

ORDINANCE NO. 05-14

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF RALPH & ANGELA KELLY, PROPERTY AT 137 DREYFUS 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 17, 2005, 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 change from RC-7 Rural Agricultural to RC-1 Single Family Housing.

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 Urban Agricultural to RC-1 Single Family Residential.

SECTION I

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

Beginning at a black gum tree a corner to Wm. A. Butner; thence with his line S 68 1/2 E 40 2/10 poles to a stake; corner to said Butner; thence still with Butner, S 31 1/4 W 121 poles to a stake in the county road; thence with the same road S 68 E 20 feet to a stake, corner to Harrison Golden; thence with several of his lines N 31 1/4 E 56 poles to a mulberry stump; thence N 35 1/2 E 16 8/10 poles to a stake on the north bank of branch; thence N 75 E 4 poles to a stake just above a pool of water; thence along a post and rail fence N 43 1/2 E 17 1/10 poles to a stone in a small bottom; thence S 68 E 35 poles to a stone; thence S 60 E 51 6/10 poles to a stake on Joe W. Gibbs line; thence with him N 30 E 38 7/10 poles to a stake; thence S 68 E 47 poles to a stake; thence N 35 E 21 1/10 poles to a stake; thence S 73 E 50 poles to a stake in the Ogg Lane Geo. Young's line; thence with said lane and line N 21 E 38 7/10 poles to a stone corner to said Young; thence N 55 1/2 W 9 poles to Milton Todd's corner and at 113 8/10 poles to Brack Maupin's corner and in all 205 poles to a large white oak tree corner to said Maupin and Richard Jones, still with Maupin N 65 1/2 W 64 3/10 poles to a stone a new corner; thence with Mack Lane's line S 37 1/2 W 17 3/5 poles to a stake; thence S 57 W 34 8/10 poles to a stake; thence S

74 ½ E 26 ½ poles to a honey locust; thence S 1 ½ W 12 8/10 poles to a white oak stump; thence S 17 W 30 poles to a stake, a corner to said Wm. A. Butner; thence with his line S 65 E 65 poles to the beginning, containing 183 acres more or less.

Exclusion: There is excluded from the above described property a tract (326.01 x 150 x 141.50 x 198.50 x 154.26) deeded to Ralph E. and Angela Kelly, spouses, by deed dated October 24, 1978, and recorded in Deed Book 317 at page 580, in the Madison County Clerk's Office, Richmond, KY.

THERE IS FURTHER EXCLUDED and not conveyed herewith 15.008 acres which was conveyed from Ralph E. and Angela R. Kelly, husband and wife, to Ronnie Anderson and Sharon Anderson, husband and wife, by Deed of Conveyance dated April 14, 1989 and or record in Deed Book 398, Page 453, Madison County Clerk's Office.

Total acreage 101.59

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: May 24, 2005

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

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✓

**MADISON COUNTY
PLANNING and DEVELOPMENT**

321 N. Madison Ave., Suite B
RICHMOND, KENTUCKY 40475
859-624-4734 / 859-624-4780
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TO: Kent Clark, Madison County Judge Executive
Madison County Fiscal Court

DATE: May 20, 2005

RE: Planning Commission Recommendation
Ralph Kelly Property
137 Dreyfus Road

As a result of a public hearing held on May 17, 2005 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.

Ralph Kelly Property, proposed to change property located at 137 Dreyfus Road from RC-7 Rural Agricultural to RC-1 Rural Single Family Residential. In accordance with KRS 100.213 the applicant's justification for the request was that the original land use classification was inappropriate and the proposed classification is appropriate and that there have been major changes in the area.

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. The vote of the Planning Commission was as follows:

Vote was unanimous to approve.

The Planning Commission has made it a finding of fact that;

- 1) The original land use classification for the property was inappropriate and that the proposed land use classification was appropriate;
- 2) That the proposed change is in agreement with the adopted Comprehensive Plan.
- 3) There have been major changes in the area in that the property is surrounded now by new subdivisions, roads and water lines are adequate to support the 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