

ORDINANCE NO. \_\_\_\_\_-2017

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL RURAL (A-R) ZONE TO A NEIGHBORHOOD BUSINESS (B-1) ZONE, FOR 1.16 NET AND GROSS ACRES, AND FROM A NEIGHBORHOOD BUSINESS (B-1) ZONE TO AN AGRICULTURAL RURAL (A-R) ZONE, FOR 1.16 NET (2.71 GROSS) ACRES, FOR PROPERTY LOCATED AT 4974 OLD VERSAILLES ROAD (A PORTION OF). A CONDITIONAL USE PERMIT AND DIMENSIONAL VARIANCES WERE ALSO REQUESTED. (NEWTON'S ATTIC; COUNCIL DISTRICT 12).

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WHEREAS, at a Public Hearing held on August 24, 2017 a petition for a zoning ordinance map amendment for property located at 4974 Old Versailles Road (a portion of) from an Agricultural Rural (A-R) zone to a Neighborhood Business (B-1) zone for 1.16 net and gross acres, and from a Neighborhood Business (B-1) zone to an Agricultural Rural (A-R) zone, for 1.16 net (2.71 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 10-0; 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 4974 Old Versailles Road (a portion of) from an Agricultural Rural (A-R) zone to a Neighborhood Business (B-1) zone for 1.16 net and gross acres, and from a Neighborhood Business (B-1) zone to an Agricultural Rural (A-R) zone, for 1.16 net (2.71 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 land use restrictions for the property B-1 zone shall be imposed on the subject property:

Prohibited Uses

- a. Automobile service stations, and automobile and vehicle refueling stations.

- b. Rental of equipment whose retail sale would otherwise be permitted in the B-1 zone.
- c. Banquet facilities.
- d. Self-service car washes.
- e. Extended-stay hotels.
- f. Drive-through facilities.

These restrictions are appropriate and necessary to protect the environmentally sensitive area along South Elkhorn Creek, and to protect the adjacent Ft. Springs rural settlement from incompatible development.

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:

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MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL

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