

ORDINANCE NO. _____-2013

AN ORDINANCE CHANGING THE ZONE FROM A SINGLE FAMILY RESIDENTIAL (R-1D) ZONE TO A TOWNHOUSE RESIDENTIAL (R-1T) ZONE FOR 0.95 NET (1.28 GROSS) ACRES, FOR PROPERTY LOCATED AT 4145 HARRODSBURG ROAD (PATRICIA DONOGHUE; COUNCIL DISTRICT 10).

WHEREAS, at a Public Hearing held on April 25, 2013, a petition for a zoning ordinance map amendment for property located at 4145 Harrodsburg Road from a Single Family Residential (R-1D) Zone to a Townhouse Residential (R-1T) Zone for 0.95 net (1.28 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 9-0; 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 4145 Harrodsburg Road, from a Single Family Residential (R-1D) Zone to a Townhouse Residential (R-1T) Zone for 0.95 net (1.28 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. Existing trees shall be preserved for the area within thirty (30) feet of the southern and eastern property lines in the R-1T zone; and
2. Within these areas, only damaged or diseased trees may be removed, but only with the permission of the Urban Forester. If removed, they shall be replaced in equal number to preserve the existing tree canopy and buffer.

These conditional zoning restrictions are appropriate and necessary for the following reasons:

1. Preservation of the existing tree canopy located adjacent

- to the Ethington & Ethington property will be ensured;
and
2. These conditions will minimize the impacts of new development on the remaining agricultural use adjacent to the subject property.

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:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL