

ORDINANCE NUMBER 920.0B

AN ORDINANCE RELATED TO PENDLETON COUNTY ZONING ORDINANCE 920.0B, AMENDING THE OFFICIAL ZONING MAP FOR PROPERTY LOCATED ON HIGHWAY 27N, SOUTH OF BUTLER, IS BEING CHANGED FROM RURAL ZONE (R) TO BUSINESS ZONE (B).

WHEREAS, the Pendleton County Joint Planning Commission held a public hearing on October 27, 2014 to consider a map request by Jennifer Thornton for Pendleton County Parcel 039-00-00-036.00, found in Deed Book 300, Page 473 of the Pendleton County Clerk and described as 8596 Hwy 27N, Butler, Ky 41006. An approximate 2.17 acre parcel (Exhibit A) located on the east side of Hwy 27N approximately 850 feet south of the Highway 27N/Hogback Ridge Rd intersection.

WHEREAS, The Pendleton County Fiscal Court is aware of the need for small business in Pendleton County as defined in the Pendleton County Comprehensive Plan and further feel that this request assists in the development of such small businesses, and that the request is thus in compliance with the Comprehensive Plan, and

WHEREAS, the Pendleton County Joint Planning Commission, based on testimony and evidence submitted at the public hearing, found that the map amendment request at the aforementioned property was in agreement with the 2012 Pendleton County Comprehensive Plan and therefore, recommended approval of the zoning map amendment request with conditions of approval hereto attached at their meeting on October 27, 2014.

NOW THEREFORE, be it ordained by the Pendleton County Fiscal Court that the following described parcel of property hereto attached (Exhibit A "Legal Description") is hereby rezoned and remapped from the Rural zone (R) to the Business zone (B), subject to all conditions recommended by the Pendleton County Joint Planning Commission and agreed upon by the Pendleton County Fiscal Court, also hereto attached:

Conditions of Approval:

- a. An approved access point permit by the Kentucky Department of Transportation. If the access point is deemed safe it should be classified as temporary as stated in 8.3, G,c of the Pendleton County Zoning Ordinance.
- b. Stage II Plan to include parking and access dimensions, lighting and sign plans.
- c. A survey should be submitted as a condition of approval prior to creation of a map amendment ordinance by fiscal court in order to create appropriate boundaries for a map amendment.
- d. An approved Building Permit issued by the Ky Dept of HBC prior to operation.
- e. The applicant is required to pave only the ADA-required paving of the handicapped space or spaces.

Exhibit A

Legal Description

FILE COPY

LEGAL DESCRIPTION

2.1736 Acres

Lying and being in Pendleton County, Kentucky on the East side of U.S. Route #27, 1.6 miles South of Kentucky Route #177 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 Leach 3407. All bearings stated herein are referred to the North line of Deed Book 300, Page 776.

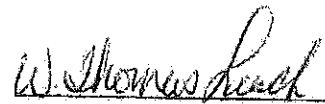
Beginning at a found 3/4" iron pin with no cap a corner to Amy Peoples (D.B. 300, Pg. 776) and on the existing East right of way of U.S. Route #27; thence, with said right of way, N 09°59'53" E --- 103.16 feet to a set iron pin; thence, S 80°00'07" E --- 15.00 feet to a set iron pin; thence, N 09°59'53" E --- 186.82 feet to a set iron pin; thence, leaving said right of way with 3 new made lines partitioning the Grantor's property, N 83°52'01" E --- 248.73 feet to a set iron pin; thence, S 86°08'35" E --- 160.13 feet to a set iron pin; thence, S 03°51'25" W --- 154.20 feet to a set iron pin a corner to Amy Peoples (D.B. 300, Pg. 776); thence, with the line of Peoples, S 72°34'36" W --- 484.02 feet to the Place of Beginning containing 2.1736 Acres more or less exclusive of all right of ways and easements of record.

15' INGRESS & EGRESS
EASEMENT

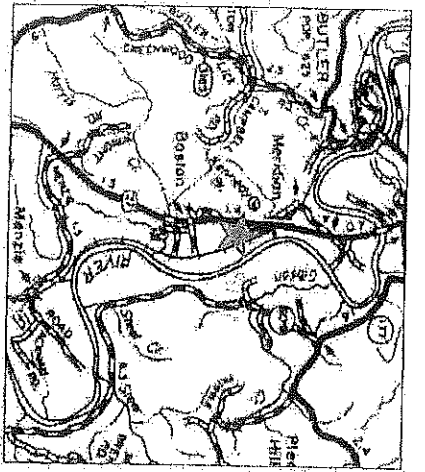
Beginning at a found 1/2" iron pin with no cap a corner to Amy Peoples (D.B. 300, Pg. 776) and on the existing East right of way of U.S. Route #27; thence, with said right of way, N 09°59'53" E --- 103.16 feet to a set iron pin; thence, S 80°00'07" E --- 15.00 feet to a set iron pin; thence, N 09°59'53" E --- 85.01 feet to a set iron pin the REAL PLACE OF BEGINNING; thence, leaving said right of way with the center of a gravel drive and the center of a hereby granted 15.0' Ingress & Egress Easement, N 73°56'58" E --- 73.70 feet to a point; thence, N 83°52'46" E --- 50.51 feet to a point; thence, S 87°39'28" E --- 79.77 feet to a point; thence, S 80°00'03" E --- 51.70 feet to a point; thence, S 88°25'44" E --- 36.10 feet to a point; thence, N 73°12'34" E --- 33.25 feet to a point; thence, N 71°25'47" E --- 106.66 feet to a set iron pin the terminus of said easement.

The above descriptions are in accordance with a survey made by W. Thomas Leach on the 24th January 2015.

W. THOMAS LEACH
320


W. Thomas Leach PLS #3407

This being a part of the property described in Deed Book 300, Page 473 in the Pendleton County Court Clerk's Records in Falmouth, Kentucky.



Vicinity Map
N.T.S.

RECORD BEARING
Deed Book 300, Page 776

Owner
Jennifer Reis
8596 N. Hwy 27
Butler, KY 41006

LEGEND

These standard symbols will
be found in the drawing.

- IRON PIN SET (1/2" X 18" REBAR WITH YELLOW CAP STAMPED LEACH 3407)
- 1/2" IRON PIN FOUND
- POINT
- ▲ 5/8" IRON PIN FOUND
- ☐ RIGHT OF WAY TO BE DEDICATED

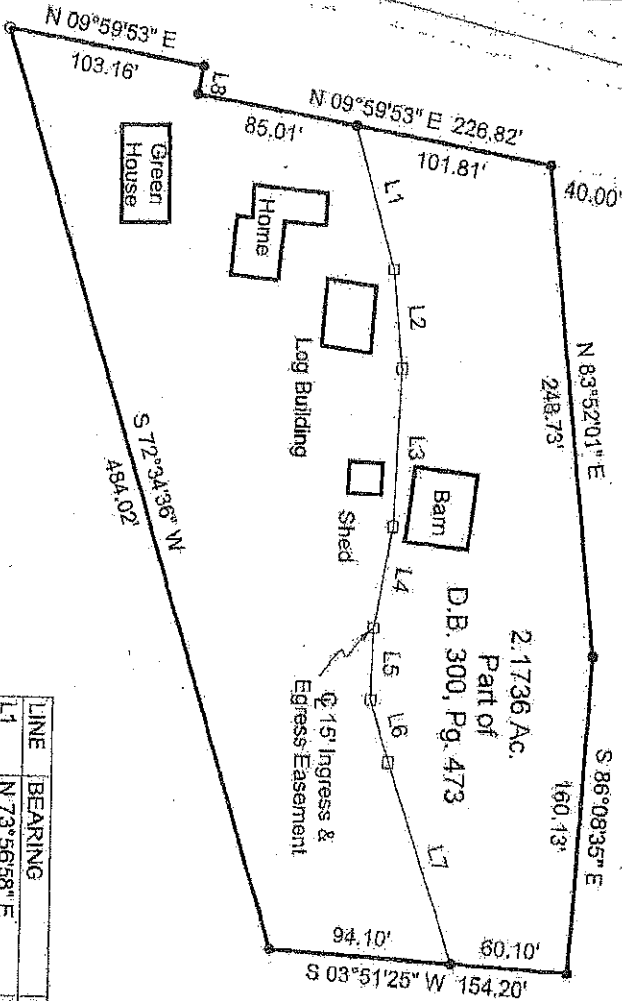
Amy Peoples
D.B. 300, Pg. 776

Jennifer Reis
D.B. 300, Pg. 473

2.1736 Ac.
Part of
D.B. 300, Pg. 473

Jennifer Reis
D.B. 300, Pg. 473

I certify that I have examined the records of the Pendleton County Court Clerk and find that this is the first Out-conveyance made under the present ownership and the parent tract since January 1, 2004 or from the adoption of KRS 100.
W. Thomas Leach
Ky. P.L.S. No. 3407
Date: 1/24/15



LINE	BEARING	DISTANCE
L1	N 73° 56' 58" E	73.70'
L2	N 83° 52' 46" E	60.51'
L3	S 87° 39' 28" E	79.77'
L4	S 80° 00' 03" E	51.70'
L5	S 88° 25' 44" E	36.10'
L6	N 78° 12' 34" E	33.25'
L7	N 71° 25' 47" E	106.66'
L8	S 80° 00' 07" E	15.00'

I hereby certify that the BOUNDARY SURVEY depicted on this plat was done by persons under my direct supervision by the method of random traverse with sideshots. The unadjusted precision ratio of the traverse exceeds 1:21,633 and was not adjusted. The survey shown hereon is a Rural Survey and that it complies with 201 KAR 18:15.

W. Thomas Leach
Date: 1/24/15

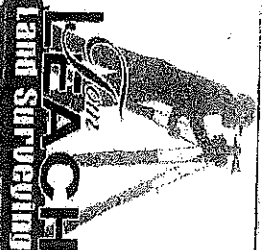
Date: Jan/26/2015
Dwn By: W.T. Leach
Job No.: 15-009
Surveyed: Jan/24/2015
Filename: 15009JR

SCALE: 1" = 100'
0' 50' 100'

ON THE EAST SIDE
OF U.S. ROUTE #27,
1.6 MILES SOUTH OF
KY ROUTE #177
PENDLETON COUNTY,
KENTUCKY

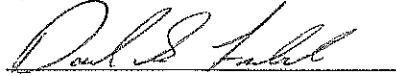
SURVEY FOR
DIVISION
JENNIFER C.
REIS
PROPERTY

Tom Leach
Land Surveying LLC
P.O. Box 125
195 Jenni Lane
Dix Ridge, KY 41095
859-823-0496
Fax: 859-823-0795

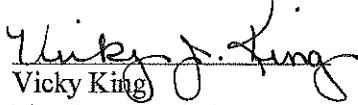


This Ordinance shall be in full force and effect from and after its passage, publication and recording, according to law.

Dated this 27 day of January 2015.



David S. Fields
Pendleton County Judge/Executive



Vicky King
Fiscal Court Clerk

First Reading: 1-27-15

Second Reading: 2-10-15

Passage: 2-10-15

Publication: 2-17-15