

ORDINANCE NO. **BG2022 - 54**

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A PORTION OF A TRACT OF LAND CONTAINING 10.50 ACRES FROM AG (AGRICULTURE) AND RM-3 (TOWNHOUSE/MULTI-FAMILY RESIDENTIAL) TO RM-4 (MULTI-FAMILY RESIDENTIAL) LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF THE SOUTHWEST PARKWAY AND KOBE WAY, PRESENTLY OWNED BY SMP PROPERTIES, LLC AND WESTEN APARTMENTS, LLC

WHEREAS, after proper notice and pursuant to applicable state statutes, the City-County Planning Commission of Warren County, Kentucky held a public hearing in City Hall on October 20, 2022 regarding the proposed rezoning of a portion of a tract of land containing 10.50 acres located at the northeast corner of the intersection of the Southwest Parkway and Kobe Way, from AG (Agriculture) and RM-3 (Townhouse/Multi-Family Residential) to RM-4 (Multi-Family Residential); and,

WHEREAS, said Planning Commission found the proposed zone change to be in agreement with the adopted Comprehensive Plan; and,

WHEREAS, said Planning Commission, thereafter and during the regular meeting, at said time and place with five (5) of the allotted eight (8) members of the Board present, voted unanimously to approve a recommendation to rezone a portion of a tract of land containing 10.50 acres located at the northeast corner of the intersection of the Southwest Parkway and Kobe Way, from AG (Agriculture) and RM-3 (Townhouse/Multi-Family Residential) to RM-4 (Multi-Family Residential), with development plan conditions.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. The portion of a tract of real estate presently owned by SMP Properties, LLC and Westen Apartments, LLC, containing 10.50 acres located at the northeast corner of the intersection of the Southwest Parkway and Kobe Way, which the portion of a tract of real estate is more particularly

***BG2022-54***

(Ordinance No. BG2022 - 54)

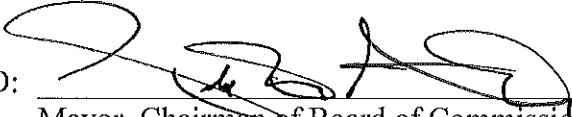
described on the attached maps and incorporated herein as if copied in full, is hereby rezoned from AG (Agriculture) and RM-3 (Townhouse/Multi-Family Residential) to RM-4 (Multi-Family Residential), with development plan conditions.

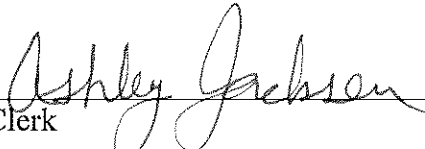
2. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict therewith are hereby repealed.

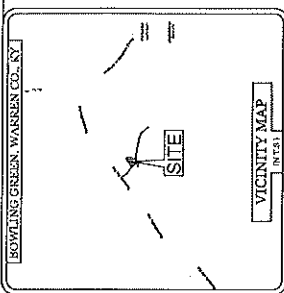
4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on November 15, 2022, and given final reading on December 6, 2022, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: December 6, 2022

APPROVED:   
\_\_\_\_\_  
Mayor, Chairman of Board of Commissioners

ATTEST:   
\_\_\_\_\_  
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager



**LEGEND**

IRON PIN SET  
 BOUNDARY MARK  
 SPLITTING POINT  
 BOUNDARY STONE  
 ADJACENT PROPERTY BOUNDARY  
 PROPERTY LINE  
 EASEMENT  
 BOUNDARY  
 INTERIOR OF LOT

**PARCELS ADJACENT**

| LOT | AREA (AC) | VOL. | DATE     | RECORDED |
|-----|-----------|------|----------|----------|
| 1   | 0.45      | 19   | 01/27/10 | 19       |
| 2   | 0.45      | 19   | 01/27/10 | 19       |
| 3   | 0.45      | 19   | 01/27/10 | 19       |
| 4   | 0.45      | 19   | 01/27/10 | 19       |
| 5   | 0.45      | 19   | 01/27/10 | 19       |
| 6   | 0.45      | 19   | 01/27/10 | 19       |
| 7   | 0.45      | 19   | 01/27/10 | 19       |
| 8   | 0.45      | 19   | 01/27/10 | 19       |
| 9   | 0.45      | 19   | 01/27/10 | 19       |
| 10  | 0.45      | 19   | 01/27/10 | 19       |

**ADJACENT PARCELS**

| AREA (AC) | ADJACENT TO | DATE     |
|-----------|-------------|----------|
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |

**AREA TO BE REZONED**  
 0.45 AC ±  
 6584 N. AG  
 PROPOSED ZONING: RM-4

**ADJACENT PARCELS**

| AREA (AC) | ADJACENT TO | DATE     |
|-----------|-------------|----------|
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |
| 0.45      | 19          | 01/27/10 |

**GENERAL NOTES**

1. THE BOUNDARY LINES SHOWN ARE BASED ON THE FIELD SURVEY AS SHOWN ON THESE PLANS WHICH ARE UNLESS OTHERWISE NOTED BY THIS SURVEYOR TO BE THE PROPERTY BOUNDARIES OF THE SUBJECT PROPERTY. THEREFORE, THE BOUNDARIES SHOWN ON THESE PLANS ARE NOT GUARANTEED BY ANY OTHER PARTY.
2. THE PROPERTY CHOWN HEREON IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS OF WAY WHICH ARE SHOWN ON THESE PLANS AND NOT TO BE LIMITED BY THESE PLANS.
3. A BOUNDARY SURVEY DOES NOT DETERMINE LAND OWNERSHIP. A PROFESSIONAL LAND SURVEYOR ONLY HAS THE AUTHORITY TO DETERMINE LAND OWNERSHIP. THEREFORE, THE BOUNDARIES SHOWN ON THESE PLANS ARE NOT TO BE USED TO DETERMINE LAND OWNERSHIP. THE SURVEYOR'S OBLIGATION IS LIMITED TO THE DETERMINATION OF THE BOUNDARIES OF THE SUBJECT PROPERTY AS SHOWN ON THESE PLANS.
4. ALL IRON PIN SET ARE TO BE SET WITH 1" YELLOW PLASTIC CAP STAMPED WITH "SECTION 14 1/2"
5. AT THE TIME OF THE RECORD RESEARCH CONDUCTED FOR THIS SURVEY, THE SUBJECT PROPERTY DID NOT HAVE A BOUNDARY SURVEY CONDUCTED.
6. THE SURVEYOR'S OBLIGATION IS LIMITED TO THE DETERMINATION OF THE BOUNDARIES OF THE SUBJECT PROPERTY AS SHOWN ON THESE PLANS.

**PARCEL OWNER, ADDRESS, AND CONTACT INFORMATION**

19150 BOWLING GREEN, KY 40301  
 PH: 502.329.5555  
 FAX: 502.329.5555  
 P.O. BOX 142701

**GIS NOTE**

THE SURVEYOR HAS CONDUCTED A VISUAL CHECK OF THE AERIAL PHOTOGRAPHS TO DETERMINE THE LOCATION OF THE BOUNDARIES OF THE SUBJECT PROPERTY. THE SURVEYOR HAS NOTED THAT THE BOUNDARIES SHOWN ON THESE PLANS ARE THE SAME AS SHOWN ON THE AERIAL PHOTOGRAPHS.

**REVISIONS**

| NO. | DATE     | DESCRIPTION            |
|-----|----------|------------------------|
| 1   | 01/27/10 | FINAL SET              |
| 2   | 01/27/10 | ADDITIONAL CORRECTIONS |
| 3   | 01/27/10 | FINAL CORRECTIONS      |
| 4   | 01/27/10 | FINAL CORRECTIONS      |

**CONVEYANCE AND DISCLOSURE**

THE SURVEYOR HAS CONDUCTED A VISUAL CHECK OF THE AERIAL PHOTOGRAPHS TO DETERMINE THE LOCATION OF THE BOUNDARIES OF THE SUBJECT PROPERTY. THE SURVEYOR HAS NOTED THAT THE BOUNDARIES SHOWN ON THESE PLANS ARE THE SAME AS SHOWN ON THE AERIAL PHOTOGRAPHS.

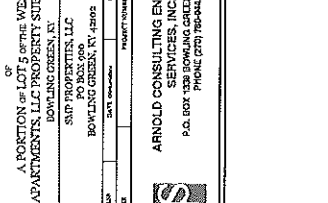
**SURVEYOR'S CERTIFICATE**

I, CHARLES O. BERTH, LICENSED PROFESSIONAL SURVEYOR, STATE OF KENTUCKY, NO. 29207, DO HEREBY CERTIFY THAT THIS SURVEY WAS CONDUCTED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A duly licensed and registered professional surveyor in the State of Kentucky. I have read the above recited plat and it is my belief that the same is a true and correct representation of the actual survey conducted and I have signed this certificate and my seal of office on the date and at the place shown hereon.

DATE: 01/27/10  
 PLACE: BOWLING GREEN, KY

**REZONE EXHIBIT**

A PORTION OF LOT 5 OF THE WESTERN APARTMENTS, LLC PROPERTY SUBDIVISION, BOWLING GREEN, KY  
 PREPARED BY: ARNOLD CONSULTING ENGINEERING SERVICES, INC.  
 P.O. BOX 1339 BOWLING GREEN, KY 42101  
 PHONE: (270) 756-9445



CURRENT ZONING: RM-3, AG  
 PROPOSED ZONING: RM-4

ARNOLD CONSULTING ENGINEERING SERVICES, INC.  
 P.O. BOX 1339 BOWLING GREEN, KY 42101  
 PHONE: (270) 756-9445