

ORDINANCE NO. BG2024 - 6

ORDINANCE REZONING REAL ESTATE

ORDINANCE REZONING TRACTS OF LAND CONTAINING 1.3320 ACRES FROM HI (HEAVY INDUSTRIAL) TO HB (HIGHWAY BUSINESS) LOCATED AT 2950 AND 0 FITZGERALD INDUSTRIAL DRIVE PRESENTLY OWNED BY JERRY E. BAKER FOUNDATION, INC.

WHEREAS, after proper notice and pursuant to applicable state statutes, the City-County Planning Commission of Warren County, Kentucky held a public hearing in the Warren County Courthouse on March 7, 2024 regarding the proposed rezoning of tracts of land containing 1.3320 acres located at 2950 and 0 Fitzgerald Industrial Drive, from HI (Heavy Industrial) to HB (Highway 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 six (6) of the allotted eight (8) members of the Board present, voted unanimously to approve a recommendation to rezone tracts of land containing 1.3320 acres located at 2950 and 0 Fitzgerald Industrial Drive, approximately 2,216 feet northeast of Dishman Lane, from HI (Heavy Industrial) to HB (Highway Business), with development plan conditions.

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

1. The tracts of real estate presently owned by Jerry E. Baker Foundation, Inc., containing 1.3320 acres located at 2950 and 0 Fitzgerald Industrial Drive, which tracts of real estate are more particularly described on the attached maps and incorporated herein as if copied in full, are hereby rezoned from HI (Heavy Industrial) to HB (Highway Business), 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.

(Ordinance No. BG2024 - 6)

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All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict therewith are hereby repealed.

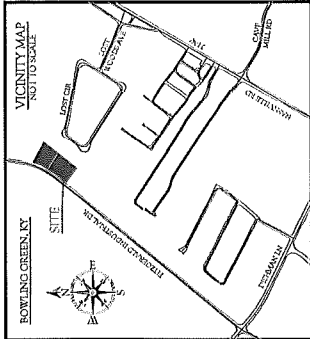
4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on April 16, 2024, and given final reading on May 7, 2024, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: May 7, 2024

APPROVED: 
Mayor, Chairman of Board of Commissioners

ATTEST: 
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager



GENERAL NOTES:

- SOURCE OF TITLE: DEED BOOK 988, PAGE 940.
- TOTAL AREA OF THIS SURVEY: 1.1320 ACRES.
- THE SURVEY IS A PART OF THE PLAT MADE PUBLIC BY A. J. BAKER AND ACCURATE TO THE SURVEY.
- DATE OF FIELD SURVEY: JUNE 1, 2021.
- SOURCE OF BEARINGS: NAD83, KY SOUTH ZONE.
- THE SURVEY AS SHOWN HEREON IS AN URBAN SURVEY AND ALL THE SPECIFICATIONS OF THIS CLASS SURVEY MEETS THE REQUIREMENTS OF THE KY SURVEYING ACT.
- THIS PLAT REPRESENTS A SECONDARY SURVEY AND COMPLIES WITH 201 KAR 18.150.
- THE BEARINGS AND DISTANCES AS SHOWN HEREON ARE UNADJUSTED CLOSURE L. 15.158.
- ALL SET IRON PINS ARE 5/8" INCH DIAMETER BY BRANCHES LONG REBAR WITH YELLOW PLASTIC CAPS STAMPED "L SLAVEY KY 922" UNLESS NOTED OTHERWISE HEREON. UNLESS OTHERWISE NOTED, ALL SET IRON PINS ARE 5/8" INCH DIAMETER BY BRANCHES LONG REBAR WITH PURPLE PLASTIC CAPS STAMPED "S MISSISSIPPI 7922" UNLESS NOTED OTHERWISE HEREON.
- CURRENTLY RECORDED IN PLAT BOOK 44, PAGE 306.
- THE EXISTING BUILDINGS ARE NO LONGER CONSIDERED NONCONFORMING STRUCTURES WITH THE APPROVAL OF THE BOARD OF ZONING APPEALS, RESOLUTION NO. 2023-01, PAGES 106-111.
- THERE IS AN EXISTING SLIVER OF LAND BETWEEN THE SUBJECT PROPERTY OF THIS PLAT AND THE LOST WOODS SUBDIVISION. THE PROPERTY IS CURRENTLY BEING REDEVELOPED BY THE DEVELOPER OF LOST WOODS SUBDIVISION. DUE TO DISCREPANCIES IN THE PREVIOUS SURVEYS OF THESE PROPERTIES, THE DATE SEWER EASEMENT AND 4" DIRT INGRESS/EGRESS EASEMENT ARE FOR THE USE AND BENEFIT OF LOTS 1 & 3.

LEGEND 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.

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.

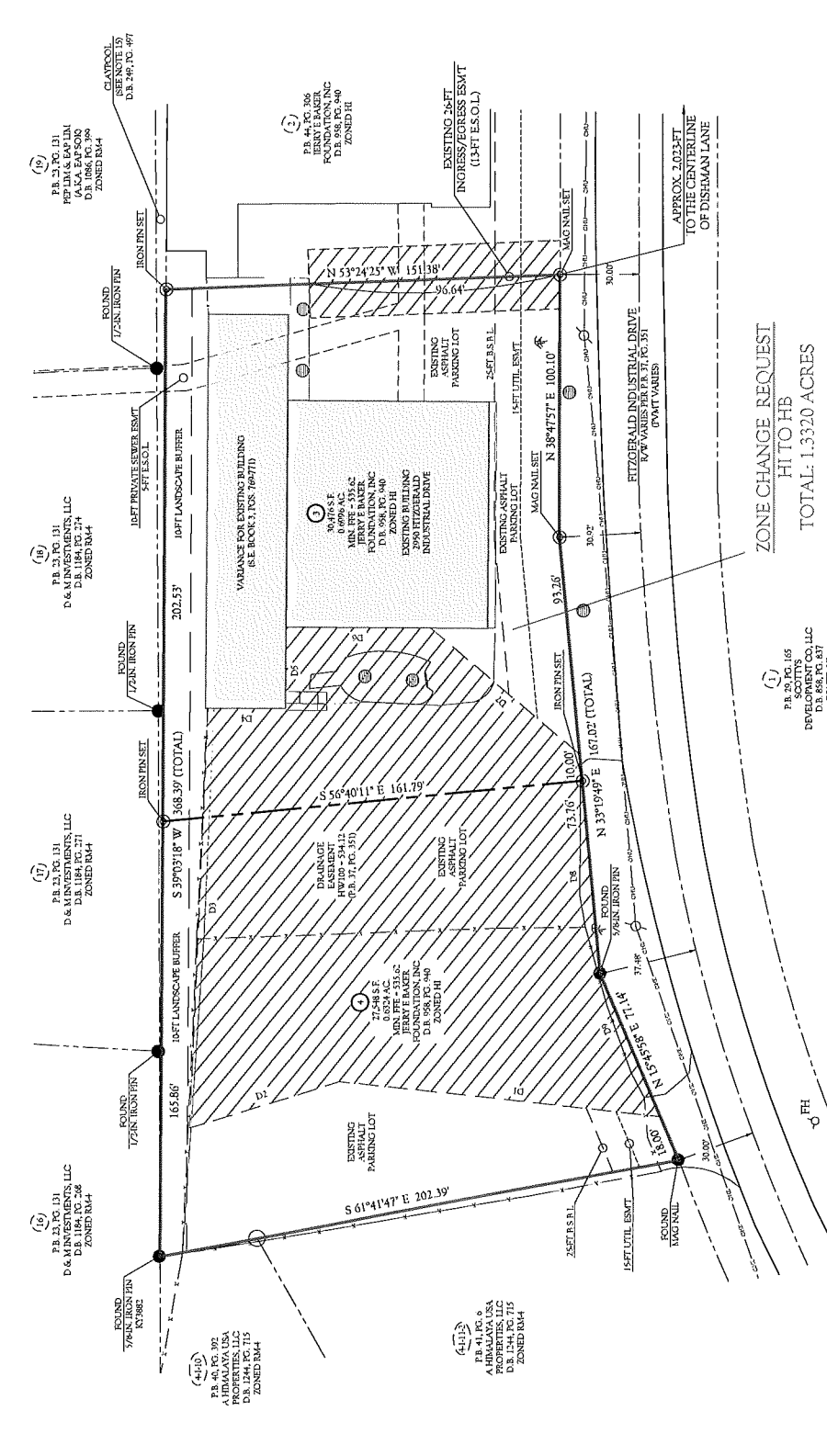
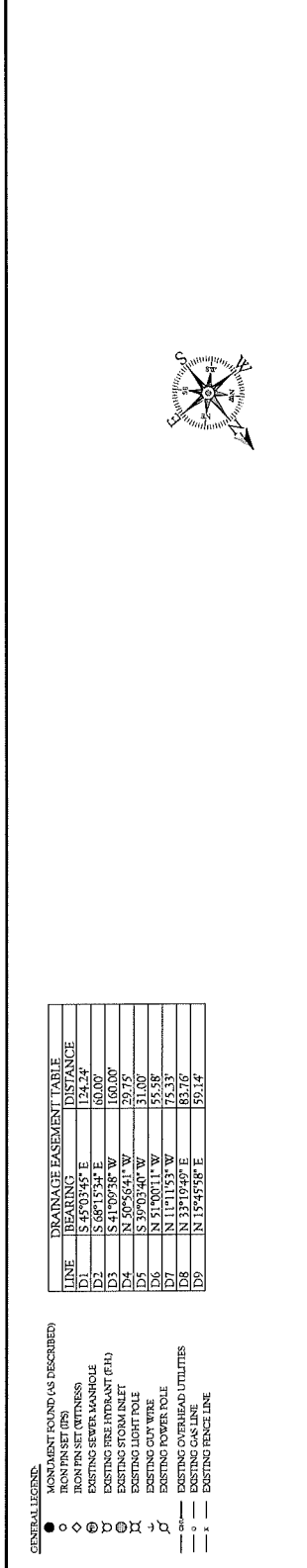
APPLICANT:
 2950 FREEDOM LLC
 4400 BRECKENRIDGE LN STE 300
 LOUISVILLE, KY 40218

OWNER:
 JERRY E BAKER FOUNDATION INC.
 1101 COLLEGE STREET
 BOWLING GREEN, KY 42101

SCALE: 1" = 30'

REZONING PLAT FOR:
 LOTS 3 & 4 OF THE JEB REALTY, INC. S/D
 PLAT BOOK 44, PAGE 306
 2950 FITZGERALD INDUSTRIAL DRIVE
 BOWLING GREEN, KY

VAN METER & SLAVEY, LLC
 PROFESSIONAL ENGINEERING - LAND SURVEYING
 2510 Ken Bled Blvd. - Bowling Green, KY 42103
 P: 270.790.0001 F: 270.791.0011 E: info@vanmeter.com
 DRAWN BY: TDS 1/15/2024 SURVEY DATE: 04/20/2024
 CHECKED BY: JAC 2/28/2024 PLAT DATE: 2/28/2024
 APPROVED BY: LLS



STATE OF KENTUCKY
LUCAS L. SLAVEY
 5022
 LICENSED PROFESSIONAL LAND SURVEYOR

Lucas Slavey
 2-8-2024

Kentucky 811
 CALL 811 BEFORE YOU DIG
 KENTUCKY COMMUNITY FOUNDATION
 PROTECTION, INC.

ZONE CHANGE REQUEST
 HI TO HB
 TOTAL: 1.1320 ACRES

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 2950 FREEDOM LLC
 4400 BRECKENRIDGE LN STE 300
 LOUISVILLE, KY 40218

OWNER:
 JERRY E BAKER FOUNDATION INC.
 1101 COLLEGE STREET
 BOWLING GREEN, KY 42101

SCALE: 1" = 30'