

COMMONWEALTH OF KENTUCKY
CITY OF LONDON
ORDINANCE NO. 2015-08

AN ORDINANCE REZONING PROPERTY OWNED BY DAVID WESTERFIELD AND KAREN WESTERFIELD LOCATED AT 507 TAYLOR DRIVE, 508 TAYLOR DRIVE, AND THE INTERSECTION OF WEST FIFTH STREET AND TAYLOR DRIVE, LONDON, KENTUCKY:

BE IT ORDAINED BY THE CITY OF LONDON AS FOLLOWS:

Public hearings were conducted by the London-Laurel County Zoning and Planning Commission on October 13, 2015, concerning the rezoning of property owned by the following persons:

- (1) David Westerfield and Karen Westerfield property located at 507 Taylor Drive, 508 Taylor Drive, and the Intersection of West Fifth Street and Taylor Drive, London, Kentucky; this property is currently zoned R-2 (residential), the owner has requested that this property be rezoned to C-2 (commercial). 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-Laurel County 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 there have been major changes of an economic, physical, and social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of the

area, 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 David Westerfield and Karen Westerfield property located at 507 Taylor Drive, 508 Taylor Drive, and the Intersection of West Fifth Street and Taylor Drive, London, Kentucky, be rezoned from R-2 to C-2 and that the zoning map reflect these zone changes. A description of the property is more particularly set out herein, below:

BEGINNING at a concrete block monument set in the ground (found scribed with cross this survey) at a three way wire fence corner, said monument being about 150 feet north from the northern right-of-way (hereinafter R/W) of Hensley Drive and being about 382 feet west from the western R/W of Kentucky Highway 1006 (a/k/a West Fifth Street, a/k/a Sublimity Street), said monument also being in the easterly line of a tract conveyed to Jimmy and Margaret Amyx (Deed Book 229 at Page 604) and being the northwest corner of a tract conveyed to Joseph (Joe) C. and Debbie Karr (Deed Book 452 at Page 702);

THENCE leaving Karr, with Amyx and approximately with the east side of the wire fence North 10 deg. 25 min. 50 sec. East, 144.01 feet to a 5/8 inch diameter steel rebar with a yellow plastic cap stamped "LS 2834" (set this survey, hereinafter IP) in the south line of a tract conveyed to said David C. and Karen B. Westerfield (Deed Book 346 at Page 94);

THENCE leaving Amyx and the wire fence, with Westerfield for approximately 81.74 feet, continuing with the south line of a tract conveyed to James N. and Gladolia Barton (Deed Book 144 at Page 543) for approximately 100.31 feet, South 79 deg. 02 min. 51 sec. East, 182.05 feet to a plastic covered concrete test cylinder monument (found);

THENCE leaving Barton, a new course severing the parent tract, South 15 deg. 20 min. 48 sec. West, 146.05 feet to an IP in the northern line of the aforesaid Karr;

THENCE with Karr North 78 deg. 30 min. 00 sec. West, 169.56 feet to the Point of Beginning, and containing 0.585 acres, as surveyed by and/or under the direct supervision of Wm. Kenneth Wilson, PE, LS #2834 on September 18, 1998.

Being the same property conveyed to David Westerfield and Karen Westerfield by deed from Charles Edward Smith and Edna M. Smith recorded December 5, 1998, in Deed Book 489, page 390, in the Laurel County Clerk's office.

AND

ALL THAT CERTAIN PARCEL OF LAND SITUATED IN THE COUNTY OF LAUREL, COMMONWEALTH OF KENTUCKY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEING LOT NUMBER EIGHT (8) LOCATED IN THE G.T. LOVELACE SUBDIVISION TO LONDON, KENTUCKY, MAP OR PLAT OF SAME WHICH IS DULY RECORDED IN DEED BOOK 133, PAGE 338, LAUREL COUNTY COURT CLERK'S OFFICE, AND REFERENCED IS NOW MADE THERETO FOR A MORE PARTICULAR DESCRIPTION THEREOF. BEING THE SAME PROPERTY AS CONVEYED FROM JANE WINKLER DYCHE, MASTER COMMISSIONER TO FEDERAL HOME LOAN MORTGAGE CORPORATION, AS DESCRIBED IN DEED BOOK 650, PAGE 325, DATED 06/12/2009, RECORDED 07/07/2009 IN LAUREL COUNTY RECORDS.

Being the same property conveyed to David Westerfield and Karen Westerfield by deed from Federal Home Loan Mortgage Corporation recorded August 5, 2009, in Deed Book 651, page 401, in the Laurel County Clerk's office.

AND

BEING LOT NO. 7 in the G. T. LOVELACE SUBDIVISION in London, Kentucky, as shown by plat or map of said subdivision, which is duly recorded in Deed Book 133, Page 338, Laurel County Court Clerk's Office, said Lot being 100 feet in width by 210 feet in depth and described as follows:

BEGINNING at an iron stake in the south side of Sunset lane; thence with said lane, N. 78.15 E. 100 feet to an iron stake, also on south side of Sunset Lane; thence leaving said land S. 11.45 W. 210 feet to an iron stake in Sherman Bowling's line; thence with said Bowling line, S. 78.15 E. 100 feet to an iron stake; thence N. 11.45 E. 210 feet to the beginning, together with all the appurtenances and hereditaments thereunto belonging, and subject to all legal highways and zoning restrictions.

Being the same property conveyed to David Westerfield and Karen Westerfield by deed from Edmond F. Philpot, Rosemary Caudill, and Astor Caudill, recorded June 12, 1987, Book 346, page 94, in the Laurel County Clerk's office.

This Ordinance shall be effective upon publication.

Troy Rudder
MAYOR TROY RUDDER
CITY OF LONDON

FIRST READING:
SECOND READING:
PUBLICATION DATE:

NOVEMBER 2, 2015
NOVEMBER 18, 2015
NOVEMBER 23, 2015

ATTESTED:
Carolyn Adams
CITY CLERK

2015-08

**A SUMMARY OF ORDINANCE NO. ____ ENTITLED "AN ORDINANCE REZONING
PROPERTY OWNED BY DAVID WESTERFIELD AND KAREN WESTERFIELD
LOCATED AT 507 TAYLOR DRIVE, 508 TAYLOR DRIVE, AND THE
INTERSECTION OF WEST FIFTH STREET AND TAYLOR DRIVE"**

This summary is prepared pursuant to KRS 83A 060(4) as a correct summary of this Ordinance. The main points of this Ordinance are that public hearings were conducted by the London-Laurel County Zoning and Planning Commission ("the Commission") on October 13, 2015, following a written request to the Commission that the property be rezoned. This property is located at 507 Taylor Drive, 508 Taylor Drive, and the Intersection of West Fifth Street and Taylor Drive, and 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 R-2 (Residential) to C-2 (Commercial) for the entire tract and that the Zoning map be amended to reflect this change. The London-Laurel County 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 there have been major changes of an economic, physical, and social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of the area. The Ordinance as written accepts the Commission's recommendation and ordains that this property be rezoned from R-2 (Residential) to C-2 (Commercial) for the entire tracts. There has been compliance with KRS Chapter 100.

This summary is certified by City Attorney Larry G. Bryson to comply with KRS 83A.060(9), and will be effective upon publication of the summary.



LARRY G. BRYSON, LONDON CITY ATTORNEY