

ORDINANCE NO. 08-01

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY
APPROVING THE ZONE CHANGE OF PAT RUCKER'S PROPERTY AT 5125
BATTLEFIELD MEMORIAL HIGHWAY FOR 11.18 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, November 20, 2007 made a finding of fact the proposed land use map amendment is in agreement with the adopted Comprehensive Plan in that:

1. In accordance with the regulations Commercial land should be level or gently sloping and shall be provided with infrastructure and services to support the development;
2. Commercial land shall be located at the intersections of major highways or where major highways intersect with other important connector/collector roads which this one does at Highway 421 and 1016.

Therefore, recommend to the Madison County Fiscal Court that the classification of the property involved herein be change from RC-7 Agricultural to RC-4 General 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 RC-7 Agricultural to RC-4 General Commercial.

SECTION I

A certain tract of land located at the intersection of US Hwy 421 and KY Hwy 1016 in Madison County, Kentucky, and being bound by a Class A survey prepared by Central Kentucky Land Surveying, Inc., Jay Webb, LS 3505 LS 3505, and further described as follows:

Beginning at a found steel pin with no cap in the east right-of-way line of US HWY 421 and comer to Penny Faye Gumm Baker, Lot 2 Deed Book 525, Page 449, Plat Book 7, Page 364; thence leaving said right of line with the line of Baker, Lot 2 S 70° 28' 53" E 683.77" to a set steel pin (*W*' rebar, 1" long with yellow plastic cap stamped CKLS WEBB LS 3505) in the line of Baker, Lot 2, and common comer to Oscar & Patricia Rucker, Tract 2, Deed Book 563, Page 395; thence leaving the line of Baker on new lines dividing the lands of Oscar & Patricia Rucker, S 31° 39' 16" W 599.64' to a set steel pin (*W*' rebar, 18' rebar, 18" long with yellow plastic cap stamped CKLS WEBB LS 3505); thence S 31° 39' 16" W 599.64' to a set steel pin (" rebar, 18" long with yellow plastic cap stamped CKSL WEBB LS 3505) in the east right of way line of US Hwy 421; thence continuing with said right of way line, N 17° 38' 36" W 410.82' the chord distance of the

528.37' radius convex curve to a set steel pin (W' N 07° 16' 07' E 864.77' to the point of beginning containing 11.18 Acres (487,148 Sq. Ft.), hereby designated as Tract 2A.

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: January 8, 2008
MOTION BY: Larry Combs
SECONDED BY: Harold Botner

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

DATE OF SECOND READING: Jan. 22, 2008

MOTION BY: Harold Botner Jr

SECONDED BY: William Tudor

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

[Signature]
MADISON COUNTY JUDGE EXECUTIVE

Attest:
[Signature]
MADISON COUNTY CLERK