



**ORDINANCE 2021-04**

**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 UNDEVELOPED REAL ESTATE AND LOTS LOCATED IN AND ABOUT THE TIMBER CREEK SUBDIVISION ON THE SOUTH SIDE OF POPLAR RIDGE ROAD, AND OFF OF EAST AND WEST TIMBER CREEK DRIVES, FROM RESIDENTIAL ONE-D (R-1D) ZONE TO PLANNED UNIT DEVELOPMENT (PUD) ZONE, IN ORDER TO CHANGE THE REQUIRED SIDE YARD SETBACKS FOR HOMES TO BE BUILT ON THE PROPERTY, SUBJECT TO THE SUBMITTED DEVELOPMENT PLAN.**

**WHEREAS**, the Drees Company, owner and developer of real estate being developed as the Timber Ridge Subdivision located on the south side of Poplar Ridge Road, and off of East and West Timber Creek Drives, Alexandria, KY, has made application and has requested the City to rezone its property from Residential One-D (R-1D) zone to Planned Unit Development (PUD) zone;

**WHEREAS**, pursuant to KRS 100.211, the Alexandria Planning Commission held a public hearing on March 16, 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 proposed zoning, subject to the submitted development plan, in order to change the required side yard setbacks for homes to be built 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 the Drees Company real estate being developed as the Timber Ridge Subdivision located on the south side of Poplar Ridge Road, and off of East and West Timber Creek Drives, Alexandria, Kentucky, from Residential One-D (R-1D) zone

to Planned Unit Development (PUD) zone, subject to the submitted development plan which was reviewed at the public hearing, in order to change the required side yard setbacks for homes to be built on the property.

**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 6:** 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 7:** The foregoing Ordinance was introduced by Council Member Shinkle, was read, passed and adopted by the Council of the City of Alexandria, Kentucky, meeting in **regular sessions on the 1<sup>st</sup> day of April, 2021, and on the 15<sup>th</sup> day of April, 2021, with 5 yes votes, -0- no votes, and -0- abstentions (Vanlandingham recused)**, and was thereafter approved by the Mayor and ordered published in summary according to law.

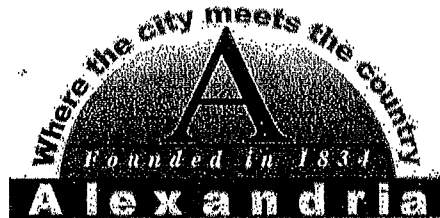
APPROVED:

  
MAYOR ANDY SCHABELL

ATTEST:

  
CITY CLERK JAN JOHANNEMANN

Published: 4/22/2021



**CITY OF ALEXANDRIA PLANNING AND ZONING COMMISSION**

**PUBLIC HEARING**

**DATE- MARCH 16, 2021**

**FILE NUMBER-PZ2021-03**

**APPLICANT- THE DREES COMPANY**

**LOCATION- TIMBER CREEK SUBDIVISION**

**REQUEST- A proposed Zoning Map Amendment from Single Family Residential (R-1D) zone to Planned Unit Development (PUD) Zone.**

**OVERVIEW:**

This property under review consists of 30 acres in the City of Alexandria off of Poplar Ridge Road. It is currently zoned Single Family Residential (R-1D). The applicant is requesting a zone change to change the side yard setback requirements to allow potential buyers more flexibility for house types.

Notice if this Public Hearing was published in the Campbell County Recorder and signs were posted on this property in accordance with Article 14 of the City of Alexandria's Zoning Ordinance.

### Considerations:

- 1) The site is currently zoned R-1D
- 2) The zoning for the property adjacent to this property is:
  - R-1D - North
  - R-1D- East
  - R-3- West
  - R-1D- South

Article 14 of the City of Alexandria Zoning Ordinance states 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.

**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, March 16, 2021, for the purpose of hearing and collecting evidence, and of reviewing and receiving public comment regarding the following application:

*The application of The Drees Company for a Zoning Map Amendment to rezone the real estate at Timber Creek Subdivision, which is on the south side of Poplar Ridge Road, and off of East and West Timber Creek Drives, from single family Residential-1D (R-1D) to Planned Unit Development (PUD) to change the required side yard setbacks.*

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.

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

Mr. Matt Mains from Drees gave a presentation on the proposed zone change for the Timber Creek Subdivision, and presented the plans. He said the reason for the PUD zone is due to the fact that some lots have already sold and homes have been built under the R-1D classification. They are seeking this zone change due to the market demand of customers wanting the larger homes that are not allowed with the current side yard setbacks. Mr. Mains pointed out the total number of homes has actually decreased from the original plat due to the changes made.

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, as well as the findings necessary to support a zoning map amendment.

City Engineer Robert Seitzinger presented his comments on the application.

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

EXHIBIT TO ORDINANCE 2021-04

the property from Residential One-D (R-1D), to Planned Unit Development (PUD) to change the required side yard setbacks, subject to the submitted development plan. The basis for the recommendation is that the evidence shows that the current classification is inappropriate and the proposed classification is appropriate.

The recommendation of the Planning Commission shall be forwarded to Alexandria City Council for further consideration according to law.

Respectfully submitted,

/SS/ ***Nick Reitman***

Nick Reitman, Chairman

Alexandria Planning Commission