



**Lexington-Fayette Urban County  
Government  
Minutes - Final  
Urban County Council**

200 E. Main St  
Lexington, KY 40507

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Tuesday, October 8, 2013

5:00 PM

Council Chambers

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**Public Hearing - Zone Change**

**I. Roll Call**

**Present** 10 - Jennifer Scutchfield; Julian Beard; Harry Clarke; Chuck Ellinger; Bill Farmer, Jr.; Chris Ford; Peggy Henson; Steve Kay; Diane Lawless and Jennifer Mossotti

**Absent** 5 - George Myers; Kevin Stinnett; Shevawn Akers; Linda Gorton and Ed Lane

**II. Ordinance – Second Reading**

**1. [0908-13](#)**

An Ordinance changing the zone from an 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 and 4524 Old Schoolhouse Ln. (Ball Homes, LLC; Council District 10). Conditional Approval 11-0 OBJECTORS (To Be Heard By October 23, 2013) [Div. of Planning, King] **PUBLIC HEARING**

**Mr. Clarke made a motion, seconded by Mr. Farmer, to approve Findings of Fact for Disapproval of the zone change request. The motion failed to pass by the following vote:**

**Aye:** 4 - Harry Clarke; Bill Farmer, Jr.; Diane Lawless and Jennifer Mossotti

**Nay:** 6 - Jennifer Scutchfield; Julian Beard; Chuck Ellinger; Chris Ford; Peggy Henson and Steve Kay

**Absent:** 5 - George Myers; Kevin Stinnett; Shevawn Akers; Linda Gorton and Ed Lane

Enactment No: O-118-2013

**A motion was made by Ms. Henson, seconded by Ms. Scutchfield, to amend Mr. Kay's motion to add a condition of 75-foot buffer around the bur oak tree. The motion passed by the following vote:**

**Aye:** 9 - Jennifer Scutchfield; Harry Clarke; Chuck Ellinger; Bill Farmer, Jr.; Chris Ford; Peggy Henson; Steve Kay; Diane Lawless and Jennifer Mossotti

**Nay:** 1 - Julian Beard

**Absent:** 5 - George Myers; Kevin Stinnett; Shevawn Akers; Linda Gorton and Ed Lane

Enactment No: O-118-2013

**A motion was made by Mr. Kay, seconded by Mr. Beard, to approve Findings of Fact for approval from the Planning Commission with amendment, condition of**

**75-foot buffer around tree. The motion failed by pass by operation of law (KRS 100.211) by the following vote:**

**Aye:** 7 - Jennifer Scutchfield; Chuck Ellinger; Bill Farmer, Jr.; Chris Ford; Peggy Henson; Steve Kay and Jennifer Mossotti

**Nay:** 3 - Julian Beard; Harry Clarke and Diane Lawless

**Absent:** 5 - George Myers; Kevin Stinnett; Shevawn Akers; Linda Gorton and Ed Lane

Enactment No: O-118-2013

**A motion was made by Ms. Mossotti, seconded by Ms. Lawless, to approve Findings of Fact from the Planning Commission with a condition of a 70-ft buffer around the bur oak tree. The motion passed by the following vote:**

**Aye:** 8 - Jennifer Scutchfield; Chuck Ellinger; Bill Farmer, Jr.; Chris Ford; Peggy Henson; Steve Kay; Diane Lawless and Jennifer Mossotti

**Nay:** 2 - Julian Beard and Harry Clarke

**Absent:** 5 - George Myers; Kevin Stinnett; Shevawn Akers; Linda Gorton and Ed Lane

Enactment No: O-118-2013

**Ordinance as amended by new Findings of Fact with conditions Received First Reading.**

Enactment No: O-118-2013

**A motion was made by Mr. Farmer, seconded by Ms. Henson, that the rules be Suspended for Second Reading.. The motion PASSED by an unanimous vote.**

**Aye:** 10 - Jennifer Scutchfield; Julian Beard; Harry Clarke; Chuck Ellinger; Bill Farmer, Jr.; Chris Ford; Peggy Henson; Steve Kay; Diane Lawless and Jennifer Mossotti

**Nay:** 0

**Absent:** 5 - George Myers; Kevin Stinnett; Shevawn Akers; Linda Gorton and Ed Lane

Enactment No: O-118-2013

**A motion was made by Mr. Kay, seconded by Ms. Henson, that this Ordinance be Approved. The motion failed to pass by operation of law (KRS 100.211) by the following vote:**

**Aye:** 7 - Jennifer Scutchfield; Julian Beard; Chuck Ellinger; Chris Ford; Peggy Henson; Steve Kay and Jennifer Mossotti

**Nay:** 3 - Harry Clarke; Bill Farmer, Jr. and Diane Lawless

**Absent:** 5 - George Myers; Kevin Stinnett; Shevawn Akers; Linda Gorton and Ed Lane

Enactment No: O-118-2013

**Adjournment**

1. [0908-13](#) An Ordinance changing the zone from an 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 and 4524 Old

Schoolhouse Ln. (Ball Homes, LLC; Council District 10). Conditional Approval 11-0 OBJECTORS (To Be Heard By October 23, 2013) [Div. of Planning, King] **PUBLIC HEARING**

**A motion was made by Council Member Ford, seconded by Council Member Beard, that this Ordinance be Approve. The motion Passed by the following vote:**

**Aye:** 10 - Jennifer Scutchfield; Julian Beard; Harry Clarke; Chuck Ellinger; Bill Farmer, Jr.; Chris Ford; Peggy Henson; Steve Kay; Diane Lawless and Jennifer Mossotti

**Nay:** 0

**Absent:** 5 - George Myers; Kevin Stinnett; Shevawn Akers; Linda Gorton and Ed Lane

Enactment No: O-118-2013