

**ORDINANCE NO. 700-2006**

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 ON THE SOUTHERLY SIDE OF THE TAFT HIGHWAY (KENTUCKY STATE ROUTE #22) FOR THE LANDS OF A.R.A. DEVELOPMENT, INC., A KENTUCKY CORPORATION, AND THE SMI PROPERTY MANAGEMENT COMPANY, A KENTUCKY CORPORATION, HAVING AN AREA COMBINED OF CIRCA 46.3450 ACRES FROM THE PROPERTY'S PRESENT ZONING CLASSIFICATIONS OF CITY OF DRY RIDGE RESIDENTIAL TWO (R-2) (ZONING ORDINANCE NO. 380-1982) TO RESIDENTIAL-THREE (R-3) (ORDINANCE NO. 629-2006).

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

**WHEREAS**, on the 26th day of June, 2006, the Grant County Joint Planning Commission did hold a public hearing on the Application of A.R.A. Development, Inc. and the SMI Land Development Company requesting a change in zoning classification and zoning map amendment from City of Dry Ridge Residential Two (R-2) under Zoning Ordinance No. 380-1982 to City of Dry Ridge Residential-Three (R-3) under Zoning Ordinance No. 629-2006 for the Applicants' coterminous boundaries containing circa 48.3450 acres on the southerly side of the Taft Highway together with approval of the Applicants' initial site and development plan for the property; and upon the foregoing, the Grant County Joint Planning Commission did, with conditions, did make findings and conclusion in support of the requested zoning change, zoning map amendment and initial site and developmental plans together with written recommendations under date of June 26, 2006, addressed to and received by the City Council of the City of Dry Ridge that the ARA/SMI requested change in zoning classification from R-2 to R-3 together with the same's site-developmental plans initial, with conditions, be so 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 11th day of September, 2006, did review the findings and recommendations with conditions the said Grant County Joint Planning Commission and did so concur the findings, recommendations and conditions concerning the site-developmental plan and the change in zoning classification and map amendments; and upon a Vote sufficient, affirmative and in the majority, upon Motion and timely second, the City Council of the City of Dry Ridge, Kentucky, did approve the ARA/SMI site-developmental plan, upon the Commission's conditions together with zoning classification and zoning map amendments for the boundaries of land to City of Dry Ridge Residential-Three (R-3) under Zoning Ordinance No. 629-2006.

LEGAL DESCRIPTION ATTACHMENTS FOR THE ZONING CHANGES AND ZONING MAP AMENDMENTS, PER DEVELOPMENTAL-SITE PLAN, UNDER CITY OF DRY RIDGE'S OFFICIAL ZONING ORDINANCE NO. 629-2006, FOR THE BOUNDARIES OF A.R.A. DEVELOPMENT, INC. AND THE SMI PROPERTY MANAGEMENT COMPANY ON THE SOUTHERLY SIDE OF THE TAFT HIGHWAY TO CITY OF DRY RIDGE RESIDENTIAL-THREE (R-3), TO-WIT:

**BOUNDARY NO 1:** Situated in the Commonwealth of Kentucky, Grant County, being a part of parcel 2 of the land heretofore conveyed to A.R.A. Development, LLC by deed recorded in Deed Book 273, Page 719 of the Grant County deed records on file in Williamstown, KY, and being more particularly described as follows: **Beginning** at a found iron pin and cap (P.L.S. #3381) on the easterly 60' right-of-way of US RT. # 22 and at the northeasterly corner of a tract of land heretofore conveyed to Gary Wood as recorded in Deed Book 129, Page 591 of said County records; thence along said right-of-way, N 76° 14' 00" E -- 244.80 feet to a set iron pin and cap at the northeasterly corner of a tract of land heretofore conveyed to Grant County Realty, Inc. as recorded in Deed Book 242, Page 390 of said County records; thence along the westerly line of said Grant County Realty tract the following two (2) courses: S 13° 45' 00" E -- 225.00 feet to a found iron pin and cap (P.L.S. # 3381); and N 76° 15' 00" E -- passing onto the southerly line of a lot, #14 Kinman Subdivision, Block A as recorded in Plat Cabinet 1, Slide 165 of said County Records to a found iron pin and cap (P.L.S. # 3381) at the northeasterly corner of Lot 14 of Kinman Subdivision, Block A as recorded in Plat Cabinet 1, Slide 165; thence along the westerly line of Lot 13 of said Kinman Subdivision, Block A, S 13° 22' 00" E -- passing onto the westerly line of Lots 16 and 17 of Kinman Subdivision, Block B as recorded in Plat Cabinet 1, Slide 169 of said County Records 300.00 feet to a found iron pin and cap (P.L.S. # 3381) at the northwesterly corner of Lot #22 of Kinman Subdivision, Block C as recorded in Plat Cabinet 1, Slide 174 of said County Records; thence along the westerly line of Lots 22 and 23 of said Kinman Subdivision, Block C, S 00° 30' 00" W -- passing onto the westerly line of Lot 31 of Kinman Subdivision, Block D as recorded in Plat Cabinet 1, Slide 199 of said County Records 177.74 feet to a found iron pin and cap (P.L.S. #1729) at the westerly corner of Lot 31 of Kinman Subdivision, Block D as recorded in Plat Cabinet 1, Slide 199 of said County records; thence along the westerly line of Lots 31, 32, 33, 34, 35, 36, and 37 of said Kinman Subdivision, Block D, the following two (2) courses: S 04° 21' 00" E -- 433.60 feet to a found iron pin and cap (P.L.S. #3381); S 09° 31' 31" E -- 288.02 feet to a set iron pin and cap at the northwesterly corner of Lot 38 of Kinman Subdivision, Block E as recorded in Plat Cabinet 1, Slide 228 of said County Records; thence along the westerly line of Lots 38, 39, 40, and 41 of said Kinman Subdivision the following two (2) courses: S 06° 17' 10" E -- 218.47 feet to a found iron pin and cap (P.L.S. #3381); S 06° 57' 01" E -- 181.55 feet to a found iron pin and cap (P.L.S. #3381) at the northwesterly corner of a tract of land heretofore conveyed to A.R.A. Development, LLC as recorded in Deed Book 273, Page 719, Parcel 1 of said County Records; thence along a new division line of said Parcel 2 recorded in Deed Book 273, Page 719, the following two (2) courses: S 83° 57' 40" W -- 23.12 feet to a set iron pin and cap; S 05° 25' 16" E -- 858.42 feet to a set iron pin and cap on the northerly line of a tract of land heretofore conveyed to Donald Gibson as recorded in Deed Book 155, Page 78 of said County Records.

**Boundary No. 1 continued...**

thence along the northerly line of said Gibson tract the following two (2) courses: S 63° 11' 33" W -- 311.42 feet to a found iron pin and cap (P.L.S. #3381); S 54° 41' 33" W -- 49.76 feet to a found iron pin and cap (P.L.S. #3381) at the southeasterly corner of a tract of land heretofore conveyed to Kinman Construction Company as recorded in Deed Book 109, Page 566 of said County Records; thence along the easterly line of said Kinman Construction tract the following five (5) courses: N 35° 10' 31" W -- 311.07 feet to a found iron pin and cap (P.L.S. #499); N 19° 25' 15" W -- 216.75 feet to a found iron pin and cap (P.L.S. #3381); N 14° 04' 38" W -- passing through a set iron pin at 3-4.00 feet for a total distance of 314.00 feet to a found 18" Walnut; N 25° 48' 07" W -- passing through a set iron pin at 10.00 feet for a total distance of 235.88 feet to a found 3/4" iron bar; N 29° 44' 13" W -- 223.83 feet to a found iron pin (P.L.S. #3381) at the southeasterly corner of a tract of land heretofore conveyed to Gusher Pumps, Inc. as recorded in Deed Book 156, Page 130 of said county records; thence along the easterly line of said Gusher Pumps tract the following three (3) courses: N 34° 57' 38" W -- 186.30 feet to a found iron pin and cap (P.L.S. #3381); N 13° 46' 38" W -- 176.80 feet to a found iron pin and cap (P.L.S. #3381); N 32° 40' 13" W -- 226.40 feet to a set iron pin and cap at the southwesterly corner of a tract of land heretofore conveyed to Gary Wood as recorded in Deed Book 129, Page 591 of said County Records; thence along the southerly line of said Wood tract the following two (2) courses: N 66° 38' 22" E -- passing through a found iron pin and cap (P.L.S. #3381) at 26.67 feet for a total distance of 509.83 feet to a found iron pin and cap (P.L.S. #3381); N 06° 40' 37" W -- 829.94 feet to the point of beginning, containing 36.1702 acres of land, more or less; subject to easements, conditions, covenants, restrictions, and rights-of-way of record.

**BOUNDARY NO. 2:** Situated in the Commonwealth of Kentucky, Grant County, being all of Parcel 2 of the land heretofore conveyed to Gary B. Wood by deed recorded in Deed Book 129, Page 591 of the Grant County deed records on file in Williamstown, KY, and being more particularly described as follows: **Beginning** at a found iron pin and cap (P.L.S. #3381) on the easterly 608 right-of-way of US RT. #22 and at the northwesterly corner of a tract of land heretofore conveyed to A.R.A. Development, LLC, Parcel 2 as recorded in Deed Book 273, Page 719 of said County Records; thence along the westerly line of said A.R.A. Development, LLC the following two (2) courses: S 06° 40' 37" E -- 829.93 feet to a found iron pin and cap (P.L.S. #3381); S 66° 38' 22" W -- passing through a found iron pin and cap (P.L.S. #3381) at 483.16 feet for a total distance of 509.83 feet to a set iron pin and cap on the easterly line of Rathman Pump and Engine as recorded in Deed Book 156, Page 131 of said County Records; thence along the easterly line of said Rathman tract, N 32° 40' 13" W -- passing onto the easterly line of a tract of land heretofore conveyed to Keith Kinman as recorded in Deed Book 162, Page 120 of said County Records 91.07 feet to a found iron pin and cap (P.L.S. #499); thence along the easterly line of said Kinman tract, N 05° 45' 21" W -- passing onto the easterly line of a tract of land conveyed to The Bank of Kentucky as recorded in Deed Book 250, Page 101 and a tract of land heretofore conveyed to Keith Kinman as recorded in Deed Book 162, Page 120 of said County Records 757.12 feet to a set iron pin and cap on the southerly 60' right-of-way of KY RT. #22; thence along said right-of-way, the following even (7) courses: N 61° 26' 58" E -- 76.00 feet to a set iron pin and cap; N 63° 06' 14" E -- 54.15 feet to a set iron pin and cap; N 66° 10' 33" E -- 115.48 feet to a set iron pin and cap; N 68° 56' 02" E -- 79.31 feet to a set iron pin and cap; N 71° 14' 01" E -- 61.76 feet to a set iron pin and cap; N 73° 27' 37" E -- 69.25 feet to a set iron pin and cap; and N 74° 51' 34" E -- 79.85 feet to the point of beginning containing 10.1748 acres of land, more or less, subject to easements, conditions, covenants, restrictions and rights- of-way 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 initial, developmental and site plans, under stated conditions of the Grant County Joint Planning Commission and adopted by the City Council of the City of Dry Ridge, Kentucky, of he hereinafter described real estate, real property and boundaries of A.R.A. Development , Inc. and SMA Development Company 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); 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 boundaries of real property, to-wit:

[SEE THE LEGAL DESCRIPTIONS FOR THE PROPERTIES OF A.R.A. DEVELOPMENT, INC. AND SMI DEVELOPMENT COMPANY BY DUE ATTACHMENTS 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: September 11, 2006  
Second Reading: October 16, 2006

PASSED, ADOPTED, ORDAINED, APPROVED, AND ORDERED PUBLISHED ON THIS  
THE 16th DAY OF October, 2006.

William Cull  
WILLIAM CULL, MAYOR

ATTEST:  
Cindy L. Harris  
CINDY L. HARRIS, CITY CLERK