

ORDINANCE NO. 04-06

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF A.D.G. ENTERPRISES, PROPERTY AT CAVALIER COURT, 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, January 20, 2004, 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 changed from UC-7 Agricultural to UC-1 Single 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 UC7 Agricultural to UC-1 Single Family Residential.

SECTION I

The following described property being 100 acres, more or less.

Beginning at a concrete nail at the intersection of the west right of way line of KY HWY 52 and the centerline of Hagans Mill Road; thence leaving said centerline with the west right of way line of KY HWY 52, 4 calls, S36 08'52"W 228.52 feet to a steel pin; thence S40 22'39"W 86.01 feet to a steel pin; thence S42 55'40"W 83.91 feet to a steel pin; thence S46 27'24"W 920.85 feet to a steel pin and common corner to the Tom Harper home tract; thence leaving said right of way line with the lines of the Tom Harper home tract, 7 calls, N41 26'29"W 536.05 feet to a steel pin; thence N45 41'45"W 448.68 feet to a steel pin; thence N63 02'47"W 70.04 feet to a steel pin; thence N84 15'40"W 241.83 feet to a steel pin; thence S11 20'00"E 199.44 feet to a steel pin; thence S47 18'02"E 527.84 feet to a steel pin; thence S38 04'15E 539.13 feet to a steel pin in the west right of way line of KY HWY 52; thence leaving the line of Tom Harper home tract

with the west right of way line of said road, 14 calls, S49 42'49"W 296.60 feet to a steel pin; thence S53 06'21"W 145.85 feet to a steel pin; thence S53 28'06"W 146.06 feet to a steel pin; thence S53 29'55"W 503.45 feet to a steel pin; thence N35 38'56"W 4.97 feet to a steel pin; thence S53 47'46"W 150.67 feet to a steel pin; thence S40 02'28"E 5.05 feet to a steel pin; then S52 35'28"W 227.78 feet to a steel pin; thence S49 31'13"W 122.05 feet to a steel pin; thence S47 23'13"W 122.20 feet to a steel pin; thence S44 04'18"W 826.62 feet to a steel pin; thence S45 03'25"W 44.97 feet to a steel pin; thence N40 45'01"W 14.95 feet to a steel pin; thence S47 38'28"W 149.24 feet to a steel pin and common corner to Jesse Robinson; thence leaving the west right of way line of KY. HWY. 52 with the line of Robinson N64 33'28"W 358.42 feet to a steel pin and common corner to E. Turner; thence leaving the line of Robinson with the line of Turner, 8 calls, N00 59'31"E 155.28 feet to a steel pin; thence N00 35'25"E 148.10 feet to a steel pin by a 14" hack Berry; thence N 46 31'47"W 103.21 feet to a steel pin by a 4" elm; thence N27 09'15"W 277.94 feet to a steel pin; thence N45 21'07"W 14.91 feet to a steel pin by a fence post; thence N56 38'59"W 177.84 feet to a steel pin by a 16" lynn tree; thence N63 06'20"W 175.91 feet to a steel pin in the top of a rock fence; thence N76 28'05"W 95.45 feet to a steel pin in the center of a creek and common corner to W. Cotton; thence leaving the line of Turner with the line of Cotton, 3 calls, N07 02'23"E 1386.97 feet to a steel pin by a brace post; thence N11 24'56"E 1438.92 feet to a steel pin; thence N11 28'03"E 1219.30 feet to a concrete nail in the centerline of Hagans Mill Road; thence leaving the line of Cotton with the centerline of said road, 15 calls, S77 27'36"E 193.24 feet to a concrete nail; thence S83 09'44"E 140.99 feet to a concrete nail; thence N88 46'46"E 207.85 feet to a concrete nail; thence S88 23'37"E 238.28 feet to a concrete nail; thence S80 09'38"E 64.57 feet to a concrete nail; thence S66 53'29"E 72.19 feet to a concrete nail; thence S53 42'35"E 103.86 feet to a concrete nail; thence S50 52'58"E 424.92 feet to a concrete nail; thence S51 22'28"E 342.31 feet to a concrete nail; thence S48 25'11"E 309.83 feet to a concrete nail; thence S51 51'23"E 386.00 feet to a concrete nail; thence S51 51'23"E 290.00 feet to a concrete nail; thence S52 57'12"E 300.46 feet to a concrete nail; thence S56 28'57"E 393.94 feet to a concrete nail; thence S54 12'45"E 649.71 feet to the point of beginning and containing 254.63 acres.

This is the same property acquired by Allen & Patricia by Deed from Tom C. Harper recorded in the office of the Madison County Clerk in Deed Book 345, page 570 on September 10, 1982.

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: January 27, 2004

MOTION BY: Roger Barger

SECONDED BY: Billy Ray Hughes

VOTE: YES NO

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

DATE OF SECOND READING: February 10, 2004

MOTION BY: Billy Ray Hughes

SECONDED BY: Larry Combs

VOTE: YES NO

yes

no

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

✓
✓
✓
✓
✓



MADISON COUNTY JUDGE EXECUTIVE

Attest:


MADISON COUNTY CLERK



Madison County Planning & Development

Building Inspections 321 N. Madison Ave. GIS Mapping
Code Enforcement Suite B Floodplan Management
Land-Use Regulations Richmond, KY 40475 911 Addressing
www.madisoncountyplanning.com

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

DATE: January 22, 2004

RE: Planning Commission Recommendation
 Allen Grant Property, Cavalier Court, Richmond

04-06

As a result of a public hearing held on January 20, 2004 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.

Allen Grant Property, Cavalier Court, Richmond, proposed to change 100 acres +/- from its original classification of UC-7 (Agricultural) to UC-1 (Single family Residential). In accordance with KRS 100.213 the applicant's justification for the request was that the existing land use classification was inappropriate and the proposed is appropriate because it was shown as future development for Fincastle Subdivision previously developed.

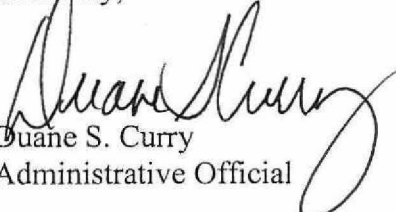
Therefore, the Madison County Planning Commission recommends the request for land use change be **APPROVED**:

Motion was made, seconded and approved with a vote of 6 YES and one Abstain to recommend to the Fiscal Court that the request to change the land use from UC-7 (Agricultural) to UC-1 (Single family Residential), for the above property, be approved and have made it a finding of fact that;

- 1) That the existing land use classification was inappropriate and the proposed is appropriate because it was shown as future development for Fincastle Subdivision previously developed, fire flow is available, it lies within the Urban Corridor.

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