

**CITY OF UNION, KENTUCKY  
ORDINANCE NO. 2021-11**

**AN ORDINANCE OF THE CITY OF UNION, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF VIOX & VIOX, INC. FOR NORBERT A. KAHMANN TRUST, TIMOTHY KAHMANN AND CHRISTIE KAHMANN FOR A ZONING MAP AMENDMENT, SUCH ZONING MAP AMENDMENT BEING A ZONE CHANGE FROM RURAL SUBURBAN ESTATES (RSE) TO SUBURBAN RESIDENTIAL ONE (SR-1) FOR AN APPROXIMATE 151.7 ACRE SITE LOCATED AT 2298-2318 CLARKSTON LANE, AND THE SOUTHERNMOST, APPROXIMATE 7.5 ACRES OF THE SITE LOCATED AT 2425 LONGBRANCH ROAD, UNION, KENTUCKY (APPROXIMATELY 159.2 ACRES TOTAL)**

*WHEREAS*, the City of Union, Kentucky is a member of the county-wide planning unit, having a county-wide planning commission known as the Boone County Planning Commission; and

*WHEREAS*, the Boone County Planning Commission received a request for a Zoning Map Amendment to the Boone County Zoning Map and such Zoning Map Amendment being a zone change for Rural Suburban Estates (RSE) To Suburban Residential One (SR-1) For An Approximate 151.7 Acre Site Located At 2298-2318 Clarkston Lane, And The Southernmost, Approximate 7.5 Acres Of The Site Located At 2425 Longbranch Road, Union, Kentucky (APPROXIMATELY 159.2 Acres Total), Union, Kentucky.

*WHEREAS*, the Boone County Planning Commission as the planning unit for the City of Union, Kentucky was requested to and has conducted a Public Hearing serving as a due process trial-type hearing and made findings recommending approval, with conditions, for the Zoning Map Amendment; and

*WHEREAS*, the Boone County Planning Commission by Resolution No. R-21-008-A recommended approval of the rezoning described above, with conditions; and

*WHEREAS*, the recommendation of the Boone County Planning Commission is based upon certain findings and conditions attached to its Resolution, all of which have been reviewed

by the City Commission for the City of Union, Kentucky; and

*WHEREAS*, the Union City Commission desires to affirm and approve the recommendation of the Boone County Planning Commission pursuant to K.R.S. 100.211 within ninety (90) days of the Planning Commission's final action and grant the application of the Zoning Map Amendment, with conditions.

*NOW THEREFORE, BE IT ORDAINED BY THE CITY OF UNION, KENTUCKY* as follows:

### **SECTION I**

That the request for a change in the Zoning Map Amendment being a Zone Change for an approximate 159.2 acre site for Rural Suburban Estates (RSE) To Suburban Residential One (SR-1) For An Approximate 151.7 Acre Site Located At 2298-2318 Clarkston Lane, and The Southernmost, Approximate 7.5 Acres Of The Site Located At 2425 Longbranch Road, Union, Kentucky (approximately 159.2 Acres Total), Union, Kentucky. The Request for A Zone Change shall be and is hereby approved, with conditions, as set forth in the Boone County Planning Commission's Resolution R-21-008-A, which includes, but is not limited to, their Findings of Fact and Description of the real estate which is the subject of this Ordinance and is attached hereto and marked Exhibit "A" and incorporated herein by reference.

### **SECTION II**

If approval for Zoning Map Amendment shall be held invalid, in whole or in part, by any court of proper jurisdiction, such invalidity shall not affect the validity of any of the other zoning regulations, zoning map, or comprehensive plan provisions as they are severable from this Ordinance and they are intended to have effect regardless of any invalidity relating to this particular Ordinance.


**SECTION III**

Publication of this Ordinance is hereby authorized to be by summary publication in accordance with Kentucky Law.

***PASSED AND APPROVED ON FIRST READING this the 26<sup>th</sup> day of April, 2021.***

***PASSED AND APPROVED ON SECOND READING this the 3<sup>rd</sup> day of May, 2021.***

**APPROVED:**



**HON. LARRY K. SOLOMON, MAYOR**

**ATTEST:**



**CHRISTY EVERMAN**  
**CITY CLERK**