

ORDINANCE NO. 05-04

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF DARVIS & DIANE MCINTOSH, LOCATED ON HWY. 25, CONTAINING APPROXIMATELY 19 +- ACRES, 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, February 15, 2005, and found that the proposed land use map amendment is in agreement with the adopted Comprehensive Plan in that;

1. The request is in agreement with the adopted Comprehensive Plan in that it provides a buffer zone between the proposed single family use of "Prairie View Subdivision" and the commercial property fronting onto Berea Road.

WHEREAS, the Madison County Planning Commission recommends to the Madison County Fiscal Court that the classification of the property involved herein be changed from UC-1 Single Family Residential to UC-2 Multi Family Residential, containing approximately 19+- acres.

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-1 Single Family Residential to UC-2 Multi Family Residential:

SECTION I

A certain tract of land located off of Ky Hwy 25 approximately 1.5 miles south of the Ky Hwy 25 and Ky Hwy 421 Intersection and also being on the west side of said road.

BEGINNING at a found iron pin and cap being the southeast corner of McIntosh (DB 572 PG 382) as shown on a plat entitled "Minor Plat for RNCC Land Development, LLC." and recorded in Plat Book 21 Page 334 of the Madison County Clerk's Office, also being a point in the north line of Truett (DB 382 PG 159) as shown on a plat entitled "Farris Parks" and recorded in Plat Book 6, Page 135 of the aforementioned clerk's office, THENCE in part with the northern lines of Lots #9, 10, 11 and 7 of the "Farris Parks" plat the following three (3) calls: N 73 59'07"W 403.50 feet to a found iron pin and cap, N 73 47'05"W 439.18 feet to a found iron pin and cap, N 74 39'11"W 55.13 feet to a point, THENCE leaving the northern line of Lot #7 of the Farris Parks plat and with new divide lines through the lands of McIntosh the following four (4) calls: N 42 53'45"E 1040.13 feet to point, S 62 48'29"E 700.41 feet to a point, S 59 24'40"E 50.23 feet to a point, S 53 57'19"E 125.00 feet to a point in the line of McIntosh and also being in the line of Powell and Pennington (DB 498 PG 726), THENCE leaving the new divide

lines of McIntosh and with the western lines of Powell and Pennington the following two (2) calls: S 36 02'41"W 387.60 feet to a found iron pin and cap, S 54 08'11"W 474.45 feet to a found iron pin and cap and also being the Point of Beginning, containing 18.56 acres +/- buy survey performed February 19, 2005, by Abacus Engineering and Land Surveying Inc., Dwayne Wheatley LPLS #3265 and also being a portion of the same property conveyed to Darvis G. and Dianne McIntosh from RNCC Land Development LLC by deed recorded in Deed Book 572 Page 382 in the Office of 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 causes this ordinance to be published in accordance with the appropriate Kentucky Revised Statutes.

DATE OF FIRST READING: February 22,

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: March 8, 2005

MOTION BY: Larry Combs

SECONDED BY: William Tudor

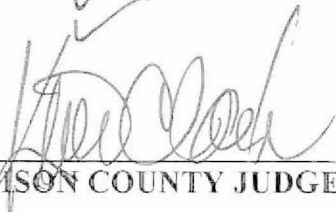
VOTE: YES NO

yes

no

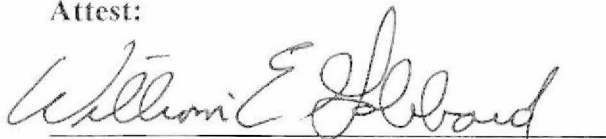
JUDGE, KENT CLARK
MAGISTRATE LARRY COMBS
MAGISTRATE ROGER BARGER
MAGISTRATE WILLIAM TUDOR
MAGISTRATE BILLY RAY HUGHES

✓
✓
✓
✓
✓



MADISON COUNTY JUDGE EXECUTIVE

Attest:



MADISON COUNTY CLERK

**MADISON COUNTY
PLANNING and DEVELOPMENT**

321 North Madison Avenue
RICHMOND, KENTUCKY 40475
606-624-4734 / 624-4780
Fax # 606-624-4736

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

DATE: February 16, 2005

RE: Planning Commission Recommendation
Darvis McIntosh Property, Berea Road, Richmond

As a result of a public hearing held on February 16, 2005 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.

Darvis McIntosh Property, Berea Road, proposed to change 19 acres +/- from its original classification of UC-1 (Single Family Residential) to UC-2 (Multi-Family Residential). In accordance with KRS 100.213 the applicant's justification for the request was that the request was in agreement with the adopted Comprehensive Plan in that it provides a buffer zone between the proposed single family use of "Prairie View Subdivision" and the commercial property fronting onto Berea Road.

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

Motion was made, seconded and approved to recommend to the Fiscal Court that the request to change the land use from UC-1 (Single Family Residential) to UC-2 (Multi-Family Residential), for the above property, be approved and have made it a finding of fact that;

- 1) The request is in agreement with the adopted Comprehensive Plan in that it provides a buffer zone between the proposed single family use of "Prairie View Subdivision" and the commercial property fronting onto Berea Road.

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