' 06" E	201.42
L18	N 79° 10' 24" E	146.13	L36	N 45° 58' 36" E	83.32
			L37	S 22° 47' 28" W	99.76
			L38	S 28° 54' 35" E	22.59
			L39	S 32° 03' 25" W	84.81
			L40	S 74° 45' 28" E	96.07




CERTIFICATE OF OWNERSHIP
 I DO HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND I ADOPT THIS PLAN OF SUBDIVISION OF MY OWN FREE CONSENT.

OWNER _____ DATE _____



OWNER:
 MARION COX
 D.B. 383, PG 331
 695 SIMS ROAD
 GEORGETOWN, KY

ZONE MAP AMENDMENT MALLARD POINT, TRACT #4 3394 CINCINNATI PIKE AND WOODDUCK LANE SCOTT COUNTY, KENTUCKY		SCALE: 1" = 200' REVISED: CAD NAME: zone_map.dwg	DATE: 1-12-18 DRAWN BY: ABC JOB NUMBER	 THOROUGHBRED ENGINEERING 110 E. MAIN ST. SUITE 208 GEORGETOWN, KY 40324 (502) 863-1756 CIVIL DESIGN - GEOTECHNICAL ENGINEERING - IBC SPECIAL INSPECTIONS MATERIAL TESTING - LAND SURVEYING - GEOTECHNICAL DRILLING
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