

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).

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:

Passed by operation of law pursuant to KRS 100.211 on March 13, 2013

No Signature Required
MAYOR

ATTEST:

No Signature Required
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: March 21, 2013-1t

**LEGAL DESCRIPTION - MAR 2012-17: URBAN COUNTY PLANNING COMMISSION
Zone Change To: Neighborhood Design Character Overlay (ND-1) Zone**

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);
all located in Lexington-Fayette County, Kentucky

BEGINNING at a point in the right-of-way of both John Alden Lane and Standish Way, said point being in the intersection of both streets, at a point in the centerline of John Alden Lane, BEING THE POINT OF BEGINNING;

thence leaving that centerline in a northern direction 300 feet, more or less, leaving the rights of way and along the side property lines of 4025 and 4021 John Alden Lane, to a corner of 4021 John Alden Lane;

thence in a southeastern direction 430 feet, more or less, along the rear property lines of 4013-4021 John Alden Lane, to a point in the rear property line of 4009 John Alden Lane;

thence in a northeastern direction 65 feet, more or less, along the rear property line of 4009 John Alden Lane to a corner;

thence in an eastern direction 320 feet, more or less, along the property line of 1209 Colonial Drive to a point in the centerline of Colonial Drive;

thence in a northeastern direction 70 feet, more or less, along the centerline of Colonial Drive, to a point in that centerline;

thence leaving that centerline in a western direction 330 feet, more or less, along the rear property lines of 1205 Colonial Drive and 2504 & 2512 Versailles Road to a point in the rear property line of 2512 Versailles Road;

thence in a northwester direction 230 feet, more or less, along the rear property lines of 2512 & 2516 Versailles Road to a rear corner of 2516 Versailles Road;

thence in a northern direction 290 feet, more or less, along the side property line of 2516 Versailles Road to a point in the southern curb line of Versailles Road;

thence in an eastern direction 1,100 feet, more or less, along the southern curb line of Versailles Road to a point near the intersection of Bordeaux Drive;

thence leaving that curb line in a perpendicular southern direction 30 feet, more or less, to a point in the right-of-way line of Versailles Road;

thence in a southwestern direction 600 feet, more or less, along the side property line of 2492 Versailles Road and the rear property line of 1208 Colonial Drive to a rear corner of that property;

thence in a different southwestern direction 100 feet, more or less, along the rear property line of 1210 Colonial Drive to another corner;

thence in a slightly different southwestern direction 1,490 feet, more or less, along the rear property lines of 1212-1256 Colonial Drive;

thence in a southeastern direction 140 feet, more or less, along the side property line of 1260 Colonial Drive to a corner;

thence in a southwestern direction 270 feet, more or less, along the rear property lines of 1260 & 1264 Colonial Drive to a corner;

thence in a slightly different southwestern direction 60 feet, more or less, along the side property line of 1264 Colonial Drive to a corner of 1268 Colonial Drive;

thence in a different southwestern direction 270 feet, more or less, along the rear property lines of 1268 & 1272 Colonial Drive to a corner of 1272 Colonial Drive;

thence in a southern direction 140 feet, more or less, along the rear property line of 1276 & 1280 Colonial Drive to a corner of 1280 Colonial Drive;

thence in a southwestern direction 220 feet, more or less, along the property line of 1280 Colonial Drive to another corner;

thence in a northwestern direction 100 feet, more or less, along the side property line of 1280 Colonial Drive to the centerline of Standish Way, said point being in a curve in that right-of-way;

thence along the centerline of Standish Way, along a curve to the west 350 feet, more or less, to a point in that centerline;

thence leaving that centerline in a northwestern direction 250 feet, more or less, along the side property line of 1273 Standish Way to a corner;

thence in a northern direction 300 feet, more or less, along the rear property lines of 1269 & 1273 Standish Way to a corner of 1265 Standish Way;

thence in a northeastern direction 120 feet, more or less, along the rear property line of 1265 Standish Way to a corner;

thence in a northern direction 400 feet, more or less, along the rear property lines of 1249-1261 Standish Way to a point in the rear property line of 1249 Standish Way;

thence in a northeastern direction 160 feet, more or less, along the rear property line of 1249 Standish Way to a corner;

thence in a different northeastern direction 250 feet, more or less, along the property line of 1245 Standish Way to a corner;

thence in a northern direction 160 feet, more or less, along the property line of 4025 Mayflower Lane to a corner;

thence in a southeastern direction 20 feet, more or less, along the rear property line of 4025 Mayflower Lane to a corner;

thence in a northeastern direction 30 feet, more or less, along the rear property line of 4025 Mayflower Lane to a corner;

thence in a southeastern direction 235 feet, more or less, along the property line of 4025 Mayflower Lane to a point in the rear property line of 1237 Standish Way;

thence in a northeastern direction 235 feet, more or less, along the rear property lines of 1233 & 1237 Standish Way to a corner of 1233 Standish Way;

thence in a southeastern direction 215 feet, more or less, along the side property line of 1233 Standish Way to a point in the western edge of pavement of Standish Way;

thence in a northeastern direction 300 feet, more or less, along the western edge of pavement of Standish Way to a point;

thence along a curve to the north 60 feet, more or less, along the western edge of pavement of Standish Way to a point;

thence in a northwestern direction in the right-of-way of Standish Way and John Alden Lane 30 feet, more or less, to a point in the centerline of John Alden Lane, BEING THE POINT OF BEGINNING;

Containing 52.68 net and 59.72 gross acres, more or less, and 61.18 net acres, more or less, and containing all of the property known as 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); all located in Lexington-Fayette County, Kentucky.