

ORDINANCE NO.

01-35

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF DAVID WILLIAMS PROPERTY ON 3585 COLONEL 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, 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-7 Agricultural to UC-4 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 UC-7 Agricultural to UC-4 General Commercial.

SECTION I

A certain tract or parcel of land located on the east side of Colonel Road, approximately 2500 feet south of KY HWY. 627 (Boonesborough Road) in Madison County, Kentucky, and being bounded by survey made May 28, 1990, by Charles E. Black, a licensed land surveyor (L.S. 670), and described as Tract 1-A as shown on a plat of record in Plat Book 10, Page 6, 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: October 23, 2001

MOTION BY: William Tudor

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: Nov 7, 2001

MOTION BY: Forniss Park

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 Hunter
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: October 18, 2001

RE: Planning Commission Recommendation
David Williams Property, 3585 Colonel Road, 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.

David Williams Property, 3585 Colonel Road, Richmond, proposed to change 3 acres +- from its original classification of UC-7 (Agriculture) to UC-4 (General Commercial). 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 been used as a mobile home sales lot; and that the proposed designation is in agreement with the adopted comprehensive plan.

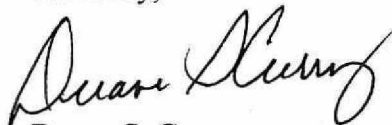
Therefore, the Madison County Planning Commission recommends the request for land use change be **APPROVED**:

Motion was made, seconded and approved to recommend to the Fiscal Court that the request to change the land use from UC-7 (Agriculture) to UC-4 (General Commercial), 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 property has been used as a mobile home sales lot;
- 2) 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

Application for Land Use Map Amendment Madison County, Kentucky

Date: 9/26/01

Fee: \$150.00

1. **Owner(s) of Property:**

David Williams

2. **Property Address**

3585 Colonel Rd. Richmond, KY 40475

3. **Designated Land Use** Agriculture **Proposed Use** Commercial UC-4

5. **Acreage:** 3.0 acres VC-7

6. **Surrounding Property:**

- North
- East
- South
- West

Use

Ag
↓

Land Use Map

Ag
↓

7. **Urban Services:**

Exists

Provided By

- Sewage
- Refuse
- Water
- Electric
- Gas
- Storm Sewers
- Fire
- Police

No

Yes
Yes
No

Yes
Yes

Septic Tank

White Hall Water District
Kentucky Utilities

White Hall
Kentucky State Police, Madison
County Sheriff

8. **Justification for Requested Change (KRS.100.213)**

Pursuant to KRS 100.213, the map amendment is in agreement with the adopted comprehensive plan, or in the alternative, the existing zoning classification is inappropriate because of the property's current use as a mobile home sales business. therefore the proposed zoning classification is appropriate.

9. **Brief Legal Description of Property:**

Certain tract of land located on East side of Colonel Rd. in Madison County, Kentucky consisting of 3.0 acres. Described as Tract 1-A in Plat Book 10, Page 6 and recorded in Deed Book 423 page 17.

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 March 17, 92 (date).**

Date: 9/26/01

Signature(s): 

APPENDIX D

Madison County Planning Commission
C/O Madison County Planning & Development Office
321 N. Madison Avenue, Suite B
Richmond, KY 40475

Date 9/26/01

Dear Property Owner:

The Madison County Planning Commission would like to inform you of a land use change request by a property owner in your neighborhood. We will hold a public hearing on this matter in order to provide county residents with an opportunity to support or object to the requested change. All pertinent information is listed below. If you need additional information, please contact the Administrative Official at the Madison County Planning & Development Office located at 321 N. Madison Avenue, Suite B (859) 624-4780.

Address of Property requested for Land Use Change: _____
3585 Colonel Rd., Richmond, KY 40475

Land Use Change Requested: From: Agriculture To: Commercial

Owner of Property requesting Land Use Change: David Williams

Address of Owner: 3585 Colonel Rd., Richmond, KY 40475

Name of Land Use Change Applicant: David Williams

Address of Land Use Change Applicant: 3085 Colonel Rd., Richmond,

Date of Public Hearing: October 16, 2001 6:00 p.m.

Time and Location of Public Hearing: 6:00 p.m. Madison Fiscal Court Room

Sincerely,

Duane S. Curry
Administrative Official

...to the specific
...city engineer.
...
...ENGINEER OR
...
...and on-site conditions for
...fully meet with
...On-Site Sewage Disposal
...Lot and Subdivision Regu-
...on-site evaluation number(s)

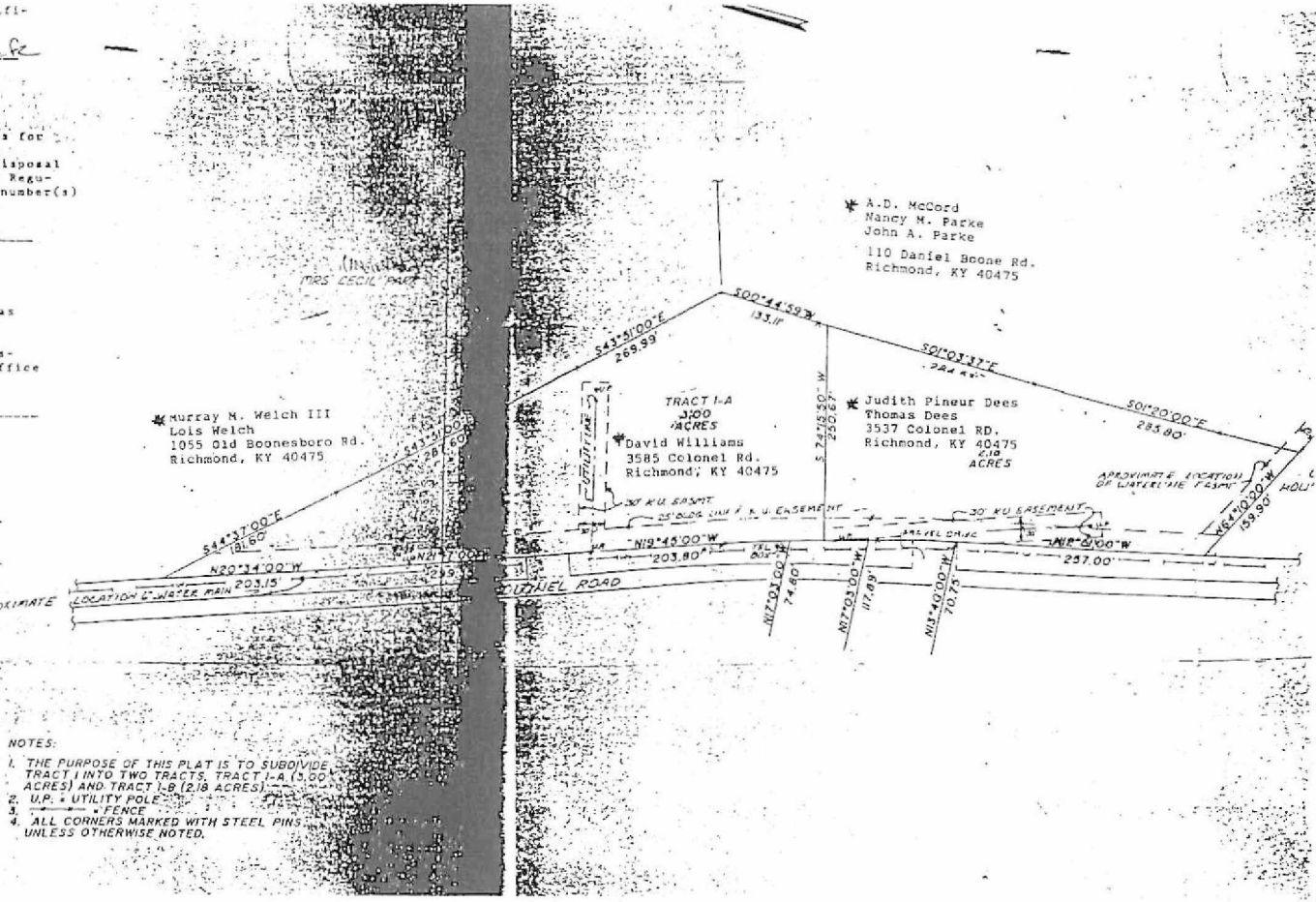
...ion plat shown hereon has
...vision regulations for
...ion of such variances,
... of the Planning Commis-
...for recording in the office

W. D. Colman
...MAN or SECRETARY,
...TING COMMISSION

...division plat for the
...18.

...CLERK or RECORDER

...APPROPRIATE



- NOTES:
1. THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE TRACT I INTO TWO TRACTS, TRACT I-A (3.00 ACRES) AND TRACT I-B (2.18 ACRES).
 2. U.P. = UTILITY POLE
 3. FENCE
 4. ALL CORNERS MARKED WITH STEEL PINS UNLESS OTHERWISE NOTED.

LIST OF SURROUNDING PROPERTY OWNERS

<u>Addresses of all Adjoining Property</u>	<u>Name of Property Owners</u>	<u>Property Owner's Address if Different from Address of Property</u>
1055 Old Boonesboro Rd. Richmond, KY 40475	Murray M. Welch III Lois Welch	2327 Union City Rd. Richmond, KY 40475
3575 Colonel Rd. Richmond, KY 40475	Judith Pineur Dees Thomas Dees	Same as Property Address
110 Daniel Boone Rd. Richmond, KY 40475	A.D. McCord	110 Old Daniel Boone Rd. Richmond, KY 40475
	Nancy M. Parke	1305 Kinsbury Ct. Powder Springs, GA 30127-6933
	John A. Parke, Trustee	166 Infantry Way Marietta, GA 30064