

**CITY OF UNION, KENTUCKY
ORDINANCE NO. 2021-19**

AN ORDINANCE OF THE CITY OF UNION, KENTUCKY GRANTING THE REQUEST OF VIOX AND VIOX FOR VILLAS OF FOWLER'S CREEK LLC FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A SUBURBAN RESIDENTIAL TWO/UNION TOWN OVERLAY (SR-2/UTO) ZONE FOR A 17.743 ACRE SITE LOCATED AT 9172 ROYAL OAK LANE, UNION, KENTUCKY (VILLAS OF FOWLER'S CREEK CONDOMINIUMS) TO ALLOW A RIGHT TURN, EXIT ONLY GATE AT ROYAL OAK LANE/OLD UNION ROAD INTERSECTION

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 Change In An Approved Concept Development Plan In A Suburban Residential Two/Union Town Overlay (SR-2/UTO) Zone For A 17.743 Acre Site Located At 9172 Royal Oak Lane, Union, Kentucky (Villas Of Fowler's Creek Condominiums), To Allow A Right Turn, Exit Only Gate At Royal Oak Lane/Old Union Road Intersection, Union, Kentucky; and

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 the Concept Development Plan Amendment; and

WHEREAS, the Boone County Planning Commission by Resolution No. R-21-028-A recommended approval of the Concept Development Plan Amendment described above; 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, a majority of the Union City Commission desires to adopt the recommendation of the Boone County Planning Commission.

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

SECTION I

That the request for a Change in an Approved Concept Development Plan In A Suburban Residential Two/Union Town Overlay (SR-2/UTO) Zone For A 17.743 Acre Site Located At 9172 Royal Oak Lane, Union, Kentucky (Villas Of Fowler's Creek Condominiums) To Allow A Right Turn, Exit Only Gate At Royal Oak Lane/Old Union Road Intersection shall be and is hereby approved, with conditions, as set forth in the Boone County Planning Commission's Resolution No. R-21-028-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 this approval for a Change in an Approved Concept Development Plan 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.

FIRST READING this the 6th day of December, 2021

SECOND READING this the 3rd day of January, 2022

APPROVED:



HON. LARRY K. SOLOMON, MAYOR

ATTEST:



TAMMY WILHOITE
CITY CLERK