

ORDINANCE NO. 2025

AN ORDINANCE CHANGING THE ZONE FROM R1-A (SINGLE FAMILY RESIDENTIAL) TO R1-C (SINGLE FAMILY RESIDENTIAL) FOR APPROXIMATELY 32.484 ACRES, MORE OR LESS, OF REAL PROPERTY LOCATED AT 0 RIDGE VIEW ROAD AND 0 HARTLAND DRIVE IN THE CITY OF DANVILLE, KENTUCKY.

WHEREAS, at a public hearing held on January 26, 2022 Joedy Sharpe Construction Company, Inc., the property owner, by counsel, presented a petition for a zoning ordinance map amendment for 32.484 acres, more or less, of real property located in the City of Danville at 0 Ridge View Road and 0 Hartland Drive from R1-A (Single Family Residential) to R1-C (Single Family Residential), and the Danville-Boyle County Planning and Zoning Commission, after making specific findings of fact, recommended approval of the zone change on January 26, 2022; and

WHEREAS, each member of the then Board of Commissioners of the City of Danville reviewed the materials of record with the Planning and Zoning Commission including a recording of the relevant portions of the Planning Commission's January 26, 2022 proceeding; and

WHEREAS, coming before the Board of Commissioners of the City of Danville at the Board's meeting of February 14, 2022, the property owner withdrew its application and request for a zoning ordinance map amendment; and

WHEREAS, property owner submitted a new zoning map amendment request and application petitioning for a map amendment for 32.484 acres, more or less, of real property located in the City of Danville at 0 Ridge View Road and 0 Hartland Drive from R1-A (Single Family Residential) to R1-C (Single Family Residential); and

WHEREAS, at a public hearing held on October 25, 2023, the Danville-Boyle County Planning and Zoning Commission recommended disapproval of the zone change concluding that the zoning map amendment request was not in conformity with the adopted comprehensive plan; and

WHEREAS, each member of the current Board of Commissioners of the City of Danville reviewed the materials of record with the Planning and Zoning Commission including specifically the property owner's intended density design of the residential development;

WHEREAS, the Board of Commissioners of the City of Danville does now deem it appropriate to disapprove and override the recommendation of the Planning Commission and to approve the zoning map amendment application by the property owner and confirm the rezoning of the subject property by ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF DANVILLE, KENTUCKY, AS FOLLOWS:

Section 1: Based upon the entirety of the record before the Planning Commission, including the testimony and supporting materials presented to the Planning Commission and the staff report materials including, but not limited, to the information cited on pages 3-5 of the report, the Board of Commissioners of the City of Danville finds and concludes that a zoning map amendment for 32.484 acres, more or less, of real property located in the City of Danville at 0 Ridge View Road and 0 Hartland Drive from R1-A (Single Family Residential) to R1-C (Single Family Residential) for this property is in agreement with the adopted comprehensive plan. The proposed Future Land Use Map indicates this property is designated as low density residential which is consistent with the proposed development and application, and that the proposed development and application is consistent with the Comprehensive Plan's Guidance for Residential Development for the reasons noted in the staff report and the minutes of the Planning Commission including but not limited to the fact that the designed density of the lots in the proposed development that are adjacent to Colonial Heights do not exceed the density of the dwelling units per acre in Colonial Heights by more than 50%.

Section 2: That the Zoning Ordinance for Boyle County and the Cities of Danville, Junction City and Perryville be amended to reflect a change in zone from R1-A (Single Family Residential) to R1-C (Single Family Residential) for 32.484 acres, more or less, of real property located in the City of Danville at 0 Ridge View Road and 0 Hartland Drive and depicted as Map No. 045-000-027 by the Boyle County Property Valuation Administrator.

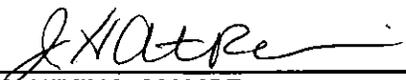
Section 3: That the Danville-Boyle County Planning and Zoning Commission is directed to show the amendment of the official zone map atlas and make reference to the number of this Ordinance.

Section 4: The provisions of this Ordinance are severable. If any section, sentence, clause, or section of this Ordinance or the application thereof to any particular case is for any reason found to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect or repeal any of the remaining provisions, sentences, clauses or sections or part of this Ordinance.

Section 5: This Ordinance shall be effective upon its final passage and publication, and the City Clerk is hereby directed to publish this Ordinance in the Danville Advocate-Messenger of Danville, Kentucky.

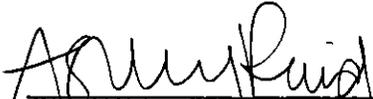
GIVEN FIRST READING AND PASSED 01.08.2024
GIVEN SECOND READING AND PASSED 01.22.2024
DATE OF PUBLICATION _____

APPROVED:



JAMES ATKINS, MAYOR
CITY OF DANVILLE, KENTUCKY

ATTEST:


ASHLEY RAIDER, CITY CLERK
CITY OF DANVILLE, KENTUCKY