

ORDINANCE NO. 698-2006

AN ORDINANCE OF THE CITY OF DRY RIDGE, KENTUCKY, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DRY RIDGE SO CHANGING THE ZONING CLASSIFICATION OF A BOUNDARY OF LAND WITHIN THE CORPORATE LIMITS OF THE CITY OF DRY RIDGE, KENTUCKY, AND SITUATED AT THE PRESENT TERMINUS OF BLACKBURN LANE AND ON THE WESTERLY SIDE OF THE McCOY ROAD FOR THE LANDS OF ARRM PROPERTIES, LLC HAVING AN AREA OF CIRCA 13.5255 ACRES FROM THE PROPERTY'S PRESENT ZONING CLASSIFICATION OF CITY OF DRY RIDGE AGRICULTURAL ONE (A-1) (ZONING ORDINANCE NO. 380-1982) TO CITY OF DRY RIDGE HIGHWAY-COMMERCIAL (HC) (ZONING ORDINANCE NO. 629-2006).

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

WHEREAS, on the 22nd day of May, 2006, the Grant County Joint Planning Commission did hold a public hearing on the Application of ARRM Properties, LLC requesting a change in zoning classification and map amendment from City of Dry Ridge Agricultural One (A-1) to City of Dry Ridge Neighborhood Commercial (NC) for the Applicant's 13.5255-acre boundary on the westerly side of the McCoy Road at the present terminus of Blackburn Lane, a roadway extending off of the northerly side of Broadway (Kentucky Route #22) together with approval of the Applicant's initial site and developmental plan for the property.; and upon the foregoing Application after making a meeting amendment recognizing the City's adoption of the 'new' official zoning ordinance creating a new commercial zoning classification of Highway-Commercial (HC) that more suited the Applicant's development and uses, the Grant County Joint Planning Commission did make findings and conclusions in support of the requested zoning change, map amendment, and the Applicant's initial site and developmental plans together with written recommendations under date June 28, 2006, addressed to and received by the City Council of the City of Dry Ridge that ARRM Properties, LLC's requested change in zoning classification and zoning map amendment from A-1 to HC together with the same's site-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 Regular Meeting held on the 7th day of August, 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-site plan and the change in zoning classification and zoning map amendment under separate and finding specific that since the time of the owner-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 City Council of the City of Dry Ridge, Kentucky, did approve ARRM Properties, LLC's developmental-site plan and the change in zoning classification and zoning map amendment for ARRM Properties, LLC's property and boundary from City of Dry Ridge Agricultural One (A-1) to City of Dry Ridge Highway-Commercial (HC) in accordance with and under the City of Dry Ridge's Official Zoning No. 629-2006.

LEGAL DESCRIPTION ATTACHMENT FOR THE ZONING CHANGE AND MAP AMENDMENT, PER DEVELOPMENTAL-SITE PLAN UNDER CITY OF DRY RIDGE'S OFFICIAL ZONING ORDINANCE NO. 629-2006, FOR THE BOUNDARY OF ARM PROPERTIES, LLC ON THE NORTHERLY SIDE OF BROADWAY (KENTUCKY ROUTE #22) AT THE PRESENT TERMINUS OF BLACKBURN LANE AND ON THE WESTERLY SIDE OF THE McCOY ROAD TO CITY OF DRY RIDGE HIGHWAY-COMMERCIAL (HC), TO-WIT: Lying and being in Grant County, Kentucky, lying on the west side of McCoy Road, approximately 1300 feet north of Kentucky Route #22, and more particularly described as follows, to-wit: (unless otherwise stated any monument referred to as a set iron pin is a 1/2" iron rebar 18" in length with a yellow plastic cap stamped "3316 3407". All bearings stated herein are referred to a previous survey of the parent tract.) **Beginning** at an iron pin found in the West right of way line of McCoy Road, a corner to Keith & Cindy Kinmon (D.B 309, Pg. 618); thence with the line of Kinmon, N 82° 16' 15" W a distance of 163.20' to a point; thence leaving the line of Kinmon and partitioning the Grantor's property with a new made line, N 38° 04' 25" W a distance of 627.99' to a point in the East right of way line of Interstate #75, Commonwealth of Kentucky, Department, (D.B. 272, Pg. 399); thence with the East right of way lines of Interstate #75, N 05° 34' 39" E a distance of 125.00' to an iron pin found; thence N 36° 51' 55" W a distance of 88.91' to an iron pin found; thence N 05° 34' 39" E a distance of 522.79' to an iron pin found, a corner to Scroggin Revocable Living Trust, (D.B. 199, Pg. 141); thence with the line of Scroggin, S 75° 33' 48" E a distance of 658.10' to an iron pin found in the West right of way line of McCoy Road; thence with said right of way line, S 06° 05' 57" W a distance of 125.69'; thence S 02° 47' 39" W a distance of 90.96'; thence S 06° 13' 23" W a distance of 53.71'; thence S 11° 15' 43" W a distance of 100.03'; thence S 07° 05' 39" W a distance of 75.25'; thence S 05° 09' 35" W a distance of 214.98'; thence S 03° 26' 00" W a distance of 108.51'; thence S 03° 52' 36" W a distance of 101.52'; thence S 03° 01' 49" W a distance of 89.92'; thence S 01° 37' 10" W a distance of 65.15'; thence S 07° 28' 15" W a distance of 47.87' to The Point of Beginning, having an area of 589,172.02 square feet, 13.5255 acres, more or less, exclusive of all easements and right of ways of record. [Being part of the property as described in Deed Book 313 at Page 400 of the Grant County Court Clerk's Records at Williamstown, Kentucky.]

NOW, THEREFORE, it is hereby **ORDAINED** by the City Council of the City of Dry Ridge, Kentucky, that the zoning classification, in accordance with the approved developmental and site plans, of the hereinafter described real estate, property and boundary of ARRM Properties, LLC 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 Highway-Commercial (HC); 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 hereby granted, approved, ordered and duly ordained as required by law to and unto the hereinafter described boundary of real property, to-wit:

[SEE THE LEGAL DESCRIPTION FOR THE PROPERTY OF ARRM PROPERTIES, LLC BY DUE ATTACHMENT HERETO BEING INCORPORATED HEREIN 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: August 7, 2006

Second Reading: September 11, 2006

PASSED, ADOPTED, ORDAINED, APPROVED, AND ORDERED PUBLISHED ON THIS
THE 11th DAY OF September, 2006.

William Cull
WILLIAM CULL, MAYOR

ATTEST:

Cindy L. Harris
CINDY L. HARRIS, CITY CLERK