

**MADISON COUNTY FISCAL COURT
MADISON COUNTY, KY
ORDINANCE 2024-17**

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY,
APPROVING THE ZONE CHANGE OF 4050 IRVINE ROAD, WACO, 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, August 20, 2024 to consider a Land Use Change Request Application from UC-7 Agriculture to UC-4 General Business. 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 County Fiscal Court to have sufficient infrastructure to accommodate the anticipated future growth in the county.
3. The subject property fronts on US-52, and therefore has adequate access for its intended use as general business.
4. 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 (agricultural) to UC-4 (general business) would be appropriate.
5. The property has sufficient water to provide for its intended purpose.
6. The property is in close proximity to the intersection of US-52 and Brassfield Road. This intersection currently consists of a convenient store, storage facility, an antique mall and acts as a commercial hub for the area. Additionally, across the street from the subject property is the U.S. Postal Service, and therefore along US-52 has been developed primarily as commercial.

7. The requested zoning classification is UC-4 would be consistent with the County's current Comprehensive Plan as part of the Urban Corridor.
8. Zoning classification of UC-7 (agricultural) is not appropriate, and therefore modification of that zoning to a more appropriate zone of UC-4 which is consistent with the adjacent property 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

The property is as described in Exhibit A attached hereto.

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: 10-8-24

MOTION BY: Bath

SECONDED BY: Combr

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: 10-22-2024

MOTION BY: Hayler

SECONDED BY: Combs

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>
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Signed:


 Madison County Judge Executive

Attested:


 Madison County Clerk, Kenny Barger

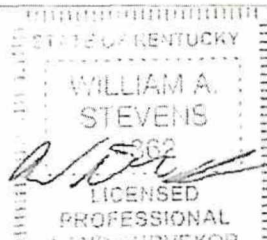
Property Description – Tract A

Being all of the remaining portion of Tract 1 and all of Tract 2 conveyed by Deed from Kent Wagoner, grantor, to Ronald E. Aldridge and Patricia A. Aldridge, grantees, dated May 11th, 1998, and recorded in Deed Book 489, Page 123, in the Madison County Clerk's Office.

Being more particularly described as follows:

Beginning at a mag nail set with aluminum washer bearing PLS# 4362 on the western edge of right-of-way (R/W) of KY HWY 52 (Irvine Road), and being located 9 miles southeast of Richmond, Madison County, and being located in the community of Waco, Madison County, and being the Point of Beginning for this description; Thence with the western edge of R/W of KY HWY 52 for the following three (3) courses: S56°20'28"E – 4.28 feet to a point, following a curve to the right with a radius of 22,850.00 feet, arc length of 404.94 feet, chord length of 404.94 feet, and a chord bearing of S55°50'00"E to an iron pin set (5/8" x 18" steel rebar with blue plastic survey cap stamped PLS #4362, as is typical of all pins set in this survey), and S28°12'11"E – 21.95 feet to an iron pin set 1.38 feet from an old fence post found at a corner common to Kavanaugh (DB 825 PG 503); Thence leaving the western edge of R/W of KY HWY 52 and with the western boundary of Kavanaugh (DB 825 PG 503) for the following two (2) courses: S40°46'59"W – 133.55 feet passing an old fence post at 1.38 feet and continuing 132.17 feet to an iron pin set S79°29'35"W - 0.27 feet from an iron pin found disturbed with no survey cap, and S41°18'05"W – 197.75 feet to an iron pin set of the eastern edge of R/W of Elliston Road; Thence leaving the boundary of Kavanaugh (DB 825 PG 503) and with the eastern edge of R/W of Elliston Road for the following five (5) courses: N47°52'46"W – 41.94 feet to a point, N47°10'35"W – 40.88 feet to a point, N47°52'49"W – 43.97 feet to a point, N50°16'46"W – 48.45 feet to a point, and N54°39'11"W – 45.41 feet to an iron pin set at a corner common to Soard (DB 789 PG 659, PC 15 SL 342); Thence leaving the eastern edge of R/W of Elliston Road and with the boundary of Soard (DB 789 PG 659, PC 15 SL 342) for the following three (3) courses: N34°54'06"E – 10.85 feet to an iron pin found with no survey cap, N34°54'06"E – 156.20 feet to an iron pin found with no survey cap, and N56°38'55"W – 161.55 feet to an iron pin found with no survey cap at a corner common to Anglin (DB 332 PG 487); Thence leaving Soard (DB 789 PG 659, PC 15 SL 342) and with the boundary of Anglin (DB 332 PG 487) N30°17'07"E – 150.97 feet to the Point of Beginning and containing 2.360 acres by survey.

This description was prepared from a physical survey conducted by Vantage Engineering PLC, William Stevens, Kentucky PLS #4362 dated the 18th day of July 2024.



TO: MADISON COUNTY FISCAL COURT
FR: MADISON COUNTY PLANNING COMMISSION
RE: APPLICATION FOR LAND USE MAP AMENDMENT
4050 Irvine Road, Waco, Kentucky 40385
DA: August 20, 2024

This matter came before the Planning and Zoning Commission for a hearing on August 20, 2024, on application submitted by the landowners, Ronald E. Aldridge and Patricia A. Aldridge, to amend the official zoning map of Madison County regarding certain tract located at **4050 Irvine Road, Waco, Madison County, Kentucky 40385**, from a property currently zoned as UC-7 Agriculture to UC-4 General Business.

Upon proper notice being given and upon hearing testimony and arguments of all parties on August 20, 2024, and upon Motion made and vote taken, the Madison County Planning and Zoning 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. 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

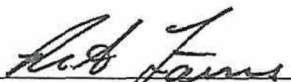
Upon considering the evidence and testimony summarized herein, the Madison County Planning and Zoning Commission made the following Findings of Fact:

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 County Fiscal Court to have sufficient infrastructure to accommodate the anticipated future growth in the county.
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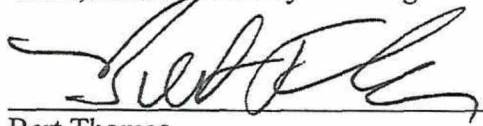
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7. The requested zoning classification is UC-4 and would be consistent with the County's current Comprehensive Plan as part of the Urban Corridor.
8. Zoning classification of UC-7 (agricultural) is not appropriate, and therefore modification of that zoning to a more appropriate zone of UC-4 which is consistent with the adjacent property 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 4050 Irvine Road, Waco, Kentucky 40385, 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



- New Siren Location
- 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

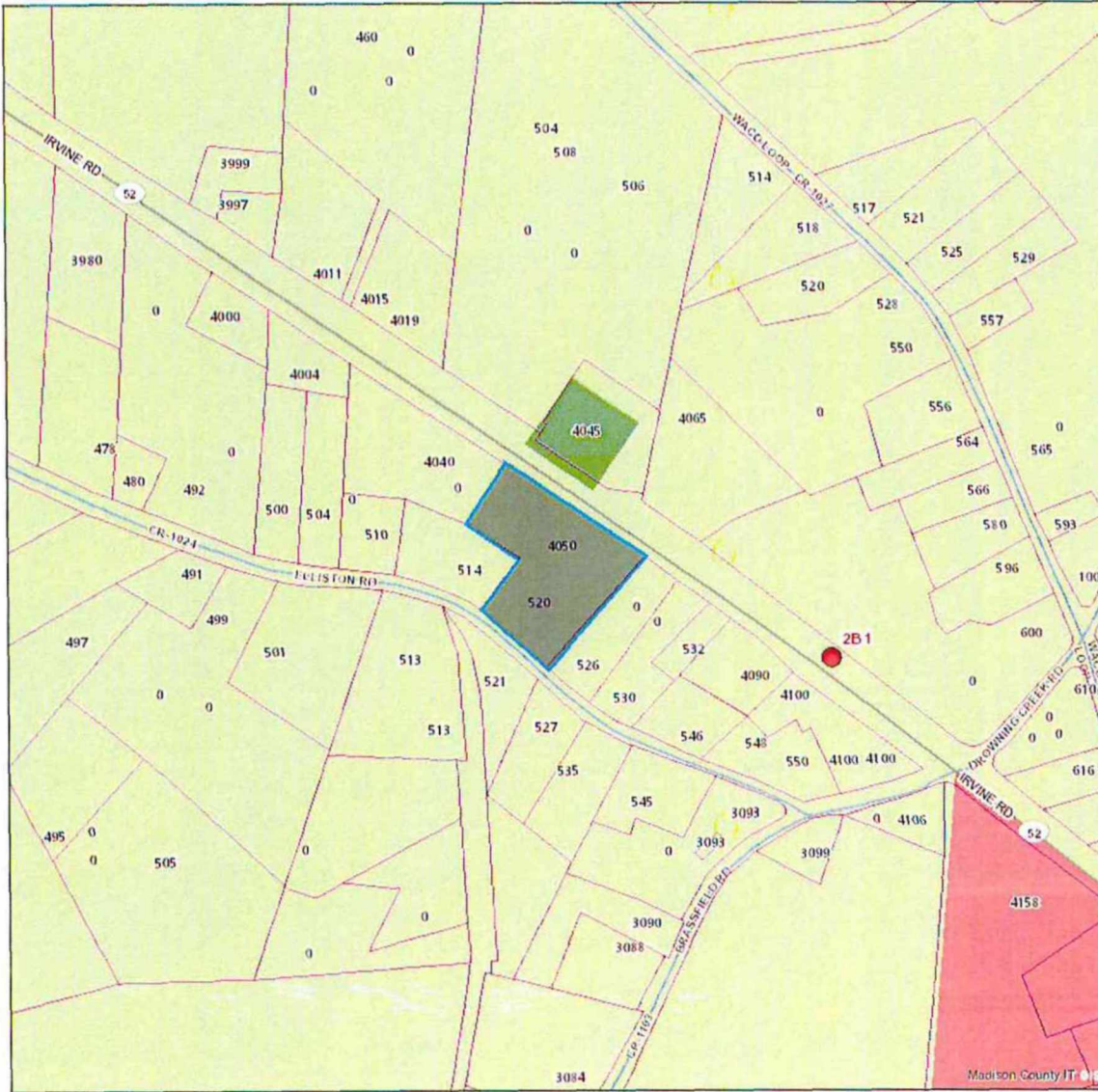
MADISON COUNTY
KENTUCKY

1:4,514
 1" = 376 feet
 1" = 0.07 miles

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Area Map - Madison County, KY



- New Siren Location
- 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
- 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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Although this map is a technical drawing, it is not a legal document. It is intended for informational purposes only. The user assumes all responsibility for the accuracy and use of this map. The user should consult the appropriate legal authority for all matters related to this map. The user should also consult the appropriate legal authority for all matters related to this map. The user should also consult the appropriate legal authority for all matters related to this map.

Madison County IT

