

SCOTT COUNTY, KENTUCKY, FISCAL COURT
ORDINANCE NO. 13-07

AN ORDINANCE RELATING TO CHANGING THE ZONE FOR TEN ACRES, MORE OR LESS, OWNED BY ANN BEVINS, LOCATED ON THE WEST SIDE OF LEXINGTON ROAD (U.S. 25 SOUTH, APPROXIMATELY 1 ½ MILES SOUTH OF MCCLELLAND CIRCLE (U.S. 460 BYPASS), SCOTT COUNTY, KENTUCKY, FROM AGRICULTURAL A-1 TO COMMERCIAL B-2.

WHEREAS, the application of Ann Bevins, as owner, whose mailing address is 1555 Frankfort Road, Georgetown, Kentucky 40324 and James B. Bevins, as proposed purchaser, whose mailing address is 1175 Lexington Road, Georgetown, Kentucky 40324, having been filed with the Georgetown-Scott County Planning Commission on the 31st day of July, 2013, requesting a zoning classification change for ten (10) acres from Agricultural A-1 to Commercial B-2, said ten acre tract being more particularly described by EXHIBIT "A" attached hereto and made a part hereof by reference; and

WHEREAS, the matter having been heard publicly by the Planning Commission on the 12th day of September, 2013 (with the hearing continued until October 10, 2013), pursuant to notice according to law and with a quorum present and voting; and

WHEREAS, after taking testimony on the application and fully considering same, the Planning Commission on October 10, 2013, voted 5 to 1 to recommend approval of the application on the basis of major changes of an economic and social nature in the area of the property which were not anticipated in the adopted Comprehensive Plan and which have substantially altered the basic character of the

area; and

WHEREAS, the Scott Fiscal Court, after fully considering the application, record and recommendation of approval by the Planning Commission, voted to accept the recommendation of approval by the Planning Commission, thereby granting the requested zoning classification change for the subject property as indicated above.

NOW, THEREFORE, BE IT ORDAINED BY THE SCOTT COUNTY, KENTUCKY, FISCAL COURT, AS FOLLOWS:

Section 1 - That the Georgetown-Scott County Zoning Ordinance be amended to show a change in the zoning classification from Agricultural A-1 to Commercial B-2 for that certain ten (10) acre tract of land located on the west side of Lexington Road (U.S. 25 South, approximately 1 ½ miles south of McClelland Circle (U.S. 460 Bypass), in Scott County, Kentucky, all in accordance with the application for same filed by Ann Bevins, said property being more particularly described as follows:

SEE LEGAL DESCRIPTION OF TEN ACRE TRACT OF LAND WHICH IS THE SUBJECT OF THIS ZONING CLASSIFICATION CHANGE, ATTACHED HERETO, INCORPORATED HEREIN, AND MADE A PART HEREOF BY REFERENCE AS EXHIBIT "A";

The subject ten (10) acre tract of land is further identified by the drawing attached as EXHIBIT "B".

Section 2 - That the Georgetown-Scott County Planning Commission is hereby directed to show this zoning classification change on the official zone map and to make reference to the number of this Ordinance.

Section 3 - That this Ordinance be read for the first time on the 24th day of October, 2013, and read for the second time on the 8th day of November, 2013, and

become effective on the date of its publication. PASSED SCOTT FISCAL COURT, by a vote of 7 to 0 (with Livingston absent) on the 8th day of November, 2013, and published on the ____ day of November, 2013.

SCOTT COUNTY, KENTUCKY,
FISCAL COURT

BY: George Luby
GEORGE LUBY
Scott County Judge/Executive

ATTEST:

Wacey Hamilton
SECRETARY

STATE OF KENTUCKY)
(SCT.
COUNTY OF SCOTT)

I, Clerk of the Scott County, Kentucky, Fiscal Court, and as such custodian of the Seal and all the records of or pertaining to said Fiscal Court, do hereby certify the foregoing to be a true and accurate copy of Ordinance No. 13-07 relating to changing the zoning classification from Agricultural A-1 to Commercial B-2 for that certain ten acre tract of land located on the west side of Lexington Road (U.S. 25 South, approximately 1 ½ miles south of McClelland Circle (U.S. 460 Bypass), in Scott County, Kentucky, all in accordance with the application of Ann Bevins for same.

IN TESTIMONY WHEREOF, witness my hand, the Seal of said County, on this the 8 day of November, 2013.

Wacey Hamilton
SECRETARY

**C. WAYNE CARROLL
ENGINEERING SERVICES**

EXHIBIT "A"

365 Harrodswood Road ~ Frankfort, KY 40601
Office (502) 223-8593 ~ Cell (502) 320-1438

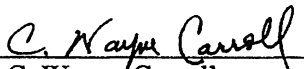
LEGAL DESCRIPTION OF TRACT A, ANN BEVINS FARM

10.000 ACRE TRACT

That certain tract of land lying in Scott County, Kentucky, on the west side of US 25 about 1.5 miles south of the US 460 Bypass around Georgetown is more particularly described as follows:

Beginning at an Iron Pin found (cap #2402) in the west right-of-way line of US 25 corner to Bluegrass Baptist Church (DB 343, PG 344), thence with said right-of-way line for six calls S.22°31'47" E. – 156.52' to an Iron Pin set (cap #1734); thence S.31°06'19" E. – 569.31' to an Iron Pin set; thence S.48°46'12" E. – 79.78' to an Iron Pin set; thence S.31°46'41" E. – 7.55' to an Iron Pin set; thence S.63°22'00" W. – 34.63' to an Iron Pin set; thence S.50°07'04" W. – 25.42' to an Iron Pin set corner to Phillip R. and Martha Jane Pratt (DB 318, PG 706); thence with Pratt's line for three calls S.50°07'04" W. – 35.83' to an Iron Pin found (cap #2402); thence N.24°18'53" W. – 53.30' to an Iron Pin set; thence S.47°11'57" W. – 509.45' to an Iron Pin set corner to the remaining portion of the Ann Bevins Farm (DB 191, PG 379); thence with Ann Bevins' line for one call N.36°16'56" W. – 698.66' to an Iron Pin set in the line of Robert W. Hamilton (DB 333, PG 450); thence with Hamilton's line for one call N.54°10'35" E. – 260.20' to an Iron Pin set corner to the Bluegrass Baptist Church (DB 343, PG 344); thence with the line of Bluegrass Baptist Church for two calls N.27°22'31" E. – 308.04' to an Iron Pin found (cap #2402); thence N.64°58'32" E. – 128.52' to the point of beginning. Said tract of land described herein contains **10.000 Acres**, more or less, as surveyed by C. Wayne Carroll, Professional Land Surveyor, in May 2013, and is subject to all easements and rights-of-way of record or apparent. This survey complies with 201 KAR 18.150 Standards of Practice for Professional Land Surveyors in Kentucky.

Prepared by:


C. Wayne Carroll
P.L.S. #1734

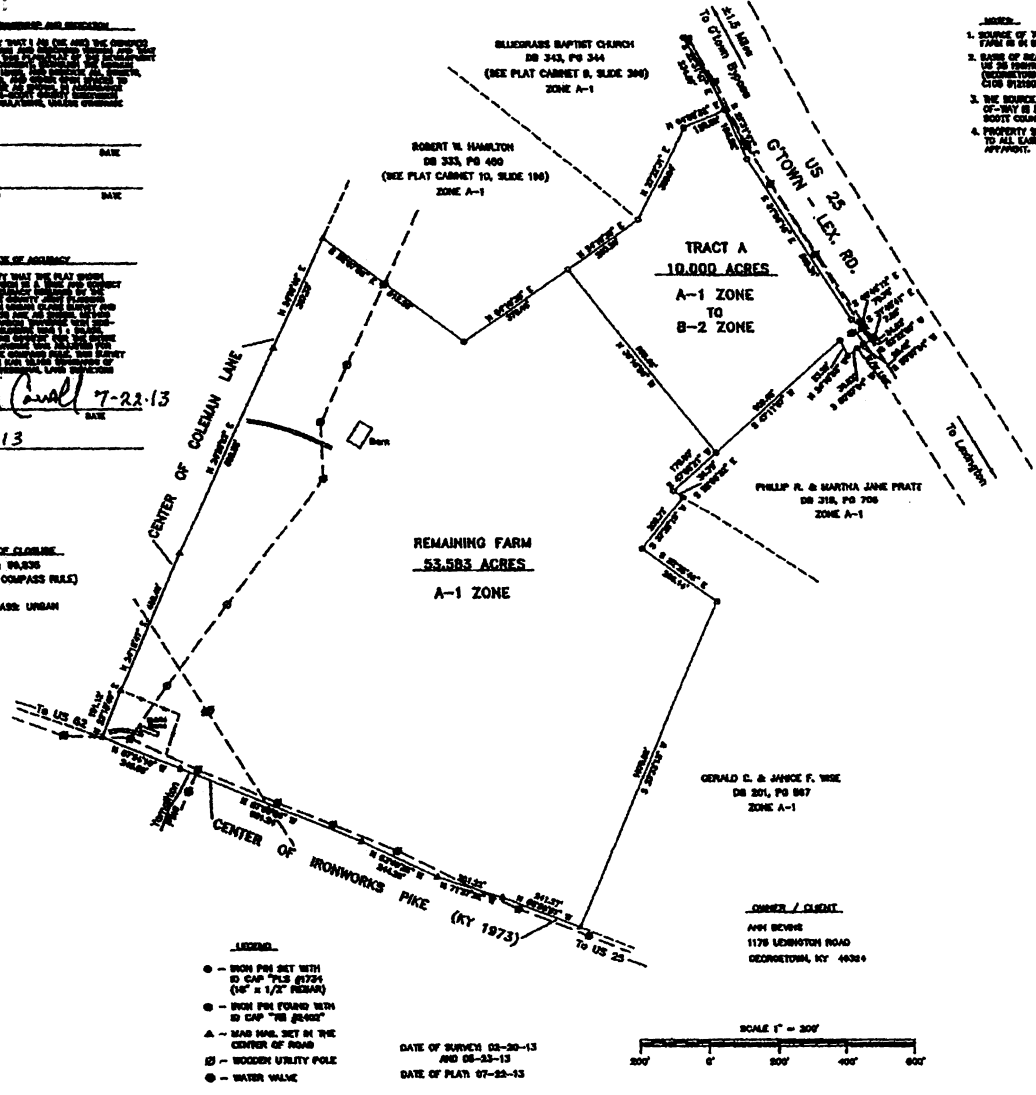
DESCRIPTION OF SURVEY AND SECTION
 1. THIS SURVEY WAS MADE FOR THE ANN BEVINS FARM AS SHOWN ON PLAT NO. 10, P. 234.
 2. THIS SURVEY WAS MADE FOR THE ANN BEVINS FARM AS SHOWN ON PLAT NO. 10, P. 234.
 3. THIS SURVEY WAS MADE FOR THE ANN BEVINS FARM AS SHOWN ON PLAT NO. 10, P. 234.
 4. THIS SURVEY WAS MADE FOR THE ANN BEVINS FARM AS SHOWN ON PLAT NO. 10, P. 234.

OWNER'S SIGNATURE _____ DATE _____
 OWNER'S SIGNATURE _____ DATE _____

DESCRIPTION OF ACCURACY
 1. THIS SURVEY WAS MADE FOR THE ANN BEVINS FARM AS SHOWN ON PLAT NO. 10, P. 234.
 2. THIS SURVEY WAS MADE FOR THE ANN BEVINS FARM AS SHOWN ON PLAT NO. 10, P. 234.
 3. THIS SURVEY WAS MADE FOR THE ANN BEVINS FARM AS SHOWN ON PLAT NO. 10, P. 234.
 4. THIS SURVEY WAS MADE FOR THE ANN BEVINS FARM AS SHOWN ON PLAT NO. 10, P. 234.

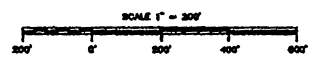
C. Wayne Carroll 7-22-13
 SURVEY DATE
 5-23-13
 DATE OF SURVEY

ORDER OF CLAIMING
 1:1 RECORD
 (CLAIMING BY COMPASS RULE)
 AREA CLASS: URBAN

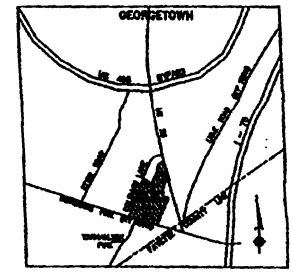


- LEGEND**
- - IRON PILE SET WITH 10 CAP PILES @ 12" DIA. (1/2" = 1/2" RESUM.)
 - - IRON PILE FOUND WITH 10 CAP "NO RESUM"
 - ▲ - MAND. SET IN THE CENTER OF ROAD
 - - WOODEN UTILITY POLE
 - - WATER VALVE

DATE OF SURVEY 03-30-13 AND 08-25-13
 DATE OF PLAT 07-22-13



- NOTES**
1. SOURCE OF TITLE FOR THE ANN BEVINS FARM IS IN DEED NO. 10, P. 234.
 2. BASIS OF BOUNDARY FROM WEST LINE OF US 25 PROPERTY PLANS FOR THE COLEMAN-HAMILTON ROAD (2004 CIVIL DIVISION, DEED NO. 7-12138).
 3. THE SOURCE OF TITLE FOR US 25 FRONT-OF-WAY IS IN DEED NO. 238, PG 799 IN THE SCOTT COUNTY SURVEY ARTS.
 4. PROPERTY SURVEY HEREON IS SUBJECT TO ALL EASEMENTS OF RECORD OR APPROPRIATE.



PLAT PURPOSE
 THE PURPOSE OF THIS PLAT IS TO SHOW THE PROPOSED TRACT AND TRACT OF THE ANN BEVINS FARM THAT IS BEING PROPOSED FOR RE-ZONING FROM AN A-1 TO A B-2 ZONE.

C. Wayne Carroll
 BY: C. WAYNE CARROLL
 P.L.S. #1734
 384 HARRISWOOD ROAD
 FRANKFORT, KY 40601

ZONE CHANGE PLAT
FROM A-1 TO B-2
TRACT A - 10.000 ACRES
ANN BEVINS FARM
WEST SIDE OF US 25
± 1.5 MILES SOUTH OF THE GEORGETOWN BYPASS
SCOTT COUNTY, KENTUCKY

EXHIBIT 'B'