

CITY OF HIGHLAND HEIGHTS, KENTUCKY

ORDINANCE NO. 07-2008

AN ORDINANCE AMENDING ORDINANCE NO. 16-83, THE CITY OF HIGHLAND HEIGHTS ZONING ORDINANCE BY CHANGING PROPERTY OWNED BY ASBURY UNITED METHODIST, ADDRESSED AT 3500 N. MARTHA LAYNE COLLINS BOULEVARD, LOCATED BETWEEN JOHNS HILL ROAD AND MARTHA LAYNE COLLINS BOULEVARD, AND CONSISTING OF 10.1 +/- ACRES OF LAND, FROM RESIDENTIAL 2 (R-2) TO RESIDENTIAL 3 (R-3).

WHEREAS, the Highland Heights Planning Commission held a public hearing on May 13, 2008 to consider amending the map of the City's zoning ordinance.

WHEREAS, said public hearing was held pursuant to KRS 100.207, 100.211, 100.212 and 100.213 with all conditions prerequisite thereto being met; and;

WHEREAS, the Highland Heights Planning Commission decided to recommend to the City Council to amend the map of the City's zoning ordinance.

WHEREAS, the Highland Heights City Council has considered the findings and recommendations of the Planning Commission as reflected in its minutes and staff reports from the aforementioned public hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF HIGHLAND HEIGHTS, KENTUCKY:

Section I

That the City of Highland Heights, Kentucky having considered the findings of the Planning Commission as reflected in its minutes and the reports adopted by the Planning Commission pursuant to those findings from the city staff and its actions and recommendations, as well as reviewing the minutes of said public hearing and the report from the city staff does hereby concur and adopt the reasons, recommendations and findings of the Planning Commission as set forth at its May 13, 2008 meeting, including, but not limited to the finding that the application for a zone change is in agreement with the city's current comprehensive plan and that there have been major changes in the area to be re-zoned that were not anticipated in the comprehensive plan and the proposed zoning is more appropriate than the existing zone.

Section II

That the official zoning map of Highland Heights, Kentucky is hereby amended as it pertains

to the property described below, from Residential 2 (R-2) to Residential 3 (R-3) zone. The property so affected is described as follows:

Situated in the City of Highland Heights, County of Campbell, Commonwealth of Kentucky, lying on the South side of Johns Hill Road, and being part of an 11.78 acre tract conveyed to Asbury United Methodist Church of Highland Heights, Kentucky in Deed Book 648, Page 692 of the Campbell County and being more particularly described as follows:

Begin at the centerline intersection of Johns Hill Road and Alexandria Pike (US 27); thence with the centerline of Alexandria Pike, South $23^{\circ}48'44''$ East, 133.25 feet; thence leaving said centerline and through the existing right-of-way of Alexandria Pike, South $66^{\circ}11'16''$ West, 44.00 feet to the existing East right-of-way line of Alexandria Pike and the Southeast corner of a 0.1734 acre tract conveyed to Asbury United Methodist Church of Highland Heights, Kentucky in Deed Book 599, Page 269; thence leaving the existing East right-of-way line and with the Southeast line of the above mentioned Asbury United Methodist Church tract, South $29^{\circ}52'57''$ West, 232.11 feet to the Northeast corner of a 0.35 acre tract conveyed to Asbury United Methodist Church of Highland Heights, Kentucky in Deed Book 634, Page 152; thence with the above mentioned 0.35 acre tract, South $28^{\circ}56'48''$ West, 61.30 feet to the Northeast corner of the above mentioned 11.78 acre tract; thence with the Southeast line of the above mentioned 11.78 acre tract, South $29^{\circ}45'52''$ West, 297.44 feet to the TRUE POINT OF BEGINNING.

thence from the TRUE POINT OF BEGINNING, continuing with the Southeast line of the above mentioned 11.78 acre tract, South $29^{\circ}45'52''$ West, 47.50 feet;

thence continuing with Southeast line of the 11.78 acre tract and the Northwest line of a tract conveyed to Campbell County Public Properties Corporation in Deed Book 348, Page 109 and with the Northwest line of a 8.5975 acre tract conveyed to Northern Kentucky University in Deed Book 705, Page 817, South $29^{\circ}52'37''$ West, 886.15 feet to the Northeast corner of a 2.053 acre tract conveyed to Campbell County, Kentucky Water District No. 1 in Deed Book 386, Page 445;

thence with the Northeast line of the 2.053 acre tract, North $23^{\circ}04'23''$ West, 172.82 feet;

thence continuing with the 2.053 acre tract and the Northeast line of a 12.6911 acre tract conveyed to Highland Heights of Kentucky Limited Partnership in Deed Book 659, Page 520, North $11^{\circ}27'23''$ West, 196.40 feet;

thence continuing with the 12.6911 acre tract, North $22^{\circ}08'12''$ West, 150.28 feet; thence North $03^{\circ}66'57''$ West, 194.70 feet;

thence North $07^{\circ}21'57''$ West, 173.77 feet;

thence continuing with the 12.6911 acre tract and with the East line of a 0.190 acre tract conveyed to Robert E. and Linda S. Mason in Deed Book 500, Page 229, North $03^{\circ}52'23''$ West, 363.36 feet to the existing South right-of-way line of Johns Hill Road;

thence leaving the 0.190 acre tract and with the existing South right-of-way line of Johns Hill Road, North

79°12'20" East, 20.71 feet;

thence continuing with the existing South right-of-way line of Johns Hill Road, South 85°07'29" East, 215.89 feet to the Northwest corner of a 0.23 acre tract conveyed to Thomas H. Dierig in Deed Book 554, Page 74;

thence leaving the existing South right-of-way line of Johns Hill Road and with the West line of the 0.23 acre tract, South 04°22'07" West, 167.39 feet;

thence with the South line of the 0.23 acre tract and the South line of a 0.24 acre tract conveyed to Anthony W. Martin and Deborah S. Maue in Deed Book 653, Page 412, South 80°31'53" East, 120.00 feet to the Southwest corner of a 0.28 acre tract conveyed to James E and Donna R. Eschenbach in Deed Book 373, Page 9;

thence leaving the 0.24 acre tract and with the 0.28 acre tract, North 76°38'07" East, 90.00 feet to the Southwest corner of a 0.30 acre tract conveyed to Boyd H. and Essie Marrita Tyree in Deed Book 401, Page 187;

thence leaving the 0.24 acre tract and through the above mentioned 11.78 acre tract, South 11°41'15" East, 95.50 feet;

thence continuing through the 11.78 acre tract, South 60°27'58" East, 276.54 feet to the TRUE POINT OF BEGINNING.

Containing 10.01 acres of land and subject to all easements and rights-of-ways of record. The reference meridian of record is Kentucky State Plane Coordinates, North Zone (1601).

The above description was prepared for zoning purposes only under the direction of Chris R. Gephart, Licensed Professional Land Surveyor #3292 in the Commonwealth of Kentucky. Monuments will not be set. Not for receding purposes.

Prior Instrument Reference: Deed Book 648, Page 292

Section III

That the map referred to in Section II herein is hereby made a part of this Ordinance and same shall remain on file and be retained by the City Clerk/Treasurer at the Highland Heights City building for a record and inspection by the public.

Section IV

That the development plan submitted for this project as part of this map amendment and as amended by the applicant at the May 13, 2008 Planning Commission is made part of this Ordinance and is hereby approved so long as it complies with any amendments or conditions imposed or approved by the Planning Commission at any public hearings or planning commission meetings.

Section V

That all ordinances or parts of ordinances in conflict herewith are to the extent of such conflict, hereby repealed.

Section VI


That this Ordinance shall be signed by the Mayor, attested by the City Clerk/Treasurer and recorded. Same shall be in effect at the earliest time provided by law.

First reading this 3rd day of June, 2008.

Passed on second reading this 17 day of June, 2008.


MAYOR GREGORY V. MEYERS

ATTEST:


JEAN A. RAUF
CITY CLERK/TREASURER
Ord08.07

PUBLISH CCR: 6-26-2008