

ORDINANCE NO. 118 -2013

AN ORDINANCE CHANGING THE ZONE FROM A AGRICULTURAL URBAN (A-U) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE, FOR 24.88 NET (27.71 GROSS) ACRES, FOR PROPERTY LOCATED AT 4500 & 4524 OLD SCHOOLHOUSE LANE (BALL HOMES, LLC; COUNCIL DISTRICT 10).

WHEREAS, at a Public Hearing held on July 25, 2013, a petition for a zoning ordinance map amendment for property located at 4500 & 4524 Old Schoolhouse Lane from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 24.88 net (27.71 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 11-0; 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 4500 & 4524 Old Schoolhouse Lane from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 24.88 net (27.71 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:

- a. A maximum of 248 residential dwelling units shall be permitted on the subject property
- b. A 20-foot wide landscape buffer shall be provided along the common property line of the subject property and 4420 Old Schoolhouse Lane (Stringer Property). Existing trees with a DBH greater than 3" within 20' of the Stringer Property line and extending as far as 150' from the northwest property corner to the east, and 10' thereafter shall be preserved in this buffer, except that dead or diseased trees or trees that may present a hazard due to

their formation, branching or other condition may be removed. Trees within a proposed right-of way may be removed. Bush honeysuckle and other invasive plant growth may be removed.

- c. A solid fence or wall, a minimum of 7' in height, shall be installed within this required landscape buffer if the existing earthen berm is removed from this area.

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:

Passed by operation of law pursuant to KRS 100.211 on October 8, 2013

No Signature Needed
MAYOR

ATTEST:

No Signature Needed
CLERK OF URBAN COUNTY COUNCIL
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