

CITY OF HIGHLAND HEIGHTS, KENTUCKY

ORDINANCE NO. 08-2011

AN ORDINANCE AMENDING ORDINANCE NO. 16-83, THE CITY OF HIGHLAND HEIGHTS ZONING ORDINANCE BY CHANGING PROPERTY LOCATED AT 124 MARSHALL LANE AND OWNED BY LATMC, LLC FROM PROFESSIONAL OFFICE ZONE (PO) TO LIMITED SERVICE COMMERCIAL ZONE (LSC).

WHEREAS, the Highland Heights Planning Commission held a public hearing on July 12, 2011 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 July 12, 2011 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 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 Professional Office (PO) to Limited Service Commercial (LSC) zone. The property so affected is described as follows:

GROUP NO. 30730A1

PIDN 999-99-20-979.00

Being parts of Lots No. 152, 153, 154, 155, 166, 167, 168 and 169 of the Highland Baby Farms, Section 9, along with portions of the vacated Campbell Avenue right of way as recorded in the records of the Campbell County Clerk at Newport, Kentucky, and being more particularly described as follows:

BEGINNING at a point in the northerly right of way of Harriet Avenue, said point being located at the point being common with the easterly corner of Lot 151 of the Highland Baby Farms, Section 9 and the westerly right of way of Campbell Avenue (Vacated in Case No. 92-C1-104 of the Campbell County Circuit Court);

THENCE along the westerly line of the vacated Campbell Avenue and said lot 151 having a bearing of N 24-17'-20 W, a distance of 120.60 feet to a point being a common corner with lots 151 and 170 of the Highland Baby Farms;

THENCE along a line having a bearing of N 70-27-50 E, a distance of 25.09 feet to a point in the centerline of the vacated Campbell Avenue;

THENCE along the centerline of the vacated Campbell Avenue N 24-17-20 W, a distance of 118.38 feet to a point in the southerly line of Marshall Lane as it now exists after having been revised by the Kentucky Highway Department;

THENCE along the revised Marshall Lane right of way N 71-01-43 E along the front of Lot 169 and a portion of Lot 168 of the Highland Heights Baby Farms , a distance of 96.16 feet to a point;

THENCE continuing along the revised Marshall Lane right of way N 80-07-08 E, a distance of 91.64 feet to a point in the easterly side of Lot 166 of the Highland Baby Farms;

THENCE leaving the revised Marshall Lane right of way along Lots 166 and 155 of the Highland Heights Baby Farms having a bearing of S 24-17-44 E, a distance of 172.55 feet to a point;

THENCE along a line through Lots 155, 154, 153 and a portion of 152 of the Highland Baby Farms having a bearing of S 70-27-50 W, a distance of 150.12 feet;

THENCE continuing through Lot 152 of the Highland Baby Farms and a portion of the vacated Campbell Avenue having a bearing of S 70-40-16 W, a distance of 35.05 feet to a point in the centerline of the vacated Campbell Avenue;

THENCE along the centerline of the vacated Campbell Avenue S 24-17-20 E, a distance of 50.19 feet to a point in the northerly right of way of Harriet Avenue;

THENCE along Harriet Avenue S 70-27-50 W, a distance of 25.09 feet to easterly right of way of the vacated Campbell Avenue, said point also being the POINT OF BEGINNING.

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 July 12, 2011 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 19 day of July, 2011.

Passed on second reading this 2 day of ~~July~~, 2011.

August


MAYOR GREGORY V. MEYERS

ATTEST:



JEAN A. RAUF
CITY CLERK/TREASURER
Ord11.08

PUBLISH : CCR

AUG 11 2011