

**ORDINANCE NO. 920.4-07-2010**

**AN ORDINANCE REZONING 0.397 ACRES FROM I-1 (LIGHT INDUSTRIAL) TO R-2  
(SINGLE FAMILY AND TWO FAMILY RESIDENTIAL)  
AT 410 SOUTH RAILROAD STREET**

WHEREAS, Habitat for Humanity of Simpson County, Inc. (hereafter "Habitat") owns 0.397 acres of property located at 410 South Railroad Street, Franklin, Kentucky, as described hereinbelow; and,

WHEREAS, Habitat desires to rezone the 0.397 acres of property from I-1 to R-2 to construct a single-family residence and to make the property more productive for the community, and this change is appropriate and consistent with the use of the surrounding properties; and,

WHEREAS, a public hearing was held on July 6, 2010, after due public notice, in the manner provided by law; and

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

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

The following described property is hereby granted a zone change from I-1 to R-2:

Unless stated otherwise, any monument referred to herein as a pin and cap is a set ½" x 18" rebar with yellow plastic cap stamped R G May 2142. All bearings stated herein are referred to the recorded bearing along the south lines of Sorrells as shown in DB 224 Pg 368.

Beginning at a pin and cap in the southwest R/W line (20' R/W) of South Railroad Street (Ref: DB 224 Pg 368) and located 53' southwest of the center of CSX Railroad (66' R/W), a corner to Thelma R. Stamps Sorrells et al (DB 224 Pg 368) and the southeast corner to this tract;

Thence with the line of Sorrells et al, S82°49'35"W – 172.74' to an existing 8" wood post with pin and cap (witness monument) set at base on north side, a corner to same and in the line of Lula M. Roach (DB 209 Pg 593);

Thence with the line of Roach, N04°17'54"W – 105.88' to an existing ½" rebar (no cap), a corner to same, Barbara Coomes (DB 198 Pg 292), and Lucy Baker (WB 14 Pg 21);

Thence with the line of Baker, along an established old fence line, N78°25'19"E – passing an old stump and the end of the old line at 73.83', a total distance of 137.95' to a pin and cap, a corner to same in the southwest R/W line of South

Railroad Street;

Thence with the southwest R/W line of South Railroad Street, running 53' southwest of and parallel to the existing center line of the CSX Railroad, (2) calls: (1) on a curve to the left with a radius of 4594.32', a chord of S21°24'01"E – 66.44', an arc length of 66.44', (2) on a curve to the left with a radius of 12282.89', a chord of S21°48'21"E – 53.68', an arc length of 53.68' to the beginning point. Containing 0.397 acres.

Being the same land conveyed to Habitat for Humanity of Simpson County, Inc. from Dorothy Melton, unmarried, and Phyllis Wheeler, unmarried, by deed dated October 21, 2009, recorded in Deed Book 285, Page 422, in the Simpson County Clerk's Office.

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.

**July 12, 2010** FIRST READING

**July 26, 2010** SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on July 26, 2010, on motion made by Commissioner Henry Stone and seconded by Commissioner Wendell Stewart, the foregoing ordinance was adopted, after full discussion, by the following vote:

YES MIKE SIMPSON

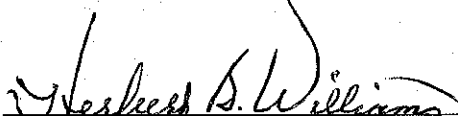
YES JAMIE POWELL

YES WENDELL STEWART


YES HENRY STONE

YES HERBERT S. WILLIAMS, MAYOR

APPROVED BY:

  
Herbert S. Williams, Mayor

ATTEST:

  
Kathy Stradtner, City Clerk  
City of Franklin, Kentucky