

Rec'd by _____

Date: _____

**RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY**

IN RE: PLN-MAR-23-00010: URBAN COUNTY COUNCIL - a petition for a zone map amendment from a Single Family Residential (R-1C) zone with conditional zoning to a Single Family Residential (R-1C) zone removing conditional zoning relating to landscaping and fencing along New Circle Road for 37.21 net (65.48 gross) acres, for properties located at 2500-2529 Bridle Court, 2501-2537 Dressage Way, 1200-1213 Equine Court, 1304-1476 Saddle Club Way, 1213 Viley Road. (Council District 11)

Having considered the above matter on **August 10, 2023**, at a Public Hearing, and having voted **8-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. The installation of concrete sound barriers by the Kentucky Transportation Cabinet along New Circle Road is a major physical change in the area that was not anticipated at the time of the initial rezoning.
2. Due to the installation of the sound barriers, portions of the required fencing and landscaping are no longer visible from New Circle Road to provide visual consistency with the adjacent Calumet Farm.
3. There has been no physical, social, or economic change in the area that has impacted the appropriateness of the required landscaping along Viley Road, or along the portions of New Circle Road frontage without a sound barrier.
4. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions shall apply to the Saddle Club Subdivision:

Conditional Zoning Restrictions:

- a. Along the Versailles Road frontage:
 1. A fifty (50) foot buffer area shall be provided, which will have the effect of decreasing the number of lots along Versailles Road;
 2. Large deciduous trees shall be planted forty-five feet on center;
 3. Small flowering trees shall be planted thirty (30) feet on center;
 4. The existing farm fencing shall be maintained

These conditions are reasonable and appropriate in order to preserve the scenic and historic character of Versailles Road.

- b. For the portions of the New Circle Road frontage where sound walls are not present:
 1. The existing farm fencing shall be maintained;
 2. One large deciduous tree shall be planted every thirty (30) feet;
 3. A continuous six (6) foot high hedge, three (3) feet high at planting shall be provided.
 4. A twenty (20) foot buffer area shall be provided;
- c. Along the Viley Road frontage one (1) street tree shall be planted every forty (40) feet.

Conditions (b) and (c) are appropriate to assure compatibility of the development with the character of the neighboring properties.

ATTEST: This 1st day of September, 2023.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by November 8, 2023.

At the Public Hearing before the Urban County Planning Commission, this application was presented by **Daniel Crum, AICP, Senior Planner.**

OBJECTORS

- Karen Winizrczyk, 2529 Bridle Court
- Marsha Petri, 1337 Saddle Club Way
- Rick Petri, 1337 Saddle Club Way
- Teresa Parks Crumbie, 1388 Saddle Club Way

OBJECTIONS

- Stated that that she owned a portion of fence that was taken down because it was on her property. She said that the HOA did not own the fence and had no right to tear the fence down.
- Expressed that the community area used to be beautiful, but now feels that it is not safe or beautiful anymore. She said that she would like to see the fence added back to the community area.
- Stated that while there were other options presented, the HOA board members chose to tear the whole fence down rather than consider partial removal options.
- Stated that this has caused so much disagreement. She is against the fence.

VOTES WERE AS FOLLOWS:

AYES: (8) Bell, Barksdale, Wilson, Forester, Meyer, Michler, Pohl, and Worth
NAYS: (0)
ABSENT: (3) Davis, Nicol, and Owens
ABSTAINED: (0)
DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-23-00010** carried.

Enclosures: Application
Resolution Initiating Request
Neighborhood Association Letter
Map
Development Snapshot
Staff Reports
Applicable excerpts of minutes of above meeting