

1. ERFAN M. ALAMI (AMD) ZONING MAP AMENDMENT

- a. MAR-2015-25: ERFAN M. ALAMI (AMD) – an amended petition for a zone map amendment from a Neighborhood Business (B-1) zone to an Agricultural Rural (A-R) zone, for 3.24 net (3.76 gross) acres, for property located at 5898 Old Richmond Road.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan’s mission statement is to “provide flexible planning guidance to ensure that development of our community’s resources and infrastructure preserves our quality of life, and fosters regional planning and economic development.” The mission statement notes that this will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World. The 2013 Comprehensive Plan also recommends supporting the agricultural economy, horse farms, general agricultural, and the character of the Rural Service Area (Theme E, Goal #2).

The Rural Land Management Plan, adopted by the Planning Commission in 1999, recommends Core Agricultural and Rural Land (CARL) use for the subject property.

The petitioner proposes to down zone the parcel in order to make renovations to the existing, non-conforming residence on the subject property.

The Zoning Committee Recommended: **Approval.**

The Staff Recommends: **Approval**, for the following reason:

- 1. The requested Agricultural Rural (A-R) zone is in agreement with the 2013 Comprehensive Plan and the 1999 Rural Land Management Plan, for the following reasons:
 - a. The 2013 Comprehensive Plan Goals and Objectives recommend supporting the agricultural economy and the character of the Rural Service Area. Since the subject property has been utilized as a single-family residence since 1935, retaining the residence in a conforming manner will better preserve the rural character of the immediate area.
 - b. The Rural Land Management Plan recommends Core Agricultural and Rural Land (CARL) future land use for the subject property. The property is located within the Rural Service Area; is not served by typical urban services, such as sanitary sewers, storm sewers, solid waste collection or curb/gutter/sidewalks; and the A-R zone is intended to implement the Plan’s future land use recommendation for this location.

Staff Zoning Presentation – Ms. Wade presented the staff report on this zone change. She summarized the staff report and recommendations of the proposed zone change.

She stated that there is a residence on the parcel that the applicant wishes to improve. Because this is a non-conforming structure, this is not permitted under the B-1 zone. The petitioner had originally proposed to rezone a portion of the property, but they have amended their application to rezone the entire 3.24 acres of land.

Commission Comments –There was a comment that there have already been improvements at this location. Ms. Wade stated that the applicant was unaware that they couldn’t perform any improvements because it’s a non-conforming structure. The owner was notified that they couldn’t proceed with their improvements because they involved expansion in terms of square footage of the residential structure, which initiated the zone change request.

Petitioner Presentation – Jake Michul, Morgan & Pottinger, P.S.C., was present representing the petitioner. He said that he believes the applicant is in agreement with the staff’s recommendations.

Commission Comments – There was a question in regard to the old structure at the corner of Old Richmond Road and Jacks Creek Pike on the property. Mr. Michul stated that the petitioner will be removing that structure within the next three years. It is an accessory structure in the A-R zone and will serve as a storage area during the improvements.

Citizen Comments – There were no citizens present to comments on this application.

Zoning Action – A motion was made by Mr. Owens, seconded by Ms. Richardson, and carried 10-0 (Brewer absent) to approve MAR-2015-25: ERFAN M. ALAMI (AMD), for the reasons provided by the staff.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.