

# ORDINANCE NO. 850-2018

**AN ORDINANCE OF THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF DRY RIDGE SO CHANGING THE ZONING CLASSIFICATION OF A BOUNDARY OF LAND CONTAINING APPROXIMATELY 0.63 ACRES WITHIN THE CORPORATE LIMITS OF THE CITY OF DRY RIDGE, GRANT COUNTY, KENTUCKY, HERETOFORE ZONED CENTRAL BUSINESS DISTRICT (CBD) UNDER ZONING ORDINANCE OFFICIAL NO. 380-1982 TO CITY OF DRY RIDGE RESIDENTIAL ONE - B (R1-B) UNDER ZONING ORDINANCE OFFICIAL NO. 692-2006.**

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

**WHEREAS**, on the 13<sup>th</sup> day of August, 2018, the Grant County Joint Planning Commission did hold a public hearing on the Application of the City of Dry Ridge requesting a change in the zoning classification and zoning map amendment for the herein 0.63-acre boundary, all within the city limits of the City of Dry Ridge, Kentucky from the property's present zoning classification of City of Dry Ridge Central Business District (CBD) under Zoning Ordinance Official No. 380-1982 to City of Dry Ridge Residential One – B (R1-B) under Zoning Ordinance Official No. 692-2006; and so concerning such Application, the Grant County Joint Planning Commission did make findings and conclusions in support of the requested zoning classification change and zoning map amendment under written recommendations from the City of Dry Ridge.

**WHEREAS**, the City Council of the City of Dry Ridge, Kentucky, did at its Regular Meeting had on August 20, 2018, review the said findings, conclusions and written recommendations of the said Grant County Joint Planning Commission concerning the change in zoning classification and zoning map amendment from Central Business District (CBD) (Ordinance No. 380-1982) to Residential One – B (R1-B) (692-2006), and did so concur in such findings, conclusions and recommendations, and upon Motion and due Second, the requested zoning classification change and zoning map amendment of City of Dry Ridge from CBD to R1-B for the 0.63 acre tract was confirmed and ordained under Vote sufficient, affirmative and in the majority unanimous under the following tally, to-wit:

Councilman Maddox.....	<u>Yea</u> ;
Councilman Crupper.....	<u>Yea</u> ;
Councilman Edmondson.....	<u>Yea</u> ;
Councilman Hendy.....	<u>Yea</u> ;
Councilwoman Hughett.....	<u>Yea</u> ; and
Councilwoman Cummins.....	<u>Absent</u>

**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 real estate, property and boundary of Stefanie L Carr so being and situated at 31 N Main Street be so fixed and classified as City of Dry Ridge Residential One – B (R1-B) under City of Dry Ridge Zoning Ordinance Official No. 692-2006; 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 re-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:

PARCEL A: One house and lot located in the City of Dry Ridge (Grant County) Kentucky bounded and described as follows:

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Tract #1: Once certain parcel or tract of land, situated lying and being on the west side of Main Street or the Covington and Lexington Turnpike road in the town of Dry Ridge, Grant County, Kentucky and more particularly described as follows: Beginning at a point in the stone wall at edge of sidewalk marked by an iron pin driven behind stone wall corner to Lot Number Two of A. E. Carter's lot as designated on the plat made by Ben L. Vallandingham on February 24, 1920; thence following the edge of sidewalk north  $11 \frac{1}{2}$  West 31.5 feet to a point in the edge of the stone wall at (15) on plat; thence  $76^{\circ} 10'$  West 160.71 feet to a stake in the line of the (Primitive) or Old School Baptist Church Lot at 16 on plat; thence South  $11 \frac{1}{2}$  East 31.5 feet to an iron pin at (6) on plat, corner to A.E. Carter's Lot Number Two; thence  $76^{\circ} 20'$  East 160.71 feet to the beginning, containing 18.60 poles according to the aforesaid survey and plat made by Ben L. Vallandingham which is recorded in Deed Book 39, at page 28 whereon this lot is designated as Lot Number Three.

The party of the second part, his heirs and assigns are further conveyed the perpetual right to lay, build and construct sewerage and drainpipes to lead from the aforesaid parcel or lot of land and connect with the sewerage and drain pipes leading to and across the other property of the said J.W. Glover one of the parties of the first part, known as The Carlsbad Springs Hotel Property as now constructed by Maintaining the present or other sewerage connections therewith for the use and benefit of the said lot so long as the said lot or tract of land is not used for any hotel purposes or for the sale of any mineral water from any well or wells drilled on the said lot or piece of property or from any well or wells drilled on any other property in Grant County, Kentucky and the parties of the second part, his heirs and assigns shall perpetually have and enjoy on said conditions said sewerage rights and privileges not only through the present sewer and drainpipes as now constructed through the aforesaid Carlsbad Springs Hotel property or properties but through any other sewer and drain pipes that may be constructed thereon to be used in connection with the hotel or any other Hotel that may be located thereon in lieu of the present sewer and drain pipes.

Tract #2: All of a certain parcel of land, situated, lying and being on the West side of Main Street or the Covington and Lexington Turnpike in Dry Ridge, Grant County, Kentucky and being the north half of a certain lot known as the Dr. W.H. McClure property and which is more particularly described as follows:

Beginning at a point in the stone wall at the edge of the sidewalk at (15) on plat corner to John McCoy's lot No. 3, as designated on plat of survey made by ben L. Vallandingham, on February 24, 1920, and which is recorded in the Grant County Court Clerk's Office in Deed Book 39, page 28; thence following the edge of the side walk North  $11 \frac{1}{2}$  West 31.5 feet to a point in the stone wall, corner to John W. McCoy's lot at (14) on plat, thence South  $78^{\circ} 20'$  West 160.71 feet to (13) on plat corner to the Primitive or Old School Baptist Church Lot; thence South  $11 \frac{1}{2}$  E 31.5 feet to (16) on plat corner to John McCoy's lot No. 3; thence North  $78^{\circ} 29'$  East 160.71 feet to the beginning containing 18.60 poles according to survey and plat of Ben L. Vallandingham.

Tract #3: A house and lot and blacksmith shop building & lot in Dry Ridge, Ky. At the junction of Wasaw Pike and Dixie Highway and known as the old Chas. O'Hara property. Beginning at a point in the center of Dixie Highway at the Junction of the center of the Warsaw Pike with the center line of the Dixie Highway; thence with the center of the Warsaw Pike S  $75 \frac{3}{4}$  W about 192 feet to a point in the center of the center of said pike and corner to Primitive Baptist Church lot; thence with a line of the same S  $14 \frac{1}{2}$  W about 120 feet to a stone corner to A.C. Webb; thence with his line N  $75 \frac{3}{4}$  E about 192 feet to a pin in the center of the Dixie Highway corner to Webb; thence with the center of Dixie Highway about 120 feet to the beginning.

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Also the following; The perpetual right to lay, build and construct sewerage and drain pipes to lead from their lots on land on the west side of Main Street and abutting thereon bounded on the North by the Warsaw Pike on the East by said Main Street, and on the South by the Uts and Hendricks property, and on the West by the Primitive Baptist Church Lot, and being the property bought by John McCoy, from R.L. Conrad and wife and G.E. McAgee and Wife of deed date 3/13/1920; and also lot from J.W. Glover & wife by deed dated 3/15/1920; and recorded by Deed Book 60, page 72; Deed Book 39 page 56, Deed Book 36, page 16 and Deed Book 38, page 544 of the Grant County Court Clerk's Office, and to pass or run or across the said Main Street in the town of Dry Ridge, KY. And connect to or with and attach to the present sewer or drainpipes now belonging to the party or the parties of the first part, and connected with Farmers Bank of Equity property or any other sewerage or drain pipes that may be hereafter constructed on the said lot or property of the Farmers Bank of Equity either in the present location or any other location thereon, and also down the alley between said Bank lot & R.R.. DeJarnette Lot either by tapping or maintaining the present or any other sewerage in connection therewith and to be used in connection with the present building or buildings thereon or any other building or buildings thereon; and whether or not there are maintained any building or buildings thereon, together with the right to enter on said lot or property and repair, extend, renew or to whatever may be reasonably necessary to maintain the said sewerage or drainpipes in property condition and order, the property mentioned herein to run said sewerage through the P.J. Clements lot and said sewer is to connect in the W.W. Scott sewer or known as the Carlsbad Springs Hotel Property & Sewerage as said parties of the second part have deed for said sewerage on or in W.W. Scott property (known as the Carlsbad Springs Hotel Co. Property). See Deed Book 44, page 61 of the Grant County Court Clerk's Office, Williamstown, Ky.

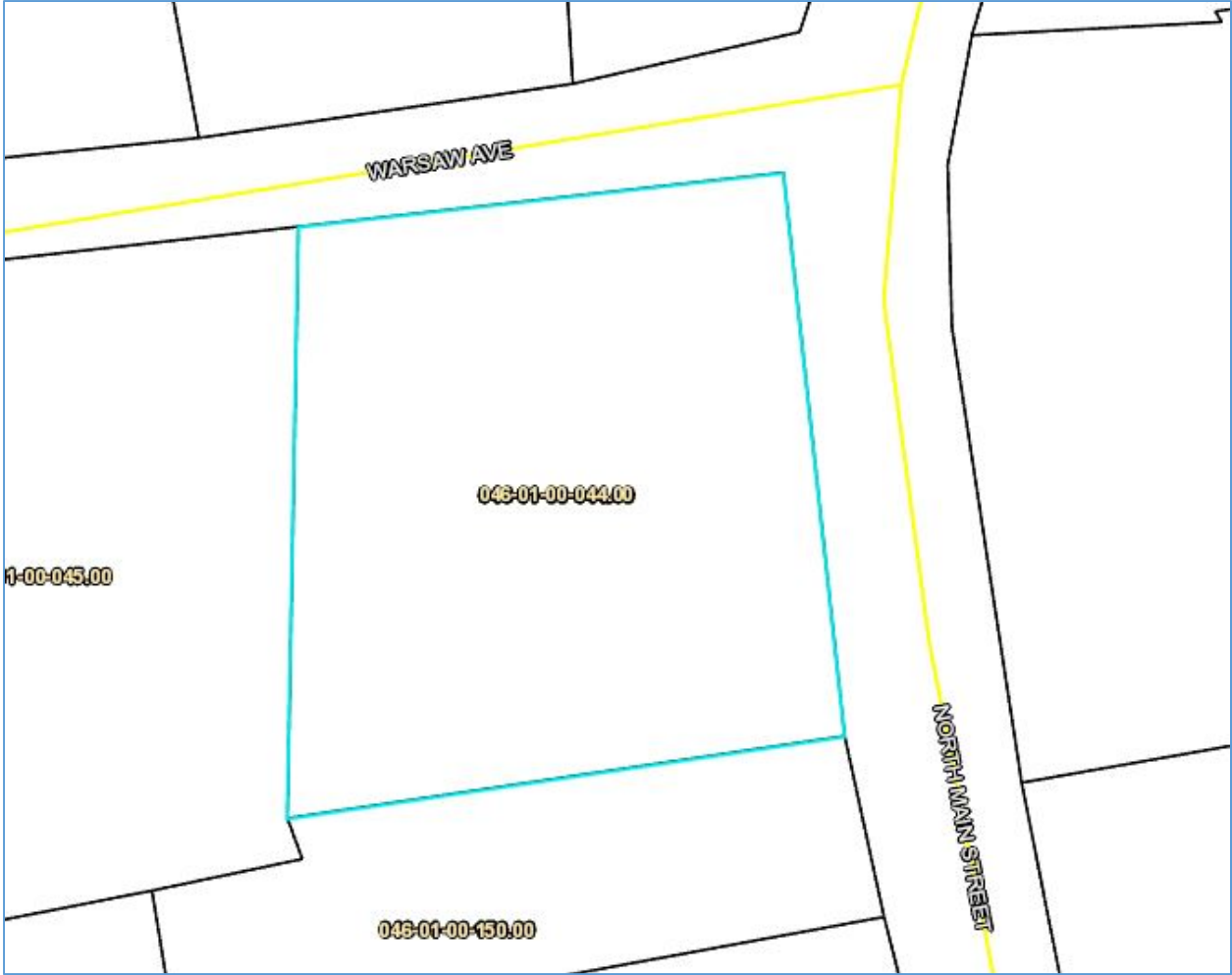
This being the same easement or right conveyed to John McCoy and Lydia McCoy from Farmers Bank of Equity, its successors and assigns of Dry Ridge, Ky. By easement dated the 29<sup>th</sup> day of December, 1927, and recorded in Deed Book 46, page 84 of the Grant County Court Clerk's Office, Williamstown, Ky.

Being the same property conveyed to Larry Carter and Nancie Carter, husband and wife, with survivorship, by deed of Charles E. McCoy, et al. (Grantors hereto) dated August 25, 2007 and recorded in Deed book 327, page 654; and the same property conveyed to Stephani L. Carr, a married person, by deed of Nancie P. Carter, single, dated June 2, 2014 and recorded in Deed book 370, page 739 all in the Grant County Clerk's Office.

### RECITAL

This instrument is executed to correct the description carried forward in all deeds from the time said property was owned by John W. McCoy and Ann McCoy.

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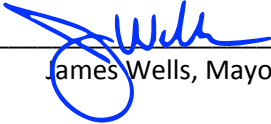
This Ordinance shall take effect and be in full force when ordained, Passed, Adopted, Ordered Published, and, thereafter Published according to law.

First Reading: August 6, 2018  
Second Reading: August 20, 2018

**Adopted, Approved, Ordained and Ordered published this the 20<sup>th</sup> day of August 2018.**

Attest:

  
\_\_\_\_\_  
Amy Kenner, City Clerk

  
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James Wells, Mayor