

**CITY OF UNION, KENTUCKY  
ORDINANCE NO. 2022-18**

**AN ORDINANCE OF THE CITY OF UNION, KENTUCKY APPROVING, WITH CONDITIONS, A REQUEST OF KZF DESIGN PER JUSTIN JONES (APPLICANT) FOR GRAETERS PROPERTIES LIMITED (OWNER) FOR A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) DISTRICT FOR AN APPROXIMATE 1.8 ACRE AREA LOCATED ALONG THE SOUTH AND EAST SIDES OF U.S. 42, BETWEEN BRAXTON DRIVE AND OLD UNION ROAD, APPROXIMATELY 600 FEET SOUTHEAST OF BRAXTON DRIVE, AND BEING PART OF THE PROPERTY AT 8905 U.S. 42, UNION, KENTUCKY.**

*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 Change In An Approved Concept Development In A Commercial Two/Planned Development (C-2/PD) District For Any Approximate 1.8 Acre Area Located Along The South And East Sides Of U.S. 42, Between Braxton Drive And Old Union Road, Approximately 600 Feet Southeast Of Braxton Drive, And Being Part Of The Property At 8905 U.S. 42, 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 approval, with conditions, for the Zoning Map Amendment; and

*WHEREAS*, the Boone County Planning Commission by Resolution No. R-22-022-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 An Approved Concept Development Plan, a Commercial Two/Planned Development (C-2/PD) District For Any Approximate 1.8 Acre Area Located Along The South And East Sides Of U.S. 42, Between Braxton Drive And Old Union Road, Be Approximately 600 Feet Southeast Of Braxton Drive, And Being Part Of The Property At 8905 U.S. 42, Union, Kentucky shall be and is hereby approved, with conditions, as set forth in the Boone County Planning Commission's Resolution R-22-022-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. With the exception that the City of Union will allow murals as explained in **Exhibit "B"** which **shall nullify** condition 4b of the Boone County Planning Commission's recommendation.

### **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.

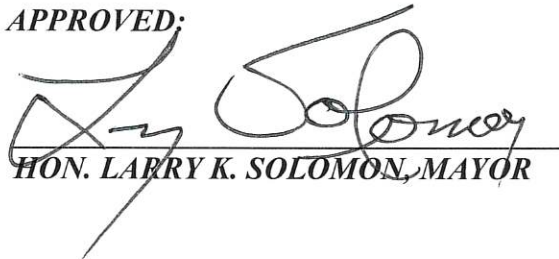
**SECTION III**

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

*FIRST READING this the 7<sup>th</sup> day of September, 2022*

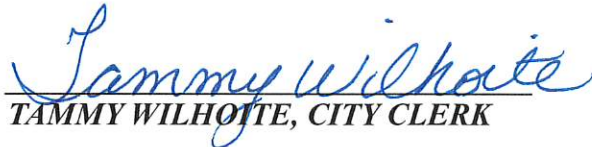
*SECOND READING this the 12<sup>th</sup> day of September, 2022*

**APPROVED:**



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

**ATTEST:**



**TAMMY WILHOTTE, CITY CLERK**

**Published:** September 16, 2022