

MAR 2015-4

Date Received 2/2/15

Pre-Application Date 1/13/15

Filing Fee \$ 490⁰⁰

GENERAL INFORMATION: MAP AMENDMENT REQUEST (MAR) APPLICATION

1. ADDRESS INFORMATION (Name, Address, City/State/Zip & PHONE NO.)

APPLICANT: JAKE RIORDAN, 881 CORPORATE DR, LEXINGTON KY, 40503 MARK A JETER, 409 CLINTON RD, LEXINGTON, KY 40502
OWNER: TAYLORMADE REAL ESTATE LLC, 2268 BARNWELL LN, LEXINGTON, KY 40513 (836 Winchester, 912, 916 & 922 Detroit Ave, 915, 917, 919 & 921 Dayton Ave) MA JETER INC, 1198 N LIMESTONE ST, LEXINGTON, KY 40505 (920 Detroit Ave) MARK A & CHRISTA C JETER, 409 CLINTON RD, LEXINGTON, KY 40502 (840 Winchester Rd)
ATTORNEY: N/A

2. ADDRESS OF APPLICANT'S PROPERTY (Please attach Legal Description)

836 & 840 WINCHESTER RD, 912, 916, 920 & 922 DETROIT AVE, a portion of 915, 917, 919 & 921 DAYTON AVE

3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY (Use attachment, if needed--same format.)

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
B-4	Commercial / Retail	B-3	Commercial	0.47	0.69
R-2	Single Family Residential	B-3	Commercial	0.55	0.62
Total				1.02	1.31

4. SURROUNDING PROPERTY, ZONING & USE

Property	Use	Zoning
North	Storage Center / Retail / Commercial	B-3
East	Gas Station / Convenience Store	B-1
South	Residential	R-2
West	Commercial / Retail	B-4

5. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40 % of the median income? If yes, how many units? _____ houses are vacant If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO _____ Units

6. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided.)

Roads	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Storm Sewers	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Sanitary Sewers	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Curb/Gutter/Sidewalks	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Refuse Collection	<input checked="" type="checkbox"/> LFUCG	<input type="checkbox"/> Other		
Utilities	<input checked="" type="checkbox"/> Electric	<input checked="" type="checkbox"/> Gas	<input checked="" type="checkbox"/> Water	<input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable

7. DESCRIBE YOUR JUSTIFICATION FOR REQUESTED CHANGE (Please provide attachment.)

This is in... In agreement with the Comp. Plan more appropriate than the existing zoning due to unanticipated changes.

8. APPLICANT/OWNER SIGNS THIS CERTIFICATION

I do hereby certify that to the best of my knowledge and belief, all application materials are herewith submitted, and the information they contain is true and accurate. I further certify that I am OWNER or HOLDER of an agreement to purchase this property since _____.

APPLICANT *Mark A Jeter* DATE 2-2-15

OWNER *John Ruck* *Mark A Jeter* DATE 1/30/15

LFUCG EMPLOYEE/OFFICER, if applicable _____ DATE _____

Section 7: Justification for Requested Change

The requested zone change for 0.69 Acres (Gross), 0.47 Acres (Net) Wholesale and Warehouse Business (B-4) and 0.62 Acres (Gross), 0.55 Acres Net) Two Family Residential (R-2) to Highway Service Business (B-3) Zone is more appropriate than the existing zoning for the following reasons;

1. The current skewed orientation of Detroit Avenue and Dayton Avenue to Winchester Road creates odd shaped lots Fronting along Winchester Road that are difficult to develop. To properly develop the lots, more depth along Detroit Avenue will be needed. The proposed Zone Change will better align the buildable portion of the proposed development with the Speedway across Detroit Avenue.
2. The Current residences owned by the applicants along Detroit Avenue and Dayton Avenue are in disrepair. Prior to their purchase of the properties, Code Enforcement had sited the properties with numerous violations due to neglect and disrepair. The current owners have stated that it is cost prohibitive to remodel the residences and bring them up to code so they can be sold or rented . Also they stated that it is more difficult to rent property that backs up to commercial properties that are not compatible with residential living. With the current Wholesale and Warehouse Zone (B-4) adjoining the residential properties, noisy and dirty uses such as a tire retreading and recapping, Truck Terminals and freight yards would be permitted.
4. The applicants properties located along Dayton Avenue are deep enough to permit the rear 18 feet of the properties to be rezoned B-3 as shown on our development plan. The zoning ordinance for R-2 Zone requires the minimum rear yard depth be equal to or greater than 20% of the entire yard depth. The existing lots are 130 feet deep therefore the minimum rear yard depth shall be 26 feet or greater. With the location of the current residences on these lots, the rear yards we propose will exceed the minimum requirement of 26 feet.
5. There is a lot of support along the Winchester Road Corridor to bring in businesses that support the surrounding neighborhood. Type of businesses needed are Restaurants, Retail and Professional Offices. The proposal presented by the applicant will be compatible with the neighbors wishes.
6. The current B-1 Zoning regulations call for building setbacks to fall between 10 and 20 feet of the right of way. Since this property is located with frontage along two streets, the set back requirements under the B-1 Zoning regulations would be prohibitive for Fast Food Restaurants with drive through windows. However, the B-3 Zone would permit setbacks that would easily work with the proposed uses.
7. The Winchester Road Corridor is a five lane section with 2 east bound lanes, 2 west bound lanes, and a center turning lane for handling either direction. Kentucky Transportation Cabinet considers Winchester Road an Urban Principal Arterial. The Average Daily Traffic (ADT) is in excess of 31,000 cars per day. This is not a

neighborhood road. Highway Service Business Zone (B-3) is better suited for roads like Winchester Rd.

8. Directly across Winchester Road from this proposed development, the property is zoned Highway Service Business (B-3). The B-3 Zone runs along both sides of Winchester Road up to New Circle Road. There are a two areas interspersed along this route that are zoned B-1, but the vast majority of this corridor is zoned B-3. The Corridor containing B-3 zone is approximately 1 mile long and this proposed development would complete the western end of it. To the West, the zoning along Winchester Road switches to Wholesale and Warehouse Business (B-4) Zone and Light Industrial (I-1) Zone, neither of which are compatible with residential. With the intensity of the businesses increasing as you go west towards downtown, the residential neighborhoods are located further away from Winchester Road.

9. In many regards, Winchester Road is considered a Gateway Road into Lexington. With the volume of traffic coming into Lexington, it is important that the zoning be compatible with these motorist. They are going to need Food, Gas, Medicine, places to shop, etc., and B-3 Zone can best provide these uses.

10. The proposed development falls within the defined limits of Lexington Infill Area. The development will take a blighted property and revitalize it and make it useful to the surrounding neighbors. The development will promote walking and bike riding for the neighbors thus reducing the areas carbon footprint. It will create a community gathering and meeting location. The development is located along the Local Bus Route which will promote use of public transportation.

In conclusion, for the reasons stated above, the proposed zone change request to B-3 Zone for properties located at 836 and 840 Winchester Road; 912, 916, 920, and 922 Detroit Avenue; and 915, 917, 919 and 921 Dayton Avenue is more appropriate than their current zone of R-2 and B-4.

The following description is intended for zoning purposes only. The description represents information depicted on documents of record found in the Scott County Clerk's office. This description does not represent a boundary survey and should not be used for real estate conveyance or transfer.

**Zone Change from B-4 to B-3
For
836 & 840 Winchester Road
Lexington, Ky. 40502**

Beginning at a point at the centerline intersection of Winchester Road and Detroit Avenue;

Thence with the centerline of said Detroit Avenue **South 48° 31' 59" East 136.14 feet**;

Thence leaving said centerline **South 41° 28' 01" West 20.12 feet**;

Thence **South 41° 28' 45" West 130.49 feet**;

Thence **North 47° 59' 03" West 118.07 feet**;

Thence **North 48° 33' 47" West 97.90 feet**;

Thence **North 06° 05' 14" West 42.00 feet** to a point on the centerline of Winchester Road;

Thence **North 83° 54' 46" East 164.23 feet** with said centerline to the point of beginning containing 0.69 Gross and 0.47 Net Acre.

The following description is intended for zoning purposes only. The description represents information depicted on documents of record found in the Scott County Clerk's office. This description does not represent a boundary survey and should not be used for real estate conveyance or transfer.

**Zone Change from R-2 to B-3
For
912, 916, 920 & 922 Detroit Ave.
And Portions Of
915, 917, 919 & 921 Dayton Ave.
Lexington, Ky. 40502**

Commencing at a point at the centerline intersection of Winchester Road and Detroit Avenue;

Thence with the centerline of said Detroit Avenue **South 48° 31' 59" East 136.14 feet** to the Point of Beginning;

Thence with said centerline of Detroit Avenue **South 48° 31' 59" East 162.81 feet**;

Thence **South 41° 28' 01" West 20.00 feet**;

Thence **South 41° 43' 43" West 128.94 feet**;

Thence **North 48° 55' 05" West 122.75 feet**;

Thence **South 40° 27' 07" West 18.63 feet**;

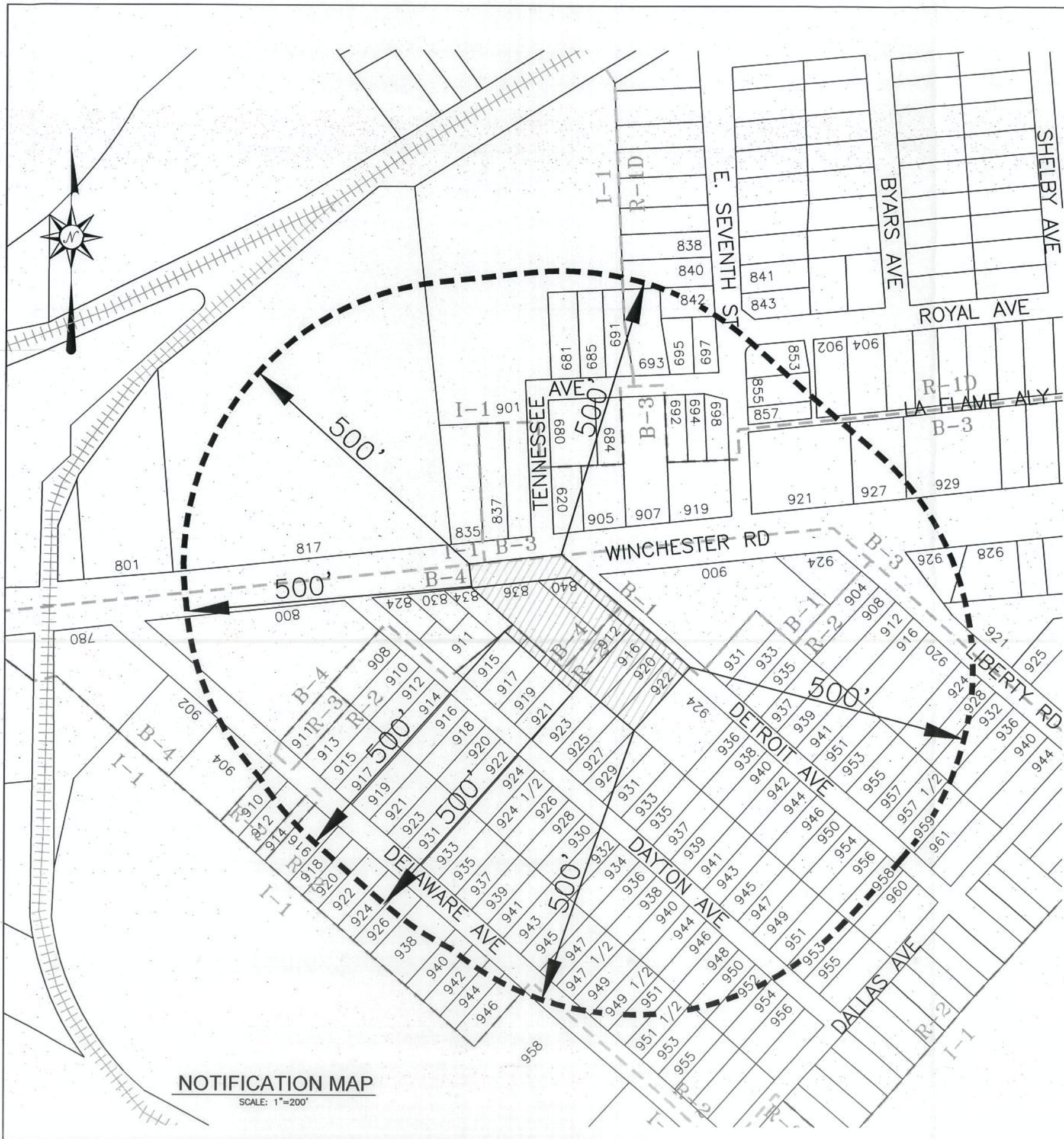
Thence **North 48° 24' 18" West 160.84 feet**;

Thence **North 50° 30' 50" East 18.78 feet**;

Thence **South 47° 59' 03" East 118.07 feet**;

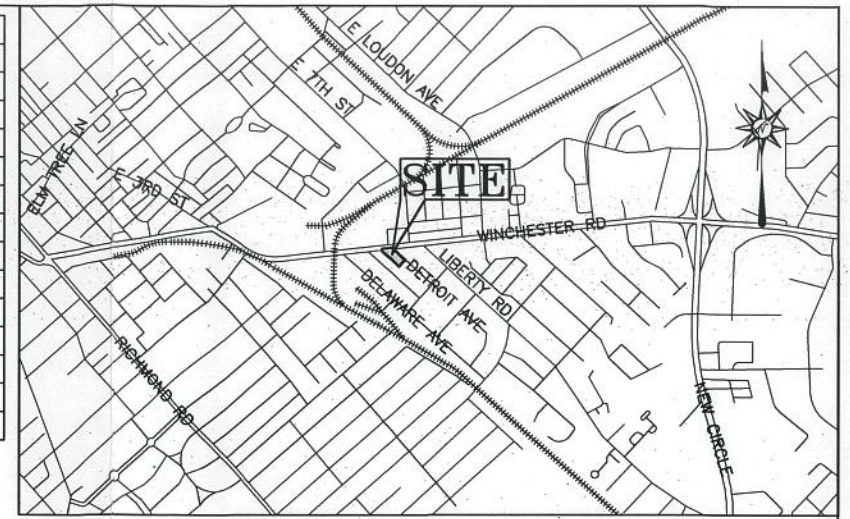
Thence **North 41° 28' 45" East 130.49 feet**;

Thence **North 41° 28' 01" East 20.12 feet** to the point of beginning containing 0.62 Gross and 0.55 Net Acre.

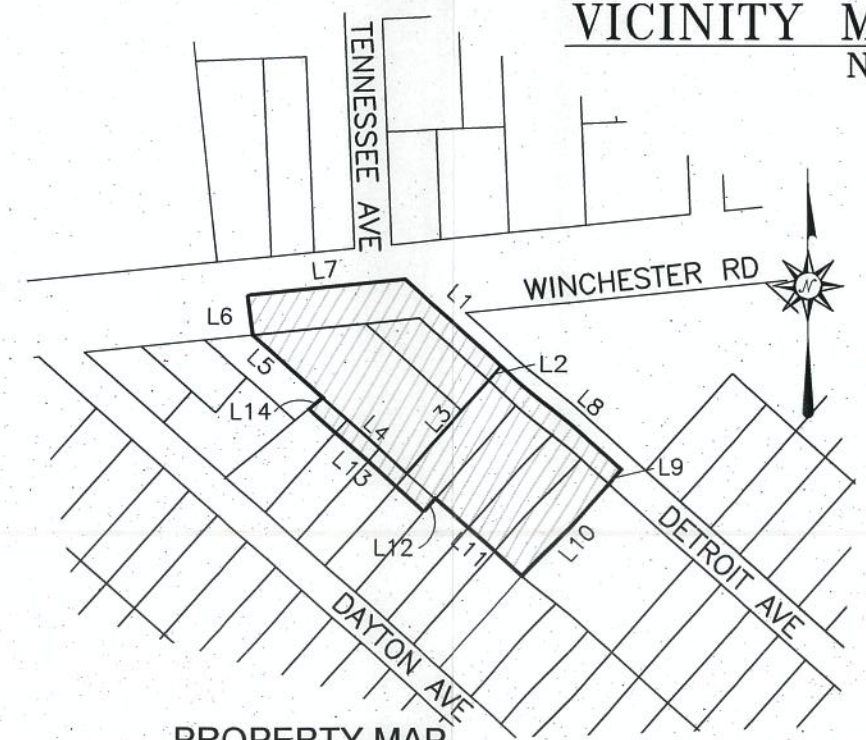


NOTIFICATION MAP
SCALE: 1"=200'

LINE	BEARING	DISTANCE
L1	S48°31'59" E	136.14'
L2	S 41°28'01" W	20.12'
L3	S 41°28'45" W	130.49'
L4	N 47°59'03" W	118.07'
L5	N 48°33'47" W	97.90'
L6	N 06°05'14" W	42.00'
L7	N 83°54'46" E	164.23'
L8	S 48°31'59" E	162.81'
L9	S 41°28'01" W	20.00'
L10	S 41°43'43" W	128.94'
L11	N 48°55'05" W	122.75'
L12	S 40°27'07" W	18.63'
L13	N 48°24'18" W	160.84'
L14	N 50°30'50" E	18.78'



VICINITY MAP
NTS



PROPERTY MAP
SCALE: 1"=200'



ZOMAR:	836, 840 WINCHESTER RD., 912, 916, 920 & 922 DETROIT AVE			
TITLE:	a portion of 915, 917, 919 & 921 DAYTON AVE			
PROPERTY ADDRESS:	836, 840 WINCHESTER RD., 912, 916, 920 & 922 DETROIT AVE a portion of 915, 917, 919 & 921 DAYTON AVE	FROM	TO	GROSS NET
		B-4	B-3	0.69 0.47
		R-2	B-3	0.62 0.55
APPLICANT NAME / ADDRESS:	JAKE RIORDAN, 881 CORPORATE DR LEXINGTON, KENTUCKY 40503			
	MARK JETER, 409 CLINTON RD LEXINGTON, KENTUCKY 40502			
OWNER:	TAYLORMADE REAL ESTATE LLC, MA JETER INC, & MARK A & CHRISTA C JETER			
PREPARED BY:	VISION ENGINEERING, LLC			
DATE FILED OR AMENDED:	FEBRUARY 2, 2015	TOTAL	1.31	1.02