

ORDINANCE NO. 02- 09

AN ORDINANCE AMENDING ORDINANCE NO. 80-13, KNOWN AS THE ZONING ORDINANCE AND ALTERING THE ZONING MAP, BY CHANGING A BOUNDARY OF LAND NOW ZONED R-2 TO B-2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

That Ordinance No. 80-13, known as the Zoning Ordinance, Somerset, Kentucky, be and the same is hereby amended by altering the Zoning Map in the following manner:

- I. By changing the following boundary of land being zoned R-2 to B-2.

A certain tract or parcel of land lying and being in Pulaski County, Kentucky, being bounded and described as follows:

BEGINNING on a right of way marker of Ky. 2302, said marker being a new corner to Joseph Thacker (D.B. 558 Pg. 420), and a common corner to David Thacker (D.B. 484 Pg. 56) and Kotter Smith, Inc. (D.B. 532 Pg. 424);

THENCE with Joseph Thacker's new division line and with the right of way of Ky. 2302 North 71 degrees 28 minutes 13 seconds East for a distance of 69.38 feet to a Ky. 2302 right of way marker;

THENCE South 33 degrees 02 minutes 05 seconds East for a distance of 155.00 feet to an iron pin set on the right of way of Ky. 2302, said pin being corner to a 3.8166 acres tract of land designated Tract #2 of the Joseph Thacker Cut-out;

THENCE leaving the right of way of Ky. 2302 with Tract #2's line South 69 degrees 53 minutes 39 seconds West for a distance of 128.98 feet to an iron pin set, said pin being in Kotter Smith, Inc.'s line;

THENCE with Kotter Smith, Inc.'s line North 10 degrees 50 minutes 35 seconds West for a distance of 155.00 feet to the point of BEGINNING.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.3460 acres more or less as surveyed by Gary L. Girdler (P.L.S. 2563) on the 27<sup>th</sup> day of March 2002 (Job No. B2025). All pins set at the time of this survey were half-inch re/bar with a yellow identification cap stamped G.L.G. 2563.

Being a part of the same property conveyed to Joseph Thacker and Eileen Thacker, his wife, on the 29<sup>th</sup> day of November 1994 as appears of record in Deed Book 558 Page 420 in the Pulaski County Court Clerk's Office, Somerset, Kentucky.

II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change.

III. This Ordinance shall be in full force and effect from and after adoption.

FIRST READING: July 27, 2002  
SECOND READING: August 12, 2002

APPROVED:

J. P. Wiles  
MAYOR

ATTEST:

Debra H. Hays  
CITY CLERK

APPLICATION FOR ZONING AMENDMENT/DEVELOPMENT PLAN APPROVAL  
TO THE  
SOMERSET PLANNING COMMISSION

APPLICATION NO. 02-04

THE UNDERSIGNED OWNER(S) OF THE FOLLOWING LEGALLY DESCRIBED PROPERTY  
REQUEST THE CONSIDERATION OF CHANGE IN ZONING DISTRICT CLASSIFICATION  
APPROVAL OF DEVELOPMENT PLAN AS SPECIFIED BELOW:

1. NAME OF APPLICANT Joseph Thacker  
MAILING ADDRESS 1104 Gover Lane Ferguson Ky 42533  
PHONE NUMBER (HOME) 606-679-3768 (BUSINESS) 606-679-4339  
PROPERTY OWNER Joseph Thacker
2. LOCATION DESCRIPTION Hwy 2302
3. EXISTING USE Open field  
PROPOSED USE Dealership and Garage
4. PRESENT ZONING DISTRICT R-2
5. PROPOSED ZONING DISTRICT B-2

SUPPORT INFORMATION: ATTACH THE FOLLOWING ITEMS TO THE APPLICATION:

- A. A VICINITY MAP SHOWING PROPERTY LINES, STREETS, AND EXISTING PROPOSED ZONING.
- B. A LIST OF ALL PROPERTY OWNERS AND THEIR MAILING ADDRESSES WITHIN, CONTIGUOUS TO, AND DIRECTLY ACROSS THE STREET FROM THE PROPOSED REZONING.
- C. FEES AS REQUIRED
- D. LEGAL DESCRIPTION

DATE 6-6-02 APPLICANT SIGNATURE Joseph Thacker

FOR OFFICIAL USE ONLY  
PLANNING COMMISSION

DATE FILED 6-6-02 DATE OF NOTICE IN NEWSPAPER 6-12-02  
DATE OF NOTICE TO PROPERTY OWNER 6-17-02  
DATE OF PUBLIC HEARING 6-25-02 FEES PAID 402.00  
RECOMMENDATION OF PLANNING COMMISSION: APPROVAL  DENIAL   
REASON FOR RECOMMENDATION \_\_\_\_\_

DATE 6-25-02 PLANNING COMMISSION CHAIRMAN [Signature]

FOR OFFICIAL USE ONLY  
(LEGISLATIVE AUTHORITY)

DATE OF RECOMMENDATION RECEIVED \_\_\_\_\_  
ACTION BY LEGISLATIVE AUTHORITY APPROVED \_\_\_\_\_ DENIAL \_\_\_\_\_  
IF DENIED, REASON FOR DENIAL \_\_\_\_\_

DATE \_\_\_\_\_ CLERK \_\_\_\_\_

NOTE: THREE COPIES OF THIS FORM AND SUPPORTING INFORMATION MUST BE FILED WITH THE SOMERSET PLANNING COMMISSION. APPLICATION MUST BE RETURNED TO THE OFFICE OF CODE ENFORCEMENT 4 WEEKS PRIOR TO MEETING DATE.

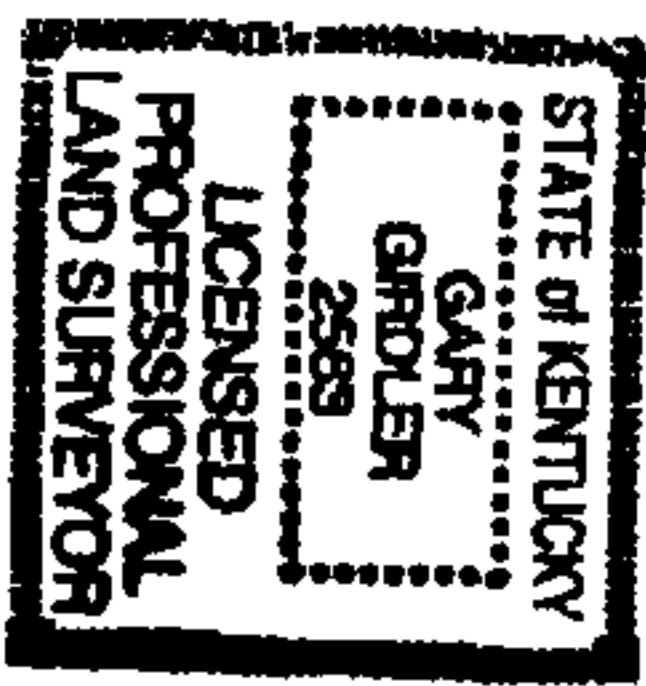
**SURVEYOR'S CERTIFICATE**

I DO HEREBY CERTIFY THE SURVEY SHOWN HEREON WAS PERFORMED UNDER MY DIRECTION BY THE RANDOM TRAVERSE METHOD, WITH SIDE SHOTS. THE RATIO OF THE MATHEMATICAL ERROR OF THE RANDOM TRAVERSE EXCEEDS THE MINIMUM STANDARDS AS REQUIRED BY THE STATE OF KENTUCKY. THE BEARINGS AND DISTANCES HEREON HAVE NOT BEEN ADJUSTED. THE BASIS OF THE BEARINGS SHOWN HEREON WAS A MAGNETIC READING TAKEN IN THE FIELD ALONG A RANDOM TRAVERSE LINE AT THE TIME OF THIS SURVEY.

GARY L. GIRDLER P.L.S. H 2563

MARCH 29, 2002

DATE



SOURCE OF TITLE  
BEING A PART OF DEED BOOK 558 PAGE 420

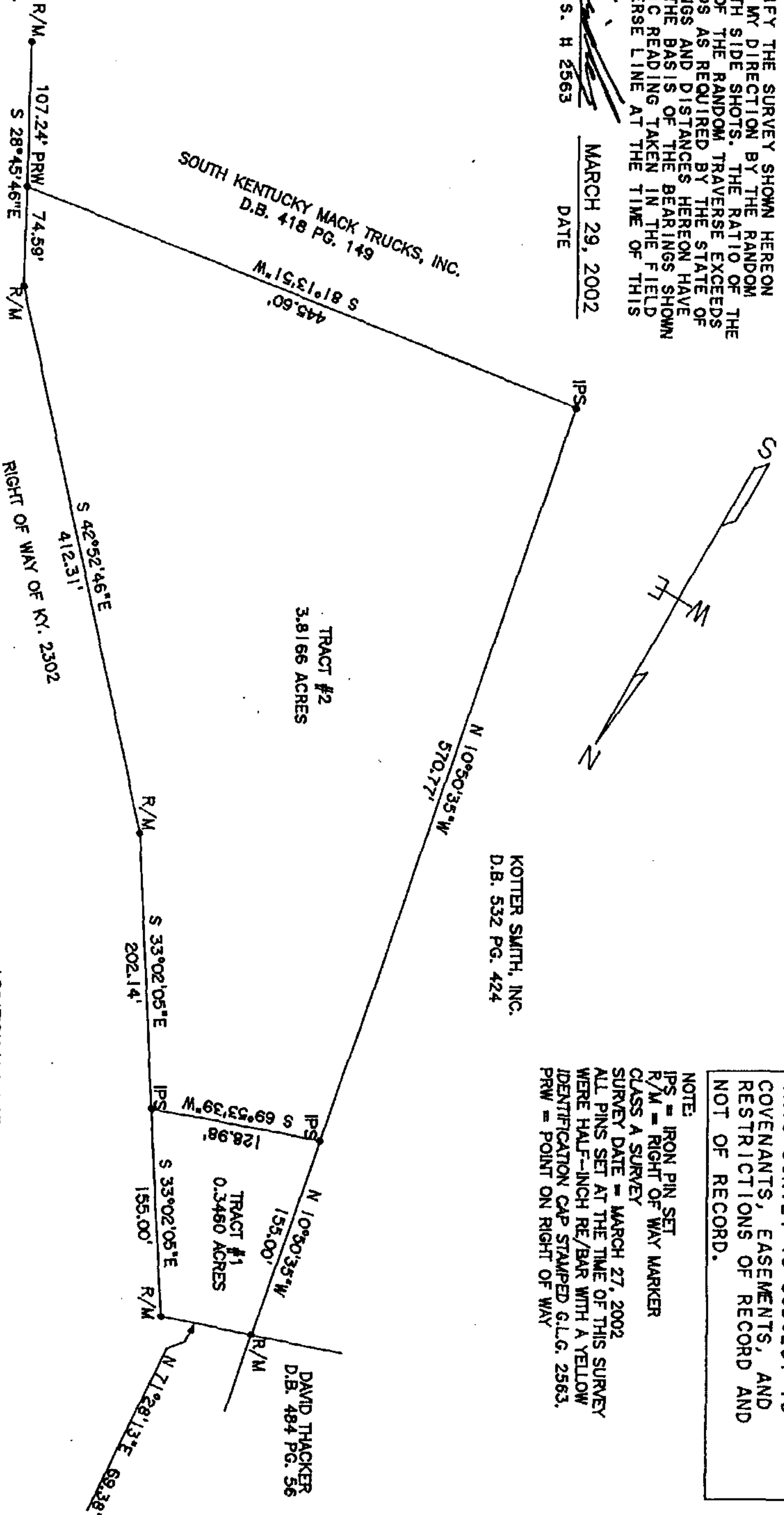
LOCATION OF SURVEY  
PULASKI COUNTY KENTUCKY

SURVEY TITLE  
JOSEPH THACKER CUT-OUT

GARY L. GIRDLER  
AND SURVEYING  
808 TOWN SQUARE  
JAMESTOWN, KY.  
H. 270-343-5889

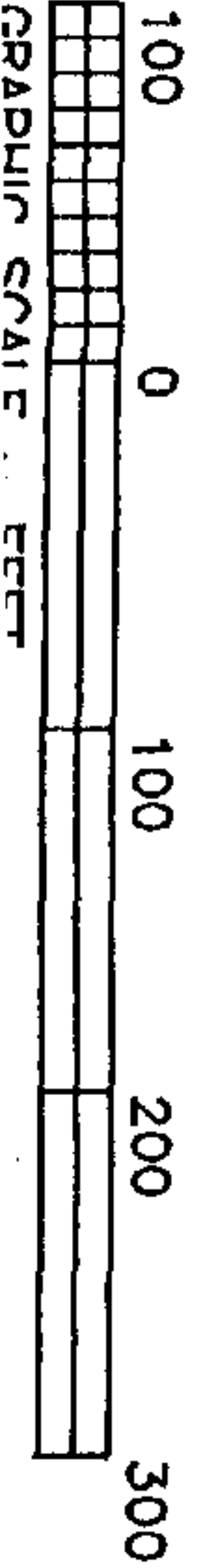
JOB NUMBER  
DRAWING NUMBER  
SCALE  
INSTRUMENT  
DRAWN BY:

B2025  
B2025  
1/4" = 100 FT.  
P.L.S.  
G.L.G.



THIS SURVEY IS SUBJECT TO COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD AND NOT OF RECORD.

NOTE:  
 IPS = IRON PIN SET  
 R/M = RIGHT OF WAY MARKER  
 CLASS A SURVEY  
 SURVEY DATE = MARCH 27, 2002  
 ALL PINS SET AT THE TIME OF THIS SURVEY WERE HALF-INCH RE/BAR WITH A YELLOW IDENTIFICATION CAP STAMPED G.L.G. 2563.  
 PRW = POINT ON RIGHT OF WAY



LOCATION MAP NOT TO SCALE

IDENTIFICATION  
G.L.G.  
2563

## LEGAL DESCRIPTION

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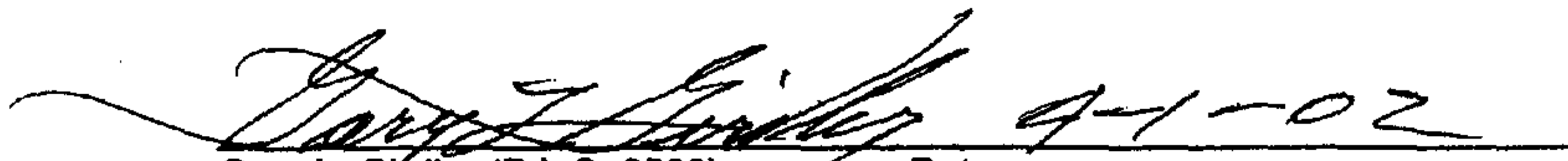
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Gary L. Girdler (P.L.S. 2563) Date: 3/29/02 m

