

CITY OF WALTON, KENTUCKY
ORDINANCE NO. 1997- 08

AN ORDINANCE 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. (PROPERTY: APPROXIMATE 13.5 ACRE SITE OWNED BY VASTON AND MARY CATHERINE BROOKS GENERALLY LOCATED ON THE NORTH SIDE OF KY 1292 (BEAVER ROAD) NEAR THE INTERNATIONAL INDUSTRIAL PARK, BOONE COUNTY, KENTUCKY).

WHEREAS, on February 10, 1997, the City Council of the City of Walton, Kentucky, passed Ordinance No. 1997-03, stating its intention to annex certain unincorporated territory, which is more particularly described below, contiguous to the present corporate limits of the City of Walton, Kentucky; and

WHEREAS, on February 20, 1997, Ordinance Number 1997-03 was published in the Boone County Recorder as required by law; and

WHEREAS, more than sixty (60) days have elapsed since the publication of Ordinance No. 1997-03; and

WHEREAS, no resident voters or owners of real property within the limits of the territory proposed to be annexed have petitioned the mayor in opposition to the proposal;

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 made its recommendation to the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY, AS FOLLOWS:

SECTION ONE

A certain portion of property owned by Vaston and Mary Catherine Brooks generally located on the north side of KY 1292 (Beaver Road) near the International Industrial Park, Boone County, Kentucky, such property being considered for annexation to the City of Walton, Kentucky, shall not be rezoned and the current zoning of Suburban Residential One (SR-1) not be changed on the approximate 13.5 acre tract upon annexation. The real estate which is the subject of this annexation approval is more particularly described in Deed Book 597, Page 169 (as supplied by the applicant) in the Boone County Clerk's Office.

SECTION TWO

The basis for the recommendation of the Planning Commission for this request is set forth in its minutes and official records and is 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 "Exhibit B."

SECTION THREE

The unincorporated territory described in Exhibits "C", "D", "E" and "F" 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 FOUR

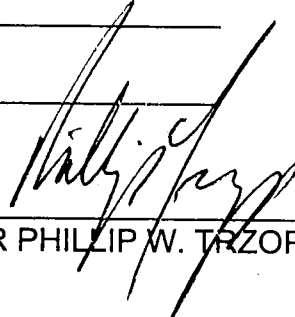
This Ordinance and the Boone County Zoning Regulations, including the zoning map, adopted and approved, and their parts, sections, subsections, clauses, and

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 FIVE

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

FIRST READING: JUNE 9, 1997
SECOND READING: JULY 14, 1997
DATE OF PUBLICATION: JULY 24, 1997



MAYOR PHILLIP W. TRZOP

ATTEST:


ANN LEAKE, CITY CLERK

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