

**AGENDA FOR THE BOARD OF ADJUSTMENT
MEETING**

September 9, 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 50 spaces and reduce the perimeter landscape buffer along the northern boundary of the property from eight feet (8') to five feet (5') in a Commercial Center (B-6P) zone, on property located at 1863 Plaudit Pl. (Council District 6)

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

- a. The request will not negatively impact the health, safety or welfare of the general area. The request will allow for the same amount of parking as the current layout, and improves the safety of the overall system by reconfiguring the parking to have fewer conflicts with the drive-through component of the use. While the overall width of the landscaping buffer for the drive-through use is decreasing, all other planting requirements will still be met, which should be sufficient to screen the vehicular use area from the adjoining property.
- b. The difference in topography between the properties along the northern property line is a special circumstance that further contributes to the effectiveness of the property perimeter buffer.
- c. The requested landscaping variance was reviewed by the Landscape Review Committee and was unanimously recommended for approval.

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

1. The subject property shall be developed in accordance with the submitted application materials and site plan, or as modified by the amended Final Development Plan.
 2. Action of the Board shall be reflected on the Final Development Plan for the property.
 3. All necessary permits from the Divisions of Planning and Building Inspection shall be obtained prior to construction.
2. **PLN-BOA-24-00109: LEON HINES** – requests a variance to the required rear yard setback of a through lot from twenty feet (20') to ten feet (10') in order to expand a rear yard deck in a Planned Neighborhood Residential (R-3) zone, on property located at 2112 Maura Trace. (Council District 9)

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, nor alter the character of the general vicinity. The applicant's request is consistent with other rear deck construction in the vicinity and will not encroach into the existing utility easement at the rear of the property.

- b. The irregular shape of the lot, including the curvature of Lyon Drive along the rear of the property, is a special circumstance that justifies the need for the variance.

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/or approvals shall be obtained from the Division of Building Inspection.

3. **PLN-BOA-24-00120: CRAIG HARDIN** – requests a variance to reduce the required front yard setback from five feet (5') to zero feet (0') within the defined Infill and Redevelopment Area in a Mixed Low Density Residential (R-2) zone, on property located at 512 and 514 Oldham Ct. (Council District 3)

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.
- 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 Zoning Ordinance provisions for a projection for residential development in the defined Infill and Redevelopment Area established by Article 15-7 does not have to be a porch and there are other options for projections that would not require a variance. The applicant is providing parking that is also not required by the Zoning Ordinance in the rear yard which is resulting in the primary structure and front porch needing a variance.

4. **PLN-BOA-24-00122: KENTUCKY TRANSPORTATION CABINET** – requests variances to 1) increase the maximum front yard from twenty feet (20') to seventy-five feet (75'); 2) reduce the perimeter landscape buffer for a double frontage lot from ten feet (10') to zero feet (0'); 3) reduce the usable open space area from ten percent (10%) to zero percent (0%) and 4) reduce the open space vegetative area from ten percent (10%) to zero percent (0%), in a Neighborhood Business (B-1) zone, on property located at 1419, 1425, 1433 and 1445 Newtown Center Way. (Council District 1)

The Staff Recommends: **Approval** of the requested variances, for the following reasons:

- a. Granting the variances should not adversely affect the public health, safety, or welfare of the general vicinity, as the variances allow for Newtown Springs to continue to development in the manner it was originally master planned, will preserve existing site access and circulation for vehicular and pedestrian users of the subject properties and surrounding properties, and will improve the enjoyment and safety of the Legacy Trail.
- b. Granting the variances should not alter the character of the general vicinity as the existing character will be preserved and carry forward along this portion of Newtown Pike to ensure compatible development and coordinated access. Additionally, the Kentucky Transportation Cabinet will work to restore the impacted landscaping and maintain the open space.
- c. Granting the variances will not allow an unreasonable circumvention of the requirements of the Zoning Ordinance because the applicant has applied for the necessary variances as soon as it was determined that they were needed and prior to construction.

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

1. The subject property shall be developed in accordance with the submitted application materials and site plan or as modified by the amended Final Development Plan.
2. Action of the Board shall be reflected on the Final Development Plan for the property.
3. All necessary permits from the Divisions of Planning and Building Inspection shall be obtained prior to construction.

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 – At the August 12, 2024 Board of Adjustment meeting, the Board approved the applicant's request for postponement of their application to the November 4, 2024 meeting.

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 October 14, 2024 meeting.

3. **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)

Note – This application was continued from the August 12, 2024 Board of Adjustment meeting.

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.
4. **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.

5. **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.

6. **PLN-BOA-24-00100: BOOKER GROUP INVESTMENTS LLC** – requests a conditional use permit to establish a community center within the defined Infill and Redevelopment Area in a Planned Neighborhood Residential (R-3) zone, on property located at 285 E. Sixth St. (Council District 1)

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

- a. Approval of the proposed conditional use should not adversely affect the subject or adjoining/nearby properties, provided that all necessary permits and approvals are made. Proposed activities on the site are similar to the activities which have occurred on the site since the 1970s as either non-conforming service businesses or as a child care center, the previously approved conditional use. Additionally, such activities will occur during normal business hours throughout the week and daytime hours on the weekends.
- b. All necessary public services and facilities are or will be available and adequate for the proposed use. Minimal parking is available on the subject property, however on-street parking is available in the immediate vicinity. The community center will serve the surrounding neighborhood, thereby decreasing the demand for off-street parking in this location.

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

1. The property shall be developed and operated in accordance with the submitted application materials and site plan, subject to any alterations required throughout the permitting process.
2. All necessary permits and/or approvals shall be obtained from the Divisions of Planning, Building Inspection, and Engineering, as well as necessary state and federal agencies, prior to construction (if necessary) and occupancy.
3. The applicant must provide the Planning staff with documentation of 501(c)(3)/non-profit organization status within one (1) year of approval of this conditional use.

7. **PLN-BOA-24-00106: KATHY WALLER (K2 VENTURES 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 3326 Grasmere Dr. (Council District 9)

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 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-24-00108: BRENNAN AND SUZANNE FERAN** – request 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 553 Jefferson St. (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. 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 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.

9. **PLN-BOA-24-00111: ELLEN V. HARSHMAN** – requests a conditional use permit for an un-hosted short term rental in a Single Family Residential (R-1E) zone, on property located at 257 Gateway Park Circle. (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.
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.

10. **PLN-BOA-24-00112: JOHN WORKMAN** – requests a conditional use permit for an un-hosted short term rental within the defined Infill and Redevelopment Area in a Mixed Low Density Residential (R-2) zone, on property located at 129 Bassett Ave. (Council District 5)

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-24-00114: THE LEXINGTON SCHOOL** – requests to amend an existing conditional use permit for a school for academic instruction in order to construct an outdoor theater in a Single Family Residential (R-1D) zone, on property located at 1050 Lane Allen Rd. and 2092 Lansill Rd. (Council District 10)

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

- a. Granting the requested conditional use permit should not adversely affect the subject or surrounding properties. This is a well-established school, which has operated on this property for more than 40 years. The outdoor amphitheater will be designed in a way to hinder sound trespass into the adjoining residential neighborhood. The amphitheater
- b. The building of a new amphitheater should not negatively impact the FEMA special flood hazard area (floodplain) and any other waterways, so long as the site plan and stormwater management plan is approved by the Division of Engineering (to address floodplain protection and storm water management issues).
- c. All necessary public and private services are available and adequate for the proposed use.

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

- 1. Construction of the outdoor amphitheater shall take place in accordance with the submitted application and site plan, or as amended due to the requirements of the Divisions of Traffic Engineering, Engineering, or Building Inspection.
- 2. All necessary permits shall be obtained from the Divisions of Building Inspection, Engineering, and Planning.
- 3. An updated storm water management plan shall be implemented in accordance with the requirements of the Engineering Manuals and accepted by the Urban County Engineer. This plan shall be designed and implemented to ensure that flooding problems are in no way worsened due to construction activity taking place on the school property.

- 12. PLN-BOA-24-00115: MICHAEL TUTTLE** – requests a conditional use to extend the regulations of the R-4 zoned portion of the lot fifty feet (50') into the remaining R-2 zoned portion of the lot and a variance to the group residential project design standards to reduce the required project exterior yard from twenty feet (20') to zero feet (0') within the defined Infill and Redevelopment Area and an Historic District Overlay (H-1) zone in Medium Density Residential (R-4) and Mixed Low Density Residential (R-2) zones, on property located at 247 N. Broadway/202 Morrow Place. (Council District 1)

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

- a. Extending the R-4 zoning regulations approximately 45' to the rear lot line is generally reasonable in this location and should not have adverse impacts on the subject or surrounding properties. The majority of the general vicinity is characterized by residential uses with development of various densities and types.
- b. Extending the R-4 zoning regulations will allow the entire lot to function more cohesively and will allow the applicant to seek approval from the Board of Architectural Review (BOAR) and the Planning Commission to increase the density of use of the rear portion of the lot. The Planning Commission will be able to address the layout of the site in relation to the requirements established for group residential projects and the BOAR will review the site in accordance with the adopted Historic District Design Guidelines.
- c. All necessary public services and facilities are or will be available and adequate for the proposed use.

- d. Granting the variance should not adversely affect the public health, safety, or welfare of the general vicinity, nor alter the character of the general vicinity. The subject property is within the defined Infill and Redevelopment Area and the existing structure features legally non-conforming setbacks which are in keeping with other structures in the immediate vicinity.
- e. The granting of the variance will not allow an unreasonable circumvention of the requirements of the Zoning Ordinance because the applicant has applied for the necessary variances as soon as it was determined that they were needed, and prior to beginning construction.

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, or as amended by the Board of Architectural Review or the Planning Commission.
2. The final design of the parking area, including any grading plans, shall be reviewed and approved by the Division of Traffic Engineering.
3. All necessary permits and/or approvals shall be obtained from the Divisions of Building Inspection and Traffic Engineering prior to construction.

- 13. PLN-BOA-24-00116: SHARON NEWCOMB** – requests a conditional use permit for an un-hosted short term rental within the defined Infill and Redevelopment Area in a Medium Density Residential (R-4) zone, on property located at 752 Pine St. (Council District 11)

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 and there is a mixture of uses in the immediate vicinity that may result in a higher demand for short term rentals.
- b. The proposed use should not have an adverse impact on traffic in the general vicinity as adequate parking is available.
- 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.

- 14. PLN-BOA-24-00119: THE CHURCH IN LEXINGTON INC** – requests a conditional use permit to establish a place of religious assembly in an Agricultural Urban (A-U) and Single Family Residential (R-1C) zone, on property located at 1136, 1220 and 1250 Higbee Mill Rd. (Council District 9)

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

- a. Approval of the proposed conditional use should not adversely affect the subject or adjoining/nearby properties, provided that all necessary permits and approvals, including a stormwater management plan are secured prior to construction and occupancy.
- b. The new structure is approximately 2,000 square feet larger than was previously approved by the Board of Adjustment in 2021, thus it is unlikely that the church expansion would create traffic issues in the neighborhood.
- c. All necessary public services and facilities are or will be available and adequate for the proposed use.

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

1. The property shall be developed and operated in accordance with the submitted application materials and site plan, subject to any alterations required throughout the permitting process.
2. All necessary permits and/or approvals shall be obtained from the Divisions of Planning, Building Inspection, and Engineering, as well as necessary state and federal agencies, prior to construction and occupancy.

3. A storm water management plan shall be implemented in accordance with the requirements of the adopted Engineering Manuals, subject to acceptance by the Division of Engineering.
4. The final configuration of the parking areas shall be subject to approval by the Division of Traffic Engineering.
5. Any outdoor lighting for the parking lot shall meet the requirements of Article 30.
6. All three properties shall be consolidated with a minor subdivision plat prior to construction.
7. The existing unused bridge on 1220 Higbee Mill Road shall be removed prior to occupancy of the new structure.
8. The bridge access point currently on 1136 Higbee Mill Road shall be widened to the approval of the Division of Engineering, and obtain any state and federal permits necessary for approval.
9. The parking areas shall be paved, with spaces delineated, and landscaped/screened in accordance with the requirements of Article 16 and 18 of the Zoning Ordinance.

15. **PLN-BOA-24-00121: PATRICK PERRYMAN** – requests a conditional use permit for an un-hosted short term rental with an occupancy greater than 12 in a Single Family Residential (R-1D) zone, on property located at 1037 Juniper 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 twelve (12) individuals.
- 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, 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 October 14, 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.