

ORDINANCE NO. **04-32**

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF WILLIE D. AND MARY C. JOHNSON, PROPERTY AT 2607 IRVINE 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, May 18, 2004, and found that the existing zoning classification given to the property is inappropriate and that there have been major changes in the area not anticipated in the Comprehensive Plan such as; Irvine Road being re-built to five lanes, municipal sewer being available and the opposite corner being re-zoned to neighborhood commercial; the proposed land use change is in conformance with the adopted comprehensive plan; and therefore recommend to the County Fiscal Court that the classification of the property involved herein be change from RC-7 Rural Agricultural to RC-3 Neighborhood 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 Agricultural to RC-3 Neighborhood Commercial.

**SECTION I**

A certain tract or lot of land situated in Madison County, Kentucky, on the waters of Otter Creek and on the North side of Highway 52 about 3 ½ miles East of Richmond, Kentucky, Madison County, Kentucky, and bounded and described as follows: Bounded on the North by the other lands of L.T. Jones and Mattie C. Jones, on the East by Richard McIntoch, on the South by the centerline of Highway and on the West by the other lands of Leslie T. Jones and Mattie C. Jones. This is a lot of land that is 75 feet wide and runs back in parallel lines a distance of 263 feet, which begins in the centerline of Highway 52 or the Richmond Irvine Pike and extends back the said distance of 263 feet and is 75 feet wide in the rear and the front is part of the eastern portion of the first parties' property.

Being the same property conveyed to Wanda L. Bryant, a single woman, by Deed of Conveyance from Floyd W. Cruse and Rosemary Cruse, husband and wife, dated the 29<sup>th</sup> of September, 1992, and of record in Deed Book 428, at page 169, in the Madison County 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: June 22, 2004

MOTION BY: Billy Ray Hughes

SECONDED BY: Larry Combs

VOTE: YES NO

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

✓  
✓  
✓  
✓  
✓

DATE OF SECOND READING: July 13, 2004

MOTION BY: Billy Ray Hughes

SECONDED BY: Roger Barger

VOTE: YES NO

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

✓  
✓  
✓  
✓  
✓  
[Signature]

MADISON COUNTY JUDGE EXECUTIVE

Attest:

*William E. Hubbard*

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

TO:      [www.madisoncountyp Planning.com](http://www.madisoncountyp Planning.com)  
Kent Clark, Madison County Judge Executive  
Madison County Fiscal Court

DATE:      May 19, 2004

RE:      Planning Commission Recommendation  
Willie & Mary Johnson Property, 2607 Irvine Road, Richmond, KY

As a result of a public hearing held on May 18, 2004 at 6:00 pm 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.

Willie & Mary Johnson Property, 2607 Irvine Road, Richmond, KY, proposed to change .75 acres +/- from its original classification of RC-7 (Agricultural) to RC-3 (Neighborhood Commercial). In accordance with KRS 100.213 the applicant's justification for the request was there have been major changes in the area not anticipated in the comprehensive plan in that;

- a) Irvine Road will be widened to five lanes;
- b) There is now municipal sewer available to this property;
- c) The area on the east corner of Greens Crossing Road was re-zoned from RC-7 to RC-3.

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

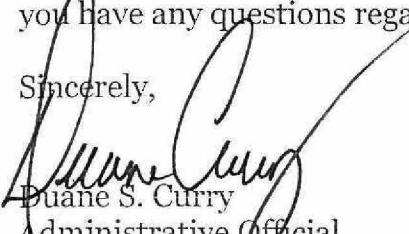
Motion was made, seconded and **approved** to request to the Fiscal Court that the request to change the land use from RC-7 TO RC-3, for the above property, be **approved** and have made it a finding of fact that;

There have been substantial changes in the area not anticipated in the comprehensive plan in that;

- a) Irvine Road will be widened to five lanes;
- b) There is now municipal sewer available to this property;
- c) The area on the east corner of Greens Crossing Road was re-zoned from RC-7 to RC-3.

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