

**MADISON COUNTY FISCAL COURT
MADISON COUNTY, KY
ORDINANCE 2022-10**

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY,
APPROVING THE ZONE CHANGE OF A 24.42 ACRE TRACT OF LAND,
LOCATED AT 2455 LEXINGTON ROAD, RICHMOND, MADISON COUNTY,
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, September 20, 2022, to consider a Land Use Change Request Application from
UC-7 Agriculture to UC-4 General Commercial. Upon presentation by the Applicant and
with no parties appearing in opposition to the Application, Findings of Fact were made
by the Planning Commission as described in their Summary of Evidence, Findings of
Fact and Recommendation to the Fiscal Court attached hereto and made a part hereof for
all purposes, as follows:

1. That the existing zoning classification is inappropriate, and the proposed
zoning classification is appropriate for the following reasons:
 - a. The requested UC-4 zoning classification is consistent with the current
Comprehensive Plan given the property's location. The size, layout,
topography, and location of the property make it suitable for
commercial use.
 - b. The existing zoning classification of UC-7 is inappropriate and the
UC-4 zoning classification is appropriate since other commercial uses
directly adjoin the subject property.
 - c. The zoning classification of UC-4 is appropriate as the property is
suitable for commercial development given its location and that it is
adjoined by I-75 to the east and an access road to the north.
 - d. That the requested zone change to UC-4 will be in conformity with the
existing use and development of other property in the area near the
subject property and is appropriate.

WHEREAS, the Madison County Planning Commission upon hearing testimony made a
Motion with unanimous consent to recommend to the Madison County Fiscal Court to
approve the Land Use change request from UC-7 to UC-4.

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 UC-7 to UC-4 classification.

SECTION I

Being all of Tract 2 consisting of 24.42 acres, more or less, being more particularly described by Boundary Retracement Survey for Doris Horn property at Lexington Road and Colonel Road, Richmond, Madison County, Kentucky, recorded in Plat Cabinet 30, page 16, in the Madison County Clerk's office.

Being the same property conveyed to LEX25, LLC, a Kentucky limited liability company, by Deed dated November 4, 2021, recorded in Deed Book 813, page 781, 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: 10/25/2022
MOTION BY: Barger
SECONDED BY: Robinson

VOTE:	YES	NO
Magistrate Ben Robinson III	<u>✓</u>	_____
Magistrate Roger Barger	<u>✓</u>	_____
Magistrate John Tudor	<u>✓</u>	_____
Magistrate Tom Botkin	<u>✓</u>	_____
Judge Executive Reagan Taylor	<u>✓</u>	_____

DATE OF SECOND READING: 11-8-22

MOTION BY: Tudor

SECONDED BY: Barger

VOTE:	YES	NO
Magistrate Ben Robinson III	<u>✓</u>	_____
Magistrate Roger Barger	<u>✓</u>	_____
Magistrate John Tudor	<u>✓</u>	_____
Magistrate Tom Botkin	<u>✓</u>	_____
Judge Executive Reagan Taylor	<u>✓</u>	_____

Signed:
R-T
Madison County Judge Executive

Attested:
Kenny Barger
Madison County Clerk, Kenny Barger

TO: MADISON COUNTY FISCAL COURT
FR: MADISON COUNTY PLANNING COMMISSION
RE: APPLICATION FOR LAND USE MAP AMENDMENT
2455 LEXINGTON ROAD
DA: October 4, 2022

This matter came before the Madison County Planning Commission for a hearing on September 20, 2022 on application submitted by the landowners, LEX25, LLC to amend the official zoning map regarding a certain 24.42 acre tract located at 2455 Lexington Road, from the existing zoning classification of UC-7 Agriculture to UC-4 General Commercial. Upon proper notice being given and upon hearing testimony and arguments of all parties on September 20, 2022 and upon Motion made and vote taken, the Madison County Planning Commission did make the following Findings of Fact and Recommendations regarding said Application to the Madison County Fiscal Court:

SUMMARY OF EVIDENCE AND TESTIMONY PRESENTED:

The Applicants were represented by the Hon. Valerie J. Himes at the Hearing. The Applicant's presentation of evidence included a number of Exhibits, made a part of their presentation, together with the testimony of representatives for property owners and facts presented by the administrative staff of the Madison County Planning and Development Office, which tended to show that major changes had been made to this area of Madison County due to continued development along the Urban Corridor, that this property was located adjacent to and near other properties with a UC-4 zoning classification and near properties marked for long term growth. The infrastructure is such so as to permit development consistent with a UC-4 zoning classification and the topography of the subject property is ideal for it as well.

Further evidence was presented that the Comprehensive Plan identifies Northern Madison County as a prime area for residential and commercial growth. The proposed zone change to UC-4 complies with those goals, which made the present zoning unsuitable and the proposed zoning classification appropriate.

No testimony or information was presented in opposition to the proposed map amendment.

FINDINGS OF FACTS

Upon considering the evidence and testimony summarized herein, the Madison County Planning Commission made the following Findings of Fact:

1. That the existing zoning classification is inappropriate and the proposed zoning classification is appropriate for the following reasons:

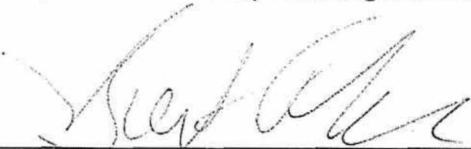
- a. The requested UC-4 zoning classification is consistent with the current comprehensive plan given the property's location. The size, layout, topography and location of the property make it suitable for commercial use.
- b. The existing zoning classification of UC-7 is inappropriate and the UC-4 zoning classification is appropriate since other commercial uses directly adjoin the subject property.
- c. The zoning classification of UC-4 is appropriate as the property is suitable for commercial development given its location and that it is adjoined by I-75 to the east and an access road to the north.
- d. That the requested zone change to UC-4 will be in conformity with the existing use and development of other property in the area near the subject property and is appropriate.

RECOMMENDATION:

It is the RECOMMENDATION of the Madison County Planning Commission that the proposed Land Use Map amendment from UC-7 to UC-4 BE APPROVED.



Robert Farmer
Chair, Madison County Planning Commission



Bert Thomas
Director, Madison County Planning & Development