

CITY OF WALTON, KENTUCKY
ORDINANCE NO. 1996- 11

AN ORDINANCE OF THE CITY OF WALTON, KENTUCKY APPROVING AND ADOPTING A ZONING CLASSIFICATION FOR CERTAIN PROPERTY THAT HAS BEEN PROPOSED FOR ANNEXATION TO THE CITY OF WALTON, KENTUCKY AND ANNEXING THE SAME PROPERTY TO THE INCORPORATED TERRITORY OF THE CITY OF WALTON, KENTUCKY. (PROPERTY: APPROXIMATE 4.43 ACRE SITE OWNED BY ALLAN E. AND JANICE E. STEPHENS LOCATED AT 123 CHAMBERS ROAD, BOONE COUNTY, KENTUCKY.)

WHEREAS, the City of Walton, Kentucky is considering annexation of certain property located at 123 Chambers Road, Boone County, Kentucky; and

WHEREAS, the owners of record of such land have consented in writing to the annexation of their property; and

WHEREAS, the City of Walton, Kentucky is a legislative body member of the Boone County Planning Commission, a joint county-wide planning unit or commission established under Chapter 100 of the Kentucky Revised Statutes; and

WHEREAS, the Boone County Planning Commission as the Planning Unit for the City of Walton, Kentucky was requested to hold a public hearing and recommend to the City the zoning classification of such property upon annexation, in accordance with applicable law; and

WHEREAS, the Boone County Planning Commission has conducted the public hearing and by its Resolution R-96-011-A has made its recommendation to the city;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY, as follows:

SECTION I

A certain portion of property owned by Allan E. and Janice E. Stephens located at 123 Chambers Road, Boone County, Kentucky, such property being considered for annexation to the City of Walton, Kentucky, shall not be rezoned and the current zoning of Agricultural Estate (A-2) and Rural Suburban (RS) shall not be changed on the approximate 4.43 acre tract upon annexation. The real estate which is the subject of this approval, adoption and annexation is more particularly described in DEED BOOK 478, PAGE 145 (as supplied by the applicant) in the Boone County Clerk's office.

SECTION II

The recommendation of the Planning Commission for this request is set forth in its minutes and official records which are hereby incorporated by reference as if fully set out in this Ordinance and marked as "Exhibit A".

The Committee's recommendation for this request is based on the findings of fact as set forth in the Committee Report and marked as "Exhibit B".

SECTION III

The unincorporated territory described in "Exhibits C" and "D", attached hereto and incorporated herein by reference as if fully set out herein, is annexed and made a part of the corporate territory of the City of Walton, Kentucky for all purposes.

SECTION IV

This Ordinance and the Boone County Zoning Regulations, including the zoning map, adopted and approved, and their parts, sections, subsections, clauses, and provisions are hereby declared to be severable. If a Court having jurisdiction invalidates any part, section, subsection, clause, or provision of this Ordinance or the Boone County Planning and Zoning Regulations, including the Boone County Zoning Map, all other parts, sections, subsections, clauses, or provisions, shall remain valid and effective as they are severable.

SECTION V

All ordinances, resolutions, or parts thereof in conflict herewith are to the extent of such conflict hereby repealed.

SECTION VI

This Ordinance shall be published in summary in accordance with applicable law.

FIRST READING: JULY 8, 1996

SECOND READING: AUG 12, 1996

DATE OF PUBLICATION: AUG 29, 1996

ATTEST:

Ann Terry

Phillip W. Trzop
MAYOR PHILLIP W. TRZOP

NOTE: IN ACCORDANCE WITH KRS 100.209, THIS MAP IS INCLUDED IN THE ORDINANCE OF ANNEXATION TO SHOW THE ZONING WHICH WILL BE EFFECTIVE FOR THE ANNEXED PROPERTY, NAMELY AGRICULTURAL ESTATE (A-2) AND RURAL SUBURBAN (RS).

EXHIBIT D

