

ORDINANCE NO. 08-14

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF MARGARET HALCOMB AND DORIS PATTON PROPERTY, DORIS LAND, AT 3425 (TRACT 3), 3421 (TRACT 4), 3433 (TRACT 4A), 3439 (TRACT 5), BEREA ROAD FOR 1.47 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 18, 2008 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; and there is evidence of single family dwellings on all three sides of this property; and therefore recommend to the County Fiscal Court that the classification of the property involved herein be change from UC-7 Agriculture to UC-1 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 Agriculture to UC-1 Single-Family Residential classification:

SECTION I

Certain tracts of land located on U.S. Highway 25 North, Berea Road, Richmond, KY in Madison County, KY and further described as follows:

BEGINNING at a point in the center of the Mud Mill dirt road, corner to Gibbs and H. L. Dovovan, thence in a westerly direction along the south edge of a narrow roadway belonging to Doty and McCartt to the eastern right of way line of the new U. S. Highway No. 25, thence in a southerly direction and with the center of said road down the hill to a curve in said road to the right and continuing same line into the field to the left of the road to a stake, formerly a corner stone, thence still in a northerly direction, 1 pole to a stake, formerly another corner stone corner to Doth land of Dr. O. F. Hume, thence in a northeasterly direction to the center of said dirt road and still with the enter of said road to a point in the center of same, a corner to Dr. O. F. Hume and Dr. H. L. Donovan, thence in a northerly direction and with the center of said road, Donovan's line, and as said road meanders to the beginning, supposed to contain about 10 acres, but this land is sold by the boundary and not by the acre and being a part of the same land conveyed to John F. and Pattie C. Lackey by deed of Joe Azbill dated July 30, 1907 and recorded in Deed Book 64 at page 524, Madison County Court Clerk's office and the first parties hereto derived title to same in part from the will of the mother, Pattie C. Lackey, recorded in Will Book 6 at page 281, Madison County Court Clerk's office and in part by

inheritance from their father, John F. Lackey, who died intestate on June 16, 1946, for affidavit of descent see Deed Book 140 at page 465, in said 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 cause this ordinance to be published in accordance with the appropriate Kentucky Revised Statutes.

DATE OF FIRST READING: November 14, 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: December 9, 2008

MOTION BY: William H. Tudor

SECONDED BY: Roger Barger

VOTE: YES NO

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

[Signature]
MADISON COUNTY JUDGE EXECUTIVE

Attest:
[Signature]
MADISON COUNTY CLERK