

ORDINANCE NO. 637-2003

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, AMENDING THE CITY'S OFFICIAL ZONING ORDINANCE, ORDINANCE NO. 380-1982, CONCERNING APPLICATION AND FILING REQUIREMENTS FOR ISSUANCE OF A CONDITIONAL USE PERMIT AT SECTION 18.7(A)(1); AND AMENDING SECTIONS 10.7(C), 10.8(C), AND 10.9(D) THEREOF TO SO ENUMERATE NONTRADITIONAL HUMAN CARE FACILITIES AS A CONDITIONAL USE IN THE CITY'S CENTRAL BUSINESS, NEIGHBORHOOD COMMERCIAL, AND INDUSTRIAL ONE ZONES.

WHEREAS, the City Council of the City of Dry Ridge did heretofore determine that a text amendment to the City of Dry Ridge's Official Zoning Ordinance, No. 380-1982, concerning conditional uses at Sections 18.7(A)(1), 10.7(C), 10.8(C), and 10.9(D) thereof was required; and

WHEREAS, the City of Dry Ridge did make Application to the Grant County Planning Commission concerning the above zoning text amendment which held a public hearing on the said Application on February 24, 2003; and did so approve, with edit, the city's amendment requests under written findings and resolution; and

WHEREAS, the Dry Ridge City Council did take action on the Grant County Planing Commission's written recommendations with edit at its Regular Meeting held on March 3, 2003, which action of Council was in the majority and affirmative; and

WHEREAS, upon the foregoing, the City of Dry Ridge's Official Zoning Ordinance, Ordinance No. 380-1982, concerning conditional uses at Sections 18.7(A)(1), 10.7(C), 10.8(C), and 10.9 (D) thereof are to be so changed and amended as hereinafter set forth and provided.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE CITY OF DRY RIDGE, KENTUCKY, AS FOLLOWS:

ARTICLE ONE

D.

That the text and language of Section 18.7(A)(1) of City of Dry Ridge Ordinance No. 380-1982 concerning the issuance of conditional use permits be changed and amended as follows, to-wit:

SECTION 18.7 CONDITIONAL USE PERMITS:

Conditional use permits shall not be issued without the specific approval of the Board of Adjustment, as provide herein:

A. The Board of Adjustment shall have the power to hear and decide on applications for conditional use permits, subject to the following:

1. A written application for a conditional use permit (including the required fee, as per Section 19.0 of this ordinance) and a site plan subject to the applicable requirements of Section 9.19 shall be submitted to the board, and the applicant or applicants herein referred to shall be the owner of the lands and real property upon which the conditional use activity is to be conducted or ongoing and the landowner's tenant or lessee who is to conduct or operate the conditional use for which the conditional use permit is sought. Both the landowner and the landowner's tenant/lessee shall be bound by the conditions and determinations of the Board of Adjustment as well as matters concerning the termination or extinguishment of the conditional use or the conditional use issued therefor as may be provided for elsewhere herein.

ARTICLE TWO

A.

That the text and language of Section 10.7(C) of City Dry Ridge Ordinance No. 380-1982 concerning Conditional Uses in the city's Central Business District zone be changed and amended as follows, to-wit:

5.

State Licensed and Permitted Facilities for the supervision and care (nontraditional medical or geriatric specific) of human beings whether the same be infants, children, adults or the elderly. This conditional use permit shall be site specific and continue so long as the required state care facility licenses and permits are maintained for the site and on file with the City of Dry Ridge; and the conditional use and the conditional use permit issued or granted shall not be deemed or constitute a covenant being or running with lands, property or premises.

ARTICLE THREE

B.

That the text and language of Section 10.8(C) of City Dry Ridge Ordinance No. 380-1982 concerning Conditional Uses in the city's Neighborhood Commercial zone be changed and amended as follows, to-wit:

3.

State Licensed and Permitted Facilities for the supervision and care (nontraditional medical or geriatric specific) of human beings whether the same be infants, children, adults or the elderly. This conditional use permit shall be site specific and continue so long as the required state care facility licenses and permits are maintained for the site and on file with the City of Dry Ridge; and the conditional use and the conditional use permit issued or granted shall not be deemed or constitute a covenant being or running with lands, property or premises.

## ARTICLE FOUR

C.

That the text and language of Section 10.9(D) of City Dry Ridge Ordinance No. 380-1982 concerning Conditional Uses in the city's Industrial One zone be changed and amended as follows, to-wit:

3.(a)

State Licensed and Permitted Facilities for the supervision and care (nontraditional medical or geriatric specific) of human beings whether the same be infants, children, adults or the elderly. This conditional use permit shall be site specific and continue so long as the required state care facility licenses and permits are maintained for the site and on file with the City of Dry Ridge; and the conditional use and the conditional use permit issued or granted shall not be deemed or constitute a covenant being or running with lands, property or premises.

3.(b)

The state licensed and permitted human supervision and care facility and use conditional provided for above within the city's Industrial One zone shall be allowed, permitted, or granted for this zone only to an applicant which is an owner current of an industrial activity within the said zone and be allowed only on or upon lands owned by the said applicant. However, an application for the issuance of a conditional use permit for the herein provided for activity and use may be made by two (2) or several industrial owners/applicants to operate, manage and supervise a single care facility to meet the needs of sames' employees and personnel.

ARTICLE FIVE

This Ordinance shall become effective and be in force when passed, approved, ordained, ordered published, and published according to law.

First Reading: March 3, 2003

Second Reading: April 7, 2003

PASSED, APPROVED, ORDAINED, AND ORDERED PUBLISHED THIS  
THE 7th DAY OF April, 2003.

*William Cull*

WILLIAM CULL, MAYOR

ATTEST:

*Cindy L. Harris*

CINDY L. HARRIS, CITY CLERK