

CITY OF RUSSELLVILLE, KENTUCKY  
ORDINANCE NO. 2013-04

**AN ORDINANCE ADOPTING THE ZONING MAP AMENDMENT RECOMMENDED BY THE LOGAN JOINT CITIES/COUNTY PLANNING COMMISSION REGARDING A ZONING CHANGE OF A CERTAIN LOT LOCATED ALONG BENSON DRIVE AND HIGHWAY 96 FROM RESIDENTIAL R-3 TO COMMERCIAL B-2**

WHEREAS, Jim Riley, applied to the Logan Joint Cities/County Planning Commission (hereinafter "LJCCPC") for a change in the Zoning Map of the City of Russellville, Kentucky, from Residential R-3 to Commercial B-2, regarding a lot along Benson Drive and Highway 96, Russellville, Kentucky; and

WHEREAS, on May 2, 2013, the LJCCPC 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 LJCCPC on May 2, 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: certain lot located on Benson Drive and Highway 96, Russellville,

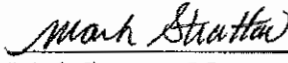
Kentucky; more particularly described in the application of Jim Riley; and reflected on the attached Zoning Map, labeled as Exhibit "2".

- (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- (4) All portions of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.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 4th day of June 2013.

**SECOND READING** conducted and **PASSAGE** on the 18th day of June 2013.

APPROVED BY:

  
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Mark Stratton, Mayor

ATTEST:

  
\_\_\_\_\_  
Bob Riggs, City Clerk

At a meeting of the City Council of the City of Russellville, Kentucky, held on June 18, 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 James Riley**

**FINDINGS OF FACT AND RECOMMENDATION**

This matter having come before the Logan Joint Cities/County Planning Commission (Commission) on May 2, 2013, on the Application of James Riley (Applicant) asking to rezone a tract of land from Residential R-3 to Commercial B-2. The property involved is located along Benson Drive and HWY 96. Due notice was given in the paper having the largest circulation in Logan County, Kentucky, and written notice was given to all surrounding landowners, and there was no response from anyone. Mr Pearson stated that all fees had been paid. The Commission heard from Gary Dunning, Registered Land Surveyor, who had prepared the plat of the property. Mr. Pearson stated that there had been major changes in the area since the adoption of The Comprehensive Plan. The granting of the application would be appropriate in light of development in the area.

**FINDINGS OF FACT**

1. Due notice of the meeting was given, and a Hearing was held, and a quorum was present.
2. Gary Dunning, who prepared the survey of the property, was present to answer any questions. Bill Pearson, the appropriate zoning administrator, 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 considered the contents of the record.

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, and/or social nature in and around 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 land in and around the area involved.

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

5. The granting of application results in orderly development of the area.

6. On motion of Bill Stamper, seconded by Dwight Cockrill, 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 May 2, 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 of James Riley to rezone the property located along Benson Drive and HWY 96 in Russellville, Kentucky, described herein, be approved, and this is the final action of the Commission on this Application.

This 15<sup>th</sup> day of May, 2013.

THE JOINT LOGAN COUNTY AND  
LOGAN CITIES PLANNING COMMISSION

by:

  
\_\_\_\_\_  
JOHN CATES, Chairman

Received on behalf of  
City of Russellville, Kentucky,  
this 15 day of May, 2013.

  
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MARK STRATTON, MAYOR  
CITY OF RUSSELLVILLE

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