

ORDINANCE NO. \_\_\_\_\_, SERIES 2022

**AN ORDINANCE RELATING TO THE CLOSURE OF A PORTION OF THE RIGHT-OF-WAY OF FEGENBUSH LANE ADJACENT TO 5905 FEGENBUSH LANE CONTAINING APPROXIMATELY 3.87 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 22STRCLOSURE0004) (AS AMENDED).**

**SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD**

**WHEREAS**, the Louisville Metro Planning Commission, as set forth in its minutes and records of Case No. 22STRCLOSURE0004, has recommended to the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) that a portion of the right-of-way of Fegenbush Lane adjacent to 5905 Fegenbush Lane containing approximately 3.87 acres be closed because the closure is in keeping with the Goals, Objectives, and Plan Elements of the Comprehensive Plan; and

**WHEREAS**, the Council recognizes the size of this closure request is significantly larger than most, given the specific history of the site regarding road realignment; and

**WHEREAS**, the Council also acknowledges that this site has sat largely empty and unused since that realignment was completed, generating no taxable value to the city while requiring time and resources to clean and maintain the property; and

**WHEREAS**, the Council has previously denied a request for a closure of the same portion of right-of-way, with comments including concern for how the property might be used in the future; and

**WHEREAS**, in recognition of that concern by Council, the applicant for this closure provided a sample development plan for how they propose to use the property should the closure be granted and a fully detailed plan be approved; and

WHEREAS, because this closure will result in a significant amount of land reverting to the control of a single property owner, Council intends to keep a close eye on subsequent filings on this property to ensure this closure does not negatively impact the surrounding area; and

**WHEREAS,** the Council concurs in and adopts the findings of the Planning Commission in Case No. 22STRCLOSURE0004 and approves and accepts the recommendation of the Planning Commission as set out in said minutes and records.

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:**

**SECTION I:** That a portion of the right-of-way of Fegenbush Lane adjacent to 5905 Fegenbush Lane containing approximately 3.87 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 22STRCLOSURE0004 and as shown on the attached road closing plat, be closed subject to all existing easements of record and all existing utility easements or rights enjoyed by said utility companies as the result of being located in, on or over said right-of-way.

**SECTION II:** This Ordinance shall take effect upon its passage and approval or otherwise becoming law.

---

Sonya Harward  
Metro Council Clerk

---

David James  
President of the Council

---

Greg Fischer  
Mayor

---

Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

By: \_\_\_\_\_

O-154-22 22STRCLOSURE0004 Closure of a Portion of the Right-of-Way of Fegenbush Lane (As Amended).docx (TF 8-2-22)