

**MADISON COUNTY FISCAL COURT
MADISON COUNTY, KY
ORDINANCE 2025-016**

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY,
APPROVING THE ZONE CHANGE OF 220, 226 & 230 WACO LOOP, 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, May 20, 2025, 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 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 area is described by the Comprehensive Plan's Future Land Use as a Mixed Area suitable for commercial growth.
3. The character of the surrounding area and this property are more suitable for UC-7 purposes as the subject property is in close proximity to other properties used for nonresidential purposes.
4. That Comprehensive Plan encourages business uses along roadways akin to Waco Loop and Irvine Road, and the location of the property is adequate for commercial use due to the Site and Dimensional Requirements required by the Land Use Regulations.
5. The proposed zone will not disrupt traffic along Waco Loop and Irvine Road, nor will its use disrupt the surrounding properties' quiet enjoyment.
6. The property's existing zone UC-7 is not appropriate.
7. 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

The subject property is as described as follows:

TRACT I

A certain store building in Waco, Kentucky, beginning at a point in the highway, Kentucky Highway No. 52 corner to W.T. Bush, thence East with the highway 68 feet, thence North 60 feet, thence West 68 feet, thence South 60 feet to the place of beginning.

See also new survey of the above-described property, which was performed by Jay L. Webb, PLS No. 3505, of Central Kentucky Land Surveying, LLC, dated May 4, 2022, a plat of which is of record in Plat Book P30 at page 129, in the office of the Madison County Clerk, Richmond, Kentucky.

AND BEING THE SAME property conveyed to Dywalt Properties, LLC by deed dated January 18, 2024, from Leonard Frank Dryer and Lee Ann Dyer, husband and wife, and Billy Eugene Walters, single, and recorded in Deed Book 847 at page 799, in the office of the Madison County Clerk, Richmond, Kentucky.

TRACT II

Being all of Lot 1, containing .79 of an acre, more or less, more particularly described on that Minor Plat for Nada Hoskins, of record in Plat Book P30 at page 141, in the office of the Madison County Clerk, Richmond, Kentucky.

AND BEING THE SAME property conveyed to Leonard Frank Dryer and Billy Eugene Walters by deed dated July 13, 2022, from Nada Hoskins, single, and recorded in Deed Book 826 at page 220, in the office of the Madison County Clerk, Richmond, Kentucky.

TRACT III

Being all of Lot 2, containing 1.06 acres, more or less, more particularly described on that Minor Plat for Nada Hoskins, of record in Plat Book P31 at page 191, in the office of the Madison County Clerk, Richmond, Kentucky.

And

Being all of Lot 3, containing 1.52 acres, more or less, more particularly described on that Minor Plat for Nada Hoskins, of record in Plat Book P31 at page 191, in the office of the Madison County Clerk, Richmond, Kentucky.

AND BEING THE SAME property conveyed to Leonard Dryer and Billy Walters by deed dated February 3, 2025, from Dywalt Properties, LLC, and recorded in Deed Book 600 at page 602, in the office of the Madison County Clerk, Richmond, Kentucky.

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.

SECTION IV

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

THIS DOCUMENT WAS FIRST INTRODUCED AND GIVEN FIRST READING IN SUMMARY at a duly convened meeting of the Fiscal Court of Madison County, Kentucky, held on the 25TH day of NOVEMBER 2025.

THIS DOCUMENT WAS GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Fiscal Court of Madison County, Kentucky, held on the 16TH day of DECEMBER 2025.

MOTION BY:

Hughes


SECONDED BY:

Combs

VOTE:

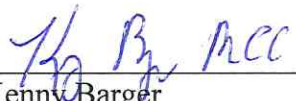
	YES	NO	ABSTAIN
Magistrate James Brian Combs	<u>✓</u>	_____	_____
Magistrate Stephen Lochmueller	<u>✓</u>	_____	_____
Magistrate Billy Ray Hughes	<u>✓</u>	_____	_____
Magistrate Tom Botkin	<u>✓</u>	_____	_____
Judge/Executive Reagan Taylor	<u>✓</u>	_____	_____

Signed:



Reagan Taylor
Madison County Judge/Executive

Attested:



Kenny Barger
Madison County Clerk

TO: MADISON COUNTY FISCAL COURT
FR: MADISON COUNTY PLANNING COMMISSION
RE: APPLICATION FOR LAND USE MAP AMENDMENT
220, 226 & 230 Waco Loop, Waco, Kentucky 40385
DA: November 4, 2025

This matter came before the Planning and Zoning Commission for a hearing on May 20, 2025, on application submitted by the landowners, Leonard Dyer, Billy Walters and Dywalt Properties, LLC, to amend the official zoning map of Madison County regarding certain tracts located at **220, 226, & 230 Waco Loop, 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 May 20, 2025, and upon Motion made and vote taken on May 20, 2025, 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. 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 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 that the existing zoning classification given to the property (UC-7) is inappropriate and the proposed zoning classification (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 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 area is described by the Comprehensive Plan's Future Land Use as a Mixed Area suitable for commercial growth.
3. The character of the surrounding area and this property are more suitable for UC-7 purposes as the subject property is in close proximity to other properties used for nonresidential purposes.
4. That Comprehensive Plan encourages business uses along roadways akin to Waco Loop and Irvine Road and the location of the property is adequate for commercial use due to the Site and Dimensional Requirements required by the Land Use Regulations.
5. The proposed zone will not disrupt traffic along Waco Loop and Irvine Road, nor will its use disrupt the surrounding properties' quiet enjoyment.

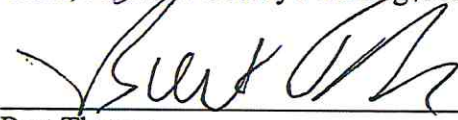
6. The property's existing zone UC-7 is not appropriate.
7. The proposed zone (UC-4) is appropriate.

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 220, 226 & 230 Waco Loop, 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



Legend

- New Sign 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: 1:2,257
 1" = 188 feet
 1" = 0.04 miles

North Arrow

Madison County, KY 40315

Area Map - Madison County, KY



Legend

- New Shien 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: 1:2,257
 1" = 188 feet
 1" = 0.04 miles

North Arrow: N

Madison County IT-015

