

5-2-1967

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AN ORDINANCE PROVIDING FOR
INTERIM ZONING FOR THE CITY OF
SMITHS GROVE, KENTUCKY UNTIL
SUCH TIME AS A GENERAL ZONING
ORDINANCE IS ADOPTED.

BE IT ORDAINED BY THE City Council of the City of Smiths Grove Kentucky that in order to lessen congestion in the streets, secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements, it is necessary to provide for a general zoning plan of the City of Smiths Grove, Kentucky and to divide said city into residential, business and industrial districts according to a master plan.

WHEREAS, it will require time for the City-County Planning Commission of Warren County, Kentucky, pursuant to the authority and according to the duties set out in Chapter 100 of the Kentucky Revised Statutes, to provide a comprehensive plan and to make surveys and maps to divide the city into zones and during the time required to work out said plan (it would be destructive of a general plan of zoning to permit the further intrusion of business and industrial uses of property in residence neighborhoods or districts or zones, as hereinafter defined.

NOW, THEREFORE, BE IT ORDAINED BY the City Council that until such general zoning ordinance is adopted, from the date of the approval of this ordinance, it shall be unlawful for any person, firm or corporation to locate any business or to erect or construct any building intended or

designated to be used for business or industrial purposes or to alter any building to be used for such purposes within any residential zone district, neighborhood or section of the city, except as hereinafter provided.

By a residential district, zone, neighborhood or section in the City of Smiths Grove is meant the land fronting on both sides of any public street or court where less than 25% of the frontage is now used or designed for business or industrial purposes within a distance of three hundred feet of the center of the place where any structure or lot for business or industrial purposes is proposed to be used, erected, located, constructed or altered. If the distance from the center of the location of such proposed structure or lot for business or industrial purposes on the same side of the street is less than three hundred feet to the next intersecting street, the center line of the nearest street of such intersecting streets shall be the limit of the residence zone or district in that particular direction and on both sides of the street.

An intersecting street, as used herein, shall mean any street or public highway or court thirty feet or more in width, which joins another at an angle, whether or not it crosses the other.

Buildings or vacant ground used or proposed to be used for farming, truck gardening, the growing of trees, shrubs, vines, or plants, or customary home occupations as determined by the Board of Adjustments, conducted by a family within its residence, and the conduct of a boarding or lodging house, not primarily for transient guests, shall not

be affected by the terms of this ordinance. Any person, firm or corporation desiring to build or alter any building for business or industrial purposes shall first apply to the Planning Commission for an approval of said permit. It shall be the duty of any applicant to furnish the Planning Commission all information necessary to enable the Commission to determine the character of the zone in which such building is proposed to be used, erected, constructed or altered. The Planning Commission shall determine whether said building is to be used, erected, constructed or altered in a residential zone district neighborhood or section, and their findings and recommendations shall be reported to the City Council who shall authorize or deny said permit in conformance with the recommendation of the Planning Commission. The Planning Commission may authorize a non-residential use as a special exception in an existing non-residential structure if circumstances warrant such action. The City Council may overrule the recommendations of the Planning Commission only by a majority of the entire Council membership.

Any person, firm or corporation to whom such permit has been refused or denied, who feels aggrieved by the ruling of the Building Inspector may appeal to the Board of Adjustments and when relief is not granted, they may appeal to the circuit court pursuant to KRS 100.347.

Any person, firm or corporation violating the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$50.00 nor more than \$100.00. Each day said violation continues shall be considered a separate offense.

Any zoning ordinance in effect in the City of Smiths Grove is hereby revoked and replaced by this ordinance.

An emergency is hereby declared in the City of Smiths Grove and this ordinance shall be declared in full force and effect upon its passage passage and publication as required by law.

5-2-67

Date approved

JC Melton

Mayor

ATTEST

Gertie B Byku

Clerk