

CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2013-02

**AN ORDINANCE ADOPTING THE ZONING MAP AMENDMENT RECOMMENDED
BY THE LOGAN JOINT CITIES/COUNTY PLANNING COMMISSION REGARDING
A ZONING CHANGE OF CERTAIN LOTS LOCATED ON SPORTSMAN CLUB ROAD
FROM RESIDENTIAL R-3 TO COMMERCIAL B-2**

WHEREAS, Doug Kennedy, on behalf of the owners of the Paul Kennedy Estate Tracts, applied to the Logan Joint Cities/County Planning Commission (hereinafter "LCCPC") for a change in the Zoning Map of the City of Russellville, Kentucky, from Residential R-3 to Commercial B-2, regarding lots numbered 302, 360, 370, 380, 390 and 400, all of which are located on Sportsman Club Road, Russellville, Kentucky; and

WHEREAS, on March 7, 2013, the LCCPC held a public hearing on said application and, after making certain written findings of fact, made a written recommendation to the City Council of Russellville that said application be approved; and

WHEREAS, the City Council and the Mayor, on behalf of the City of Russellville, deem said zoning change as beneficial to the City of Russellville, and that all legal requirements have been met in order to proceed with said zoning change.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL IN AND FOR THE CITY OF RUSSELLVILLE, KENTUCKY AS FOLLOWS:

- (1) The written "Findings of Fact and Recommendation" made by the LCCPC on March 29, 2013, attached hereto as Exhibit "1", is hereby adopted and approved by the City of Russellville and is incorporated herein as if set forth in its entirety.
- (2) The Zoning Map of the City of Russellville, Kentucky, shall be and is hereby amended such that the following described property shall be changed from Residential R-3 to

Commercial B-2: Lots numbered 302, 360, 370, 380, 390 and 400, all of which are located on Sportsman Club Road, Russellville, Kentucky, and were included in the application of Doug Kennedy on behalf of the owners of the Paul Kennedy Estate Tracts.

- (3) In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect any other provision.
- (4) All portions of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.
- (5) This Ordinance shall be effective upon its passage and publication according to law.

FIRST READING conducted on the 19th day of March 2013.


SECOND READING conducted and **PASSAGE** on the 2nd day of April 2013.

APPROVED BY:

ATTEST:



Bob Riggs, City Clerk



Mark Stratton, Mayor

At a meeting of the City Council of the City of Russellville, Kentucky, held on April 2, 2013, the foregoing ordinance was adopted, after full discussion, by the following vote:

AYES: Jimmy Davenport
Pat Bell
Sandra Kinser
Jack Whipple
Bill Decker
Darlene Gooch

NAYS:

ABSENT:

ABSTAINING:

**LOGAN JOINT CITIES/COUNTY
PLANNING COMMISSION**

Personal Representative

**In RE: The Application of Doug Kennedy, on behalf of Paul Kennedy
Estate Tracts**

FINDINGS OF FACT AND RECOMMENDATION

This matter having come before the Logan Joint Cities/County Planning Commission (Commission) on March 7, 2013, on the Application of Doug Kennedy (Applicant) on behalf of the owners of the Paul Kennedy Estate Tracts for a change in the Zoning Map of the City of Russellville for several lots described as number 302, 360, 370, 380, 390, and 400, all of which are located on the Sportsman Club Road, from Residential R-3 to Commercial B-2. The Commission finds that by NOTICE OF PUBLIC HEARING, the public was dully notified of the Hearing. The Commission further finds that a written notice was given to all surrounding neighbors by Bill Pearson, Russellville Zoning Administrator, to which there were no replies. The Commission further finds that all fees have been paid. Gary Dunning, who was the surveyor, was present for explanation. In addition thereto, Bill Pearson explained the purpose of the Application, and the contents of the record, including but not limited to, the Application, which is adopted, by reference and made a part of these Findings, and the Commission having considered same, and being sufficiently advised, does hereby enter the following as its FINDINGS OF FACT:

FINDINGS OF FACT

1. Due notice of the meeting was given, and a Hearing was held, and a quorum was present.
2. Gary Dunning involved in the survey of the property was present to answer any questions. Bill Pearson explained the purpose of the Application, and

the contents of the record, including but not limited to, the Application adopted by reference and made apart of these Findings, and the Commission considered same.

3. The evidence shows that the existing zoning classification given to the property is inappropriate, and the proposed zoning classification is appropriate and there have been major changes in the economic, physical, or social nature within the area involved which were not anticipated in the adopted Comprehensive Plan; no adjoining landowner or other person or entity objected to the granting of the Application. The granting of the Application is in the best interest of City of Russellville and, in particular, the area involved.

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

5. On motion of Jim Trimble, seconded by Gerald Hildabrand, passed on roll call vote by those present, the Application for the rezoning of the property hereinabove referred to from Residential R-3 to Commercial B-2, was approved.

RECOMMENDATION

The Commission, having considered the Application and the evidence presented, having on July 7, 2013 accepted the evidence offered on behalf of the Applicant, and noting that due notice was given, and therefore having approved the Application, and having made its FINDINGS OF FACT, does hereby recommend to the City Council of the City of Russellville that the Application as amended of Doug Kennedy, on behalf of Paul Kennedy Estate Tracts numbered 302, 360, 370, 380, 390, and 400 be approved, and this is the final action of the Commission on this Application as amended.

This 29 day of March, 2013.

THE JOINT LOGAN COUNTY AND
LOGAN CITIES PLANNING COMMISSION

by:



JOHN CATES, Chairman

Received on behalf of
City of Russellville, Kentucky,
this 29 day of March, 2013.



MARK STRATTON, MAYOR
CITY OF RUSSELLVILLE

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