

CITY OF HIGHLAND HEIGHTS, KENTUCKY

ORDINANCE NO. 04-2013

AN ORDINANCE AMENDING ORDINANCE NO. 16-83, THE CITY OF HIGHLAND HEIGHTS ZONING ORDINANCE BY CHANGING THE PREMISES KNOWN AS 2515, 2523 AND 2525 ALEXANDRIA PIKE IN HIGHLAND HEIGHTS FROM RESIDENTIAL THREE (R-3) ZONE TO GENERAL COMMERCIAL (GC) ZONE.

WHEREAS, the Highland Heights Planning Commission held a public hearing on February 12, 2013 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 and incorporate them herein by reference.

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 February 12, 2013 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.

Section II

That the official zoning map of Highland Heights, Kentucky is hereby amended as it pertains to the property described below, from Residential Three (R-3) zone to General Commercial (GC) zone. The property so affected is described as follows:

Situated in the City of Highland Heights, Campbell County, Kentucky and being all of the land lying on the southeasterly side of Alexandria Pike (U.S. 27), and being all of the same property owned by the Michael and Sheila Bowling Herald. as recorded in deed books 610, page 662, d.b. 636. pg. 175 and d.b. 718. pg. 796 of the Campbell County Clerk's Office at Newport, Kentucky, and being more particularly described as follows:

Beginning at a set iron pin in the southeasterly right-of-way line of Alexandria Pike, said point being a common corner with Glenn P. Schmidt (d.b. 591. pg. 244) and said Herald's (d.b. 610, pg. 662) and said point being 339.50 feet southwest of the right-of-way intersection of Alexandria pike and Bordeaux Drive; thence leaving said right-of-way line along said common line S 32°35'00" E 279.77 feet to a set iron pin, said point being a common corner with John J. Hay & son, inc.; thence S 57°25'00" W 148.17 feet to a set iron pin, said point being a common line with Campus View at NKU, LLC. (d.b. 738, pg. 353); thence along said common line for the next two calls N 32°35'00" W 51.33 feet to a found pipe; thence S 57° 25'00" W 120.999 feet to a set iron pin, said point being a common corner with Midwest Bottle Gas Distributors, INC. (d.b.256, pg. 350); thence N 32°35'00" W 193.537 feet to a set iron pin, said point being in the southeasterly right-of-way line of Alexandria Pike; thence with a curve to the left having a radius of 1368.00 feet, length of 271.869 feet and a chord bearing of N 50°01'42" E 271.4225 feet to the place of beginning. Containing 1.4503 acres of land.

All set iron pins set are 5/8" X 24" rebar with cap stamped MENETREY P.L.S. 3390

Subject to all legal highways, easements, and restrictions of record.
Being the result of a survey and plat by Gary W. Menetrey P.L.S. 3390, dated 12-28-12.

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 February 12, 2013 Planning Commission meeting 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 5th day of March, 2013.

Passed on second reading this 19 day of March, 2013.



MAYOR GREGORY V. MEYERS

ATTEST:



JEAN A. RAUF
CITY CLERK/TREASURER

Ord13.04

PUBLISH : CCR

MAR 28 2013