

RECEIVED AND FILED  
DATE January 13, 2012

**ORDINANCE NO. 11-24**

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Karlie Gibson

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY, ANNEXING APPROXIMATELY 8.98 ACRES OF LAND ADJACENT TO THE CITY LIMITS.**

**WHEREAS**, the owner of record of the unincorporated territory described below would like to have annexed to the incorporated area of the City of Richmond, Kentucky approximately 8.98+/- acres of land adjacent to the City Limits, and

**WHEREAS**, Lexington Road Church of God the sole owners of the land being proposed for annexation has by letter dated March 4, 2011 applied for voluntary annexation.

**WHEREAS**, it is the intent of the Richmond City Board of Commissioners to annex this land described below as per annexation procedures established by Ordinance No. 96-17, adopted February 20, 1996.

**WHEREAS**, the proposed annexation meets the requirement of KRS 81A.410, and the owner of record of such land has consented in writing to the annexation pursuant to KRS 81A.412, and

**WHEREAS**, it is declared pursuant to KRS 81A.420 that it is desirable to annex this unincorporated territory and the Richmond Planning and Zoning Commission conducted a Public Hearing pursuant to KRS 100.209 for its recommendation as to zone classifications and any zoning map amendments.

**NOW, THEREFORE BE IT ORDAINED** by the Board of Commissioners of the City of Richmond that:

**SECTION I**

The following described property is hereby annexed into City Boundaries:

Situated in the Commonwealth of Kentucky, County of Madison and being the property conveyed to 2300 and 2366 Lexington Road Church of God by Deed Book 368, Page 406 and Deed Book 453, Page 756 as recorded in the office of the Madison County Clerk and being more particularly bounded and described as follows:

The Legal Description for Annexation Plat is attached hereto this Ordinance.

**SECTION II**

The Richmond Planning and Zoning Commission conducted a Public Hearing pursuant to KRS100.209 on March 24, 2011 and recommended the zoning classification of subject property be P/SP (Public/Semi-Public). The property shall be so zoned in accordance with that recommendation.

**SECTION III**

The City Clerk shall cause this Ordinance to be published in accordance with the appropriate Kentucky Revised Statutes.

**Date of First Reading: July 26, 2011**

**Motion By: Commissioner Baird**

**Seconded By: Commissioner Thomas**

**Date of Second Reading: September 27, 2011**

**Motion By: Commissioner Baird**

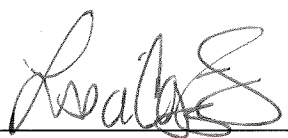
**Seconded By: Commissioner Thomas**

<b>Vote:</b>	<b>Yes</b>	<b>No</b>
Commissioner Baird	x	
Commissioner Blythe	x	
Commissioner Morgan	x	
Commissioner Thomas	x	
Mayor Barnes	x	



\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk

CITY OF RICHMOND PLANNING AND ZONING COMMISSION  
CITY HALL  
RICHMOND, KENTUCKY

APPLICATION FOR ZONING MAP AMENDMENT

DATE: 3/4/11

Nonrefundable Fee: \$ 500.00 # 11751

1. Owner(s) of Property (names and addresses):

LEXINGTON ROAD CHURCH OF GOD  
2330 & 2336 LEXINGTON ROAD  
RICHMOND, KY 40475

2. Property address:

SAME AS ABOVE

3. Existing zoning classification of property: UC-7 COUNTY

4. Existing use of property: CHURCH

5. Requested zoning classification of property: ANNEXATION P/SP

6. Property size: 8.98 acres

7. Use and zoning classification of surrounding property:

	<u>Use</u>	<u>Zoning</u>
North:	<u>AGRICULTURE</u>	<u>UC-7</u>
South:	<u>SINGLE FAMILY</u>	<u>UC-7</u>
East:	<u>CHURCH</u>	<u>P/SP</u>
West:	<u>SUBDIVISION-SINGLE FAMILY</u>	<u>UC-1</u>

8. Does the property in question, or any portion of it, adjoin property located outside of the boundaries of the City of Richmond, Kentucky?  yes  no



## LIST OF ADJOINING PROPERTY OWNERS

**Instructions:** Provide the information detailed below as to every other tract of property which adjoins (or touches, however small the common boundary) the tract of property involved in this zone change request.

<u>ADDRESSES OF ALL ADJOINING PROPERTIES</u>	<u>NAMES OF PROPERTY OWNERS</u>	<u>PROPERTY OWNER'S ADDRESS</u>
2300 Lexington Rd. Richmond, Ky	Trinity Missisany Baptist Church	Same
1. 2328 Lex Rd. Richmond, Ky	William Wallace Norris	Same
3. 2308 Lex Rd. Richmond, Ky	Vickie Hollingsworth	Same
4. P.O. Box 581. Richmond, Ky	Trinity	Same
5. 205 Riva Ridge Richmond, Ky	Randy Eldridge	Same
6. 207 Riva Ridge Richmond, Ky	Marion & Patricia Hodge	Same
7. 209 Riva Ridge Richmond, Ky	Jackie & Barbara Greer	Same
8. 211 Riva Ridge Richmond, Ky	James E. Sheila Austin	Same
9. P.O. Box 966, Richmond, Ky	George & Ruth Mashin	Same
10. 215 Riva Ridge Richmond, Ky	Annie & Hosea Farris	Same
11. 2956 Lex Rd. Richmond, Ky	Smith Children Irrevocable Trust	Same
12. 2324 Lex Rd. Richmond, Ky	Barbara Whithers	Same
_____ yes. <input checked="" type="checkbox"/> no.	Does this property adjoin any other planning and zoning jurisdictions? If yes please list each along with an address.	
13. 2316 Lex Rd. Richmond, Ky	Vardetta Richardson	Same

Planning and Zoning Commission

Address

1. \_\_\_\_\_

2. \_\_\_\_\_

1 CHURCH OF GOD  
2366 & 2330 LEXINGTON ROAD  
RICHMOND, KY 40475

2 NOT AVAILABLE THROUGH PVA

3 NOT AVAILABLE THROUGH PVA  
*Barbara Withers 2324 Lex. Rd.*

4 TRINITY MISSIONARY  
BAPTIST CHURCH  
2300 LEXINGTON ROAD  
RICHMOND, KY 40475

5 WILLIAM WALLACE NORRIS  
2328 LEXINGTON ROAD  
RICHMOND, KY 40475

6 NOT AVAILABLE THROUGH PVA

7 VICKIE HOLLINGSWORTH  
2308 LEXINGTON ROAD  
RICHMOND, KY 40475

8 NOT AVAILABLE THROUGH PVA

9 TRINITY  
P.O. BOX 581  
RICHMOND, KY 40476

10 RANDY ELDRIDGE  
205 RIVA RIDGE DRIVE  
RICHMOND, KY 40475

11 MARION & PATRICIA HODGE  
207 RIVA RIDGE DRIVE  
RICHMOND, KY 40475

12 JACKIE & BARBARA GREER  
209 RIVA RIDGE DRIVE  
RICHMOND, KY 40475

13 JAMES & SHEILA AUSTIN  
211 RIVA RIDGE DRIVE  
RICHMOND, KY 40475

14 GEORGE & RUTH MASLIN  
P.O. BOX 966  
RICHMOND, KY 40476

15 ANNIE & HOSEA FARRIS  
215 RIVA RIDGE DRIVE  
RICHMOND, KY 40475

16 SMITH CHILDREN  
IRREVOCABLE TRUST  
c/o BESTY SMITH-SETTLOR  
2956 LEXINGTON ROAD  
RICHMOND, KY 40475

*1-A Vondetta Richardson  
2316 Lex. Rd.*

**BEFORE THE CITY OF RICHMOND PLANNING AND ZONING  
COMMISSION**

**IN RE:           LEXINGTON ROAD CHURCH OF GOD  
                  ASSIGNMENT OF ZONING CLASSIFICATION**

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**FINDINGS OF FACT AND ZONING RECOMMENDATION**

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This matter is before the Planning and Zoning Commission for its recommendation as to the appropriate zoning classification to be assigned to the tract of property located at an address of 2330 and 2336 Lexington Road, Richmond, Kentucky, should such property be annexed into the City in accordance with the voluntary annexation request of the property owner, Lexington Road Church of God. The property owner has requested, should the property be annexed, that it be assigned a P/SP zoning classification.

The Commission conducted a public hearing on March 24, 2011, and finds as follows:

1. The property in question (the "Property") is located at 2330 and 2336 Lexington Road, Richmond, Kentucky, is located in Madison County, Kentucky, and is presently assigned the county zoning classification of UC-7.
2. The Property has located on it a church and related facilities owned by the property owner.
3. The zoning classification of the property which adjoins the Property is UC-7 (county zoning) on the North (presently an agricultural use); UC-7 (county zoning)

on the South (presently a single family residential use); P/SP (City zoning) on the East (presently a church use); and UC-1 on the West (single-family subdivision).

4. Proper notification of the public hearing has been given in accordance with the provisions of KRS 100.212 and KRS 424.130 by published notice, by signage on the property, and by notification of adjoining property owners by first class mail.

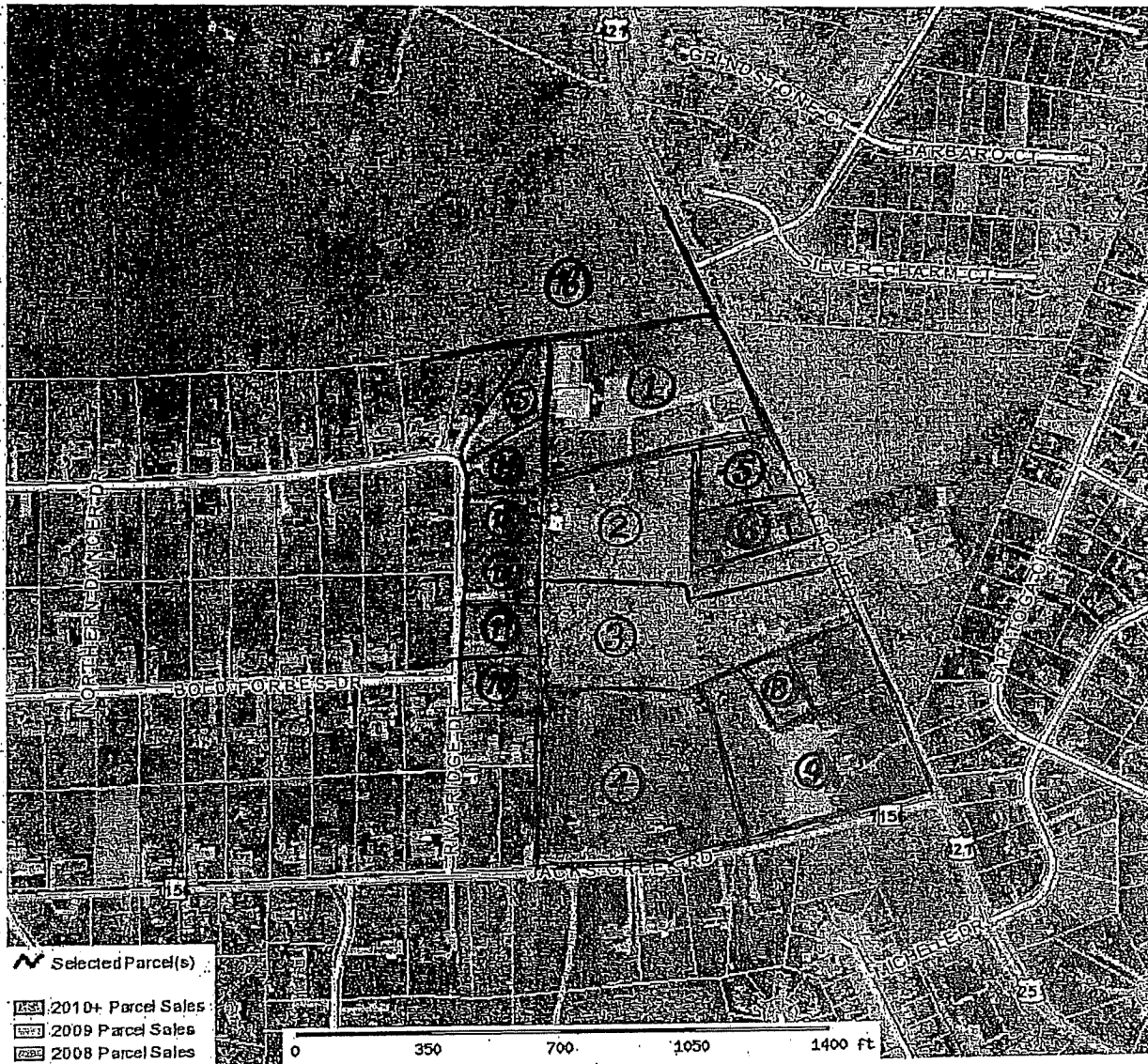
5. The Property consists of 8.982 acres. Given its past and current use as a church facility, the appropriate zoning classification to be assigned to it, should it be annexed into the City, would be the requested P/SP, a use which contemplates church use under the City's zoning ordinances.





#### **RECOMMENDATION**

The Planning and Zoning Commission recommends to the Board of Commissioners that if this tract is annexed into the City, it be assigned a zoning classification of P/SP.

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Chairman, City of Richmond Planning and Zoning Commission



 Selected Parcel(s)  
 2010+ Parcel Sales  
 2009 Parcel Sales  
 2008 Parcel Sales

0 350 700 1050 1400 ft

CHURCH OF GOD ADJOINER INFORMATION	
Parcel: 0041-0000-0006-C-5 Acres: 0	
Name:	CHURCH OF GOD
Site:	2336 & 2330 LEXINGTON RD
Address:	LEXINGTON ROAD RICHMOND KY 40475



The Madison County Property Valuation Administrator's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER MADISON COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—  
 Date printed: 02/24/11 08:49:53

**CERTIFICATE OF OWNERSHIP AND DEDICATION**

I, the undersigned, being the owner(s) of the property shown and described herein and that I hereby dedicate this tract of land for the public use and to the City of Richmond of Madison County, Kentucky as shown upon this plan.

OWNER/CLIENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 OWNER/CLIENT: \_\_\_\_\_ DATE: \_\_\_\_\_

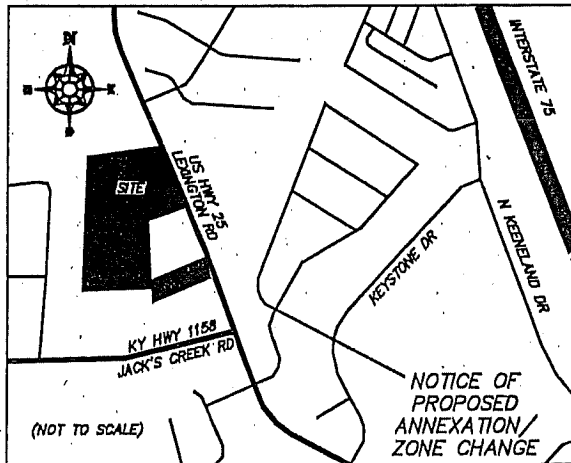
**CERTIFICATE OF APPROVAL**

I hereby certify that the above Plat herein herein has been found to comply with the provisions of the regulations for "Madison County, Kentucky, with the provisions of such regulations, if any, as may be adopted by this county, and are found to be in the public interest of the County and that it has been approved for recording in the Office of the Madison County Clerk.

RICHMOND PLANNING COMMISSION CHAIRMAN: \_\_\_\_\_ DATE: \_\_\_\_\_

PLAT 2  
 SOUTH CHURCH  
 COMMERCIAL  
 TOWN  
 RICHMOND, KY  
 ATTORNEY GENERAL  
 OFFICE  
 100 W. 10th St.  
 RICHMOND, KY 40475

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THERE WILL BE A MEETING OF THE RICHMOND PLANNING & ZONING COMMISSION ON MARCH 24, 2011 AT 5:30 PM IN THE COMMISSION CHAMBERS OF RICHMOND CITY HALL. THE PURPOSE IS TO CONSIDER A ZONE CHANGE FROM UC-7 TO P/SP FOR THE PROPERTY, AT 2330 & 2336 LEXINGTON ROAD, RICHMOND, KY 40475.

# **RICHMOND FIRE DEPARTMENT**

---

Chief Gerald Tatum

200 N. Madison Ave.  
P.O. Box 250  
Richmond, Kentucky 40476-

Phone 859-623-1164  
Fax: 859-623-5706

Tuesday, March 8, 2011

Mike Roberts  
Director of Planning and Zoning  
Richmond, KY 40475

RE: 2330 and 2336 Lexington Road

Mr. Roberts,

I have received a proposal for the voluntary annexation of land adjacent to the city limits. The property is located at 2330 and 2366 (2336) Lexington Road.

The property at 2330 Lexington Road is perceived to be a residential home owned by the Lexington Road Church of God located at 2366 (2336) Lexington Road and used as a parsonage. The structure is a two story with basement. The nearest fire hydrant is approximately 500 feet from the structure at the entrance to Derby Chase Subdivision and approximately 500 feet from the structure at 2323 Lexington Road.

The property at 2366 (2336) Lexington Road is perceived to be a church, The Lexington Road Church of God, with a daycare business, Kidz Konnection, operated within the church building. The building does not contain a fire sprinkler system but does contain a fire alarm system. It is unknown if the fire alarm system is monitored off site. There is an auxiliary building on site used for the purpose of storage of lawn care and maintenance equipment. The nearest fire hydrant is approximately 1050 feet from the church / daycare and 1500 feet from the storage building. The fire hydrants are located at the entrance to Derby Chase Subdivision and at 2323 Lexington Road.

To obtain adequate fire protection from the Richmond Fire Department a fire hydrant shall be placed at 2330 Lexington Road and near the 2366 (2336) church / daycare building. Without the placement of these fire hydrants the Richmond Fire Department can provide minimal fire protection at best due to the non existence of water supply for firefighting operations.

Sincerely,  
Mark S. McFerrion  
Fire Marshal  
Richmond Fire Department  
City of Richmond

# CITY OF RICHMOND

**MAYOR**  
*Jim Barnes*

**MAYOR PRO-TEM**  
*Donna Baird*

**CITY MANAGER**

**P.O. Box 250 – 239 W. Main St.  
Richmond, KY 40476  
[www.richmond.ky.us](http://www.richmond.ky.us)**

**COMMISSIONERS**  
*Donna Baird*  
*Robert Blythe*  
*Jason Morgan*  
*Richard Thomas*

**LEGAL COUNSEL**  
*Garrett T. Fowles*

March 21, 2011

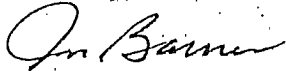
Re: Annexation

To Whom It May Concern,

I have received your request for the annexation of 2330 and 2336 Lexington Road, Richmond, KY 40475. I am in support of the annexation for these properties into the city limits.

Should you have any further questions, please feel free to contact me.

Sincerely,



Mayor Jim Barnes  
Richmond, Kentucky



**CITY OF RICHMOND**  
**RICHMOND POLICE DEPARTMENT**  
1721 Lexington Road  
RICHMOND, KENTUCKY 40475

March 14, 2011

- Col. Larry R. Brock*  
Chief of Police
- LTC James Wilson*  
Asst. Chief of Police
- Major Steve Gregg*  
Patrol Division
- Major Robert Mott*  
Investigations
- Major Mitch Brown*  
Professional Develop.

MEMORANDUM TO: Mike Roberts  
Director of Planning and Zoning

FROM: Chief of Police

SUBJECT: Annexation of 2330 and 2336 Lexington Road

I have received your request for a determination as to the city's capability to provide police services for the properties located at 2330 and 2336 Lexington Road on a request for voluntary annexation.

I have examined the location of the property and its surrounding area. Currently I see no problem in providing police protection and services for these locations.

Should there be any questions regarding this matter, please contact me at 859-623-1162.

A handwritten signature in cursive script, appearing to read "Larry R. Brock".

Larry R. Brock

# CITY OF RICHMOND

## COMMISSIONERS

*Donna Baird*

*Robert Blythe*

*Jason Morgan*

*Richard Thomas*

## LEGAL COUNSEL

*Garrett T. Fowles*

## MAYOR

*Jim Barnes*

P.O. Box 250 – 239 W. Main St.

Richmond, KY 40476

[www.richmond.ky.us](http://www.richmond.ky.us)

## MAYOR PRO-TEM

*Donna Baird*

## CITY MANAGER

March 10, 2011

Mr. Mike Roberts

Director – Planning & Zoning

City of Richmond

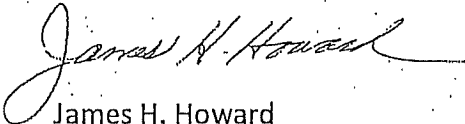
Post Office Box 250

Richmond, KY 40476-0250

Dear Mr. Roberts:

I received your letter dated March 7, 2011 regarding a proposal from the owner(s) of property located at 2330 and 2336 Lexington Road to have their property annexed into the City of Richmond. It is possible for the City to provide the normal municipal services to the aforementioned location. However, I do not believe it would be in the best interest of the City to annex any additional property until the financial condition of the City has improved significantly.

Very truly yours,



James H. Howard

Interim City Manager

March 15, 2011

SUBJECT: ANNEXATION OF 2336 AND 2330 LEXINGTON ROAD

SANITARY SEWER AND FEE'S FOR THE PROPERTY

The property is located on the west side of US 25 North and the nearest Sanitary Sewer point is the Manhole located on the East Side of US 25.

The Manhole is part of the Derby Chase Development and has been donated to Richmond Utilities.

It is approximately 1,000 linear feet to the Manhole and across US 25.  
It is the owners responsibility to install the needed lines and appurtenances to connect to the Sanitary Sewer.

The Sanitary Sewer Assessment fee is .20 cents Per/ Sq foot of the building.

The Development fee is \$850.00 dollars Per/Acre.

WATER:

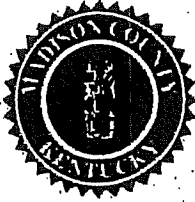
The water is Madison County Utilities.

GAS

Already a Customer.

Sincerely,

Stephen Winkler  
Sewer Superintendent  
Richmond Utilities



## *Madison County Planning & Development*

Building Inspections  
Code Enforcement  
Land-Use Regulations

321 N. Madison Ave.  
Richmond, KY 40475

GIS Mapping  
Floodplain Management  
911 Addressing

[www.madisoncountyky.us](http://www.madisoncountyky.us)

March 15, 2011

City of Richmond  
Planning and Zoning  
P.O. Box 250  
Richmond, Kentucky 40476

RE: Annexation of 2330 and 2336 Lexington Road  
Richmond, Kentucky

Dear Mr. Roberts:

Thank you for your correspondence regarding the proposed annexation of the above referenced property. We have reviewed the property and have no objections or concerns with this annexation.

Should you have any further questions or if we can be of any further assistance please feel free to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Duane S. Curry".

Duane S. Curry  
Administrative Official

**RICHMOND PLANNING AND ZONING COMMISSION  
MINUTES  
MARCH 24, 2011**

The Richmond Planning and Zoning Commission met in regular session on March 24, 2011, at 5:30 p.m. at City Hall.

PRESENT: Commissioners Wiggins, Abney, Chaney, Estelle, Miller, and Rice  
ABSENT: Commissioner Rush

OTHERS PRESENT: Wm. Michael Roberts, Director of Planning; Garrett Fowles, City Attorney; Joe Lillis, Director of Codes; Jennifer Curra, Secretary

**MINUTE APPROVAL FOR THE FEBRUARY 24<sup>TH</sup> BUSINESS SESSION MEETING**

Motion was made by Commissioner Wiggins and seconded by Commissioner Abney to approve the Business Session minutes of February 24, 2011, as presented.

VOTE: Yes, Commissioners Abney, Chaney, Estelle, Miller, Rice and Wiggins  
ABSENT: Commissioner Rush

**MINUTE APPROVAL FOR THE MARCH 15<sup>TH</sup> WORKSHOP MEETING**

Motion was made by Commissioner Estelle and seconded by Commissioner Miller to approve the Workshop minutes of March 15, 2011, as presented.

VOTE: Yes, Commissioners Chaney, Estelle, Miller, Rice, Wiggins, and Abney  
ABSENT: Commissioner Rush

**FINAL PLAT FOR HERITAGE PLACE, PHASE II-A, PROPERTY LOCATED AT 804-813 HUDSON COURT, ZONED R-4**

Dwayne Wheatley of Abacus introduced the final plat for Heritage Place, Phase II-A, explaining that this plat includes six (6) lots where the following two items still need to be obtained: a signature from Time Warner Cable as well as the final letter of credit.

Mike Roberts said that he received a letter from the bank earlier in the day stating that the letter of credit is currently being processed.

Dwayne Wheatley requested having the plat approved contingent upon these two items.

Motion was made by Commissioner Rice and seconded by Commissioner Miller to approve the final plat for Heritage Place, Phase II-A, property located at 804-813 Hudson Court contingent upon obtaining signature from Time Warner Cable and receiving the letter of credit.

VOTE: Yes, Commissioners Estelle, Miller, Rice, Wiggins, Abney, and Chaney  
ABSENT: Commissioner Rush

**SITE DEVELOPMENT PLAN FOR ASAD JADOON LOT 11A; PROPERTY LOCATED  
AT 1048 CENTER DRIVE; CHARLES E. BLACK CONSULTING ENGINEERS;  
ZONED B-3**

Charles Black of Charles Black Engineers introduced the plat for Asad Jadoon, lot 11A, explaining that he is currently seeking conditional approval as signatures still need to be obtained. Mr. Black said that this facility is designated as a worship center, gymnasium, and multi-purpose building where he added that the issues presented from previous meetings have been addressed. Mr. Black said that the detention basin on this site is constructed for both 11A and 13A lots where cross drainage easements have been written to accomplish the maintenance of the detention basin. Mr. Black said that parking and driveways are going to be shared between lots 11A and 13A.

Mike Roberts said that Mr. Black has worked diligently to correct the matters at hand.

Motion was made by Commissioner Wiggins and seconded by Commissioner Estelle to approve the site development plan for Asad Jadoon Lot 11A at 1048 Center Drive contingent upon obtaining required signatures.

VOTE: Yes, Commissioners Miller, Rice, Wiggins, Abney, Chaney, and Estelle  
ABSENT: Commissioner Rush

**SITE DEVELOPMENT PLAN FOR ASAD JADOON LOT 13A; PROPERTY LOCATED  
AT CENTER DRIVE; CHARLES E. BLACK CONSULTING ENGINEERS; ZONED B-3**

Charles Black of Charles Black Engineers introduced the plat for Asad Jadoon, lot 13A, explaining that this facility is for Dr. Jadoon's office where the driveway connects to the adjoining lot. Mr. Black said that the previously submitted requirements have been addressed with the exception of the signatures, which still need to be obtained for this development plat.

Commissioner Wiggins said that she likes the way the driveways connect without having to exit onto Center Drive.

Charles Black explained his request for a variance regarding the driveway width being reduced to 20' instead of the required 24' due to a lack of room needed to connect two of the lots.

Commissioner Chaney asked if this requested variance is noted on the plat where Charles Black said that he thought it was.

Commissioner Chaney reviewed the notes, and explained that 20' is indicated on the street within the plat; however, this variance is not listed within the notes.

Mike Roberts said that Mr. Black has been working on these plats up through this morning where the Commission could vote with contingencies to ensure that these notes are included on the final copy.

Discussion continued.

Commissioner Chaney explained the option of making a motion to include a note on the site development plan for 13A, detailing the variance.

Motion was made by Commissioner Wiggins and seconded by Commissioner Abney to include a note on the site development plan for lot 13A specifying the dimensional variance.

VOTE: Yes, Commissioners Rice, Wiggins, Abney, Chaney, Estelle, and Miller  
ABSENT: Commissioner Rush

Motion was made by Commissioner Estelle and seconded by Commissioner Rice to approve the site development plan for Asad Jadoon, Lot 13A, upon the condition of obtaining signatures as amended in the previous motion.

VOTE: Yes, Commissioners Miller, Rice, Wiggins, Abney, Chaney, and Estelle  
ABSENT: Commissioner Rush

**SITE DEVELOPMENT PLAN FOR WT DUBOIS VENTURES, LLC, LOT 15A;  
PROPERTY LOCATED AT CENTER DRIVE; CHARLES E. BLACK CONSULTING  
ENGINEERS; ZONED B-3**

Charles Black of Charles Black Engineers introduced the plat for Asad Jadoon, lot 15A, explaining that this facility is for a dialysis clinic. Mr. Black said that there is a 20' driveway extending from Center Drive that connects lot 15A to lot 13A. Mr. Black said that this lot has its own detention pond.

Commissioner Chaney verified that the variance is noted on this plat.

Motion was made by Commissioner Miller and seconded by Commissioner Abney to approve the site development plan for Asad Jadoon, Lot 15A, on Center Drive subject to obtaining signatures.

VOTE: Yes, Commissioners Rice, Wiggins, Abney, Chaney, Estelle, and Miller  
ABSENT: Commissioner Rush

**ZONING MAP AMENDMENT OF LEXINGTON ROAD CHURCH OF GOD LOCATED  
AT 2330 AND 2336 LEXINGTON ROAD; PROPOSED ZONE P/SP**

Commissioner Chaney spoke about the requirements under the Kentucky Revised Statutes to conduct a public hearing regarding a potential map amendment. Commissioner Chaney said that the policies regarding zoning map amendments were relayed during the Work Session Meeting

by Garrett Fowles and Mike Roberts where even though this property is not part of the City of Richmond and is subject to the final act of the City's Board of Commissioners in order to be annexed into city limits that Kentucky law allows an individual to proceed in one of the following two ways: have the property zoned in advance of an annexation in anticipation of the use, or waiting to receive a designated zone after the area is annexed. Commissioner Chaney explained in this circumstance that a zone is being recommended in the event that the City of Richmond's Board of Commissioners ultimately decides to annex the property.

Mr. Bill Harrison, Executive Pastor of Lexington Road Church of God, introduced himself and said that the church is excited about what the city is doing, and in the growth of the city. Mr. Harrison explained that the church is currently a part of working within the city with ministries that reach out to the underprivileged children and families in the area such as noted through the feeding program where the church feels it would be advantageous to be a part of the city through rezoning.

Commissioner Chaney clarified that the proposed zone selection is public/semi-public (P/SP) if the City Board of Commissioners ultimately elects to carry forward with the annexation.

Commissioner Estelle asked about the amount of acreage where Dwayne Wheatley said that the area is 8.9 acres.

Commissioner Wiggins explained that no money would be brought into the City through this zoning map amendment, and verified that this would not cause the City to incur any additional costs, and asked whether the infrastructure is ready to connect onto the sewage.

Bill Harrison said that the infrastructure is already in place so that the City would not incur additional costs.

Garrett Fowles said that the expense of running the line would not be within the City's responsibility.

Commissioner Wiggins said that she wanted to make sure that the City is able to live within the budget.

Bill Harrison said that expansion endeavors are underway with different outreach programs such as a presently operating daycare facility.

Commissioner Chaney explained that the Board of Commissioners will be making the final decision regarding annexing the property and considering budgeting restrictions, whereas the purpose of the Planning and Zoning Commission is to recommend what zone would be appropriate if accepted into the City's limits.

Motion was made by Commissioner Wiggins and seconded by Commissioner Estelle to recommend zoning for the property of Lexington Road Church of God located at 2330 and 2336 Lexington Road to be public/semi-public if the Board of Commissioners ultimately acts to annex the property.

VOTE: Yes, Commissioners Wiggins, Abney, Chaney, Estelle, Miller, and Rice  
ABSENT: Commissioner Rush

**OTHER BUSINESS: GOD'S PANTRY**

Mike Roberts said that God's Pantry has come in twice with the last revision being done in September of 2010 where some slight modifications have been made to the site plan including the shifting of a loading dock as well as some subsequent grading work. Mr. Roberts said that the developer did not want to wait until the next Planning and Zoning meeting, but was unable to draft plans in time for this meeting. Mr. Roberts explained that plans will be submitted where the developer is stopped at the present time.

Commissioner Estelle said that he has seen the work, and does not feel that these changes will make any difference to what they are doing.

Mike Roberts said that the plans will be brought in front of the Planning and Zoning Commission at the next Work Session Meeting.

Commissioner Chaney asked Mike Roberts what kind of precedent it sets for this Board to approve a site development plan before it has been amended and presented to the Planning Commission.

Mike Roberts said that it probably does not set a good precedent.

Motion was made by Commissioner Rice and seconded by Commissioner Wiggins to allow work to continue with the amended site development plan for God's Pantry without the Commission having seen the site development plan.

VOTE: Yes, Commissioners Abney, Estelle, Rice, and Wiggins

VOTE: No, Commissioners Chaney and Miller

ABSENT: Commissioner Rush

Commissioner Chaney clarified that the motion carries by a vote of four to two where the expression of the Planning Commission is to allow God's Pantry to proceed with the work where it is expected that the Commission will have the opportunity to view the amended site development plan. Commissioner Chaney warned that the Commission should not get into the habit of approving site development plans and enabling them to proceed without having been drawn up and presented to the Planning and Zoning Commission as it starts a dangerous precedent. Commissioner Chaney further expanded by saying that the next developer can come and request the same consideration without providing plans for the Commission to view.

Commissioner Wiggins and Commissioner Estelle agreed with Commissioner Chaney's sentiments.

**ADJOURNMENT**

Motion was made by Commissioner Abney and seconded by Commissioner Estelle to adjourn.

VOTE: Yes, Unanimous

TIME: 6:03 P.M.

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
SECRETARY

\_\_\_\_\_  
DATE

5-17-85  
Relinquish to  
Robert Moody  
Janice Alford D.C.

DEED

THIS DEED made and entered into by and between

DON LEDFORD and DORIS LEDFORD  
husband and wife  
Waco, Kentucky 40385

RECEIVED  
C. S. WAGERS, CLERK  
MAY 2 3 50 PM '85  
MADISON COUNTY COURT  
KENTUCKY

hereinafter known as "GRANTORS" and

CHURCH OF GOD  
Lexington Road  
Richmond, Kentucky 40475

hereinafter known as "GRANTEE" now,

WITNESS, that for and in consideration of TWENTY SIX THOUSAND (\$26,000.00) DOLLARS, of which \$5,000.00 is this date cash in hand paid with the remaining \$21,000.00 being evidenced by the GRANTEE'S one promissory note of like amount, and to secure which note a LIEN is herein retained by the GRANTORS with the power in either of them to release this lien when the debt is paid, the receipt of which is hereby confessed and acknowledged, the GRANTORS have BARGAINED and SOLD and do hereby GRANT and CONVEY unto the GRANTEE and its assigns forever, the following described property located in Madison County, Kentucky, to wit:

Lot No. 5 in the Country View Estates, a subdivision in Madison County, Kentucky, more particularly described in Plat Book 7, Page 232, Madison County Court Clerk's Office to which reference is hereby made.

PAID 5/2/85  
C. S. WAGERS, CLERK  
By *Ray M. Alford* D.C.

and being the same property conveyed to the GRANTORS, DON LEDFORD and DORIS LEDFORD, husband and wife, by deed dated the 27th day of February, 1985 and recorded in Deed Book 368 at Page 404, in the office of the Madison County Court Clerk.

This deed is subject to the following terms and conditions:

1. Possession will be given on delivery of deed.
2. The 1985 taxes will be prorated between the parties.
3. This conveyance is subject to all easements and restrictions of record.

BOOK 368 PAGE 406

TO HAVE AND TO HOLD the same with all the appurtenances and privileges thereon belonging to the GRANTEE, and its assigns forever, with Covenant of GENERAL WARRANTY.

IN TESTIMONY WHEREOF, witness our signatures hereto on this 11<sup>th</sup> day of April, 1985.

Don Ledford  
DON LEDFORD

Doris Ledford  
DORIS LEDFORD

STATE OF KENTUCKY )  
                                  ) Sct.  
COUNTY OF MADISON. )

I hereby certify that the foregoing Deed was acknowledged before me by DON LEDFORD and DORIS LEDFORD, husband and wife this the 11<sup>th</sup> day of April, 1985.

Robert C. Moody  
Notary Public, State at Large

My Commission Expires: 21 Oct 88

PREPARED

BY: Robert C. Moody  
ROBERT C. MOODY  
Attorney at Law  
Box 675  
Richmond, Kentucky 40475

C. S. Wagner  
CLERK  
Mary N. Toland, D.C.

Paid and certified in fee and hereby released this 12<sup>th</sup> day of October, 1985.  
x Don Ledford  
x Doris Ledford

Recorded this the 2<sup>nd</sup> day of May, 1985.  
Madison County Clerk C. S. Wagner By: Mary N. Toland, D.C.

-18.50  
mail Grant  
2836 1/2 rd.  
Richmond, Ky.

14.00

MADISON CIRCUIT COURT  
DIVISION NO. I

CIVIL ACTION FILE NO. 94-CI-798

RICHMOND BANK AND TRUST COMPANY

PLAINTIFF

vs.

MASTER COMMISSIONER'S DEED

VONDETTA C. RICHARDSON;  
DAVID A. RICHARDSON,  
EXECUTOR OF THE ESTATE OF  
ROY S. RICHARDSON;  
R & D RICHLAND, INC.;  
LOWES OF KENTUCKY, INC.;  
BLUEGRASS PLUMBING AND HEATING, INC.;  
DENNY INSURANCE AGENCY, INC.;  
ARTHUR H. RUNK, SR. and  
MARY RUNK, his wife

RECEIVED  
MADISON COUNTY CLERK  
APR 17 3 20 PM '95  
DEFENDANTS

\* \* \* \* \*

Now pending in the Madison Circuit Court, an Order was entered on the 9th day of February, 1995, directing Paul E. Fagan, Master Commissioner of said Court, to expose for sale at public auction the property hereinafter described; and whereas, said property was sold in accordance with said Order on the 10th day of March, 1995, for the sum of SIXTEEN THOUSAND AND NO/100 DOLLARS (\$16,000.00); and whereas, the report of said sale was approved and confirmed by said Court on the 12th day of April, 1995; and whereas, on the 12th day of April, 1995, an Order was entered directing the Master Commissioner to execute a Deed of Conveyance for said property to LEXINGTON ROAD CHURCH OF GOD, purchaser at said sale.

NOW THEREFORE, THIS INDENTURE made and entered into this the 12th day of April, 1995, by and between Richmond Bank and Trust Company, Vondetta C. Richardson, David A. Richardson, Executor of the Estate of Roy S. Richardson, R & D Richland, Inc., Lowes of



Kentucky, Inc., Bluegrass Plumbing and Heating, Inc., Denny Insurance Agency, Inc., Arthur H. Runk, Sr. and Mary Runk, his wife, by Paul E. Fagan, Master Commissioner of said Court, P. O. Drawer 783, Richmond, Kentucky, 40476-0783, parties of the first part, and LEXINGTON ROAD CHURCH OF GOD, 2336 Lexington Road, Richmond, Kentucky, 40475, party of the second part,

WITNESSETH: That for and in consideration of these premises and for the further consideration of the full payment of the purchase price aforesaid, the receipt of which is hereby acknowledged, the parties of the first part, by PAUL E. FAGAN, as Master Commissioner aforesaid, have sold, and by this writing, do hereby GRANT AND CONVEY unto the party of the second part, its successors and assigns, forever, in fee simple, the following described property, to-wit:

All of Lot No. 2-A in the Country View Estates a Subdivision in Madison County, Kentucky, more particularly described in Plat Book 7 at page 231 in the Madison County Court Clerk's Office to which reference is hereby made.

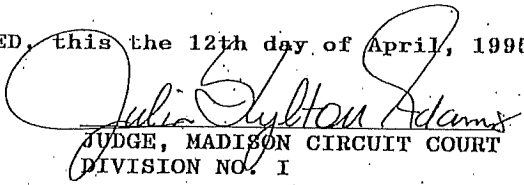
This being the same property conveyed to Roy S. Richardson and Vondetta C. Richardson, husband and wife, by deed from Eugene Lunsford, et ux, dated January 8, 1987 and of record in Deed Book 381, at page 605 in the Madison County Court Clerk's Office. SEE ALSO Deed dated May 12, 1988, and recorded in Deed Book 391, at Page 500.

TO HAVE AND TO HOLD the said property, together with all the rights, privileges and appurtenances thereunto belonging unto the party of the second part, its successors and assigns, forever, in fee simple.

IN TESTIMONY WHEREOF, said Paul E. Fagan, as Master Commissioner aforesaid, has hereunto subscribed his name this the 12th day of April, 1995.

  
\_\_\_\_\_  
PAUL E. FAGAN  
MASTER COMMISSIONER  
MADISON CIRCUIT COURT

EXAMINED AND APPROVED, this the 12th day of April, 1995.

  
\_\_\_\_\_  
JULIA S. ADAMS  
JUDGE, MADISON CIRCUIT COURT  
DIVISION NO. I

STATE OF KENTUCKY

MADISON CIRCUIT COURT

The Master Commissioner, on the 12th day of April, 1995,  
produced to the Court the following Deed to LEXINGTON ROAD CHURCH  
OF GOD, which was examined and approved by the Court, and the  
said Commissioner acknowledged the same to be his act and deed;  
whereupon the same was Ordered to be and is hereby certified to  
the proper office for record.

ATTEST:

*Dunda B. Spurlack*  
CLERK, MADISON CIRCUIT COURT

PREPARED BY:

*Paul E. Fagan*  
\_\_\_\_\_  
PAUL E. FAGAN, MASTER COMMISSIONER  
MADISON CIRCUIT COURT

CERTIFICATE

The undersigned Grantor and Grantee do hereby certify, pursuant to KRS Chapter 382, that the consideration reflected in the deed is the full consideration paid for the property herein conveyed. We further certify our understanding that falsification of the stated consideration or sale price of the property is a Class D felony, subject to one to five years imprisonment and fines up to \$10,000.00.

GRANTOR:

Paul E. Fagan  
PAUL E. FAGAN,  
MASTER COMMISSIONER

Subscribed, sworn to and acknowledged before me by PAUL E. FAGAN, MASTER COMMISSIONER, this 12th day of April, 1995.

Sharon Overbey  
Notary Public, State at Large, KY  
My commission expires: 12/26/97

GRANTEE:

LEXINGTON ROAD CHURCH OF GOD

By: Phillip Payne - Pastor

Subscribed, sworn to and acknowledged before me by \_\_\_\_\_

Phillip Payne, Pastor for Lexington Road Church of God  
this the 17<sup>th</sup> day of April, 1995.

Sheba A. Glin  
Notary Public, State at Large, KY  
My commission expires: 12-23-95

Filed this the 17 day of April 1995  
Municipal County Clerk MARY JANE GINTER  
By: Amy McCOED D.C.

**LEGAL DESCRIPTION FOR**  
**Annexation Plat**  
**Lexington Road Church of God**  
**2330 and 2366 Lexington Road, Richmond**  
**Madison County, Kentucky**  
**"New Tract 2-A/5"**  
**8.98 Acres+/-**

NOTE: Any monument referred to herein as a "set iron pin and cap" is a set ½" diameter #4 iron rebar eighteen inches (18") in length with a yellow cap stamped "Abacus LPLS #3265". The Basis of Bearing for the following description is an observed GPS North taken on February 23, 2011 using Topcon HiPer Ga GPS equipment with KY-South orientation.

A certain tract of land located on the west side of US HWY 25 (Lexington Road) in Richmond, Madison County, KY and further described as follows:

The **Point of Beginning** being a set iron pin and cap in the west right-of-way of US HWY 25 located approximately 1,100 linear feet northwest of the intersection of said road and KY HWY 1158 (Jack's Creek Road), said pin also being a corner common to Smith Children Irrevocable Trust (DB 440 PG 156); thence with the west right-of-way of US HWY 25 S24°22'44"E 376.72' to a set iron pin and cap and corner common to Lot 4 "Final Plat for Country View Subdivision" (PB 6 PG 242); thence with the line of Lot 4 S70°37'34"W 230.59' to a found ¾" diameter galvanized conduit; thence continuing with Lot 4 for a portion of and Lot 3 the remainder of S02°38'30"E 333.17' to a found ½" diameter iron open pipe; thence continuing with the line of Lot 3 N67°32'40"E 327.07' to a set iron pin and cap in the west right-of-way of US HWY 25; thence with the west right-of-way of US HWY 25 two (2) calls: S16°56'40"E 23.71' to a set iron pin and cap, S18°06'23"E 99.39' to a set iron pin and cap and corner common to Lot 1-A "Minor plat for Country View Subdivision" (PB 7 PG 231); thence with the line of Lot 1-A three (3) calls: S67°45'20"W 361.14' to a found 3/8" diameter iron pin with yellow cap stamped "Flynn 2582", N02°34'04"W 77.87' to a found 3/8" diameter iron pin with yellow cap stamped "Flynn 2582", S88°22'09"W 404.80' to a set PK nail, 1.5" in length ¼" diameter, and brass washer stamped "Abacus LPLS #3265" and corner in the line of Lot 5 "Final Plat of Fountain Park" (PB 6 PG 210); thence with the line of Lots 5-7 N02°03'50"E 262.75' to an unmonumented point; thence continuing with Lots 7-9 N02°03'50"E 496.65' to a set iron pin and cap and corner common to Smith Children Irrevocable Trust (DB 440 PG 156); thence with the line of Smith Children Irrevocable Trust N82°24'29"E 425.37' to a set iron pin and cap and **Point of Beginning** containing 8.98 acres more or less by survey performed February 23, 2011 by Abacus Engineering and Land Surveying, Inc., Dwayne Wheatley LPLS #3265 and being the same property conveyed to Church of God by Don and Doris Ledford in DB 368 PG 406 in May, 1985 with a deed of correction for said property in DB 372 PG 461 on October 18, 2011, also being the same property conveyed to Lexington Road Church of God by Master Commissioner in DB 453 PG 756 on April 12, 1995 all of record in the Madison County Courthouse.

*Dwayne Wheatley* LPLS # 3265  
4/29/11

# CITY OF RICHMOND

**MAYOR**

*Jim Barnes*

**MAYOR PRO-TEM**

*Donna Baird*

**CITY MANAGER**

**P.O. Box 250 – 239 W. Main St.  
Richmond, KY 40476  
[www.richmond.ky.us](http://www.richmond.ky.us)**

**COMMISSIONERS**

*Donna Baird*

*Robert Blythe*

*Jason Morgan*

*Richard Thomas*

**LEGAL COUNSEL**

*Garrett T. Fowles*

January 09, 2012

Office of the Kentucky Secretary of State  
Land Office Division  
Room T40, Capital Annex  
702 Capital Avenue  
Frankfort, KY 40601

RECEIVED AND FILED  
DATE January 12, 2012

ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Garrett T. Fowles

Subject: Annexation for the City of Richmond, KY

Dear Secretary of State:

I am re-submitting an approved annexation into the city limits of Richmond, Kentucky. Attached is Ordinance 11-24, the City Clerk Certification, and supported documents for the annexation. This annexation was previously submitted back in October 2011; however the plat was not correct. Enclosed is the corrected plat and supporting documents for the annexation.

If I can assist you with the information that I submitted, please contact me at 859 623-1000 ext 2008 or [lcassity@richmond.ky.us](mailto:lcassity@richmond.ky.us)

Sincerely,



Lisa Cassity, City Clerk

# CITY OF RICHMOND

**MAYOR**  
*Jim Barnes*

**MAYOR PRO-TEM**  
*Donna Baird*

**CITY MANAGER**

**P.O. Box 250 – 239 W. Main St.**  
**Richmond, KY 40476**  
**www.richmond.ky.us**

**COMMISSIONERS**  
*Donna Baird*  
*Robert Blythe*  
*Jason Morgan*  
*Richard Thomas*

**LEGAL COUNSEL**  
*Garrett T. Fowles*

*Resubmitted  
+  
Accepted*

October 10, 2011

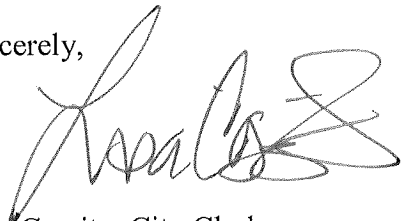
Office of the Kentucky Secretary of State  
Land Office Division  
Room T40, Capital Annex  
702 Capital Avenue  
Frankfort, KY 40601

Subject: Annexation for the City of Richmond, KY

Dear Secretary of State:

I am submitting an approved annexation into the city limits of Richmond, Kentucky. Attached is Ordinance 11-24, the City Clerk Certification, and supported documents for the annexation. If I can assist you with the information that I submitted, please contact me at 859 623-1000 ext 2008 or [lcassity@richmond.ky.us](mailto:lcassity@richmond.ky.us)

Sincerely,



Lisa Cassity, City Clerk

**RECEIVED AND FILED**  
DATE January 12, 2012  

---

**ALISON LUNDERGAN GRIMES**  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY Janice Wilcox



ELAINE N. WALKER  
SECRETARY OF STATE

COMMONWEALTH OF KENTUCKY  
**OFFICE OF THE SECRETARY OF STATE**  
November 2, 2011

SUITE 152, STATE CAPITOL  
700 CAPITAL AVENUE  
FRANKFORT, KY 40601-3493  
(502) 564-3490  
FAX (502) 564-5687  
WEBSITE: WWW.SOS.KY.GOV

City of Richmond  
P.O. Box 250  
239 W. Main Street  
Richmond, KY 40476

To Whom It May Concern:

Our office received your submission of Ordinance 11-24 for the city of Richmond. Unfortunately we are unable to file the documents at this time.

Under the terms of KRS 81A.470, amended in 2004, cities are required to submit an "accurate map and description of the annexed, transferred, or severed area... The map and description shall be prepared by a professional land surveyor. The documents shall depict the parcel annexed, transferred, or severed as a closed geometric figure on a plat annotated with bearings and distances, or sufficient curve data to describe each line." (See the enclosed copy of KRS 81A.470 for further requirements regarding the surveyor's statement.) To establish the description and plat were generated by a professional land surveyor, as the law requires, the surveyor should sign, date and affix his surveyor's stamp to the plat or survey for his certification to be complete. The surveyor must also identify the point or points where the annexation joins the existing city boundary. (Although not required by statute at this time, many surveyors include the state plane coordinates to ensure correct placement on the Interactive Map on the Kentucky Cities Website.)

The enclosed "Final Check Before Filing" may prove helpful for future submissions.

We thank you for working with us to ensure the Richmond file contains accurate information on boundary changes. Our records are copied for various agencies—some of which generate your city boundary maps. Other agencies use your filings for population estimates and urban growth projects. In order for us to provide the most accurate city information available, it is imperative all cities comply with the provisions stated in KRS 81A.470.

Sincerely,

Kandie Adkinson, Administrative Supervisor,  
Land Office Division

Copy: BGADD

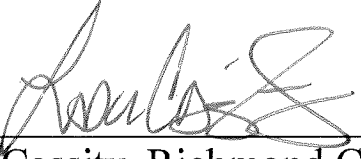


AN EQUAL OPPORTUNITY EMPLOYER M/F/D

## CITY CLERK'S CERTIFICATION

I certify I am duly qualified City Clerk of the City of Richmond, Kentucky, and the foregoing 17 pages of Ordinance No. 11-24 is a true, correct and complete copy duly adopted by the City Commission at a duly convened meeting held on, September 27, 2011, all as appears in the official records of said City.

WITNESS, my hand the Seal of said City, this 27<sup>th</sup> day, of September, 2011.

  
\_\_\_\_\_  
Lisa Cassity, Richmond City Clerk

seal

OVERSIZE MAP INCLUDED WITH  
SUBMISSION.

To research the map, contact the  
Office of Secretary of State  
or the County Clerk.