

AN ORDINANCE CHANGING THE ZONE FROM A WHOLESALE & WAREHOUSE BUSINESS (B-4) ZONE TO A LEXINGTON CENTER BUSINESS (B-2B) ZONE, FOR 0.057 NET (0.130 GROSS) ACRES, FOR PROPERTY LOCATED AT 430 WEST MAXWELL STREET (JULIE & ANTHONY CHILDRESS; COUNCIL DISTRICT 3).

WHEREAS, at a Public Hearing held on January 31, 2013, a petition for a zoning ordinance map amendment for property located at 430 West Maxwell Street from a Wholesale & Warehouse Business (B-4) zone to a Lexington Center Business (B-2B) zone for 0.057 net (0.130 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change 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 430 West Maxwell Street, from a Wholesale & Warehouse Business (B-4) zone to a Lexington Center Business (B-2B) zone for 0.057 net (0.130 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 use and buffering restrictions are proposed for the subject property via conditional zoning:

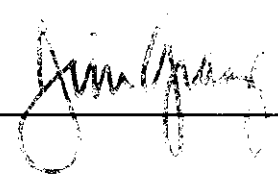
PROHIBITED USES:

1. Cocktail lounges and nightclubs.
2. Automobile service stations and/or the sale of gasoline.
3. Establishments for the display, rental, and sale of automobiles, motorcycles, trucks and boats.

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: March 7, 2013



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

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BOUNDARY DESCRIPTION

Julie & Anthony Childress Property
Zone Change from B-4 to B-2B
430 W. Maxwell St.
Lexington, Fayette County, Kentucky

A TRACT OF LAND SITUATED AT THE SOUTH CORNER OF THE INTERSECTION OF W. MAXWELL STREET AND SPRING STREET IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

BEGINNING at a point at the intersection of the centerlines of W. Maxwell Street and Spring Street, thence with the centerline of W. Maxwell Street S41°30'E for a distance of 47.3 feet, thence leaving W. Maxwell Street, S47°54'W for a distance of 120.2 feet to a point; thence N40°43'W for a distance of 47.3 feet to the centerline of Spring Street; thence with the centerline of Spring Street N47°54'E for a distance of 119.6 feet to the point of beginning; said boundary containing a gross area of 0.130 acres and a net area of 0.057 acres.