

**MADISON COUNTY FISCAL COURT
MADISON COUNTY, KY
ORDINANCE 2025-01**

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY,
APPROVING THE ZONE CHANGE OF APPROXIMATELY 14.02 ACRES LOCATED
AT 1330 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, December 17, 2024 to consider a Land Use Change Request Application from UC-4IC General Commercial to UC-2 Multi-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 a tract of undeveloped agricultural land lying within the County limits along Boonesborough Road.
3. The property fronts on Boonesborough Road. The property to the north is zoned Urban Corridor Interstate Commercial (UC-4IC) and currently utilized as farmland. The adjacent property to the South is zoned UC-2 and is utilized as a mobile home park. The property to the West and East is zoned UC-1 Single-Family and Urban Corridor Interstate Commercial (UC-4IC) and has farm, church, and single-family uses. The applicant proposes to rezone their property for multi-family residential development. The remaining acreage of the parent tract of the subject property shall remain UC-4IC and be used for commercial purposes.
4. The legal justification for the requested zone change is that said change is in conformity with the Comprehensive Plan of Madison County and that the requested UC-4IC classification is appropriate, given the property's location and the Comprehensive Plan's call for this to be developed as residential.
5. This Property is located along Boonesborough Road, which per the Comprehensive Plan, is suggested to be developed as residential. Page 22 of the Comprehensive Plan makes clear that Northern Madison County is the closest in proximity to Lexington and could serve as a prime location for residential growth for high-wage earners that work in Lexington but want to live in Madison County. Municipal

sanitary sewer services are available in limited areas of Northern Madison County; however, expansion projects are planned for this region of the county. New development in this area should consider high-density, high-quality development that promotes upper-end housing, shopping options, and promotes walkability. Low density residential and pockets of neighborhood commercial uses would be most appropriate along Rural Corridors that extend from Northern Madison County at the 1-75 interchange to Boonesborough and Clark County.

6. The Comprehensive Plan's Future Land Use Map, located on page 19 of the Comprehensive Plan, also suggests mixed use commercial and residential uses for the area which will be accomplished by the proposed multi-family residential development and remaining commercial lots.
7. The current zoning classification of the subject property is UC-4IC. The proposed map amendment would change the zoning classification to UC-2, which is in agreement with the Comprehensive Plan, particularly but not limited to:

Goal 5: Housing: Provide a Range of housing opportunities including affordable housing options.

Encourage new residential development in areas that currently provide or are planned to provide adequate transportation access and infrastructure.

The proposed development has water and sewer capacity, is near a fire station, and has adequate transportation infrastructure to support additional traffic. Where the Comprehensive Plan calls for more dense housing options in this area of Madison County, often infrastructure for projects of this nature is not available. As for the subject property, adequate infrastructure is in place to support the more dense residential development suggested by the Comprehensive Plan for this area.

Allow a diverse range of housing types to meet housing needs such as attached single-family, multi-family, and senior housing.

Available housing stock attracts business and investment in the community. This proposes rezoning and development will provide an attractive housing type, providing a diverse housing option while complementing existing development. Additionally, the proposed rezoning (1) is in agreement with the Comprehensive Plan, (2) the Plan's Future Land Use Map and (3) request for residential development along Boonesborough Road in Northern Madison County.

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-4IC to UC-2; and

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-4IC to UC-2 classification.

SECTION I

A certain tract of land located on the west side of State Highway 627 Madison County, Commonwealth of Kentucky and being more particularly described as follows:

Commencing at a found ½” iron rebar and cap stamped “ABACUS LPLS #3265” said point being located in the west right-of-way of Kentucky State Highway 627. Said rebar also being the northeast property corner of the property of Madison MHC LLC as described in (DB 611, PG 794). Thence departing said northeast property corner of Madison MHC LLC along the west right of way of said Kentucky State Highway 627 and the property of JHV Construction, LLC as described in (DB 727, PG 259) N32°31’12”E; a distance of 650.05’ to a PK nail and aluminum washer stamped “Abacus LPLS#3265”. Said point also being the southeast corner of the property of the Sharon B. Taylor Revocable Trust as described in (DB 737, PG 161). Thence continuing along the aforementioned west right of way of 627 and along the north property line of said property of JHV Construction, LLC N62°57’35”W; a distance of 35.21’ to a found ½” iron rebar and cap stamped “LS 670” in the west right of way of said Highway 627 and the north property line of JHV Construction, LLC. Thence departing said west right of way of Kentucky State Highway 627 along the north property line of JHV Construction, LLC as described in (DB 727, PG 259) and the south property line of said Sharon B. Taylor Revocable Trust as described in (DB 737, PG 161) N62°57’35”W; a distance of 158.49’ to the Point of Beginning of the subject parcel and being a portion of the property of JHV Construction, LLC as described in (DB 727, PB 259). Thence N62°57’35”W; a distance of 33.42’ to a found ½” iron rebar and cap stamped “LS 670”. Thence continuing the following courses along aforementioned north property line N61°57’38”W; a distance of 150.11’ to a found ½” iron rebar and cap stamped “LS 670”. Thence N62°26’59”W; a distance of 63.23’ to a found ½” iron rebar and cap stamped “LS 670”. Thence N74°48’17”W; a distance of 185.40’ to a found ½” iron rebar and cap stamped “LS 670”. Thence N74°10’27”W; a distance of 179.19’ to a found ½” iron rebar and cap stamped “LS 670”. Thence N75°59’48”W; a distance of 138.81’ to a found ½” iron rebar and cap stamped “LS 670”. Thence N83°05’01”W; a distance of 194.37’ to a found ½” iron rebar and cap stamped “LS 670”. Thence N81°50’01”W; a distance of 159.97’ to a found ½” iron rebar and cap stamped “LS 670”. Thence N84°22’12”W; a distance of 106.70’ to a found ½” iron rebar and cap stamped “LS 670”. Said rebar also being a property corner of the aforementioned lands of Madison MHC LLC as described in (DB 611, PG 794). Thence departing said north property line of JHV Construction, LLC and south property line of Sharon B. Taylor Revocable Trust as described in (DB

737, PG 161) along east property line of Madison MHC LLC S01°14'03"W; a distance of 327.83' to a found ½" iron rebar and cap stamped "ABACUS LPLS #3265". Thence continuing along said west property line S00°11'55"W; a distance of 207.19' to a point. Thence departing said east property line of Madison MHC LLC as described in (DB 611, PG 794) and the west line of JHV Construction, LLC as described in (DB 727, PG 259) S75°08'22"E; a distance of 850.53' to a point. Thence S32°31'12"W; a distance of 21.82' to a point of curvature concaved to the southeast supporting a Radius of 25.0' and possessing Arc Length of 30.77', Chord length of 28.87', Chord Bearing of S67°47'04"W and a Delta Angle of 70°31'44" to a point of curvature supporting a Radius of 50.0' and possessing Arc Length of 140.09', Chord length of 98.56', Chord Bearing of S22°47'04"W and a Delta Angle of 160°31'44" to a point in the north property line of the aforementioned Madison MHC LLC as described in (DB 611, PG 794). Thence along said north property line S75°08'22"E; a distance of 52.47' to a point. Thence departing said north property line of Madison MHC LLC as described in (DB 611, PG 794) N32°31'12"E; a distance of 686.72' to a point of curvature concaved to the northwest supporting a Radius of 25.0' and possessing Arc Length of 6.75', Chord length of 6.56', Chord Bearing of N40°03'14"E and a Delta Angle of 15°04'03" to the Point of Beginning containing 14.02 Acres more or less.

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: 1/14/2025

DATE OF SECOND READING: 1-28-25

MOTION BY: Lochmueller

SECONDED BY: Combs

VOTE:	YES	NO	ABSTAIN
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Magistrate James Brian Combs	<u>✓</u>	<u> </u>	<u> </u>
Magistrate Stephen Lochmueller	<u>✓</u>	<u> </u>	<u> </u>

Magistrate Billy Ray Hughes
Magistrate Tom Botkin
Judge Executive Reagan Taylor


<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
1330 Boonesborough Road, Richmond, Kentucky 40475
DA: January 9, 2025

This matter came before the Planning and Zoning Commission for a hearing on December 17, 2024, on application submitted by the landowner, JHV Construction LLC, to amend the official zoning map of Madison County regarding certain tract of approximately 14.02 acres located at **1330 Boonesborough Road, Richmond, Madison County, Kentucky 40475**, from a property currently zoned as UC-4IC General Commercial to UC-2 Multi-Family Residential.

Upon proper notice being given and upon hearing testimony and arguments of all parties on December 17, 2024, and upon Motion made and vote taken on December 17, 2024, 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. Preston Worley at the Hearing. The Applicant's presentation of evidence included a number of Exhibits, made a part of its presentation, together with testimony of Jason Taylor for the applicant, Surveyor for Applicant, and Mark McIntosh, transportation engineer; 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-4IC) is inappropriate and the proposed zoning classification (being UC-2) 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 a tract of undeveloped agricultural land lying within the County limits along Boonesborough Road.
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property to the South is zoned UC-2 and is utilized as a mobile home park. The property to the West and East is zoned UC-1 Single-Family and Urban Corridor Interstate Commercial (UC-4IC) and has farm, church, and single-family uses. The applicant proposes to rezone their property for multi-family residential development. The remaining acreage of the parent tract of the subject property shall remain UC-4IC and be used for commercial purposes.

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Plan for this area.

Allow a diverse range of housing types to meet housing needs such as attached single-family, multi-family, and senior housing.

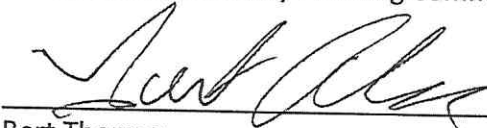
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RECOMMENDATION:

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 being approximately 14.02 acres and located at 1330 Boonesborough Road, Richmond, Kentucky 40475 BE APPROVED, and the above-described property be zoned as UC-2.



Robert Farmer
Chair, Madison County Planning Commission



Bert Thomas
Director, Madison County Planning & Development

Area Map - Madison County, KY



Legend

- 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

Scale: 1" = 376 feet
1" = 0.07 miles

North Arrow

Madison County, KY 40319

Area Map - Madison County, KY



Legend

- 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

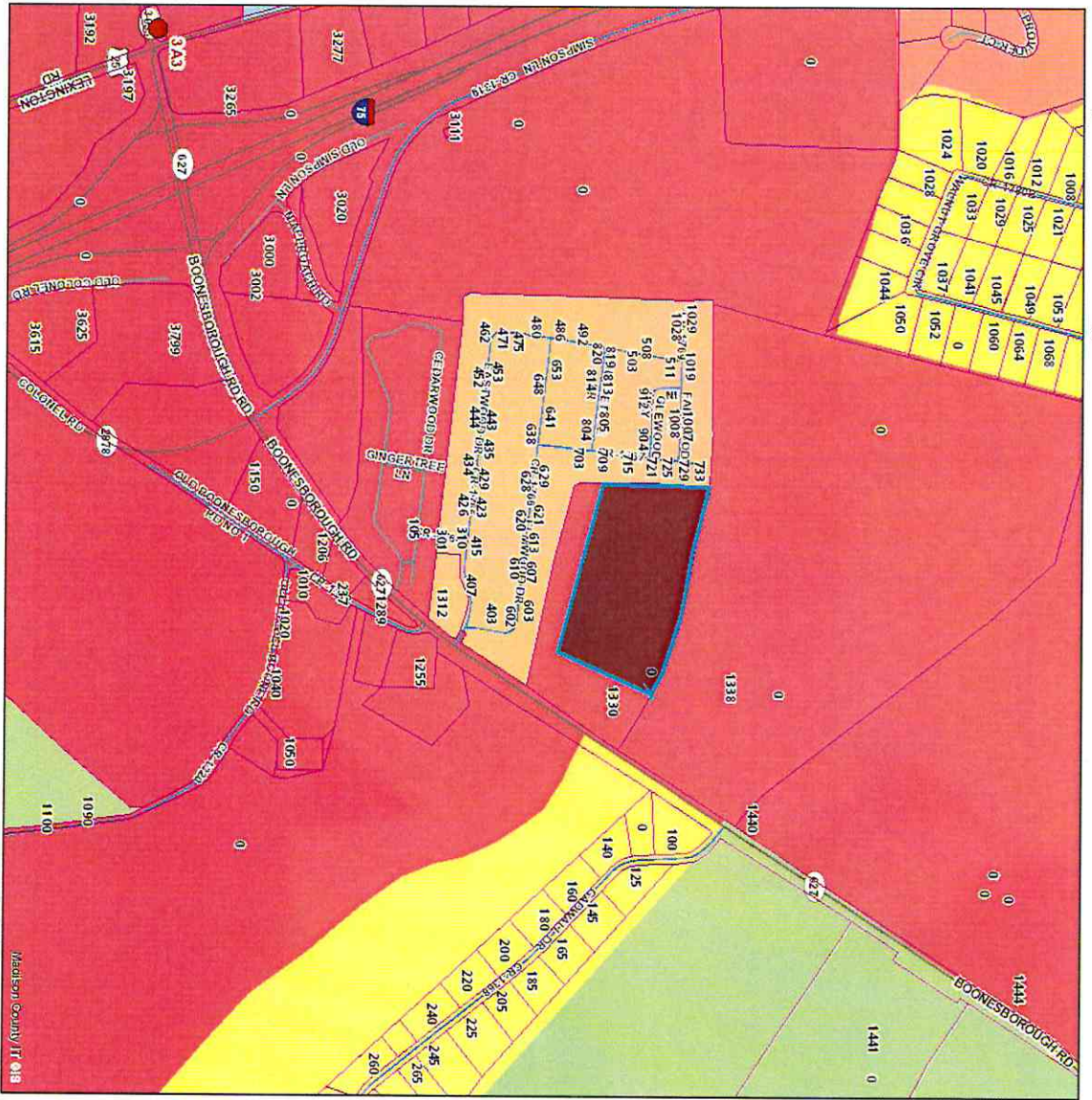
MADISON COUNTY
KENTUCKY

1:9,028
1" = 762 feet
1" = 0.14 miles

N

Madison County, KY

Area Map - Madison County, KY



Legend

- New Site Location
- GPS Address
- Parcels
- Shields
- Other Road
- Roads
- County Owned/Maintained (Gravel/Soil)
- County 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

Scale and Orientation

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

N

MADISON COUNTY KENTUCKY

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