

AN ORDINANCE CHANGING THE ZONE FROM A PROFESSIONAL OFFICE (P-1) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE, FOR 1.3385 NET (1.3829 GROSS) ACRES, FOR PROPERTY LOCATED AT 3900 BOSTON ROAD (BOSTON ROAD, LLC; COUNCIL DISTRICT 9).

WHEREAS, at a Public Hearing held on May 28, 2015 a petition for a zoning ordinance map amendment for property located at 3900 Boston Road from a Professional Office (P-1) zone to a Planned Neighborhood Residential (R-3) zone for 1.3385 net (1.3829 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 10-0; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.


NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 3900 Boston Road from a Professional Office (P-1) zone to a Planned Neighborhood Residential (R-3) zone for 1.3385 net (1.3829 gross) acres, being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: August 18, 2015

MAYOR 

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

Published: August 20, 2015-1t

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LEGAL DESCRIPTION

Portion of
Ted R. Osborn Property and Thomas Wood Property
(Plat Cabinet H, Slide 434)
Zone Change from P-1 to R-3
3900 Boston Road,
Lexington, Fayette County, Kentucky

Being a parcel of land in the city of Lexington, Fayette County, Kentucky lying on the southeast side of Boston Road approximately 400 feet south of Millpond Road and more particularly described as:

BEGINNING at a point in the southeast right-of-way of Boston Road, said point being approximately 320' south of the south right-of-way of Millpond Road, and said point having Kentucky State Plane Coordinates of E(X)=1,553,237.45', N(Y)=174,402.97' (NAD 83, KY North Zone, US Survey Feet); thence leaving the right-of-way North 45°48'58" West a distance of 30.00' to the centerline of Boston Road; thence with the centerline of Boston Road for two calls:

thence North 44°11'02" East a distance of 44.64' to a point;
thence with a curve turning to the left with an arc length of 12.98', with a radius of 500.00', with a chord bearing of North 43°26'25" East, with a chord length of 12.98', to a point; thence leaving the centerline of Boston Road, South 47°18'12" East a distance of 31.60' to a point in the historical centerline of Old Higbee Mill Road; thence with the centerline of Old Higbee Mill Road for four calls:

South 23°21'08" West a distance of 74.31' to a point; thence
South 01°46'18" East a distance of 66.91' to a point; thence
South 17°29'43" East a distance of 47.01' to a point; thence
South 25°51'48" East a distance of 14.74' to a point in the westerly line of Ball Aquatics, LLC (Deed Book 3161, Page 392 -Lot 12 of Plat Cabinet I, Slide 702); thence with the line of the

aforementioned Ball Aquatics for five calls;

South 25°23'51" East a distance of 226.57' to a point; thence

South 27°25'47" East a distance of 47.34' to a point; thence

South 36°19'17" East a distance of 50.33' to a point; thence

South 52°38'46" East a distance of 36.11' to a point; thence

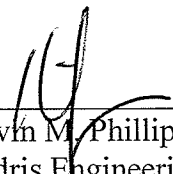
South 46°28'17" West a distance of 20.86' to a point; thence with the line of the

aforementioned Ball Aquatics and continuing with Boston Road, LLC (Deed Book 2412, Page 122 & Deed Book 2837, Page 110), North 66°31'13" West a distance of 362.29' to a point in the line of the current R-3 Zone; thence with the existing R-3 Zone line, North 22°09'31" East a distance of 357.89' to a point; which is the Point of Beginning, having a Gross area of 1.3809 acres, and a Net area of 1.3385 acres

The Bearings and coordinates shown hereon are based on Kentucky State Plane Grid North, Kentucky State Plane North Zone, North American Datum of 1983 (NAD 83). Particularly, the bearings and coordinates are based on a GNSS Survey Utilizing a Trimble R6 GNSS Receiver and the KYTC VRS System.

The description above being based on an actual ground survey of the property conducted under the direct supervision of Kevin Phillips (PLS 3350), of Endris Engineering, 771 Enterprise Drive, Lexington, Kentucky concluding on February 20, 2015.




Kevin M. Phillips (PLS 3350)
Endris Engineering, PSC
771 Enterprise Drive
Lexington, KY 40510

03-02-2015
Date