

ORDINANCE NO. 05-22

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF WILLIS BRANCH ROAD PROPERTY 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, October 18, 2005, regarding a proposed Land Use Change originated by the Madison County Planning Office, 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; in that the property is being and has been used for residential purposes prior to the adoption of the County Land Use Regulations; and therefore recommend to the County Fiscal Court that the classification of the property involved herein be change from UC-7 Urban Corridor Agricultural to UC-1 Urban Corridor 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 Urban Corridor Agricultural to UC-1 Urban Corridor Single Family Residential.

**SECTION I**

Property known as;

1271 Barnes Mill Road; 1265 Barnes Mill Road; 1263 Barnes Mill Road; 1261 Barnes Mill Road; 1257 Barnes Mill Road; 1251 Barnes Mill Road; 1239 Barnes Mill Road; 1026 Willis Branch Road; 1028 Willis Branch Road; 1036 Willis Branch Road; 1044 Willis Branch Road; 1052 Willis Branch Road; 1058 Willis Branch Road; 1064 Willis Branch Road; 1072 Willis Branch Road; 1080 Willis Branch Road; 1090 Willis Branch Road; 1114 Willis Branch Road; 1132 Willis Branch Road; 1134 Willis Branch Road; 1136 Willis Branch Road; 1138 Willis Branch Road; 1162 Willis Branch Road; 1178 Willis Branch Road; 1188 Willis Branch Road; 1079 Willis Branch Road; 1081 Willis Branch Road; 1085 Willis Branch Road; 1091 Willis Branch Road; 1182 Willis Branch Road (Harvest Academy Property); 1275 Barnes Mill Road (Talbot Todd Property).

**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: Nov. 8, 2005

MOTION BY: William H. Tudor

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: Dec 13, 2005

MOTION BY: William H. Tudor

SECONDED BY: Billy Ray Hughes

VOTE: YES NO

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

William H. Tudor  
MADISON COUNTY JUDGE EXECUTIVE

Attest:  
William E. Hubbard  
MADISON COUNTY CLERK



## *Madison County Planning & Development*

Building Inspections  
Code Enforcement  
Land-Use Regulations

321 N. Madison Ave.  
Suite B  
Richmond, KY 40475

GIS Mapping  
Floodplain Management  
911 Addressing

Date: September 26, 2005

[www.madisoncountypanning.com](http://www.madisoncountypanning.com)

Dear Property Owner:

The Madison County Planning Commission would like to inform you of a land use change request originated by the Madison County Planning Department for property located on Willis Branch Road for which a vicinity map is enclosed. We will hold a public hearing on this matter in order to provide county residents with an opportunity to support or object to the requested change. Should you need additional information, please contact the Madison County Planning & Development Office located at 321 N. Madison Avenue, Suite B (859) 624-4780.

### **Address of Property requested for Land Use Change:**

Property Located on Willis Branch Road as shown on attached map...

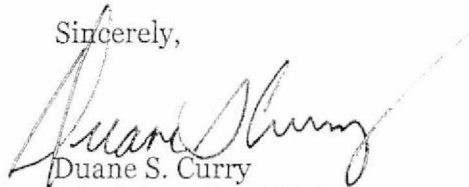
**Land Use Change Requested:** From: UC-7 Ag To: UC-1 Single Family Housing

The Zone Change Request is being initiated by the Madison County Planning & Development Office to make necessary corrections to the County Zoning Map.

**Date of Public Hearing: October 18, 2005**

**Time and Location of Public Hearing: 6:00 PM**  
**Madison County Courthouse**  
**Fiscal Courtroom**  
**101 W. Main Street**  
**Richmond, KY 40475**

Sincerely,

  
Duane S. Curry  
Administrative Official

**Application for Land Use Map Amendment**  
**Madison County, Kentucky**

Date: 09/01/05		Application Number	
Property Owner's Name(s): SEE Attached List of Names - Originated by Madison County Fiscal Court			
Property Owner's Address: 321 N. Madison Avenue, Richmond, Ky			
City / State: Richmond Ky			
Zip Code: 40475		Phone No. 859-624-4780	
Address of Property Requesting Change: Willis Branch Road Property			
Lot Number:		Subdivision Name:	
Existing Zoning: UC-7 Ag.		Requested Zoning: UC-1	
<b>Surrounding Property Use/ Zoning Information</b>			
Direction	Land Use	Zoning Classification	
East	Residential	City of Richmond	
West	Agricultural	UC-7	
North	Agricultural	UC-7 & City of Richmond	
South	Agricultural & Single Fam	UC-7/UC-1	
Urban Services Provided	Yes	No	Services Provided By
Sewage		✓	Septic Only
Garbage Disposal	✓		BFI
Water	✓		Madison County Utilities
Police Protection	✓		KSP / MC Sheriff
Fire Protection	✓		MCFD
Gas	✓		
Electric	✓		KU
Storm Sewers		✓	
Municipal Sewer		✓	

The following items are required to be provided by the applicant before the application can be considered for placement on the agenda:			
Item	Yes	No	Comments
Deed for the Property	✓		Deed must reflect actual acreage to be re-zoned.
Vicinity Map	✓		Map must accurately describe location.
List of Adjoining Property Owners Names/ Addresses	✓		Names and Addresses must be complete and per PVA Records for accuracy.
Completed Application	✓		Application must be completed entirely and signed by the owner or agent.
Application Fees Paid <i>County Initiated Waived</i>	—	✓	Fees Must be Paid at time of making application.

In accordance with KRS100.213 before any map amendment is granted, the planning commission or legislative body or fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or fiscal court:

(It is the applicant's responsibility to determine the finding of fact and state specific reasons to justify the requested change.)

<b>a) The proposed land use map amendment is in agreement with the adopted comprehensive plan for the following reasons:</b>	
<b>b) That the existing zoning classification give to the property is inappropriate and the proposed zoning classification is appropriate for the following reasons:</b>	
<i>Property is not suitable for Agricultural use, it has been used for Single and 2-family Residential for several years prior to County Zoning.</i>	
<b>c) There have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area based upon the following reasons:</b>	
<i>Please attach additional pages if more space is needed...</i>	
<b>Applicant's signature:</b> I do hereby certify that, to the best of my knowledge and belief, all application materials are herewith submitted and the information is true and correct. I further certify that I am the owner of this property, since _____ (mo/year).	
Date:	Owner's Signature:

**Application for Land Use Map Amendment**  
**Madison County, Kentucky**

*This Section For Official Use Only*

Date of Hearing:				
Motion made by		to		
Motion Second by				
Vote: Yes		No		Abstain
Reasons for NO votes:				
<b>Fiscal Court Decision</b>				
<b>Upheld PC Decision</b>		<b>Over-turned PC Decision</b>		<b>Order/Ord. #</b>
Yes	No	Yes	No	
Comments:				



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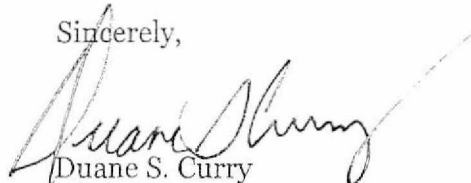
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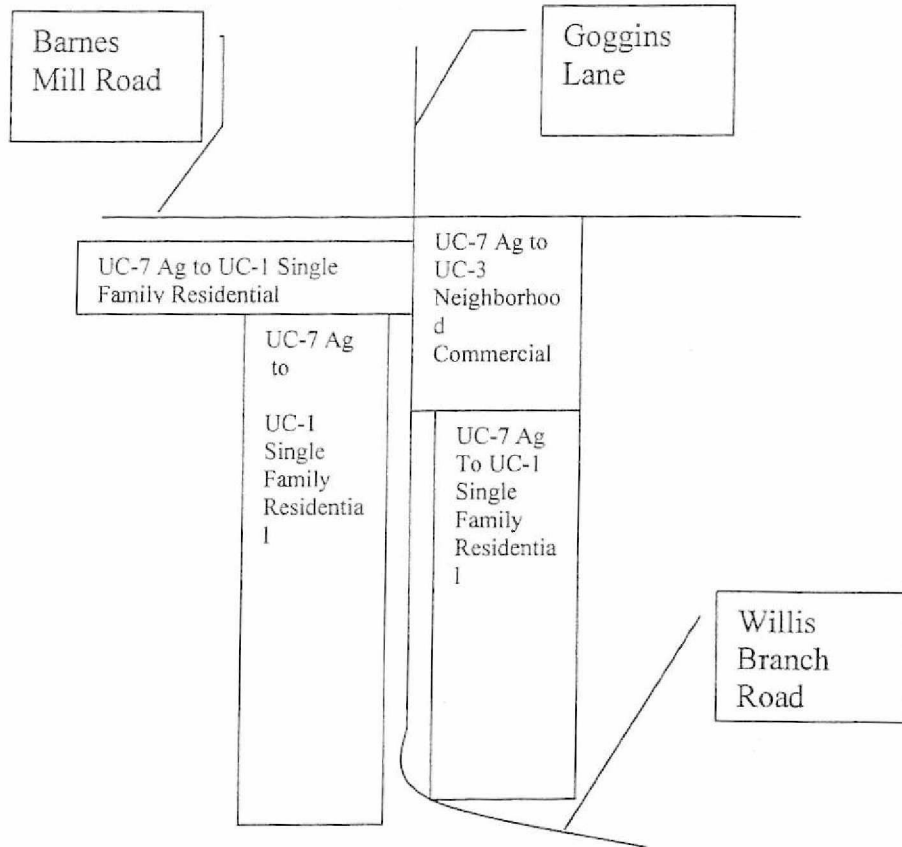
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Duane S. Curry  
Administrative Official

## PROPOSED LAND USE CHANGE



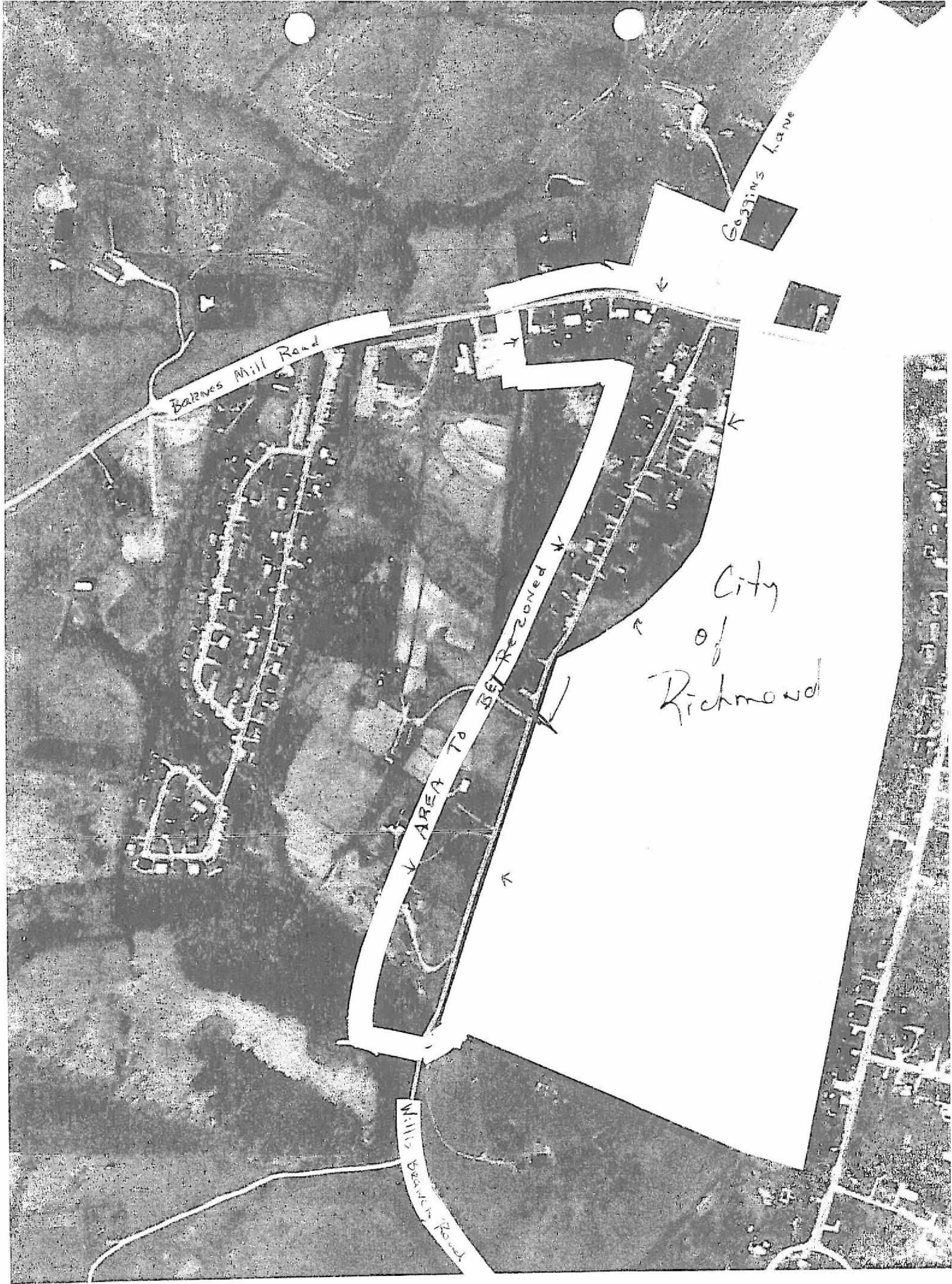
(Not to Scale)

### NOTICE OF PUBLIC HEARING

There will be a public hearing of the Madison County Planning Commission on Tuesday, October 18, 2005 at 6:00p.m. in the Fiscal Court Room of the Madison County Court House.

The purpose is to consider a land use change from UC-7 Agriculture to UC-3 Neighborhood Commercial and Single Family Residential (as shown on the map above). Contact Duane Curry, Administrative Official at 624-4780 for questions.

[www.madisoncountyplanning.com](http://www.madisoncountyplanning.com)



Barnes Mill Road

Goggins Lane

City  
of  
Richmond

AREA TO  
BE REZONED