

ORDINANCE NO. 03- 09

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-2 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-2 to B-2.

A certain tract of land lying and being in Pulaski County, Kentucky, and being more particularly bounded and described as follows, to-wit:

BEGINNING at an iron pin which said iron pin being located on the east side of Hail Knob Road road right-of-way and said iron pin being a common corner of Western Hills; thence leaving said road right-of-way and with the line of Western Hills, N 77 deg. 26' 05" E 613.90 feet to an iron pin, corner of Western Hills, and said iron pin being located in the line of Tommy Todd; thence leaving the line of Western Hills and running with the line of Todd S 05 deg. 44' 44" E 74.95 feet to a twin cedar; thence S 15 deg. 55' 56" E 275.29 feet to an iron pin, corner of Ham, and said iron pin being the northeast corner of Lot #9 of Phase #1 of Pine Hills Subdivision; thence leaving the line of Ham and running with the north line of Lots #9-15 of Phase I of Pine Hills Subdivision S 76 deg. 49' 46" W 733.05 feet to an iron pin and said iron pin being the northwest corner of Lot #15 of Phase I of Pine Hills Subdivision and said iron pin being located on the east side of said road right-of-way; thence with said road right-of-way N 04 deg. 49' 51" E 374.07 feet to the point of beginning. Containing 5.4126 acres more or less as surveyed by Bobby Hudson, RLS #1253 on 9-29-93.

Being the same property conveyed to Marshall Todd and Sheila Todd, husband and wife, by deed of Conveyance from Dinah Young, a single woman, dated the 14th day of May 1993 and of record in Deed Book 533, Page 458, 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: May 12, 2003

SECOND READING: May 15, 2003

APPROVED:

J. Wiles
MAYOR

ATTEST:

Diana Hoobey
CITY CLERK

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

APPLICATION NO. 03-01

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 Marshall Todd
MAILING ADDRESS 66 Todd Farm Rd
PHONE NUMBER (HOME) 606-636-6539 (BUSINESS) 606-875-5327
PROPERTY OWNER Marshall Todd
2. LOCATION DESCRIPTION Hail Knob Rd
3. EXISTING USE Undeveloped Land
PROPOSED USE Develop Land into Office Property
4. PRESENT ZONING DISTRICT R-2
5. 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 REZONING.
- C. FEES AS REQUIRED
- D. LEGAL DESCRIPTION

DATE 2-25-03 APPLICANT SIGNATURE Marshall Todd

FOR OFFICIAL USE ONLY
PLANNING COMMISSION

DATE FILED 2-25-03 DATE OF NOTICE IN NEWSPAPER _____
DATE OF NOTICE TO PROPERTY OWNER 3-11-03 4-8-03
DATE OF PUBLIC HEARING 3-25-03 4-22-03 FEES PAID 402.00
RECOMMENDATION OF PLANNING COMMISSION: APPROVAL DENIAL _____
REASON FOR RECOMMENDATION _____
postponed until 4-22-03 passed on 4-22-03

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 MARSHALL TODD, 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 6:30P.M. FOR THE PURPOSE OF
REZONING PROPERTY ON HAIL KNOB RD FROM THE PRESENT
R-2 TO B-2.

A LEGAL DESCRIPTION IS AS FOLLOWS:

A certain tract of land lying and being in Pulaski County, Kentucky, and being more particularly bounded and described as follows, to-wit:

Beginning at an iron pin which said iron pin being located on the east side of Hail Knob Road road right-of-way and said iron pin being a common corner of Western Hills; thence leaving said road right-of-way and with the line of Western Hills, N 77 deg. 26' 05" E 613.90 feet to an iron pin, corner of Western Hills, and said iron pin being located in the line of Tommy Todd; thence leaving the line of Western Hills and running with the line of Todd S 05 deg. 44' 44" E 74.95 feet to a twin cedar; thence S 15 deg. 55' 56" E 275.29 feet to an iron pin, corner of Ham, and said iron pin being the northeast corner of Lot #9 of Phase #1 of Pine Hills Subdivision; thence leaving the line of Ham and running with the north line of Lots #9-15 of Phase I of Pine Hills Subdivision S 76 deg. 49' 46" W 733.05 feet to an iron pin and said iron pin being the northwest corner of Lot #15 of Phase I of Pine Hills Subdivision and said iron pin being located on the east side of said road right-of-way; thence with said road right-of-way N 04 deg. 49' 51" E 374.07 feet to the point of beginning.. Containing 5.4126 acres more or less as surveyed by Bobby Hudson, RLS #1253 on 9-29-93.

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PROPERTY KNOWN AS Property on Hail Knob Rd

Marshall Todd
Re-zone

RAY HAM

0.75 107 1085
1080

UTILITY EASEMENT

SAND

WATER
LINE
TO THE
HILLS

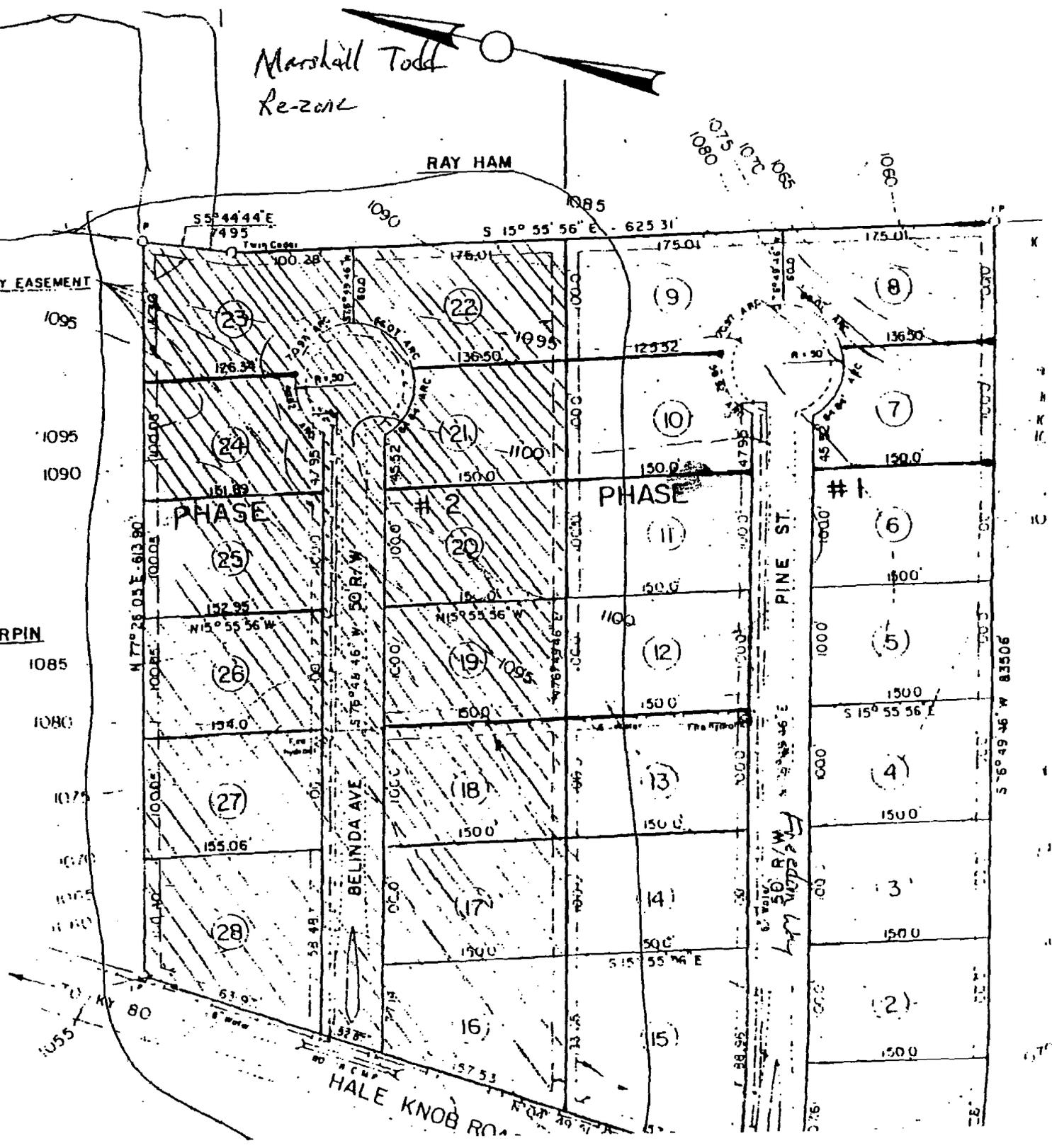
Agent

DING

RALPH TURPIN

Western Hills
Apts

TBM = MANHOLE
ON NORTH SIDE OF
KY 80 OPPOSITE
HALE KNOB ROAD
RIM EL EV = 1028.98



9350 W 66.9 S
83506

**FINDINGS OF FACT AND RECOMMENDATION
OF A ZONE CHANGE**

This matter came before the Commission for a zone change. The applicant is Marshall Todd. The property is located on Hail Knob Road. The proposed change is from R-2 to B-2. The zone change is in conformity with the Comprehensive Plan.

It is therefore the recommendation of the Commission that this property be rezoned from R-2 to B-2 so that the property may be in conformity with the Comprehensive Plan.

Robert Newby, Chairman

Vicky Davidson

James Buchanan

Jim Dorsey

Mary Stringer

Earl Duff

Mark Vaught