

MAR 2015-11(Amd) Date Received 8/27/15

Pre-Application Date NA

Filing Fee \$ NA

GENERAL INFORMATION: MAP AMENDMENT REQUEST (MAR) APPLICATION
 AMENDED

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

APPLICANT:	Lex Properties, LLC, 859-333-8129, 101 Stable Way, Nicholasville, KY 40356
OWNER:	Burlington Heights Condominiums, LLC, 101 Stable Way, Nicholasville, KY 40356
ATTORNEY:	Richard Murphy, 859-233-9811, 250 W. Main St., Ste 2510, Lexington, KY 40507

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

3455 Saybrook Road

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

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
A-U	Vacant	R-3	Single Family Res.	10.14	10.14

4. SURROUNDING PROPERTY, ZONING & USE

Property	Use	Zoning
North	Single Family Residential	R-1C
East	Single Family Residential	R-1C
South	Single Family Residential & Vacant	R-1C & A-U
West	Single Family Residential	R-1C

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 ____ % 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 checked="" type="checkbox"/> NO ____ Units

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

Roads	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> To be constructed by	<input checked="" type="checkbox"/> Developer	<input type="checkbox"/> Other
Storm Sewers	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> To be constructed by	<input checked="" type="checkbox"/> Developer	<input type="checkbox"/> Other
Sanitary Sewers	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> To be constructed by	<input checked="" type="checkbox"/> Developer	<input type="checkbox"/> Other
Curb/Gutter/Sidewalks	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> To be constructed by	<input checked="" 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 _____.

APPLICANT Lex Properties LLC DATE 8-27-15

OWNER [Signature] DATE _____

LFUCG EMPLOYEE/OFFICER, if applicable _____ DATE _____

STATEMENT OF JUSTIFICATION

The Applicant, Lex Properties, LLC, is requesting a zone change for approximately ten acres of land located at 3455 Saybrook Road in Monticello Subdivision. We are requesting a change from the A-U (Agricultural Urban) to the R-3 (Planned Neighborhood Residential) zone. This property has been vacant and unused for over 20 years. A portion is flood plain which will not be developed. The property is surrounded by the existing Monticello Subdivision, and the property has one access point at Saybrook Road.

The existing agricultural zoning is inappropriate for this property. The property is surrounded by a thriving residential subdivision. The tract is too small for viable agricultural use. A portion of the property is in flood plain. Thus, the property cannot be farmed, and it has not been farmed for the past 40 years.

R-3 zoning will be appropriate for this property. Our development plan shows a subdivision of single-family detached homes which will be fully compatible with the surrounding subdivision. Houses will be of similar or larger size than existing houses in the neighborhood. The residential density on the subject property will be lower than the density in the surrounding subdivision.

Also, the proposal is in agreement with the community's comprehensive plan. The 2013 Comprehensive Plan calls for infill and redevelopment throughout the Urban Service Area as a strategic component of growth (Goal A.2.). Also, Object A.2.a. calls for identification of areas of opportunity for infill that respect the area's context and design features. As mentioned above, single family detached residential will be compatible with the existing residential subdivision, and density will be lower than the existing residential subdivision. Objective E.1.b. calls for the encouragement of compact, contiguous development within the Urban Service Area. The text of the Comprehensive Plan calls for infill opportunities throughout the Urban Service Area, not just downtown. Also, it calls for infill which is sensitive to the character of existing neighborhoods (Page 97).

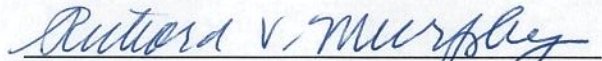
This proposal is consistent with the low density designation which was placed on this property in the 2007 Comprehensive Plan Land Use Plan.

Therefore, we are requesting your approval of this zone change for the following reasons:

1. The existing agricultural zoning is inappropriate, because the property is not appropriate for agricultural activities, and has not been used for agricultural activities for over 40 years. The proposed R-3 zoning is appropriate because it will allow construction of single-family, detached homes which are comparable to or larger than the existing homes in the neighborhood, and which will be at a comparable or lower density to the existing homes in the surrounding neighborhood.

2. The proposal is in agreement with the community's comprehensive plan. The Comprehensive Plan calls for utilization of vacant parcels throughout the Urban Service Area, not just downtown. It calls for infill which respects the existing uses and is compatible with existing nearby neighborhood uses. It is a low density residential use. Our proposed use consists of single-family detached homes, consistent with the uses in the established Monticello Subdivision which surrounds it.

Thank you for your consideration for this zone change request.


Richard V. Murphy, Attorney for Applicant