

ORDINANCE NO. _____-2016

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL RURAL (A-R) ZONE TO A NEIGHBORHOOD BUSINESS (B-1) ZONE, FOR 0.59 NET (0.67 GROSS) ACRE, FOR PROPERTY LOCATED AT 5569 BRIAR HILL ROAD, INCLUDING A DIMENSIONAL VARIANCE (R. WALKER PROPERTIES, LLC; COUNCIL DISTRICT 12).

WHEREAS, at a Public Hearing held on May 26, 2016, a petition for a zoning ordinance map amendment for property located at 5569 Briar Hill Road from an Agricultural Rural (A-R) zone to a Neighborhood Business (B-1) zone, for 0.59 net (0.67 gross) acre, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change including a dimensional variance by a vote of 8-0; 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 5569 Briar Hill Road from an Agricultural Rural (A-R) zone to a Neighborhood Business (B-1) zone, for 0.59 net (0.67 gross) acre, 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 use and buffering restrictions are proposed for the subject property via conditional zoning:

Prohibited Uses

1. Drive-through facilities.
2. Live entertainment and/or dancing.
3. Cocktail lounges and nightclubs.
4. Automobile service stations.
5. Sale of firearms other than by federally licensed manufacturers, importers or dealers.
6. Car washing establishments.
7. Automobile and vehicle refueling stations.

Other Use Restrictions

1. Any outdoor lighting shall be shielded and directed away from any adjacent residential uses.
2. Lighting attached to a pole or any structure shall be a maximum of twelve (12) feet in height.

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:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

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