

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL URBAN (A-U) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE FOR 18.23 NET AND GROSS ACRES, FOR PROPERTY LOCATED AT 3435 MCFARLAND LANE, SUBJECT TO CERTAIN USE RESTRICTIONS IMPOSED AS CONDITIONS OF GRANTING THE ZONE CHANGE (THE FAIRWAYS AT ANDOVER, LLC).

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WHEREAS, at a Public Hearing held on May 24, 2012, a petition for a zoning ordinance map amendment for property located at 3435 McFarland Lane, from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone for 18.23 net and gross acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change; 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 3435 McFarland Lane, from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone for 18.23 net and gross acres; being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That the granting of this zone change is made subject to the following use restrictions as conditions of granting the zone change:

Under the provisions of Article 6-7 of the Zoning Ordinance, the following uses shall be restricted on the subject property via conditional zoning:

- a. A maximum of ninety-one (91) residential dwelling units shall be permitted on the subject property.
- b. The subject property shall be limited to detached single family residential use, allowable accessory uses and conditional uses approved by the Board of Adjustment.

These restrictions are appropriate and necessary for the subject property in order to ensure compatible development in agreement with the Comprehensive Plan, and appropriate

density protections for the adjacent single family residential neighborhoods.

Section 3 - 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 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

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MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

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