

**ORDINANCE NO. 24-09**

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;

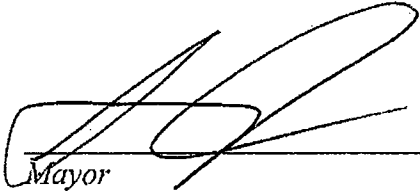
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:


That Ordinance No. 00-18, known as the Zoning Ordinance, Somerset, Kentucky, is hereby amended by altering the Zoning Map in the following manner:

- I. By changing a boundary of land presently zoned **B-2** to **R-1** and **R-1** to **R-1A** said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at **75 Bluegrass Dr**, Somerset, Kentucky, and having PVA Parcel # **049-7-2-67.1 & 049-7-2-64.1**.
  
- II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said changes.
  
- III. This Ordinance shall be in full force and effect from and after adoption and publication according to law.

FIRST READING    April 8, 2024

SECOND READING April 22, 2024

Approved:   
Mayor

Attest:   
City Clerk

CITY OF SOMERSET, KENTUCKY  
PLANNING AND ZONING COMMISSION

FINDINGS OF FACT,  
CONCLUSIONS AND RECOMMENDED MAP AMENDMENT

CASE NO: \_\_\_\_\_

RE: Zone Change: Jerry Hall

For Recording purposes,  
Listed below are the parties involved in the Zone Change for  
Lots on Bluegrass Drive Somerset, Kentucky  
PVA Parcels 049-7-2-67.1 and a 0.42-acre portion of 049-7-2-64.1

Party One	Party Two
City of Somerset, Planning & Zoning Commission PO Box 989 Somerset, Kentucky, 42502	Jerry Hall  1007 Hunters Run Somerset, Kentucky, 42503

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 2<sup>nd</sup> day of April 2024 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND MAP AMENDMENT.

FINDINGS OF FACT

Jerry Hall is the owner of record of three lots on Bluegrass Drive.

Lots 4 and 5 of Subdivision titled Marsha Jane Ison et, al recorded in Plat Cabinet G 22A were conveyed to Jerry H. Hall by Deed of Conveyance dated the 26<sup>th</sup> of August 2022 by Gary Harness and Regina Harness, husband and wife, and of record in Deed Book 1061 Page 245.

The tract is parcel 049-7-2-64.1 and is Zoned R-1

Lots 6 of Subdivision titled Marsha Jane Ison et, al recorded in Plat Cabinet G 22A was conveyed to Jerry H. Hall by Deed of Conveyance dated the 26<sup>th</sup> of August 2022 by Ronnie Hall and Jackie Hall, husband and wife, and of record in Deed Book 1023 Page 707.

The tract is parcel 049-7-2-67.1 and is Zoned B-2

To the south are two parcels;

876 W Hwy 80, Parcel 049-7-2-66 (J McDonald), Zone B-2,

898 W Hwy 80, Parcel 049-7-2-67 (D Scott), Zone B-2.

To the west are two parcels:

916 W Hwy 80, Parcel 049-7-2-68 (G Conklin), Zone B-2,

Sage Drive, Parcel 049-7-2-65 (2017 Compton Family Trust) Zoned R-1

There is one parcel to the north;

58 Sage Drive, Parcel 049-7-2-64 (Gerald Bradley). Zone R-1,

To the east across Bluegrass Drive are two parcels;

Ringgold Rd, Parcel 061-1-2-47 (Sunset Drive MHP, LLC) Zone R-1.

852 W Hwy 80, Parcel 061-1-2-57 (Somerset Development, LLC) Zone B-2.

The future use of the tract is residential.

As stated earlier, Lots 4 & 5 are zoned R-1. and Lot 3 is zoned B-2.

The applicant wishes to have all of Lot 3 rezoned to R-1.

The applicant wishes to have 0.42-acres of Lots 4 & 5 (0.52-acre total) to be rezoned R-1A. A small portion of Lot 4 abutting Lot 3, 0.10-acre, will remain R-1.

The trend of late in Somerset is for builders to construct smaller starter homes on similar sized lots within the City. The owner will get three R-1A lots if it is rezoned. His original intent was to get six R-1A lots, but two of these were bigger than that allowed in the Article. The builders seeking the rezones to R-1A are getting the most economic benefit from the land, and this is another example of the trend. This is the second R-1A rezone since March 26, and there is another one in the discussion stage at this point.

Mr. Hall was informed that the proposed zone change conforms with the Planned Use Map, which meets the requirements of KRS 100.213 (1).

*KRS 100.213 Findings necessary for proposed map amendment -- Reconsideration. (1) Before any map amendment is granted, the planning commission or the legislative body or fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan.*

He had nothing further to add.

CONCLUSIONS

There were no citizens at the public hearing and the board had no questions for the applicant. The board felt that the proposed uses are similar to the other properties in the City of Somerset. The board felt there were sufficient grounds to grant a zone change, voting 5-0 in favor of said change with Burgin, Floyd, Holland, Lynch, and Vaught voting in favor of the rezoning Parcel 049-7-2-67.1 from B-2 to R-1 as well as voting 5-0 in favor of rezoning the 0.42-acre portion of Parcel 049-7-2-64.1 from R-1 to R-1A, Burgin, Floyd, Holland, Lynch, and Vaught voting in favor with Stringer absent in both cases.

RECOMMENDED MAP AMENDMENT

It is hereby recommended by this Commission that the map amendment be granted, as the present zoning is in compliance with the Comprehensive Plan, having met the requirements of KRS 100.231 (1).

A true and correct copy of this Findings of Fact, Conclusions and Recommended Map Amendment shall be sent to the City of Somerset City Council for adoption.

DONE AND ORDERED this 2<sup>nd</sup> of April 2024.

*Mark A. Vaught*

Chairman, Planning and Zoning Commission  
City of Somerset

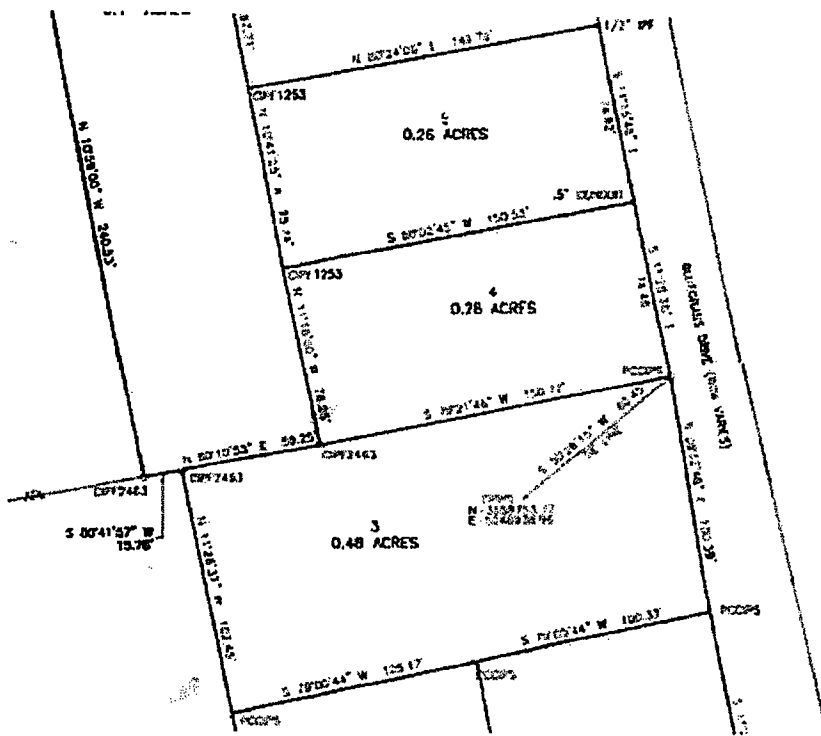
ATTEST:

*Karen Vaught*

Planning & Zoning Commission Clerk

This document was prepared by the staff of the Planning and Zoning Department under the supervision of John Adams, City Attorney

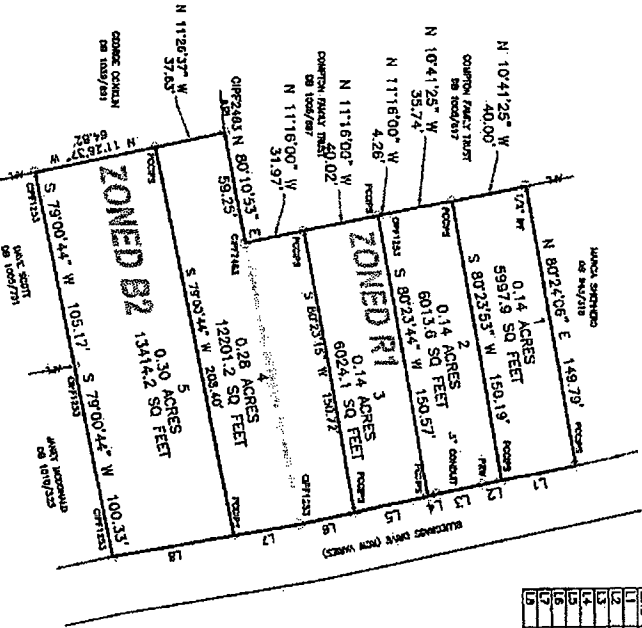
\_\_\_\_\_  
City Attorney



JAMES M. RATH  
 COUNTY CLERK  
 COUNTY OF  
 MISSOURI  
 LAND SURVEY

# PRELIMINARY LAND TRANSFER

NOTE: PROPERTY IS ZONED (R1 AND B2)



LINE	BEARING	DISTANCE
1	S 113° 46' E	40.00'
2	S 113° 46' E	6.75'
3	S 113° 46' E	2.18'
4	S 113° 46' E	43.00'
5	S 113° 46' E	28.28'
6	S 113° 46' E	35.52'
7	S 08° 57' 40" E	64.83'

PLANNING COMMISSION CERTIFICATE  
FOR REZONING CENTER THAT THIS RECORD PLAT HAS MET THE  
REQUIREMENTS OF THE SUBSIDIARY PLANNING COMMISSION AND IS NOW  
ELIGIBLE FOR RECORDATION

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DATE

GRID NORTH  
KENTUCKY STATE PLANE  
1983 KY T ZONE COORDINATES



THE PURPOSE OF THIS PLAT IS TO CORRECT THE BOUNDARY  
SURVEY ALREADY ON FILE AS PLAT NO. 150-18-201-1-117-1-1  
THE PLAT WAS FOUND TO BE INCORRECT AS THE PROPERTY IS  
RECORDED WITH A PLASTIC CAP RECORD NUMBER 150-18-201-1-117-1-1  
THIS SURVEY WAS CONDUCTED USING THE RECOMMENDED SURVEYING  
METHODS AND IS ACCURATE AND SHOULD BE RECORDED FOR THE  
PURPOSES OF THE PLAT.

PROPERTY ACRES: 0.30  
PROPERTY ACRES: 0.14

CONTROL POINT FROM PLAT FOUND - CORRECT  
UTILITY POLE 10'  
ELECTRIC LINE

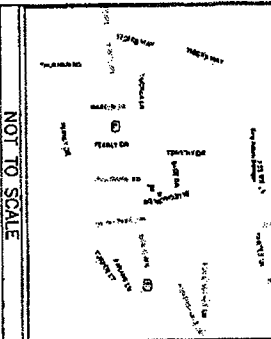
THE SURVEY WAS CONDUCTED BY JERRY H. HALL, SURVEYOR, AND  
WAS FOUND TO BE ACCURATE AND SHOULD BE RECORDED FOR THE  
PURPOSES OF THE PLAT.

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VICINITY MAP

NOT TO SCALE



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# PRELIMINARY LAND TRANSFER

DO NOT FILE OR USE FOR