

**CITY OF RUSSELLVILLE, KENTUCKY  
ORDINANCE NO. 2007-07**

AN ORDINANCE AMENDING ORDINANCE NO. 84-4, "AN ORDINANCE DIVIDING THE CITY OF RUSSELLVILLE AND AREAS WITHIN ITS JURISDICTION INTO ZONES, SETTING FORTH GOALS, OBJECTIVES, AUTHORITY, THE TITLE TO WHICH THE ORDINANCE MAY BE REFERRED, GUIDELINES FOR INTERPRETATION THEREOF, AND DEFINITIONS; DIVIDING THE CITY INTO DISTRICTS AND BOUNDARIES AND PROVIDING FOR THE ZONING OF ANNEXED LANDS; STATING GENERAL PROVISIONS APPLICABLE TO ZONING DISTRICTS; DESCRIBING THE ZONING DISTRICTS AND THE BASIC REQUIREMENTS; STATING PROVISIONS APPLICABLE TO MOBILE HOMES AND MOBILE HOME PARKS; STATING PROVISIONS APPLICABLE TO PLANNED DEVELOPMENTS; STATING PROVISIONS APPLICABLE TO ZONING ADMINISTRATION; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE WITH A SEVERABILITY CLAUSE AND A REPEALER CLAUSE PROVIDING FOR THE EFFECTIVE DATE AND RECORDING OF THIS ORDINANCE AND ALL AMENDMENTS THERETO" BY AMENDING THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 190-198 SOUTH BLAKEY STREET FROM RESIDENTIAL R-3 TO COMMERCIAL B-2; WITH REPEALER CLAUSE, SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

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WHEREAS, on March 19, 1984, the City Council in and for the City of Russellville, Kentucky, enacted Ordinance 84-4, "AN ORDINANCE DIVIDING THE CITY OF RUSSELLVILLE AND AREAS WITHIN ITS JURISDICTION INTO ZONES, SETTING FORTH GOALS, OBJECTIVES, AUTHORITY, THE TITLE TO WHICH THE ORDINANCE MAY BE REFERRED, GUIDELINES FOR INTERPRETATION THEREOF, AND DEFINITIONS; DIVIDING THE CITY INTO DISTRICTS AND BOUNDARIES AND PROVIDING FOR THE ZONING OF ANNEXED LANDS; STATING GENERAL PROVISIONS APPLICABLE TO ZONING DISTRICTS; DESCRIBING THE ZONING DISTRICTS AND THE BASIC REQUIREMENTS; STATING PROVISIONS APPLICABLE TO MOBILE HOMES AND MOBILE HOME PARKS; STATING PROVISIONS APPLICABLE TO PLANNED DEVELOPMENTS; STATING PROVISIONS APPLICABLE TO ZONING ADMINISTRATION; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE WITH A SEVERABILITY CLAUSE AND A REPEALER CLAUSE PROVIDING FOR THE EFFECTIVE DATE AND RECORDING OF THIS ORDINANCE AND ALL AMENDMENTS THERETO," more commonly known as the "Zoning Ordinance of the City of Russellville, Kentucky; and

WHEREAS, the Logan Joint Cities-County Planning Commission has made a recommendation to City Council that a certain area of land within the city limits be rezoned based upon a change in economic, social or physical conditions, and

WHEREAS, the Findings of Fact and Recommendation of the Logan Joint Cities-County Planning Commission is attached hereto and made a part hereof, and

WHEREAS, the City Council in and for the City of Russellville, Kentucky deems this change is in the best interests of the health, safety and welfare of the citizens of Russellville, Kentucky;

NOW, THEREFORE, be it ordained by the City Council in and for the City of Russellville, Kentucky, as follows:

A. The "Zoning Ordinance of the City of Russellville, Kentucky" is hereby amended as follows:

That certain parcel of land located at 190-198 South Blakey Street, Russellville, Kentucky, as more fully described in deed dated April 1, 1977, as found in Deed Book 223, Page 325, is hereby rezoned from Residential R-3 to Commercial B-2.

B. In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect any other provision.

C. All portions of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.


D. This Ordinance shall be effective upon its passage and publication according to law.

**FIRST READING** being conducted on the 14<sup>th</sup> day of May, 2007.

**SECOND READING AND PASSAGE** on the 22<sup>nd</sup> day of May, 2007.

  
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**GENE ZICK, MAYOR**

ATTEST:

  
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**BOB RIGGS, CITY CLERK**

**Ayes:** Davenport, Lanny; Jones, Russell; McPherson, Lanny; Philips, Chuck; Stratton, Mark; Whipple, Jack.

**Nays:** none.

**Absent:** none.

**Abstaining:** none.

**LOGAN JOINT CITIES/COUNTY PLANNING COMMISSION  
IN RE: APPLICATION OF JOHN COREY MORGAN AND  
JOHN C. MORGAN**

This matter having come before the Logan Joint Cities/County Planning Commission (Commission) on May 3, 2007, on the Application of John Corey Morgan and John C. Morgan (Applicants) for a change in the Zoning Map of the City of Russellville for the properties owned by John C. Morgan at 190 - 198 S. Blakey Street in Russellville, Kentucky, a legal description of which is contained in DEED(s) from Hollis Vick, widower, to John C. Morgan and wife, Jean D. Morgan, by DEED dated April 1, 1977, recorded in Deed Book 223, Page 325, in the Office of Logan County Court Clerk, Jean D. Morgan, unmarried, having conveyed all of her right, title, claim, and interest unto John C. Morgan by QUIT-CLAIM DEED dated April 30, 1992, recorded in Deed Book 277, Page 15, in the Office of the Logan County Court Clerk, from Residential District R-3 to Commercial B-2, and the Commission having heard a review of the Application by Bill Pearson; and finding that there were no objections to the granting of the Application, and the Commission being otherwise sufficiently advised, does hereby enter the following as its FINDINGS OF FACT:

**FINDINGS OF FACT**

1. Due notice of the Hearing was given and a quorum was present.

The area to be rezoned was explained in detail by John Corey Morgan.

Also present were Barbara Milam and Ernest Beasley who did not oppose the rezoning.

2. Bill Pearson reported that due notice had been given to the public and to adjoining land owners. There is, and will be, significant commercial property in the area. The Application was fully discussed by the Members. Mr. Pearson, citing reasons which the Commission accepted, stated that the existing zoning classification is inappropriate and that the proposed zoning classification is

appropriate, and in any event, there have been, and will be, major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted Comprehensive Plan.

3. The Commission accepts the Application, which is incorporated herein by reference.

4. Incorporated herein by reference as if fully copied herein are the audio tapes and Minutes of the meeting.

On motion of Jack McLean, seconded by Ray Hart, passed on roll call vote by those present, the Application for rezoning of the property was unanimously approved by those present.

#### RECOMMENDATION

The Commission having considered the Application and the evidence presented, having on May 3, 2007, accepted the evidence offered on behalf of the Application, having made its FINDINGS OF FACT, and having approved the Application, does hereby recommend to the City Council of the City of Russellville that the Application of John Corey Morgan and John C. Morgan be approved, and this is the final action of the Commission on this Application.

This 11<sup>th</sup> day of May, 2007.

THE JOINT LOGAN CITIES/COUNTY  
PLANNING COMMISSION

by:

  
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KEN ROBBINS, Chairman

Received on behalf of the  
City of Russellville, Kentucky,  
this 11 day of May, 2007.

  
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GENE ZICK, MAYOR  
CITY OF RUSSELLVILLE

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## **LEGAL PUBLICATION OF ORDINANCE IN SUMMARY**

The City Council of Russellville, Kentucky, has enacted Ordinance 2007-07 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 84-4, "AN ORDINANCE DIVIDING THE CITY OF RUSSELLVILLE AND AREAS WITHIN ITS JURISDICTION INTO ZONES, SETTING FORTH GOALS, OBJECTIVES, AUTHORITY, THE TITLE TO WHICH THE ORDINANCE MAY BE REFERRED, GUIDELINES FOR INTERPRETATION THEREOF, AND DEFINITIONS; DIVIDING THE CITY INTO DISTRICTS AND BOUNDARIES AND PROVIDING FOR THE ZONING OF ANNEXED LANDS; STATING GENERAL PROVISIONS APPLICABLE TO ZONING DISTRICTS; DESCRIBING THE ZONING DISTRICTS AND THE BASIC REQUIREMENTS; STATING PROVISIONS APPLICABLE TO MOBILE HOMES AND MOBILE HOME PARKS; STATING PROVISIONS APPLICABLE TO PLANNED DEVELOPMENTS; STATING PROVISIONS APPLICABLE TO ZONING ADMINISTRATION; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE WITH A SEVERABILITY CLAUSE AND A REPEALER CLAUSE PROVIDING FOR THE EFFECTIVE DATE AND RECORDING OF THIS ORDINANCE AND ALL AMENDMENTS THERETO" BY AMENDING THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 190-198 SOUTH BLAKEY STREET FROM RESIDENTIAL R-3 TO COMMERCIAL B-2; WITH REPEALER CLAUSE, SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

In accordance with KRS 86A.060(9), the undersigned, a licensed, practicing attorney in the Commonwealth of Kentucky, summarizes this Ordinance as follows:

1. This Ordinance has been enacted to address a change in economic, social and physical conditions in the area in and surrounding a tract of land found in Deed Book 223, Page 325, in the office of the Clerk of the Logan County Court, and located between 4<sup>th</sup> and 5<sup>th</sup> Streets, with an address of 190-198 South Blakey Street, in the City of Russellville, Logan County, Kentucky.
2. This change in economic, social and physical conditions resulted in a recommendation by the Logan Joint Cities/County Planning Commission to change the zoning classification of this tract of land from Residential R-3 to Commercial B-2.
3. The recommendation of the Logan Joint Cities/County Planning Commission dated May 11, 2007, is incorporated by reference as if fully rewritten herein, and the full version is attached to the original Ordinance for public inspection.
4. City Council has determined this Ordinance is in the best interests of the health, safety and welfare of the citizens of the City of Russellville, Kentucky.
5. Based upon the recommendation of the Logan Joint Cities/County Planning Commission, City Council has enacted this Ordinance to amend the zoning map, rezoning the this property from Residential R-3 to Commercial B-2.
6. This Ordinance contains a Severability clause and a Repealer clause.

The full text of this Ordinance, with attached Findings of Fact and Recommendation of the Logan Joint Cities/County Planning Commission and plat, is available for copying and inspection at City Hall, Russellville, Kentucky, during normal business hours.

The City Council of Russellville, Kentucky enacted this Ordinance after a first reading conducted on May 14, 2007 and a second reading conducted on May 22, 2007.

This Ordinance is in effect immediately upon publication.

### **CERTIFICATION OF COUNSEL**

I hereby certify the foregoing is an accurate summary of City of Russellville Ordinance 2007-07.

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P. O. Box 335  
Russellville, KY 42276-0335  
270-726-9604