

GENERAL INFORMATION: MAP AMENDMENT REQUEST (MAR) APPLICATION

1. ADDRESS INFORMATION (Name, Address, City/State/Zip & PHONE NO.)

APPLICANT:	Dennis R. Anderson, 1720 Sharkey Way, Suite 100, Lexington, KY 40511 (859) 231-0099
OWNER:	Dennis R. Anderson, 1720 Sharkey Way, Suite 100, Lexington, KY 40511 (859) 231-0099
ATTORNEY:	Richard Murphy, 250 W Main Street, Suite 2510 Lexington, KY 40507 (859) 233-9811

2. ADDRESS OF APPLICANT'S PROPERTY (Please attach Legal Description)

151 Pasadena Drive

3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY (Use attachment, if needed--same format.)

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
R-1C	Vacant	B-1	Retail	0.34	0.40

4. SURROUNDING PROPERTY, ZONING & USE

Property	Use	Zoning
North	Retail	B-6P
East	Vacant	R-1C
South	Office	P-1
West	Retail	B-1

5. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. Are these units currently occupied by households earning under <u>40%</u> of the median income? If yes, how many units? If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	<input type="checkbox"/> YES <input type="checkbox"/> NO _____ Units

6. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided.)

Roads	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Storm Sewers	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Sanitary Sewers	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Curb/Gutter/Sidewalks	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Refuse Collection	<input checked="" type="checkbox"/> LFUCG	<input type="checkbox"/> Other		
Utilities	<input checked="" type="checkbox"/> Electric	<input checked="" type="checkbox"/> Gas	<input checked="" type="checkbox"/> Water	<input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable

7. DESCRIBE YOUR JUSTIFICATION FOR REQUESTED CHANGE (Please provide attachment.)

This is in... in agreement with the Comp. Plan more appropriate than the existing zoning due to unanticipated changes.

8. APPLICANT/OWNER SIGNS THIS CERTIFICATION

I do hereby certify that to the best of my knowledge and belief, all application materials are herewith submitted, and the information they contain is true and accurate. I further certify that I am OWNER or HOLDER of an agreement to purchase this property since 4/25/2002.

APPLICANT Richard V. Murphy, DATE 5/2/2016
 OWNER atly for applicant (owner) DATE _____
 LFUCG EMPLOYEE/OFFICER, if applicable _____ DATE _____

7. JUSTIFICATION FOR REQUESTED CHANGE

The applicant, Dennis Anderson, is requesting a zone change from the single-family residential (R-1C) zone to the neighborhood business (B-1) zone for about one-third of an acre located at 151 Pasadena Drive. The subject property is located immediately east of the Pasadena Plaza Shopping Center, which is also zoned B-1, and which was developed by the applicant.

The subject property is a vacant lot which is bordered on the north by Regency Shopping Center, zoned B-6P; on the west by Pasadena Plaza Shopping Center, zoned B-1; on the south by property which is zoned or used for professional office purposes and on the east by another vacant lot. It is close to the intersection of Nicholasville Road and Pasadena Drive.

Previous map-based Comprehensive Plans have designated this property at retail, trade and personal services, consistent with its surroundings. Because of surrounding land uses, it is no longer appropriate for single-family detached residential use.

We are also requesting a variance in the front setback from a maximum of 20 feet to a maximum of 75 feet. This variance would be consistent with the Pasadena Plaza next door. Also, because of a drop in grade of about 8 feet from Pasadena Drive to the middle of this property, it would be very difficult to construct a building at the 10-20 foot setback required, without a large retaining wall or major changes to the topography of the property.

Thus, we are requesting approval of the zone change for the following reasons:

The existing single-family residential (R-1C) zoning is inappropriate and the proposed neighborhood business (B-1) is appropriate because the property is surrounded by two shopping centers to the north and west, professional office use across Pasadena Drive, and another vacant lot also awaiting redevelopment to the east. The subject property has historically been shown as retail, trade or personal services on prior Comprehensive Plans. B-1 zoning would be consistent with the Pasadena Plaza immediately to the west.

Also, we are requesting approval of a dimensional variance of the front setback from a maximum of 20 feet to a maximum of 75 feet for the following reasons:

1. Granting this variance will not adversely affect the public health, safety or welfare and will not alter the character of the general vicinity, and will not cause a hazard or nuisance to the public because the proposed setback will be consistent with the Pasadena Plaza property, which is immediately adjacent to the west. Also, the topography of the property, which has a drop of about 8 feet from Pasadena Drive to the middle of the property, would make it difficult to develop a building close to the Pasadena Drive right-of-way.

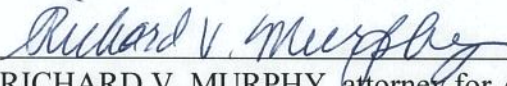
2. Granting this variance will not allow an unreasonable circumvention of the requirements of the Zoning Ordinance because the setback will be consistent with the Pasadena Plaza property next door.

3. The special circumstances which apply to this property and which do not generally apply to land in the general vicinity or in the same zone are that the Pasadena Plaza has been constructed with a setback much greater than 20 feet, and because Pasadena Drive was widened and elevated several years ago, there is a distinct drop in elevation of over 8 feet from Pasadena Drive to the middle of this property.

4. Strict application of the regulations of the Zoning Ordinance would deprive the applicant of a reasonable use of its land or create an unnecessary hardship because the applicant would be unable to make use of his property consistent with the Pasadena Plaza next door.

5. The circumstances surrounding the requested variance are not the result of the actions of this applicant taken subsequent to the regulation from which relief is sought. Pasadena Plaza was constructed prior to the change in setback requirements in the B-1 zone. Pasadena Drive was widened and elevated by the local government several years ago. No construction has yet started on this property.

Thank you for your consideration of this zone change and variance request.


RICHARD V. MURPHY, attorney for Applicant,
Dennis Anderson

Legal Description of the
Anderson Property
Zone Change From R-1C to B-1
151 Pasadena Drive
Lexington, Fayette County, Kentucky

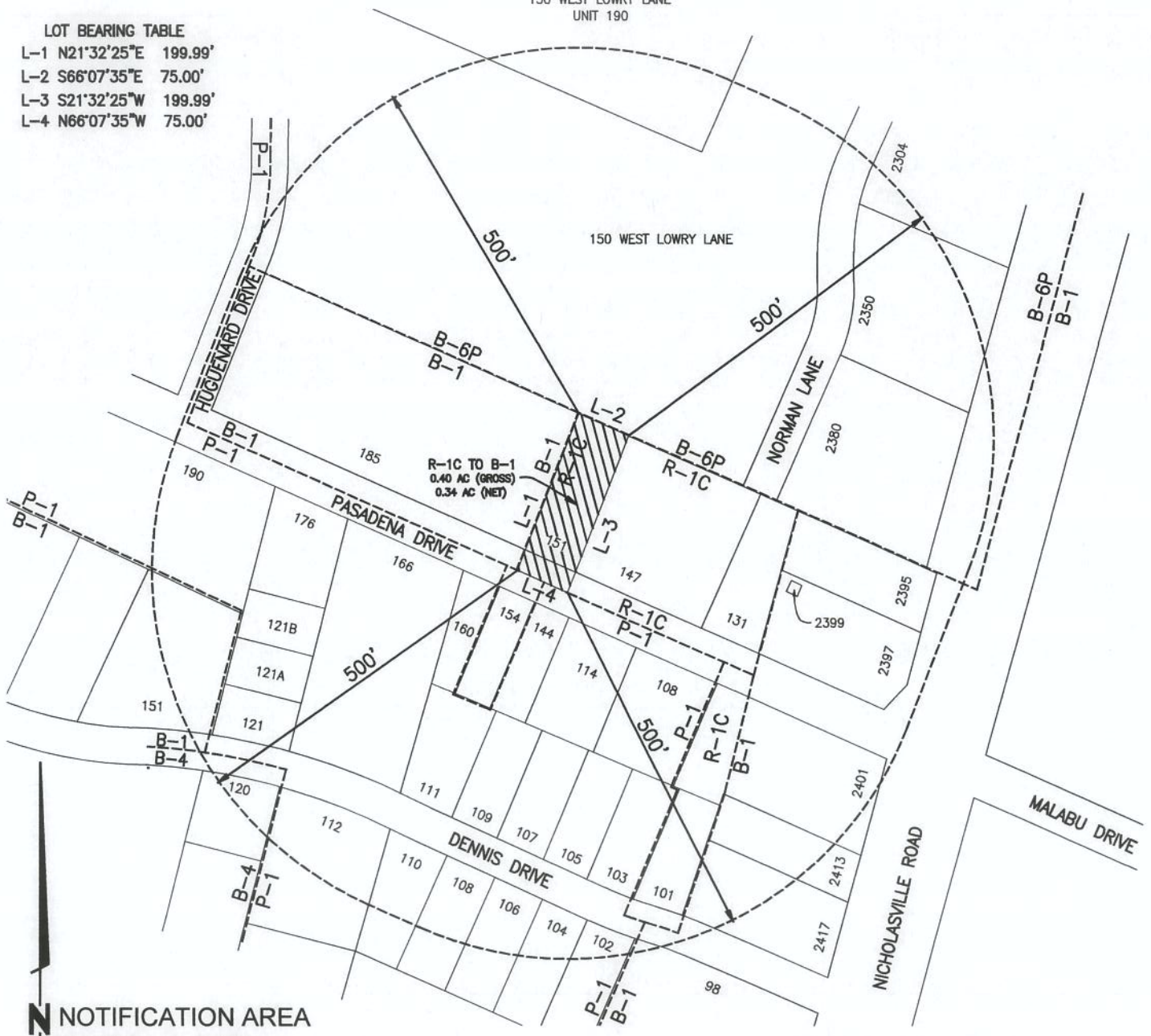
ALL THAT TRACT OR PARCEL OF LAND SITUATED ON THE NORTH SIDE OF PASADENA DRIVE BETWEEN NICHOLASVILLE ROAD AND HUGUENARD DRIVE IN LEXINGTON, FAYETTE COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a point in the centerline of Pasadena Drive, said point being located 495 feet east of the intersection of the centerline of Pasadena Drive and the centerline of Huguenard Drive; thence leaving the centerline of Pasadena Drive north 21 degrees 32 minutes 25 seconds east 199.99 feet to a point; thence south 66 degrees 07 minutes 35 seconds east 75.00 feet to a point; thence south 21 degrees 32 minutes 25 seconds west 199.99 feet to a point in the centerline of Pasadena Drive; thence along the centerline of Pasadena Drive north 66 degrees 07 minutes 35 seconds west 75.00 feet to the point of beginning and containing 0.40 gross acres and 0.34 net acres.

150 WEST LOWRY LANE
UNIT 190

LOT BEARING TABLE

L-1	N21°32'25"E	199.99'
L-2	S66°07'35"E	75.00'
L-3	S21°32'25"W	199.99'
L-4	N66°07'35"W	75.00'



N NOTIFICATION AREA
SCALE: 1" = 200'

Berry Crest

Property Address:
151 Pasadena Drive, Lexington KY 40503

Owners / Applicant:

Dennis R. Anderson
1720 Sharkey Way
Lexington, KY 40511

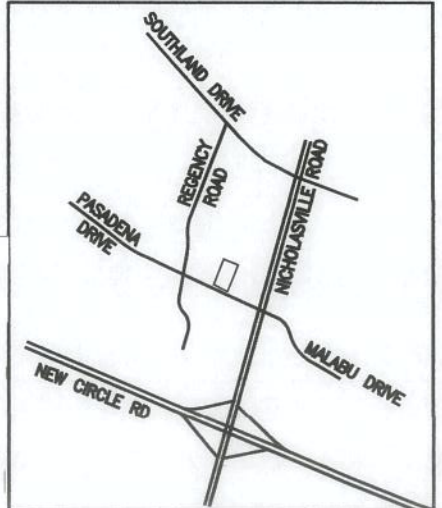
Prepared by:
Barrett Partners, Inc. and Wesley B Witt, Inc.

Date Filed: May 2, 2016
Zone Change Request
R-1C Zone to B-1 Zone

0.34 Acres Net & 0.40 Acres Gross

STATE OF KENTUCKY
WESLEY B. WITT
2187
LICENSED PROFESSIONAL LAND SURVEYOR

Wesley B Witt



VICINITY MAP N.T.S.