

ORDINANCE # 06 - 2022

AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, CHANGING THE ZONING CLASSIFICATION OF PROPERTY DESCRIBED AS 104 JOHN STREET AND OWNED BY GREAT COMMISSION CHURCH, INC. HEREIN FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO B-2 (MAJOR BUSINESS DISTRICT)

WHEREAS, Great Commission Church, Inc. made application for zone change for property located a 104 John Street to change the current zoning classification of R-1 (Single Family Residential) to B-2 (Major Business District); and

WHEREAS, the application was before the Planning Commission on January 25, 2022, for consideration; and

WHEREAS, the Planning Commission reviewed evidence and heard testimony and argument by the applicant and determined the current classification of R-1 (Single Family Residential) continues to be the appropriate classification for the property and the requested classification of B-2 (Major Business District) is inappropriate; and

WHEREAS, the land owner thereafter filed an appeal of the Planning Commission's recommendation to the City Council; and

WHEREAS, on March 1, 2022, the City Council considered the appeal of the zone change denial as it pertains to 104 John Street and by majority vote determined that the current zoning classification of R-1 (Single Family Residential) is an inappropriate classification for 104 John Street and that the zoning classification of B-2 (Major Business District) is the more appropriate classification for the subject property;

NOW, THEREFORE, be it ordained by the City Council of the City of Berea, Kentucky, as follows:

Pursuant to the authority granted in KRS 100, and in Section 401.2 of the Land Management and Development Ordinance, and further pursuant to a hearing held on March 1, 2022 by the Berea City Council following an appeal by the landowner of the Berea Planning Commission's findings of January 25, 2022, and the landowner's amended zoning application, the City Council found after reviewing the application, hearing arguments, findings of the Planning Commission, and having the opportunity to review the testimony and exhibits of the Planning Commission hearing, that the current zoning classification of R-1 (Single-Family Residential) was inappropriate and that the

proposal for zoning map amendment from R-1 (Single Family Residential) to B-2 (Major Business District) was appropriate, and thereafter on March 1, 2022, by the City Council following the appeal, and further, pursuant to KRS 100.211, the area as hereinafter described on Exhibit "A" hereto and being known and designated as 104 John Street, be and the same is reclassified to B-2 (Major Business District) from R-1 (Single-Family Residential).

FIRST READING: March 15, 2022.

SECOND READING & ENACTMENT: April 5, 2022.

CITY OF BEREA, KENTUCKY

Bruce Fraley, Mayor

Attest:

City Clerk

Published according to law on the 6 day of April, 2022.

Prepared by:

Corporation Counsel