

**ORDINANCE NO. 2019 - 016**

**AN ORDINANCE REZONING 409 HUDSPETH AVENUE FROM I-1 (LIGHT INDUSTRIAL) TO R-1 (SINGLE FAMILY); THE VACANT LOT LOCATED ON 403 BRICK STREET FROM I-1 (LIGHT INDUSTRIAL) TO R-2 (SINGLE FAMILY AND TWO FAMILY); AND THE 2.50 ACRE VACANT LOT LOCATED ON MORRIS STREET AND HUDSPETH AVENUE FROM I-1 (LIGHT INDUSTRIAL) TO R-1S (SINGLE FAMILY RESIDENTIAL)**

WHEREAS, Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust, filed a petition to rezone three different parcels of land known as 409 Hudspeth Avenue, 403 Brick Street and a 2.50 acre vacant lot located on Morris Street and Hudspeth Avenue; and

WHEREAS, Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust desires to rezone 409 Hudspeth Avenue from I-1 (Light Industrial) to R-1 (Single Family) 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, Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust desires to rezone 403 Brick Street from I-1 (Light Industrial) to R-2 (Single Family and Two Family) 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, Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust desires to rezone the 2.50 acre vacant lot located on Morris Street and Hudspeth Avenue from I-1 (Light Industrial) to R-1S (Single Family Residential) 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 April 9, 2019, after due public notice, in the manner provided by law; and

WHEREAS, the Planning & Zoning Commission recommended the granting of said zone changes as they are 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:

1. 409 Hudspeth Avenue is granted a zone change from I-1 (Light Industrial) to R-1 (Single Family). A copy of the property description is attached hereto as Exhibit 1.

2. 403 Brick Street is granted a zone change from I-1 (Light Industrial) to R-2 (Single Family and Two Family). A copy of the property description is attached hereto as Exhibit 2.

3. A 2.50 acre vacant tract of land located on Morris Street and Hudspeth Avenue is granted a zone change from I-1 (Light Industrial) to R-1S (Single Family Residential). A copy of the property description is attached hereto as Exhibit 3.

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 8, 2019 FIRST READING

July 22, 2019 SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on July 22, 2019, on motion made by Commissioner Powell and seconded by Commissioner Stewart the foregoing ordinance was adopted, after full discussion, by the following vote:

Yes LARRY DIXON, MAYOR

Yes JAMIE POWELL

Yes BROWNIE BENNETT

Yes WENDELL STEWART

Yes HERBERT WILLIAMS

APPROVED BY:

Larry Dixon Mayor  
Larry Dixon, Mayor

ATTEST:

Cathy Dillard  
Cathy Dillard, City Clerk

## JACKSON RE-ZONING

I-1 to R-1

409 Hudspeth Ave.; PVA Map # 014-00-12-006.00

Certain real property situated in Franklin, Simpson County, Kentucky, in the New Town Addition to the City of Franklin, and more particularly described as follows:

First Tract: A certain house and lot of land lying and being in Franklin, Simpson County, Kentucky, in New Town and bounded thus:

Beginning at Marth Hudspeth's corner, the southwest corner, running thence west with a street or alley 67½ feet to a stake, corner to Lot No. 2; thence north to the line of Jess Bradley; thence about east 67 feet to Hudspeth's corner, now Phillips; thence south to the beginning.

Second Tract: Beginning at the southwest corner of Lot No. 1, running thence west along said street or alley 67½ feet to a Matilda Hudspeth's corner; thence north 106 feet; thence east 67½ feet to a stake, corner to Lot No. 1; thence south 105 feet to the beginning.

Being a part of the same property conveyed to Nancy B. Jackson and Wilburn A. Jackson, trustees of the Wilburn A. Jackson and Nancy B. Jackson Trust by Nancy Bailey Jackson and spouse, Wilburn A. Jackson by deed dated December 23, 2005, of record in Deed Book 262, Page 272, Simpson County Clerk's Office.

**EXHIBIT 1**

## JACKSON RE-ZONING

I-1 to R-2

403 Brick Street; PVA Map # 014-00-12-004.00

A certain tract of land lying in Franklin, Simpson County, Kentucky and beginning at S. Browns corner now W. Drapers corner, north with 30 foot street 105 feet or thereabout; thence east 266 feet; thence south 105 feet to the beginning, being a part of Lot No. 5 in Mrs. Nancy Suddath's division of lots of her lands.

Being the same property conveyed to Nancy B. Jackson and Wilburn A. Jackson, Trustees of the Wilburn A. Jackson and Nancy B. Jackson Trust by Cicely Ellis, unmarried by deed dated August 11, 2008, of record in Deed Book 278, Page 265, Simpson County Clerk's Office. Nancy B. Jackson died and Wilburn A. Jackson now serves as sole trustee of the trust.

**EXHIBIT 2**

JACKSON RE-ZONING

I-1 to R1-S

Morris Street and Hudspeth Ave. Lot: PVA Map # 014-00-12-005.00

A certain tract of land lying in the New Town Addition to the City of Franklin described as follows:

Bounded on the west by lands of Ollie Gamble and Bradley, bounded on the north by Breckenridge Street, bounded on the east by a street or alley between this property and the property of Ed Payne, bounded on the south by Hudspeth Avenue, containing 2 acres, more or less.

All of the foregoing described property contains 2½ acres, more or less and by up-to-date boundaries is described as follows:

Bounded on the west by the property of Lula Bradley, and the property of Jess Bradley (now Jackson Trust), bounded on the north by Morris Street, bounded on the east by Hudspeth Avenue and bounded on the south by Hudspeth Avenue.

Being a part of the same property conveyed to Nancy B. Jackson and Wilburn A. Jackson, trustees of the Wilburn A. Jackson and Nancy B. Jackson Trust by Nancy Bailey Jackson and spouse, Wilburn A. Jackson by deed dated December 23, 2005, of record in Deed Book 262, Page 272, Simpson County Clerk's Office.

**EXHIBIT 3**