

ORDINANCE NO. 03- 08

AN ORDINANCE AMENDING ORDINANCE NO. 00-18, KNOWN AS THE ZONING ORDINANCE AND ALTERING THE ZONING MAP, BY CHANGING A BOUNDARY OF LAND NOW ZONED I-1 TO R-2.

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

That Ordinance No. 00-18, 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 I-1 to R-2.

A certain parcel of ground being a lot in the City of Somerset, Pulaski County, Kentucky, on the North side of Bourne Avenue:

BEGINNING at a stake the Southwest corner of Kitty Hudson lot; thence Northward with Kitty Hudson's West line about 174 feet to a stake, her corner on the alley; thence Westward with the alley 102 feet to a stake, Singleton's corner; thence Southward with Singleton's line 176 feet to a stake on the North side of Bourne Avenue; thence East with Bourne Avenue 101.8 feet to the beginning.

A certain lot of ground situated in Somerset, Pulaski County, Kentucky, near the Cincinnati Southern Depot on the North side of Bourne Avenue and joining Albert Davis on the West and Nelson Balsley on the East and described as follows:

BEGINNING on a point 54 feet East of the S.W. corner of the lot conveyed to H.G. Litton by Robert Coffey and wife, Deed of which is recorded in Deed Book No. 40, Page 358, in Pulaski County Court Clerk's Office; thence running Northwardly 170 feet; thence Eastwardly 50 feet; thence running Southwardly 170 feet; thence Westwardly 50 feet to the beginning, reserving 20 feet on

the front or South end for street purposes and that party of the second party shall have water privilege of the adjoining lot.

BEING the same property conveyed to Cumberland Security Bank, Inc., a Kentucky Banking Corporation, by Deed of Conveyance from Norma J. Durham, a single person, by Deed dated the 30th day of June, 2000, and of record in Deed Book 658, Page 552, 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: May 12, 2003

SECOND READING: May 15, 2003

APPROVED:

J. P. Wiles
MAYOR

ATTEST:

Debra Hickey
CITY CLERK

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

APPLICATION NO. 03-04

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 Cumberland Security Bank
MAILING ADDRESS 107 South Main St
PHONE NUMBER (HOME) _____ (BUSINESS) 606-679-9361
PROPERTY OWNER William Rutherford
2. LOCATION DESCRIPTION 302 Bourne Ave
3. EXISTING USE Industrial Property
PROPOSED USE Residential Property
4. PRESENT ZONING DISTRICT I-1
5. PROPOSED ZONING DISTRICT R-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 3-20-03 APPLICANT SIGNATURE *Robt. B. B...*

FOR OFFICIAL USE ONLY
PLANNING COMMISSION

DATE FILED 3-20-03 DATE OF NOTICE IN NEWSPAPER 4-10-03
DATE OF NOTICE TO PROPERTY OWNER 4-8-03
DATE OF PUBLIC HEARING 4-22-03 FEES PAID 402.00
RECOMMENDATION OF PLANNING COMMISSION: APPROVAL DENIAL
REASON FOR RECOMMENDATION _____

DATE 4-22-03 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.

**PUBLIC HEARING
SOMERSET PLANNING COMMISSION
ZONE CHANGE**

AT THE REQUEST OF CUMBERLAND SECURITY BANK, A PUBLIC
HEARING WILL BE HELD AT THE SOMERSET CITY HALL, 400 EAST MT
VERNON STREET, SOMERSET KY (COUNCIL CHAMBERS) ON
APRIL 22, 2003 AT 6:30 P.M. FOR THE PURPOSE OF
REZONING 302 Bourne Ave FROM THE PRESENT
I-1 TO R-2

A LEGAL DESCRIPTION IS AS FOLLOWS:

A certain parcel of ground being a lot in the City of Somerset, Pulaski County, Kentucky, on the North side of Bourne Avenue:

BEGINNING at a stake the Southwest corner of Kitty Hudson lot; thence Northward with Kitty Hudson's West line about 174 feet to a stake, her corner on the alley; thence Westward with the alley 102 feet to a stake, Singleton's corner; thence Southward with Singleton's line 178 feet to a stake on the North side of Bourne Avenue; thence East with Bourne Avenue 101.8 feet to the beginning.

A certain lot of ground situated in Somerset, Pulaski County, Kentucky, near the Cincinnati Southern Depot on the North side of Bourne Avenue and joining Albert Davis on the West and Nelson Balsley on the East and described as follows:

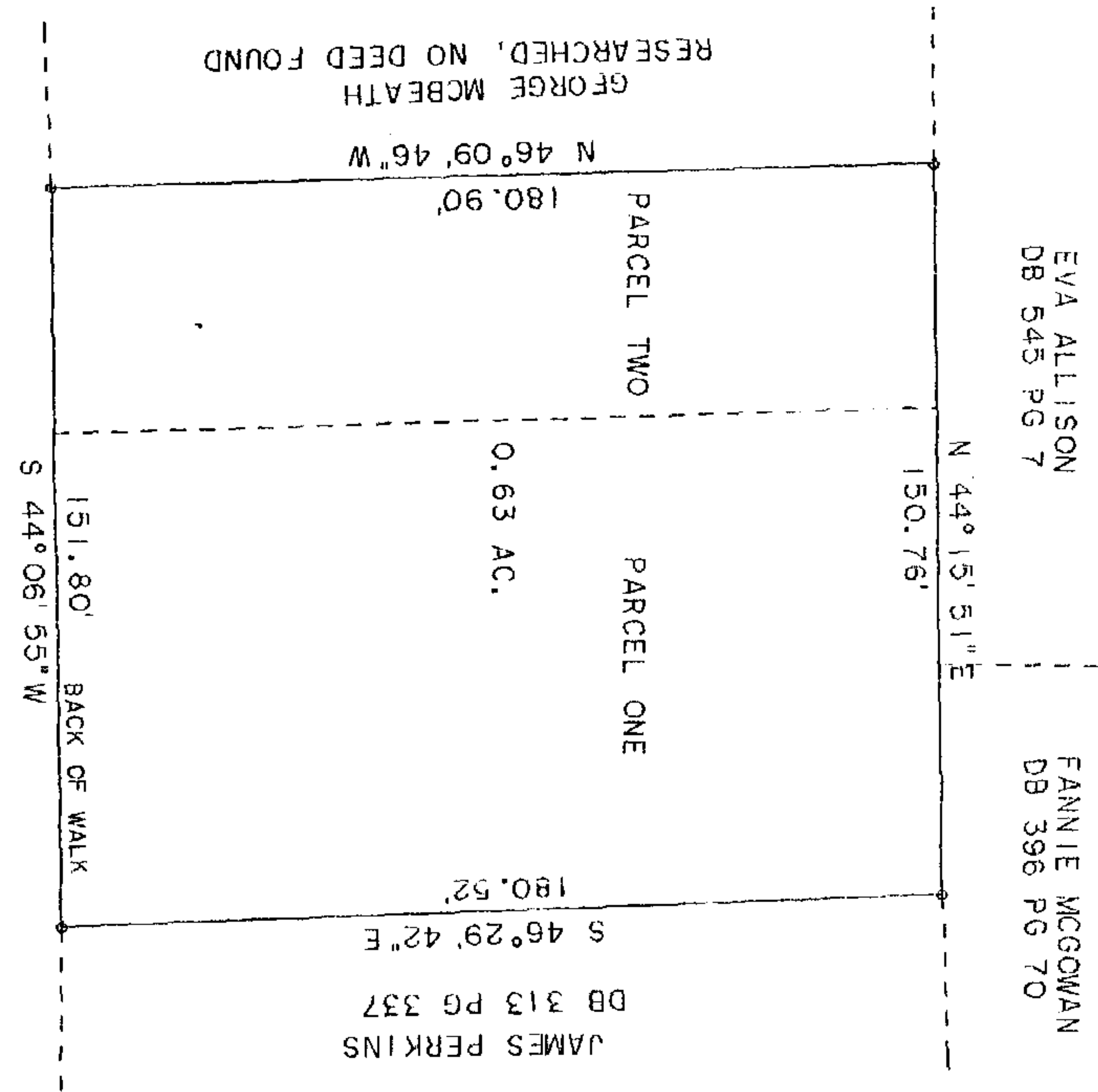
BEGINNING on a point 54 feet East of the S.W. corner of the lot conveyed to H. G. Litton by Robert Coffey and wife, Deed of which is recorded in Deed Book No. 40, Page 358, in Pulaski County Court Clerk's Office; thence running Northwardly 170 feet; thence Eastwardly 50 feet; thence running Southwardly 170 feet; thence Westwardly 50 feet to the beginning, reserving 20 feet on the front or South end for street purposes and that party of the second part shall have water privilege of the adjoining lot.

BEING the same property conveyed to **CUMBERLAND SECURITY BANK, INC.**, a Kentucky Banking Corporation, by Deed of Conveyance from **NORMA J. DURHAM**, a single person, by Deed dated the 30th day of June, 2000, and of record in Deed Book 658, Page 552, Pulaski County Court Clerk's Office, Somerset, Kentucky.

PROPERTY KNOWN AS 302 Bourne Ave

MAGNETIC NORTH
 BEARINGS TAKEN FROM
 PREVIOUS DESCRIPTION
 REFERRED TO IN DB 697
 PG 189 ON 04-03-03

NOTE: THE PROPERTY SHOWN HEREON BEING ALL OF THE SAME PROPERTY CONVEYED TO WILLIAM C. RUTHERFORD BY CUMBERLAND SECURITY BANK, INC. BY DEED DATED 6-6-02 WHICH IS OF RECORD IN DB 397 PG 189 IN THE PULASKI CO. CLERK'S OFFICE.

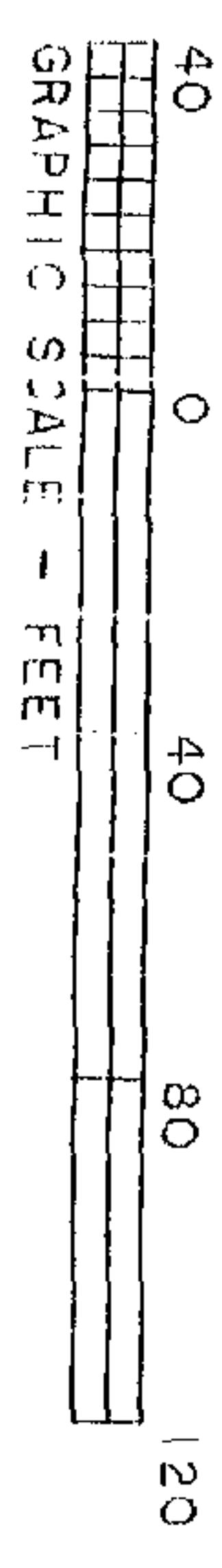


GEORGE MCBEATH
 RESEARCHED, NO DEED FOUND

EVA ALLISON
 DB 545 PG 7
 FANNIE MCGOWAN
 DB 396 PG 70

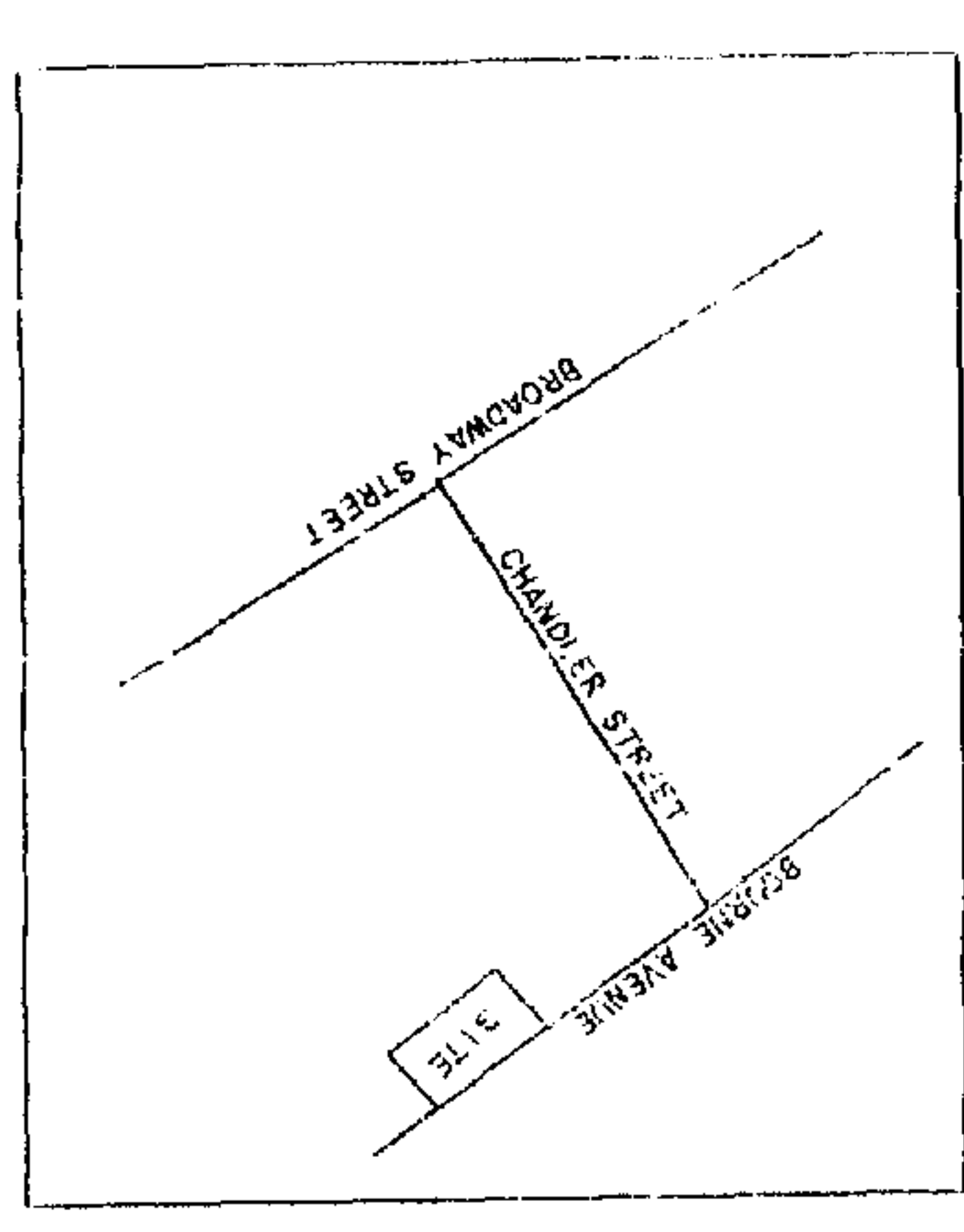
JAMES PERKINS
 DB 313 PG 337

40' R/W BOURNE AVENUE
 COMMONWEALTH OF KENTUCKY
 DB 591 PG 450



NOTE: \odot = 1/2" X 18" REBAR SET
 STAMPED W. DAULTON (RED) CAP H2463
 (IRON PIN SET)

VICINITY MAP



STATE OF KENTUCKY
 WYLAN G. DAULTON
 2463
 LICENSED PROFESSIONAL LAND SURVEYOR

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE SURVEY DEPICTED BY THIS PLAT WAS DONE BY PERSONS UNDER MY DIRECT SUPERVISION BY THE METHOD OF RANDOM TRAVERSE WITH SIDESHOTS, THE UNADJUSTED PRECISION RATION OF THE TRAVERSE WAS 1:128,378 AND WAS NOT ADJUSTED. THE SURVEY AS SHOWN HEREON IS A CLASS "A" SURVEY AND THE ACCURACY AND PRECISION OF SAID SURVEY MEETS ALL THE SPECIFICATIONS OF THIS CLASS.

W.G. Daulton 07-18-03
 DATE

PLAT OF SURVEY

FOR
 WILLIAM C. RUTHERFORD
 332 HIGH STREET
 SOMERSET, KENTUCKY 42501

PROPERTY
 WILLIAM C. RUTHERFORD
 BOURNE AVENUE
 SOMERSET, PULASKI CO., KY

WYLAN G. DAULTON
 SURVEYOR
 SOMERSET, KY 42503

| | | | | | | | | | |
|-------------------|---------|----------------------|--------------------|-------------|------|-------------|--------------|-------------|-------------------|
| DATE | 04-7-03 | SCALE | 1" = 40' | TOTAL ACRES | 0.53 | APPROVED BY | W.G. DAULTON | DRAWING NO. | D/C 302805 D14 |
| 585 R NGGOLD ROAD | | OFFICE (606)878-7190 | HOME (606)679-1075 | | | | | | |

**FINDINGS OF FACT AND RECOMMENDATION OF A
ZONE CHANGE FOR A PIECE OF PROPERTY LOCATED
AT 302 BOURNE AVENUE**

The applicant in this case, Cumberland Security Bank, has moved to rezone a piece of property located at 302 Bourne Avenue from I-1 to R-2. The proposed zoning change is in conformity with the latest Comprehensive Plan.

WHEREFORE, the Planning Commission recommends a zone change to R-2 to allow this property to be in conformity with the Comprehensive Plan.

Robert Newby, Chairperson

Vicky Davidson

James Buchanan

Jim Dorsey

Mary Stringer

Earl Duff

Mark Vaught

C:/mydocu/city/cumb.sec.bank/findingsoffact