

ORDINANCE NO. 124-2014

AN ORDINANCE CHANGING THE ZONE FROM A SINGLE FAMILY RESIDENTIAL (R-1D) ZONE TO A HIGH DENSITY APARTMENT (R-4) ZONE FOR 3.66 NET (4.54 GROSS) ACRES, FOR PROPERTY LOCATED AT 3400 TODDS ROAD (ANDOVER TOWNHOUSE PARTNERS, PLLC, C/O DOUG CHARLES; COUNCIL DISTRICT 7).

WHEREAS, at a Public Hearing held on August 28, 2014, a petition for a zoning ordinance map amendment for property located at 3400 Todds Road from a Single Family Residential (R-1D) Zone to a High Density Apartment (R-4) zone for 3.66 net (4.54 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 9-1; 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 3400 Todds Road from a Single Family Residential (R-1D) Zone to a High Density Apartment (R-4) zone for 3.66 net (4.54 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:

1. The use of the subject property shall be limited to single-family detached, single-family attached (townhouse) or duplex dwelling units.

This conditional zoning restriction is appropriate in that it has been offered by the applicant

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: October 9, 2014

MAYOR

A handwritten signature in black ink, appearing to read "Jim Gray", written over a horizontal line.

ATTEST:


A handwritten signature in black ink, appearing to read "Meredith Nelson", written over a horizontal line.
CLERK OF URBAN COUNTY COUNCIL

Published: October 16, 2014-1t
X:\Cases\PLANNING\14-LE0001\LEG\00455164.DOC

George W. Ginter Property
3400 Todds Road
Lexington, Fayette County, Kentucky
Zone Change from R-1D to R-4

Being a tract of land situated south of Todds Road approximately 0.9 miles east of the intersection of Man O War Boulevard and Todds Road, and being more fully described and bounded as follows:

BEGINNING AT A POINT in the centerline of Todds Road, said point also lying in the extended western line of Andover Golf and Country Club recorded in Deed Book 1553, Page 692 of record in the Fayette County Clerk's Office; thence with said western line South 49 degrees 19 minutes 55 seconds West, 491.24 feet to a point in the northeastern line of Williams Property, Lot 2 as shown on Plat Cabinet K, Slide 606 of record in the Fayette County Clerk's Office; thence with said northwestern line North 40 degrees 40 minutes 36 seconds West, 454.83 feet to point in the eastern line of Baptist Church of Andover, Inc. recorded in Deed Book 1686, Page 41 of record in the Fayette County Clerk's Office; thence with eastern line North 50 degrees 00 minutes 00 seconds East, 384.04 feet to a point in the centerline of Todds Road; thence with said centerline South 54 degrees 04 minutes 08 seconds East, 462.96 feet to the **POINT OF BEGINNING** and containing 4.54 acres (Gross) and 3.66 acres (Net).