

**CITY OF FLORENCE, KENTUCKY  
ORDINANCE O-13-22**

**AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT FROM COMMERCIAL SERVICES (C-3) TO COMMERCIAL SERVICES/PLANNED DEVELOPMENT (C-3/PD) FOR THE APPROXIMATE 5.24 ACRE SITE LOCATED AT 8050 AND 8053 HOLIDAY DRIVE, FLORENCE, KENTUCKY, TO ALLOW A USED AUTO SALES AND SERVICE FACILITY. (CARMAX)**

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

**WHEREAS**, the Boone County Planning Commission by Resolution No. R-22-013-A recommended approval for a zoning map amendment, and

**WHEREAS**, the recommendation for approval by the Boone County Planning Commission is based upon certain findings and conditions attached to the Commission’s Resolution, all of which have been reviewed by the City Council for the City of Florence, Kentucky.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:**

**SECTION I**

That the request of CarMax Auto Superstores, Inc., per Daniel T. Bickett (Applicant) for AEC Properties, LLC and Welcome Holiday Hotel, Inc. (Owners) for a zoning map amendment from Commercial Services (C-3) to Commercial Services/Planned Development (C-3/PD) for the approximate 5.24 acre site located at 8050 and 8053 Holiday Drive, Florence, Kentucky, to allow a used auto sales and service facility, shall be and is hereby approved.

The real estate which is the subject of this request is more particularly described in Exhibit “A”, attached hereto and incorporated herein by reference. The zoning map of Boone County, Kentucky, as it applies to the City of Florence, Kentucky, shall be amended or changed to reflect the zoning map amendment for this subject property.

**SECTION II**

The approval of this zoning map amendment is granted subject to the conditions, terms and provisions of the Boone County Planning Commission recommendation, including its Committee Report, made a part of that recommendation, a copy of that recommendation and Committee Report of the Boone County Planning Commission being attached, marked Exhibit “B” and incorporated herein as if fully set out, this recommendation being in the form of Resolution No. R-22-013-A of the Boone County Planning Commission, including the exhibits

referenced to that Resolution.

### **SECTION III**

This approval is granted based on the Findings of Fact made by the Boone County Planning Commission and contained within its recommendation that is attached and part of the Commission's Resolution No. R-22-013-A, marked Exhibit "B", and attached hereto.

### **SECTION IV**

If the approval for this zoning map amendment shall be held invalid, in whole or in part, by any Court of proper jurisdiction, that 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 are intended to have full force and effect regardless of any invalidity relating to this particular Ordinance.

### **SECTION V**

This Ordinance shall be published by posting on the City's internet website.

PASSED AND APPROVED ON FIRST READING THIS 21<sup>st</sup> DAY OF JUNE, 2022.

PASSED AND APPROVED ON SECOND READING AND PUBLICATION ORDERED THIS 28<sup>th</sup> DAY OF JUNE, 2022.

APPROVED:

/s/ Diane E. Whalen  
Diane E. Whalen, Mayor

ATTEST:

/s/ Melissa Kramer  
Melissa Kramer, City Clerk