

ORDINANCE NO. O-04-2017

AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE FORT THOMAS PLANNING COMMISSION SUBMITTED IN ITS RESOLUTION NO. Z-03-2017 AND AMENDING THE OFFICIAL ZONING ORDINANCE OF THE CITY OF FORT THOMAS, CAMPBELL COUNTY, KENTUCKY, BEING ORDINANCE NO. O-13-2012, BY CHANGING THE ZONE OR DISTRICT OF REAL ESTATE HEREINAFTER DESCRIBED FROM RESIDENTIAL ONE AA (R1-AA) AND RESIDENTIAL ONE C (R1-C) TO RESIDENTIAL ONE C (R1-C) AND RESIDENTIAL CLUSTER DEVELOPMENT (RCD) OVERLAY, BEING 12.5998 ACRES, LOCATED AT COCHRAN AVENUE AND ALEXANDER CIRCLE BY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FORT THOMAS PURSUANT TO SECTION EIGHT (8) OF SAID OFFICIAL ZONING ORDINANCE TO CONFORM WITH SAME.

WHEREAS, The Fort Thomas Planning Commission conducted a hearing on April 19, 2017, to consider a request for a zone change from Residential One AA (R1-AA) and Residential One C (R1-C) to Residential One C (R1-C) and Residential Cluster Development (RCD) Overlay for 12.5998 acres of property located on Cochran Avenue and Alexander Circle; and

WHEREAS, the Fort Thomas Planning Commission found that:

1. The
proposed density of the Residential One C (R1-C) and Residential Cluster Development (RCD) Overlay zoning is in general agreement with the Land Use Element of the adopted Comprehensive Plan.
2. The
submitted Development Plan is in general conformance with Stage I Development Plan requirements and the Official Zoning Ordinance.
3. The
unique physical conditions of the site, including the established locations of structures, proximity to Tower Park, and the planned dedication of additional greenspace, support the Residential Cluster Development (RCD) Overlay concept.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF FORT THOMAS, CAMPBELL COUNTY, KENTUCKY:

SECTION I

That the zoning classification for the parcel of property as described herein, being a part of the Official Zoning Ordinance of the City of Fort Thomas, Campbell County, Kentucky, being

Ordinance No. O-13-2012, which was adopted on November 19, 2012, be and the same is hereby amended for the following area:

LEGAL DESCRIPTION
12.5998 ACRES
MILITARY COMMONS SUBDIVISION, SECTION 3
FORT THOMAS, KENTUCKY

- Situated** in the Tower Park Military Reservation, City of Fort Thomas, Campbell County, Kentucky, being part of Lots 24, 25, 26 and 27 of Eli Kinney's Highland Home Subdivision, the plat of which is recorded in Deed Book 22, Pages 2 – 6 (all references made herein to recorded documents are to those of the Campbell County Clerk's Office in Newport, Kentucky) and being part of the property conveyed to the United States of America by deeds recorded in Deed Book 45, Page 409 and Deed Book 45, Page 414, being more particularly described as follows:
- Beginning** at an iron pin with cap set at the southeasterly corner of Lot 1 of Grau Subdivision, Section 1, the plat of which is recorded in Plat Cabinet 'E', Slide 488B, being a common corner to Parcel II of the property conveyed to the City of Fort Thomas, Kentucky by deed recorded in Deed Book 463, Page 283;
- Thence** with the lines of said Parcel II of the Fort Thomas, Kentucky property, for the following five (5) courses:
1. South 77°21'56" East, a distance of 304.71 feet to an iron pin with cap set;
 2. South 15°23'03" West, a distance of 966.52 feet to a point witnessed by a concrete monument found leaning 0.5 feet south and 1.4 feet east;
 3. South 75°41'30" West, a distance of 537.63 feet to an iron pin with cap set;
 4. North 89°10'54" West, a distance of 133.55 feet to an iron pin with cap set;
 5. North 55°34'24" West, a distance of 74.48 feet to an iron pin found at a corner common to the property conveyed to the City of Fort Thomas, Kentucky by deed recorded in Deed Book 406, Page 71;
- Thence** North 24°12'28" East, a distance of 148.78 feet to a cross-notch found on the southerly line of Cochran Avenue, a private street;
- Thence** with the southerly and easterly lines of Cochran Avenue, for the following five (5) courses:
1. South 65°42'24" East, a distance of 103.78 feet to a cross-notch found;
 2. along an arc deflecting to the left, having a radius of 82.33 feet, an arc length of 129.85 feet and a chord bearing North 69°06'29" East for a chord distance of 116.80 feet to an iron pin found;
 3. North 21°23'20" East, a distance of 131.90 feet to an iron pin found;
 4. North 16°34'21" East, a distance of 73.31 feet to a railroad spike found;

5. North 13°39'13" West, a distance of 449.28 feet to an iron pin with cap set in the southerly line of Lot 9 of Altamont Park Subdivision, the plat of which is recorded in Plat Cabinet 'D', Slide 716B;

Thence with the southerly line of Altamont Park Subdivision, in part, and with the southerly line of the aforementioned Grau Subdivision, Section 1, in part, North 69°22'28" East, a distance of 146.09 feet to a concrete monument found;

Thence continuing with the southerly line of said Grau Subdivision, Section 1, for the following three (3) courses:

1. North 58°20'28" East, a distance of 72.75 feet to a concrete monument found;
2. North 49°48'28" East, a distance of 206.25 feet to an iron pin with cap set;
3. North 42°15'02" East, a distance of 135.53 feet to the point of beginning;

Containing 12.5998 acres, more or less, and being subject to legal highways, covenants, conditions and restrictions of record.

SECTION II

The parcel described in SECTION I is hereby amended and changed on the Official Zoning Map from Residential One AA (R1-AA) and Residential One C (R1-C) to Residential One C (R1-C) and Residential Cluster Development (RCD) Overlay.

SECTION III

That the City Clerk be and is hereby authorized and directed to deliver a certified copy of this ordinance to the Zoning Administrator.

SECTION IV

That the Zoning Administrator be and is hereby authorized and directed to change the zone boundaries on the Official Zoning Map in accordance with this Ordinance and Section 8 of the Official Zoning Ordinance.

SECTION V

That a Certificate of Land Use Restriction, pursuant to the provisions of KRS 100.3681-100.3684, shall be filed in the Office of the Campbell County Clerk.

SECTION VI

That this Ordinance shall amend but not repeal the existing Official Zoning Ordinance and the Official Zoning Map.

SECTION VII

That this Ordinance shall be effective when read, passed and advertised at the earliest date according to law.

APPROVED:

Eric Haas, Mayor

ATTEST:

Melissa Kelly, City Clerk

1st Reading: May 1, 2017

Adopted: May 15, 2017

Published: May 25, 2017