

ORDINANCE NO. **BG2019 - 40**

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING A TRACT OF LAND CONTAINING 0.2397 ACRE FROM RM-3 (TOWNHOUSE/MULTI-FAMILY RESIDENTIAL) TO GB (GENERAL BUSINESS) LOCATED AT 0 WHISPERING HILLS AND RUSSELLVILLE ROAD, PRESENTLY OWNED BY ELITE PROPERTIES, LLC C/O ALAA TLAIS

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 August 15, 2019 regarding the proposed rezoning of a tract of land containing 0.2397 acre located at 0 Whispering Hills and Russellville Road, from RM-3 (Townhouse/Multi-Family Residential) to GB (General Business); 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 ten (10) members of the Board present, voted seven (7) yeas and three (3) nays, following a tie vote, to approve a recommendation to rezone a tract of land containing 0.2397 acre located at 0 Whispering Hills and Russellville Road, from RM-3 (Townhouse/Multi-Family Residential) to GB (General Business), with development plan conditions.

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

1. The tract of real estate presently owned by Elite Properties, LLC c/o Alaa Tlais containing 0.2397 acre located at 0 Whispering Hills and Russellville Road, which the tract of real estate is more particularly described on the attached maps and incorporated herein as if copied in full, is hereby rezoned from RM-3 (Townhouse/Multi-Family Residential) to GB (General Business), with development plan conditions.

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All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict therewith are hereby repealed.

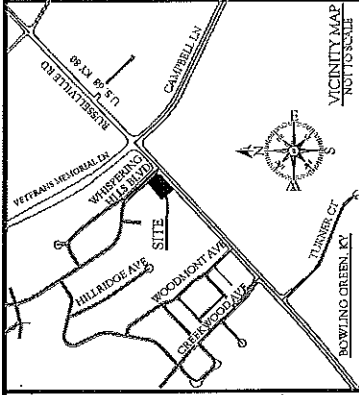
4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on September 17, 2019, and given final reading on October 1, 2019, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: October 1, 2019

APPROVED: Brian Wilkinson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager, 09/06/2019, 3:15 p.m.



- GENERAL LEGEND**
- MONUMENT FOUND
 - IRON PIN SET
 - ⤴ EXISTING GUY WIRE
 - ⊗ EXISTING POWER POLE
 - ⊕ EXISTING FIRE HYDRANT

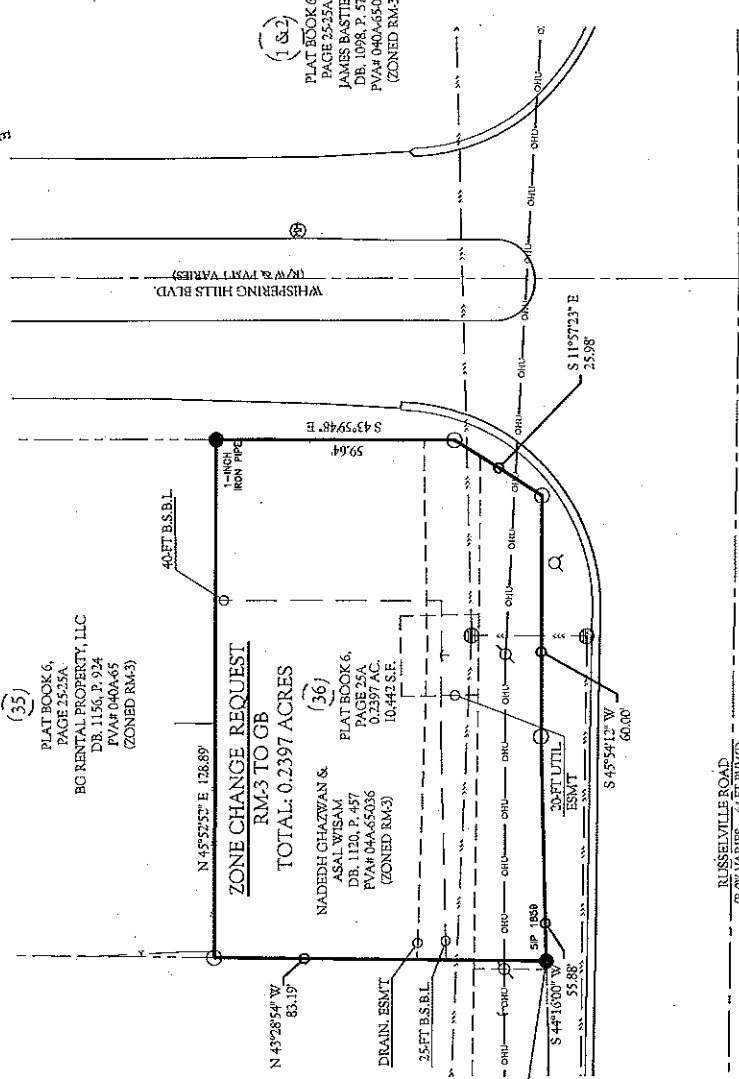
- GENERAL NOTES:**
1. SOURCE OF TITLE: DEED BOOK 112A, PAGE 457.
 2. TOTAL AREA OF THIS SURVEY: 0.2397 ACRES.
 3. THIS SURVEY IS SUBJECT TO ALL FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
 4. DATE OF FIELD SURVEY: APRIL 23, 2019.
 5. SOURCE OF BEARING: NAD83, KY SOUTH ZONE
 6. THE SURVEY AS SHOWN HEREON IS A URBAN SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL THE SPECIFICATIONS OF THIS CLASS.
 7. THIS PLAT REPRESENTS A BOUNDARY SURVEY AND COMPLETES WITH 201 KAR 18.150.
 8. THE BEARINGS AND DISTANCES AS SHOWN HEREON ARE BASED ON AN UNADJUSTED RANDOM TRAVERSE.
 10. UNADJUSTED CLOSURE 1:26.026.
 11. ALL SET IRON PINS SHOWN ARE 5/8 INCH DIAMETER BY 18 INCHES LONG REBAR WITH YELLOW PLASTIC CAPS STAMPED "L SLAVEY KY 3922".

UTILITY NOTE:
 UTILITIES SHOWN HEREON WERE LOCATED FROM FIELD EVIDENCE AND OTHER AVAILABLE RECORDS. OTHER UTILITIES MAY EXIST THAT MAY NOT BE SHOWN. NO GUARANTEE IS EXPRESSED OR IMPLIED AS TO THE LOCATION OF THE UTILITIES.

FLOOD NOTE:
 THEREBY CERTIFY THAT THE PROPERTY AS SHOWN HEREON IS NOT IN A 100 YEAR FLOOD PLAIN AS LOCATED BY FLOOD INSURANCE RATE MAP #21227C0303E, DATED MAY 2, 2007.

- (1) PLAT BOOK 25, PAGE 122
 PATAGONIA HOLDINGS, LLC
 DB. 1131.P. 407
 PVA# 040A-66
 (ZONED HB)
- (36) NADEEDH GHAWAN & ASAL WISAM
 DB. 1120.P. 457
 PVA# 04A-65036
 (ZONED RM-3)
- (35) PLAT BOOK 6, PAGE 2525A
 BC RENTAL PROPERTY, LLC
 DB. 1136.P. 924
 PVA# 040A-65
 (ZONED RM-3)

ZONE CHANGE REQUEST
 RM-3 TO GB
 TOTAL: 0.2397 ACRES



STATE OF KENTUCKY
LUCAS L. SLAVEY
 3922
 LICENSED PROFESSIONAL LAND SURVEYOR

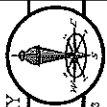
Lucas L. Slavey
 8-7-2019



- THE JOANNE L. DUNGLAU REVOCABLE LIVING TRUST
 DB. 814.P. 165
 PVA# 940A-64805
 (ZONED HB)
- BARRENN RIVER MENTAL HEALTH AND MENTAL RETARDATION BOARD, INC
 DB. 486.P. 238
 PVA# 040A-65
 (ZONED HB)

APPLICANT:
 ELITE PROPERTIES, LLC
 2618 CROSSRIDGE STREET
 BOWLING GREEN, KY 42104

REZONING PLAT FOR:
 A PORTION OF LOT 36
 PLAT BOOK 6, PAGES 2626A
 100 WHISPERING HILLS BLVD.
 BOWLING GREEN, KY



VAN METTER & SLAVEY, LLC
 PROFESSIONAL ENGINEERING - LAND SURVEYING
 1018 Silver Lane • Bowling Green, KY 42108
 P. 270.996.0001 F. 270.921.0011 E. info@vmsurvey.com
 13333US KY 3922
 CHECKED BY: RBM
 APPROVED BY: LSL
 VMS JOB # 1949 SURVEY DATE 4-23-2019
 PLAT DATE 8/7/2019