

ORDINANCE NO. 07-04

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF JIM WITKOWSKI'S PROPERTY AT 1330 BOONESBOROUGH ROAD FOR 13.5 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 20, 2007 and found that the existing zoning classification given to the property is inappropriate and that the proposed zoning classification of is appropriate;

1. There is significant residential development within the vicinity of this project.
2. The available infrastructure supports residential development.
3. The proposed development will be in compliance with subdivision regulations.

Therefore, recommend to the Madison County Fiscal Court that the classification of the property involved herein be change from UC-3 Neighborhood Commercial to UC-2 Multi-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-3 Neighborhood Commercial to UC-2 Multi-Family Residential.

SECTION I

A certain tract of land on the west side of HWY 627 approximately 0.6 miles to the overpass of interstate I-75 in Madison County, Kentucky, and further described as follows:

A certain tract of land on the west side of HWY 627 approximately 0.6 miles to the overpass of interstate I-75 in Madison County, Kentucky, and further described as follows:

Beginning at a set iron pin and cap in the west right-of-way of HWY 627, a state road having a right-of-way of sixty (60) feet by Kentucky Department of Transportation (DB 181, PG 520) and corner common to Marvin Taylor (DB 233, PG 361, Aff. 567, PG 185, Will 48, PG 416), thence with the right-of-way of HWY 627 one (1) call: S35°16'50"W 649.87 feet to a found ½" diameter iron pin with a plastic yellow cap stamped "LS 1961" and corner common to Indianapolis-SSK, LLC (DB 542, PG 759), thence with the line of Indianapolis-SSK, LLC three (3) calls: N72°17'23W 1028.54 feet to a set iron pin and cap, N03°02'54"E 347.57 feet t a set iron pin and cap, N04°05'02"E 327.83 feet to found ½" diameter iron pin with plastic pin with plastic yellow cap stamped "LS 670" and corner common to Marvin Taylor (DB 233,PG 361, Aff.567, PG 185, Will 48, PG 416), thence with the line of Marvin Taylor nine (9) calls: S81°32'46"E" 106.61 feet to a

found ½” diameter iron pin with plastic yellow cap stamped “LS 670”, S80°02’58”E 194.42 feet to a found ½” diameter iron pin with plastic yellow cap stamped “LS 670”, S73°09’11”E 138.79 feet to a found ½” diameter iron pin with plastic yellow cap stamped “LS 6770”, S71°20’44”E 179.32 feet to a found ½” diameter iron pin with a plastic yellow cap stamped “LS 670”, S72°03’41”E 185.38 feet to a found ½” diameter iron pin with plastic cap stamped “LS 670”, S59°24’46”E 63.27 feet to a found ½” diameter iron pin with plastic yellow cap stamped “LS 670”, S59°08’12”E 150.03 feet to a found ½” diameter iron pin with plastic yellow cap stamped “LS 670”, S60°, S60°08’30”E 227.08 feet to a set iron pin and cap and point of beginning and containing 19.46 acres more or less by survey performed March 1, 2004 by Abacus Engineering and Land Surveying, Inc., Dwayne Wheatley, L.P.L.S. #3265.

Note: Any point referred in the above legal description as a “set iron pin and cap” is a set 1/2 “ diameter #4 iron rebar eighteen inches in length with a yellow plastic cap stamped “ABACUS 3265”. The basis of bearings for the bearings for the following description is a recorded S72°03’41E along a call on the North side of Tract A (DB 552, PG 423).

Being the same property conveyed to Sophia Brumfield by deed dated December 29, 1947, of record in Deed Book 140, Page 337, in the Office of the Madison County Clerk. Also being the same property conveying a one-half (1/2) interest in the above described property to Annie Brumfield by deed dated August 19,

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: February 27, 2007

MOTION BY: William Tudor

SECONDED BY: Larry Combs

VOTE: YES NO

JUDGE, KENT CLARK	✓	
MAGISTRATE LARRY COMBS	✓	
MAGISTRATE ROGER BARGER	✓	✓
MAGISTRATE WILLIAM TUDOR	✓	
MAGISTRATE HAROLD K. BOTNER	✓	

DATE OF SECOND READING: March 13, 2007

MOTION BY: William Tudor

SECONDED BY: Harold Botner

VOTE: YES NO

JUDGE, KENT CLARK	✓	
MAGISTRATE LARRY COMBS	✓	
MAGISTRATE ROGER BARGER	absent	
MAGISTRATE WILLIAM TUDOR	✓	
MAGISTRATE HAROLD K. BOTNER	✓	

[Signature]
MADISON COUNTY JUDGE EXECUTIVE

Attest:
[Signature]
MADISON COUNTY CLERK