

ORDINANCE NO. _____ - 2019

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL URBAN (A-U) ZONE TO AN EXPANSION AREA RESIDENTIAL (EAR-2) ZONE, FOR 8.48 NET (8.94 GROSS) ACRES, FOR PROPERTY LOCATED AT 2020 RUSSELL CAVE ROAD. (TRUST EQUITY, LLC; COUNCIL DISTRICT 1).

WHEREAS, at a Public Hearing held on April 25, 2019, a petition for a zoning ordinance map amendment for property located at 2020 Russell Cave Road from an Agricultural Urban (A-U) zone to an Expansion Area Residential (EAR-2) zone, for 8.48 net (8.94 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 4-2; 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 2020 Russell Cave Road from an Agricultural Urban (A-U) zone to an Expansion Area Residential (EAR-2) zone, for 8.48 net (8.94 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 property shall be subject to the following use and buffering restrictions via conditional zoning:

- a. No principal structures shall be located within thirty-five (35) feet of any property platted as any unit of the Shandon Park or Foxborough Manor subdivisions, and the property located at 2060 Russell Cave Road.
- b. Within three hundred (300) feet of any property platted as any unit of the Shandon Park or Foxborough Manor subdivisions, and the property located at 2060 Russell Cave Road, the subject property shall be limited to single-family detached residential units only.
- c. A twenty-five foot (25') buffer yard shall be provided immediately adjacent to any property platted as any unit of the Shandon Park or Foxborough Manor

subdivisions and the property located at 2060 Russell Cave Road. Existing trees with a three inch (3") DBH shall remain within the buffer, unless dead dying or diseased. Existing trees should be supplemented to meet the following standards: The landscape buffer shall contain one tree every forty (40) feet of linear boundary from group A, B, or C of the Plant List as reference by Article 18 of the Zoning Ordinance, and shall contain a fence, hedge wall or earth mound (or combination thereof) a minimum of six (6) feet in height. Existing trees that are dead, dying or diseased may only be removed with written consent of the Urban Forester.

These restrictions are appropriate and necessary in order to minimize the impacts of new development on the existing residential units within Shandon Park and Foxborough Manor subdivisions, and the existing residence at 2060 Russell Cave Road.

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
Published: