

ORDINANCE NO. 15-09

AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY APPROVING THE ZONE CHANGE OF KENTUCKY AUTO PARTS, INC, 642 MT. VERNON ROAD, FOR APPROXIMATELY 1.16 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, July 21st, 2015 to consider a Land Use Change Request Application from UC-1 Single-Family Residential to UC-5 (Light Industrial.) The applicant's request stated their justification for the proposed change is the existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate, as the property is currently surrounded by industrial zones on three sides and a major highway on the fourth.. A finding of fact was presented that the property is located within the Urban Corridor, and that the proposed Land Use Map Amendment is in agreement with the adopted Comprehensive Plan of Madison County.

WHEREAS, the Madison County Planning Commission upon hearing testimony made a motion with unanimous vote to recommend to the Madison County Fiscal Court to approve the Land Use change request from UC-1 Single-Family Residential to UC-5(Light Industrial.) A finding of fact was made that the property does lie within the boundaries of the Urban Corridor. As the Comprehensive Plan encourages future development occur within this corridor, the Planning Commission feels that this request is in agreement with the adopted Comprehensive Plan of Madison County. Also, that the current zoning classification is inappropriate and the proposed zoning classification is appropriate based on the property currently being surrounded by industrial- zoned properties.

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-1 Single-Family Residential to UC-5(Light Industrial) classification.

SECTION I

A certain tract of land lying on the west side of U.S. Highway No. 25, bounded on the east by the west right of way line of U.S. 25 on the south by the centerline of a branch and the lands of Mrs. _____ Adams, and on the west and north by the lands of Sam Lunsford, being designated as TRACT 2 on the plat titled "Property Survey for Robert Smallwood"; prepared by Alvin E. Martin, Jr., Registered Land Surveyor 1254 a copy of which is recorded in Plat Book 6, page 194 in the Madison County Clerk's office and made a part of the description which follows:

Beginning at an iron pin and cap set in the existing fence line on the west side of the highway in line with the centerline of and 8' x 4' concrete box culvert and 24.06 feet from the end of the culvert, being a witness pin; thence with the west right of way line S 04° 26' 52" E 4.5 feet to a point in the center of the branch, a corner common to the lands of Mrs. Adams; thence westwardly up the branch with the center thereof to a point in said branch, when reduced to a straight line bears 87° 19' 22" W 260.98 feet, a corner common to Sam Lunsford; thence leaving the branch with the line of Lunsford N 06° 55' 05" W passing an iron pin and cap witness pin set on the top of bank at 18.5 feet, in all a distance of 200.90 feet to an iron pin and cap set by an existing stone at the entention of

the fences, the corner post is now down, a corner to Lunsford; thence with the fence and the line of Lunsford S 86° 39' 05" E passing an existing 2 inch pipe in line at 270.74 feet, in all a distance of 272.03 feet to an iron pin and cap set in the highway right of way; thence with the right of way line S 04° 26' 52" E 167.37 feet to the aforesaid witness pin, the point of beginning, containing 1.16 acres.

Being the same property conveyed to Kenneth Nicholas and Betty Nicholas, husband and wife, by Deed dated December 24, 1987 and recorded in Deed Book 388, page 787 in the Madison County Clerk's office Kenneth Nicholas died on September 9, 2003 and Betty Nicholas became the sole owner of said property by virtue of the survivorship language contained in said Deed.

SECTION II

That the Madison County GIS Coordinator 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: August 8, 2015

Motion By: Larry Combs

Second By: John Tudor

VOTE:

YES

NO

Judge, Reagan Taylor

Magistrate Larry Combs

Magistrate Roger Barger

Magistrate Tom Botkin

Magistrate John Tudor

✓
✓
✓
✓
✓

Date of Second Reading: August 25th, 2015

Motion By: John Tudor

Second By: Tom Botkin

Vote:	YES	NO
Judge, Reagan Taylor	✓	
Magistrate Larry Combs	✓	
Magistrate Roger Barger	✓	
Magistrate Tom Botkin	✓	
Magistrate John Tudor	✓	

B. J. J.
Madison County Judge Executive

Attest:
[Signature]
MADISON COUNTY CLERK