

**MADISON COUNTY FISCAL COURT
MADISON COUNTY, KY
ORDINANCE 2026-009**

**AN ORDINANCE OF THE MADISON COUNTY FISCAL COURT, KENTUCKY,
APPROVING THE ZONE CHANGE OF 200 MORAN MILL 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 21, 2026, to consider a Land Use Change Request Application from R-7 & UC-7 Agriculture to UC-1 Single-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, 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 a tract of undeveloped agricultural land lying within the county limits fronting on Moran Mill Road. The applicants have submitted a rendering which is attached to its Application as **Exhibit A** reflecting the property, its proposed zoning classifications, how each tract relates to the others, and to the surrounding property.
3. The property fronts on Moran Mill. The property to the North, East, and the South is zoned UC-7 and is currently utilized as residential farmland. The property to the West is zoned R-7 and is used as farmland.
4. The legal justification for the requested zone change is that said change is in conformity with the Comprehensive Plan of Madison County adopted November 23, 2021, and that the requested UC-1 classification is appropriate, given the property's location and the Comprehensive Plan's placing the Property inside the Urban Corridor suggesting it to be suitable for urban development.
5. The Property is easily accessible to the developments at Duncannon Lane and I-75.
6. A single-family residential development will address the county's need for additional housing while complimenting and transitioning gradually to the otherwise rural character of the surrounding area and will provide for the anticipated growth of Madison County.

7. The Property has an opportunity to add improvements to and ultimately access the county's sewer expansion in the area making it the type of property identified for residential development in the Comprehensive Plan (i.e. access to sewer, water, and fire protection).
8. The current zoning classification of the subject property is UC-7. The proposed map amendment would change the zoning classification to UC-1, 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 serviceable by a fire station, and has adequate transportation infrastructure to support additional traffic. The Property lies within the Urban Corridor, and adequate infrastructure is in place to support more 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 proposed rezoning and development will provide an attractive housing type providing a diverse housing option while complementing existing development. The proposed rezoning is in agreement with the Comprehensive Plan.

9. The requested zone designation is in conformity with the Comprehensive Plan of Madison County.
10. That the requested zone designation to UC-1 will be in conformity with the existing use and development of other property near the subject property and is appropriate under the circumstances.

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 R-7 & UC-7 to UC-1.

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 R-7 & UC-7 to UC-1 classification.

SECTION I

A certain tract of land located on the North side of Moran Mill Road (KY 1295), Richmond, Madison County, Kentucky and being further described as follows:

Beginning at a set iron pin and cap in the right of way of Moran Mill Road (KY 1295), 30' from centerline, common corner to Otis Alan Bundy (DB 685 PG 592), thence with the line of Bundy, thirteen calls: N 29°11'56" W 20.62' to a set iron pin and cap, N 1°02'34" W 228.57' to a set iron pin and cap, N 1°50'38" W 206.51' to a set iron pin and cap, N 2°32'23" W 220.13' to a set iron pin and cap, N 1°03'17" W 220.01' to a set iron pin and cap, N 1°07'56" E 177.99' to a set iron pin and cap, N 1°04'29" W 252.05' to a set iron pin and cap, N 1°45'02" W 683.55' to a set iron pin and cap, N 89°44'36" W 210.76' to a set iron pin and cap, N 0°22'56" E 156.46' to a set iron pin and cap, N 1°23'53" W 664.85' to a set iron pin and cap, N 0°52'08" W 476.63' to a set iron pin and cap, N 0°06'50" E 136.80' to a set iron pin and cap, corner to Julia Katherine Adams (DB 846 PG 339), Thence with line of Adams, eight calls: N 0°20'39" E 692.05' to a set iron pin and cap, N 6°46'10" W 109.82' to a set iron pin and cap, N 5°04'38" W 165.74' to a set iron pin and cap, N 4°29'56" W 453.22' to a set iron pin and cap, N 0°56'14" W 246.45' to a set iron pin and cap, N 8°06'38" E 219.10' to a set iron pin and cap, N 9°14'06" E 245.67' to a point in Silver Creek, N 1°59'53" W 107.62' to a set iron pin and cap, corner to The Jane Adams MacKENNA Trust (DB 882 PG 337), Thence with line of MacKENNA Trust, four calls: S 34°32'20" E 142.26' to a found ½" diameter, 18" in length iron pin with a yellow plastic cap stamped "ABACUS LPLS 3265 S 79°13'10" E 102.08' to a found ½" diameter, 18" in length iron pin with a yellow plastic cap stamped "ABACUS LPLS 3265 N 64°45'18" E 924.45' to a found ½" diameter, 18" in length iron pin with a yellow plastic cap stamped "ABACUS LPLS 3265 N 72°46'30" E 938.33' to a found ½" diameter, 18" in length iron pin with a yellow plastic cap stamped "ABACUS LPLS 3265, corner to The Jane Adams MacKenna Trust (DB 882 PG 371), Thence with line of MacKENNA Trust, eight calls: S 2°46'12" W 368.79' to a point in the center of the branch, S 19°33'59" E 136.98' to a point in the center of the branch, with set witness pin and cap bearing, S 34°08'50" W 12.69' S 0°12'09" E 97.90' to a point in the center of the branch, S 24°44'34" E 66.67' to a point in the center of the branch, S 58°25'47" E 145.70' to a point in the center of the branch, S 52°46'11" E 93.14' to a point in the center of the branch, S 62°55'20" E 85.95' to a point in the center of the branch, with set witness pin and cap bearing, S 03°04'17" W 29.08' S 45°39'51" E 92.13' to a point in the center of the branch, corner to The Rebecca Turner Irrevocable Trust (DB 849 PG 357), Thence with line of Turner Trust, thirteen calls: S 89°14'20" E 97.48' to a point in the center of the branch, S 25°25'08" E 109.75' to a point in the center of the branch, S 68°42'01" E 121.96' to a point in the center of the branch, S 31°10'02" E 71.86' to a point in the center of the branch, S 88°47'16" E 64.67' to a point in the center of the branch, S 52°20'22" E 115.35' to a point in the center of the branch, S 2°16'25" E 38.56' to a point in the center of the branch, S 31°12'09" E 25.69' to a point in the center of the branch, S 66°45'20" E 118.84' to a point in the center of the branch, S 64°45'54" E 87.07' to a point in the center of the branch, S 45°57'31" E 79.51' to a point in the center of the branch, with set witness pin and cap bearing, S 48°41'51" W 21.92' S 16°17'10" E 88.98' to a point in

the center of the branch, S 51°03'03" E 22.70' to a point in the center of the branch, corner to Eva Tudor (DB 658 PG 753) Thence with line of Tudor, twenty calls: S 17°11'24" W 183.84' to a point in the center of the branch, with set witness pin and cap on line at 18.24" S 21°57'42" W 34.11' to a point in the center of the branch, S 47°15'39" W 15.72' to a point in the center of the branch, S 12°56'59" W 58.59' to a point in the center of the branch, S 17°47'11" W 95.56' to a point in the center of the branch, S 13°26'20" W 91.97' to a point in the center of the branch, with set witness pin and cap bearing, N 66°04'10" W 11.88' S 32°13'33" W 66.25' to a point in the center of the branch, S 27°09'06" W 66.56' to a point in the center of the branch, S 9°53'12" W 60.89' to a point in the center of the branch, S 20°46'35" W 91.09' to a point in the center of the branch, S 12°14'53" E 221.18' to a point in the center of the branch, S 88°29'53" E 38.28' leaving the branch to a set iron pin and cap, S 4°05'02" E 111.35' to a set iron pin and cap, S 1°14'32" W 206.16' to a set iron pin and cap, S 1°27'19" W 144.90' to a set iron pin and cap, S 0°32'26" W 622.37' to a set iron pin and cap, S 1°00'29" E 195.06' to a set iron pin and cap, S 16°42'35" E 57.93' to a set iron pin and cap, S 27°24'07" E 63.83' to a set iron pin and cap, S 38°09'57" E 227.65' to a set witness pin and cap, 243.66' in all, center of abandoned county road (Joe Jones Road), (PB 18 PG 288), Thence with the center of abandoned county road (Joe Jones Road), two calls: S 17°00'21" W 63.48' to a point in center of abandoned road, with set witness pin and cap bearing, N 65°27'25" W 14.80' S 36°39'16" W 248.42' to a point in center of abandoned road, Thence leaving the center of the abandoned road with the right of way of Joe Jones Road, seven calls: N 76°22'54" W 20.32' to a set iron pin and cap, N 86°59'37" W 12.64' to a set iron pin and cap, S 0°33'16" W 591.73' to a set iron pin and cap, S 16°25'26" E 269.91' to a set iron pin and cap, S 11°03'23" E 83.96' to a set iron pin and cap, S 19°56'59" W 165.73' to a set iron pin and cap, S 16°32'18" W 123.00' to a set iron pin and cap, in the right of way of Moran Mill Road (KY 1295) 30' from centerline, Thence with the right of way of Moran Mill Road (KY 1295), 4 calls: S 70°17'49" W 897.87' to a set iron pin and cap, Thence a curve to the right, with bearing/distance, S 74°11'50" W 487.07' and having a radius of 3580.50' to a set iron pin and cap S 78°05'50" W 985.76' to a set iron pin and cap, Thence a curve to the right, with bearing/distance, S 69°11'42" W 346.49' and having a radius of 1119.50' to the point of beginning.

Encompassing 347.47 +/- acres by survey performed June 2nd, 2026 by Abacus Engineering and Land Surveying Inc. Dwayne Wheatley LPLS 3265;

and being the same property conveyed to Elk Garden, LLC by deed of record dated July 31st, 2024 recorded in the Office of The Madison County Clerk at Deed Book 855 Page 509.

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 11 day of August 2026.

THIS DOCUMENT WAS GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Fiscal Court of Madison County, Kentucky, held on the 25th day of August 2026.

MOTION BY:

Combs

SECONDED BY:

Lochmueller

VOTE:

YES

NO

ABSTAIN

ABSENT

Magistrate James Brian Combs

✓

Magistrate Stephen Lochmueller

✓

Magistrate Billy Ray Hughes

✓

Magistrate Tom Botkin

✓

Judge/Executive Reagan Taylor

✓

Signed:

R-Taylor
Reagan Taylor
Madison County Judge/Executive

Attested:

Kenny Barger
Kenny Barger
Madison County Clerk

TO: MADISON COUNTY FISCAL COURT
FR: MADISON COUNTY PLANNING COMMISSION
RE: APPLICATION FOR LAND USE MAP AMENDMENT
200 Moran Mill Road, Richmond, Kentucky 40475
DA: July 27, 2026

This matter came before the Planning and Zoning Commission for a hearing on July 21, 2026, on application submitted by the landowner, Elk Garden, LLC, to amend the official zoning map of Madison County regarding a certain tract located at **200 Moran Mill Road, Richmond, Madison County, Kentucky 40475**, from a property currently zoned as R-7 & UC-7 Agriculture to UC-1 Single-Family Residential.

Upon proper notice being given and upon hearing testimony and arguments of all parties on July 21, 2026, and upon Motion made and vote taken on July 21, 2026, 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 a representative of the applicant, Elk Garden, LLC, 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 proposed zoning classification (UC-1) is appropriate, feasible and the same complies with the current Comprehensive Plan.

There was considerable public opposition with testimony and comments raising the concerns of preservation of the rural character of the area, the preservation of farmland for Madison County, concerns over fire protection and traffic.

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, 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 a tract of undeveloped agricultural land lying within the county limits fronting on Moran Mill Road. The applicants have submitted a rendering which is attached to its Application as **Exhibit A** reflecting the property, its proposed zoning classifications, how each tract relates to the others, and to the surrounding property.

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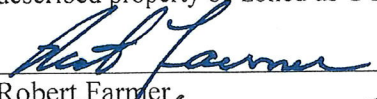
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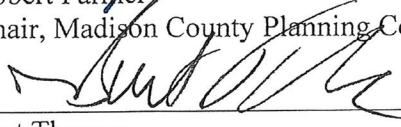
Based upon the foregoing, it is the conclusion of the Madison County Planning & Zoning Commission that the application of Elk Garden, LLC, to rezone 352.33 +/- acres located at Moran Mill Road, Kirksville, Kentucky from R-7 & UC-7 to UC-1 is consistent with the intent of the Comprehensive Plan, the Development Ordinance and with other development around and near the subject property and should thus be, and is recommended for, approval.

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 described as and located at 200 Moran Mill Road, Richmond, Madison County, Kentucky BE APPROVED, and the above-described property be zoned as UC-1.

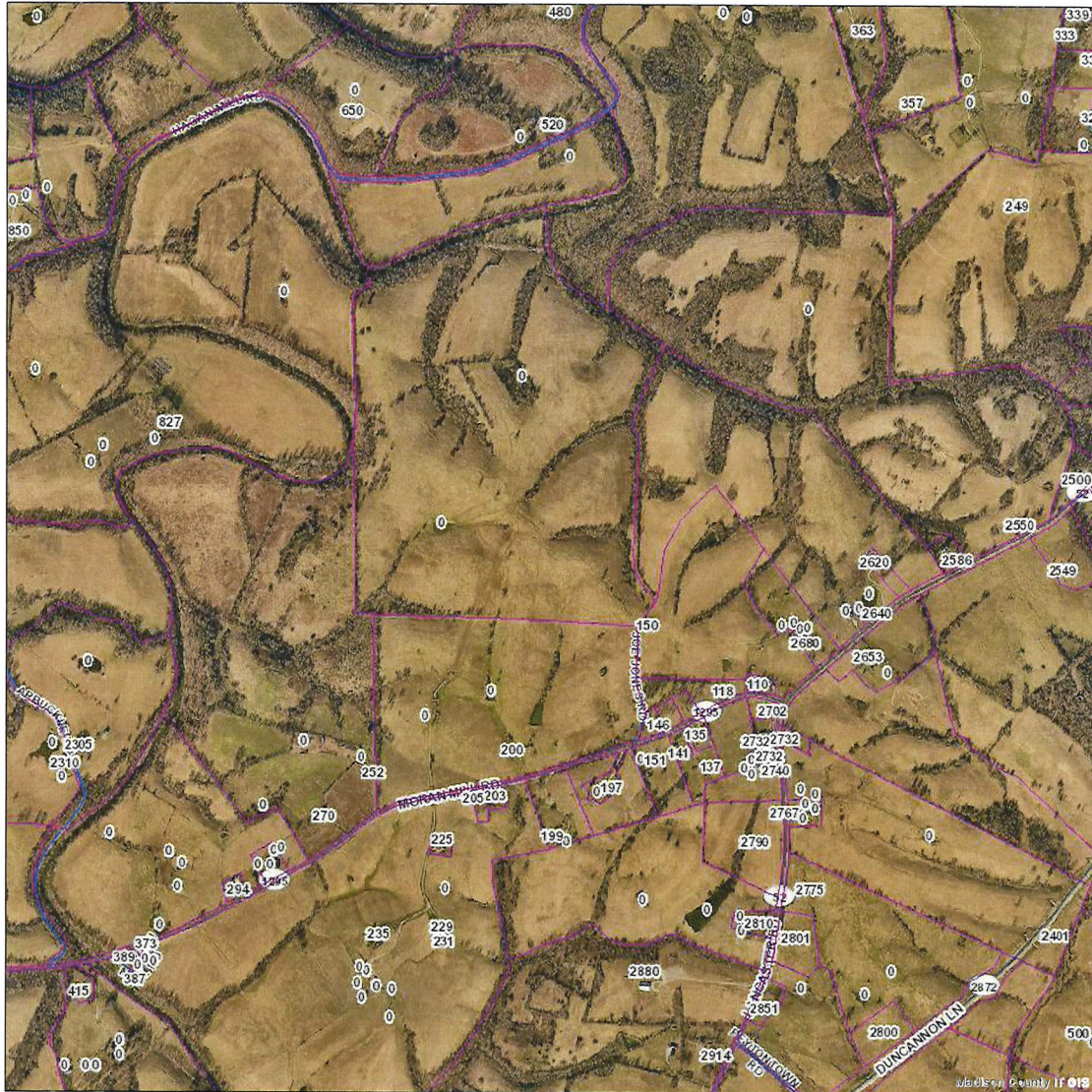


Robert Farmer
Chair, Madison County Planning Commission



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

Although considerable effort has been made to ensure the accuracy of this map, Madison County is not responsible for any errors or omissions. This map is provided as a general informational guide only and should not be used for legal or financial purposes.

This map is based on the 2010 Census data. It is not intended to be a legal document. It is provided as a general informational guide only and should not be used for legal or financial purposes. Madison County, Kentucky is not responsible for any errors or omissions. This map is provided as a general informational guide only and should not be used for legal or financial purposes.

1:18,056
1" = 1,505 feet
1" = 0.28 miles



Area Map - Madison County, KY



- New Siren Location
- GPS Address
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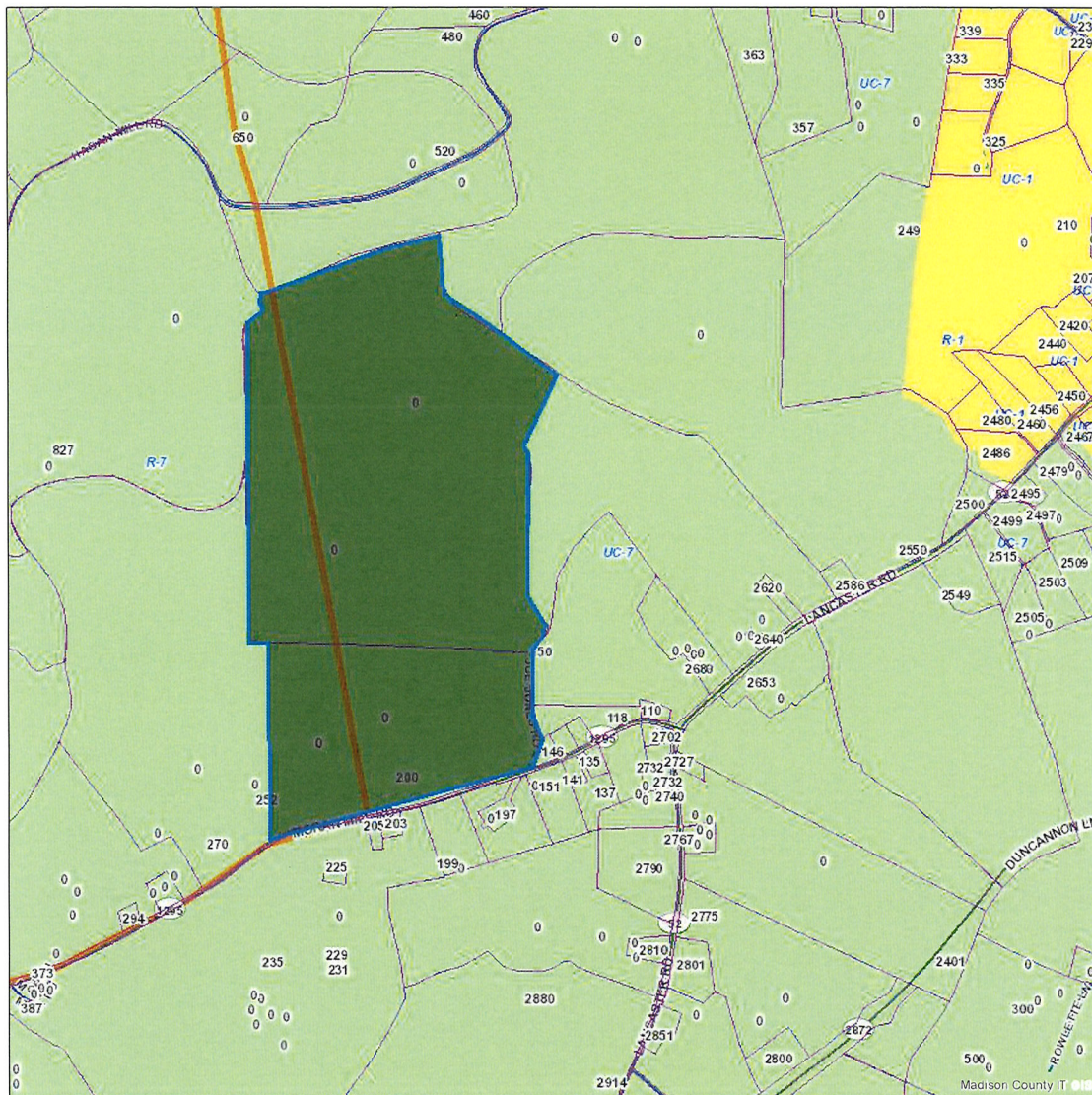
MADISON COUNTY
KENTUCKY

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Area Map - Madison County, KY



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 - City Owned (Gravel/Soil)
 - Private Owned
 - Private Owned (Gravel/Soil)
 - Railroad
 - Urban Corridor Boundary
 - Rural Community
 - Rural Corridor
 - Parcels

MADISON COUNTY
KENTUCKY

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2014-2015
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