

ORDINANCE NO. 2023-026

**AN ORDINANCE REZONING APPROXIMATELY 3.972 ACRES
LOCATED ON THE WEST SIDE OF 31-W NORTH FROM AG (AGRICULTURE) TO
R-1S (SINGLE FAMILY RESIDENTIAL) BY SOUTH STREET, LLC**

WHEREAS, South Street, LLC, a Kentucky limited liability company, filed a petition to rezone approximately 3.972 acres located on the west side of 31-W North, in Franklin, Simpson County, Kentucky currently zoned AG (Agriculture) to R-1S (Single Family Residential); and

WHEREAS, South Street, LLC desires to rezone the aforementioned property to make the property more productive for the community, and this change is appropriate and consistent with the use of this property and surrounding properties; and

WHEREAS, a public hearing was held on May 16, 2023, after due public notice, in the manner provided by law; and

WHEREAS, the Planning & Zoning Commission recommended the granting of said zone change as it is in agreement with the community's comprehensive plan;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Franklin, Kentucky as follows:

The approximately 3.972 acres located on the west side of 31-W North in Franklin, Simpson County, Kentucky, as more particularly described in Exhibit A attached hereto is granted a zone change from its AG (Agriculture) to R-1S (Single Family Residential).

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holdings shall not affect the validity of the remaining portions of Ordinance.

All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

June 26, 2023 - FIRST READING

July 10, 2023 - SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on July 10, 2023, on motion made by Commissioner Stewart and seconded by Commissioner Powell, the foregoing ordinance was adopted, after full discussion, by the following vote:

Yes LARRY DIXON, MAYOR

Yes JAMIE POWELL

Yes DALE McCREARY

Yes WENDELL STEWART

Yes HERBERT WILLIAMS

APPROVED BY:

Larry Dixon, Mayor
Larry Dixon, Mayor

ATTEST:

Cathy Dillard
Cathy Dillard, City Clerk

EXHIBIT A

PROPERTY DESCRIPTION APPENDIX

Being a certain parcel of land located 1.6 miles north of the Public Square in Franklin, KY on the west side of U.S. Highway #31W approximately 0.3 miles south from Patton Road and being further described as follows:

Unless stated otherwise, any monument referred to as an iron pin and cap is a 5/8-inch by 18-inch rebar with an orange plastic cap stamped "C. KENNER PLS 4120." All bearings contained herein are referenced to Grid North of the NAD83 Kentucky Single Zone state plane coordinate system based upon GPS observation using a VRS network of KY CORS stations. Distances shown are grid distances.

Beginning at a point in the west right-of-way line of U.S. Highway #31W (100' R/W), northeast corner to Patricia & Mark Hojna (Deed Book 331 Page 55), located South 89° 46' 44" West 6.93 feet from a 1/2-inch rebar and cap (found) PLS #4145; thence along the north line of Patricia and Mark Hojna South 89° 46' 44" West 400.92 feet to an iron pin and cap (set), a new division corner; thence along new division lines the following four (4) calls: North 00° 12' 32" West 289.98 feet to an iron pin and cap (set); thence North 89° 47' 32" East 254.52 feet to an iron pin and cap (set); thence North 02° 18' 18" East 381.58 feet to an iron pin and cap (set); thence South 87° 41' 42" East 150.00 feet to an iron pin and cap (set) in the west right-of-way line of U.S. Highway #31W (100' R/W); thence along the west right-of-way line of U.S. Highway #31W the following three (3) calls: South 02° 18' 18" West 393.17 feet to a point; thence along a curve to the left with a radius of 4111.36 feet, a chord bearing of South 00° 29' 12" West, a chord length of 260.92 feet, and an arc length of 260.97 feet to a point; thence South 01° 19' 54" East 10.84 feet to the Point of Beginning; containing 173,040 sq. ft. or 3.972 acres more or less, according to a field survey completed on March 9, 2022 conducted by Kenner Randolph Engineering & Surveying under the direction of Chris R. Kenner, "PLS 4120".

Being a part of the same property conveyed to South Street, LLC by Howell Patton, III and wife, Lora Patton, by deed dated August 25, 2021, of record in Deed Book 359, Page 1, Office of the Simpson County Clerk.