

**COMMONWEALTH OF KENTUCKY
CITY OF LA GRANGE, KENTUCKY
RESOLUTION NO. 4 - 2014**

AUTHORIZING THE MODIFICATION OF BINDING ELEMENTS

WHEREAS, the City of La Grange has published public notice in the Oldham Era newspaper that it would hold a public hearing on April 21, 2014, at 6:30 p.m. at City Hall to review and accept or deny an applicant's need to change the existing binding elements on the property located at 617 West Jefferson Street, in La Grange, Kentucky, from a restaurant only to a retail and personal service establishment with floor area of less than 50,000 gross square feet - more specifically, a **Grocery/Convenience Store**; and,

WHEREAS, an opportunity to be heard from interested parties was made available, and testimony was heard; and,

WHEREAS, the existing binding elements allow only for use as a restaurant (Fish House, Chili Parlor and Frozen Yogurt Shop) and produce market; and,

WHEREAS, the proposed new use differs from the existing uses permitted by the binding elements;

THEREFORE, BE IT RESOLVED BY THE CITY OF LA GRANGE, KENTUCKY THAT:

1. The proposed new use is acceptable.
2. The binding elements will be altered to allow the proposed new use as a retail and personal service establishment - more specifically, a **Grocery/Convenience Store, and for no other use other than what was specifically permitted under prior binding elements**; new lighting only on the upper parking lot to the west of the building; fencing to be 8' tall (running from a point now existing, which is 80' from the southern side of Highway 146 to the rear of the subject property, along the east side of the building); and, hours of operation at the location will end at or before 12:00 midnight, local time.
3. All other binding element conditions will continue and these shall be recorded along with the above-mentioned amendment and shall be recorded as an encumbrance in the Oldham County Clerk's office to evidence these binding elements and to evidence enforceability of the same.

Adopted and approved this 21st day of April 2014.

William Lammlein, Mayor

CERTIFICATION

I, Stephanie Cooper, Clerk of the City of La Grange, Kentucky, do hereby certify that the above Resolution 4 Series 2014 is a true and correct copy as was presented to the City Council of the City of La Grange, Kentucky, at a special called meeting on April 21, 2014.

Given under my hand this 21st day of April 2014.

Stephanie Cooper, City Clerk

VOTE:

FOR: 6
AGAINST: 0
ABSTAINED: 0
PRESENT: 6