

## **HARDIN FISCAL COURT RESOLUTION 2014 –060**

**Whereas**, the Hardin County Planning Commission conducted a public hearing which concluded on March 4, 2014 on the application of Vulcan Lands, Inc. for a zoning map amendment for a 26.8 acre portion of a 173 acre tract owned by James Jenkins and Joyce Gardner from Urban Residential (R-1) to Heavy Industrial (I-2) to allow for progression of an existing quarry with a conditional use permit; and

**Whereas**, the Planning Commission recommended the map amendment be granted based on its findings that the requested change complied with the Comprehensive Plan, specifically with Goal 6, Objectives 1, 5 and 7; and

**Whereas**, pursuant to KRS 100.211 and Section 4-3 of the Development Guidance System 2009 (Ordinance 269, Series 2009) James Moore, Frank Humphrey and Gary Lawson filed an appeal of the Planning Commission's findings and recommendation to Hardin Fiscal Court on March 21, 2014; and

**Whereas**, a hearing before Hardin Fiscal Court having been duly advertised and held pursuant to KRS 100.211 and Ordinance 269, Series 2009;

**BE IT HEREBY RESOLVED** that by a majority vote of the entire Fiscal Court that the requested map amendment be DENIED based on the following Findings of Fact:

That the proposed map amendment is not in agreement with the adopted Goals and Objectives of the Comprehensive Plan, specifically:

**Goal 5:** TO ENCOURAGE THE LOCATION AND DEVELOPMENT OF DIFFERENT LAND USES IN THE MOST APPROPRIATE MANNER.

**Objective 1:** To determine the most appropriate relationships between the various types of land uses required to meet current as well as future needs. *The subject property is located within the*

**North Urban Planning Area. The recommended land use pattern for the North Urban Planning Area is the continued development of residential land uses.**

**Objective 7:** Conceive the definitive areas within the county for the highest and best use as residential, commercial and industrial which will make effective use of existing and proposed services and facilities. ***The North Urban Planning Area is currently an area which contains a large amount of long-developed residential developments; Millcreek, Ravenswood and Providence Place.***

**Objective 8:** Require measures which provide for good transition, such as screening, landscaping or other types of buffers intermediate land uses of different intensity or type. ***The proposed 26.8 acres of land that is sought to be rezoned as Heavy Industrial is currently an agricultural area between the current quarry operation and the Millcreek neighborhood and serves as an appropriate natural buffer between the industrial and residential land uses.***

**Goal 6:** TO IMPROVE AND PROMOTE HARDIN COUNTY AS A PLACE FOR COMMERCE AND INDUSTRY.

**Objective 1:** To provide adequate space for the proper location of commercial and industrial use. ***Adequate space presently exists for the proper location of Vulcan's industrial activity as indicated by testimony that Vulcan has 30 years of mining area available without the proposed 26 acre tract.***

**Goal 8:** TO PROMOTE CONSERVATION AND EFFICIENT UTILIZATION OF EXISTING COMMUNITY RESOURCES.

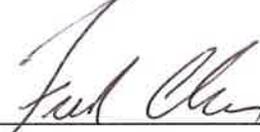
**Objective 1:** To preserve neighborhoods and housing. ***The Comprehensive Plan is designed as a plan for orderly growth and property owners within neighborhoods should be able to rely upon adherence to orderly planning when making investments in real estate for housing purposes.***

**Goal 14:** TO ASSURE THAT HARDIN COUNTY'S NONRENEWABLE RESOURCES ARE DEVELOPED IN A MANNER WHICH WILL BEST SERVE THE COUNTY.

**Objective 1:** Discourage the conversion of prime agricultural land to other uses and to protect all agricultural land from conflicting development activities. *The present use of the tract is agricultural and conversion from an agricultural purpose would destroy desired acreage included in the map amendment.*

This 13<sup>th</sup> day of May, 2014.

Proposed by:

  
\_\_\_\_\_  
Fred Clem, Magistrate, District 4

Roy Easter

Bill Wiseman

Doug Goodman

E. G. Thompson

Lisa Williams

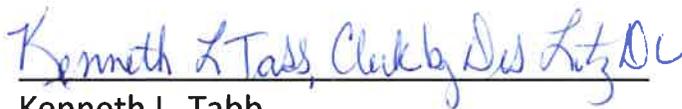
Dwight Morgan

Fred Clem

Garry King

Judge/Executive Harry L. Berry

Attest:

  
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Kenneth L. Tabb

Hardin County Clerk