

**MADISON COUNTY FISCAL COURT  
MADISON COUNTY, KY  
ORDINANCE 2024-13**

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY,  
APPROVING THE ZONE CHANGE OF 1377 BOONESBOROUGH ROAD,  
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, July 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. Proper notification of this hearing was given pursuant to KRS 100.212 and KRS 424.130, et. seq., by notices published in the Richmond Register and the Berea Citizen, by posting signs on the subject property, and by the Secretary of the Commission notifying the adjoining property owners by mail.
2. The subject property is part of the Madison County Urban Corridor, an area in the county which has previously been determined by the Planning Commission and the Madison Fiscal Court to have sufficient infrastructure to accommodate the anticipated future growth in the county.
3. The subject property fronts on KY-627 and Lost Fork Road, and therefore has adequate access for its intended use as a single-family residential development. It is also serviced by the Madison County sewer system and Madison County water system; both of which have submitted letters indicating that their services provide sufficient capacity to allow the development of the subject property into a single-family residential development.
4. The County's Comprehensive Plan reflects that the county's population grew from 82,916 people in 2010 to 92,701 in 2020; a growth of approximately 11.8%. It is anticipated that it will continue to grow through 2040 to a total of 106,301 people, for an additional 14.7%, and approximately 50% of that growth is expected to be within the bounds of the Urban Corridor. Therefore, the County needs to provide sufficient areas to accommodate housing for the anticipated growth.
5. Additionally, the Comprehensive Plan contains provisions which encourage infill and new development near existing developed areas and to focus that development near the cities and the Urban Corridor, of which the property is a part, in areas which currently provide or are scheduled to be updated to provide

adequate transportation access and infrastructure, which the property in question does.

6. A review of the County's proposed land use map reflects that the property in question is to be utilized for mixed use, encouraging a combination of residential and commercial purposes to provide for the residents in the area. The property will be a convenient location for the parties living and/or working in either Richmond, Winchester, or Lexington, and with its quick access to Interstate 75, it could even provide access to parties living or working at greater distances.
7. That the existing zoning classification (UC-7) given to the property is inappropriate and the proposed zoning classification (being UC-1) is appropriate for the following reasons:
  - a. The requested UC-1 zoning classification is consistent with the County's current Comprehensive Plan in that it will allow new development to accommodate the County's anticipated current and future growth in an area already partially developed, therefore providing infill. Additionally, it has sufficient capacity for water and sewer to provide for the proposed residential development, and the roads in the area are sufficient to accommodate the proposed levels of traffic.
  - b. UC-1 Single-Family Residential is consistent with the intent of the County's Comprehensive Plan and its development ordinance; is consistent with the County's proposed future land use development map and would not be detrimental to other property surrounding or near the subject property.

**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**

A certain tract of land located at the southeast intersection of Boonesborough Road (KY 627) and Lost Fork Road in Richmond, Madison County, Kentucky and being further described as follows:

Beginning at a set iron pin and cap in the right of way of Boonesborough Road (KY 627); 60' from centerline, common corner to Madison County School District, (DB 747 PG 521), thence continuing with the right of way of

Boonesborough Road (KY 627) six calls, N32°31'17"E 245.96' to a set iron pin and cap, N33°51'15"E 154.07' to a set iron pin and cap, S56°08'45"E 10.00' to a set iron pin and cap, thence a curve to the right with chord direction and distance N38°34'23"E 200.00' and radius 1,147.24' to a set iron pin and cap, N46°49'19"W 10.00' to a set iron pin and cap, thence a curve to the right with chord direction and distance N66°35'40"E 1087.28' and radius 1,363.64' to a set iron pin and cap in the right of way line of Lost Fork Road, 30' from centerline. Thence leaving the right of way of Boonesborough Road (KY 627) and continuing with the right of way of Lost Fork Road eleven calls, S41°20'59"E 175.79' to a set iron pin and cap, N48°39'01"E 15.00' to a set iron pin and cap 15' from centerline, S41°20'59"E 297.09' to a set iron pin and cap, S41°09'22"E 147.54' to a set iron pin and cap, S41°26'21"E 319.58' to a set iron pin and cap, S41°14'32"E 214.98' to a set iron pin and cap, S41°45'35"E 1131.26' to a set iron pin and cap, S41°57'52"E 149.39' to a set iron pin and cap, S41°06'39"E 479.35' to a set iron pin and cap, S41°46'47"E 183.52' to a set iron pin and cap, S41°49'24"E 493.19' to a set iron pin and cap common corner to Jennifer L. & Loren G. Bishop (DB 720 PG 600). Thence with line of Bishop one call, S50°37'20"W 295.72' to a set iron pin and cap common corner to Sword Farm Real Estate, LLC (DB 650 PG 92). Thence with line of Sword Farm Real Estate, LLC three calls, S49°53'39"W 166.38' to a set iron pin and cap, S50°42'01"W 265.16' to a set iron pin and cap, S51°13'32"W 451.44' to a found 1/2" iron pin and cap stamped LS 4068 common corner to The Day Living Trust Tract 1-B (DB 516 PG 57). Thence with the line of Day six calls, N06°24'06"W 68.66' to a point monumented by a found 1/2" witness pin stamped LS 4068 set N60°33'04"W 5.00' from corner, N60°33'04"W 1498.77' to a set iron pin and cap, N66°31'58"W 292.34' to a found 1/2" iron pin and cap stamped LS 4068, N67°09'53"W 295.59' to a found 1/2" iron pin and cap stamped LS 4068, N63°33'59"W 85.50' to a found 1/2" iron pin and cap stamped LS 4068, N58°16'17"W 279.12' to a set iron pin and cap common corner to Madison County School District (DB 747 PG 521). Thence with line of Madison County School District four calls, N37°07'05"E 821.10' to a set iron pin and cap, N62°35'43"W 531.28' to a set iron pin and cap, N64°07'30"W 388.43' to a set iron pin and cap, N57°35'41"W 389.82' to a set iron pin and cap to the point of beginning.

Encompassing 131.83 +/- acres by survey performed May 15th, 2024 by Abacus Engineering and Land Surveying Inc.  
Dwayne Wheatley LPLS 3265 and being a portion of the previous property conveyed to Robert M. Day and Janis B. Day, Elizabeth Day Bond and Kenneth Bond, and Melissa Jeanette Day by deed of record dated May 2nd, 2000 recorded in the Office of The Madison County Clerk at Deed Book 516 Page 57.

## 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: 8-13-2024  
MOTION BY: Botkin  
SECONDED BY: Hughes  
VOTE: YES NO  
Magistrate James Brian Combs ✓ \_\_\_\_\_  
Magistrate Stephen Lochmueller \_\_\_\_\_  
Magistrate Billy Ray Hughes ✓ \_\_\_\_\_  
Magistrate Tom Botkin ✓ \_\_\_\_\_  
Judge Executive Reagan Taylor ✓ \_\_\_\_\_

DATE OF SECOND READING: 8-27-2024  
MOTION BY: Botkin  
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:**  
[Signature]  
Madison County Judge Executive

**Attested:**

*Kenny Barger*

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Madison County Clerk, Kenny Barger

TO: MADISON COUNTY FISCAL COURT  
FR: MADISON COUNTY PLANNING COMMISSION  
RE: APPLICATION FOR LAND USE MAP AMENDMENT  
**1377 Boonesborough Road, Richmond, Kentucky 40475**  
DA: July 19, 2024

This matter came before the Planning and Zoning Commission for a hearing on July 16, 2024, on application submitted by the landowners, Melissa Day, Trustee, to amend the official zoning map of Madison County regarding certain tract located at **1377 Boonesborough Road, Richmond, Madison County, Kentucky, 40475**, 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 July 16, 2024, and upon Motion made and vote taken on July 16, 2024, the Madison County Planning and Zoning Commission did make the following Findings of Fact and Recommendation regarding said Application to the Madison County Fiscal Court:

**SUMMARY OF EVIDENCE AND TESTIMONY PRESENTED:**

The Applicant was represented by the Hon. Stuart Olds 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 (being UC-1) is appropriate and the same complies with the current Comprehensive Plan.

**FINDINGS OF FACTS**

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

1. Proper notification of this hearing was given pursuant to KRS 100.212 and KRS 424.130, et. seq., by notices published in the Richmond Register and the Berea Citizen, by posting signs on the subject property, and by the Secretary of the Commission notifying the adjoining property owners by mail.
2. The subject property is part of the Madison County Urban Corridor, an area in the county which has previously been determined by the Planning Commission and the Madison Fiscal Court to have sufficient infrastructure to accommodate the anticipated future growth in the county.
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by the Madison County sewer system and Madison County water system; both of which have submitted letters indicating that their services provide sufficient capacity to allow the development of the subject property into a single-family residential development.

4. The County's Comprehensive Plan reflects that the county's population grew from 82,916 people in 2010 to 92,701 in 2020; a growth of approximately 11.8%. It is anticipated that it will continue to grow through 2040 to a total of 106,301 people, for an additional 14.7%, and approximately 50% of that growth is expected to be within the bounds of the Urban Corridor. Therefore, the County needs to provide sufficient areas to accommodate housing for the anticipated growth.
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6. A review of the County's proposed land use map reflects that the property in question is to be utilized for mixed use, encouraging a combination of residential and commercial purposes to provide for the residents in the area. The property will be a convenient location for the parties living and/or working in either Richmond, Winchester, or Lexington, and with its quick access to Interstate 75, it could even provide access to parties living or working at greater distances.
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  - b. UC-1 Single-Family Residential is consistent with the intent of the County's Comprehensive Plan and its development ordinance; is consistent with the County's proposed future land use development map and would not be detrimental to other property surrounding or near the subject property.

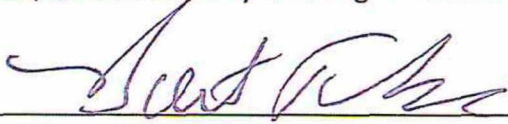
**RECOMMENDATION:**

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 1377 Boonesborough Road, Richmond, Kentucky, 40475, BE APPROVED, and the above-described property be zoned as UC-1.



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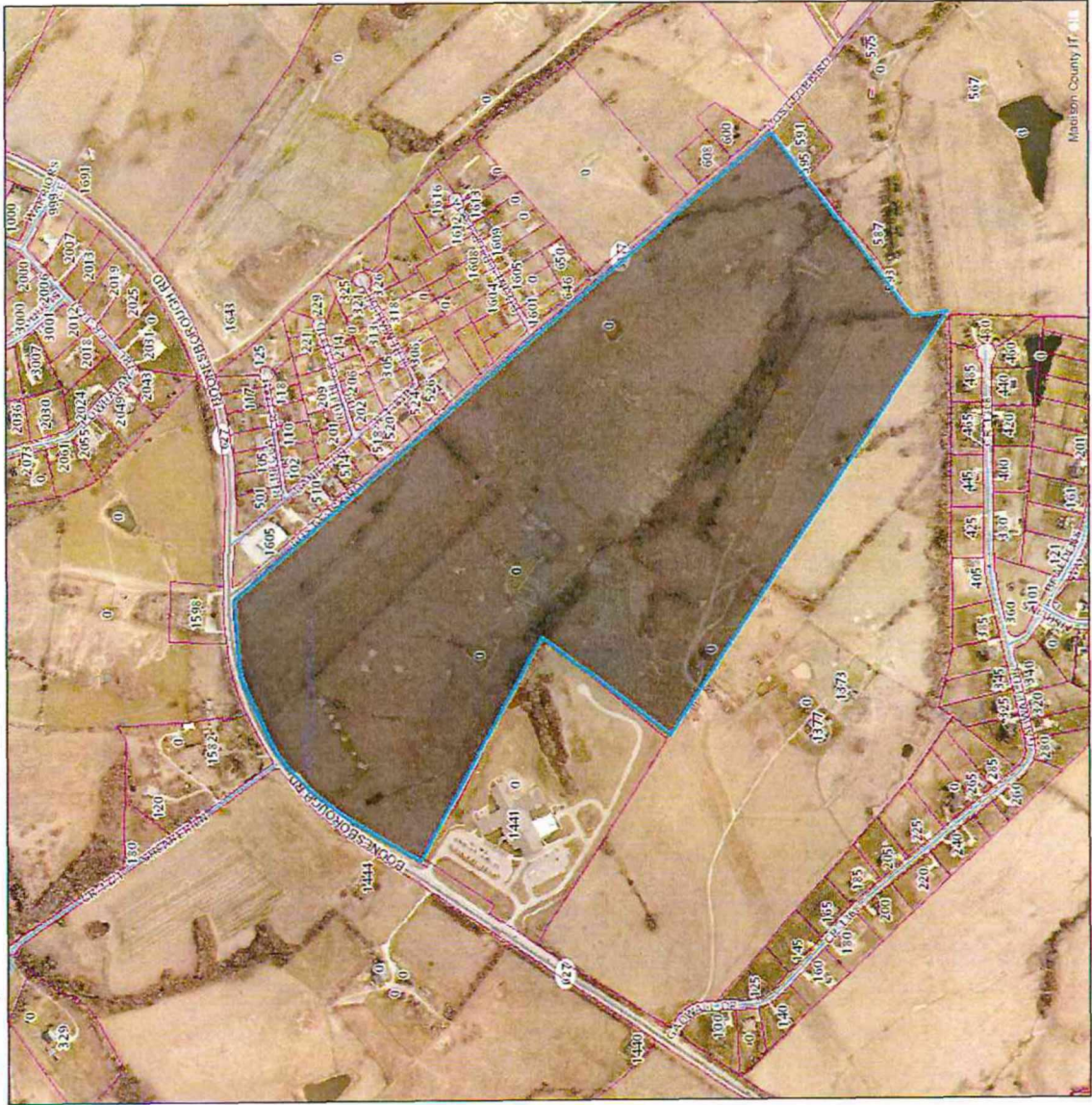
Robert Farmer  
Chair, Madison County Planning Commission



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Bert Thomas  
Director, Madison County Planning & Development

Area Map - Madison County, KY



- GPS Address
- Parcels
- Shields
- Roads
  - Other Road
  - State Owned
  - County Owned/Maintained
  - County Owned/Maintained (Gravel/Soil)
  - County Owned/Not Maintained
  - County Owned/Not Maintained (Gravel/Soil)
- City Owned
- City Owned (Gravel/Soil)
- Private Owned
- Private Owned (Gravel/Soil)
- Railroad

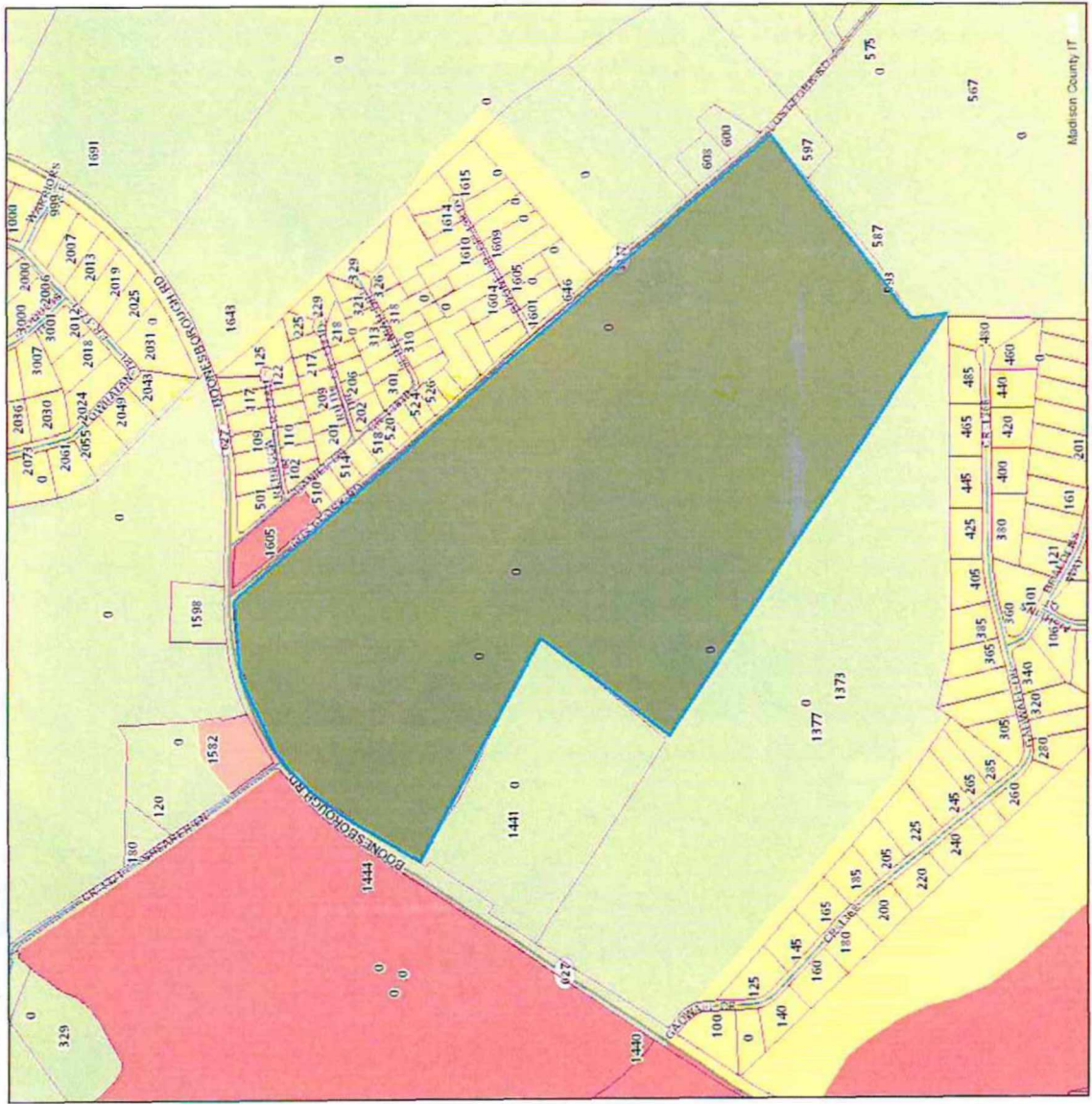


**MADISON COUNTY**  
**KENTUCKY**

1:9,028  
 1" = 752 feet  
 1" = 0.14 miles

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# Area Map - Madison County, KY



- GPS Address**
- Parcel
  - Shields
  - Roads
  - Other Road
  - State Owned
  - County Owned/Maintained
  - County Owned/Maintained (Gravel/Soil)
  - County Owned/Not Maintained
  - County Owned/Not Maintained (Gravel/Soil)
  - City Owned
  - City Owned (Gravel/Soil)
  - Private Owned
  - Private Owned (Gravel/Soil)
  - Railroad
  - Urban Corridor Boundary
  - Zoning Fill
  - 1 - Single Family Residential
  - 2 - Multi-Family Residential
  - 3 - Neighborhood Business
  - 4 - General Business
  - 5A - Light Industrial
  - 5B - Heavy Industrial
  - 6 - Public/Semi-Public
  - 7 - Agricultural
  - 8 - Resource Extraction
  - 9 - Manufactured Home Park
  - 10 - Planned Unit Development
  - S - Special Area



**MADISON COUNTY**  
**KENTUCKY**

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Madison County, KY  
 Planning Department  
 2024