

ORDINANCE NO. 25-06

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:

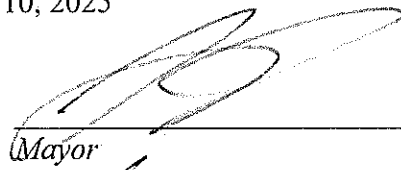
That Ordinance No. 00-18, known as the Zoning Ordinance, Somerset, Kentucky, is hereby amended by altering the Zoning Map in the following manner:

- I. By changing a boundary of land presently zoned **R-2** to **R-1A**, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at **Undeveloped Property on Haley St** Somerset, Kentucky, and having PVA Parcel # **061-7-7-64.1**.
- 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 JANUARY 27, 2025


SECOND READING FEBRUARY 10, 2025

Approved:



Mayor

Attest:



City Clerk



APPLICATION FOR ZONING AMENDMENT/DEVELOPMENT PLAN APPROVAL
to the
CITY OF SOMERSET PLANNING & ZONING COMMISSION

APPLICATION NUMBER: ZC 2022-07

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

- 1. NAME OF OWNER (APPLICANT): Habitat for Humanity Pulaski County KY
2. MAILING ADDRESS: PO Box 1685 Somerset KY 42502
3. PHONE NUMBERS: HOME: BUSINESS: 606-271-2288
4. LOCATION DESCRIPTION: Currently vacant land Halcy St #061-7-7-lot.1
5. EXISTING USE: CURRENT ZONE CLASSIFICATION: R2
6. PROPOSED USE: Residential PROPOSED ZONE CLASSIFICATION: R1A

SUPPORT INFORMATION: ATTACH THE FOLLOWING ITEMS TO THE APPLICATION

- A. A VICINITY MAP SHOWING PROPERTY LINES, STREETS AND EXISTING ZONING. MARK THE PROPERTY YOU WISH TO HAVE REZONED WITH THE PROPOSED ZONE CLASSIFICATION
B. COPY OF THE DEED TO THE PARCEL THAT IS REQUESTING TO BE RE-ZONED.
C. COPY OF THE PLAT TO THE PARCEL THAT IS REQUESTING TO BE RE-ZONED.
D. CHECK IN THE AMOUNT OF \$402 MADE PAYABLE TO THE CITY OF SOMERSET

DATE: 11/21/24 APPLICANT/OWNER SIGNATURE: Kheati Phillips

FOR OFFICIAL USE ONLY - DO NOT WRITE BELOW THIS LINE

DATE FILED: 11-21-24 DATE OF NOTICE TO ADJACENT PROPERTY OWNERS: 11-26-24
DATE OF NOTICE TO NEWSPAPER: 12-5-24 DATE OF PUBLIC HEARING: 12-10-24
FEE PAID: \$402 DECISION OF ZONING COMMISSION: APPROVED DISAPPROVED
IF DENIED, REASON FOR DENIAL:

DATE CITY OF SOMERSET PLANNING & ZONING COMMISSION CHAIRMAN

FOR OFFICIAL USE ONLY - LEGISLATIVE AUTHORITY

DATE OF RECOMMENDATION RECEIVED:
ACTION BY LEGISLATIVE AUTHORITY: APPROVED: DENIED:
DATE OF 1ST READING: DATE OF 2ND READING:

DATE SIGNED CLERK SIGNATURE MAYOR SIGNATURE

NOTE: THIS FORM AND THE SUPPORTING INFORMATION MUST BE FILED WITH THE SOMERSET PLANNING COMMISSION. THE APPLICATION MUST BE RETURNED TO THE OFFICE OF P & Z (LOCATED ON 2ND FLOOR OF THE SOMERSET ENERGY CENTER) FOUR (4) WEEKS PRIOR TO THE MEETING DATE.

CITY OF SOMERSET, KENTUCKY
PLANNING AND ZONING COMMISSION

FINDINGS OF FACT,
CONCLUSIONS AND RECOMMENDED MAP AMENDMENT

CASE NO: _____

RE: Zone Change: Habitat for Humanity

For Recording purposes,
Listed below are the parties involved in the Zone Change for
Lots on Haley Street
Somerset, Kentucky
061-7-7-64.1

Party One
City of Somerset,
Planning & Zoning Commission
PO Box 989
Somerset, Kentucky, 42502

Party Two
Habitat for Humanity
PO Box 1690
Somerset, Kentucky, 42502

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 10th day of December 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

Habitat for Humanity are the owners of record of a tract of land on Haley Street between its intersections with Cotter Avenue and Marydale Avenue/Broadway Street. The tract being composed of Lots 7, 8, 9, 10, 11, & 12 in Block C of the Select Realty Company Subdivision as recorded in Plat Cabinet A Slide 25-Side 2 and being designated as Parcel 061-7-7-64.1 by the Pulaski County PVA.

The tracts were conveyed to Habitat for Humanity by deed dated the 8th of November 2018 by Larry Johnson and Leslie Johnson, husband and wife, and of record in Deed Book 987 Page 436.

The tract contains 0.67-acre and has 130 feet of road frontage along Haley Street and 216.97 feet of road frontage along a undeveloped 15' alley abutting the north property line and 171.48 feet of road frontage along an undeveloped alley abutting the east property line.

The tract follows the road grade of Haley Street (falls from the north to the south) and Bourne Avenue and rises to the north and west.

The parcel is zoned R-2.

All adjoining tracts are zoned R-2.

The adjoining tracts are:

North

201 Cotter Avenue-City of Somerset-Parcel 061-7-7-69

203 Cotter Avenue-MSI Investments, LLC-Parcel 061-7-7-70

205 Cotter Avenue-Nancy Belcher-Parcel 061-7-7-71

207 Cotter Avenue-Ralph Thomas & Tamara Eastham-Parcel 061-7-7-72

209 Cotter Avenue-Robert & Tracy Bowling-Parcel 061-7-7-73

East

213 Wahle Street-James Craig Baugh, Jr.-061-7-7-62

215 Wahle Street-Morris & Bernetta Walker-061-7-7-63

217 Wahle Street-Lazaro Josue Chay Yac-061-7-7-64

South

112 Marydale Avenue-James B Gibson-061-7-7-67

114 Marydale Avenue-Deana Hampton-061-7-7-68

West

163 Cotter Avenue-Outreach for Jesus, Inc.-061-7-8-67

The current zone is Low-Moderate Density Residential and the requested zone change is to Single Family Residential R-1A-Small Lot.

The planned future use of the tract is Residential.

The trend of late in Somerset is for builders to construct smaller starter homes on R-1A sized lots within the City. They can buy a tract or series of tracts, either improved or unimproved, and make more lots so they can spread the costs of the lots across as many projects as possible.

The applicant is a non-profit, and cost is not a factor in the request. To ability to build as many homes as possible for potential clients is their desire, and by going with R-1A tracts they would be able to build two more homes on this tract, as R-1 would only allow two sites (60' frontage minimum).

Representatives from Habitat for Humanity and spoke during the public hearing regarding the use of the property if rezoned and presented a preliminary conception of the layout of the development.

Vaught, chair of the Commission, stated that the proposed zone does meet 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.

Chairman Vaught asked the applicants to comply with *KRS 100.213 (1) (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate.*

They stated that with the increased costs within the housing market due to the pandemic and natural catastrophes, that potential housing contractors wish to get the maximum benefit from land purchases and have been rezoning lots to the R-1A zone so as to get more units per acre. As such, it is felt that the present zoning classification was not appropriate, and the proposed zone is more appropriate.

No other person made statements, comments, or asked questions during the public hearing.

The owner presented a well-developed plan, and the density is similar to several stretches along Cotter Avenue to the north and west.

CONCLUSIONS

As stated above, there were several citizens at the public hearing, but no one came forward during the comments session of the public hearing concerning this property.

The board felt that the proposed zone dovetails with uses on adjoining properties.

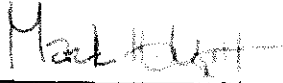
The board felt there were sufficient grounds to grant a zone change, voting 6-0 in favor of said change with Burgin, Floyd, Holland, Lynch, Stringer and Vaught voting in favor of the rezoning from R-2 to R-1A.

RECOMMENDED MAP AMENDMENT

It is hereby recommended by this Commission that the map amendment be granted, as the present zoning (R-2) is not appropriate and the requested zoning (R-1) is more appropriate (due to economic changes), thus meeting the requirements of KRS 100.231 (1) (a).

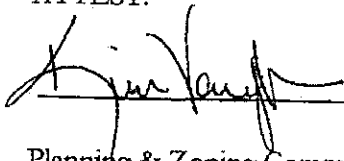
A true and correct copy of this Findings of Fact, Conclusions and Recommended Map Amendment shall be sent to the City of Somerset City Council for adoption.

DONE AND ORDERED this 11th of December 2024.



Chairman, Planning and Zoning Commission
City of Somerset

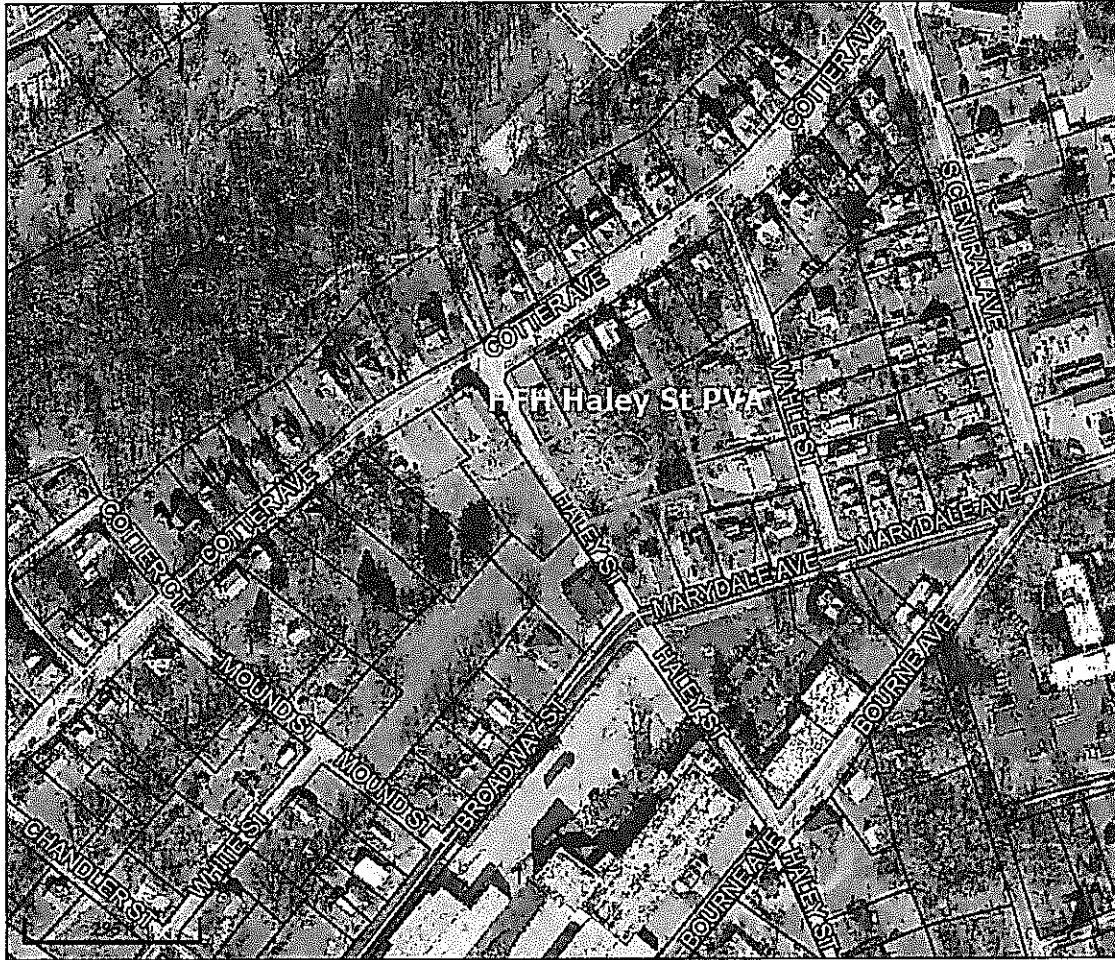
ATTEST:



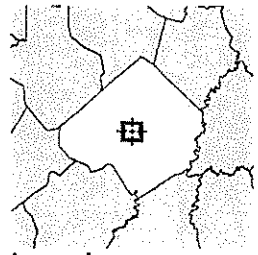
Planning & Zoning Commission Clerk

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

City Attorney



Overview



Legend

- Parcels
- Roads
- Land hook

Parcel ID	061-7-7-64.1	Mailing Address	HABITAT FOR HUMANITY PO BOX 1690 SOMERSET, KY 42502	Total Value	\$18,000	Last 2 Sales			
Class	CITY EXEMPT PROPERTY	Physical Address	HALEY ST Somerset City			Date	Price	Reason	Qual
Taxing District	22					11/8/2018	\$18000	A	U
Acres/Lot Brief	5.0								
Tax Description	LT 7-12 BL C SELECT REALTY CO SUB								
	(Note: Not to be used on legal documents)								

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