

Ordinance 19-11

Motion to approve not passed

**MADISON COUNTY, KENTUCKY FISCAL COURT
ORDINANCE NO. 19-11**

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY,
APPROVING THE ZONE CHANGE OF PROPERTY LOCATED ON MOBERLY
ROAD, NEAR THE INTERSECTION OF OLD KY HWY 52, RICHMOND,
KENTUCKY, AND AUTHORIZING THE AMENDMENT OF 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, May 21, 2019 to consider a Land Use Change Request Application from R-7
Rural Agriculture to R-1 Rural Single Family Residential. The applicant's request stated
that their justification for the proposed change being the existing zoning classification
given to the property is inappropriate and the proposed zoning classification is
appropriate and in keeping with the Comprehensive Plan.

Findings of fact were made by the Commission that the property does lie within an area
where existing and proposed infrastructure is located. Including adequate roads, multiple
ingress and egress options, traffic control, and water service. That the Comprehensive
Plan encourages development in these types of locations. The Planning Commission
further found that the Comprehensive Plan, under Goals and Objectives, Goal number 4,
encourages new residential subdivision to take place in areas of the county where this
type of infrastructure is already in place or where plans for it are imminent, and therefore
this change would be in keeping with the comprehensive plan, and;

WHEREAS, the Madison County Planning Commission upon hearing testimony made a
Motion with unanimous consent to table the item. The item was then brought up under
Old Business at the next regularly scheduled meeting of the Planning Commission on
Tuesday, June 18, 2019. No additional testimony was heard. A Motion was made with
unanimous consent to recommend to the Madison County Fiscal Court to approve the
Land Use change request from R-7 Rural Agriculture to R-1 Rural Single Family
Residential.

WHEREAS, the Madison County Fiscal Court has reviewed said Findings and
Recommendation of the Madison County Planning Commission and being otherwise
sufficiently advised and does hereby adopt the findings of fact made thereby;

**NOW, THEREFORE BE IT ORDAINED AND ENACTED BY THE FISCAL
COURT OF THE COUNTY OF MADISON, COMMONWEALTH OF
KENTUCKY**, that the land use classification of the following described property
be changed by this ordinance from R-7 Rural Agriculture to R-1.

SECTION I

A certain tract of real property located on Old Irvine Road/Moberly Road in Madison County Kentucky, identified as Tract 2, consisting of 80.42 acres, more or less, being more particularly described by Boundary Retracement Survey dated March 4, 2009, recorded in Plat Book 28, page 259 in the Madison County Clerk's office.

BEING A PART OF the same property conveyed to DS & JV Properties, LLC, a Kentucky limited liability company, by Deed dated the 26th day of March, 2019, and of record in Deed Book 772, page 63, in the Madison County Clerk's Office.

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 Kentucky Revised Statutes.

DATE OF FIRST READING: 7.23.19

MOTION BY: Tom Botkin

SECONDED BY: Roger Barger

VOTE:	YES	NO
Magistrate Tom Botkin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Magistrate Roger Barger	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Magistrate John Tudor	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Magistrate Larry Combs	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Judge Reagan Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DATE OF SECOND READING: 8.13.19

MOTION BY: Tom Botkin

SECONDED BY: John Tudor

VOTE:	YES	NO
Magistrate Tom Botkin	_____	<u>✓</u>
Magistrate Roger Barger	_____	<u>✓</u>
Magistrate John Tudor	_____	<u>✓</u>
Magistrate Larry Combs	_____	<u>✓</u>
Judge Reagan Taylor	<u>✓</u>	_____


MADISON COUNTY JUDGE/ EXECUTIVE

Attest:


Madison County Clerk, Kenny Barger