

ORDINANCE NO. 01-12

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF EMMA SMITH PROPERTY AT 1014 SPEEDWELL 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, April 17, 2001, 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 R-7 Rural Agricultural to R-4 Rural General Commercial.

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 R-7 Rural Agricultural to R-4 Rural General Commercial.

SECTION I

A certain tract or parcel of land lying in Madison County, Kentucky, more particularly bounded and described as follows:

A certain house and lot situated near Moberly in the County Madison and State of Kentucky; Beginning at a point in the new pike at a culvert at a willow tree and corner to Estill; thence with the said pike 549 feet in a southeastern direction to a stone corner to D.B. Ballew; thence in a southern direction with Ballew 175 feet to a stone in the slate pike; thence 471 feet with the slate pike in a southwestern direction to corner to Green Stone Heirs; thence leaving the slate pike with Stone 102 feet in a northern direction to a stone; thence northwestern direction 120 feet still with Stone corner to Stone and Estill; thence northeastern with Estill 95 feet to the point of Beginning, containing 2 acres more or less.

There is excluded from the above, and not conveyed, a tract of land sold to Charles L. Metcalf and Gloria Metcalf, husband and wife, by deed dated July 14, 1959, and recorded in Deed Book 181 page 243, Madison County Court Clerk's office, as follows: Beginning at a point in the new pike and corner to Ballew; thence leaving the pike and with the Ballew line a southwestern direction 175 feet to a stake and stone in the slate pike; thence in a northwestern direction with the slate pike 228 feet to a stake and new corner with the first parties; thence leaving the pike and with the first parties a

northeastern direction 200 feet to a stake in the new road and corner with first parties; thence with the new road, a southeastern direction 204 feet to the point of beginning.

There is also conveyed herein the following described tract of land;

A tract of land known as rock quarry property in Madison County, Kentucky near Moberly Station; beginning at a bridge on the northeast side of a branch, thence with said branch to the L & N right of way, with the said line to the corner of the Mary Woods tract, thence with line of new pike to the beginning containing one half (1/2) acre, the tract is now bounded on the north by the lands of Foley, on the East by Foley, on the south by the state road and on the west by the Rice Estill Heirs, and a part of

Being the same property conveyed to Thomas G. Foley by Earnest Stone et al by deed dated October 19, 1946, and of record in Deed Book 136, page 608 Madison County Court Clerk's Office.

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: April 13, 2001

MOTION BY: Billy Ray Hughes

SECONDED BY: Larry Combs

VOTE: YES NO

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

DATE OF SECOND READING: May 8, 2001

MOTION BY: Billy Ray Hughes

SECONDED BY: Larry Combs

VOTE:

YES

NO

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

✓
✓
✓
✓
✓

[Signature]
MADISON COUNTY JUDGE EXECUTIVE

Attest:

Mary Jane Winter
MADISON COUNTY CLERK

MADISON COUNTY
PLANNING and DEVELOPMENT

321 North Madison Avenue
RICHMOND, KENTUCKY 40475
606-624-4734 / 624-4780
Fax # 606-624-4736

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

DATE: April 19, 2001

RE: Planning Commission Recommendation
Emma Smith Property, Speedwell Road, Richmond

As a result of a public hearing held on April 17, 2001 at 6:00pm 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.

Emma Smith Property, 1014 Speedwell Road, proposed to change 2 acres +/- from its original classification of R-7 (Agricultural) to R-4 (General Business). In accordance with KRS 100.213 the applicant's justification for the request was that the original land use classification was inappropriate and the proposed classification is appropriate.

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

Motion was made, seconded and approved to recommend to the Fiscal Court that the request to change the land use from R-7 TO R-4, 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 and that the proposed land use classification was appropriate;
- 2) That the proposed change 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

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