



ORDINANCE 2025-04

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 GRANDVIEW DEVELOPMENT LLC REAL ESTATE LOCATED AT 2428 GRANDVIEW ROAD, FROM HIGHWAY COMMERCIAL (HC) ZONE TO RESIDENTIAL RURAL ESTATE (R-RE) ZONE, IN ORDER TO APPLY THE ZONING CLASSIFICATION THAT MATCHES THE USE OF THE REAL ESTATE.

WHEREAS, GRANDVIEW DEVELOPMENT LLC ('Owner'), has requested the City of Alexandria to rezone the approximately 1.0116-acre parcel of real estate located at and known as 2428 Grandview Road, Alexandria, Kentucky, and identified as Campbell County Property Valuation Administrator PIDN 999-99-25-141.01, from Highway Commercial (HC) zone Residential Rural Estate (R-RE) zone to, in order to apply the zoning classification that matches the use of the real estate. The subject real estate is hereinafter referred to as the Grandview Development Real Estate. The current and historical use of the Grandview Development Real Estate is as a residential home site;

WHEREAS, the Grandview Development Real Estate is more particularly described in the Deed recorded at Deed Book 363, page 670 of the Campbell County Clerk's records, a copy of the plat from the Deed is reprinted below in Section 2 of this Ordinance;

WHEREAS, pursuant to KRS 100.211, the Alexandria Planning Commission held a public hearing on Tuesday, February 18, 2025, at which time the zoning map amendment was presented, and the public was given the opportunity to be heard and make comment;

WHEREAS, the professional staff of the Alexandria Planning Commission presented and discussed their *Staff Comments, Findings, and Recommendations* ('Staff Report'), a copy of which is attached as Exhibit 'A' to this Ordinance; and

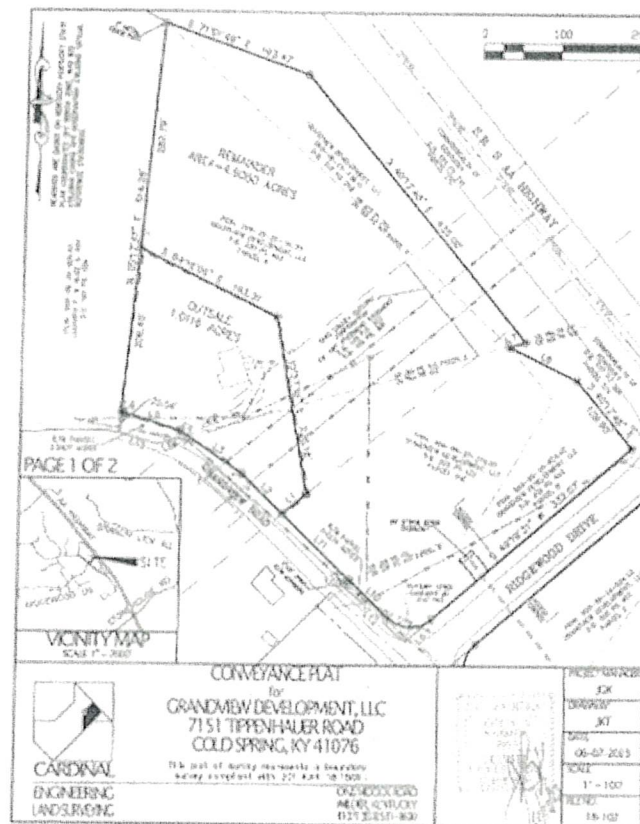
WHEREAS, once the record of the public hearing was officially closed, the Alexandria Planning Commission considered the evidence presented, discussed the issues, and then voted to recommend approval of the zoning map amendment, according to the Staff Report.

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, including without limitation the Staff Report and the attached *Planning Commission Recommendation To City Council* (Exhibit 'B'). The City Council finds that the existing zoning classification is inappropriate, and the proposed zoning is appropriate - all as set forth in the Staff Report and according to the testimony and evidence as presented and discussed in the public hearing.

SECTION 2: The City does hereby change the zoning classification of the Grandview Development Real Estate consisting of an approximately 1.00116-acre parcel of real estate located at and known as 2428 Grandview Road, Alexandria, Kentucky, and identified as Campbell County Property Valuation Administrator PIDN 999-99-25-141.01, deed reference Deed Book 363, page 670, from Highway Commercial (HC) zone Residential Rural Estate (R-RE) zone in order to apply the zoning classification that matches the use of the real estate, a residential home site. The Grandview Development Real Estate is shown on the following plat:



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 Patrick Blair, was read, passed and adopted by the Council of the City of Alexandria, Kentucky, meeting in **special session on the 12th day of March, 2025, and in regular session on the 20th day of March, 2025, with 5 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 STEPHANIE TARTER

Published: 3/25/2025



January 29, 2025

City of Alexandria Planning and Zoning Commission
Staff Comments, Findings, and Recommendations

Issue to be heard: Tuesday, February 18 at 7:00pm
8236 W. Main St.
Alexandria, KY 41001

The Campbell County staff respectfully submits the attached report for review and consideration related to:

FILE NUMBER: PZ-25-001
APPLICANT: Grandview Development LLC
LOCATION: 2428 Grandview Road
REQUEST: Zone Map Amendment from Highway Commercial (HC) to Residential Rural Estate (R-RE)

Notice of public hearing was placed in the Link NKY Reader and mailed to adjoining property owners. A notice of this hearing was also placed on the site.

Information concerning this case is available for review at the Campbell County & Municipal Planning & Zoning Office, 1098 Monmouth Street, Suite 343, Newport, KY Monday-Friday during normal business hours.

Overview:

The applicant is requesting a zone one-acre parcel from Highway Commercial (HC) to Residential Rural Estate (R-RE) located at 2428 Grandview Road (PIDN 999-99-25-141.01).

In 2005, through a series of transfers, the property was owned by Grandview Road LLC and later transferred to Grandview Development LLC. This parcel is currently being used as a single-family residence which was constructed in 1980.

In 2009, 3.75 acres of land was annexed into the City of Alexandria and the zone was changed to Highway Commercial (HC) from Rural Residential Estate [County Zoning] (R-RE) as part of the annexation. The home at 2428 Grandview Road was part of this annexation and zone change. The home became a pre-existing non-conforming use in an HC Zone.

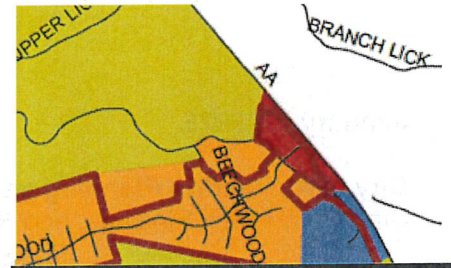


At that time, it was envisioned that the land would be part of a large development on the north side of Ridgewood Drive (Grandview Connector Road). The 2021 Update of the Comprehensive Plan identified this area as future General Commercial Use.

This development did not occur.

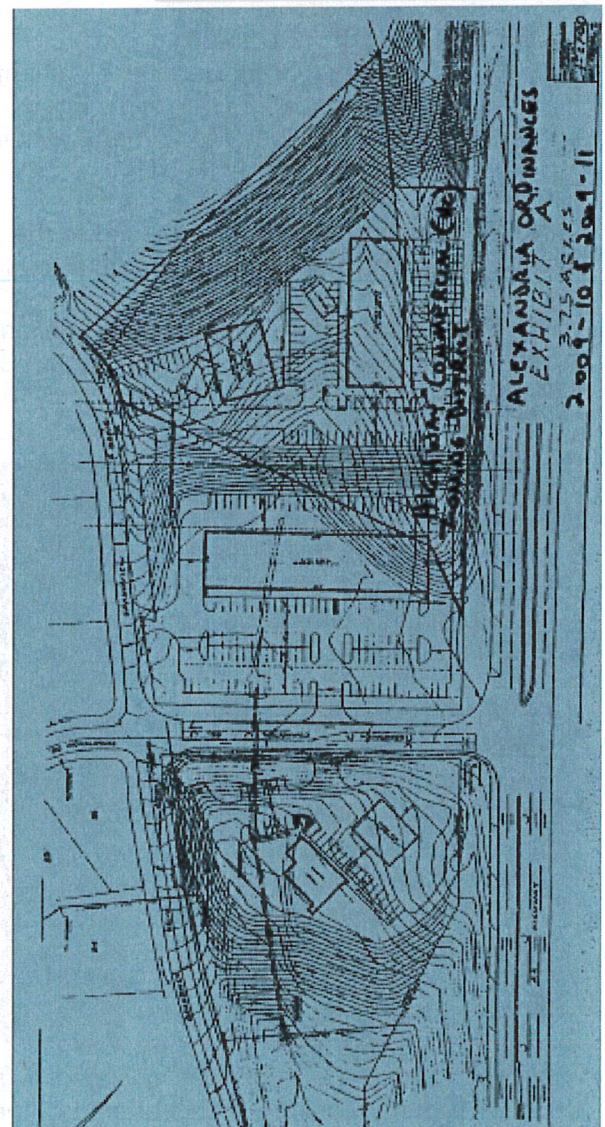
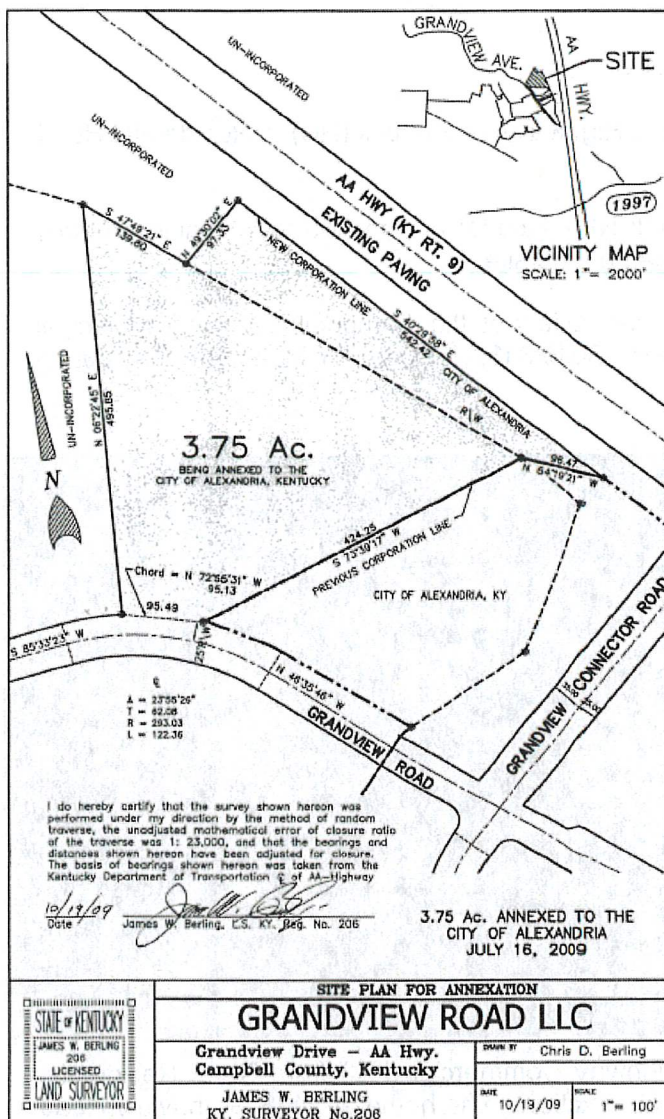
The owner would now like to revert that status of the lot with the home back to R-RE thereby making the use of the parcel a conforming use.

This *confirming* status is important with regards to the availability of financing for a property.



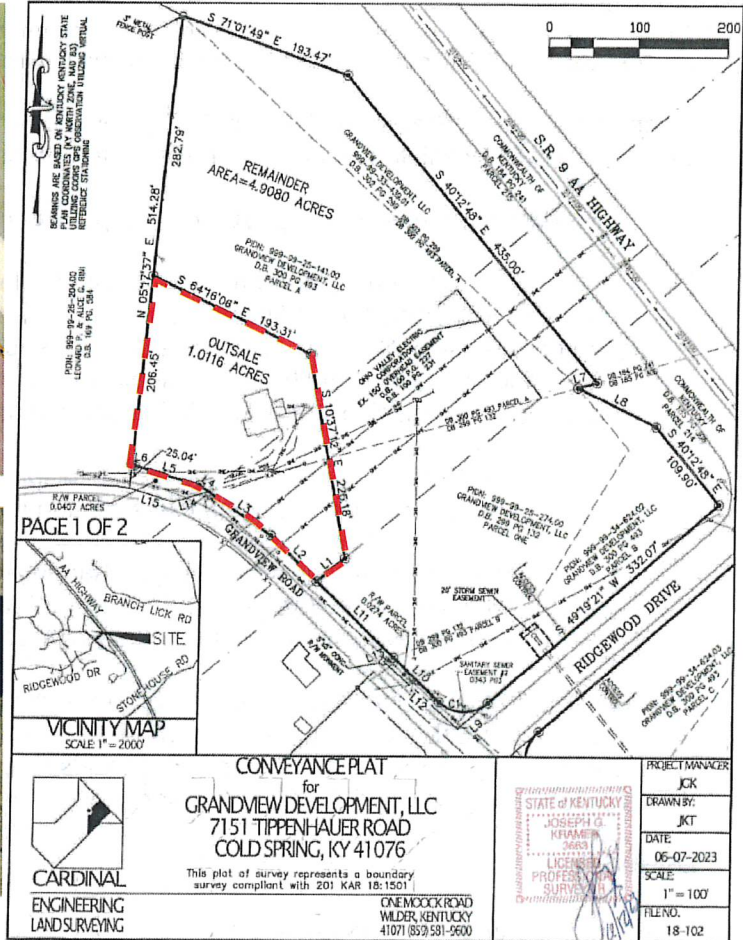
| Residential Uses | | Nonresidential Uses | |
|---------------------|------------------|--------------------------|--|
| City of Alexandria | 1.1 to 2.0 DUAC | Neighborhood Commercial | |
| City of Cold Spring | 2.1 to 4.0 DUAC | General Commercial | |
| Street Centerlines | 4.1 to 8.0 DUAC | Industrial | |
| | 8.1 to 14.0 DUAC | Old Town Alexandria | |
| | | Parks and Recreation | |
| | | Public and Institutional | |

**Alexandria 2030 Comprehensive Plan
Map 2 - Future Land Use Plan Map**





In 2023, a new survey was prepared separating the home into an out sale as PIDN 999-99-25-141.01.



Regulatory Considerations:

In reviewing this case, advise was sought from Michael Duncan, Attorney to the City of Alexandria.

Alexandria Zoning Ordinance

SECTION 14.0 AMENDMENT PROCEDURE

F. **MINIMUM SIZE OF NEW ZONES:** *No amendment of this ordinance shall be adopted whereby the zoning classification of an area is changed unless the total area being applied for meets the following requirements as to minimum size: the zoning map shall not be amended, changed or modified in such manner as to create a free standing zone of less than five (5) acres, except where specific area restrictions are stipulated in this ordinance, or as outlined in the adopted Comprehensive Plan by the Planning Commission.*

For the purpose of computing the total size of an area to be rezoned for compliance herewith, there shall be added to such area: (1) the area of public rights-of-way abutting the area being changed; and (3) the area of any land which is contiguous to the area being changed (including land located outside the jurisdiction of the Alexandria City Council but contiguous thereto and which land already bears the zoning classification sought for the area being changed. For the purpose of this section, neither continuity nor abutment shall be destroyed by the existence of a street, alley, or the City of Alexandria's corporation line.

Collectively the parcel under consideration and the land contiguous located in the County, which is already zoned R-RE [County], meets the requirements of Section 14.0 F.

Kentucky Revised Statute (KRS) 100.213(1) provides that a zoning map amendment may be granted if **1 of 3** possible findings are made by the Planning Commission or the City Council:

Findings necessary for proposed map amendment — Reconsideration.

(1) Before any map amendment is granted, the planning commission or the legislative body or fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court:

(a) That the existing zoning 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.

While the Future Land Use Map of the Comprehensive Plan calls for this parcel to be Commercial the case can be made the zoning is inappropriate (a) due to existing residence and the intention is to continue its use as a residence. It can also be noted that the intent of the proposed development has dispersed (b) since the adoption of the Comprehensive Plan Update. With the zone change, the residence would revert back to a conforming use which is a benefit to the community.

Note that if the change is adopted, the Future Land Use Map of the Comprehensive Plan should be amended at the next review.

While the R-RE zone requires a minimum lot size of 3 acres, staff notes that this lot is an existing lot of record. A new smaller lot is not being created. Nor is there a change in density to a lot which includes one-single family unit.

If desired, the Planning Commission may all powers and duties otherwise exercised by the board of adjustments pursuant to KRS 100.231, 100.233, 100.237, 100.241, 100.243, 100.247, and 100.251 as part of a map amendment and determine a variance for the minimum acreage.

Summary of Applicants Request:

The applicant has submitted a request for approval of a Zone Map Amendment. The amendment would change the zone from the current Highway Commercial (HC) to Residential Rural Estate (R-RE)

Staff Recommendation:

To approve the Zone Map Amendment from Highway Commercial (HC) to Residential Rural Estate (R-RE) for 2428 Grandview Road (PIDN 999-99-25-141.01) with a variance for the minimum lot size and to forward the zone change for adoption to the City Council.

Supporting Information / Basis for Recommendation

1. Proper legal notice has been given for a Zone Map Amendment.
2. That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;
3. That the proposed development did not advance resulting an economic condition that was not anticipated in the adopted comprehensive plan.
4. The authorization of the zone change with a variance for the minimum lot size will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.

If you have any questions concerning this report, please feel free to contact Campbell County Planning and Zoning at 859-292-3880. Thank you.

Respectfully submitted,


Cindy Minter, AICP
Director

**CITY OF ALEXANDRIA PLANNING COMMISSION
RECOMMENDATION TO CITY COUNCIL**

The City of Alexandria Planning Commission held a Public Hearing on Tuesday, February 18, 2025 for the purpose of hearing and collecting evidence, and of reviewing and receiving public comment regarding the following request:

The Alexandria Planning & Zoning Commission will hold a public hearing on Tuesday, February 18, 2025 at 7:00 PM at 8236 W. Main St. Alexandria, KY for the purpose of hearing testimony for the following cases:

FILE NUMBER: PZ-25-001
APPLICANT: Grandview Development LLC
LOCATION: 2428 Grandview Road
REQUEST: Zone Map Amendment from Highway Commercial (HC) to Residential Rural Estate (R-RE)

Persons interested in these cases are invited to be present. Interested persons may attend the meeting, and/or submit their comments in advance by emailing pzadmin@campbellcountky.gov or calling 859-292-3880 no later than noon (EST) February 14, 2025. For record keeping purposes, comments should also include the name and address of the person(s) commenting. Comments regarding this case will be taken by email, phone and in-person.

The public hearings 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, Cindy Minter, AICP, Director of the Campbell County Planning, Zoning and Building Department presented the Staff Report dated January 29, 2025, which is attached hereto and incorporated herein by reference as Exhibit 'A'. Ms. Minter discussed the issues and options contained in the Staff Report, and answered questions. Ms. Minter reported that the home was included in a previous annexation and rezoning to Highway Commercial in anticipation of a larger commercial development that never occurred. The home site in question is separated from the rest of the property and s at a higher topographical level. The owner now wishes to sell the home and that it be zoned according to its intended use. As indicated in the Staff report, the Commission and City Council can find that the existing zoning classification is inappropriate, and the proposed zoning is appropriate. Also that there have been major changes in the area since the adoption of the current Comprehensive Plan, and the Plan will need to be adjusted for this rezoning next time the Plan is updated.

Mrs. Bonnie Richmond of 2149 Grandview Road asked if the home in question would be owned by a company and rented out, or if it would be owner-occupied? Ms. Minter answered that the owner intends to sell the home and as far as the City knows, the future owner is unknown. In any event, the City cannot dictate who the buyer would be, or whether it will be rented or owner-occupied. No other members of the public appeared at the meeting to speak in favor or opposition to the proposed text amendments.

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 approve the zone change from HC to R-RE, based upon the finding that the existing zoning classification is inappropriate, and the proposed zoning is appropriate - all as set forth in the Staff Report and according to the testimony and evidence as presented and discussed in the public hearing.

After the conclusion of the Planning Commission decision, Ms. Minter presented the attached Exhibit 1, which is her Memo outlining the case, and including the 2023 survey of the home site, the subject of this rezoning case.

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

Respectfully submitted,

/SS/ **Nick Reitman**

Nick Reitman, Chairman

Alexandria Planning Commission

Memo

TO: David Plummer, Mike Duncan
FROM: Cindy Minter
RE: Zone Map Amendment for 2428 Grandview Road

On February 18, 2025, the City of Alexandria Planning and Zoning Commission unanimously approved a zone change request for a one-acre parcel from Highway Commercial (HC) to Residential Rural Estate (R-RE) located at 2428 Grandview Road (PIDN 999-99-25-141.01). We request that this map amendment be forwarded to City Council for consideration.

Background:

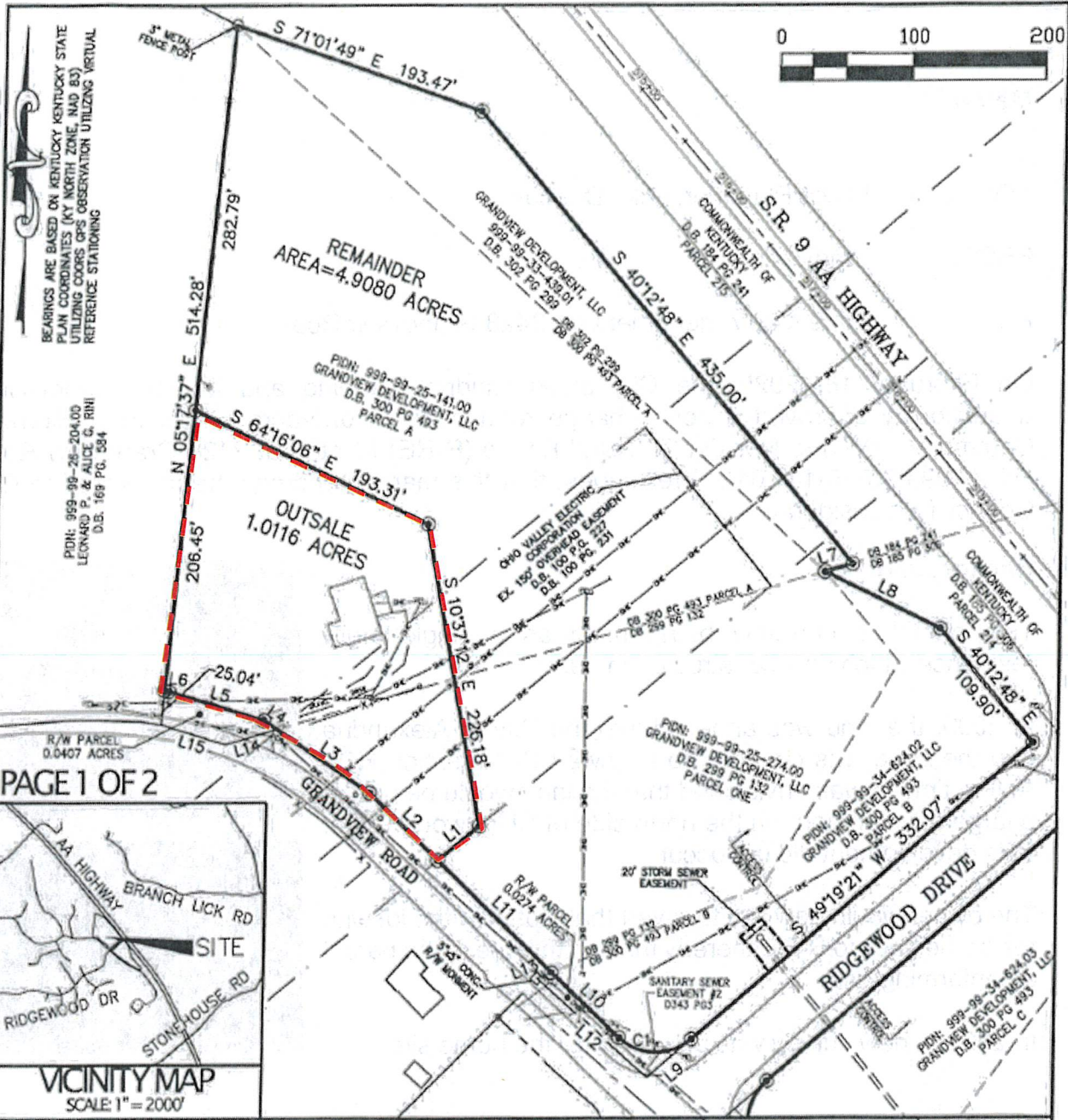
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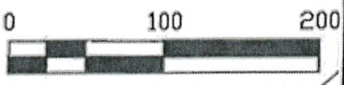
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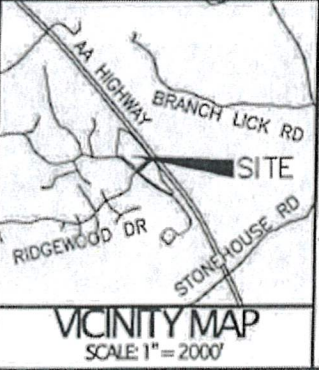




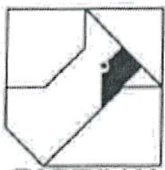
BEARINGS ARE BASED ON KENTUCKY STATE PLAN COORDINATES (KY NORTH ZONE, NAD 83) UTILIZING COORS GPS OBSERVATION UTILIZING VIRTUAL REFERENCE STATIONING



PAGE 1 OF 2



VICINITY MAP
SCALE: 1" = 2000'



CARDINAL
ENGINEERING
LAND SURVEYING

CONVEYANCE PLAT
for
GRANDVIEW DEVELOPMENT, LLC
7151 TIPPENHAUER ROAD
COLD SPRING, KY 41076

This plat of survey represents a boundary survey compliant with 201 KAR 18:1501

ONEMOOCK ROAD
WILDER, KENTUCKY
41071 (859) 581-9600

STATE of KENTUCKY
JOSEPH G. KRAMER
3663
LICENSED PROFESSIONAL SURVEYOR

[Handwritten Signature]

| | |
|------------------|------------|
| PROJECT MANAGER: | JCK |
| DRAWN BY: | JKT |
| DATE: | 06-07-2023 |
| SCALE: | 1" = 100' |
| FILE NO. | 18-102 |