

CITY OF LA GRANGE, KENTUCKY ORDINANCE No. 01-2023

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF
LA GRANGE

WHEREAS, the City of La Grange did receive an application for an amendment to the Oldham County zoning map for real property located within the city limits of La Grange, specifically at 305 South Cedar Street (hereinafter, "property");

WHEREAS, on January 24, 2023, the Oldham County Planning and Zoning Commission in Docket No. PZ-23-001, did recommend approval of a proposed zoning map amendment and development plan for the subject property, and passage of an ordinance by the City of La Grange amending the zoning map in accordance with the provisions of KRS 100;

WHEREAS, on April 3, 2023, at a regular meeting of the La Grange City Council, after a second reading of the proposed ordinance, the City Council did review the recommendation of the Oldham County Planning Commission as set out in the minutes of the above referenced meeting, and did conduct a public hearing to receive additional evidence and comments;

WHEREAS, the La Grange City Council voted to accept the recommendations of the Oldham County Planning and Zoning Commission, to adopt the findings and decisions of the Planning Commission concerning the above property as set forth in the minutes, and to enact an ordinance amending the zoning map with respect to said property.

NOW THEREFORE BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA GRANGE, KENTUCKY, THAT:

The real property located at 305 South Cedar Street, more particularly described in the legal description attached hereto as EXHIBIT A, shall be and hereby is rezoned as follows:

From R-2A Residential District to R-4 Residential District

Further, the City Council, having reviewed the minutes of the Oldham County Planning Commission meeting and hearing on Docket No. PZ-23-001 (a copy of which is attached hereto as EXHIBIT B and incorporated herein by reference), the City Council hereby adopts the findings and decisions of the Planning Commission approving the proposed zoning amendment and development plan, including binding elements.

This Ordinance shall be in full force and effect 30 days following enactment and publication as prescribed by KRS 424

First reading: March 6, 2023

Second reading: April 3, 2023

VOTE:

For	8
Against	0
Abstain	0

SO APPROVED THIS 3rd DAY OF APRIL 2023.


John W. Black, MAYOR

ATTEST:


Stephanie Cooper, City Clerk

**PROPERTY DESCRIPTION
FOR
RL HOME SERVICES, INC
(NOT FOR TITLE/LAND TRANSFER.
FOR ZONING PURPOSES ONLY)**

**305 CEDAR STREET
LAGRANGE, KENTUCKY**

BEING a parcel of land lying in Oldham County, Kentucky on the western side of Oak Street, LaGrange, Kentucky.

BEGINNING at a point, said point being on the eastern right-of-way of Cedar Street and a western property corner of LaGrange Cemetery Company; thence with said right-of-way N 15d 36m 42s W 19.90 feet to a point, said point being the southwestern property corner of a tract of land conveyed to Rick & Emily Diamond as recorded in Deed Book 1090 Page 180 in the Office of the County Clerk of Oldham County; thence leaving said right-of-way and with said Diamond tract N 74d 58m 20s E 157.10 feet to a point, said point being the southeastern property corner of said Diamond tract; thence N 13d 10m 14s W 30.64 feet to a point, said point being the northeastern property corner of said Diamond tract; thence S 74d 37m 53s W 10.00 feet to a point, said point being the southeastern property corner of a tract of land conveyed to Ronald Cox as recorded in Deed Book 878 Page 335 in the Office aforesaid; thence leaving said Diamond tract and with said Cox tract N 13d 10m 07s W 45.00 feet to a point, said point being the northeastern property corner of said Cox tract and the southwestern property corner of a tract of land conveyed to Jack & Elenora Jones as recorded in Deed Book 580 Page 462 in the Office aforesaid; thence leaving said Cox tract and with said Jones tract N 74d 37m 53s E 164.09 feet to a point, said point being the southeastern property corner of said Jones tract and on the western right-of-way of Oak Street; thence leaving said Jones tract and with said right-of-way of Oak Street S 17d 03m 12s E 76.55 feet to a point, said point being a northern property corner of said LaGrange Cemetery and a western property corner to a tract of land conveyed to Oakview Apartments of LaGrange as recorded in Deed Book 254 Page 1 in the Office aforesaid; thence leaving said right-of-way of Oak Street and with said LaGrange Cemetery S 74d 58m 21s W 316.84 feet to the Point of Beginning and containing 0.4285 acres, all shown on a Zoning Change Exhibit for RL Home Services prepared by Mel Milburn, PLS #3082 with Mel Milburn, Engineering, dated 11-8-2022.

BEING all of the same property conveyed to RL Home Services, Inc in Deed Book 1330 Page 67 in the Office of the County Clerk of Oldham County.

Prepared By: Meridian Surveying and Design Services
2249 Commerce Parkway
LaGrange, Kentucky 40031

Date: January 11, 2023



**MINUTES OF REGULAR MEETING
OLDHAM COUNTY
PLANNING AND ZONING COMMISSION
Monday, January 24, 2023**

DRAFT

At 9:00a.m., local time on the above date, this meeting of the Oldham County Planning and Zoning Commission, hereinafter called the Commission, was called to order in the Courtroom of the Oldham County Fiscal Court Building, LaGrange, Kentucky, by Chairman Greg King.

Other Commission members present were:

Iva Davis	John Falvey	Tom Marsh
William Douglas	Sam Finney	Katie Nasser
Thomas Elder	Berry Hampton	Ben Winters
Joe Ender	Bob Klingenfus	

Commissioners Ed Hafling, Sue Ann Jones and Suzy Walser we absent.

Others present and sworn in were Planning and Development Services Director Jim Urban, Assistant Director Brian Fogle, and Senior Planner Ryan Fischer. Attorney Berry Baxter was present for the meeting and Administrative Assistant Christy Edgar was the Secretary for the meeting.

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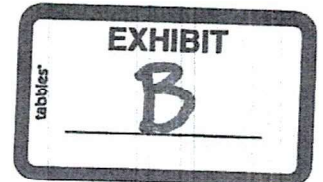
Secretary Christy Edgar called and read Docket:

PZ-23-001 - Application has been filed by RL Home Services, Inc. for the approval of a Zoning Map Amendment and Development Plan approval on approximately 1.5 acres. The property is located at 305 S. Cedar Street, LaGrange. The proposed change is from R-2A Residential District to R-4 Residential District.

1. Introduction of the new information by staff and questions by the Commission:

Senior Planner, Ryan Fischer, presented the following:

- Summary of the application.
- Case History (see Exhibit A, Staff Report dated, January 24, 2023).



- Site history.
- Aerial Photos of the site.
- Photos of property.

2. Presentation by the applicant or representative and others in support of the application:

Attorney Chelsey Brammell, Brammell Law Office, 401 W. Jefferson Street, LaGrange, was present and representing RL Home Services.

- 1.5 Acres
- Multi-family duplex.
- Current zoning is R-2A. Request to change zoning to R-4.
- Approx. 800 square feet on the first floor and approx. 500 square feet on the second floor. Each unit with a total of 1300 square feet.

3. Questioning of the applicant or representative and others in support of the application by the Commission:

Commissioner Hampton asked, is there a second floor?

Attorney Brammell replied, it is two-stories and we made the mistake on the application and did not account for the second floor.

RL Lanham, 5402 Hillock Lane, Crestwood was present and sworn in prior to replying, yes, the first floor will have 800 square feet and the second floor will have 500 square feet with a total of 1300 square feet for each unit.

Commissioner Marsh asked, what are the exact measurements of the lot and the shape of the lot?

RL Lanham explained the survey map.

Director Urban explained that the GIS map in the staff report is not accurate for boundary lines, but the surveyed map is accurate.

Commissioner Douglas asked, on the survey it shows 8 ½ feet setback and zoning regulations are 7 ½ feet setback for the side.

Director Urban explained that the minimum is 7 ½ feet.

RL Lanham replied, inside the fence by a foot or two.

Commissioner Douglas asked, is there a two or one-car garage?

RL Lanham replied, no garage. The parking area will be out front?

Commissioner Douglas asked, is there a front yard?

RL Lanham replied, yes.

Commissioner Douglas asked, will these units be for sale or rental property?

RL Lanham replied, they will be a rental property.

There was discussion of the survey but person who prepared it has passed away so it was not possible to clarify.

4. **Testimony and questions by those opposing the application: None**
5. **Questioning of the applicant and those opposed to the application by the Commission: None**
6. **Rebuttal evidence and Cross Examination by the Applicant: None**
7. **Rebuttal evidence and Cross Examination by the Opposition: None**
8. **Final statement of the Opposition: None**
9. **Final statement of the Applicant:**
 - Attorney Brammell stated the following in final statement:
 - Good development for the area.
 - Asking for the Commissioners to approve the zone change for this development.

END OF PUBLIC HEARING

Director Urban summarized the first motion for the application.

FINDINGS AND DECISIONS

Docket PZ-23-001

Zoning Map Amendment R-2A to R-4

305 S. Cedar Street

Motion was made by Commissioner Falvey and seconded by Commissioner Marsh to recommend approval of a Zoning Map Amendment to the City of LaGrange at 305 South Cedar Street, LaGrange, based on testimony and evidence presented that the proposal is consistent with the goals and objectives of the Comprehensive Plan and the proposed plan is standard and in the Oldham County Ordinance.

The vote was as follows:

YES: Commissioners Davis, Douglas, Elder, Ender, Falvey, Finney, Hampton, Klingenfus, Marsh, Nasser and Winters.

NO: None.

ABSTAIN: None.

ABSENT: Commissioners Hafling, Jones and Walser.

Motion passed on a vote of 11-0.

Director Urban summarized the second motion for the application.

FINDINGS AND DECISIONS
Docket PZ-23-001
Development Plan (2 Units)
305 S. Cedar Street

Motion was made by Commissioner Falvey and seconded by Commissioner Hampton to approve the development plan for Docket PZ-23-001 at 305 South Cedar Street, LaGrange, based on testimony and evidence presented which complies with multiple goals and objectives of the Comprehensive Plan and Zoning Ordinance.

Binding Elements

1. The approval applies only to the plan presented at the January 24, 2023 Oldham County Planning Commission public hearing.
2. There shall be no changes to the plan without review by the Oldham County Planning Commission and Engineer's Office.
3. The plan must comply with all established federal, state and county ordinances and requirements and comply with all necessary easement restrictions at the time of construction plan approval.
4. Need to correct the error in the side yard setback labeling on the development plan survey.

The vote was as follows:

YES: Commissioners Davis, Douglas, Elder, Ender, Falvey, Finney, Hampton, Klengenfus, Marsh, Nasser and Winters.

NO: None.

ABSTAIN: None.

ABSENT: Commissioners Hafling, Jones and Walser.

Motion passed on a vote of 11-0.

