

**ORDINANCE NO. 05- 15**

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 R-1 TO B-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 R-1 to B-2.

A certain lot or parcel of ground located, lying and being in Pulaski County, Kentucky, and being more particularly bounded and described as follows, to-wit:

Located in West Somerset, Kentucky, and being all of Block "F" of the Graham Sub-division as shown by plat of same, which said plat is recorded in Plat Book I, at page 60 (Now Plat Cabinet A, Slide 29-1), Pulaski County Clerk's Office, Kentucky, to which reference is hereby made.

This property is SUBJECT to a Gas Line Easement of record in Deed Book 484, page 627, Pulaski County Court Clerk's Office, Kentucky.

This property is SUBJECT to a Sewer Line easement to The City of Somerset, Kentucky, dated September 28, 2001, of record in Deed Book 684, Page 042, Pulaski County Court clerk's Office, Kentucky.

Being Track # 27 of the same property conveyed to the W. D. Gover Co., LLC, a limited liability company, by Deed of Conveyance from Jolly Gover Hardin Hill, Executrix of the Last Will and Testament of W. Miles Hardin, deceased, dated October 2, 1997, of record in Deed Book 606, Page 425, Pulaski County Court Clerk's Office, Kentucky.

ALSO

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

All of that certain 15 foot strip of land designated as McKinney Drive that abuts Lots 1 and 3 of Block F in the Graham Subdivision to the City of Somerset, Kentucky, as shown on a Plat of the said subdivision of record in Plat Cabinet A, Slide 29-1, Pulaski County Court Clerk's Office, Kentucky.

Being a part of the same property conveyed to Mila Lancaster Hardin Dye Garner and Jolly Gover Hardin Hill by Deed of Conveyance from the City of Somerset, Kentucky, a municipal corporation, dated March 10, 1997, of record in Deed Book 597, Page 298, Pulaski County Court Clerk's Office, 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: October 24, 2005

SECOND READING: November 14, 2005

APPROVED:

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY CLERK

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

APPLICATION NO. 05-06

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: Eagle Creek Properties
- MAILING ADDRESS: 1257 S Hwy 27 Somerset, Ky 42501
2. PHONE NUMBER (HOME): \_\_\_\_\_ (BUSINESS) \_\_\_\_\_
3. PROPERTY OWNER: Same as above
4. LOCATION DESCRIPTION: Thurman Rd
5. EXISTING USE: Vacant Field
6. PROPOSED USE: Office Building
4. PRESENT ZONING DISTRICT: R-1
- 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 RE-ZONING.
- C. FEES AS REQUIRED
- D. LEGAL DESCRIPTION.

DATE: 8-25-05

APPLICANT SIGNATURE: \_\_\_\_\_

FOR OFFICIAL USE ONLY  
PLANNING COMMISSION

DATE FILED 8-25-05 DATE OF NOTICE IN NEWSPAPER 9-13-05 FEE PAID \$402.00  
DATE OF NOTICE TO PROPERTY OWNER 9-13-05 DATE OF PUBLIC HEARING 9-27-05  
RECOMMENDATION OF PLANNING COMMISSION: APPROVAL ☒ DENIAL ☐  
REASON FOR RECOMMENDATION: \_\_\_\_\_

DATE 9-27-05 PLANNING COMMISSION CHAIRMAN \_\_\_\_\_

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 EAGLE CREEK PROPERTIES, A PUBLIC HEARING WILL BE  
HELD AT THE SOMERSET CITY HALL, 400 EAST MT VERNON STREET, SOMERSET, KENTUCKY  
(COUNCIL CHAMBERS) ON SEPTEMBER 27, 2005 AT 6:30 P.M. FOR THE  
PURPOSE OF RE-ZONING VACANT LAND ON THURMAN RD  
FROM THE PRESENT R-1 TO B-2

A LEGAL DESCRIPTION IS AS FOLLOWS:

A certain lot or parcel of ground located, lying and being in Pulaski County, Kentucky, and being more particularly bounded and described as follows, to-wit:

Located in West Somerset, Kentucky, and being all of Block "F" of the Graham Sub-division as shown by plat of same, which said plat is recorded in Plat Book I, at page 60, (Now Plat Cabinet A, Slide 29-1), Pulaski County Court Clerk's Office, Kentucky, to which reference is hereby made.

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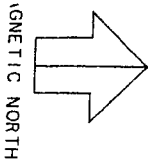
Being Tract #27 of the same property conveyed to The W. D. Gover Co., LLC, a limited liability company, by Deed of Conveyance from Jolly Gover Hardin Hill, Executrix of the Last Will and Testament of W. Miles Hardin, deceased, dated October 2, 1997, of record in Deed Book 606, Page 425, Pulaski County Court Clerk's Office, Kentucky.

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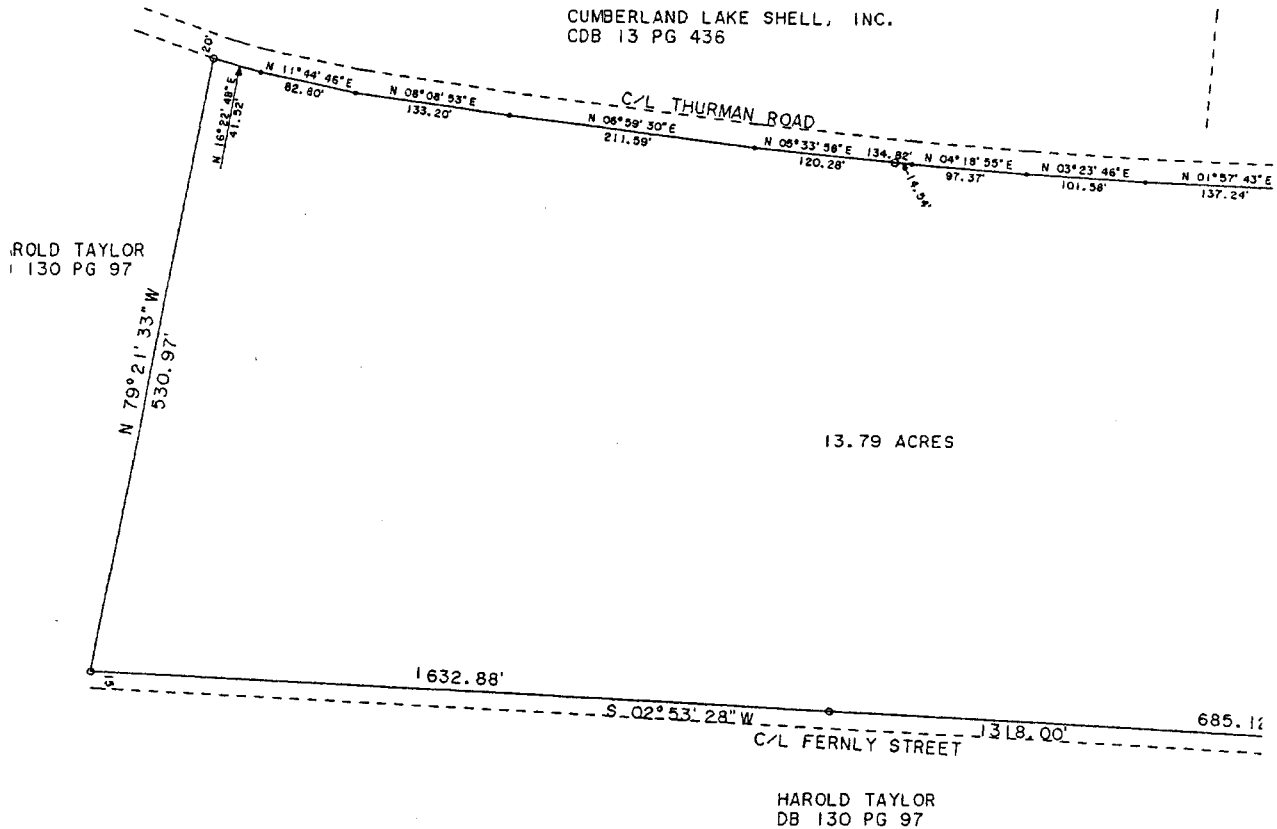
Being a part of the same property conveyed to Mila Lancaster Hardin Dye Garner and Jolly Gover Hardin Hill by Deed of Conveyance from The City of Somerset, Kentucky, a municipal corporation, dated March 10, 1997, of record in Deed Book 597, Page 298, Pulaski County Court Clerk's Office, Kentucky.



ARINGS TAKEN FROM  
MAGNETIC NORTH 07-28-2005

NOTE: ○ = 1/2" X 18" REBAR SET  
STAMPED W. DAULTON (RED) CAP #2463  
(IRON PIN SET)

NOTE: △ =



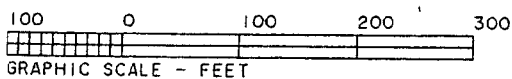
#### SURVEYOR'S CERTIFICATE

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 1:17,360  
AND WAS NOT ADJUSTED. THE SURVEY AS SHOWN  
HEREON IS A CLASS "A" SURVEY AND THE ACCU-  
RACY AND PRECISION OF SAID SURVEY MEETS  
ALL THE SPECIFICATIONS OF THIS CLASS.

NAME

DATE

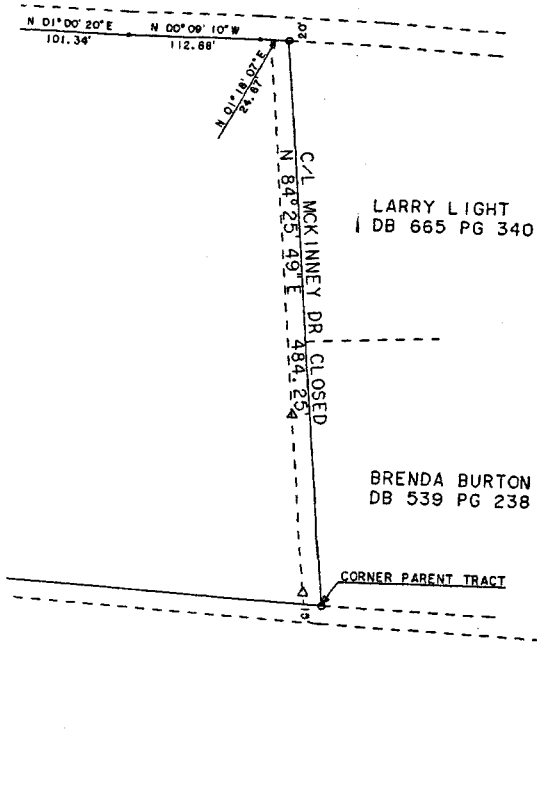
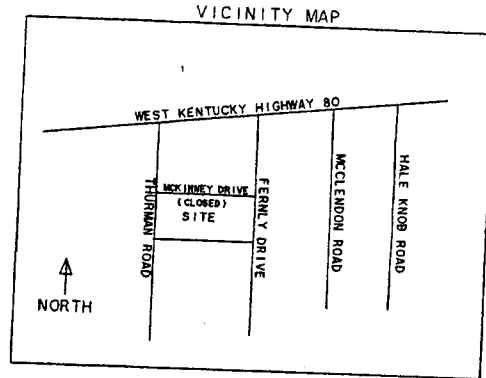
NOTE: THE PROPERTY SHOWN HEREON (ALL OF TRACT  
PROPERTY CONVEYED TO EAGLE CREEK PROPERTIES,  
ET AL, BY DEED DATED 03-07-2005, DB 757 PG 16  
LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 1  
LOTS 22, 25, 27, 28 & THE SOUTHERN 15' OF MCKINN  
B) BEING ALL OF LOTS 26, 29, 30, 31, 32, 33, 34, 35,  
46, 47, 48, 49 & A PART OF LOTS 22, 25, 27 & 28, G  
SLIDE 29-1, ALL OF WHICH ARE RECORDED IN THE



*Provisionally signed & etc.*

POST (ONLINE)

MALCOME PAUL COOMER  
DB 646 PG 27



(B) BEING ALL OF THE SAME  
BY THE W.D. GOVER CO., LLC,  
SO (TRACT A) BEING ALL OF  
19, 20, 21, 23, 24, A PART OF  
IVE (CLOSED), ALSO (TRACT  
38, 39, 40, 41, 42, 43, 44, 45,  
SUBDIVISION, PLAT CAB. A,  
CO. CLERK'S OFFICE.

PLAT OF SURVEY	
FOR EAGLE CREEK PROPERTIES, LLC 1257 SOUTH US HIGHWAY 27 SOMERSET, KENTUCKY 42503	
PROPERTY EAGLE CREEK PROPERTIES, LLC THURMAN ROAD SOMERSET, PULASKI CO., KY	
WEYLAN G. DAULTON SURVEYOR 585 RINGGOLD ROAD SOMERSET, KY 42503	
DATE	SCALE
TOTAL ACRES	APPROVED BY