

AN ORDINANCE CHANGING THE ZONE FROM A TWO FAMILY RESIDENTIAL (R-2) ZONE TO A HIGH DENSITY APARTMENT (R-4) ZONE (WITH A DIMENSIONAL VARIANCE) FOR 0.144 NET AND 0.173 GROSS ACRES, FOR PROPERTY LOCATED AT 1577 MARTHA COURT (A PORTION OF) (GIVENS INVESTMENTS, LTD.-COUNCIL DISTRICT 6).

WHEREAS, at a Public Hearing held on January 31, 2013, a petition for a zoning ordinance map amendment for property located at 1577 Martha Court (a portion of), from a Two Family Residential (R-2) zone to a High Density Apartment (R-4) zone (with a dimensional variance) for 0.144 net and 0.173 gross acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 8-0; 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:

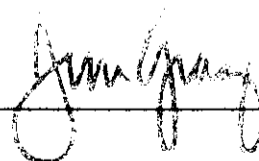
Section 1 - That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 1577 Martha Court (a portion of), from a Two Family (R-2) zone to a High Density Apartment (R-4) zone (with a dimensional variance) for 0.144 net and 0.173 gross acres, being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - 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 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: March 7, 2013

MAYOR



ATTEST:



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: March 14, 2013-1t

Legal Description for Zone Change
(A portion of 1577 Martha Court)

Beginning at a point in the center line of Martha Court, said point also being the radius point of 44' cul-de-sac. Thence N 27°00'43" E 44.00' to a point in the right of way of Martha Court, also being a common corner with 695 New Circle Road (Yates Elementary School Property D.B. 2963 Pg. 604). Thence, along the common line with The School Property, N 55°48'23" E 84.64', to a point. Thence, N 36°04'13" W 13.72' to a common corner with 1824 Hisle Way (Yates Park Subdivision Lot 9). Thence, along the common line with Yates Park Subdivision, N 49°01'31" E 50.83' to a point, also being a common corner with 1516 Cantrill Drive (lot 5 of Eastland Park Unit 1-C). Thence along the common line with Eastland Park Unit 1-C, S 40°30'58" E 60.08' to the intersection of said line and the zoning line between zones R-2 and R-4. Thence with said zoning line, S 55°45'45" W 177.67' to a point in the centerline of Martha Court. Thence, along said centerline, N 40°59'18" W 19.07', to the point of beginning, having a gross area of 0.173 acres, and a net area of .0144 acres.