

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 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

Published: October 17, 2013-1t

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ANNE HARVEY PROPERTY
And
CARL TRENT & JANET ELLEN EUBANK PROPERTY
4500 and 4524 Old School House Lane
Lexington, Fayette County, Kentucky
Zone Change from A-U to R-3

A TRACT OF LAND SITUATED EAST OF HARRODSBURG ROAD IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

BEGINNING AT A POINT in the westerly terminus of the centerline of Twain Ridge Drive, said point being in the westerly line of Waits Property, Phase II, Unit 2B as recorded in Plat Cabinet "L", Slide 861 in the Fayette County Clerk's Office; thence South 01 degrees 03 minutes 03 seconds West, 284.97 feet to a point in the northern line of Lexington Primitive Baptist Church; thence with said northern line North 74 degrees 51 minutes 18 seconds West, 2003.63 feet to a point in the centerline of old Harrodsburg Road; thence with said centerline for the following two (2) calls: North 31 degrees 42 minutes 37 seconds East, 555.84 feet to a point; thence North 21 degrees 31 minutes 49 seconds East, 92.20 feet to a point; thence leaving said centerline South 74 degrees 55 minutes 59 seconds East, 1413.94 feet to a point in the eastern line of Marjorie Ann Porter; thence with said eastern line North 04 degrees 09 minutes 52 seconds West, 136.87 feet to a point in the southern line of Moore Waits LTD Partnership; thence with said southern line for the following two (2) calls: South 65 degrees 18 minutes 50 seconds East, 357.00 feet to a point; thence South 44 degrees 51 minutes 36 seconds East, 112.63 feet to a point in the western line of Pauline Moore and Dorothy F. Waits; thence with said western line for the following two (2) calls: South 39 degrees 19 minutes 44 seconds West, 7.20 feet to a point; thence South 23 degrees 05 minutes 25 seconds West, 360.51 feet to **THE POINT OF BEGINNING** and containing 27.71 acres (gross) and 24.88 acres (net).

DATE FILED: JUNE 3, 2013
 PREPARED BY: EA PARTNERS, P.L.C.
 ZONE CHANGE REQUEST:
 FROM: AGRICULTURAL, URBAN (A-U) ZONE
 TO: R-3 ZONE
 24.88 ACRES NET AND 27.71 GROSS

NOTIFICATION MAP
HARVEY PROPERTY
 ADDRESSES: 4500 & 4534 OLD SCHOOLHOUSE ROAD
 APPLICANT: BALL HOMES, LLC
 3609 WALDEN DRIVE
 LEXINGTON, KY 40517
 OWNERS:
 ANN HARVEY
 307 BIRGWAY ROAD
 LEXINGTON, KY 40502
 CARL AND NET EUBANK
 3148 CHATHAM DRIVE
 LEXINGTON, KY 40505

