

ORDINANCE 2015-1662

AN ORDINANCE AMENDING ORDINANCE NUMBER 794 OF THE CITY OF MURRAY CODE OF ORDINANCES SO AS TO ZONE A 21.123 ACRE TRACT OF LAND LOCATED AT THE INTERSECTION OF US HWY. 641 NORTH , NORTH 4<sup>th</sup> STREET AND ROBERT O. MILLER ROAD, WHICH INCLUDES ALL OF THE PROPERTY OWNED BY DAVID TAYLOR AND THE BOGARD CEMETERY AND A PORTION OF US HIGHWAY 641 NORTH OWNED BY THE COMMONWEALTH OF KENTUCKY, AS B-2 (HIGHWAY COMMERCIAL).

WHEREAS, certain tracts of land have been proposed to be annexed into the City of Murray, Kentucky, and said tracts of land have not been classified for zoning purposes.

WHEREAS, the Murray Planning Commission met in regular session on March 17, 2015 to hold a public meeting pursuant to and in accordance with Zoning Ordinance 794 and Chapter 100 of Kentucky Revised Statutes, in order to set the zoning for tracts of land to be annexed into the city limits of Murray. The Murray Planning Commission voted 8-0 to recommend the 21.123 acre tract located at the intersection of US Hwy 641 North, North 4<sup>th</sup> Street and Robert O. Miller Road, which includes all of the property owned by David Taylor as well as the Bogard Cemetery and a portion of US Highway 641 North owned by the Commonwealth of Kentucky be zoned B-2 (Highway Commercial).

WHEREAS, the Murray Planning Commission found:

1. The property is identified as commercial use on the Future Land Use Map;
2. B-2 Zoning is adjacent to the south and west sides of the property.

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

**Section 1:** The foregoing findings are hereby adopted by the City Council.

**Section 2:** The property more particularly described on Exhibits "A" (legal description) and "B" (plat), respectively attached hereto and shown on the zoning map incorporated in Zoning Ordinance 794 and all amendments thereto by reference, specifically the 21.123 acre tract is zoned B-2 (Highway Commercial).

**Section 3:** The Planning and Zoning Department of the City of Murray is hereby directed to amend the Official Zoning Map and the Comprehensive Plan of the City of Murray, Kentucky so as to reveal the zoning provisions of this ordinance.

**Section 4:** Any portion of Ordinance Number 794 as amended which may be in conflict with this ordinance is hereby repealed to the extent of such conflict and to such extent only.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"

A 21.123 acre tract of land as surveyed by the firm of Bacon Farmer Workman Engineering and Testing Inc. of Murray, Kentucky in February of 2015, said property located at the intersection of U.S. Hwy. 641 and Robert O. Miller Road, approximately 2.08 miles northeast of the intersection of Twelfth and Main Streets of the City of Murray, lying in Calloway County, Kentucky and being more particularly described as follows:

Beginning at an Iron Pin with cap #3499 (set) at the northwest corner of the Murray Industrial Warehousing, Inc. property (Deed Book 170 Card 651, Plat Book 8, Page 62, Slide 662, Tract 2), said pin being the northeast corner of the herein described tract of land;

THENCE S 02°47'19" W for a distance of 135.60 feet with the west line of said Murray Industrial Warehousing, Inc. property to a #4 rebar (found) at the northeast corner of Bogard Cemetery;

THENCE S 02°24'22" W for a distance of 197.98 feet to a point in a tree located at the southeast corner of Bogard Cemetery, said point bears N 02°44'04" W for a distance of 0.88 feet from a #4 rebar (found);

THENCE S 02°44'04" W for a distance of 596.92 feet continuing with the west line of said Murray Industrial Warehousing, Inc. property (passing thru a 4"x4" concrete monument found at 541.10 feet) to a point on the south side of Robert O. Miller Road;

THENCE N 89°54'47" W for a distance of 1138.41 to a point located on the westerly edge of U.S. Hwy. 641 and being located N 24°35'29" E for a distance of 80.41 feet from the City of Murray G.I.S. monument BM 03A;

THENCE generally along the west side of U.S. Highway 641 the following bearings and distance:

N 11°34'39" E for a distance of 205.15 feet to a point;

N 13°41'48" E for a distance of 200.69 feet to a point;

N 10°57'31" E for a distance of 215.55 feet to a point;

N 88°11'32" W for a distance of 56.10 feet to a point;

N 19°11'22" E for a distance of 123.31 feet to a point;

N 19°11'17" E for a distance of 52.04 feet;

THENCE N 81°43'54" E for a distance of 944.81 feet crossing U.S. Hwy. 641 (passing thru a #4 rebar found on the east right-of-way of U.S. Hwy. 641 at 178.74 feet) to a 4"x4" concrete monument (found) at the southeast corner of the JST Investments, LLC. Property (D.B. 666, Pg. 175) and the southwest corner of the Murray Industrial Warehousing, Inc. property (D.B. 267, PG. 743);

THENCE N 81°39'52" E for a distance of 116.81 feet with the south line of the said Murray Industrial Warehousing, Inc. property and the present city boundary line to the point of beginning.

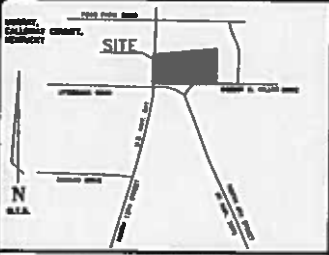
# ZONE REQUEST PLAT

9-2 ZONING REQUEST

PROPERTY OF:  
**DELTA FARMWORKS, INC.**  
 BOARD CONCERN  
 PORTIONS OF U.S. HWY. 641 AND ROBERT G. HALLER RD.  
 MURRAY, COLLINGSWORTH COUNTY, KY 40371  
 21.123 ACRES

### LEGEND

- PROPERTY BOUNDARY LINE
- ROAD-OF-WAY
- BOUNDARY OF ZONE
- RIGHT THROUGH LANE
- 1/2" & 3/4" AND 1/2" & 3/4" (SEE PLAN)
- DATE: 08/28/2014 BY: [Signature]
- DATE: 08/28/2014 BY: [Signature]



**VEICHTY MAP**

ROAD NAME	WIDTH	TYPE
U.S. HWY. 641	60 FT	PAVEMENT
ROBERT G. HALLER RD.	40 FT	PAVEMENT
...	...	...

**NEED REVISIONS/NOTES**

1. ...

2. ...

3. ...

4. ...

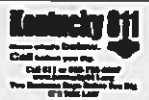
5. ...

**AREA SUMMARY:**  
 21.123 ACRES - 21.123 ACRES

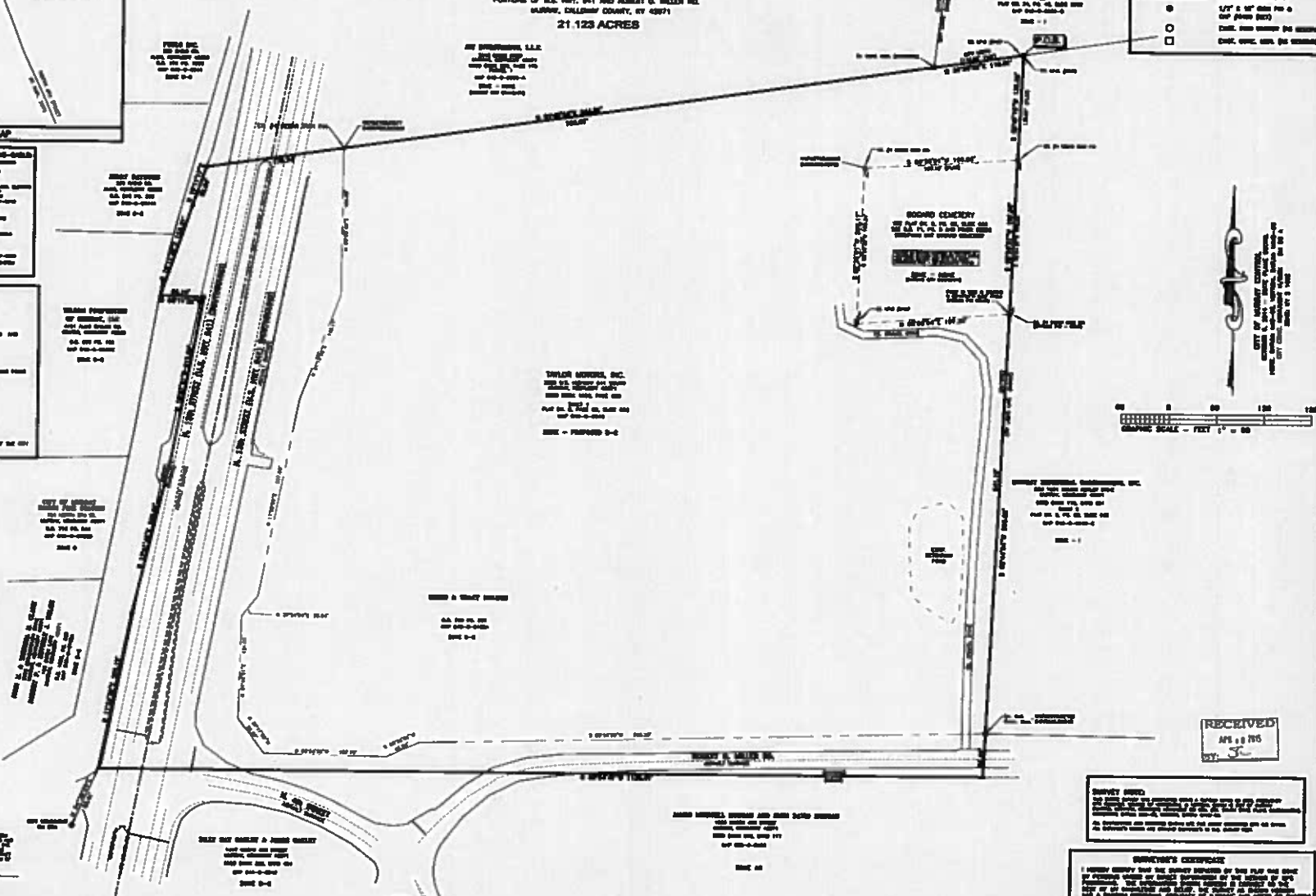
**NOTES:**  
 1. ...

**OWNER:**  
 DELTA FARMWORKS, INC.  
 BOARD CONCERN

**DESIGNED/EXAMINED BY:**  
 [Signature]



**PLAT NOTES:**  
 1. ...



RECEIVED  
 AUG 28 2014  
 BY: [Signature]

**OWNER'S CERTIFICATE**  
 I HEREBY CERTIFY THAT THE ZONING REQUESTED BY THIS PLAT HAS BEEN MADE IN ACCORDANCE WITH THE ZONING ORDINANCES OF THE CITY OF MURRAY, KY AND THAT THE PROPERTY IS NOT SUBJECT TO ANY OTHER ZONING RESTRICTIONS OR EASEMENTS.

**APPROVED:**  
 [Signature]  
 P.L.A. # 2000 DATE: 8/28/14  
 THIS IS SUBMITTED TO ALL PREVIOUSLY DESIGNATED AND APPLICABLE FIELD ENGINEERS: [Signature]

PROJECT NO.	DATE
DESIGNED BY	EXAMINED BY
APPROVED BY	DATE

PROJECT NO.	DATE
DESIGNED BY	EXAMINED BY
APPROVED BY	DATE

**SACON | FARMER | WOODMAN**  
 ENGINEERS & ARCHITECTS, INC.  
 1000 W. MAIN ST., SUITE 100  
 MURRAY, KY 40371  
 (502) 251-1111



**ZONE REQUEST PLAT**  
 DAVID TAYLOR AUTOMOTIVE  
 MURRAY, KY 40371  
 FOR: DAVID TAYLOR

**SHEET**  
 SV-1  
 1 of 1

EXHIBIT "B"