

AN ORDINANCE CHANGING THE ZONE FROM A PROFESSIONAL OFFICE (P-1) ZONE TO A HIGHWAY SERVICE BUSINESS (B-3) ZONE, FOR 0.6138 NET (0.9857 GROSS) ACRES, FOR PROPERTY LOCATED AT 3270 RICHMOND ROAD (KIRK & CAROL SNYDER; COUNCIL DISTRICT 7).

WHEREAS, at a Public Hearing held on February 28, 2013, a petition for a zoning ordinance map amendment for property located at 3270 Richmond Road from a Professional Office (P-1) zone to a Highway Service Business (B-3) zone for 0.6138 net (0.9857 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 3270 Richmond Road, from a Professional Office (P-1) zone to a Highway Service Business (B-3) zone for 0.6138 net (0.9857 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:

PROHIBITED USES:

- a. Adult entertainment establishments, adult bookstores, and adult video stores.
- b. Drive-through window accessory to restaurants.
- c. Cocktail lounges not associated with restaurants.
- d. Nightclubs
- e. Billboards.
- f. Cellular telephone towers.
- g. Amusement parks and fairgrounds.
- h. Outdoor loudspeakers or music.


i. Hotels and motels.

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: April 11, 2013

MAYOR

A handwritten signature in black ink, appearing to read "Jim Gray", is written over a horizontal line.

ATTEST:



CLERK OF URBAN COUNTY COUNCIL
Published: April 18, 2013-1t

LEGAL DESCRIPTION

of the
KIRK SNYDER & CAROL SNYDER

Property

Located

at

3270 Richmond Road

in

Lexington, Fayette County, Kentucky

Zone Change from: P-1 to B-3

All that tract or parcel of land located on the southeasterly side of Richmond Road, within the geographical jurisdiction of the Lexington-Fayette Urban-County Government in Fayette County, within the Commonwealth of Kentucky, and being more fully described and bounded as follows, to wit:

BEGINNING at a point, said point being at the intersection of the center line of Richmond Road and the northwesterly property line, extended of 3292 Richmond Road (D.B. 3085, PG. 110); thence, departing from said center line and following the aforesaid property line, extended, S50°09'00"W 75.00 feet to and passing the southwesterly right-of-way line of Richmond Road (which is simultaneously the northeasterly right-of-way line of a service road) and continuing along the same bearing and with the aforesaid property line, extended, for an additional 60.00 feet, for an overall distance of 135.00 feet to a point, said point being the northwesterly property corner of 3292 Richmond Road; thence, continuing along the same bearing and following the actual, northwesterly property line of 3292 Richmond Road for an additional 220.31 feet to a point, said point being at a corner, which is common to both 3292 Richmond Road and to 105 Sand Lake Drive (D.B. 2533, PG. 530); thence, following the property line of

105 Sand Lake Drive for two calls, N41°36'26"W 120.13 feet to a point, and N50°09'00"E 225.30 feet to a point, said point being at an intersection with the southwesterly right-of-way line of the aforesaid service road; thence, continuing along the same bearing and following the property line, extended of 105 Sand Lake Drive, for an additional 60.00 feet to and passing the northeasterly right-of-way line of said service road (which is simultaneously the southwesterly right-of-way line of Richmond Road), and continuing along the same bearing, while continuing to follow the aforesaid property line, extended for an additional 75.00 feet to a point in the aforesaid center line of Richmond road; thence, following said center line, S40°00'00"E 120.00 feet to the point of beginning and containing a gross area of 42,936.76 Sq. Ft. (0.9857 acre) and a net area of 26,736.76 Sq. Ft. (0.6138 acre).

End of Legal Description