

ORDINANCE NO. 16-11

AN ORDINANCE AMENDING ORDINANCE NO. 00-18, KNOWN AS THE CITY'S ZONING ORDINANCE, AND ALTERING THE ZONING MAP TO REFLECT SAID AMENDMENT, BASED ON THE FINDINGS OF FACT MADE BY THE PLANNING AND ZONING BOARD, AND BASED ON SAID BOARD'S RECOMMENDATION OF A ZONE CHANGE;

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 a boundary of land presently zoned R2 to R3, said property being more particularly described in items attached as Exhibit "A", which are incorporated herein in full by reference, said parcels being located at the intersection of Clifty Road and South Hwy 27, Somerset, KY.
- 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 and publication according to law.

FIRST READING SEPTEMBER 9th 2016


SECOND READING SEPTEMBER 26th 2016

Approved:



Mayor

ATTEST:



City Clerk

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

APPLICATION NO. 2016-03

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: O. Richard Vanhook
- MAILING ADDRESS: PO Box 3547, W. Somerset, Ky 42564
2. PHONE NUMBER (HOME): _____ (BUSINESS) 606-678-2737
- PROPERTY OWNER: Same
3. LOCATION DESCRIPTION: Intersection of Clifty Rd. & S. Hwy 27 (Adjacent to) Plots 3 & 4
4. EXISTING USE: Vacant
5. PROPOSED USE: 4Plex
6. PRESENT ZONING DISTRICT: R2
7. PROPOSED ZONING DISTRICT: R3

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 RE-ZONING.
- C. FEES AS REQUIRED
- D. LEGAL DESCRIPTION.

DATE: 8/8/2016 APPLICANT SIGNATURE: [Signature]

FOR OFFICIAL USE ONLY
PLANNING COMMISSION

DATE FILED 8/8/16 DATE OF NOTICE IN NEWSPAPER 8/23/2016 FEE PAID 8/10/2016
 DATE OF NOTICE TO PROPERTY OWNER 8/16/2016 DATE OF PUBLIC HEARING 8/30/2016
 RECOMMENDATION OF PLANNING COMMISSION: APPROVAL DENIAL _____
 REASON FOR RECOMMENDATION: The realignment of US Hwy 27 changed the physical and social nature of the property and renders the zone reclassification to R3 appropriate.
 DATE 8-30-16 PLANNING COMMISSION CHAIRMAN [Signature]

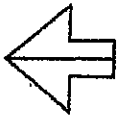
FOR OFFICIAL USE ONLY
(LEGISLATIVE AUTHORITY)

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

DATE _____ CLERK _____

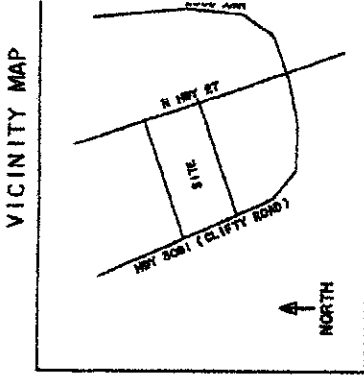
NOTE: THREE COPIES OF THIS FORM AND SUPPORTING INFORMATION MUST BE FILED WITH THE SOMERSET PLANNING COMMISSION. APPLICATION MUST BE RETURNED TO THE OFFICE OF CODE ENFORCEMENT 4 WEEKS PRIOR TO MEETING DATE.





MAGNETIC NORTH
 BEARINGS TAKEN FROM
 MAGNETIC NORTH OF
 PREVIOUS SURVEY
 DATED 02-19-2001.

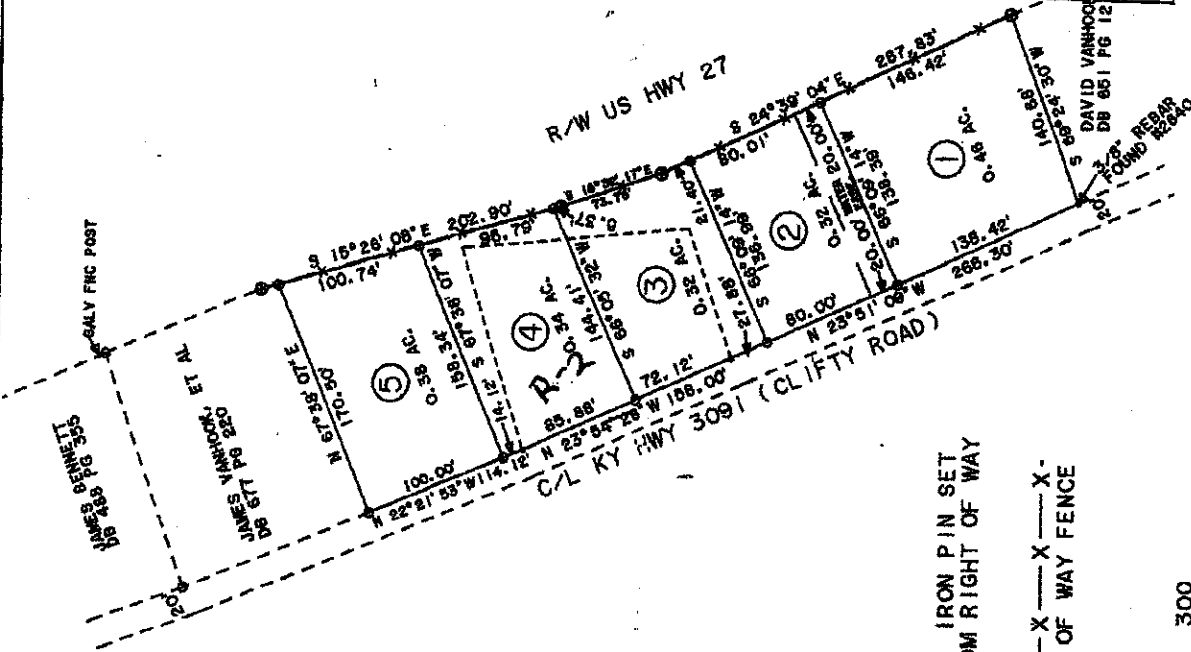
NOTE: THE PROPERTY SHOWN HEREON BEING
 PART OF THE SAME PROPERTY CONVERTED
 TO JAMES DAVID VANHOOK, ET AL, BY JERRY
 ELIZABETH SUE MCKINNEY BY DEED DATED
 9-24-2001, DB 677 PG 220; ALSO BEING
 PART OF THE SAME PROPERTY CONVERTED TO
 NORMAN C. MARCUM, ET AL, BY JAMES
 DAVID VANHOOK BY DEED DATED 10-30-2008, DB 846
 PG 408; ALL OF WHICH ARE RECORDED IN
 THE PULASKI COUNTY CLERK'S OFFICE.



SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE SURVEY RECORDED
 HEREON WAS MADE BY ME OR UNDER MY
 DIRECT SUPERVISION AND THAT THE METHOD OF
 MEASUREMENT WAS ACCURATE AND THAT THE
 CALCULATIONS AND THE LINES SHOWN ON THE
 PRECISION MAP OF THE TRAVELER ARE CORRECT
 AND WAS NOT ADJUSTED. THE SURVEY AS SHOWN
 ON THIS MAP IS THE RESULT OF MY OWN
 MEASUREMENTS AND CALCULATIONS AND I AM NOT
 RESPONSIBLE FOR THE ACCURACY OF THIS MAP.

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

[Handwritten Signature]



NOTE: ⊕ = IRON PIN SET
 0.5' FROM RIGHT OF WAY
 FENCE

NOTE: —X—X—X—X—X—
 = RIGHT OF WAY FENCE

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

PROPERTY OWNER SIGNATURE: _____
 NOTARY SIGNATURE: *Amy Decker*
 DATE: 7-26-14
 MY COMMISSION EXPIRES: 5-9-2016



PLAT OF SURVEY
 FOR
 NORMAN MARCUM, ET AL
 1191 PUMPHOUSE ROAD
 SOMERSET, KENTUCKY 425
 PROPERTY
 NORMAN MARCUM, ET AL
 CLIFTY ROAD/US HIGHWAY
 SOMERSET, PULASKI CO.,
 WEYLAN G. DAULTON
 SURVEYOR
 585 RINGGOLD ROAD SOMERSET,
 OFFICE (606)878-7190 HOME (606)878-10
 APPROVED &
 DATE 02-28-2012 TOTAL ACRES 1.62 W.G. DAULTON

FILED
 AUG 14 2012
 REC'D BY COUNTY CLERK

2497

FINDINGS OF FACT AND RECOMMENDATIONS OF
THE CITY OF SOMERSET
PLANNING & ZONING COMMISSION

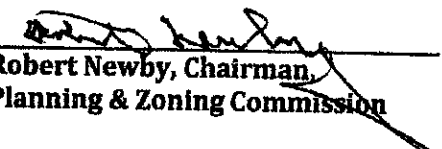
On August 30, 2016, the Planning and Zoning Commission of the City of Somerset convened for a properly scheduled meeting and noticed hearing and at such meeting made findings of fact as to the property described in the plat and zoning application attached hereto and incorporated herein in full by reference.

The Planning and Zoning Commission believes that the recommended zone change as set forth below IS IS NOT proper according to law and MEETS DOES NOT MEET the requirements for a zone change due to the following findings of fact:

With the realignment of US 27, physical & social nature of the area has changed & the proposed zoning classification is appropriate.

WHEREFORE, the Planning and Zoning Commission via a majority vote agrees to RECOMMEND / NOT RECOMMEND to the Common Council of the City of Somerset that the subject property be re-zoned from R-2 to R3 based on the above findings of fact(s).


Dennis Crist
Code Enforcement Officer,


Robert Newby, Chairman,
Planning & Zoning Commission

Counsel for Planning & Zoning Commission
(Sign only if legal assistance was sought by
the Commission)

DISCLAIMER:

This form was prepared by the City Attorney for administrative purposes only. All findings and/or recommendations stated on this form shall be written in the space provided by the Chairman of the Commission, or other authorized Person(s), and are strictly the decision of the Planning and Zoning Commission as permitted under the authority of all applicable law


Carrie D. Wiese, City Attorney

(Form revised 11-9-09- CDW)

