

**STAFF REVIEW
RIGHT-OF-WAY CLOSING**

November 17, 2011

2011-03-RWC Kevin R. Kirby has filed an application to close portions of two alleys, one containing approximately 2039 square feet, being approximately 12 feet in width and approximately 174 feet in length, and one containing approximately 2000 square feet, being 20 feet in width and 100 feet in length, located on the block bounded by 11th Avenue, Broadway, High Street and Kenton Street.

STAFF REVIEW: The applicant, Kevin R. Kirby has requested this closing for the purpose of consolidating the area for parking.

There were letters submitted from the agencies listed below stating the closing of this right-of-way is in agreement with their agency, and they foresee no problems with the designated closing with any conditions noted.

1. City of Bowling Green, by Melissa Cansler, PE, City Engineer, Public Works
Alley that connects to Broadway must remain right-of-way. Maintain easement for sanitary sewer.
2. Bowling Green Fire Department, by Brian Callaghan, Fire Marshal
3. Bowling Green Police Department, by Doug Hawkins, Chief of Police
4. Medical Center EMS, by Kendra Messenger, Paramedic
5. Sanitation Services, by Gene Tucker, Manager
6. Bowling Green Municipal Utilities – Water and Sewer Division, by Rodney Sullivan, Engineering Technician
7. Bowling Green Municipal Utilities - Electric Division, by Chad Spencer, Electric Engineering Supervisor
8. AT&T, by Buzz Colburn, Senior Engineer.
9. Insight Communications, by Tom Mracek, Construction Supervisor
10. Atmos Energy, by Byron Oost, Project Specialist

CONSISTENCY WITH COMPREHENSIVE PLAN: No Impact.

CONSISTENCY WITH TRANSPORTATION PLAN: No Impact.

FINDINGS OF FACT PER KRS 82.405:

- (A) Identification of all property owners abutting the right-of-way to be closed was made by applicant;
- (B) Written notice was given to the property owners abutting the right-of-way;
- (C) The property owner abutting the right-of-way to be closed has given his written and notarized consent to the closing.

ADDITIONAL CONDITIONS:

A revised plat must be recorded reflecting the Right-Of-Way Closing.

RIGHT-OF-WAY CLOSING MOTIONS

MOTION TO APPROVE:

I make the motion to **approve** the Right-of-Way Closing, Docket #2011-03-RWC subject to the recording of a plat revision as noted in the staff report. My motion is based on the findings of fact as presented in the staff report, and the testimony presented in this public hearing that the Right-of-Way Closing **is** in compliance with Section 3.16 of the Warren County Zoning Ordinance.

or

MOTION TO DISAPPROVE:

I make the motion to **disapprove** the Right-of-Way Closing, Docket #2011-03-RWC. My motion is based on the findings of fact as presented in the staff report, and the testimony presented in this public hearing that the Right-of-Way Closing **is not** in compliance with Section 3.16 of the Warren County Zoning Ordinance.