

ORDINANCE NO. 03-06

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF MICHAEL AND KATHLEEN JONES PROPERTY AT 2509 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, June 3, 2003, and found that the proposed land use change is in agreement with the adopted comprehensive plan and this change encourages development in the rural communities; and therefore recommend to the County Fiscal Court that the classification of the property involved herein be change from C-7 Rural Community Agricultural to C-4 Rural Community 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 C-7 Rural Community Agricultural to C-4 Rural Community General Commercial.

SECTION I

The following described property situated, lying and being in Madison County, Kentucky, to-wit:

Legal description for the property will follow.

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: June 10, 2003

MOTION BY: Billy Ray Hughes

SECONDED BY: William Tudor

VOTE: YES NO

JUDGE, KENT CLARK
MAGISTRATE WILLIAM TUDOR
MAGISTRATE ROGER BARGER
MAGISTRATE LARRY COMBS
MAGISTRATE BILLY RAY HUGHES

✓
✓
✓
absent
✓

DATE OF SECOND READING: July 8, 2003

MOTION BY: Billy Ray Hughes

SECONDED BY: Larry Combs

VOTE: YES NO

JUDGE, KENT CLARK
MAGISTRATE WILLIAM TUDOR
MAGISTRATE ROGER BARGER
MAGISTRATE LARRY COMBS
MAGISTRATE BILLY RAY HUGHES

✓
✓
✓
✓
✓
[Signature]

MADISON COUNTY JUDGE EXECUTIVE

Attest:
William E. Howard, Clerk
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: June 3, 2003

RE: Planning Commission Recommendation
Michael & Kathleen Jones – 2509 Doylesville Road

As a result of a public hearing held on June 3, 2003 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.

Michael & Kathleen Jones, with property at 2509 Doylesville Road, Richmond, proposed to change 1 acre +/- from its original classification of C-7 (Rural Community Agricultural) to C-4 (Rural Community General Commercial). In accordance with KRS 100.213 the applicant's justification for the request was that the request is in agreement with the adopted comprehensive plan by encouraging development in the rural communities.

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

Motion was made, seconded with a unanimous vote and contingent upon a minor plat to divide the one (1) acre from the total portion of the farm, to recommend to the Fiscal Court that the request to change the land use from C-7 (Rural Community Agricultural) to C-4 (Rural Community 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 comprehensive plan by encouraging development in the rural communities.

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**

03-005 4-30-03
Fee: \$150.00 (K# 2566)

Date: 4/29/03

1. Owner(s) of Property: Michael D. and Kathleen H. Jones
2. Property Address: 2509 Doyleville Road
3. Designated Land Use: Agricultural
4. Proposed Use: Light Industrial
5. Acreage: 3
- 6.

Surrounding Property:	Use	Land Use Map
▪ North	Farm Land + Antique Shop	
▪ East	Farm Land	
▪ South	Residential, a store, Fire Dept. station, church	
▪ West	Residential, + church	

Urban Services:	Exists	Provided By
▪ Sewage	Septic	Owners - Kathleen H. & Michael D. Jones
▪ Refuse		Browning-Ferris Industries
▪ Water		Madison Utilities
▪ Electric		Clark Rural Electric
▪ Gas		Columbic Gas
▪ Storm Sewers		
▪ Fire		Union City Volunteer Fire Dept.
▪ Police		Ky. State Police + Madison County Sheriff's office

8. Justification and stated reasons for the Requested Change (KRS 100.213) **YOU MUST CHOOSE ONE OF THE FOLLOWING WITH STATED REASONS:**

a. The proposed land use map amendment is in agreement with the adopted comprehensive plan for the following reasons: Helps to establish a business in Union City that supports the farming community.

b. That the existing zoning classification give to the property is inappropriate and the proposed zoning classification is appropriate for the following reasons: Give local farmers a convenient place to take their produce to make cider, juice & jelly. A community certified kitchen (to be approved by Madison County Health Department) Not regulated yet.

c. There have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area based upon the following reasons: The loss of Tobacco income has made it necessary for us as well as other farm families to find alternative crops to subsidize our income. To keep our farms.

9. Brief legal description of property: _____

10. Additional information: We hope the Cider & small fruit press will be a great benefit to us and our neighbors, later we hope to be able to bottle Cider + Juices, Jelly for our community as we can afford equipment.

APPENDIX D

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

Date 4/29/03

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: 2509 Daylesville Road Richmond, Ky 40475 "only."

Land Use Change Requested: From: Agricultural To: Light Industrial

Owner of Property requesting Land Use Change: Michael D. and Kathleen H. Jones

Address of Owner: 2511 Daylesville Road Richmond, Ky 40475

Name of Land Use Change Applicant: Michael D. and Kathleen H. Jones

Address of Land Use Change Applicant: 2511 Daylesville Road Richmond, Ky. 40475

Date of Public Hearing: _____

Time and Location of Public Hearing: 6:00 PM
Madison County Courthouse
Fiscal Courtroom
101 W. Main Street
Richmond, KY 40475

Sincerely,

Duane S. Curry
Administrative Official

CHARLES E. BLACK
CONSULTING ENGINEERS

211 GERI LANE
RICHMOND, KENTUCKY 40475
PHONE: (606) 623-9325

November 16, 1993.

LEGAL DESCRIPTION : M.G. Jones Heirs
12.10 acre Tract
Union City Rd.
Madison Co., Ky.

A certain tract of land located approximately 500 feet east of the intersection of Union City Road and Charlie Norris Road, in Madison Co., Kentucky and being bound by survey (job no. 5066) made Nov. 15, 1993 by Charles E. Black, a licensed land surveyor (L.S. 670) and further described as follows :

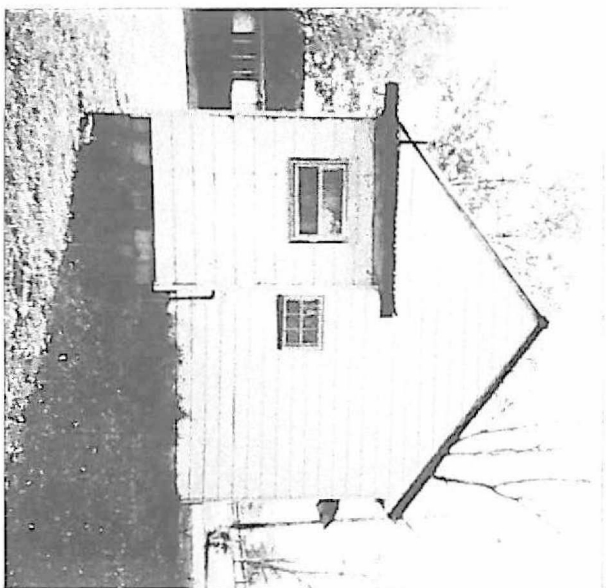
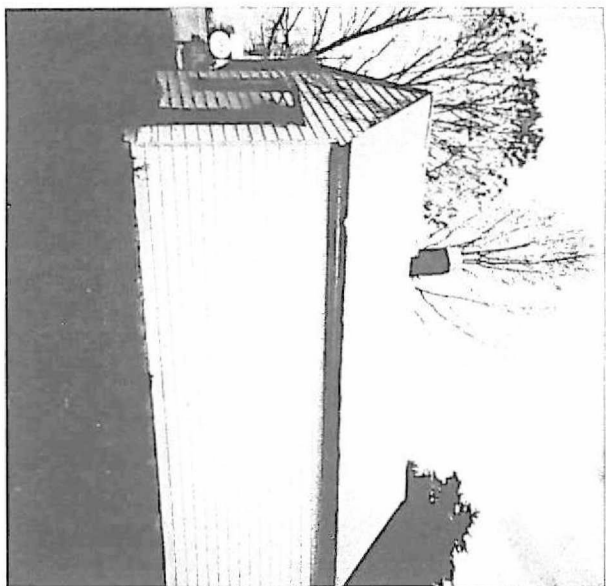
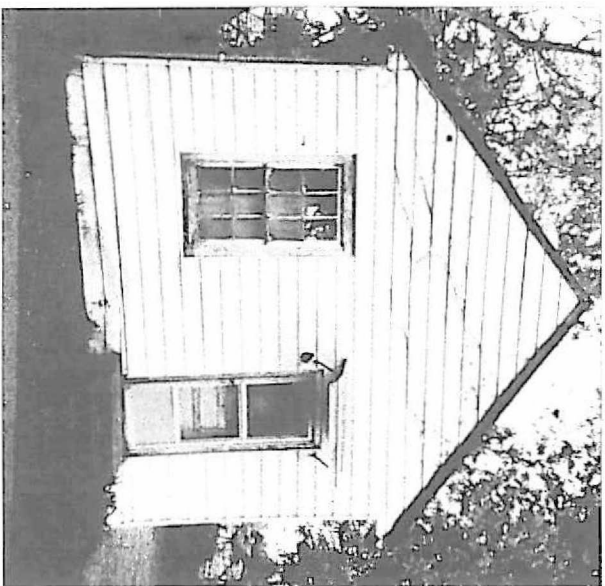
12.10 ACRE TRACT

Beginning at a steel pin in the south right of way line of Union City Road and corner to Mark & Sheila Poynter; thence leaving the south right of way line of Union City Rd. with the line of Poynter four (4) calls :

S02°45'51"E 324.51 feet to a steel pin; thence,
S01°37'35"W 201.21 " "
S02°59'19"W 310.76 " "
S88°06'02"E 61.59 feet to a steel pin in the line of Poynter and corner to Bobby Bush; thence leaving the line of Poynter with the line of Bush S05°36'41"W 267.22 feet to a steel pin in the line of Bush and corner to James Bailey; thence leaving the line of Bush with the line of Bailey N86°43'59"W 584.75 feet to an existing steel pin by others in the line of Bailey and corner to David Olds; thence leaving the line of Bailey with the line of David Olds (for a portion of), Bettie T. Olds (for a portion of) and Patricia Newton (for the remainder of) five (5) calls :

N07°09'55"E 241.58 feet to an existing steel pin by others; thence,
N35°10'59"W 92.76 feet to an existing steel pin by others; thence,
N34°56'57"W 92.30 feet to an existing steel pin by others; thence,
N31°37'03"E 102.90 feet to a steel pin; thence,
N58°20'09"W 82.60 feet to a steel pin in the south right of way line of Union City Rd.; thence leaving the line of Patricia Newton with the south right of way line of Union City Rd. five (5) calls :

N42°48'49"E 399.00 feet to a steel pin; thence,
N46°57'23"E 139.12 feet to a steel pin; thence,
N52°58'04"E 101.67 feet to a steel pin; thence,
N59°44'21"E 114.98 feet to a steel pin; thence,
N66°15'47"E 102.53 feet to a steel pin in the south right of way line of Union City Rd. and corner to Mark & Sheila Poynter and point of beginning and containing 12.10 acres.



W B SHEILA
POYNTER

S89°06'02"E
64.59

12.14
ACRES

DAV
OLD

BETTIE T.
OLDS

PATRICIA
NEWTON

ROAD

CITY

SPP
324.5

S01°57'35"W
201.2

SPP
30.16

EXIST.
S.F. BY
OTHERS

EXIST.
S.F. BY
OTHERS

EXIST.
S.F. BY
OTHERS

N35°10'53"W
92.76

N54°26'57"W
92.50

N31°37'03"E
102.90

N58°20'09"W
82.60

241.58
N07°09'55"E

N59°44'2"E
114.98

N82°58'04"E
101.67

N46°17'23"E
139.10

N42°48'49"E
399.01



SCALE 1" = 100'

STATE OF KENTUCKY
CHARLES E. BLACK
676
REGISTERED
LAND SURVEYOR