

**AGENDA FOR THE BOARD OF ADJUSTMENT
MEETING**

August 12, 2024

- I. **CALL TO ORDER** - The Chair will call the meeting to order at 1:30 p.m. in the Council Chambers, 200 East Main Street, Lexington, Kentucky.

II. **APPROVAL OF MINUTES**

The June 2024 Board of Adjustment meeting minutes will be considered at this time.

III. **PUBLIC HEARING ON ZONING APPEALS**

- A. **Swearing of Witnesses** - The Chair will announce that any applicant or objector, or anyone in the audience who plans to speak to any appeal before the Board, please stand in order to be sworn in at this time.
- B. **Sounding the Agenda** - In order to expedite completion of agenda items, the Chair will sound the agenda with regard to any postponements, withdrawals, and items requiring no discussion.
- C. **Variance Appeals**

1. **PLN-BOA-24-00084: MADDEN FAMILY LLC NO 21** – requests a variance to increase the maximum allowable parking from 28 spaces to 56 spaces in a Commercial Center (B-6P) zone, on property located at 1863 Plaudit Pl. (Council District 6)

Note – The applicant has informed Staff that they wish to postpone their application to the September 8, 2024 meeting.

2. **PLN-BOA-24-00101: JAMIE STEFFEN/FUZION ATHLETICS** – requests a variance to reduce the minimum distance from an athletic club facility to a residential zone from 40' to 25' in a Professional Office (P-1) zone, on property located at 1122 Oak Hill Dr. (Council District 1)

The Staff Recommends: Approval, for the following reasons:

- a. Granting the requested variance will not cause a negative impact on the subject or surrounding properties and will not impair the public health, safety or welfare. The previous athletic activities that have been in operation at this location for years have been limited, conducted without adversely affecting the surrounding neighbors, and without altering the character of the general vicinity at all.
- b. This variance would not result in an unreasonable circumvention of the Zoning Ordinance, as the resulting setback of the gymnasium will be 25' along one side, 42' along the opposite side, and more than 150' to the rear, which are typical and often acceptable building setbacks in the P-1 zone for lower intensity uses adjacent to residential properties. This site and the enlarged gym can be used without need for any alteration of all existing landscape buffers, which are established and mature.
- c. The existing location of the gymnasium and its central placement on the subject lot (much larger than its neighboring properties), being very well buffered by existing fencing, landscaping and mature large trees from surrounding single family residential rear yards on all sides, creates a unique circumstance that applies to this property that does not apply to others in this immediate vicinity, or generally in this zone.
- d. Strict application of the Zoning Ordinance would deny the applicant a reasonable use of a specialized athletic club facility on this property, as he is attempting to contain 90% or more of the athletic training use within a building occupying less than 25% of the subject site. As previously determined by the Board, this allowable principal use cannot be legally conducted on the subject

property without the benefit of a dimensional variance to the 150' setback otherwise required in the P-1 zone.

- e. The requested variance is not a willful violation of the Zoning Ordinance. Rather, the property owner relied upon the expertise of a contractor from another county who falsely assumed the building addition required no permits as accessory structure. Although another (8' by 20') accessory structure exists on this portion of the subject property, the 24' by 32' addition to the gymnasium is attached to the existing principal structure, and by definition, cannot be considered "accessory."

This recommendation of approval is made subject to the following conditions:

1. The property shall be developed in accordance with the submitted site plan and application, as amended.
 2. All dimensions identified on the previous BOA site plan (V-2016-35: Bruce Webb) shall be added to this site plan and submitted to the Division of Planning, prior to the issuance of any permits for this site.
 3. All necessary building and other permits shall be obtained by the applicant, including but not limited to a Zoning Compliance Permit and Certificate of Occupancy for the athletic club facility.
 4. The Board of Adjustment action, completed dimensional information (required above), and maintenance of the identified 15' landscape buffer surrounding the gym's addition, shall all be denoted on the amended final development plan for the subject property.
3. **PLN-BOA-24-00103: TAK LLC** – requests a variance to reduce the required front yard setback from 41' to 20' in order to construct a new single-family dwelling unit within the defined Infill and Redevelopment Area in a Mixed Low Density Residential (R-2) zone, on property located at 272 Bassett Ave. (Council District 5)

The Staff Recommends: **Approval** for the following reasons:

- a. Granting the variance should not adversely affect the public health, safety, or welfare of the general vicinity. The applicant's proposal features a similar front yard setback to the majority of other houses on this portion of Bassett Avenue.
- b. The granting of the requested variance will not allow an unreasonable circumvention of the requirements of the Zoning Ordinance as the applicant has applied for the variance as soon as it was determined that it was needed and prior to construction. Additionally, the intent of the Infill and Redevelopment Area regulations is to allow new construction that is compatible with existing development patterns in older, established neighborhoods. The Zoning Ordinance specifically states that BOA action may sometimes be required in order to facilitate appropriate development without creating an unusual hardship or development that is incompatible with the existing pattern of the neighborhood.

This recommendation of approval is made subject to the following conditions:

1. Construction shall be in accordance with the submitted application materials and site plan.
 2. All necessary permits and approvals shall be obtained from the Division of Building Inspection prior to construction.
4. **PLN-BOA-24-00104: HELLYER PROPERTIES LLC** – requests a variance to increase the allowable height of a fence within the front yard from 4' to 6' in a Professional Office (P-1) zone, on property located at 1697 Peabody Way. (Council District 11)

The Staff Recommends: **Disapproval**, for the following reasons:

- a. The applicant has not provided a sufficient justification to meet the requirements of Article 7 of the Zoning Ordinance or KRS 100.243. There do not appear to be special circumstances that are unique to the subject property that do not generally apply to land in the general vicinity, or in the same zone that justify the need for the variance. Four-foot tall fences in the front yard are typical across business zones.
- b. The applicant has not provided sufficient information to determine that strict enforcement of the Zoning Ordinance will result in an unnecessary hardship or deprive the applicant of the reasonable use of their land. The applicant could reduce the height of the fence to four feet in order to create a physical barrier along the edge of the parking lot without a variance.
- c. Approval of the requested variance could have a negative impact on the walkability of the immediate vicinity, as the property is located in an area featuring a mixture of uses including residential uses and neighborhood serving businesses.

D. Conditional Use Appeals

1. **PLN-BOA-24-00036: DUSTIN AND LAUREN GAGE** – request a conditional use permit for a bed and breakfast in an Agricultural Rural (A-R) zone, on property located at 875 S. Cleveland Rd. (Council District 12)

Note – This application was postponed from the July 8, 2024 meeting on the request of the applicant.

The Staff Recommends: **Disapproval**, for the following reasons:

- a. The application materials do not describe a use that meets the definition of a bed and breakfast facility as established in Article 1-11 of the Zoning Ordinance, but does meet the definition of an un-hosted short term rental, which is a prohibited use in the zone.
 - b. The applicant cannot meet the definition of a bed and breakfast facility without both physical and operational changes to the manner in which the applicant plans to operate.
2. **PLN-BOA-24-00039: LEXINGTON ISLAMIC CENTER INC** – requests a conditional use permit to amend an existing conditional use for a place of religious assembly in order to construct an addition and new parking areas in an Agricultural Urban (A-U) zone on property located at 1240 Armstrong Mill Rd. (Council District 8)

Note – The applicant has informed Staff that they wish to postpone their application to the September 8, 2024 meeting.

3. **PLN-BOA-24-00052: TAMMY FIEFHAUS** – requests a conditional use permit for an un-hosted short term rental in a Medium Density Residential (R-4) zone, on property located at 2900 Alydar Ct., Unit A. (Council District 7)

Note – This application was postponed from the May 13, 2024 meeting on the request of the applicant.

The Staff Recommends: **Approval**, for the following reasons:

- a. The proposed use should not have an adverse influence on the subject property or the surrounding neighborhood, as the structure is large enough to accommodate the proposed number of users.
- b. The proposed use should not have an adverse impact on traffic in the general vicinity as adequate parking is available.
- c. No short term rentals in the area have been cited as a nuisance and there is not a high concentration of short-term rentals in the area.
- d. There is no record of short term rental compliance issues with the applicant.
- e. All necessary public services and facilities are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. The short term rental use shall be established in accordance with the submitted application materials and site plan.
 2. Occupancy of the short term rental shall be limited to no more than four (4) individuals.
 3. All necessary permits and/or approvals shall be obtained from the Divisions of Revenue and Planning prior to commencement of the use, including a Business License, Special Fees License, and a Zoning Compliance Permit.
 4. The conditional use permit shall become null and void upon change in ownership, or if the applicant's short term rental special fee license (as regulated by the Division of Revenue and Section 13 of the Code of Ordinances) lapses or is revoked.
5. **PLN-BOA-24-00058: CRESTWOOD CHRISTIAN CHURCH** – requests to amend an existing conditional use permit for a place of religious assembly in order to modify conditions of approval in a Single Family Residential (R-1C) zone, on property located at 1882 Bellefonte Dr. (Council District 3)

The Staff Recommends: **Approval**, for the following reasons:

- a. Granting the requested change to the approved conditions for the conditional use permit should not adversely affect the subject or surrounding properties. The Crestwood Christian Church and its associated missions have been operating at the subject property for over 50 years. The organization

continues to operate the site in conformity with the conditions of approval in a manner that will not create an impact to the nearby neighbors in a single family residential neighborhood.

- b. All necessary public services and facilities are available and adequate for the proposed use. Such services and facilities will not be negatively impacted by the changes to condition #5 (delete) and condition #7 (modify).

This recommendation of approval is made subject to the following conditions, which are revised and related to the original application of C-2000-69, approved on August 25, 2000:

1. That the Mission Center and parking lot be constructed according to the application and most recently submitted site plan.
 2. That a storm water detention system (including no less than six(6) basins) be constructed pursuant to the storm water management plan prepared by John Carman & Associates, which plan has been submitted to and approved by the Urban County Engineer.
 3. That the parking lot be paved, with spaces delineated, and with screening and landscaping placed according to the landscape plan submitted at the August 25, 2000 Board of Adjustment hearing and Article 16 and 18 of the Zoning Ordinance.
 4. That the layout of the off-street parking area and access to the property be subject to approval of the Urban County Traffic Engineer.
 5. **DELETED**
 6. That the Church will not operate the Mission Center as a facility for an elementary, middle or high school, nor will the Church lease the Mission Center to allow the operation of such school by another entity or organization provided, however, that the Church will continue to operate its kindergarten, day care center, after school programs, vacation Bible school and other religious, education and recreational programs on the property and may use the Mission Center for those activities. The Church will also continue to make its facilities, including the Mission Center, available to the Fayette County Board of Education for emergency or temporary use by Glendover Elementary School.
 7. That the lighting for the parking lot shall be directed downward and away from surrounding properties. Light trespass shall not exceed 0.5 horizontal foot candles. All light fixtures, other than those on the North boundary of the parking lot, shall be mounted in order to be parallel with grade plane and fully shielded. The lighting at the rear of the Mission Center shall be activated only by motion.
 8. No air conditioning units for the Mission Center will be placed on the roof tops; they will all be at ground level.
 9. That any signage be in accordance with Article 17 of the Zoning Ordinance and not internally illuminated.
 10. That all applicable permits are obtained from the Division of Building Inspection prior to any construction.
 11. That the applicant construct an 8-foot wooden privacy fence along the rear of the Beechmont properties and Old Dobbin Road (except for the one church member who apparently does not request it), in addition to the proposed landscaping plan.
 12. If permissible under the building code, relocate entrance to be farthest away from the adjoining properties.
6. **PLN-BOA-24-00086: CITATION TOWNHOMES, LLC** – requests a conditional use permit to establish an un-hosted short term rental in a Planned Neighborhood Residential (R-3) zone, on property located at 107 Ferndale Pass. (Council District 2)

The Staff Recommends: **Approval**, for the following reasons:

- a. The proposed use should not have an adverse influence on the subject property or the surrounding neighborhood, as the structure is large enough to accommodate the proposed number of users.
- b. The proposed use should not have an adverse impact on traffic in the general vicinity as adequate parking is available.
- c. No short term rentals in the area have been cited as a nuisance and there is not a high concentration of short-term rentals in the area.
- d. There is no record of short term rental compliance issues with the applicant.
- e. All necessary public services and facilities are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

5. The short term rental use shall be established in accordance with the submitted application materials and site plan.
6. Occupancy of the short term rental shall be limited to no more than 4 individuals.

7. All necessary permits and/or approvals shall be obtained from the Divisions of Revenue and Planning prior to commencement of the use, including a Business License, Special Fees License, and a Zoning Compliance Permit.
8. The conditional use permit shall become null and void upon change in ownership, or if the applicant's short term rental special fee license (as regulated by the Division of Revenue and Section 13 of the Code of Ordinances) lapses or is revoked.

7. **PLN-BOA-24-00089: HARRISON SIMMS** – requests a conditional use permit for an un-hosted short term rental in a Single Family Residential (R-1D) zone, on property located at 955 Charwood Dr. (Council District 12)

The Staff Recommends: **Approval**, for the following reasons:

- a. The proposed use should not have an adverse influence on the subject property or the surrounding neighborhood, as the structure is large enough to accommodate the proposed number of users.
- b. The proposed use should not have an adverse impact on traffic in the general vicinity as adequate parking is available.
- c. There is not a high concentration of short-term rentals in the area with only one other in 1,000 feet.
- d. All necessary public services and facilities are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. The short term rental use shall be established in accordance with the submitted application materials and site plan.
2. Occupancy of the short term rental shall be limited to no more than 8 individuals.
3. All necessary permits and/or approvals shall be obtained from the Divisions of Revenue and Planning prior to commencement of the use, including a Business License, Special Fees License, and a Zoning Compliance Permit.
4. The conditional use permit shall become null and void upon change in ownership, or if the applicant's short term rental special fee license (as regulated by the Division of Revenue and Section 13 of the Code of Ordinances) lapses or is revoked.

8. **PLN-BOA-24-00090: AARON PROPE** – requests a conditional use permit for an un-hosted short term rental in a Single Family Residential (R-1C) zone, on property located at 1295 Latonia Park. (Council District 8)

The Staff Recommends: **Disapproval**, for the following reasons:

- a. The proposed use will have an adverse influence on the public health, safety, and welfare. The Zoning Ordinance specifically states that the Board shall take into account the applicant's demonstrated compliance record and the applicant failed to act in a timely manner to obtain the necessary permits and license to operate a short term rental when they were notified that they were operating in violation of the Zoning Ordinance and Code of Ordinances following a break-in on the subject property.

9. **PLN-BOA-24-00091: FIRST ALLIANCE CHURCH OF THE CHRISTIAN AND MISSIONARY** - requests a conditional use permit to expand the parking lot for an existing place of religious assembly in an Agricultural Urban (A-U) zone, on property located at 2201 Old Higbee Mill Rd. (Council District 9)

The Staff Recommends: **Approval**, for the following reasons:

- a. The proposed use should not adversely affect the subject or surrounding properties. The parking lot will provide needed parking spaces for the church within their existing site. The parking lot will be required by the Zoning Ordinance to provide landscaping and screening to create a buffer between the vehicular use area and the public street, as well as the residential neighborhoods.
- b. All necessary public services and facilities are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. The project shall be completed in accordance with the submitted application materials and an amended site plan, depicting the requirements below and subject to any alterations required throughout the permitting process.
2. All necessary permits and approvals shall be obtained from the Divisions of Planning, Building Inspection, Environmental Services and Engineering prior to construction.
3. The final configuration of the parking lot, including any changes to the church's existing parking layout, shall be subject to approval by the Division of Traffic Engineering.

4. The parking lot shall be paved, with spaces delineated, and landscaped/screened in accordance with the requirements of Article 16 and 18 of the Zoning Ordinance.
5. A 6-foot wide sidewalk shall be provided along the subject property's Old Higbee Mill Road frontage.
6. An internal pedestrian walkway, at least 5 feet in width, shall be provided parallel to the new vehicular access point in order to connect the sidewalk in the public right-of-way to the building entrance.
7. A stormwater management plan shall be implemented in accordance with the requirements of the adopted Engineering Manuals, subject to acceptance by the Division of Engineering.
8. Any new outdoor lighting shall comply with the requirements of Article 30 of the Zoning Ordinance.

10. **PLN-BOA-24-00092: DHARMA LLC** – requests a conditional use permit for an un-hosted short term rental within the defined Infill and Redevelopment Area in a Single Family Residential (R-1C) zone, on property located at 214 Floral Park. (Council District 3)

The Staff Recommends: **Approval**, for the following reasons:

- a. The proposed use should not have an adverse influence on the subject property or the surrounding neighborhood, as the structure is large enough to accommodate the proposed number of users.
- b. The proposed use should not have an adverse impact on traffic in the general vicinity as adequate parking is available.
- c. No short term rentals in the area have been cited as a nuisance and there is not a high concentration of short-term rentals in the area.
- d. There is no record of short term rental compliance issues with the applicant.
- e. All necessary public services and facilities are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. The short term rental use shall be established in accordance with the submitted application materials and site plan.
2. Occupancy of the short term rental shall be limited to no more than 6 individuals.
3. All necessary permits and/or approvals shall be obtained from the Divisions of Revenue and Planning prior to commencement of the use, including a Business License, Special Fees License, and a Zoning Compliance Permit.
4. The conditional use permit shall become null and void upon change in ownership, or if the applicant's short term rental special fee license (as regulated by the Division of Revenue and Section 13 of the Code of Ordinances) lapses or is revoked.

11. **PLN-BOA-24-00093: SILVER CHAIR ESTATES LLC** – requests a conditional use permit for an un-hosted short term rental within the defined Infill and Redevelopment Area in a Single Family Residential (R-1C) zone, on property located at 110 Chelan Dr. (Council District 10)

The Staff Recommends: **Approval**, for the following reasons:

- a. The proposed use should not have an adverse influence on the subject property or the surrounding neighborhood, as the structure is large enough to accommodate the proposed number of users.
- b. The proposed use should not have an adverse impact on traffic in the general vicinity as adequate parking is available.
- c. No short term rentals in the area have been cited as a nuisance and there is not a high concentration of short-term rentals in the area.
- d. There is no record of short term rental compliance issues with the applicant.
- e. All necessary public services and facilities are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. The short term rental use shall be established in accordance with the submitted application materials and site plan.
2. Occupancy of the short term rental shall be limited to no more than 5 individuals.
3. All necessary permits and/or approvals shall be obtained from the Divisions of Revenue and Planning prior to commencement of the use, including a Business License, Special Fees License, and a Zoning Compliance Permit.
4. The conditional use permit shall become null and void upon change in ownership, or if the applicant's short term rental special fee license (as regulated by the Division of Revenue and Section 13 of the Code of Ordinances) lapses or is revoked.

12. **PLN-BOA-24-00094: ARMENTEROS PROPERTY GROUP LLC** – requests a conditional use permit for an un-hosted short term rental in a Single Family Residential (R-1C) zone, on property located at 639 Cecil Way. (Council District 10)

The Staff Recommends: **Approval**, for the following reasons:

- a. The proposed use should not have an adverse influence on the subject property or the surrounding neighborhood, as the structure is large enough to accommodate the proposed number of users.
- b. The proposed use should not have an adverse impact on traffic in the general vicinity as adequate parking is available.
- c. No short term rentals in the area have been cited as a nuisance and there is not a high concentration of short-term rentals in the vicinity.
- d. There is no record of short term rental compliance issues with the applicant in Lexington.
- e. All necessary public services and facilities are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. The short term rental use shall be established in accordance with the submitted application materials and site plan.
2. Occupancy of the short term rental shall be limited to no more than 6 individuals.
3. All necessary permits and/or approvals shall be obtained from the Divisions of Revenue and Planning prior to commencement of the use, including a Business License, Special Fees License, and a Zoning Compliance Permit.
4. The conditional use permit shall become null and void upon change in ownership, or if the applicant's short term rental special fee license (as regulated by the Division of Revenue and Section 13 of the Code of Ordinances) lapses or is revoked.

13. **PLN-BOA-24-00095: CIRENIA MOLINA** - requests a conditional use permit for an un-hosted short term rental in a Single Family Residential (R-1C) zone, on property located at 259 Malabu Dr. (Council District 3)

The Staff Recommends: **Disapproval**, for the following reasons:

- a. There is a record of short term rental compliance issues with the applicant for a dwelling unit within Lexington-Fayette County. The compliance issues have not been resolved and create a health and safety concern. Until the compliance issues are resolved, additional units should not be approved for the applicant.

14. **PLN-BOA-24-00096: JOEL AND ABIGAIL FUGATE** - requests a conditional use permit for an un-hosted short term rental with an occupancy greater than 12 in a Single Family Residential (R-1B) zone, on property located at 513 Andrea Dr. (Council District 10)

The Staff Recommends: **Approval**, for the following reasons:

- a. The proposed use should not have an adverse influence on the subject property or the surrounding neighborhood, as the structure is large enough to accommodate the proposed number of users.
- b. The proposed use should not have an adverse impact on traffic in the general vicinity as adequate parking is available.
- c. No short term rentals in the area have been cited as a nuisance and there is not a high concentration of short-term rentals in the area.
- d. All necessary public services and facilities are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. The short term rental use shall be established in accordance with the submitted application materials and site plan.
2. Occupancy of the short term rental shall be limited to no more than 12 individuals.
3. All necessary permits and/or approvals shall be obtained from the Divisions of Revenue and Planning prior to commencement of the use, including a Business License, Special Fees License, and a Zoning Compliance Permit.
4. The conditional use permit shall become null and void upon change in ownership, if the applicant no longer resides at 509 Andrea Drive, or if the applicant's short term rental special fee license (as regulated by the Division of Revenue and Section 13 of the Code of Ordinances) lapses or is revoked.

15. **PLN-BOA-24-00097: BROADWAY TWELFTH** – requests to continue the legal non-conforming use of a carriage house as a detached single family dwelling and to construct an addition to the carriage house on property within the defined Infill and Redevelopment Area in an Historic District Overlay (H-1) zone and a Medium Density (R-4) zone, on property located at 247 N. Broadway (aka 202 Morrow Place). (Council District 1)

Note - The applicant has informed Staff that they wish to withdraw their application.

16. **PLN-BOA-24-00099: ROCK DANIELS** – requests a conditional use permit for an un-hosted short term rental within the defined Infill and Redevelopment Area in a Planned Neighborhood Residential (R-3) zone, on property located at 527 and 529 Harry St. (Council District 1)

The Staff Recommends: Disapproval, for the following reasons:

- a. The proposed use will have an adverse influence on the public health, safety, and welfare of the immediate area. Harry Street is a sub-standard local street with no on-street parking and a narrow drive width. In addition, Harry Street does not have curbs and gutters to help manage stormwater run-off in the area, nor are there sidewalks present to accommodate safe pedestrian movement in the area. The limited infrastructure of Harry Street does not support a more intense use of a dwelling unit for short term rental. Allowing additional users for a short term rental would create congestion along Harry Street and in the surrounding area.
- b. The subject property is surrounded by a high concentration of short-term rentals, with 22 short term rentals, representing approximately 4.8% of the housing stock, within 1,000 feet of the subject property. The existing short term rentals in the immediate area are available for those interested in utilizing a short term rental use.

17. **PLN-BOA-24-00105: J.A. HENDERSON** – requests a conditional use permit for an un-hosted short term rental within the defined Infill and Redevelopment Area in an Historic District Overlay (H-1) zone and a Planned Neighborhood Residential (R-3) zone, on property located at 500 N. Broadway (Unit 1). (Council District 1)

The Staff Recommends: Approval, for the following reasons:

- a. The proposed use should not have an adverse influence on the subject property or the surrounding neighborhood, as the structure is large enough to accommodate the proposed number of users.
- b. No short term rentals in the area have been cited as a nuisance and there is not a high concentration of short-term rentals in the vicinity.
- c. There is no record of short term rental compliance issues with the applicant.
- d. All necessary public services and facilities are available and adequate for the proposed use.

This recommendation of approval is made subject to the following conditions:

1. The short term rental use shall be established in accordance with the submitted application materials and site plan.
2. Occupancy of the short term rental shall be limited to no more than 8 individuals.
3. All necessary permits and/or approvals shall be obtained from the Divisions of Revenue and Planning prior to commencement of the use, including a Business License, Special Fees License, and a Zoning Compliance Permit.
4. The conditional use permit shall become null and void upon change in ownership, or if the applicant's short term rental special fee license (as regulated by the Division of Revenue and Section 13 of the Code of Ordinances) lapses or is revoked.

IV. **BOARD ITEMS** – The Chair will announce that any items a Board member wishes to present will be heard at this time.

V. **STAFF ITEMS** - The Chair will announce that any items a Staff member wishes to present will be heard at this time.

VI. **NEXT MEETING DATE** - The Chair will announce that the next meeting date will be September 8, 2024 at 1:30 p.m., Council Chambers, 200 East Main Street, Lexington, KY 40507.

VII. ADJOURNMENT - If there is no further business, the Chair will declare the meeting adjourned.

The media and public may view the hearing on LexTV Spectrum channel 185, MetroNet channel 3, or via live stream at the following link: http://lfucg.granicus.com/MediaPlayer.php?publish_id=12

For further information on these matters, or for persons with a disability who may need assistance in order to participate in the above meeting, please contact the Division of Planning, 101 E. Vine St., Lexington, KY, at 859-258-3160.