

ORDINANCE 2015-1656

AN ORDINANCE AMENDING ORDINANCE NUMBER 794 OF THE CITY OF MURRAY CODE OF ORDINANCES SO AS TO RE-ZONE A 15,257 SQUARE FOOT TRACT OF LAND LOCATED AT 1410 POPLAR STREET AND OWNED BY VICTOR OLAZABAL FROM R-4 (MULTI-FAMILY RESIDENTIAL) to B-1(NEIGHBORHOOD BUSINESS).

WHEREAS, the Murray Planning Commission met on December 16, 2014 and voted 8 to 0 to recommend the re-zoning of land located at 1410 Poplar Street, identified as PVA parcel 4-3-16 owned by Victor Olazabal from R-4 (Multi-Family Residential) to B-1 (Neighborhood Business). The property is more particularly described on Exhibit "A" (legal description) and Exhibit "B" (plat) respectively attached hereto and made a part hereof, the same as if written herein in full.

WHEREAS, this property was previously zoned R-4 (Multi-Family Residential).

WHEREAS, the owners have submitted a written request for this property to be re-zoned B-1 (Neighborhood Business).

WHEREAS the Murray Planning Commission found:

1. The B-1 zoning classification is better suited for this particular piece of property based on the fact there have been major changes of an economic, physical and social nature within the area involved which were not anticipated in the Comprehensive Plan and which have substantially altered the basic character of the area including the redevelopment of the property at 1415 Main Street and the recent rezoning of several properties along Poplar Street to multi-family residential use.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURRAY AS FOLLOWS, TO-WIT:

1. The foregoing findings are hereby adopted by the City Council.
2. The property more particularly described on Exhibit "A" and Exhibit "B" attached hereto is re-zoned B-1 (Neighborhood Business).
3. The Planning and Zoning Department of the City of Murray is hereby directed to amend the official Zoning Map of the City of Murray, Kentucky and the Land Use Map in the comprehensive plan to reflect the zoning of the real property described in Exhibit "A" and Exhibit "B" as B-1.
4. Any portion of Ordinance Number 794 as amended which may be in conflict with this ordinance is hereby repealed to the extent of such conflict and to such extent only. In all other respects Ordinance Number 794 as amended is hereby affirmed.

Nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this Ordinance; nor shall any just or legal right or remedy of any character be lost impaired or affected by this Ordinance.

All other sections and provisions of The Zoning Ordinances for the City of Murray, not specifically amended herein, shall remain in full force and effect and shall not be considered amended and shall be incorporated by reference as if fully stated herein.

JACK D. ROSE, MAYOR

ATTEST:

JUNE BATTS, CITY CLERK

Introduced by the City Council on _____ 2015.
Adopted by the City Council on _____ 2015.
Published in the Murray Ledger and Times on _____ 2015.

EXHIBIT "A"

(1410 Poplar St. property)

A 13,257 square foot tract of land as surveyed by the firm of F. T. Sargeant Land Surveyors, of Murray, Kentucky, on August 4, 1988, located on the north side of Poplar Street in the City of Murray, and being known as a Minor Subdivision Plat (recorded in Plat Book 10, Page 81) of a part of Lot 6 and Lot 8 of the Hale Plat (recorded in Deed Book 33, page 9) for Victor Olazabal, Jr., in Calloway County, Kentucky and being more particularly described as follows:

Beginning at a #4 rebar (found) on the north side of Poplar Street, 13.6 feet north of the centerline (as it exists), 164.1 feet, more or less, east of the centerline of 15th Street (as it exists), and being the southwest corner of the herein described Lot 8B and the Southeast corner of Lot 5A of a Minor Subdivision Plat record in Plat Book 10, Card 41; thence, North 01 deg. 00' 00" West - 159.00 feet with the east boundary of Lot 5A, Lot 4A and the Larry and Martha Ray property (passing through a #4 rebar (found) at 109.00 feet) to a #4 rebar (found) on the south boundary of the Linda Drake and John Hamlin property; thence North 88 deg. 30' 56" East - 97.66 feet with the south boundary of the Drake and Hamlin property to a #3 rebar (found) on the west boundary of the Harry Russell property as occupied; thence, South 00 deg. 13' 28" West - 159.06 feet with the boundary line as occupied to a #4 rebar (set) on the north side of Poplar Street, 11.6 feet north of the centerline (as it exists); thence, South 88 deg. 30' 56" West - 94.26 feet along the north side of Poplar Street to the point of beginning.

This property is subject to all previously conveyed right-of-ways and easements.

