

ORDINANCE NO. 01-32

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF GILBERT MILLER PROPERTY ON 1214 MILLER DRIVE 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, October 16, 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 UC-1 Urban Development Single-Family Residential to UC-2 Urban Development Multi-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 UC-1 Urban Development Single-Family Residential to UC-2 Urban Development Multi-Family Residential.

SECTION I

A certain tract or parcel of land situated on the west side of Miller Drive, adjacent to Hillcrest Subdivision #4 in Madison County, Kentucky, bounded and described by survey as follows:

Beginning at an iron pin in the west line of Miller Drive, a corner to Harold Renfro, thence leaving Miller Drive with Renfro's line S7'-17'W 124.8 feet to a post and corner to E.R.M. Rentals, Inc. property, thence a new line with E.R.M. Rentals, Inc. S14'-02'W 79.0 feet to an iron pin and new corner to E.R.M. Rentals, Inc. thence continuing a new line with E.R.M. Rentals, Inc., N82'-26'W 61.5 feet to an iron pin and corner, S6'-54'W 124.0 feet to an iron pin and corner, S82'-56'E 20.8 feet to an iron pin and corner, S14'-13'W 44.8 feet to an iron pin and corner, S76'-40'E 334.5 feet to an iron pin in the west line of Miller Drive, a corner, thence with the west line of Miller Drive N5'-00'W 194.8 feet, N7'-58'W 51.25 feet, N17'-18'W 51.7 feet, N33'-56'W 61.5 feet, N54'-36'W 68.3 feet, N59'-58'@ 109.7 feet to the beginning, containing 2.12 acres. Reference is also made to Plat Book 7, page 5 of the 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: Oct 23 2001

MOTION BY: Forniss Park

SECONDED BY: Billy Ray Hughes

VOTE: YES NO

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

DATE OF SECOND READING: Nov 7, 2001

MOTION BY: Billy Ray Hughes

SECONDED BY: Forniss Park

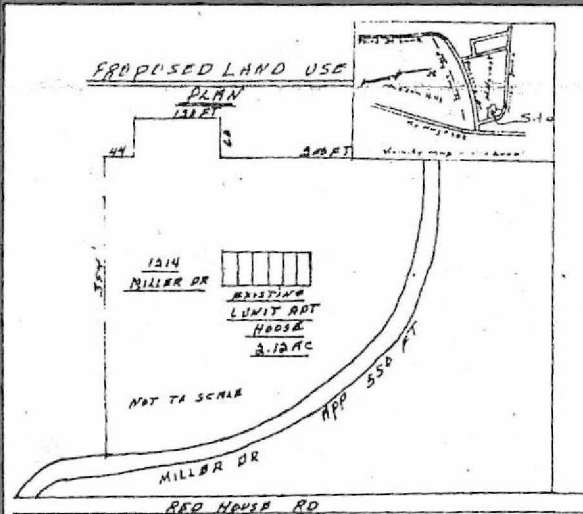
VOTE: YES NO

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

Kent Clark
MADISON COUNTY JUDGE EXECUTIVE

Attest:
Mary Jane Binter
MADISON COUNTY CLERK

NOTICE OF PUBLIC HEARING



There will be a public hearing of the Madison Co. Planning Comm. on Tues., Oct. 16, 2001 at 6:00 P.M. in the Fiscal Court room of the Madison Co. Court House.

The purpose is to consider a land use change from R-1 single family residential to R-2 multi-family residential for the Gilbert Miller property (as shown on map above).

Application for Land Use Map Amendment Madison County, Kentucky

Date: 9/14/01

Fee: \$150.00

1. Owner(s) of Property: GILBERT MILLER

2. Property Address 1214 MILLER DR.

3. Designated Land Use SINGLE FAM 4. Proposed Use MULTIPLE FAMILY UC-2

5. Acreage: 2.12 AC UC-1

6. Surrounding Property: Use Land Use Map

- North - HAROLD RENFRO
- East - GARY WESTERFIELD - CHARLIE METER
- South - MIKE ~~RENE~~ EIDSON
- West - GILBERT MILLER

7. Urban Services: Exists

Provided By

- | | |
|----------------------|------------------|
| • Sewage - YES | CITY |
| • Refuse - YES | BFI |
| • Water - YES | MAD CO UTILITIES |
| • Electric - YES | KU |
| • Gas - YES | Columbia |
| • Storm Sewers - YES | MCFD |
| • Fire - YES | County Sheriff |
| • Police - YES | |

8. Justification for Requested Change (KRS.100.213)

IMPROPERLY ZONED BY COUNTY ORIGINALLY. THERE HAS BEEN A SIX UNIT APT HOUSE ON THIS PROPERTY SINCE 1970

9. Brief Legal Description of Property:

~~1.00 ACRES~~ 2.12 ACRES AT 1214 MILLER DR. RICHMOND, KY

10. Additional Information:

11. The following items must accompany application:

- Copy of Deed
- Vicinity Map of Area request amendment
- List of all adjoining property owners, names, addresses of property, addresses of owners, telephone numbers of owners.

12. Applicant's Signature: I do hereby certify that, to the best of my knowledge and belief, all application materials are herewith submitted and the information is true and correct. I further certify that I am Owner of this property, since 8/7/01 (date).

Date: 9/14/01

Signature(s): Gilbert Miller

Gilbert Miller

1200 Miller Drive
Richmond, Ky. 40475
(606) 623-8780

SURROUNDING PROPERTY OWNERS

NORTH- HAROLD RENFRO
208 MILLER DR
RICHMOND, KY 40475

EAST- GARY WESTERFIELD - CHARLIE METER
314 BORNAM CT
RICHMOND, KY
205 MILLER DR
RICHMOND, KY

SOUTH- MIKE EIDSON
136 REDWOOD DR
RICHMOND, KY

WEST- GILBERT MILLER
1200 MILLER DR
RICHMOND, KY

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: October 18, 2001

RE: Planning Commission Recommendation
Gilbert Miller Property, 1214 Miller Drive, Richmond

As a result of a public hearing held on October 16, 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.

Gilbert Miller Property, 1214 Miller Drive, Richmond, proposed to change 2.12 acres +- from its original classification of UC-1 (Single Family Residential) to UC-2 (Multi-Family Residential). 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, due to the property currently having an existing 4 unit apartment building located on the property and multi-family uses located across the street.

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 UC-1 (Single Family Residential) to UC-2 (Multi-Family Residential), for the above property, be approved and have made it a finding of fact that;

- 1) The existing land use designation for the property was inappropriate and that the proposed land use designation is appropriate due to the existing 4 unit apartment building being on the property currently, and that the property is served by Richmond Sewer service.

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