

AN ORDINANCE ADOPTING ZONING
MAP AMENDMENTS

BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF SIMPSON, KENTUCKY
after the passage, approval and publication of this zoning map amendment
that same has been approved and adopted:

- (1) Subject property consistent with the recommendation made by commission at its August 12, 1975 meeting as shown by the attached notice of public hearing and minutes of Planning & Zoning. Zone Change from I-2 (Heavy Industrial) to R-3 (Residential) as requested by Linda and Glenn Butler.

This ordinance shall take effect upon its passage, approval and publication. 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 holding shall not affect the validity of the remaining portions hereof.

September 8, 1992 FIRST READING

September 15, 1992 SECOND READING

At a meeting of the Fiscal Court of the County of Simpson, Kentucky held September 15, 1992, on motion by Honorable Bill Scott and seconded by Honorable Bobby Williams the foregoing ordinance was adopted, after full discussion by the following vote:

<u>Absent</u>	GLEN EVANS
<u>Aye</u>	BOBBY WILLIAMS
<u>Aye</u>	BILL SCOTT
<u>Aye</u>	JAMES BAILEY, JR
<u>Aye</u>	KENNETH Y. HARPER

APPROVED: Kenneth Y. Harper
BY: Kenneth Y. Harper
KENNETH Y. HARPER, COUNTY JUDGE EXECUTIVE
COUNTY OF SIMPSON, KENTUCKY

ATTEST:
Jada Rhea
JADA RHEA, COURT CLERK
COUNTY OF SIMPSON, KENTUCKY

I, Jada Rhea, Clerk of the Simpson County Fiscal Court, do hereby certify that the foregoing instrument was this day lodged to be and is with this and the foregoing certificate duly recorded in my office. Given under my hand this 16th September, 1992.

Jada Rhea
Fiscal Court Clerk

Hand delivered

P. 72



FRANKLIN-SIMPSON COUNTY
PLANNING & ZONING COMMISSION

and
Simpson County Building Inspector's Office

300 N. MAIN • FRANKLIN, KENTUCKY 42134

9/3/92

Judge Executive Kenneth Y. Harper
Members of Fiscal Court

Gentlemen:

At the P&Z meeting Tuesday, September 1, 1992, Linda and Glenn Butler appeared before the Commission as requested by Fiscal Court.

The following motion was made by the Commission:

Motion by Dow Miller and seconded by Bell to recommend zone change from I-2 (Heavy Industrial) to R-3 consistent with the recommendation made by commission at its August 12, 1975 meeting as shown by the attached notice of public hearing and minutes of Planning and Zoning.

AYES.....5 Nay.....1

Motion Carries

Respectfully submitted,

Ray W. Malchow
Building Inspector

RWM:jo

NOTICE OF PUBLIC HEARINGS

8-12-1975

The Joint City-County Planning and Zoning Commission of Franklin and Simpson County will hold public hearings Tuesday, August 12, 7:30 P.M., Municipal Building, South Main Street, Franklin, Kentucky.

Number # 1

Request of Glen and Linda Butler, et al., to rezone from I-2 to R-3 for residential development located near State Line off 31-W described as follows: Beginning at a point on Groves Road approximately 243 feet west of Highway 31-W, and proceeding thence N 10 1/4 Deg. E 115 ft. to a corner with M.C. Groves; thence N 84 Deg. 2" W, approximately 591 ft. to a corner on the County Road; thence S 5 1/2 W along said County Road approximately 881 ft. to a corner with Paul Groves; thence S 81 Deg. 55' E approximately 290 ft. to another corner with Paul Groves; thence N 5 1/2 E approximately 400 ft. to another corner with Paul Groves; thence S 81 Deg. 55' approximately 511 ft. to a corner on said Highway 31-W; thence N 13 Deg. E approximately 135 ft. to a corner with Leonard Groves; thence N 81 Deg. 55' W approximately 130 ft. to corner with Lot # 16 of said property; thence N 13 Deg. E 94 ft to a corner with Lester Key; thence N 81 Deg. 55' W approximately 180 ft. to a corner with lot # 10 of said property; thence N 13 Deg. E along East property line of Lot # 10 to Groves Road; thence S 84 1/2 Deg. E approximately 60 ft. to corner opposite lot five on the south side of Groves Road; thence across Groves Road N 13 Deg. 30 ft. to corner of beginning..

Number # 2

Request of Anna J. Cox and Carl B. Stone to rezone from A-1 to B-2 for purpose of developing business property located on 31-W south described as follows: A certain lot situated South of Franklin, in Simpson County, Kentucky, on the East side of U.S. 31-W, more particularly described and bounded as follows: Beginning at a pipe in the Northwest corner in line with the East right of way of U.S. 31-W, being 50 feet East of the center line of U.S. 31-W and being the Southwest corner of the George Parks lot, opposite center line station 207 / 31.8; thence with the line of George Parks, N 76 Deg. 30' E 146.0 feet to a pipe a corner in the Henry Broderson line; thence with a new line of Henry Broderson, S 2 Deg. 00' W 168.4 feet to a pipe another new corner to Henry Broderson; thence with another new line of Henry Broderson, S 77 Deg. 30' W 100.0 feet to a pipe a corner to the East right of way of U.S. 31-W; thence with the line of the East right of way of U.S. 31-W, N 13 Deg. 30' W 160.9 feet to the point of beginning. A certain parcel of land with a building thereon situated south of Franklin in Simpson County, Kentucky, on the east side of U.S. Highway 31-W on the south side of what is known as Caudill's Hill and more particularly described as follows: Beginning at a stake, a corner to Henry Broderson parcel and in line with the east right of way of U.S. 31-W Highway, said corner being 90 Deg. with right of way of said Highway at Sta. 207 plus 31.8; thence with the line of said right of way N 13 1/2 W 75.0 feet to a stake, a corner to Broderson; thence with the line of Broderson and said line being 90 Deg. to right of way of U.S. 31-W, N 76 1/2 E 157.0 feet to a stake, a corner to the ditch line of the old L & N Pike; thence with the line of said ditch S 5 E 75.5 feet to a stake, a corner to Broderson; thence with the line of Broderson S 76 1/2 W 146.0 feet to the point of beginning.

Number # 3

Request of Bob James to rezone from A-1 to B-2 land located at corner of Black Jack and North Street for purpose of developing business, described as follows: Beginning at an iron pipe in the North right of way line of North Street, said pipe located 13.50 ft. from the North invert of a 24" concrete culvert, thence N 13 Deg. E 212.0 ft. with East right of way of Kentucky Rt. 1171 Black Jack Road to an iron pipe corner to Len Graves thence S 79 Deg. E 210.0 ft. with the line of Len Graves to an iron pipe, corner to Robert James, thence S 30 1/2 Deg. W 82.00 Ft., S 6 1/2 Deg. W 125.00 feet with the line of Robert James to an iron pipe in the North right of way line of North Street, thence N 80 Deg. W 199.50 ft. with the North right of way line of North Street to the point of beginning, containing 1.04 acres less any easements or right of ways of record.

Number # 4

Request of Thomas Lynn Graves to rezone from A-1 to B-2 a partical of land for business development described as follows: Beginning at an iron pipe, in the East right of wayline of Ky. Route 1171 (Black Jack Road), and a new corner to Robert James, said pipe located N 11 Deg. E 272.00 feet from the south right of way line of North Street; thence and all new corners to Robert James, N 11 Deg. E 204.20 feet with the East right of way line of Ky. at 1171 to an iron pipe; thence S 79 Deg. East 210.00 feet to an iron pipe; thence S 11 Deg. W 204.20 feet to an iron pipe, thence N 79 Deg. West 210.00 feet to the point of beginning.

Those desiring to speak for or against the proposed zone changed may do so at the public hearings.

William D. Harris,
Chairman

Bobby Moody,
Secretary

MINUTES

JOINT PLANNING AND ZONING
COMMISSION OF FRANKLIN AND
SIMPSON COUNTY, Franklin, Ky.
August 12, 1975

The regular meeting of the Franklin-Simpson Planning and Zoning Commission was held Tuesday night, August 12th at 7:20 P.M. in the Municipal building.

Jerry Harris was sworn in by Mayor Larry Freas to replace Floyd Savage. Other Commission members present were John Kelly, Dink Payne, W. B. Adams, E. C. Ellis, C. N. Pike, Lynn Caudill, Eddie Booher and chairman Buddy Harris. Also present were Clyde M. Thomas, attorney, Linda Butler, Linda Forshee, Jessie Wilburn, Lynn Graves, Michael Craft, Charlie W. Mayes, Richard Gomer, Sterling Gomer, Della J. Liggett, Edward Liggett, Bob James, Byron O. Calvert, Gerald Clinard, Floyd Brewster, Youless Toney, George Parks, Jerry Jones and clerk Bobby Moody.

W. B. Adams moved to disperse with the reading of the minutes. Seconded by Lynn Caudill, motion passed with all members voting yes. The next item of business was a Public Hearing on the request of Linda Butler et al to rezone a tract of land near the Tennessee state line from I-2 Heavy Industrial to R-3 Residential. The attorney for Butler, Mr. Clyde Thomas, explained to the Commission members the legal description of the land in question. He stated that this change in zoning would help make the area conform to the zoning laws which is now zoned for industry but being used for homes and mobile homes. Thomas further stated he would assist the land owners in rewriting deeds, etc. to help clear up the present problems.

Michael M. Craft, a resident of Lot #9 in the area in question, stated he was in favor of the change which would make his home conform to the zoning laws. The chairman asked if any one opposed the change. Having no objection, Chairman Harris closed the hearing.

The second hearing was on behalf of Anna J. Cox and Carl B. Stone to rezone a tract of land from A-1 to B-2 located on 31-W South. There was no one to speak for or against the rezoning, but Bobby Moody explained to the Board that Mrs. Cox and Mr. Stone's places of business were built before the area was zoned A-1 and should have been zoned B-2 from the beginning. The owners were fearful of natural disaster destroying their businesses and our present zoning would prohibit them from rebuilding. Having no one else to speak, Chairman Harris closed the hearing.

The third hearing was on behalf of Bob James to rezone a tract of land from A-1 to B-2 for purpose of developing a business area. Bob James spoke in favor stating this area was in need of a wash

house and small market and self service gas to meet the needs of the ever growing subdivisions around them. Mrs. Erwin Koenig, a nearby resident, stated that corner was a highly traveled intersection and she didn't feel as if the area needed any more business zones. Lynn Graves stated he would be in favor of the rezoning. Mr. James stated there was ample room for traffic to come off the road and be serviced without interfering with the flow of traffic.

The fourth hearing was on the request of Lynn Graves to rezone a tract of land North of the James property. Lynn spoke in favor of the zoning change stating he intended to put a used car lot on the property.

Mrs. Koenig voiced the same objection as she did to the James request. John Kelly at this point stated that before a permit could be issued for a service station or used car lot, a conditional use permit would have to be issued by the F-S Adjustment Board. Having no further business, the hearing was closed.

Jerry Jones came before the Commission on behalf of Aaron Stephens (Stephens) to request a rezoning of his land from I-2 to R-3 to be in with the request of Linda Butler et al. The motion was made by Dink Payne to hold the hearing next meeting, seconded by W. B. Adams. The motion carried with all members voting yes.

Motion by Dink Payne to approve the request of Linda Butler et al to rezone from I-2 to R-3, seconded by John Kelly, motion passed with all members voting in favor.

Motion by W. B. Adams and seconded by Cliff Ellis to approve the request of Anna J. Cox and Carl B. Stone to rezone from A-1 to B-2. The motion passed with all members voting yes.

Motion by Dink Payne and seconded by Rick Pike to approve the request of Bob James to rezone from A-1 to B-2. Motion carried with all members voting yes.

Motion by Cliff Ellis and seconded by Rick Pike to approve the request of Lynn Graves from A-1 to B-2. Motion carried with all members voting in favor.

Motion by Dink Payne, seconded by John Kelly, to adjourn. Motion passed.

William D. Harris

William D. Harris
Chairman

Bobby J. Moody
Bobby J. Moody
Clerk