

ORDINANCE NO. 02-32

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF GARY & DEBRA COMBS PROPERTY AT 4500 KINGSTON HWY FOR 1.5 ACRES +/- 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 15, 2002, 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 the property was used for general business prior to the adoption of zoning; and therefore recommend to the County Fiscal Court that the classification of the property involved herein be change from RC-7 Rural Corridor Agricultural to RC-4-Rural Corridor 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 RC-7 Rural Corridor Agricultural to RC-4 Rural Corridor General Commercial classification:

SECTION I

A certain service station and lot situated on the wet side of U.S. Highway 421, in Madison County, Kentucky, bounded and described by survey as follows:

Beginning at the intersection of the center line of the Memalus Pike with the wet line of U.S. Highway #421, thence with the west line of said highway N24°30'W, 120 feet, N20°00'W, 91 feet, N16°30'W 111 feet, N12°00'W, 50 feet to a corner post in the wet line of said highway and corner to Hume Heirs, thence with the line of the Hume Heirs S5°30'W, 207 feet, S3°00'W, 125 feet to a point in the center of the Menalus Pike and corner, thence with the center line of said pike S87°15'E, 149 feet to the beginning. As per survey made by B.H. Luxon III, a registered civil engineer on October 17, 1969.

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. 22, 2002

MOTION BY: Larry Combs

SECONDED BY: Forniss Parks

VOTE: YES NO

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

DATE OF SECOND READING: Nov 12, 2002

MOTION BY: William Tudor

SECONDED BY: Larry Combs

VOTE: YES NO

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


MADISON COUNTY JUDGE EXECUTIVE

Attest:


MADISON COUNTY CLERK

MADISON COUNTY
PLANNING and DEVELOPMENT

321 North Madison Avenue
RICHMOND, KENTUCKY 40475
859-624-4734 / 624-4780
Fax # 859-624-4736

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

DATE: October 15, 2002

RE: Planning Commission Recommendation
Gary & Debra Combs, 4500 Kingston Hwy, Richmond, KY

As a result of a public hearing held on October 15, 2002 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.

Gary & Debra Combs Property, 4500 Kingston Hwy, Richmond, proposed to change 1.5 acres +/- from its original classification of RC-7 (Agricultural) to RC-4 (General Commercial). In accordance with KRS 100.213 the applicant's justification for the request was that the request was the original zoning is inappropriate and the proposed zoning is appropriate; the property was used for general business prior to the adoption of zoning.

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

Motion was made, seconded with a unanimous vote to recommend to the Fiscal Court that the request to change the land use from RC-7 (Agricultural) to RC-4 (General Commercial), for the above property, be **APPROVED** and have made it a finding of fact that;

- 1) The request is in agreement with the adopted comprehensive plan and;
- 2) The original zoning is inappropriate and the proposed zoning is appropriate; the property was used for general business prior to the adoption of zoning.

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: 8-1-07

Fee: _____

1. Owner(s) of Property: Gary Combs and Debra Combs

2. Property Address: 4500 Kingston Hwy, Richmond KY 40475

3. Designated Land Use RC-7 Adj. 4. Proposed Use RC-4

5. Acreage: _____

6. Surrounding Property: Use Land Use Map

- North
- East
- South
- West

7. Urban Services:	<u>Exists</u>	<u>Provided By</u>
• Sewage	✓	
• Refuse	✓	BFI
• Water	✓	Madison County Utilities
• Electric	✓	KU
• Gas		
• Storm Sewers		
• Fire	✓	Richmond
• Police	✓	Richmond

8. Justification for Requested Change (KRS.100.213)
Change Business From Gas & Grocery Store To a Car Lot.
The original zoning is inappropriate and the proposed is appropriate because the property was used for general business prior to the adoption of zoning.

9. Brief Legal Description of Property:
Copy of Deed

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 2-14-86 (date).

Date: 8-1-07

Signature(s): _____

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

Date Oct. 01, 2002

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: 4500 Kingston Highway, Richmond

Land Use Change Requested: From: RC-7 To: RC-4

Owner of Property requesting Land Use Change: Gary and Debra Combs

Address of Owner: 4500 Kingston Highway, Richmond

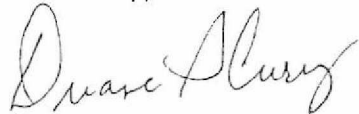
Name of Land Use Change Applicant: Same

Address of Land Use Change Applicant: Same

Date of Public Hearing: Oct. 15, 2002

Time and Location of Public Hearing: 6:00 pm Madison Court House
Fiscal Court Room

Sincerely,



Duane S. Curry
Administrative Official

EXAMPLE OF NEWSPAPER AD

PROPOSED LAND USE CHANGE

(Not to Scale)

NOTICE OF PUBLIC HEARING

There will be a public hearing of the Madison County Planning Commission on Tuesday, October 15, 2002 at 6:00p.m. in the Fiscal Court Room of the Madison County Court House.

The purpose is to consider a land use change from RC-7 Agricultural to RC-4 General Commercial (as shown on the map above). Contact 624-4780 for questions.

D E E D

THIS DEED made and entered into by and between WENDELL COMBS AND DIANA COMBS, husband and wife, of Richmond, Madison County, Kentucky, as Parties of the First Part, and GARY COMBS AND DEBRA COMBS, husband and wife, of 107 Lowell Avenue, Richmond, Kentucky, as Parties of the Second Part,

WITNESSETH: That for and in consideration of THIRTY SEVEN THOUSAND FIVE HUNDRED (\$37,500.00) DOLLARS, the receipt of which is hereby acknowledged, the Parties of the First Part do hereby BARGAIN, SELL, GRANT AND CONVEY unto the Parties of the Second Part, as tenants by the entireties and not as tenants in common for and during their natural lives with the fee in the survivor of them, his, her, or their heirs and assigns forever, the following described tract of land located in Madison County, Kentucky, to-wit:

A certain service station and lot situated on the west side of U.S. Highway 421, in Madison County, Kentucky, bounded and described by survey as follows:

BEGINNING at the intersection of the center line of the Menalus Pike with the west line of U.S. Highway #421, thence with the west line of said highway N24°30'W, 120 feet, N20°00'W, 91 feet, N16°30' W 111 feet, N12°00'W, 50 feet to a corner post in the west line of said highway and corner to Hume Heirs, thence with the line of the Hume Heirs S5°30'W, 207 feet, S3°00'W, 125 feet to a point in the center of the Menalus Pike and corner, thence with the center line of said pike S87°15'E, 149 feet to the beginning. As per survey made by B.H. Luxon III, a registered civil engineer on October 17, 1969.

Being the same property conveyed to Wendell Combs and Diana Combs, husband and wife, from Walter R. Hill and Flossie Hill, husband and

2-19-86
mailed to
Grantlee
By: M.M.M.
D.C.

RECEIVED
BY JANE GINTER

14 2 01 PM '86

MADISON CO. CLERK
KENTUCKY

Kingston Auto Sales

4500 Kingston Hwy. • Richmond, KY 40475
859-985-8999 Office • 859-985-8258 Fax

Property Owners

- Robert Moody (986-0974)
1473 Old US 25W
Berea, KY 40403
- Wendell Combs (986-9194)
414 Dreyfus Rd
Berea, KY 40403
- Gary Combs (986-9885)
123 Cedar Dr
Berea, KY 40403
- Hayes Fork Baptist Church
Vince
4445-7 Hays Fork Ln
Richmond, KY 40475