

**UNION BOARD OF ADJUSTMENT
UNION CITY BUILDING
1843 MT. ZION ROAD, UNION, KENTUCKY
BUSINESS MEETING
February 11, 2019
6:30 P.M.**

Mr. Terrill Kidwell, Chairman, called the meeting to order at 6:30 P.M.

BOARD MEMBERS PRESENT:

Mr. Terrill Kidwell, Chairman
Mr. Andrew Rosen
Mrs. Pamela Sayers

LEGAL COUNSEL PRESENT:

Mr. Dale Wilson

Approval of the Minutes:

Mr. Kidwell stated the Board members received copies of the minutes of the Union Board of Adjustment meeting of April 30, 2018. He asked if there were any comments or corrections? Mr. Rosen made a motion to approve the minutes as written and Mrs. Sayers seconded the motion. Mr. Kidwell called for a vote and it carried unanimously.

Agenda Items:

- 1. Request of Anne F. McBride for a Variance to allow the perimeter landscaping buffer yard requirement between two proposed lots to be reduced from 10' feet in width to zero. The request would allow Lot 2 of Union Marketplace Subdivision to be subdivided into two lots of records. The approximate 3.54 acre site is located at 9031 and 9039 US 42, Union, Kentucky and is zoned Commercial Two/Planned Development (C-2/PD).**

Staff Member, Todd Morgan, AICP, presented the Staff Report which included a PowerPoint presentation (see Staff Report). He submitted a revised landscaping plan into the record (see Exhibit 1). The applicant sent him the revised plan after she learned of his Staff recommendations. The plan complies with his landscaping recommendation.

Mrs. Anne McBride said she was representing the property owner. All of the outlots in the subdivision were developed jointly by Kroger and Midland Retail. Midland has another partner that is called Rookwood Properties. They want to put the outlots into different partnership entities. They never realized that they would need to obtain a buffer yard variance to subdivide the property. They came to her around the holidays and said they wanted to subdivide the property so they could put the lots into different partnerships. She told them that might be a problem because of the buffer yard requirements. At that time, the Site Plan had already been approved and construction had started. From a practical standpoint, the public will not know the difference. The landscaping plan shows a lot of landscaping will be installed. They have revised the landscaping plan to comply with the Staff recommendations.

Mr. Kidwell asked for confirmation that two different entities would own the lots? Mrs. McBride confirmed that was correct.

Mrs. Sayers asked if that was because there was two different buildings? Mrs. McBride said that was correct. She added that the Variance is the result of loans and financing since two different partnerships will own the buildings. The partnership did not run this scenario past her before they laid out the Site Plan and started construction. They were unaware of the buffer yard requirements along an interior property line.

Mr. Rosen said he didn't have a problem with the request. They have a landscaping plan and there are plenty of trees proposed in the parking lot.

Mr. Kidwell asked Mrs. McBride if she was okay with the Staff recommendations? She replied she was.

Mr. Kidwell asked if anybody from the audience wanted to speak? Ms. Noreen Morgan said she understands that a new property line would run between the two buildings on the site. She asked if any additional landscaping was proposed? Mr. Morgan said no new landscaping was being proposed but his recommendation is that the landscape plantings along US 42 be more evenly dispersed. He reviewed the approved landscaping plan, Exhibit 1, and the PowerPoint slides.

Mr. Kidwell asked for a motion.

Mr. Rosen made a motion to approve the application with the following conditions:

- A. Cross parking and access easements shall be recorded between the two lots. This shall be documented on the resubdivision plats that are submitted to Boone County Planning Commission for review.**
- B. A revised landscaping plan shall be submitted and approved by Boone County Planning Commission for the two properties before the resubdivision plats are approved. The following changes shall be made to the submitted landscaping plan:**
 - 1. The eighteen (18) Golden Raintrees shown in the US 42 street frontage buffer yard shall be more evenly dispersed along the front property line.**
 - 2. Supplemental shrubs from Plant List E of the Boone County Zoning Regulations shall be installed in the US 42 street frontage buffer in those areas where the Golden Raintrees are spaced more than 30' apart (measured from trunk to trunk). The shrubs shall be installed at a rate of 30 shrubs per 100 linear feet.**

The revised plan shall be treated as minor revision to the 7/5/18 approved Major Site Plan.

Mrs. Sayers seconded the motion. Mr. Kidwell called for a vote and it carried unanimously.

Adjournment

Mrs. Sayers made a motion to adjourn and Mr. Rosen seconded the motion. Mr. Kidwell asked for a vote and it carried unanimously. The meeting adjourned at 6:47 P.M.

APPROVED
Terrill Kidwell, Chairman**Attest:**

Todd K. Morgan, AICP
Senior Planner, Zoning Services

Exhibit

1. Revised Landscaping Plan Received by Boone County Planning Commission on 2/5/19

325 E Elliot Rd, Suite 29
Chandler, AZ 85225



www.newtongroup.com
(877) 278-3624

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Terrill Kidwell
1605 Sycamore Dr
Union, KY 41091-9538



Dear Terrill,

We are attempting to contact you because our records suggest that you are an owner who may be affected by a timeshare law allowing certain maintenance fees to be significantly raised. This could possibly make it more difficult to exit your timeshare.

Let us help.

We will be sending experts to your area in an effort to meet with you in person on the date of January 16, 2022. These experts will be able to sit down with you, talk about your individual situation, and explain how we help you exit your timeshare contract while, in some cases, recouping a portion of your purchase price.

Newton Group Transfers has been helping owners for over 15 years while maintaining a rating of 4.97 stars out of 5 with the Better Business Bureau. We are the #1 trusted name in this industry, and have helped thousands of Timeshare Owners to finally get rid of their financial burden. We can now also help those who still owe on their original timeshare “mortgage”, along with those who have recently “upgraded.”

We will only be in this area for a limited time. Please don't miss your opportunity.

Call (877) 278-3624 on or before January 15, 2022 in order to reserve time with our advisors. You must have a reservation. Space is limited, and we will not be able to accommodate all owners in your area. This reservation will be on a first come, first served basis.

This will be your last opportunity to receive a credit on your 2021 Maintenance Fees.

This is not a land sales offer, nor are we attempting to list or purchase your timeshare.

If you are happy with your timeshare, and have no concern for rising maintenance fees, please do not call. We cannot help you.

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