

ORDINANCE NO. 07-22

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY
APPROVING THE ZONE CHANGE OF THE CHARLTON COMPANY;
WILLIAM DAUGHERTY, FROM UC-7 AGRICULTURE TO UC-4 GENERAL
COMMERCIAL 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, September 18, 2007, and heard and reviewed the following application for an amendment to the land use management map to change the land use from UC-7 Agriculture to UC - 4 General Commercial. In accordance with KRS 100.213, Commercial 627 LLC submitted the following findings of fact:

1. The proposed land use map amendment is in agreement with the adopted comprehensive plan for the following reasons:
 - a. The property is located at Exit 97 on the I-75 Interchange.,
2. The existing land use designation given to the property is inappropriate and the proposed is appropriate for the same reasons as above.
 - a. The property has long been used (since 1997) as an industrial site and was inadvertently mis-classified at the time the County adopted zoning.
3. 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:
 - a. The intersection (Exit 97) has either been or is being developed for industrial/commercial uses.

WHEREAS, Mr. David Bohannon made a motion, which was seconded by Chandler Combs, to approve the Land Use Change request and made the following findings of fact:

- 1) The property is more suitable for Commercial use than agricultural;
- 2) This request is in agreement with the adopted Comprehensive Plan because of the following:
 - a. The property adjoins other Commercial Land
 - b. It is located at a major intersection at Igo Road and Interstate 75
 - c. Sewer is projected to be made available in the near future
 - d. The road appears to be capable of being widened to accommodate the commercial development
 - e. The general area is suspected to become a commercial area in the future
 - f. Commercial use of the property will be an improvement to the area

The Madison County Planning Commission recommended by unanimous vote to the Madison County Fiscal Court that the classification of the property involved herein be approved the change from UC-7 Agriculture to UC-4 General Commercial according to the above stated findings of fact and KRS 100.213.

NOW, THEREFORE BE IT ORDAINED AND ENACTED, by the Madison County Fiscal Court that the land use classification of the following described property be changed by this ordinance from UC-7 Agriculture to UC-4 General Commercial.

SECTION I

A certain tract or parcel of land located on the Northwest side of the State Highway 627 approximately 1550 feet from the intersection of State Highway 627 and I-75 in Richmond, Madison County, Kentucky, and being bound by survey (Job #7862) performed under the direction of Charles E. Black, a licensed Land Surveyor in the State of Kentucky (LS #670) on 6/21/06 and more particularly described as follows:

Beginning at the corner of the line of Simpson and Richard Igo Carr, thence with Carr's line 302 feet to the Richard Carr access road, thence south with the edge of the road 820 feet to the line of Simpson, thence northeast 945 feet to the beginning, being about 1 ¼ acres, more or less.

BEING the same property conveyed to Ellis Fox and James Fox from Wells Hillcrest Development Corporation, a Kentucky corporation, by Darrell Wells, President, and Darlene Sparks, Secretary, by deed dated May 8, 1984 and recorded in Deed Book 361, Page 261 in the Madison County Court Clerk's Office.

ALSO, BEING the same property in which James Fox and Hallie J. Fox, husband and wife, conveyed their undivided one-half interest to Ellis Fox, by deed dated December 17, 1987 and recorded in Deed Book 388, Page 719 in the Madison County Court 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: October 10, 2007

MOTION BY: Larry Combs

SECONDED BY: William H. Tudor

VOTE:	YES	NO
JUDGE, KENT CLARK	✓	
MAGISTRATE LARRY COMBS	✓	
MAGISTRATE ROGER BARGER		✓
MAGISTRATE WILLIAM TUDOR	✓	
MAGISTRATE HAROLD BOTNER, Jr.	✓	

DATE OF SECOND READING: October 30, 2007

MOTION BY: Harold K. Botner Jr.

SECONDED BY: William H. Tudor

VOTE:	YES	NO
JUDGE, KENT CLARK	✓	
MAGISTRATE LARRY COMBS	absent	
MAGISTRATE ROGER BARGER		✓
MAGISTRATE WILLIAM TUDOR	✓	
MAGISTRATE HAROLD BOTNER, Jr.	✓	

[Signature]
MADISON COUNTY JUDGE EXECUTIVE

Attest:

[Signature]
MADISON COUNTY CLERK