

ORDINANCE NO. 05-23

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF 1199 WILLIS BRANCH ROAD, SILVER CLIFF LANDSCAPING 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-3 Urban Corridor 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 UC-7 Urban Corridor Agricultural to UC-3 Urban Corridor Neighborhood Commercial.

SECTION I

Property known as;
1199 Barnes Mill Road, Silver Cliff Landscaping Property;

SECTION II

That the Director of Planning and Development make the appropriate changes to the Official Zoning Map of Madison County, Kentucky.

DATE OF FIRST READING: November 8, 2005

MOTION BY: William Tudor

SECONDED BY: Billy Ray Hughes

VOTE: YES NO

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

DATE OF SECON READING: January 24, 2006

MOTION BY: William Tudor

SECONDED BY: Larry Combs

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

[Signature]
MADISON COUNTY JUDGE EXECUTIVE

Attest: [Signature]
MADISON COUNTY CLERK

SECTION III

That the County Clerk cause this ordinance to be published in accordance with the appropriate Kentucky Revised Statutes.

DATE OF FIRST READING: November 8,

MOTION BY: Roger Barger

SECONDED BY: Billy Ray Hughes

VOTE: YES NO

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

DATE OF SECOND READING: _____

MOTION BY: Billy Ray Hughes

SECONDED BY: Larry Combs

VOTE: YES NO

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

MADISON COUNTY JUDGE EXECUTIVE

Attest: William E. Hubbard
MADISON COUNTY CLERK

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

FROM: Duane Curry, Planning Administrator

DATE: November 3, 2005

RE: Planning Commission Recommendation
1199 Willis Branch Road Property
Richmond, KY

As a result of a public hearing held on October 18, 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. The application was initiated by the Madison County Planning Office in order to make necessary corrections to the zoning map.

Proposed to change 1199 Willis Branch Road from its original classification of UC-7 (Agricultural) to UC-3 (Neighborhood Commercial). 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 for the following reasons;

1. The property has been used for Neighborhood Commercial uses prior to the adoption of County Planning and Zoning.

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

Motion was made by David Bohannon, seconded by Wanda Pennington with a vote of 5 yes and 0 no, to recommend to the Fiscal Court that the request to change the land use from UC-7 (Agricultural) to UC-3 (Neighborhood Commercial), for the above property, be APPROVED and have made it a finding of fact that the ORIGINAL ZONING CLASSIFICATION WAS INAPPROPRIATE AND THE PROPOSED IS APPROPRIATE due to the following facts;

1. The property lies at a major intersection of Barnes Mill Road/Goggins Lane/Willis Branch Road, with a traffic light;
2. The property was used for neighborhood commercial use prior to zoning.