

GENERAL INFORMATION: MAP AMENDMENT REQUEST (MAR) APPLICATION

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

| | | |
|------------|---|--------------|
| APPLICANT: | Kirk and Carol Snyder 3270 Richmond Road, Lexington, Kentucky 40509 | 859-263-5037 |
| OWNER: | Same as above information for "Applicant" | |
| ATTORNEY: | Jon A. Woodall 201 East Main Street, Suite 1000, Lexington, Kentucky 40507 | 859-231-8780 |

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

3270 Richmond Road, Lexington, Kentucky 40509

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

| Existing | | Requested | | Acreage | |
|----------|-------------------|-----------|------------------|---------|--------|
| Zoning | Use | Zoning | Use | Net | Gross |
| P-1 | Veterinary Clinic | B-3 | Highway Business | 0.6138 | 0.9857 |
| | | | | | |
| | | | | | |

4. SURROUNDING PROPERTY, ZONING & USE

| Property | Use | Zoning |
|----------|-------------------------|--------|
| North | Offices | P-1 |
| East | Restaurant / Businesses | B-1 |
| South | Car Lot / Restaurant | B-3 |
| West | Car Lot | B-3 |

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 40 % 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 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 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 _____ DATE _____

OWNER Kirk Snyder DATE 12.3.12

LFUCG EMPLOYEE/OFFICER, if applicable _____ DATE _____

Statement of Justification

ATTACHMENT
to
General Information
Section 6

The Applicants are Kirk and Carol Snyder, whose mailing address is: 3270 Richmond Road, Lexington, Kentucky 40509.

The Applicants are requesting a zone change from P-1 to B-3 for approximately sixty-one hundredths of an acre of land, which is situated on the southwesterly side of Richmond Road, just southeast of Man 'o War Boulevard. Applicants do not currently intend to make any changes in the subject property's current use.

The proposed zone, while not in strict agreement with the 2007 Comprehensive Plan, is the same zone that is currently assigned to the adjacent properties to the northwest, southwest and southeast of the subject property. Additionally, the property across Richmond Road and directly east of the subject property is zoned for business as well, i.e., B-1, Neighbourhood Business. Any demand for professional office space could easily be met in the P-1 zoned area directly north of and across Richmond Road from the subject property.

The requested zone is in keeping with the character of the neighbourhood. Additionally, the veterinary clinic, which presently exists on the subject property, is listed as a "Principal Use" for the B-3 zone, i.e., "*Offices and medical clinics.*"

None of the concerns expressed in Article 1-3, PURPOSE, of the Zoning Ordinance, are compromised by the granting of this zone change request. The granting of this zone change request will not in any way run counter to the intent of the overall planning concepts of the 2007 Comprehensive Plan.

Thank you for your consideration of this zone change request.

Respectfully submitted,

myke. robbins, A.R.
Engineering Consultant and
Paralegal, for and on behalf of
the Applicants



ATTORNEYS AT LAW

JON A. WOODALL
jwoodall@mmlk.com

201 EAST MAIN STREET, SUITE 1000
LEXINGTON, KENTUCKY 40507
(859) 231-8780 EXT. 260
FAX: (859) 231-1175

December 3, 2012

Mr. Mike Owens, Chair
Lexington Fayette Planning Commission
101 East Vine Street, 7th Floor
Lexington, KY 40507

**RE: Rezoning Application
Snyder Property
3270 Richmond Road, Lexington, KY**

Dear Mr. Owens:

I represent Kirk and Carol Snyder, the owners of the above-referenced property. Dr. Snyder has operated a veterinary clinic at this site for many years. The lot is currently zoned for professional office (P-1) uses and the request is to rezone it to the highway commercial business (B-3) zone, the same category as the properties on both sides and to the rear of the Snyder's lot. The justification for the rezoning is that the existing zoning is inappropriate and the proposed zoning is appropriate.

The 2007 Comprehensive Plan Land Use Map recommends future professional services uses on the south side of Richmond Road between Man O War Boulevard and San Lake Drive, including the Snyder property. However, soon after the last Comprehensive Plan was adopted, the adjoining properties were rezoned to B-3 for the development of a large car lot. The Snyder property is the sole P-1 zoned property in this much larger B-3 zoned area. It is highly unlikely the adjoining B-3 properties will ever be rezoned for P-1 uses.

The current P-1 zoning is inappropriate. It is the only parcel on this side of Richmond Area that is zoned for professional office uses. It stands isolated from other land uses that are similar in character and intensity to the existing P-1 zoning. The surrounding B-3 zoning and current land uses on those properties make the smaller P-1 lot much less suitable or desirable for P-1 tenants and their clientele. The proposed B-3 zoning is appropriate because it will allow the property to develop for uses that are compatible (in terms of use, intensity, character and density) with those on the adjoining properties. This portion of Richmond Road has largely developed with commercial properties on the south side and professional office complexes, including a

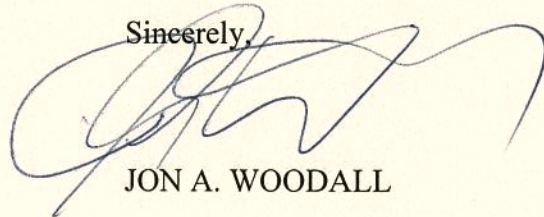
Mr. Mike Owens, Chair
December 3, 2012
Page 2

hospital and medical clinics, on the north. Rezoning the Snyder property is consistent with this pattern.

Finally, the veterinary clinic use on the property is a principal permitted use in the B-3 zone. Rezoning the property to B-3 will allow the clinic to continue to operate as a permitted use for the foreseeable future, yet will provide the Snyders more flexibility at such time as Dr. Snyder decides to retire or change the type of activities on the site.

Thank you for your assistance in this matter. I look forward to working with the staff and the Planning Commission as they consider our request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Woodall', is written over the word 'Sincerely,'.

JON A. WOODALL

JAW/sc

LEGAL DESCRIPTION

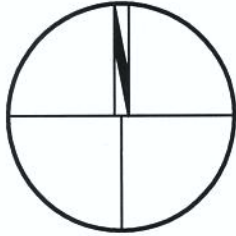
of the
KIRK SNYDER & CAROL SNYDER
Property
Located
at
3270 Richmond Road
in
Lexington, Fayette County, Kentucky
Zone Change from: P-1 to B-3

All that tract or parcel of land located on the southeasterly side of Richmond Road, within the geographical jurisdiction of the Lexington-Fayette Urban-County Government in Fayette County, within the Commonwealth of Kentucky, and being more fully described and bounded as follows, to wit:

BEGINNING at a point, said point being at the intersection of the center line of Richmond Road and the northwesterly property line, extended of 3292 Richmond Road (D.B. 3085, PG. 110); thence, departing from said center line and following the aforesaid property line, extended, S50°09'00"W 75.00 feet to and passing the southwesterly right-of-way line of Richmond Road (which is simultaneously the northeasterly right-of-way line of a service road) and continuing along the same bearing and with the aforesaid property line, extended, for an additional 60.00 feet, for an overall distance of 135.00 feet to a point, said point being the northwesterly property corner of 3292 Richmond Road; thence, continuing along the same bearing and following the actual, northwesterly property line of 3292 Richmond Road for an additional 220.31 feet to a point, said point being at a corner, which is common to both 3292 Richmond Road and to 105 Sand Lake Drive (D.B. 2533, PG. 530); thence, following the property line of

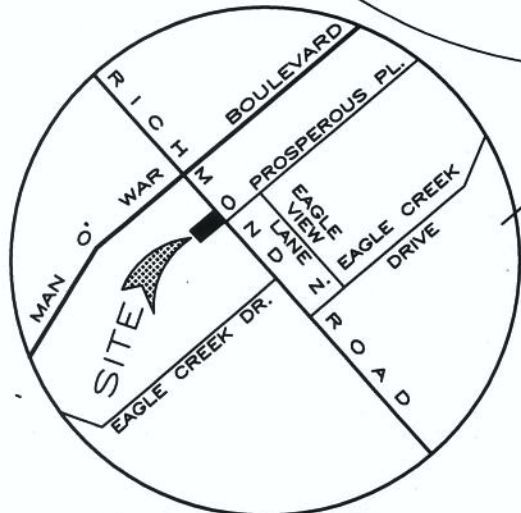
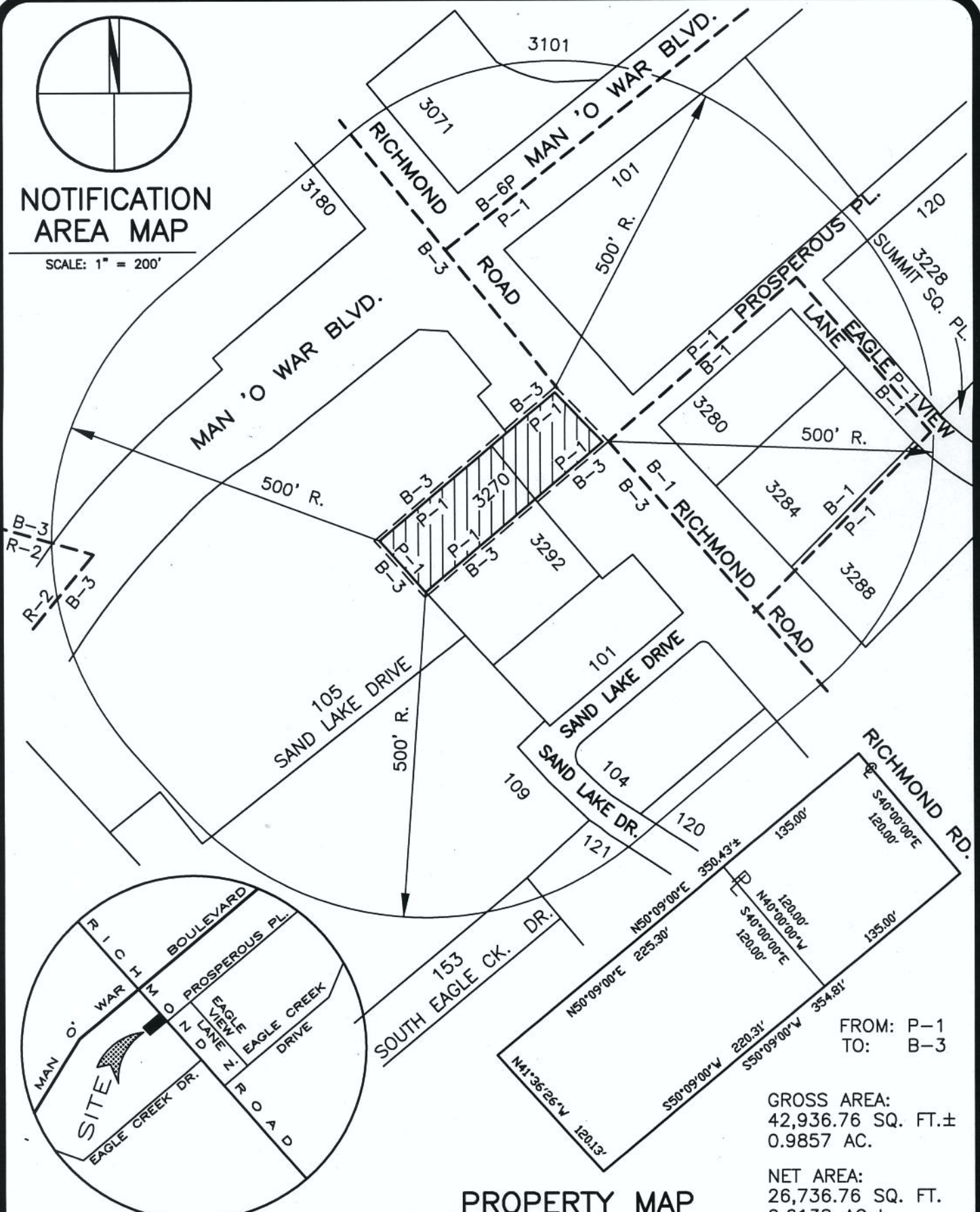
105 Sand Lake Drive for two calls, N41°36'26"W 120.13 feet to a point, and N50°09'00"E 225.30 feet to a point, said point being at an intersection with the southwesterly right-of-way line of the aforesaid service road; thence, continuing along the same bearing and following the property line, extended of 105 Sand Lake Drive, for an additional 60.00 feet to and passing the northeasterly right-of-way line of said service road (which is simultaneously the southwesterly right-of-way line of Richmond Road), and continuing along the same bearing, while continuing to follow the aforesaid property line, extended for an additional 75.00 feet to a point in the aforesaid center line of Richmond road; thence, following said center line, S40°00'00"E 120.00 feet to the point of beginning and containing a gross area of 42,936.76 Sq. Ft. (0.9857 acre) and a net area of 26,736.76 Sq. Ft. (0.6138 acre).

End of Legal Description



NOTIFICATION AREA MAP

SCALE: 1" = 200'



VICINITY MAP
N.T.S.

PROPERTY MAP

SCALE: 1" = 100'

FROM: P-1
TO: B-3

GROSS AREA:
42,936.76 SQ. FT.±
0.9857 AC.

NET AREA:
26,736.76 SQ. FT.
0.6138 AC.±

ZOMAR

KIRK & CAROL SNYDER

Property 3270 Richmond Road / Lexington, Kentucky

Applicant: **Kirk & Carol Snyder**

Address: 3270 Richmond Road / Lexington, Kentucky

Owner: **Kirk & Carol Snyder**

Address: 3270 Richmond Road / Lexington, Kentucky

Prepared By: FOSTER - ROLAND, INC.
449 South Ashland Avenue / Lexington, Ky.

Date Filed: November 26, 2012

