

ORDINANCE NO. \_\_\_\_\_, SERIES 2023

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 10001 VISTA HILLS BOULEVARD CONTAINING APPROXIMATELY 1.022 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 22ZONE0121). (AS AMENDED)

SPONSORED BY: COUNCIL MEMBER MADONNA FLOOD

**WHEREAS**, the Legislative Council of the Louisville/Jefferson County Metro Government (the “Council”) has considered the evidence presented at the public hearing held by the Louisville Metro Planning Commission (the “Planning Commission”) and the recommendations of the Planning Commission and its staff as set out in the minutes and records of the Planning Commission in Case No. 22ZONE0121; and

**WHEREAS**, the proposed development plan includes a waiver from Chapter 10.3.5 to permit encroachments into the 50’ parkway buffer and 75’ parkway setback; and

**WHEREAS**, the Council is always concerned with any such waiver and places a great deal of importance on maintaining parkway buffers; and

**WHEREAS**, the property is directly adjacent to the Bardstown Road parkway; and

**WHEREAS**, Lots 1 and 2 of the proposed development plan avoid encroaching into the parkway buffer; and

**WHEREAS**, much of Lot 3 of the proposed development is located within the parkway buffer and; and

**WHEREAS**, the majority of Lot 4 of the proposed development is located within the parkway buffer; and

**WHEREAS**, both Lots 3 and 4 contain existing structures which currently encroach into the buffer; and

WHEREAS, both Lots 3 and 4 would be either unusable or severely restricted without a waiver of the parkway buffer; and

WHEREAS, the owner/developer will help mitigate their encroachment by exceeding the required plantings within the buffer; and

WHEREAS, while the Council acknowledges the circumstances specific to this case justify the requested waiver, it wishes the public to know that any such requests are reviewed carefully and on an individual basis; and

WHEREAS, the Council concurs in and adopts the findings of the Planning Commission for the zoning change in Case No. 22ZONE0121 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 the zoning of the property located at 10001 Vista Hills Boulevard containing approximately 1.022 acres and being in Louisville Metro, as more particularly described in the minutes and records of the Planning Commission in Case No. 22ZONE0121, is hereby changed from R-R Rural Residential to R-5 Single Family Residential; provided, however, said property shall be subject to the binding elements as set forth in the minutes of the Planning Commission in Case No. 22ZONE0121.

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

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Sonya Harward  
Metro Council Clerk

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Markus Winkler  
President of the Council

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Craig Greenberg  
Mayor

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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

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

O-036-23 22ZONE0121 Approval (As Amended).docx (TF 3-14-23)