



ORDINANCE 2021-01

AN ORDINANCE OF THE CITY OF ALEXANDRIA, IN CAMPBELL COUNTY, KENTUCKY, APPROVING A RECOMMENDATION OF THE ALEXANDRIA PLANNING COMMISSION TO APPROVE A ZONING MAP AMENDMENT FOR THE REAL ESTATE LOCATED AT 7813 ALEXANDRIA PIKE, FROM RESIDENTIAL ONE-D (R-1D) ZONE TO NEIGHBORHOOD SHOPPING CENTER (NSC) ZONE, IN ORDER TO OPERATE A PROFESSIONAL OFFICE, SUBJECT TO THE SUBMITTED DEVELOPMENT PLAN.

WHEREAS, Janet and Roger Bezold, owners of real estate located at 7813 Alexandria Pike, Alexandria, KY, known as Lot Number Six (6) of Park Acres Subdivision, and identified as Campbell County Property Valuation Administrator PIDN 999-99-24-016.00, have made Application and have requested the City to rezone their property from Residential One-D (R-1D) zone to Neighborhood Shopping Center (NSC) zone;

WHEREAS, pursuant to KRS 100.211, the Alexandria Planning Commission held a public hearing on January 19, 2021, at which time the zoning map amendment was presented, and the public was given the opportunity to be heard and make comment;

WHEREAS, once the record of the public hearing was officially closed, the Alexandria Planning Commission considered the evidence presented, discussed the issues, and then voted to recommend approval of the zoning map amendment; subject to the submitted development plan; and

WHEREAS, Chairman Reitman of the Alexandria Planning Commission has prepared a report and recommendation containing the basis for the Planning Commission's recommendation in favor of the recommended zoning subject to the submitted development plan, in order to operate a professional offices business on the property. The report and recommendation is attached hereto and incorporated herein by reference as an Exhibit to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ALEXANDRIA, CAMPBELL COUNTY, KENTUCKY, AS FOLLOWS:

SECTION 1: The recommendation of the Alexandria Planning Commission, as evidenced by the record developed in this case, is hereby adopted and approved; and the materials constituting the record of the Planning Commission and the City Council are incorporated herein by reference.

SECTION 2: The City does hereby change the zoning classification of Janet Bezold and Roger Bezold 's real estate located at 7813 Alexandria Pike, Alexandria, KY, and known as Lot Number Six (6) of Park Acres Subdivision, and identified as Campbell County Property Valuation Administrator PIDN 999-99-24-016.00, from Residential One-D (R-1D) zone to Neighborhood Shopping Center (NSC) zone in order to

operate a professional offices business on the property, subject to the submitted development plan which was reviewed at the public hearings.

SECTION 3: The Zoning Map of the City of Alexandria shall be amended accordingly.

SECTION 4: This Ordinance shall be effective upon its adoption and approval according to law, and publication thereafter.

SECTION 5: All Ordinances or parts of any Ordinances in conflict herewith, to the extent of such conflict, if any, are hereby repealed.

SECTION 5: If any sentence, clause, section or part of this ordinance or the application thereof to any particular situation is, for any reason, found to be unconstitutional, illegal or invalid, the invalidity of any provision of this Ordinance shall not affect the validity of any other provisions hereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of that provision determined to be invalid.

SECTION 6: The foregoing Ordinance was introduced by Council Member Sparks, was read, passed and adopted by the Council of the City of Alexandria, Kentucky, meeting in **regular sessions on the 21st day of January, 2021, and on the 4th day of February, 2021, with 6 yes votes, 0 no votes, and 0 abstentions**, and was thereafter approved by the Mayor and ordered published in summary according to law.

APPROVED:


MAYOR ANDY SCHABELL

ATTEST:


CITY CLERK JAN JOHANNEMANN

Published: 2/11/2021

**CITY OF ALEXANDRIA PLANNING COMMISSION
RECOMMENDATION TO CITY COUNCIL
FINDINGS OF FACT AND SUMMARY OF EVIDENCE**

The City of Alexandria Planning Commission held a Public Hearing on Tuesday, January 19, 2021, for the purpose of hearing and collecting evidence, and of reviewing and receiving public comment regarding the application of Roger and Janet Bezold for a zoning map amendment to re-zone real estate located at 7813 Alexandria Pike (Lot Number 6 of Park Acres Subdivision), from Residential One-D (R-1D) zone to Neighborhood Shopping Center (NSC) zone. The public hearing was conducted according to Kentucky State Law and Alexandria City Ordinances. All interested persons were welcomed to attend and give verbal comments and/or written comments prior to or at the public hearing.

The City Attorney provided information regarding the legal issues involved with this re-zoning application.

Zoning Administrator Carol Hofstetter presented her staff report (copy attached). She outlined the proposal, and gave the Commission information regarding all of the uses in the surrounding area.

City Engineer Robert Seitzinger presented his review letter (copy attached). He discussed the proposal, and gave the Commission information regarding the surrounding zoning.

Janet Bezold appeared on behalf of the application. The development plan consists of maps and plats, and written and graphic materials. There is no need for an engineer's drawing since no changes are proposed to the building or the site. The record shows that the building on the property has been there for quite some time; and would be suited for the professional offices business which is the proposed use for the property.

The evidence included further statements from the Zoning Administrator, the City Attorney and the City Engineer that the proposed zoning is consistent with the adopted Comprehensive Plan, which calls for future commercial/office development in this area.

No members of the public appeared at the meeting to speak in opposition to the proposed zoning map amendment.

Upon conclusion of all of the testimony and evidence, the public hearing was closed and the Planning Commission deliberated. After discussing the issues involved, a motion was made, seconded and passed unanimously to recommend to City Council to re-zone

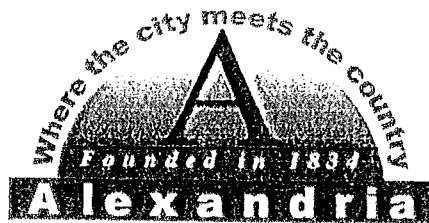
the property from residential One-D (R-1D), to Neighborhood Shopping Center (NSC), subject to the submitted development plan. The basis for the recommendation is that the proposal is consistent with the adopted Comprehensive Plan, which calls for future commercial/office development in this area.

Respectfully submitted,

/SS/ *Nick Reitman*

Nick Reitman, Chairman

Alexandria Planning Commission



CITY OF ALEXANDRIA PLANNING AND ZONING COMMISSION

PUBLIC HEARING

DATE- January 19, 2021

FILE NUMBER #PZ2020-24

LOCATION- 7813 Alexandria Pike

APPLICANT – Roger & Janet Bezold

REQUEST- A proposed Zoning Map Amendment from Single Family Residential (R-1D) Zone to Neighborhood Shopping Center (NSC) Zone.

OVERVIEW:

This property under review consists of 0.26 of an acre in the city of Alexandria on Alexandria Pike. It is currently zoned residential and has been used as a single family residence. The applicant is requesting a zone change to use as professional office space.

Notice of this hearing was published in the Campbell County Recorder and a sign Was placed on the property in accordance with Article 14 of the City of Alexandria's Zoning Ordinance.

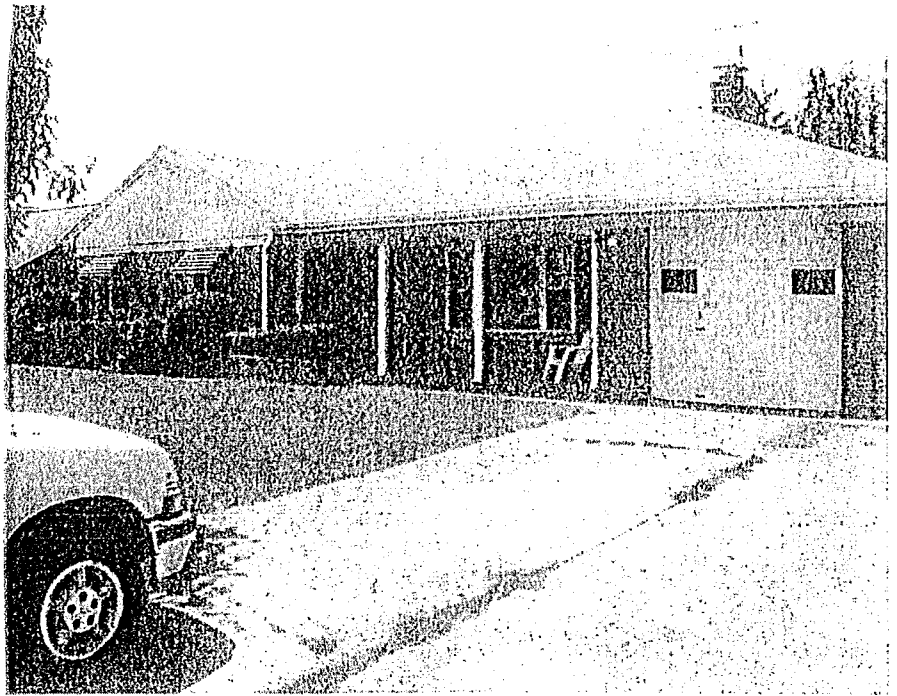
Considerations:

1. The site is adjacent to a NSC property owned by the applicant.
2. The site is currently zoned Single family Residential (R-1D)
3. Adjacent zones are:
 - a: Residential (R-1D) to the North & West
The property adjacent to this property has an occupational License for an in-home business.
 - b: Commercial (NSC) to the East
 - c: Commercial to the South and west

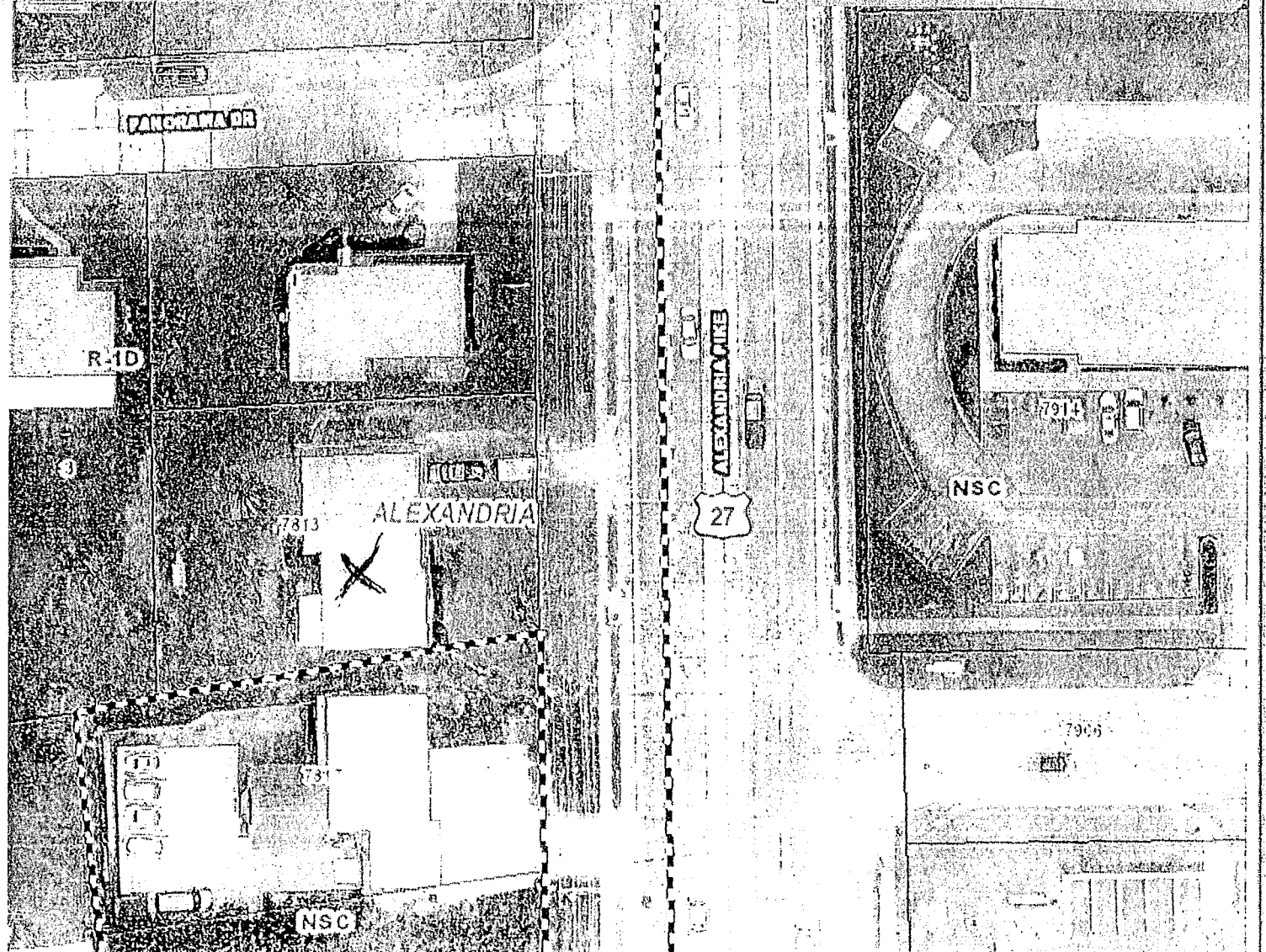
The City of Alexandria's Comprehensive Plan specifies the future land use as Commercial /Office for this site.

The City of Alexandria Zoning Ordinance
SECTION 4.17 (NSC) NEIGHBORHOOD SHOPPING CENTER ZONE
lists (B) 50. Professional Offices as a permitted use in this zone.

Article 14 of the City of Alexandria Zoning Ordinance states that before any map amendment is granted, the Planning and Zoning Commission, must
Find that the amendment is in agreement with the comprehensive plan
or
That the existing zoning classification is inappropriate for this use
and that the proposed zoning classification is appropriate; or
That there have been major changes of an economic, physical or social nature within the area.



LINK-GIS Web Map





CITY OF ALEXANDRIA
8236 West Main Street
Alexandria, KY 41001
(859) 635-4125 Fax (859) 635-4127

REZONING APPLICATION

Hearing Date: Dec 15, 2020 Project Number: PZ2020-24

Date Submitted: 10/30/2020

FEE: \$1,250.00 per plat or parcel to be subdivided from a parcel tract requiring approval for mortgage or conveyance purposes. Required fees shall be paid at the time of submittal of this application. All checks and money orders are payable to the *City of Alexandria*.

LEGAL DESCRIPTION:

Property Location: 7813 ALEXANDRIA PIKE

Current Zoning of R-1D to NSC Acreage: .26

Is Area Platted? YES Name of Plat: BROADVIEW ACRES Plat Book 4

Preliminary/Final Submitted? _____ Name of Plat: Pg 34C

FEE OWNERS OF AREA TO BE REZONED:

Name: ROGER BEZOLD Address: 9597 BARRS BRANCH RD Ph# 859 380 0832

Name: JANET BEZOLD Address: 71 Ph# 11

Name: _____ Address: _____ Ph# _____

I/We, the undersigned, request a hearing before the Alexandria Planning and Zoning Commission in regard to the above, described property. I/We hereby depose and say under penalties of perjury, that all the statements contained in or submitted with this application are true.

Janet Bezold
Owner or Duty Authorized Legal Agent's Signature

County of _____

State _____

Subscribed and sworn to here before me this _____ day of _____, 20_____

My Commission expires: _____ By: _____

For Office Use

Fee Amount Paid: \$ _____ on _____ Received by: _____

Approved: _____ Approved w/Conditions: _____ Not Approved: _____

Attachment to rezoning application for 7813 Alexandria Pike

The house at 7813 Alexandria Pike is currently zoned R-1D. We are requesting that it be zoned NSC.

The property at 7817 Alexandria Pike is zoned NSC.

The property at 7821 Alexandria Pike is zoned NSC

The property on the corner of Alexandria Pike and Panorama Drive address 1 Panorama Drive is zoned R-1D and has an occupational license for in-home business.

The property at 7813 will still be rental property, not as residential for families, to be rented as office space for a business entity.

Thank you for your time in expediting this request. We appreciate your efforts. Please call me with any questions or further requirements I need to complete.

Stay Safe.



Janet Bezold

Bezold Tax Services LLC

859-635-2077



COPY

Group No. 70385/A2

PIDN: 999-99-24-016.00

Situated in Campbell County, Kentucky and being described as Lot Number 6 of the Broad Acres Subdivision as shown on plat recorded in Plat Book 4 at Page 34C of the Campbell County Clerk's records at Alexandria, Kentucky.

Subject to any and all easements, restriction, conditions and legal highways of record and/or in existence.

Being the same property conveyed to Linda J. Garrett, single, by virtue of a deed dated 10/23/2001 and recorded on 10/29/01 at Deed Book 252, page 207 of the Campbell County, Kentucky real estate records.

EXHIBIT "A"

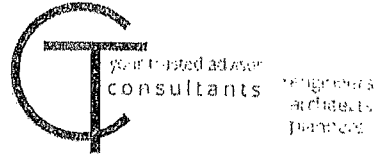
7813 Alexandria Pike, Alexandria, KY
PIDN: 999-99-24-016.00
Group no: 70385/A2



Situated in Campbell County, Kentucky and being described as Lot Number 6 of the Broad Acres Subdivision as shown on plat recorded in Plat Book 4 at Page 34C now Slide D-444B, of the Campbell County Clerk's records at Alexandria Kentucky.

Subject to any and all easements, restriction, conditions and legal highways of record and/or in existence.

Being the same property conveyed to Westmark Properties, LLC, by Deed dated July 14, 2008, of record in Deed Book 0289, Page 051, in the Office of the Clerk of Campbell County, Kentucky.



November 30, 2020

Mr. Dave Hart
Planning Commission
City of Alexandria
8236 West Main Street
Alexandria, Kentucky

Re: 7813 Alexandria Pike Rezone
CT Project No. 20028324

Dear Mr. Hart:

We have reviewed the submitted rezoning application for the property located at 7813 Alexandria Pike from Residential One – D (R1-D) to Neighborhood Shopping Center (NSC). We offer the following comments for your consideration:

1. The existing property is located along Alexandria Pike between Panorama Drive and Meadow Lane. The 0.26 acre site is currently zoned R1-D. An existing single family house is located on the property. The property located directly to the south (7817 Alexandria Pike) is zoned NSC, and is owed by the applicant. The properties located directly to the north and west (1 & 3 Panorama Drive) are zoned R1-D. An existing shopping center is located to the east on the other side of Alexandria Pike. Specifically the Burger King parking lot is directly east of the subject property.
2. The future land use map identifies the property for General Commercial/Office.
3. The applicant has proposed for the property to be rezoned as Neighborhood Shopping Center (NSC). Similar to the property to the south that is owned by the applicant, the interior of the single family house will be modified to create office space. The applicant plans to rent out the office space. Note that while the High Commercial (HC) zone is probably the most appropriate zone for the proposed use, the NSC zone is an acceptable zoning for the proposed use. Taking into consideration the two properties to the south being zoned as NSC, we take no issue with the applicant requesting NSC instead of HC.
4. No exterior modification are being proposed on the site at this time. Future driveway/parking improvements would need to be reviewed with the Zoning Administrator prior to construction.

If you have any question about the comments above, please feel free to contact me at (859) 525-0544 or at rseitzinger@ctconsultants.com.

Respectfully,

CT Consultants, Inc.

Robert Seitzinger, P.E.
City Engineer