

# Fiscal Court Orders

June 20, 2017  
REGULAR SESSION OF NELSON FISCAL COURT

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SECTION I: Boundaries of the district as shown on district map entitled "ZONING MAP, CITIES OF BARDSTOWN, BLOOMFIELD, FAIRFIELD, NEW HAVEN AND NELSON COUNTY, KENTUCKY" be and the same are hereby amended for reasons adopted and stated in the Fiscal Court Meeting held on June 20<sup>th</sup>, 2017 all of which is made a part hereof as if fully set out herein, so that the following described property of Marion Bischoff (Applicant/Owner) and Phillip Bischoff (Co-Applicant/Developer), is presently A-1, Agricultural District be and the same is placed as I-IM, Moderate Impact Industrial District and said property is described as follows:

Beginning at a point 25 feet from the center of the road and 50 feet from the center of the railroad; thence with the south right-of-way of the railroad S 50 deg. E 512 feet; thence S 40 deg. W 50 deg. E 240 feet; thence S 47 deg. 34' W 305 feet to a stake corner to Tract 9 and Tract 8; thence with Tract 8 N 48 deg. 00' W 562.5 feet to a stake corner to Tract 8 and 25 feet from the center of the road N 0 deg. 58' E 195 feet to the point of beginning, containing 5.0 acres, more or less, as shown on plat recorded in Plat Cabinet 1, Slot 188, in the Office of the Nelson County Clerk. Said tract subject to easements for water line and power line.

SECTION II: This Ordinance becomes effective immediately upon passage by the Fiscal Court of Nelson County.

SECTION III: This Ordinance shall be published in the Kentucky Standard newspaper by title and summary within 30 days after adoption.

SECTION IV: This Order or parts of Orders in conflict herewith are repealed to the extent of such conflict.

Adopted this \_\_\_ day of \_\_\_\_\_, 2017, by \_\_\_ ayes and \_\_\_ nays.

NELSON FISCAL COURT

\_\_\_\_\_  
County Judge/Executive

ATTEST:

\_\_\_\_\_  
Nelson County Court Clerk

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Prefacing discussion on this ordinance, County Attorney Matthew Hite instructed members of Nelson Fiscal Court as follows:

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"This came to you without a recommendation from Planning and Zoning, so it is going to be up to you to actually make the decision. You are not reviewing what Planning and Zoning did. You are actually just reviewing the evidence that they had at the hearing and making your own decision. Initially what we need to do. . .there was a motion to simply adopt the evidence that was introduced at the hearing at Planning and Zoning--hearing has already been held on this. That will be the record from which you make the decision."

On motion of Sam Hutchins, second of Jerry Hahn, by affirmative vote of all Court members, IT IS HEREBY ORDERED to adopt the testimony and evidence presented related to this rezoning request at the Planning and Zoning hearing.

County Attorney: "Second, there was a slight procedural anomaly simply because there was . . . this thing got tabled and was pushed to a different day. The recommendation has to be made within a 60-day time period. It is arguable that this particular one wasn't. The applicants in this case have graciously agreed to simply waive that issue. . ."