

ORDINANCE NO. \_\_\_\_\_-2013

AN ORDINANCE CREATING A NEIGHBORHOOD DESIGN CHARACTER OVERLAY (ND-1) ZONE FOR 52.68± NET (59.72± GROSS) ACRES, TO PRESERVE EXISTING NEIGHBORHOOD CHARACTER FOR PROPERTIES LOCATED AT 1200-1280 COLONIAL DRIVE; 4009-4021 JOHN ALDEN LANE; 4004-4025 MAYFLOWER LANE; 1228-1273 AND 1290 STANDISH WAY; AND 2492-2516 VERSAILLES ROAD (EVEN ADDRESSES ONLY). (URBAN COUNTY PLANNING COMMISSION; COUNCIL DISTRICT 11).

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WHEREAS, at a Public Hearing held on November 15, 2012, and having voted 9-2 on December 13, 2012, a petition for a zoning ordinance map amendment to add a Neighborhood Design Character Overlay (ND-1) zone for 52.68± net (59.72± gross) acres for properties located at 1200-1280 Colonial Drive; 4009-4021 John Alden Lane; 4004-4025 Mayflower Lane; 1228-1273 and 1290 Standish Way; and 2492-2516 Versailles Road (even addresses only) was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change; 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, to add a Neighborhood Design Character Overlay (ND-1) zone for 52.68± net (59.72± gross) acres for properties located at 1200-1280 Colonial Drive; 4009-4021 John Alden Lane; 4004-4025 Mayflower Lane; 1228-1273 and 1290 Standish Way; and 2492-2516 Versailles Road (even addresses only) 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 restrictions are proposed for the subject property via conditional zoning:

### Use Restrictions

1. One new accessory structure, not exceeding a maximum of 180 sq. ft. with a 12 ft. maximum roof height limitation, shall be permitted to be located and constructed in the rear yard area of each home.
2. No new front yard fences or freestanding walls shall be permitted, with the exception of those homes fronting on Versailles Road.
  - a. Retaining walls shall be permitted on all properties, subject to a maximum height of 18 inches above the unbalanced fill in the front yard.
3. Lot coverage shall be limited to a maximum of 25%.

These restrictions are appropriate, given the study undertaken to identify the existing neighborhood character by the Colony Neighborhood Association (Residents Inc.), and are necessary to maintain that existing character in the future.

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 passage.

PASSED URBAN COUNTY COUNCIL:

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MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

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