

ORDINANCE NO. 654-2004

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DRY RIDGE SO CHANGING THE ZONING CLASSIFICATION OF A PARCEL AND BOUNDARY OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, CONTAINING APPROXIMATELY 6.00 ACRES, MORE OR LESS, OWNED BY THE ESTATE OF CLIFFORD MCGEE, DECEASED, ET AL, SITUATED ON THE NORTHERLY SIDE OF THE WARSAW AVENUE FROM THE PROPERTY'S PRESENT ZONING CLASSIFICATION OF COUNTY OF GRANT AGRICULTURAL ONE (A-1) TO CITY OF DRY RIDGE NEIGHBORHOOD COMMERCIAL (NC).

BE IT HEREBY ORDAINED BY THE CITY OF DRY RIDGE AS FOLLOWS:

WHEREAS, on the 27th day of October, 2003, and continued to the 24th day of November, 2003, the Grant County Joint Planning Commission did hold public hearing of the Application of the Estate of Clifford McGee, Deceased, requesting a change in zoning classification and map amendment from Grant County Agricultural One (A-1) to City of Dry Ridge Neighborhood Commercial (NC) for developable tracts together with the right-of-ways and easements granted for the new Connector Road containing approximately 6.00 acres, more or less, situated on the northerly side of the Warsaw Avenue, all being located within the city limits of the City of Dry Ridge, Kentucky; and upon the foregoing Application, the Grant County Planning Commission did make findings and conclusion in support of the requested zone change and zoning map amendment together with written recommendations addressed to and received by the City Council of the City of Dry Ridge that the McGee Estate's requested change in zoning classification and zoning map amendment be granted, approved and duly so ordained by the City of Dry Ridge; and

WHEREAS, the City Council of the City of Dry Ridge did at its Regular Meeting held on January 5, 2004, did review the findings, conclusions and recommendations of the said Grant County Joint Planning commission, and did so concur in the findings, conclusions and recommendations of the Commission concerning the change in zoning classification and map amendment from Grant County Agricultural One (A-1) to City of Dry Ridge Neighborhood Commercial (NC) for the property of the Estate of Clifford NcGee, Deceased, et al; and upon Vote sufficient, affirmative, in the majority and unanimous, following due Motion and timely Second, said Council did so approve the requested zoning change and zoning map amendment under the following tally, to-wit:

- Councilperson Barry Napier Aye;
- Councilperson Barbara Stewart Aye;
- Councilperson Kenny Edmondson Aye;
- Councilperson Eddie Morgan Aye;
- Councilperson George Hedges, Jr. Aye; and
- Councilperson Gary Hopperton Aye.

NOW, THEREFORE, it is hereby **ORDAINED** by the City Council of the City of Dry Ridge, Kentucky, that the zoning classification of the hereinafter described boundaries and parcels of the Estate of Clifford McGee, et al, situated on the northerly side of the Warsaw Avenue be so fixed and classified as City of Dry Ridge Neighborhood Commercial (NC); and that the Mayor of the City of Dry Ridge is hereby authorized and so ordered to effect the zoning map amendment, by endorsement or otherwise, to evidence the zoning classification so granted, approved, ordered, and duly ordained as required by law to and for the hereinafter described boundaries and parcels of real property, to-wit:

A boundary of land containing approximately 6.00 acres situated on the northerly side of Warsaw Avenue and being Lots 18, 45, 19, 20, 46, 47, 48, 21, 22, 23, 24, 25, 26, 51, 52, 53, and 55 of Blackburn's Summit Heights Subdivision of Dry Ridge as shown on that plat if record in Deed Book 39 at Page 98 of the Grant County Court Clerk's Records at Williamstown, Kentucky, being all more particularly described by modern metes and bounds survey denoting boundaries, parcels, tracts, roadways and approaches therein and thereto as follows, to-wit:

Parcel No. 1(1.7945 Acres): Beginning at a point, a common corner between McGee, Brewer, and Locust Ridge, Ltd.; thence along the property line of McGee and Locust Ridge, Ltd. S 49° 01' 37" W -- 325.59 feet to a point; thence S 62° 58' 10" E -- 95.27 feet to a point; thence N 82° 11' 54" E -- 113.89 feet to a point; thence S 79° 27' 29" E -- 140.40 feet to a point; thence N 86° 21' 25" E -- 129.56 feet to a point; thence N 17° 55' 19" W -- 237.04 feet to a point in the line of Brewer; thence along the line of Brewer and McGee N 78° 58' 22" W -- 154.07 feet to the point of beginning, containing 1.7945 acres, more or less.

Parcel No. 2(1.1570 Acres): Beginning at a point in the northerly right-of-way of Warsaw Avenue at the property line of McGee and Spears/Wallace, LLC; thence along the McGee-Spears/Wallace, LLC line N 07° 56' 38" W -- 122.82 feet to a point, an iron pin found; thence S 77° 25' 47" W -- 75.00 feet to a point, an iron pin found; thence N 08° 17' 23" W -- 128.01 feet to a point along the Warsaw Avenue Approach; thence S 86° 10' 05" E -- 297.75 feet to a point; thence S 03° 49' 55" W -- 64.41 feet to a point; thence along and arc and cord bearing S 02° 16' 16" E -- 71.85 feet to a point; thence S 08° 22' 26" E -- 46.51 feet to a point in the northerly right-of-way line of Warsaw Avenue; thence along the Warsaw Avenue S 81° 11' 22" W -- 196.00 feet to an iron pin found, the point of beginning, containing 1.1570 acres, more or less.

Parcel No. 3(0.5886 Acres): Beginning at a point in the line of McGee and the Warsaw Avenue Approach; thence long the line of McGee and the Warsaw Avenue Approach S 82° 34' 13" E -- 62.20 feet to a point; thence S 86° 10' 05" E -- 114.30 feet to a point; thence S 40° 47' 18" E -- 53.37 feet to a point; thence S 01° 26' 16" W -- 82.97 feet to a point in the northerly right-of-way line of Warsaw Avenue; the along the northerly right-of-way line of Warsaw Avenue S 81° 13' 35" W -- 205.88 feet to a point; thence N 08° 22' 26" W -- 43.61 feet to a point; thence along an arc and cord bearing N 02° 16' 15" E -- 67.67 feet to a point; thence N 03° 49' 56" E -- 59.81 feet to the point of beginning, containing 0.6886 acres, more or less.

Streets and Roadways:

Parcel No. 22: A tract of land situated in Grant County, Kentucky, located on the west side of the East Dry Ridge Connector and on both sides of Warsaw Avenue and being more particularly described as follows: BEGINNING at a point in the north property line 7.174 meters (23.54 feet) right of MAINLINE CENTERLINE station 23+436.036; thence with the north property line South 13 degrees 45 minutes 01 seconds East, 124.415 meters (408.19 feet) to a point in the northwest property corner 33.600 meters (110.24 feet) left of WARSAW CENTERLINE station 49+959.306; thence with the east property line South 81 degrees 19 minutes 36 seconds West, 54.055 meters (117.35 feet) to a point in the southeast property corner 13.453 meters (44.14 feet) right of MAINLINE CENTERLINE station 23+564.767; thence with the proposed access control and right of way line North 1 degree 32 minutes 15 seconds East, 25.290 meters (82.97 feet) to a point in the proposed access control and right of way corner 13.452 meters (44.13 feet) right of MAINLINE CENTERLINE station 23+539.716; hence with the proposed access control and right of way line North 40 degrees 41 minutes 19 seconds West, 16.268 meters (53.57 feet) to a point in the proposed access control and right of way line 8.550 meters (28.05 feet) left of WARSAW CENTERLINE station 50+024.541; thence with the proposed access control and right of way line North 86 degrees 04 minutes 06 seconds West, 34.839 meters (114.30 feet) to a point in the proposed access control and right of way line 8.550 meters (28.05 feet) left of WARSAW CENTERLINE station 50+059.380; thence with the proposed access control and right of way line North 82 degrees 28 minutes 14 seconds West, 18.957 meters (62.20 feet) to a point a break in the proposed access line 7.360 meters (24.15 feet) left of WARSAW CENTERLINE station 50+078.300; thence with the proposed right of way line South 3 degrees 55 minutes 55 seconds West, 18.231 meters (59.81 feet) to a point in the proposed right of way line 25.592 meters (83.96 feet) left of WARSAW CENTERLINE station 50+078.300; thence with the proposed right of way line 20.664 meters (67.80 feet) along an arc to the left, having a radius of 97.000 meters (318.24 feet), the cord of which is S 2 degrees 10 minutes 16 seconds East, 20.625 meters (67.67 feet) to a point in the proposed right of way corner 46.100 meters (151.25 feet) left of WARSAW CENTERLINE station 50+076.107; thence with the pro-

posed right of way line South 8 degrees 16 minutes 27 seconds East, 13.292 meters (43.61) feet to a point in the existing right of way line 59.091 meters (193.87 feet) left of WARSAW CENTERLINE station 50+073.297; thence with the existing right of way line South 81 degrees 19 minutes 39 seconds West, 13.400 meters (43.96 feet) to a point in the existing right of way line 62.015 meters (203.46 feet) left of WARSAW CENTERLINE station 50+086.374; thence with the proposed right of way line North 8 degrees 16 minutes 27 seconds West, 14.176 meters (46.51 feet) to a point in the proposed right of way line 48.159 meters (158.00 feet) left of WARSAW CENTERLINE station 50+089.372; thence with the proposed right of way line 21.942 meters (71.99 feet) along an arc to the right, having a radius of 103.000 meters (337.93 feet), the cord of which is North 2 degrees 10 minutes 16 seconds West, 21.901 meters (71.85 feet) to a point in the proposed right of way line 26.383 meters (86.56 feet) left of WARSAW CENTERLINE station 50+091.700; thence with the proposed right of way line North 3 degree 55 minutes 54 seconds East, 19.633 meters (64.41 feet) to a point in the proposed right of way corner 6.750 meters (22.15 feet) left of WARSAW CENTERLINE station 50+091.700; thence with the proposed right of way line North 86 degrees 04 minutes 06 seconds West, 90.754 meters (297.75 feet) to a point in the proposed right of way line 6.750 meters (22.15 feet) left of WARSAW CENTERLINE station 50+182.454; thence with the west property line North 8 degrees 16 minutes 08 seconds West, 28.973 meters (95.06 feet) to a point in the west property corner 21.569 meters (70.76 feet) right of WARSAW CENTERLINE station 50+188.577; thence with the west property line North 49 degrees 00 minutes 00 seconds East, 11.142 meters (36.56 feet) to a point in the proposed right of way line 29.438 meters (96.58 feet) right of WARSAW CENTERLINE station 50+180.689; thence with the proposed right of way South 62 degrees 52 minutes 11 seconds East, 29.037 meter (95.27 feet) to a point in the proposed right of way line 18.000 meters (59.06 feet) right of WASAW CENTERLINE station 50+154.000; thence with the proposed right of way line North 82 degrees 17 minues 53 seconds East, 34.713 meters (113.89 feet) to a point in the proposed right of way line 25.000 meters (82.02 feet) right of WARSAW CENTERLINE station 50+120.000; thence with the proposed right of way line South 79 degree 21 minutes 30 seconds East, 42.793 meters (140.40 feet) to a point in the proposed right of way line 20.000 meters (65.62 feet) right of WARSAW CENTERLINE station 50+077.500; thence

with the proposed access control and right of way line North 86 degrees 27 minutes 24 seconds East, 39.490 meters (129.56 feet) to a point in the proposed access control and right of way line 39.000 meters (127.95 feet) right of MAINLINE CENTERLINE station 23+497.000; thence with the proposed access control and right of way line North 17 degrees 49 minutes 20 seconds West, 72.249 meters (237.04 feet) to a point in the proposed access control and right of way line 75.000 meters (246.06 feet) right of MAINLINE CENTERLINE station 23+444.000; thence with the proposed access control and right of way line North 52 degrees 52 minutes 25 seconds East, 1.901 meters (6.24 feet) to a point in the north property line 73.886 meters (242.41 feet) right of MAINLINE CENTERLINE station 23+442.762; thence with the north property line South 78 degrees 45 minutes 00 seconds East, 67.142 meters (220.28 feet) to the point of beginning, containing 1.299 hectares...12,994 sq. meters...3.211 acres...139,865 sq. feet, more or less.

Parcel No. 22A: Beginning at a point in the existing right of way line 12.900 meters (42.32 feet) left of KY. 22 CENTERLINE station 6+153.093; thence with the proposed right of way line South 87 degrees 27 minutes 09 seconds East, 15.761 meters (51.71 feet) to a point in the east property line 12.900 meters (42.32 feet) left KY. 22 CENTERLINE station 6+169.459; thence with the east property line South 2 degrees 45 minutes 26 seconds West, 0.735 meters (2.41 feet) to a point in the southeast property corner 12.165 meters (39.91 feet) left of KY. 22 CENTERLINE station 6+169.438; thence with the existing right of way line North 85 degrees 21 minutes 34 seconds West, 14.803 meters (48.57 feet) to a point in the existing right of way corner 12.727 meters (41.75 feet) left of KY. 22 CENTERLINE station 6+154.099; thence with the existing right of way line North 76 degrees 04 minutes 15 seconds West, 0.985 meters (3.23 feet) to the point of beginning, containing 0.001 hectares...7.00 sq. meters...0.002 acres...75.00 square feet, more or less.

Parcel 22B: Beginning at a point in the existing right of way line 16.980 meters (55.71 feet) left of KY. 22 CENTERLINE station 6+120.000; thence with the proposed easement line North 52 degrees 14 minutes 21 seconds East, 5.520 meters (18.11 feet) to a point in the proposed easement corner 21.000 meters (68.90 feet) left of KY. 22 CENTERLINE station 6+124.000; thence with the proposed easement line South 75 degrees 21 minutes 23 seconds East, 8.531 meters (27.99 feet) to a point in the proposed easement corner 20.000 meters (65.62 feet) left of KY. 22 CENTERLINE station 6+133.000; thence with the proposed easement line South 52 degrees 19 minutes 56 seconds East, 7.752 meters (25.43 feet) to a point in the proposed easement corner 16.000 meters (52.49 feet) left of KY. 22 CENTERLINE station 6+140.000; thence with the proposed easement line South 85 degrees 36 minutes 24 seconds East, 19.083 meters (62.61 feet) to a point in the proposed easement corner 16.000 meters (52.49 feet) left of KY. 22 CENTERLINE station 6+160.000; thence with the proposed easement line North 86 degrees 05 minutes 09 seconds East, 9.171 meters (30.09 feet) to a point in the east property line 16.941 meters (55.58 feet) left of KY. 22 CENTERLINE station 6+169.574; thence with the east property line South 2 degrees 45 minutes 26 seconds West, 4.042 meters (13.26 feet) to a point in the proposed right of way line 12.900 meters (42.32 feet) left of KY. 22 CENTERLINE station 6+169.459; thence with the proposed right of way line North 87 degrees 27 minutes 09 seconds West, 15.761 meters (51.71 feet) to a point in the existing right of way line 12.900 meters (42.32 feet) left of KY. 22 CENTERLINE station 6+153.093; thence with the existing right of way line North 76 degrees 04 minutes 15 seconds West, 31.930 meters (104.76 feet) to the point of beginning, containing 0.014 hectares...143 sq. meters...0.035 acres...1,537 sq. feet, more or less.

Parcel 22C: Beginning at a point in the proposed access control and right of way corner 13.452 meters (44.13 feet) right of MAINLINE CENTERLINE station 23+539.716; thence with the proposed access control and right of way line South 1 degree 32 minutes 15 seconds West, 25.290 meters (82.97 feet) to a point in the existing right of way line 13.453 meters (44.14 feet) right of MAINLINE CENTERLINE station 23+564.767; thence with the existing right of way line South 81 degrees 19 minutes 39 seconds West, 6.422 meters (21.07 feet) to a point in the existing right of way line 19.781 meters (64.90 feet) right of MAINLINE CENTERLINE station 23+565.857; thence with the proposed easement line North 17 degrees 46 minutes 10 seconds West, 23.461 meters (76.97 feet) to a point in the proposed easement corner 25.000 meters (82.02 feet) left of WARSAW CENTERLINE station 50+027.000; thence with the proposed easement line North 76 degrees 55 minutes 36 seconds West, 44.060 meters (144.55 feet) to a point in the proposed easement corner 18.000 meters (59.06 feet) left of WARSAW CENTERLINE station 50+070.500; thence with the proposed easement line South 7 degrees 49 minutes 33 seconds West, 41.186 meters (135.12 feet) to a point in the existing right of way line 59.091 meters (193.87 feet) left of WARSAW CENTERLINE station 50+073.297; thence with the proposed right of way line North 8 degrees 16 minutes 27 seconds West, 13.292 meters (43.61 feet) to a point in the proposed right of way line 46.100 meters (151.25 feet) left of WARSAW CENTERLINE station 50+076.107; thence with the proposed right of way line 20.664 meters (67.80 feet) along an arc to the right, having a radius of 97.000 meters (318,24 feet), the cord of which is North 2 degrees 10 minutes 16 seconds West, 20.625 meters (67.67 feet) to a point in the proposed right of way line 25.592 meters (83.96 feet) left of WARSAW CENTERLINE station 50+078.300; thence with the proposed right of way line North 3 degrees 55 minutes 55 seconds East, 18.231 meters (59.81 feet) to a point in the proposed access control and right of way line 7.360 meters (24.15 feet) left of WARSAW CENTERLINE station 50+078.300; thence with the proposed access control and right of way line South 82 degrees 28 minutes 14 seconds East, 18.957 meters (62.20 feet) to a point in the proposed access control and right of way line 8.550 meters (28,05 feet) left of WARSAW CENTERLINE station 50+059.380; thence with the proposed access control and right of way line South 86 degrees 04 minutes 06 seconds East, 34.839 meters (114.30 feet) to a point in the proposed access control and right of way corner 8,550 meters (28,05 feet) left of WARSAW CENTERLINE station 50+024.541; thence with the proposed access control and right of way line South 40 degrees 41 minutes 19 seconds East, 16.268 meters (53.37 feet) to the point of beginning, containing 0.123 hectares...1,230 sq. meters...0.304 acres...13,245 sq. feet, more or less.

Parcel No. 22D: Beginning at a point in the proposed right of way line 6.750 meters (22.15 feet) left of WARSAW CENTERLINE station 50+091.700; thence with the proposed right of way line South 3 degrees 55 minutes 54 seconds West, 19.633 meters (64.41 feet) to a point in the proposed right of way line 26.383 meters (86.56 feet) left of WARSAW CENTERLINE station 50+091.700; thence with the proposed right of way line 21.942 meters (71.99 feet) along an arc to the left, having a radius of 103.000 meters (337.93 feet), the cord of which is South 2 degrees 10 minutes 16 seconds East, 21.901 meters (71.85 feet) to a point in the proposed right of way line 48.159 meters (158.00 feet) left of WARSAW CENTERLINE station 50+089.372; thence with the proposed right of way line South 8 degrees 16 minutes 27 seconds East, 14.176 meters (46.51 feet) to a point in the existing right of way line 62.015 meters (203.46 feet) left of WARSAW CENTERLINE station 50+086.374; thence with the proposed easement line North 15 degrees 19 minutes 10 seconds West, 41.326 meters (135.58 feet) to a point in the proposed easement corner 23.000 meters (75.46 feet) left of WARSAW CENTERLINE station 50+100.000; thence with the proposed easement line North 87 degrees 25 minutes 56 seconds West, 42.012 meters (137.83 feet) to a point in the proposed easement corner 24.000 meters (78.74 feet) left of WARSAW CENTERLINE station 50+142.000; thence with the proposed easement line North 69 degrees 04 minutes 39 seconds West, 18.822 meters (61.75 feet) to a point in the proposed easement corner 18.500 meters (60.70 feet) left of WARSAW CENTERLINE station 50+160.000; thence with the proposed easement line South 70 degrees 54 minutes 23 seconds West, 19.816 meters (65.01 feet) to a point in the west property line 26.251 meters (86.13 feet) left of WARSAW CENTERLINE station 50+178.238; thence with the west property line North 8 degrees 16 minutes 08 seconds West, 19.952 meters (65.46 feet) to a point in the west property line 6.750 meters (22.15 feet) left of WARSAW CENTERLINE station 50+182.454; thence with the proposed right of way line South 86 degrees 04 minutes 06 seconds East, 90.754 meters (297.75 feet) to the point of beginning, containing 0.155 hectares...1,553 sq. meters...0.384 acres...16,720 sq. feet, more or less.

This Ordinance shall take effect and be in full force when Ordained, Passed, Adopted, Ordered Approved and Published, and thereafter Published according to law.

First Reading: January 5, 2004

Second Reading: February 2, 2004

PASSED, ADOPTED, ORDAINED, APPROVED, AND ORDERED
PUBLISHED THIS THE 2nd DAY OF February, 2004.

William Cull
WILLIAM CULL, MAYOR

ATTEST:

Cindy L. Harris
CINDY L. HARRIS, CITY CLERK