

ORDINANCE NO. 695-2006

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DRY RIDGE SO CHANGING THE ZONING CLASSIFICATIONS OF BOUNDARIES OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF DRY RIDGE, KENTUCKY, AND SITUATED AT THE PRESENT TERMINUS OF BRENTWOOD DRIVE FOR THE LANDS OF CAC PROPERTIES, LLC HAVING AN AREA OF CIRCA 24 ACRES FROM THE PROPERTY'S PRESENT ZONING CLASSIFICATION OF CITY OF DRY RIDGE RESIDENTIAL THREE (R-3)(ZONING ORDINANCE NO. 380-1982) TO CITY OF DRY RIDGE RESIDENTIAL-THREE (R-3)(ZONING ORDINANCE NO. 629-2006) AND CITY OF DRY RIDGE HIGHWAY-COMMERCIAL (HC)(ORDINANCE NO. 629-2006); AND SITUATED AT THE TERMINI OF KINGS HEIGHTS AND STEWART LANE FOR THE LANDS OF THE FREDERICK R. SCROGGIN & MARILYN JANE SCROGGIN REVOCABLE LIVING TRUST OF JUNE 16, 1993 OF CIRCA 62 ACRES FROM THE PROPERTY'S PRESENT ZONING CLASSIFICATION OF CITY OF DRY RIDGE AGRICULTURAL ONE (A-1)(ORDINANCE NO. 380-1982) TO CITY OF DRY RIDGE RESIDENTIAL-THREE (R-3)(ORDINANCE NO. 629-2006) FOR AN AREA OF CIRCA 16 ACRES ADJACENT TO KINGS HEIGHTS AND THE PRESENT BRENTWOOD SUBDIVISION AND TO CITY OF DRY RIDGE HIGHWAY-COMMERCIAL (HC)(ORDINANCE NO. 629-2006) FOR THE REMAINDER OF THE BOUNDARY CONTAINING CIRCA 46 ACRES UNDER PROPOSED DEVELOPMENT BY ONE ELEVEN DEVELOPERS.

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

WHEREAS, on the 25th day of May, 2006, the Grant County Joint Planning Commission did hold a public hearing on the Application of One Eleven Developers requesting a change in zoning classifications and map amendments from City of Dry Ridge R-3 to NC for the lands of CAC Properties, LLC; and from A-1 to R-3 and NC for the lands of the Scroggin Family Trust together with the developer's developmental plan for the lands in the City of Dry Ridge at the termini of Brentwood Drive, Kings Heights and Stewart Lane under the city's Official Zoning Ordinance (Ordinance No. 380-1982) and the Official Zoning Map applicable thereto; and upon the foregoing Application, the Grant County Joint Planning Commission did make findings and conclusions in support of the requested zoning changes, zoning map amendments, and the applicant's developmental plans together with written recommendations addressed to and received by the City Council of the City of Dry Ridge that One Eleven Developer's requested changes in zoning classifications and zoning map amendments together with the same's developmental plans be granted, approved and duly so ordained by the City of Dry Ridge; and

WHEREAS, the City Council of the City of Dry Ridge at a Special Meeting held on the 19th day of June, 2006, did review the findings and recommendations of the said Grant County Joint Planning Commission and did so concur in the findings and recommendations of the Commission concerning the developmental plans and the changes in zoning classifications and zoning map amendments under separate and finding specific that since the time developer's application, the City of Dry Ridge did adopt and enact a new official zoning ordinance (Ordinance No. 629-2006) requiring that changes in zoning classification and map amendments be granted and made with reference to and in accord with City of Dry Ridge Ordinance No. 629-2006; and upon Vote sufficient, affirmative and in the majority, upon Motion and timely Second, the Dry Ridge City Council did so approve the requested zoning classifications and map amendments by all present 'ayes': Messrs. Hicks; Morgan; Hopperton; O'Nan; and Webster.

LEGAL DESCRIPTION ATTACHMENT FOR THE ZONING CHANGES AND MAP AMENDMENTS PER DEVELOPMENTAL PLAN UNDER THE CITY OF DRY RIDGE'S OFFICIAL ZONING ORDINANCE NO. 629-2006 FOR THE BOUNDARY OF CAC PROPERTIES, LLC AT THE TERMINUS OF BRENTWOOD DRIVE TO CITY OF DRY RIDGE HIGHWAY-COMMERCIAL (HC), RESIDENTIAL-THREE (R-3), AND NEIGHBORHOOD-COMMERCIAL (NC) WHERE APPLICABLE UNDER THE APPROVED DEVELOPMENTAL PLAN, TO-WIT: A boundary of land within the Commonwealth of Kentucky, Grant County, being part of the land heretofore conveyed to CAC Properties by deed recorded in Deed Book 231, Page 550 of the Grant County deed record on file in Williamstown, KY, and being more particularly described as follows: **Beginning** at the southwesterly corner of a tract of land heretofore conveyed to Jane Scroggin as recorded in Deed Book 274, Page 701 of said County Records said corner being on the easterly right of way of Interstate 75; thence along the easterly line of said right of way the following six (6) courses: (1) N 56° 22' 08" W -- 543.77 feet; (2) N 34° 38' 36" E -- 59.38 feet; (3) N 55° 23' "0" W -- 100.15 feet; (4) N 09° 54' 57" W -- 68.51 feet; (5) N 34° 00' 15" E -- 79.60 feet; and (6) N 55° 15' 04" W -- 86.16 feet to the southeasterly corner of a tract of land heretofore conveyed to Adven as recorded in Deed Book 239, Page 329 of said County Records; thence along the easterly line of said Adven tract the following four (4) courses: (1) N 49° 45' 52" E -- 122.54 feet; (2) N 18° 03' 29" W -- 140.55 feet; (3) N 54° 29' 02" E -- 500.12 feet; and (4) N 33° 55' 35" E -- 360.62 feet; thence along a new made line partitioning the grantor's property the following five (5) courses: (1) S 21° 45' 13" E -- 57.66 feet; (2) along a curve to the left having a radius of 470.00 feet subtended by a cord bearing and distance of S 38° 34' 23" E -- 275.94 feet; (3) S 55° 23' 32" E -- 470.02 feet; (4) Along a curve to the left having a radius of 530.00 feet subtended by a cord bearing and distance of S 44° 36' 55" E -- 199.38 feet; and (5) S 33° 50' 17" E -- 132.20 feet to the northwesterly line of Jane Scroggin as recorded in Deed Book 274, Page 701; thence along the northwesterly line of said Scroggin tract, S 56° 14' 15" W -- 1094.06 feet to the point of beginning containing 24.1819 acres of land, more or less, subject to easements, conditions, covenants, restriction, and rights-of-way of record.

LEGAL DESCRIPTIONS ATTACHMENT FOR THE ZONING CHANGES AND MAP AMENDMENTS PER DEVELOPMENTAL PLAN UNDER CITY OF DRY RIDGE'S OFFICIAL ZONING ORDINANCE NO. 629-2006 FOR THE BOUNDARY OF THE SCROGGIN FAMILY TRUST T THE TERMINI OF KINGS HEIGHTS AND STEWART LANE TO CITY OF DRY RIDGE RESIDENTIAL-THREE (R-3), CITY OF DRY RIDGE HIGHWAY-COMMERCIAL (HC), AND CITY OF DRY RIDGE NEIGHBORHOOD-COMMERCIAL (NC) WHERE APPLICABLE UNDER THE APPROVED DEVELOPMENTAL PLAN, TO-WIT:

TRACT NO. 1: (East Tract): Lying and being in the County of Grant, State of Kentucky, and more particularly described thus: **Beginning** at a point in the east right of way of Interstate Highway 75, said right of way being 210 feet from centerline, corner to McBee and running with right of way South 42-42 East, 1974.5 feet to an offset in right of way; thence North 47-20 East 60.0 feet to 270 foot right of way; thence South 42-30 east 157.9 feet to a point in right of way, corner to F.K. Conrad; thence with Conrad's line North 5-28 East 191.9 feet to post, corner to Conrad and Lewis Harrison; thence with Harrison's line North 14-40 West 999.7 feet; thence North 42-21 East 483.4 feet; thence North 89-42 East 57.3 feet; thence North 4-39 West 589.5 feet to post, corner to Harrison and Eva McBee; thence with Eva McBee's line South 69-55 West 1691.2 feet to the beginning and containing 35.166 acres of land.

TRACT NO. 2: A parcel of land lying and being in Grant County, Kentucky, near Dry Ridge on the west side of U.S. #25 and adjoining Kings Heights Subdivision and more particularly described as follows: **Beginning** at a point on the north side of King's Drive, said point being the southwest corner of Lot #40 of the King's Heights Subdivision; thence from said point of beginning, South 70 degrees East 88.6 feet to an iron pin in the center of a gravel road, said point a common corner to Reville Kyle; thence South 61 degrees 45 minutes West 176 feet to stake on the south east side of a passway and a common corner to Reville Kyle, said course passes a gravel drive at 105 feet from an iron pin, said drive is used as an access drive to the property to Reville Kyle; thence along the southeast side of the passway and with Reville Kyle's line, South 15 degrees 30 minutes West 20 feet to a stake corner to Kyle; thence South 12 degrees 15 minutes East 88 feet to a post corner to Lawrence Cammack; thence South 17 degrees 57 minutes West 100 feet to an iron pin on the east side of a passway; thence leaving the passway South 84 degrees 46 minutes East 365 feet to an iron pin in the fence line; thence South 12 degree 30 minutes West 1328.8 feet to a post, corner to Louis Harrison (now Dewalt); thence North 86 degrees 45 minutes West 658 feet to a point corner to Blackburn; thence North 4 degrees 30 minutes West 598 feet to a post, corner to Blackburn; thence North 89 degrees 30 minutes West 74.6 feet; thence North 2 degrees 30 minutes East 950 feet to a post; thence North 72 degrees 30 minutes East 775 feet to a post corner to Kings's Heights Subdivision Lot #40; thence with the line of Lot #40, South 3 degrees West 11.7 feet to the beginning, containing 29.6 acres, more or less, but subject to legal highways and from which there are excepted boundaries separate of 0.94-acres and 3060 square feet as conveyed by Pearl King to John T. Lewis, et ux, by deeds of October 6, 1966, and June 18, 1969, duly lodged of record.

NOW, THEREFORE, it is hereby **ORDAINED** by the City Council of the City of Dry Ridge, Kentucky, that the zoning classifications, in accordance with the approved developmental plans, of the hereinafter described real estate, property and boundaries of CAC Properties, LLC and The Frederick R. Scroggin & Marilyn Jane Scroggin Revocable Living Trust of June 16, 1993 under development and ownership eventual of One Eleven Developers be so fixed and classified under the City of Dry Ridge's Official Zoning Ordinance (Ordinance No. 629-2006) and the City's 2006 Official Zoning Map applicable thereto as City of Dry Ridge Residential-Three (R-3), City of Dry Ridge Highway-Commercial (HC), and 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 amendments, by endorsement or otherwise, to evidence the zoning reclassifications so hereby granted, approved, ordered and duly ordained as required by law to and unto the hereinafter described boundaries of real property, to-wit:

[SEE THE LEGAL DESCRIPTIONS FOR THE PROPERTIES OF CAC PROPERTIES, LLC AND THE SCROGGIN FAMILY TRUST BY DUE ATTACHMENT HERETO BEING INCORPORATED BY REFERENCE AND MADE A PART HEREOF THE SAME AS IF SET FORTH AT LENGTH HEREIN IN THE BODY OF THIS ORDINANCE.]

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

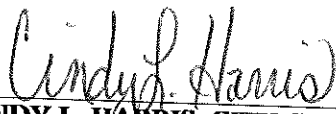
First Reading: June 19, 2006

Second Reading: July 17, 2006

PASSED, ADOPTED, ORDAINED, APPROVED, AND ORDERED PUBLISHED ON THIS
THE 17th DAY OF JULY, 2006.


WILLIAM CULL, MAYOR

ATTEST:


CINDY L. HARRIS, CITY CLERK