

**MADISON COUNTY FISCAL COURT  
MADISON COUNTY, KY  
ORDINANCE 2024-02**

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY,  
APPROVING THE ZONE CHANGE OF 301 CRUTCHER PIKE & “TRACT 1  
CRUTCHER PIKE,” 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, January 16, 2024 to consider a Land Use Change Request Application from UC-7 Agriculture to UC-1 Single-Family Residential. Upon presentation by the Applicant and public comment and testimony, 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 property is located within the Urban Corridor and adjacent to other residential development and where residential development is encouraged by the Comprehensive Plan.
  - b. That Comprehensive Plan encourages residential uses along roadways akin to Crutcher Pike/Mule Shed Lane and the location of the existing infrastructure are adequate for residential use due to the Site and Dimensional Requirements of single-family residences.
  - c. The proposed zone (UC-1) will not disrupt traffic along Crutcher Pike or Mule Shed Lane, nor will its use disrupt the surrounding properties' quiet enjoyment.
  - d. The property's existing zone (UC-7) is not appropriate.
  - e. The proposed zone (UC-1) 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-1.

**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-1 classification.

## SECTION I

### Tract 1 (PIDN 0030-0000-0026-G)

A certain tract or parcel of land situated in Madison County, Kentucky and on the Crutcher pike and the Mule Shed Lane, bounded and described as follows: Beginning at a young elm at a corner of rock fence, a corner to Tract No. 1 and in line of Cornelison, thence with Cornelison N 19 W 14.25 chains to a post on the east side of branch and 1 foot southeast of a small hickory, a corner to Cornelison and Tract No. 3, thence with line of Tract No. 3, N 42  $\frac{3}{4}$  E 13.55 chains to a stake in fence, at foot of post on west side of a gap, thence with said fence, the line of Tract No. 3, S 85  $\frac{5}{8}$  E 6.97 chains, S 69  $\frac{3}{4}$  E 3.47 chains to a stake in said fence, thence leaving the fence and continuing with line of Tract No. 3, N 4  $\frac{3}{4}$  E 4.70 chains to a stake in another wire fence, in a hollow, thence with said fence the line of Tract No. 3 N 6  $\frac{3}{4}$  W 11.88 chains, N 3  $\frac{3}{4}$  W 9.12 chains, to a point in the center of the Mule Shed Lane and corner to Tract No. 3, thence with the center of said lane, S 75  $\frac{3}{4}$  E 1.74 chains, S 74 E 10.84 chains, S 85 E 13.20 chains, S 80 E 9.15 chains, S 79 E 4.55 chains to a point at the intersection of center lines of the Mule Shed Lane and the Crutcher Pike, thence with the center of said pike, S 14  $\frac{1}{2}$  W 9.07 chains to a point in the center of same and corner to Jim Willis, thence leaving the pike with Willis, S 50  $\frac{3}{4}$  W 5.69 chains S 41  $\frac{5}{8}$  W passing a post set in concrete at the corner of Willis and Eugen Barnes at 4.07 chains, and continuing with Barnes, the same course, in all 11.00 chains to another post set in concrete, S 32  $\frac{3}{4}$  W 5.42 chains, S 8  $\frac{1}{4}$  W 3.30 chains, S 18  $\frac{1}{4}$  W 1.10 chains, S 30  $\frac{3}{4}$  W 7.17 chains to an ash at head of a hollow, in line of Barnes and corner to Tract No. 1, thence down said hollow with the line of Tract No. 1, S 88  $\frac{1}{2}$  W 8.25 chains to a stake, N 75 W 2.80 chains to a post at end of a wire fence on the south side of the hollow, with said fence N 86 W 4.40 chains to a post at the other end of said fence, thence leaving the fence and crossing the branch, continuing the line of Tract No. 1, N 82  $\frac{3}{4}$  W 3.00 chains to a point in a rock fence on the north side of the hollow, thence with said fence, the line of Tract No. 1, S 66  $\frac{1}{2}$  W 2.00 chains, S 62  $\frac{3}{4}$  W 9.30 chains, S 69  $\frac{1}{2}$  W 2.10 chains to the beginning, containing one hundred thirty-seven and 86/100 acres (137.86) acres as per survey made by H. deB. Forbes in 1931.

EXCLUSIONS: THERE IS EXCLUDED AND NOT CONVEYED HEREUNDER

TRACT I-A consisting of 5.15 acres, of the Minor Subdivision Plat for 301 Crutcher Road, which plat is of record in Plat Cabinet 26, Slide 34; and TRACT 1-B, consisting of 15 acres, of the Minor Subdivision Plat for 307 Mule Shed Lane, which plat is of record in Plat Cabinet 26, Slide 440; and PARCEL A, consisting of 2.8 acres, of the Minor Parcel Consolidation Plat consolidating PARCEL A and TRACT 1-B and of record in Plat Cabinet 31, Slide 68. All three plats are recorded in the records of the Madison County Clerk, reference to which is hereby made for a more particular description.

Being the same property conveyed to Mule Shed Properties, LLC from Wayne S. Long, Executor of the Estate of Sue Harris Long, and Wayne S. Long and Teresa H. Long, husband and wife, and Karen L. Stewart and William Stewart, husband and

wife, by deed dated November 10, 2023, and recorded in the office of the Madison County Clerk at Deed Book 845, page 661.

Tract 2 (PIDN 0030-000-0024)

Being Tract 1-A, consisting of 5.15 acres, of the Minor Subdivision Plat for 301 Crutcher Road, which plat is of record in Plat Cabinet 26, Slide 34, in the Madison County Clerk's Office, reference to which is hereby made for a more particular description.

Being the same property conveyed to Mule Shed Properties, LLC from Wayne S. Long, Executor of the Estate of Sue Harris Long, by deed dated November 10, 2023, and recorded in the office of the Madison County Clerk at Deed Book 845, page 658.

**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.

**THIS ORDINANCE SHALL BECOME EFFECTIVE ON THE DATE OF THE SECOND READING AND ADOPTION.**

DATE OF FIRST READING: 2-13-24

MOTION BY: Bathin

SECONDED BY: Combs

VOTE:	YES	NO
Magistrate James Brian Combs	<u>✓</u>	_____
Magistrate Stephen Lochmueller	<u>✓</u>	_____
Magistrate Billy Ray Hughes	<u>✓</u>	_____
Magistrate Tom Botkin	<u>✓</u>	_____
Judge Executive Reagan Taylor	<u>✓</u>	_____

DATE OF SECOND READING: 2-27-24

MOTION BY: Hughes

SECONDED BY: Combs

VOTE:

YES

NO


Magistrate James Brian Combs  
Magistrate Stephen Lochmueller  
Magistrate Billy Ray Hughes  
Magistrate Tom Botkin  
Judge Executive Reagan Taylor

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signed:**

  
\_\_\_\_\_  
Madison County Judge Executive

**Attested:**

  
\_\_\_\_\_  
Madison County Clerk, Kenny Barger

TO: MADISON COUNTY FISCAL COURT  
FR: MADISON COUNTY PLANNING COMMISSION  
RE: APPLICATION FOR LAND USE MAP AMENDMENT  
**301 Crutcher Pike & "Tract 1 Crutcher Pike"**  
DA: January 18, 2024

This matter came before the Planning and Zoning Commission for a hearing on January 16, 2024, on application submitted by the landowner, Mule Shed Properties, LLC to amend the official zoning map of Madison County regarding certain tract located at **301 Crutcher Pike & "Tract 1 Crutcher Pike"**, Richmond, Madison County, Kentucky, from a property currently zoned as UC-7 Agriculture to UC-1 Single-Family Residential.

Upon proper notice being given and upon hearing testimony and arguments of all parties on January 16, 2024, and upon Motion made and vote taken on January 16, 2024, 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 Applicant was represented by the Hon. Kory O. Isaacs at the Hearing. The Applicant's presentation of evidence included a number of Exhibits, made a part of its presentation, together with testimony of a representative of the applicant, the argument of counsel and facts presented by the administrative staff of the Madison County Office of Planning and Development which tended to show the existing zoning classification given to the property (UC-7) is inappropriate and the proposed zoning classification (UC-1) is appropriate and the same complies with the current Comprehensive Plan. The testimony established that the property had multiple points of egress and ingress was within the Urban Corridor in an area where residential development was encouraged and ongoing. The testimony established that sufficient roads and other infrastructure were present to support residential development on the property.

Opposition by several members of the public presented testimony centered on traffic concerns on Crutcher Pike and Mule Shed Lane and over development in the area.

**FINDINGS OF FACT**

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

1. That the existing zoning classification (UC-7) given to the property is inappropriate and the proposed zoning classification (UC-1) is appropriate for the following reasons:

- a. The property is located within the Urban Corridor and adjacent to other residential development and where residential development is encouraged by the Comprehensive Plan.
- b. That Comprehensive Plan encourages residential uses along roadways akin to Crutcher Pike/Mule Shed Lane and the location of the existing infrastructure are adequate for residential use due to the Site and Dimensional Requirements of single-family residences.
- c. The proposed zone (UC-1) will not disrupt traffic along Crutcher Pike or Mule Shed Lane, nor will its use disrupt the surrounding properties' quiet enjoyment.
- d. The property's existing zone (UC-7) is not appropriate.
- e. The proposed zone (UC-1) is appropriate.

**RECOMMENDATION:**

It is the RECOMMENDATION of the Madison County Planning and Zoning Commission that the application to amend the Madison County Land Use Map applicable to the real property located at 301 Crutcher Pike & "Tract 1 Crutcher Pike", Richmond, Madison County, Kentucky BE APPROVED, and the above-described property be zoned as UC-1.

  
\_\_\_\_\_  
Robert Farmer  
Chair, Madison County Planning Commission

  
\_\_\_\_\_  
Bert Thomas  
Director, Madison County Planning & Development

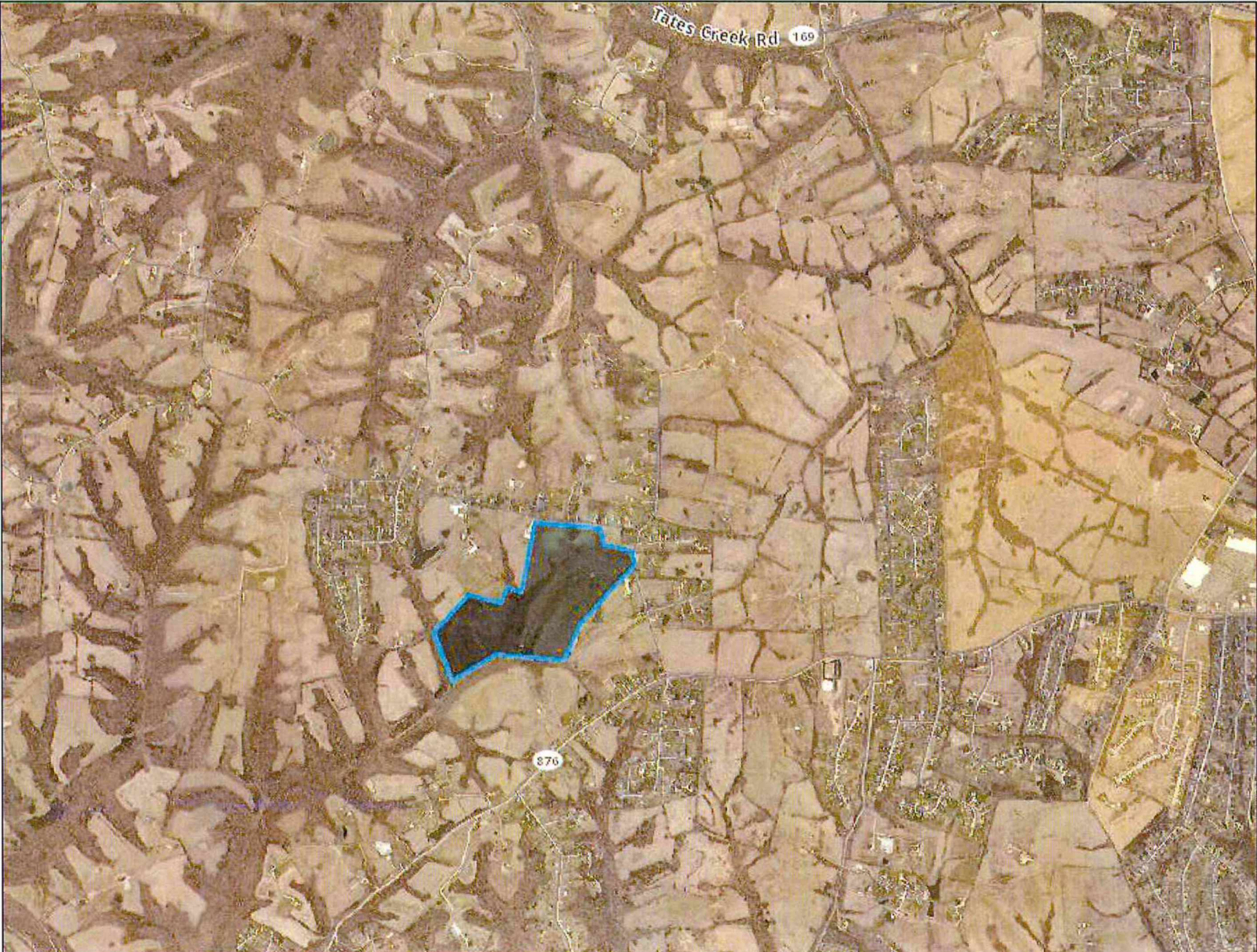
# Area Map - Madison County, KY



# Area Map - Madison County, KY



Area Map - Madison County, KY



- City\_L
- Richr
- Sh
- Int
- Ma
- Lo
- Re