

**MADISON COUNTY FISCAL COURT
MADISON COUNTY, KY
ORDINANCE 2024-14**

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY,
APPROVING THE ZONE CHANGE OF 2021 BERE A 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-4 General Commercial. 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 certified 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. That the existing zoning classification (UC-7) given to the property is inappropriate and the proposed zoning classification (being UC-4) is appropriate for the following reasons:
 - a. The subject property fronts on US-25 and therefore has adequate access for its intended use as a general business.
 - b. The property is currently zoned agricultural but has been utilized for commercial purposes for many years. No agricultural production has occurred on the premises for many years and therefore modification of the zoning from UC-7 (agriculture) to UC-4 (commercial) would be appropriate.
 - c. The modification of the zoning from UC-7 to UC-4 would not be detrimental to other properties surrounding or near the subject property; all of which is utilized for commercial purposes.
 - d. UC-4 (commercial) is consistent with the intent of the County's Comprehensive Plan and its development ordinance and is consistent with the zoning of surrounding properties.
 - e. The property has sufficient water to provide for its intended purpose.
 - f. The proposed zone (UC-4) 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

Three certain lots of land lying and being in Madison County, Kentucky and further described as follows: Three certain lots of land Number (1), Two (2) and Three (3) in Block "C" in Clarksville Subdivision lying between Old US Highway #25 and New US Highway #25 five miles South of Richmond, Kentucky as shown on Plat Book No. 1 at Page 123, on file in the Office of the Madison County Clerk, to which Plat reference is hereby made.

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: Combs
SECONDED BY: Bathin

VOTE:

YES

NO

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

<u>✓</u>	<u> </u>
<u>✓</u>	<u> </u>
<u>✓</u>	<u> </u>
<u>✓</u>	<u> </u>
<u>✓</u>	<u> </u>

DATE OF SECOND READING:

8-27-2024

MOTION BY:

Botkin

SECONDED BY:

Lochmueller

VOTE:

YES

NO

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

<u>✓</u>	<u> </u>
<u>✓</u>	<u> </u>
<u>✓</u>	<u> </u>
<u>✓</u>	<u> </u>
<u>✓</u>	<u> </u>

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
2021 Berea 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 landowner, Justin Fritts, to amend the official zoning map of Madison County regarding certain tract located at **2021 Berea Road, Richmond, Madison County, Kentucky, 40475**, from a property currently zoned as UC-7 Agriculture to UC-4 General Commercial.

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 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-4) 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 certified 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. That the existing zoning classification (UC-7) given to the property is inappropriate and the proposed zoning classification (being UC-4) is appropriate for the following reasons:
 - a. The subject property fronts on US-25 and therefore has adequate access for its intended use as a general business.
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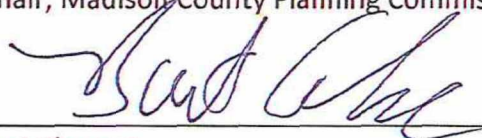
RECOMMENDATION:

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 2021 Berea Road, Richmond, Kentucky, 40475, BE APPROVED, and the above-described property be zoned as UC-4.



Robert Farmer

Chair, Madison County Planning Commission



Bert Thomas
Director, Madison County Planning & Development

Area Map - Madison County, KY



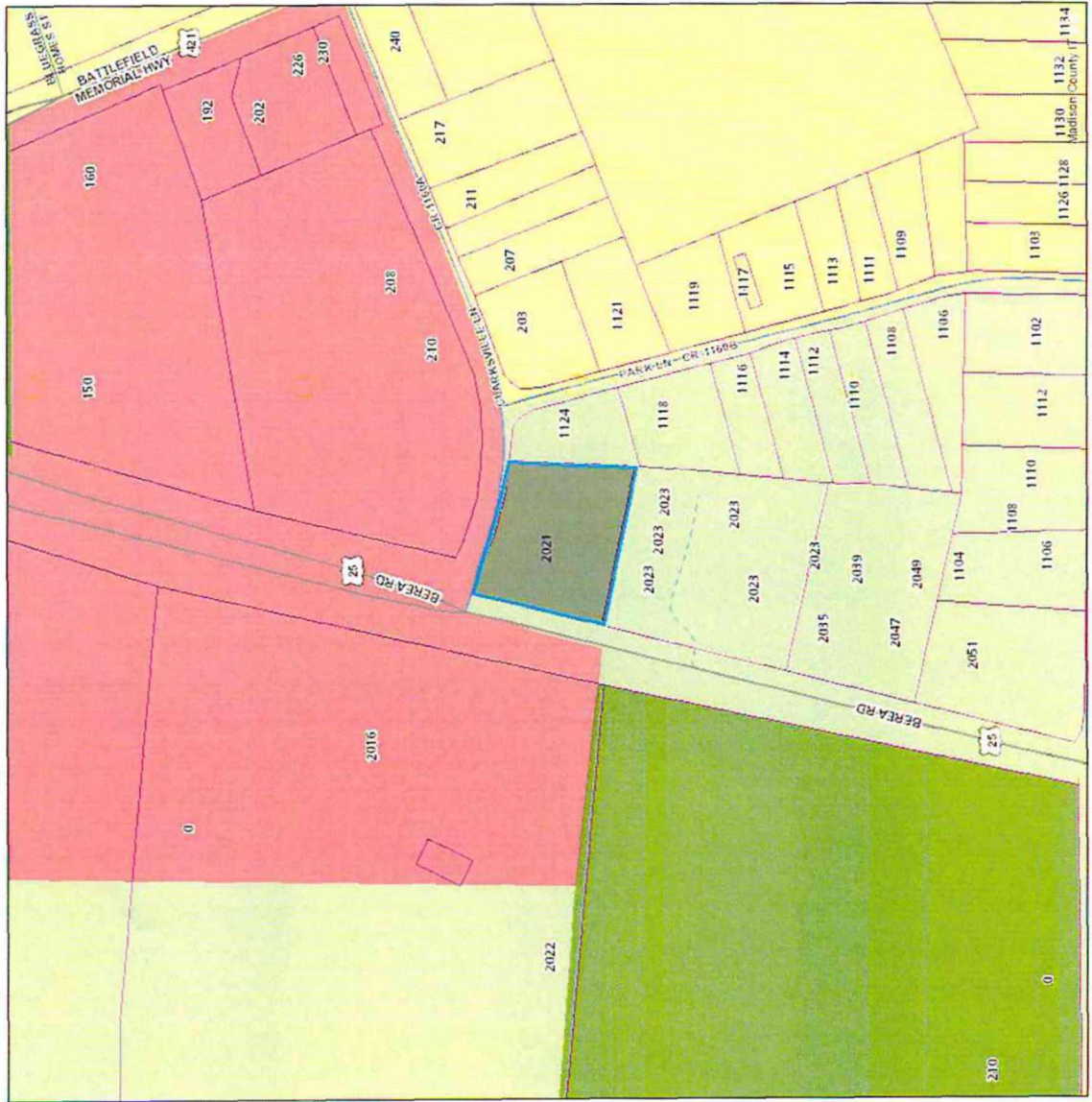
- GPS Address
- Parcels
- Shields
- Roads
 - Other Road
 - State Owned
 - County Owned/Maintained
 - County Owned/Maintained (Gravel/Soil)
 - County Owned/Not Maintained
 - County Owned/Not Maintained (Gravel/Soil)
 - City Owned
 - City Owned (Gravel/Soil)
 - Private Owned
 - Private Owned (Gravel/Soil)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

MADISON COUNTY
KENTUCKY

1:2,257
1" = 188 feet
1" = 0.04 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, Kentucky is a county in the eastern part of the state. It is named for James Madison, the fourth President of the United States. The county is located in the Bluegrass region of Kentucky. It is bordered by Boone County to the north, Warren County to the east, and Lincoln County to the south. The county seat is Glasgow, Kentucky. The population of Madison County is approximately 15,000 people. The county is known for its beautiful scenery, including the Bluegrass and the Kentucky Horse Country. It is also known for its agriculture, particularly horse raising and horse training. The county is a member of the Eastern Kentucky Educational and Historic Landmarks Commission. The county is also a member of the Kentucky State Police. The county is a member of the Kentucky State Police. The county is a member of the Kentucky State Police.