

ORDINANCE NO. *04-33*

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF ROBERT C. MOODY PROPERTY ON 2863 OLD U.S. HWY 25 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 15, 2004, and found that the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate due to the property having been used for commercial business use; 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 Agricultural to RC-1 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 RC-7 Agricultural to RC-1 Residential classification:

SECTION I

Beginning in the center of Kingston and Berea Highway, the old No. 25 and corner to George Lain thence with Lain's line N 30 W 420 feet to a hickory "now dead" in George Moody's line, thence with his line S 59 ¼ W 1171 feet to a stone, thence N 32 W 341 feet to a stone, thence N 59 W 1050 feet to a white oak, thence N 62 W 1100 feet to a stone corner Jas. Park a new line S 11 W 113 ½ poles to a stone in C. N. Maricle line, thence with his line S 72 ½ E 1377 feet to a stone near a walnut, thence N 61 E 333 feet to s stone, S 89 ¾ E 1382 feet to a stake in the center of Berea Pike thence with the Pike N 13 ½ E 447 feet, N 37 ¼ E 400 feet, N 67 E 558 feet to the beginning containing 100 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: July 13, 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 ✓

DATE OF SECOND READING: July 27, 2004

MOTION BY: Larry Combs

SECONDED BY: Billy Ray Hughes

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:

[Signature]
MADISON COUNTY CLERK



Madison County Planning & Development

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

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

DATE: June 21, 2004

RE: Planning Commission Recommendation
Robert C. Moody Property, 2863 Old U.S. 25, Berea, KY

As a result of a public hearing held on June 15, 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.

Robert C. Moody Property, 2863 Old 25, Berea, KY, proposed to change 100 acres +- from its original classification of RC-7 (Agricultural) to RC-1 (Single Family Residential). In accordance with KRS 100.213 the applicant's justification for the request was there have been major changes in the area because;

- a) The development of Saddle Brook Subdivision;
- b) The property is adjacent to other subdivisions;

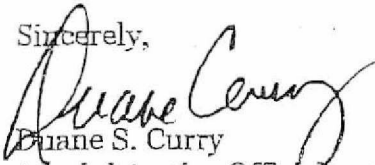
Therefore, the Madison County Planning Commission recommends the request for land use change be **Approved** :

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-1, for the above property, be **Approved** and have made it a finding of fact that;

The property is suitable for residential development.

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