

ORDINANCE NO. 04-10

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF WILLIAM C. BENNETT PROPERTY AT CLAY LANE, RICHMOND, MADISON COUNTY, 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 27, 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 UC-7 Agricultural to UC-1 Single Family Residential, UC-7 Agricultural to UC-2 Multi-Family Residential, UC-7 Agricultural to UC-3 Neighborhood Commercial, UC-7 Agricultural to UC-6 Urban Development Public and Semi-Public.

SECTION I

**Description of the Property
to be Zoned UC-1**

White Hall Farm – Bennett Property

Beginning at a point in the center of Clay Lane, said point being the southeast corner of a parcel described in Deed Book 343 Page 610 and also bearing N81°30'W 2,550 feet ± from the center of U. S. Highway 25, thence with the center of Clay Lane Due West 5,220 feet; thence leaving said lane S27°00'E 3,420.8 feet to a point in Shallow Ford Creek; thence 11 calls with the center of said creek;

1. S24°00'E 81.8 feet
2. S67°00'E 46.9 feet
3. S07°45'E 158.4 feet
4. S34°30'W 234.3 feet
5. N82°45'W 96.4 feet
6. S05°30'W 243.5 feet
7. S13°00'E 63.4 feet

8. S19°00'W 237.6 feet
9. S66°00'W 57.4 feet
10. N68°00'W 61.4 feet
11. S21°00'W 75.9 feet

thence leaving said creek N80°00'W 220.4 feet to a point; thence S89°00'W 181.5 feet to a point; thence N47°30'W 3,966.6 feet to a point; thence S32°30'W 2,316.6 feet to a point; thence S66°30'W 765.6 feet to a point in the center of Jacks Creek Pike; thence 10 calls with the center of said pike;

1. N38°15'W 343.2 feet
2. N54°00'W 190.7 feet
3. N34°30'W 108.9 feet
4. N15°00'W 920.7 feet
5. N06°45'W 427.7 feet
6. N27°00'W 122.1 feet to a point in the intersection of Jacks Creek Pike and Clay Lane
7. N31°00'W 222.4 feet
8. N54°00'W 891.0 feet
9. N47°30'W 1,105.5 feet
10. N65°15'W 841.5 feet to a point in the intersection of Jacks Creek Pike and a county road (formerly called CR 178); thence 4 calls with said road;

1. N07°30'W 495.0 feet
2. N63°00'E 346.5 feet
3. N01°15'E 363.0 feet
4. N13°30'E 528.0 feet to a point in the center of Jacks Creek; thence 10 calls with the center of said creek;

1. N42°00'E 651.4 feet
2. N02°30'E 1,155.0 feet
3. N39°00'E 825.0 feet
4. N75°00'E 726.0 feet
5. N22°00'E 676.5 feet
6. N24°00'E 676.5 feet
7. N49°30'E 429.0 feet
8. N02°30'E 666.0 feet
9. N36°30'E 297.0 feet
10. N53°30'E 830.9 feet to the center of the intersection of Jacks Creek with Coles Branch; thence 8 lines with the center of said branch;

1. S34°30'E 444.8 feet
2. S00°45'E 396.0 feet
3. S40°00'E 330.0 feet

4. S41°30'E 516.1 feet
5. S72°00'E 417.8 feet
6. S48°00'E 355.1 feet
7. N73°00'E 300.3 feet
8. N85°30'E 227.0 feet

thence leaving said branch N50°15'E 436.9 feet; thence N48°00'E 301.6 feet to a point in the center of a county road (formerly called CR 136); thence N31°30'E 924.0 feet to a point in a drain; thence 6 calls with the center of said drain;

1. S57°00'E 165.0 feet
2. N65°00'E 339.9 feet
3. N82°45'E 181.5 feet
4. S66°00'E 429.0 feet
5. S32°00'E 209.2 feet
6. S57°30'E 115.5 feet

thence leaving drain Due South 1,171.5 feet to a sugar tree and a stone; thence S65°00'E 539.9 feet to a post in a fence on a rocky point; thence S33°30'E 1,549.7 feet to a point in the center of a county road (formerly called CR 136); thence 10 calls with said road;

1. S73°00'E 495.0 feet
2. S67°00'E 436.9 feet
3. S68°00'E 1,254.0 feet
4. S53°00'E 594.0 feet
5. S68°45'E 41.6 feet to a point in said road and also in Shallow Ford Creek
6. S29°30'E 66.0 feet to a point in said road and also in Shallow Ford Creek
7. S25°30'W 247.5 feet to a point in said road and also in Shallow Ford Creek
8. S50°45'E 370.9 feet
9. S86°15'E 410.5 feet
10. S04°30'E 1,686.3 feet to a point of beginning

Containing 1,683 Acres minus the area which lies inside this description which is to be zoned UC-6 which contains 110.6 Acres and existing road rights of way which contain 28.0 Acres ± making a total of 1,544.4 Acres more or less.

**Description of the Property
to be Zoned UC-2
White Hall Farm – Bennett Property**

Parcel 1

Beginning at a point in the center of Clay Lane, said point being the southeast corner Tract V(A) conveyed to William Bennett in Deed Book 343 Page 610;

Thence with the center of Clay Lane S81°30'E 925.9 feet to a point in the center of said lane; thence S60°11'W 2,327.3 feet to a point; thence Due West 196.6 feet to a point; thence Due North 1,294.3 feet to a point in the center of Clay Lane; thence with said lane, Due East 1,300 feet to the point of beginning.

Parcel 2

Beginning at a point in the center of Clay Lane; said point bears Due West 766.5 feet from the northwest corner of Parcel 1 described this page; thence Due South 997.7 feet to a point; thence S30°00'E 300 feet to a point; Due South 505.7 feet to a point; S43°26'W 664.8 feet to a point; thence N30°00'W 605.4 feet to a point, thence S80°00'W 235.6 feet to a point; thence S10°00'E 601.6 feet to a point; thence Due West 267.3 feet to a point; thence N10°00'W 448.6 feet to a point; thence S80°00'W 234.7 feet to a point; thence S02°24'W 460.7 feet to a point; thence Due West 253.8 feet to a point; thence N27°00'W 2,709.5 feet to a point in the center of Clay Lane; thence with said lane Due East 2,817 feet to the point of beginning.

Parcels 1 and 2 contain 150.5 Acres minus existing road rights of way of 3.5 Acres making a total of 147.0 Acres more or less.

**Description of the Property
to be Zoned UC-3
White Hall Farm – Bennett Property**

Beginning at a point in the center of Clay Lane and in the west right of way line of US Highway 25, thence with said right of way S00°45'W 2,127 feet to a point, said point being the southeast corner of Tract VII(A) conveyed to William Bennett in Deed Book 343 Page 611.

Thence N87°45'W 2,699 feet to a point; thence S06°40'W 627 feet to a point; thence N85°40'W 1,900.1 feet to a point in the center of Shallow Ford Creek; thence N43°26'E 1,101.2 feet to a point; thence Due North 528 feet to a point; thence due east 512.1 feet to a point; thence N60°11'E 2,686.2 feet to a point in the center of Clay Lane; thence with said lane S81°30'E 1,104.6 feet to the point of beginning containing 169.6 Acres more or less.

**Description of the Property
to be Zoned UC-6
White Hall Farm – Bennett Property**

Beginning at a point in the east line of a tract conveyed to William Bennett in Deed Book 343 Page 606, said point being S10°00'W 680 feet from the center of a county road (formerly called CR 136); thence N78°57'W 2,314.2 feet to a point; thence S24°19'W 400.0 feet to a point; thence S68°02'W 322.1 feet to a point; thence S03°58'E 416.6 feet to a point; thence S38°44'W 407.4 feet to a point; thence S12°16'E 611.2 feet to a point; thence S82°21'E 1,251.9 feet to a point; thence S49°58'E 446.6 feet to a point; thence S72°49'E 309.1 feet to a point; thence N84°12'E 473.3 feet to a point, said point being in the south line of the aforementioned tract conveyed to Bennett and bearing due west 200.0 feet from the southeast corner of said tract; thence N14°29'E 1,930.6 feet to the point of beginning, containing 110.6 Acres minus the area which was previously conveyed to the Commonwealth of Kentucky from Warfield Bennett in Deed Book 236 Page 290 which contains 13.6 Acres making a total of 97.0 Acres more or less.

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: February 10, 2004

MOTION BY: Larry Combs

SECONDED BY: William Tudor

VOTE:

YES

NO

JUDGE, KENT CLARK

✓

MAGISTRATE LARRY COMBS

✓

MAGISTRATE ROGER BARGER

✓

MAGISTRATE WILLIAM TUDOR

✓

✓

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MAGISTRATE BILLY RAY HUGHES



DATE OF SECOND READING: February 24, 2004

MOTION BY: Larry Combs

SECONDED BY: William Tudor

VOTE:

YES

NO

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



MADISON COUNTY JUDGE EXECUTIVE

Attest:

William E. Howard
MADISON COUNTY CLERK