

ORDINANCE NO. 00-10

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF BALDWIN & TURPIN GARMS, LLC, DOYLESVILLE ROAD, AND AUTHORIZING THE CHANGE ON THE OFFICIAL ZONING MAP OF MADISON COUNTY, KENTUCKY.

WHEREAS, the hereinafter described land is located in Madison County, Kentucky and

WHEREAS, the Madison County Planning Commission held a public hearing on Tuesday, March 21, 2000, and found that the existing zoning classification given to the property is inappropriate and that the proposed zoning classification of is appropriate; the proposed land use change is in conformance with the adopted comprehensive plan; and there was evidence that there had been major changes of an economic, physical, or social nature in the area that was not anticipated in the adopted comprehensive plan; and therefore recommend to the County Fiscal Court that the classification of the property involved herein be change from C-7 Agricultural to C-1 Single Family Residential

NOW, THEREFORE BE IT ORDAINED AND ENACTED, by Madison County Fiscal Court that the land use classification of the following described property be changed by this ordinance from C-7 Agricultural to C-1 Single Family Residential classification:

SECTION I

"Parcel A

A certain tract of land in Madison county, Kentucky, on the waters of Muddy Creek, bounded and described as follows:

BEGINNING at a stake on the south side of a road and corner to Mrs. Ford; thence with their line S3 degrees W 726 feet to a stake, S2.25 degrees W 436 feet to a stake, a new corner to the 17.35 acres sold to C. Y. and Ella Durham; thence a new line with their line N83.5 degrees E 1954.25 feet to a stone; thence another new line with their line 28.75 degrees e 490.4 feet to a stone on the south side of a branch a large sugar tree, a pointer, thence East 1180.9 feet to a stone where an elm stood on the south side of a branch and corner to Henry Turpin's heirs and the line of Zena Bruce Heirs; thence with the Turpin line N 2 degrees E 265 feet to a white oak, ash and cedar on the hillside, N 3.5 degrees E 750 feet to an ash tree on the Powell line, N 60.75 degrees W crossing a deep hollow 1040 feet to a large chinquepin oak on the west side of a branch at the foot of a hill; thence up the hill N 86 degrees W 1100 feet to a stake, N 10 degrees E 13 feet , N 80 degrees W 195 feet, s 82 degrees W 1190 feet to the beginning, containing 100 acres, more or less.

Being the same property conveyed to S. I. Taylor, by George P. Tracy, et. al., by deed dated October 14, 1941, and recorded in Deed Book 124, at page 125, in the Madison County Court Clerk's Office.

Shelby I. Taylor died October 17, 1956. His Will recorded in Will Book 9, at page 29, in the Madison County Court Clerk's Office, devised a life interest to Anna Margaret (Taylor) Baldwin, with the remainder to Joe Taylor Trupin and Charles Earl Baldwin.

Anna Margaret (Taylor) Baldwin died on October 11, 1998.

Parcel B

A tract of land on the waters of Otter Creek, in Madison County, Kentucky, and known as the home place of H. N. Wells, about eight miles northeast of Richmond, bounded and described as follows, viz:

Beginning at a hickory on the northeast bank of Otter Creek, at the gate leading into the Patsey West tract, running thence up the creek, and with the line of the fence on the west side of said creek, S 61.5 E 15 poles, S 49 E 13 poles, S 36 E 14 poles, S 15 E 8 poles, S 3 W 8 poles, S 29 W 10 poles, S 7 E 14 poles, S 12 W 39 poles, S 12 W 39 poles, S 25 W 18 poles, S 8 W 14 poles, S 36 W 12 poles, and S 28 W 9 poles, to a stake in the middle of the creek, opposite the lower end of a stone fence, corner to William Risk; thence leaving the creek, with Risk's line, S 88.5 E 83.6 poles, to a stake corner to Amanda Freeman (now Adams); thence with her line N 2.5 W 33 Poles, to a stake with hickory pointers; thence S 88.5 E 55 poles, to a stake in Freeman's line, corner to the heirs of Alex McBain, thence with the line of said heirs N 1.5 E 75.5 poles, to a stake, corner to said heirs, thence N 88.5 W 21 poles to a stake, thence N 1.5 E 52.5 poles to a white oak, corner to said heirs, on the line of Squire Owens, thence with his line 88.5 W 5 poles to a stake, corner to Owens and Patsey West, thence HN 2.5 E 71.4 poles to a stake, thence with the division line of the Patsey West tract, N 88.5 W 122.25 poles to a stake in Arthusa Carson's line, thence with Carson's line S 8 W 72 poles to a white ash corner, on a hillside, and thence S 88.5 E 26 poles to the place of beginning, containing one hundred fifty six and one fourth acres and thirty perches (156.25 acres and 30perches). "

SECTION II

That the Director of Planning and Development make the appropriate changes to the Official Zoning Map of Madison County, Kentucky.

SECTION III

That the County Clerk cause this ordinance to be published in accordance with the appropriate Kentucky Revised Statutes.

DATE OF FIRST READING: March 28, 2000

MOTION BY: Billy Ray Hughes

SECONDED BY: Forniss Park

VOTE: YES NO

JUDGE, KENT CLARK ✓
MAGISTRATE LARRY COMBS ✓
MAGISTRATE FORNISS PARKS ✓
MAGISTRATE WILLIAM TUDOR ✓
MAGISTRATE BILLY RAY HUGHES ✓

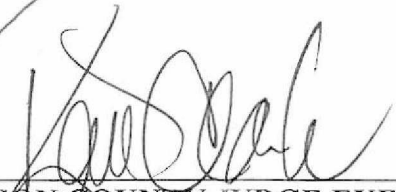
DATE OF SECOND READING: May 30, 2000

MOTION BY: Larry Combs

SECONDED BY: Forniss Park

VOTE: YES NO

JUDGE, KENT CLARK ✓
MAGISTRATE LARRY COMBS ✓
MAGISTRATE FORNISS PARKS ✓
MAGISTRATE WILLIAM TUDOR *also* ✓
MAGISTRATE BILLY RAY HUGHES ✓


MADISON COUNTY JUDGE EXECUTIVE

Attest:


MADISON COUNTY CLERK

**MADISON COUNTY
PLANNING and DEVELOPMENT**

503 S. Keeneland Drive
RICHMOND, KENTUCKY 40475
606-624-4734 / 624-4780
Fax # 606-624-4736

TO: Kent Clark, Madison County Judge Executive
Madison County Fiscal Court

DATE: March 24, 2000

RE: Planning Commission Recommendation
Baldwin & Turpin Farms, LLC, Property, Doylesville Road

As a result of a public hearing held on March 21, 2000 at 6:30pm in the Fiscal Court Room, the Madison County Planning Commission heard and reviewed the following application for an amendment to the Land Use Management Map.

Baldwin & Turpin Farms, LLC, Property, Doylesville Road, proposed to change 75 acres +/- from its original classification of C-7 (Agricultural) to C-1 (Single Family). In accordance with KRS 100.213 the applicant's justification for the request was that there had been major changes of an economic, physical or social nature that was not anticipated in the comprehensive plan.

Therefore, the Madison County Planning Commission recommends the request for land use change be **APPROVED** :

Motion was made, seconded and approved to request to the Fiscal Court that the request to change the land use from C-7 to C-1, for the above property, be approved and have made it a finding of fact that;

- 1) The original land use classification for the property was inappropriate because there had been major changes of an economic, physical or social nature not anticipated in the comprehensive plan,;
- 2) This is in agreement with the adopted Comprehensive Plan.

Copies of the actual minutes from the public hearing are available upon request. Should you have any questions regarding this request, please call this office.

Sincerely,



Duane S. Curry
Administrative Official