

COMMONWEALTH OF KENTUCKY
CITY OF LONDON
ORDINANCE NO. 2021-07

**A SUMMARY OF CITY OF LONDON ORDINANCE NO. 2021-07 ENTITLED
“AN ORDINANCE REZONING PROPERTY OWNED BY K&K STORAGE, LLC AT
EAST HAL ROGERS PARKWAY AND TOBACCO ROAD, LONDON, KENTUCKY”**

This Summary is prepared pursuant to KRS 83A.060(4).

The following is intended to be a summary of Ordinance No. 2021-07 as herein above stated. This summary is prepared by Larry G. Bryson, the attorney for the City of London, Kentucky, who is authorized to practice law in the Commonwealth of Kentucky and who further states that this document is a true and correct summary of Ordinance No. 2021-07.

A public hearing was conducted by the London Zoning and Planning Commission (“the Commission”) on June 17, 2021, following a written request to the Commission that the property be rezoned. K&K Storage, LLC, owns property that is located at East Hal Rogers Parkway and Tobacco Road, London, Kentucky and that is particularly described in the full text of the Ordinance. All of the requirements of KRS 100.211 have been met. The Zoning and Planning Commission recommended that this property be zoned from C-1 (commercial) to all be zoned I-1 (light industrial) for the entire tracts and that the Zoning map be amended to reflect this change. The London Zoning and Planning Commission made findings, pursuant to KRS 100.213(1) that the existing zoning classifications given to the property are inappropriate because the proposed zoning classification is appropriate and that there have been major changes which were not anticipated in the adopted Comprehensive Plan which have substantially altered the basic character of the property and neighborhood in question. The Ordinance as written accepts the Commission’s recommendation and ordains that this property be rezoned from C-2 (commercial) to all be zoned I-1 (light industrial) for the entire tract. There has been compliance with KRS Chapter 100.

Any Ordinances or parts of Ordinances in conflict with this Ordinance are repealed and this Ordinance is effective on publication. The full text of this Ordinance is on file in the Office of the City of London Clerk, 501 South Main Street, London, Kentucky, where it may be inspected. This summary is intended to comply with KRS 83A.060(4), as a true and accurate summary of this Ordinance. The Summary of this Ordinance is certified pursuant to KRS 83A.060(9), by City Attorney Larry G. Bryson, an attorney licensed to practice law in the Commonwealth of Kentucky and will be effective upon publication of the Summary.

LARRY G. BRYSON
ATTORNEY FOR THE CITY OF LONDON

COMMONWEALTH OF KENTUCKY
CITY OF LONDON
ORDINANCE NO. 2021-07

**AN ORDINANCE REZONING PROPERTY OWNED BY K&K STORAGE, LLC AT
EAST HAL ROGERS PARKWAY AND TOBACCO ROAD, LONDON, KENTUCKY**

BE IT ORDAINED BY THE CITY OF LONDON AS FOLLOWS:

A public hearing was conducted by the London Zoning and Planning Commission on June 17, 2021, concerning the rezoning of property owned by the following:

(1) K&K Storage, LLC, owns property that is located at East Hal Rogers Parkway and Tobacco Road, London, Kentucky; this property is currently zoned C-2 (commercial) and the owner has requested that this property be rezoned to all be zoned I-1 (light industrial). It has been represented to the City Council of the City of London that all requirements of public notice have been met in keeping with KRS 100.211, that all legal requirements have been met and that there has been compliance with all applicable provisions of KRS Chapter 100. The rezoning of the tract of property was requested by the property owner and the hearings were conducted in a timely manner. The London Zoning and Planning Commission made findings, pursuant to KRS 100.213(1) that the existing zoning classifications given to the property are inappropriate because the proposed zoning classification is appropriate and that the requested change is anticipated in the adopted comprehensive plan and has made a recommendation of approval of this requested zone change and that the zoning map be amended to reflect these changes.

IT IS THEREFORE ORDAINED AS FOLLOWS:

(1) The property of K&K Storage, LLC, located at East Hal Rogers Parkway and Tobacco Road, London, Kentucky be rezoned from C-2 to all be zoned I-1, and that the zoning map reflect these zone changes. A description of the property is more particularly set out herein below:

Tract No. 1:

BEGINNING at Dora Smith's corner at the Moren Town Road; thence running in a southern direction 175 steps to the L&N Railroad right of way; thence running in a western direction to Bill Reed's corner; thence a northern directions with Reed's line to the Moren Town Road; thence an eastern direction with the Moren Town Road to the beginning, containing 4 acres, more or less.

ALSO:

BEGINNING at a stone at Dora Smith's corner at the road; thence with the Dora Smith line 80 feet to a stake; thence a southeast direction 50 feet to a stake at Britton's corner; thence with an agreed line between the said Britton and Proffitt 80 feet to a stone at the road; thence with the Moren Town Road, 50 feet to the beginning, being a lot 50 x 80 feet.

ALSO:

BEGINNING at a stone at Dora Smith's corner; thence running in a western direction with Lucy Smith's line 100 feet to a stone; thence running in a northern direction 50 feet to a stone at Ballard Britton's corner; thence running with Britton's line to a stone at Proffitt's line; thence with Proffitt's line to Smith line; thence with Dora Smith's line 50 feet to the beginning.

ALSO:

LOTS NOS. 1, 2, 3, 4, and 5 in Block "G" and LOT NO. 26 in Block "F" of Forest Park, as appears on the plat of said subdivision, now of record in Deed Book 83, at Page 334, Laurel County Court Clerk's Office.

ALSO:

LYING AND BEING in Moretown, Beginning at Louanna Sam's lane fence at the Moren Road; thence following the meanders of the road to a stone at an agreed corner; thence in a southeasterly direction to a stone in Louanna Sam's line fence to the beginning corner, containing 1 acre, more or less.

ALSO:

BEGINNING at a stone at the Moretown Road; thence N. 56.30 W. 193 feet to Lucy Smith's corner; thence with Smith's and Proffitt's line S. 33.35 W. 153 feet to a stake; thence N. 58 W. 50 feet to corner of fence; thence S. 32.30 W. 126.10 feet to corner of fence; thence S. 63.30 E. 252 feet to a stone; thence N. 31. 30. E. 251.5 feet to the beginning, containing 1-1/4 acres, more or less.

ALSO:

BEGINNING at a stone at the Moretown Road; thence N. 56.30 W. 193 feet to Lucy Smith's corner; thence with Smith's and Proffit's line S. 33.35 W. 153 feet to a stake; thence N. 58 W. 50 feet to corner of fence; thence S. 32.30 W.126.10 feet to corner of fence; thence S. 63.30 E. 252 feet to a stone; thence N. 31.30 E. 251.5 feet to the beginning, containing 1-1/4 acres, more or less.

ALSO:

BEGINNING at a stone in Chadwell and Proffitt line, 140 feet west of Moren Road; thence west a straight line 298 feet to a stone, the corner of Proffitt, Sams and Brock; thence south 220 feet a straight line to a corner of L&N R.R. right of way; thence east 306 feet along the L&N R.R. right of way; thence north to the beginning, along the McQueen, Parsley and Sams line, a distance of 297 feet containing 2 acres, more or less.

THERE IS EXPECTED and not conveyed herein that certain tract or parcel of land heretofore conveyed from Emery Evans and his wife, Ada Evans, et al. to Raymond Allen and Nancy G. Owens, dated October 22, 1983, duly recorded in Deed Book 314, at page 458, records of the Laurel County Clerk's Office, containing 0.51 acres.

AND THERE IS EXPECTED and not conveyed that certain tract or parcel of land heretofore conveyed from Emery Evans and his wife, Ada Evans, et al. to Ernest McWhorter and his wife, Shirley McWhorter, by deed dated November 21, 1983, duly recorded in Deed Book 315, at page 284, records of the aforesaid in clerk's office, containing 0.53 acres.

AND THERE IS EXPECTED and not conveyed that certain tract or parcel of land heretofore conveyed from Emery Evans and his wife, Ada Evans, et al. to Ernest McWhorter and his wife, Shirley McWhorter, by deed dated November 21, 1983, duly recorded in Deed Book 315, at page 281, records of the aforesaid clerk's office, containing 0.72 acres.

AND THERE IS EXPECTED and not conveyed that certain tract or parcel of land heretofore conveyed from Emery Evans and his wife, Ada Evans, et al. to N.A. McDaniel, by deed dated November, 1983, duly recorded in Deed Book 315, at page 267, records of the Laurel County Clerk's Office, containing 0.37 acres.

AND THERE IS EXPECTED and not conveyed that certain tract or parcel of land heretofore conveyed from Emery Evans and his wife, Ada Evans, et al. to Nancy G. Owens, by deed dated March 26, 1979, duly recorded in Deed Book 280, at page 104, records of the Laurel County Clerk's Office, containing 1.116 acres.

AND ALSO THERE IS EXPECTED and not conveyed that certain tract of parcel of land heretofore conveyed from Emery Evans and his wife, Ada Evans, et al. to Paul E. Caudill and his wife, Carolyn M. Caudill, by deed dated September 23, 1977, duly recorded in Deed Book 266, at page 425, records of the aforesaid clerk's office, containing 9,630 square feet.

Being the same property conveyed to Doug Bargo and his wife, Sandy Bargo, by deed of conveyance from Emery Evans and his wife, Ada Evans, et al. dated July 17, 1990, and recorded in Deed Book 378, Page 472, Laurel County Court Clerk's Office.

TRACT NO. 2:

Beginning at a stone at the Moren Road; thence running with the Moren Town Road to a stone at an agreed line Edgar Wyatt and Louanna Sams; thence running with the agreed line to a stone at the Ballard Britton's line; thence running with Ballard Britton's line ad to the L&N Railroad; thence with the L&N Railroad to Webb McQueen's line; thence running in an eastern direction with Webb McQueen line to a stone; thence a Southern direction with the McQueen line back to the beginning, containing 4 acres more or less.

THERE IS EXPECTED from this conveyance the following tracts of land heretofore conveyed:

Approximately one half acre conveyed to Willetta Vaughn by Louanna Sams and husband, D.M. Sams, by deed dated 5th day of October, 1959, of record in Deed Book 145, Page 545, Laurel County Court Clerk's Office.

Approximately 2 acres conveyed to Walter Brock by Louanna Sams and Husband, D.M. Sams, by deed dated the 5th day of April, 1962, which is duly recorded in Deed Book 156, Page 65, Laurel County Court Clerk's Office.

THERE IS ALSO EXPECTED that certain tract of land conveyed by Vivian Evans, widow, to Opal Hensley, by deed dated the 26th day of July, 1972, of record in Deed Book 277, Page 576, Laurel County Court Clerk's Office.

Being the same property conveyed to Doug Bargo and his wife, Sandy Bargo, by deed of conveyance from Bobby Ray Rudder, a single person, dated January 9, 1990, and recorded in Deed Book 373, Page 11, Laurel County Court Clerk's Office.

TRACT NO. 4:

BEGINNING at a fence post at Weber McQueen's corner; thence with the Weber McQueen line a westward direction to the garden fence at the end of Weber McQueen's line; thence northward with the garden fence to a fence post and stone; thence with the garden fence to the Morentown Road; thence with the Morentown Road to the beginning, containing ½ acre, more or less.

Being the same property conveyed to Doug Bargo and wife, Sandy Bargo, by deed of conveyance from Louella White, dated October 20, 1997, and recorded in Deed Book 475, Page 485, Laurel County Court Clerk's Office.

TRACT NO. 8:

Lot No. 18 in Block "C" of the Forest Park Addition as it appears on the plat of said subdivision, now of record in Deed Book No. 83, Page 334, Laurel County Court Clerk's Office.

ALSO:

Being a part of Lot No. 19 of Block "C" of the Forest Park Addition to the City of London and described as follows:

Beginning at the ditch line in Issac Pitman's and Leonard Short's line; thence eastward with the ditch line 45 feet to a stone; thence Northeast direction 25 feet to a stone in the Eversole line; thence Northward with the Eversole line to the point of Lot No. 19 and its intersection with Issac Pitman's line; thence Southward with Issac Pitman's line to the beginning.

Being the same property conveyed to Doug Bargo and wife, Sandy Bargo, by deed of conveyance from Timothy W. Smallwood and wife, Sheila S. Smallwood, dated November 30, 2000, and recorded in Deed Book 521, Page 719, Laurel County Court Clerk's Office.


TRACT 10:

Being a 5.67 acres tract in City of London Laurel County Kentucky. This tract located approximately 200 feet West the junction of Tobacco Road and Hal Rogers Parkway. Said tract being more particularly described as follows:

BEGINNING at a steel pin with red cap in the right of way fence of Hal Rogers Parkway; Thence leaving said right of way fence with a new line South 06 degrees 33 minutes 58 seconds East 108.22 feet to a steel pin with red cap; Thence South 14 degrees 15 minutes 48 seconds East 91.78 feet to a steel pin with red cap; Thence North 84 degrees 06 minutes 10 seconds East 200.0 feet to a steel pin with redcap in the right of way of Tobacco Road; Thence with the said right of way South 14 degrees 15 minutes 48 seconds East 163.71 feet to a steel fence post set in the right of way (found) corner to William Evans (Deed Book 392 at Page 547); Thence with the Evans line South 83 degrees 54 minutes 30 seconds West 424.47 feet to a steel fence post in a chain link fence a corner to Doug Bargo (Deed Book 83 at Page 334); Thence with the said Bargo line South 26 degrees 25 minutes 20 seconds West 156.53 feet to a fence post in the right of way of C.S.X Railroad; Thence with the said right of way North 46 degrees 47 minutes 37 seconds West 654.46 feet to the right of way fence of Hal Rogers Parkway; Thence with the right of way fence North 84 degrees 06 minutes 10 seconds East 698.19 feet to the place of beginning containing 5.67 acres more or less.


Being the same property conveyed to K&K Storage, LLC by Deed from Doug Bargo and Sandy Bargo, married, dated May 23, 2008, and recorded in Deed Book 638, at page 339, Laurel County Clerk's Office.

This Ordinance shall become effective on the date of its publication. If any section, sentence, clause or phrase of this Ordinance is held unconstitutional or otherwise invalid, such infirmity shall not affect the validity of the remaining Ordinance.



Troy Rudder, Mayor

Attested:



Marcy Berry, City Clerk

First Reading: June 30, 2021
Second Reading: July 1, 2021
Publication Date: July 7, 2021