

CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2016-06

**AN ORDINANCE ADOPTING THE ZONING MAP AMENDMENT RECOMMENDED
BY THE LOGAN JOINT CITIES/COUNTY PLANNING COMMISSION REGARDING
A ZONING CHANGE OF CERTAIN LOTS LOCATED AT 507 NASHVILLE STREET
FROM RESIDENTIAL R-3 TO COMMERCIAL B-2**

WHEREAS, June 22, 2016, Competitive Edge Investments, Co., filed an application with 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 a house and lot located at 507 Nashville Street, Russellville, Kentucky 42276; and

WHEREAS, on August 4, 2016, the LCCPC considered and approved said application at a public hearing, of which the public was dully notified, and subsequently tendered written "Findings of Fact and Recommendation", to the City Council of Russellville; and

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

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

- (1) The written "Findings of Fact and Recommendation" made by the LCCPC on August 4 , 2016, 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

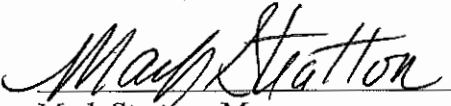
Comm. Ord. B-2: 0.21 acre lot located at 507 Nashville Street, Russellville, Kentucky 42276, and more particularly described in Deed Book 430, page 461, of the records of the Logan County Clerk.

- (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- (4) All portions of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.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 20th day of September 2016.

SECOND READING and **PASSAGE** on the 4th day of October 2016.

APPROVED BY:


Mark Stratton, Mayor

ATTEST:


Bob Riggs, City Clerk

At a meeting of the City Council of the City of Russellville, Kentucky, held on Oct 4, 2016, 2016, the foregoing ordinance was adopted, after full discussion, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAINING:

Jimmy Davenport
Pat Bell
Sandra Kinser
Jack Whipple
Carlene Gooch

Larry Wilcutt

**LOGAN JOINT CITIES/COUNTY
PLANNING COMMISSION**

In RE: The Application of Competitive Edge Investments Company

FINDINGS OF FACT AND RECOMMENDATION

This matter having come before the Logan Joint Cities/County Planning Commission (Commission) on August 4, 2016, on the Application of Competitive Edge Investments Company (Applicant) for a change in the Zoning Map of the City of Russellville for 507 Nashville Street 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. 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. 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 a part of these Findings, and the Commission considered same. The members of the Commission that were present were R. V. Woodward, Clarence Gamble, Jim Trimble, Gerald Hildabrand, Dwight Cockrill, Roger Martin, Justin Hopkins, Bill Stamper, and Ken Brown.

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 Bill Stamper, 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 August 4, 2016, accepted the evidence offered on behalf of

the Applicant, and noting that due notice was given, those in attendance did not object, 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 Competitive Edge Investments Company, 507 Nashville Street, Russellville, Kentucky, 42276, be approved after due statutory notice, and this is the final action of the Commission on this Application as amended.

This 19th day of September, 2016.

THE JOINT LOGAN COUNTY AND
LOGAN CITIES PLANNING COMMISSION

by:



JOHN CATES, Chairman

Received on behalf of
City of Russellville, Kentucky,
this 19th day of September, 2016.



MARK STRATTON, MAYOR
CITY OF RUSSELLVILLE

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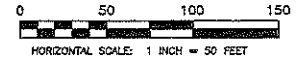
BOUNDARY SURVEY PREPARED FOR: COMPETITIVE INVESTMENTS COMPANY A 0.21 ACRE PARCEL SITUATED AT 507 NASHVILLE STREET IN THE CITY OF RUSSELLVILLE IN LOGAN COUNTY, KENTUCKY FOR A PROPOSED ZONE CHANGE FROM R-3 ZONE TO A B-2 ZONE

SOURCE OF TITLE : DEED BOOK 430 PAGE 461
 LOGAN COUNTY, KENTUCKY COUNTY CLERK RECORDS

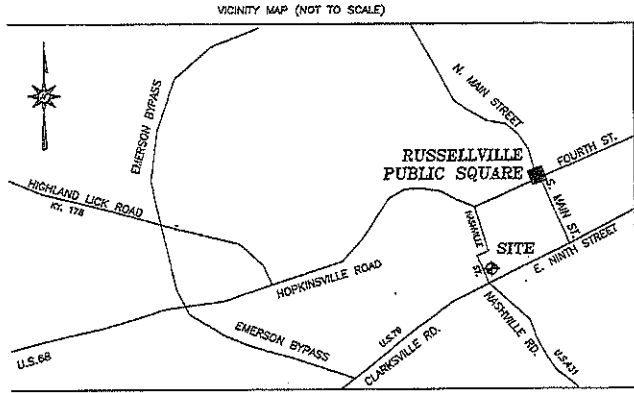
MAP REFERENCE: MAP 68--5 BLOCK 19 PARCEL 37
 LOGAN COUNTY, KENTUCKY P.V.A. RECORDS

PRESENT OWNER: COMPETITIVE INVESTMENTS COMPANY

DATE: JUNE 30, 2016



BASIS OF BEARING:
 GRID NORTH
 KENTUCKY SOUTH ZONE
 LAMBERT PROJECTION

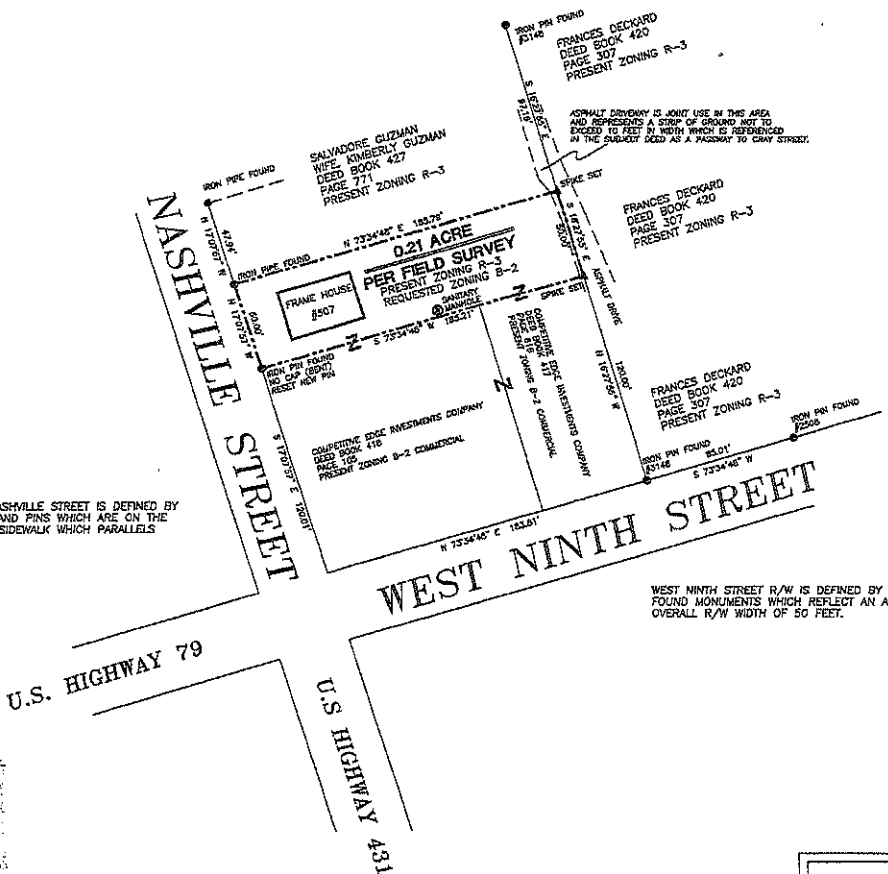


- DENOTES IRON PIN SET UNLESS SHOWN OTHERWISE
- DENOTES MEANDER CORNER; MONUMENT NOT SET
- VECT TO ALL LEGAL CONDITIONS EASEMENTS OF RECORD.
- 1 SURVEY SUBJECT TO ALL FACTS WHICH WOULD DISCLOSED BY A COMPLETE TITLE SEARCH.
- PROPERTY DOES NOT LIE IN A FLOOD PRONE AREA PER LATEST I.M. MAPPING.
- 3 PORTIONS OF SURVEY WERE PERFORMED WITH SOKKIA GRX 2 UL FREQUENCY RECEIVERS; STATIC BASE AND RTK ROVER WINGS AND DISTANCES ARE BASED ON THE KENTUCKY SOUTH ZONE NAD 83 (GIBT) PROJECTION WITH A STATICAL ERROR THAT DOES NOT EXCEED 0.05' DISTANCE ACCURACY AND RELATIVE POSITIONAL ACCURACY.
- 1 PINS SET THIS SURVEY ARE 5/8" X 18" REBARS WITH LOW PLASTIC IDENTIFICATION CAP STAMPED "DUNNING 3290"
- SURVEY MEETS THE REQUIREMENTS OF A CLASS A (URBAN) SURVEY AS DEFINED 201 K.A.R. 18: 1850.

EXISTING R/W OF NASHVILLE STREET IS DEFINED BY FOUND IRON PIPES AND PINS WHICH ARE ON THE EAST EDGE OF THE SIDEWALK WHICH PARALLELS THE STREET.



DATE SIGNED: JUNE 30, 2016



WEST NINTH STREET R/W IS DEFINED BY EXISTING FOUND MONUMENTS WHICH REFLECT AN APPROXIMATE OVERALL R/W WIDTH OF 50 FEET.

CLIENT ADDRESS:
 COMPETITIVE EDGE INVESTMENTS COMPANY
 P.O. BOX 491
 RUSSELLVILLE, KENTUCKY
 42276

ERTIFY THAT THIS DRAWING REPRESENTS AN ACTUAL FIELD SURVEY PERFORMED UNDER MY DIRECT SUPERVISION IN JUNE OF 2016. METHOD OF SURVEY IS BY CLOSED RANDOM WALK AND GPS OBSERVATIONS WITH AN UNADJUSTED CLOSURE EXCEEDING 1 : 15,841 FEET. THIS DRAWING IS OR EXCEEDS THE STANDARDS FOR BOUNDARY SURVEYS IN THE COMMONWEALTH OF KENTUCKY AS SET BY GOVERNING AUTHORITIES.

GARY LEE DUNNING
 KENTUCKY REGISTERED LAND SURVEYOR #3290

507 NASHVILLE ST. ZONE CHANGE
08-30-16
FILED: 16-93
BY: 16-93 GWS
IN BY: GLD / GWR
RED BY: GLD

DUNNING LAND SURVEYING

1212 NEOSHED ROAD
 FRANKLIN, KENTUCKY 42134
 PHONE: (270) 586-8286 * dunn4@bellsouth.net