

ORDINANCE NO. 06-07

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 tract or parcel of land including all buildings thereon and being known and designated as lots #40, 41, 42, 43, 44, 45, 46, 47, 48, 51, 52, 92, 93, 94, 95, 96 in Block "F" of what is known as the Weddle Addition. Also, tracts 9 and 10 as shown on map. Also lots 49 and 50 in Block "A"; lots 51 and 52 in Block "C"; lots 90 and 91; also tract #5, 6, 7, and 8 containing 13 ½ acres. All of these lots and tracts being shown on the plat of the Weddle Addition to Somerset, Kentucky and being recorded in Deed Book 90, page 450, Pulaski County Court Clerk's office, Kentucky. Being the same property conveyed to first parties by E.W. Cain, etc May 17, 1994 and deed of the same is recorded in Deed Book 434, page, 82, Pulaski County Court Clerk's office, Kentucky.

A certain tract or parcel of land, lying and being in West Somerset, Pulaski County, Kentucky, and more particularly described as follows: Tract No. Eleven (11) of the Weddle Addition to Somerset, Kentucky, as evidenced by plat of said Weddle Addition of record in Deed Book 90, Page 450, to which plat reference is hereby made for a more particular description of the same. THERE IS EXCEPTED from the foregoing a narrow strip therefrom which is occupied as the Bogletown Road. Being a part of the same property conveyed to Lola Tarter Jasper of first parties and her former husband Finley Tarter, now deceased, on January 20, 1930, by deed of conveyance of record in Deed Book 102, Page 619, Pulaski County Court Clerk's Office, Kentucky; the said Finley Tarter having devised his interest in the same to said grantor by his

Last Will and Testament of record in Will Book 11, Page 76, Clerk's Office aforesaid. The said Lola Tarter jasper above mentioned being on and the same person as Lola Tartar and Lola Tarter - the said Finley Tartar having also been one and the same person Finley Tartar.

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: June 12, 2004

SECOND READING: June 26, 2004

APPROVED:

J. Wiles
MAYOR

ATTEST:

[Signature]
CITY CLERK

SUMMARY OF
ORDINANCE NO. 06-07

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-Property located at 118 Ham Street containing 24 acres.

First Reading: June 12, 2006

Second Reading: June 26, 2006

Approved:

J P Wiles
Mayor

Attest:

David Godsey
City Clerk

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

*012
#06-07*

APPLICATION NO. 06-02

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: Jerry Ham
- MAILING ADDRESS: 118 Ham Street
- 2. PHONE NUMBER (HOME): 606-256-4748 (BUSINESS) _____
- 3. PROPERTY OWNER: Jerry Ham
- 4. LOCATION DESCRIPTION: Same as above
- 5. EXISTING USE: House, Barn, & vacant land (24 acres)
- 6. PROPOSED USE: Sell as commercial building lots
- 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: May 1 06 APPLICANT SIGNATURE: Jerry Ham

FOR OFFICIAL USE ONLY
PLANNING COMMISSION

DATE FILED 5-1-06 DATE OF NOTICE IN NEWSPAPER _____ FEE PAID \$ 402.00
DATE OF NOTICE TO PROPERTY OWNER 5-9-06 DATE OF PUBLIC HEARING 5-23-06
RECOMMENDATION OF PLANNING COMMISSION: APPROVAL DENIAL _____
REASON FOR RECOMMENDATION: _____

DATE 5-23-06 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**

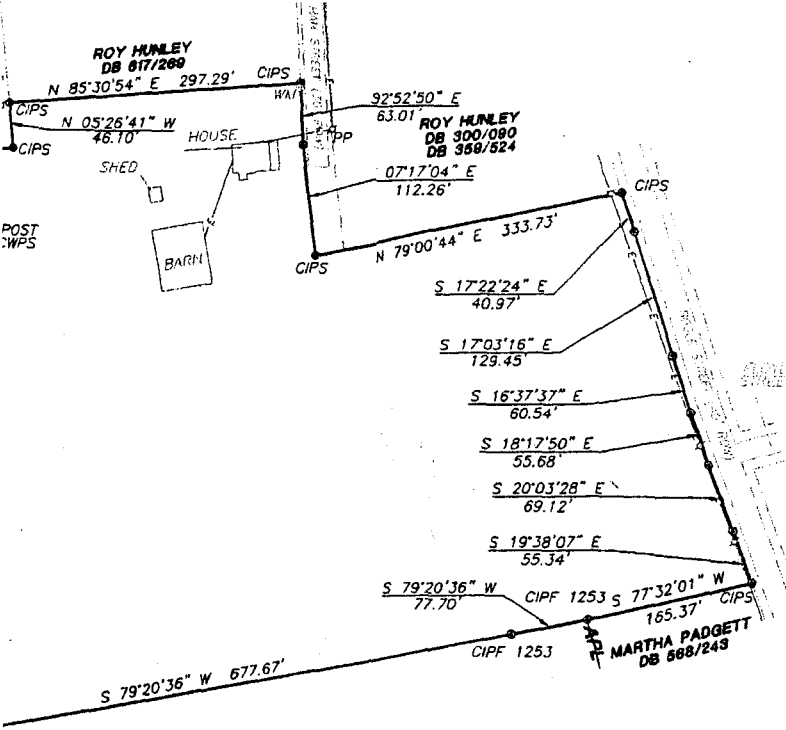
AT THE REQUEST OF JERRY HAM, A PUBLIC HEARING WILL BE
HELD AT THE SOMERSET CITY HALL, 400 EAST MT VERNON STREET, SOMERSET, KENTUCKY
(COUNCIL CHAMBERS) ON MAY 23, 2006 AT 6:30 P.M. FOR THE
PURPOSE OF RE-ZONING 118 HAM STREET
FROM THE PRESENT R-1 TO B-2.

A LEGAL DESCRIPTION IS AS FOLLOWS:

A certain tract or parcel of land including all buildings thereon and being known and designated as lots #40,41,42,43,44,45,46,47,48,51,52,92,93,94,95,96 in Block "F" of what is known as the Weddle Addition. Also, tracts 9 and 10 as shown on map. Also lots 49 and 50 in Block "A"; lots 51 and 52 in Block "C"; lots 90 and 91; also tract #5,6,7, and 8 containing 13 ½ acres. All of these lots and tracts being shown on the plat of the Weddle Addition to Somerset, Kentucky and being recorded in Deed Book 90, page 450, Pulaski County Court Clerk's office, Kentucky. Being the same property conveyed to first parties by E.W. Cain, etc May 17, 1994 and deed of the same is recorded in Deed Book 434, page, 82, Pulaski County Court Clerk's office, Kentucky.

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FEET



BOGLE OFFICE PARK
PC C/206

NOTE: ALL CORNERS ARE POINTS OF THE RIGHT OF WAY UNLESS OTHERWISE NOTED.

UTILITY CERTIFICATION

I BEING A FULLY AUTHORIZED AGENT OF THE CITED UTILITY COMPANY ACCEPT THE EASEMENTS SHOWN ON THIS RECORD PLAN ON BEHALF OF MY COMPANY.

ELECTRIC COMPANY
REPRESENTATIVE _____ DATE _____

TELEPHONE COMPANY
REPRESENTATIVE _____ DATE _____

WATER COMPANY
REPRESENTATIVE _____ DATE _____

GAS COMPANY
REPRESENTATIVE _____ DATE _____

THE APPROXIMATE LOCATION IS
LATITUDE **37°05.314'** NORTH
LONGITUDE **084°37.499'** WEST

CERTIFICATION OF ROADWAY ENTRANCE

I HEREBY CERTIFY THAT AN ENTRANCE FROM THE PROPOSED DEVELOPMENT WILL BE GRANTED ONTO THE CITY STREET, COUNTY ROAD, OR STATE ROAD SHOWN ON THE PLAN DESCRIBED HEREON. HOWEVER AN ENTRANCE PERMIT FOR EACH LOT WILL BE REQUIRED AFTER STRUCTURE LOCATION IS ESTABLISHED.

SIGNATURE _____ DATE _____

TITLE _____

- PLAN NOTES:**
1. THE PROPERTY IS SUBJECT TO ALL EASEMENTS, THAT MAY OR MAY NOT BE ON RECORD.
 2. THE PROPERTY IS SUBJECT TO ALL RIGHTS OF WAY THAT MAY OR MAY NOT BE ON RECORD.
 3. THE PROPERTY IS SUBJECT TO ALL PLANNING AND ZONING REGULATIONS THAT MAY APPLY.
 4. THE ADJOINING PROPERTY OWNERS WERE OBTAINED FROM THE PROPERTY VALUATION AUTHORITY OF THE COUNTY OF RECORD.
 5. THE MONUMENTS SHOWN ON THIS PLAN AS SET ARE 1/2" X 18" REBAR WITH CAPS LABELED LPL1253.

LEGEND

● CORNER SYMBOL	○ OTHER POINT SYMBOL
GPS GLOBAL POSITIONING SYSTEM MEASUREMENT POINT	APL APPROXIMATE ALIGNER LINE
CDR CORNER NO MONUMENTATION	FM FIRE HYDRANT
CIPS CAPPED IRON PIN SET	SM SAMPLE
IPS IRON PIN SET	DM GDS DETECTOR
CWPS CAPPED WITNESS PIN SET	BRD POINT CENTERLINE BRANCH
RPS REFERENCE PIN SET	PRC POINT CENTERLINE CROSS
CRF CAPPED IRON PIN FOUND	PCL POINT ON CENTERLINE
IPF IRON PIN FOUND	PRW POINT ON RIGHT OF WAY
HPF PIN NAIL FOUND	
PRS PIN NAIL SET	-E- ELECTRIC POWER LINE
RWM RIGHT OF WAY MARKER	-T- TELEPHONE LINE
ROW RIGHT OF WAY	-W- WATER LINE
EDM EDGES OF FAVEMENT	-S- SEWER LINE
UP UTILITY POLE	-G- GAS LINE
WM WATER METER	-F- FENCE

CERTIFICATION OF HEALTH DE

I HEREBY CERTIFY THAT THE SHOWN HOUSE INSTALLED OR PROPOSED FOR INSTALLATION PROPERTY FULL MEETS OR EXCEEDS ALL OF THE REQUIREMENTS FOR HEALTH AS IS HEREBY APPROVED.

SIGNATURE _____

TITLE _____

CERTIFICATION OF OWNERSHIP AN

I HEREBY CERTIFY THAT I (WE) ARE THE PROPERTY SHOWN HEREON AND THAT (WE) THIS PLAN OF SUBDIVISION WITH ADJACENT AND ESTABLISH THE APPLICABLE BUILDING LINES AND DEDICATE ALL ALLEYS, WALKS AND OTHER SPACES TO PUBLIC OR PRIVATE USE ACCORDANCE WITH THE STATE AND COUNTY REGULATIONS, UNLESS OTHERWISE NOTED.

SIGNATURE OF OWNER _____

SIGNATURE OF OWNER _____

THE PURPOSE OF THIS PLAN IS TO CREATE TRACTS CONTAINING 24.0344 ACRES, TRACT 1, CONTAINING 4 ACRES, TRACT 2, CONTAINING 4 ACRES, TRACT 3, CONTAINING 4 ACRES.

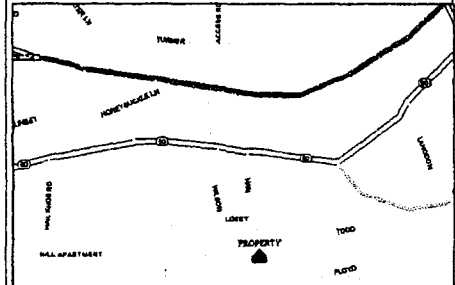
THIS PROPERTY IS LOCATED IN ZONE C OF RATE MAP NUMBER 210199 0002B, DATED 0 HAS BEEN DETERMINED TO BE OUTSIDE THE PLAT.

SURVEYOR'S CERTIFICAT

I CERTIFY THAT THE SURVEY DEPICTED BY I CONDUCTED UNDER MY DIRECT SUPERVISION OF RANDOM TRAVELERS WITH SIDESHOTS ON THIS IS A CLASS A SURVEY AND THE LINE OF CLOSURE IS 1:24532. THE LINEAR AND MEASUREMENTS HAVE NOT BEEN ADJUSTED. THIS SURVEY AND PLAN MEET THE MINIMUM REQUIREMENTS OF THE SURVEYING AUTHORITY AS SET FORTH IN THE CONSTITUTION OF KENTUCKY.

[Signature]

VICINITY MAP



SURVEY PLAT

RAY HAM PROJECT

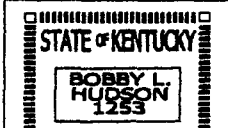
HAM STREET
SOMERSET
KENTUCKY

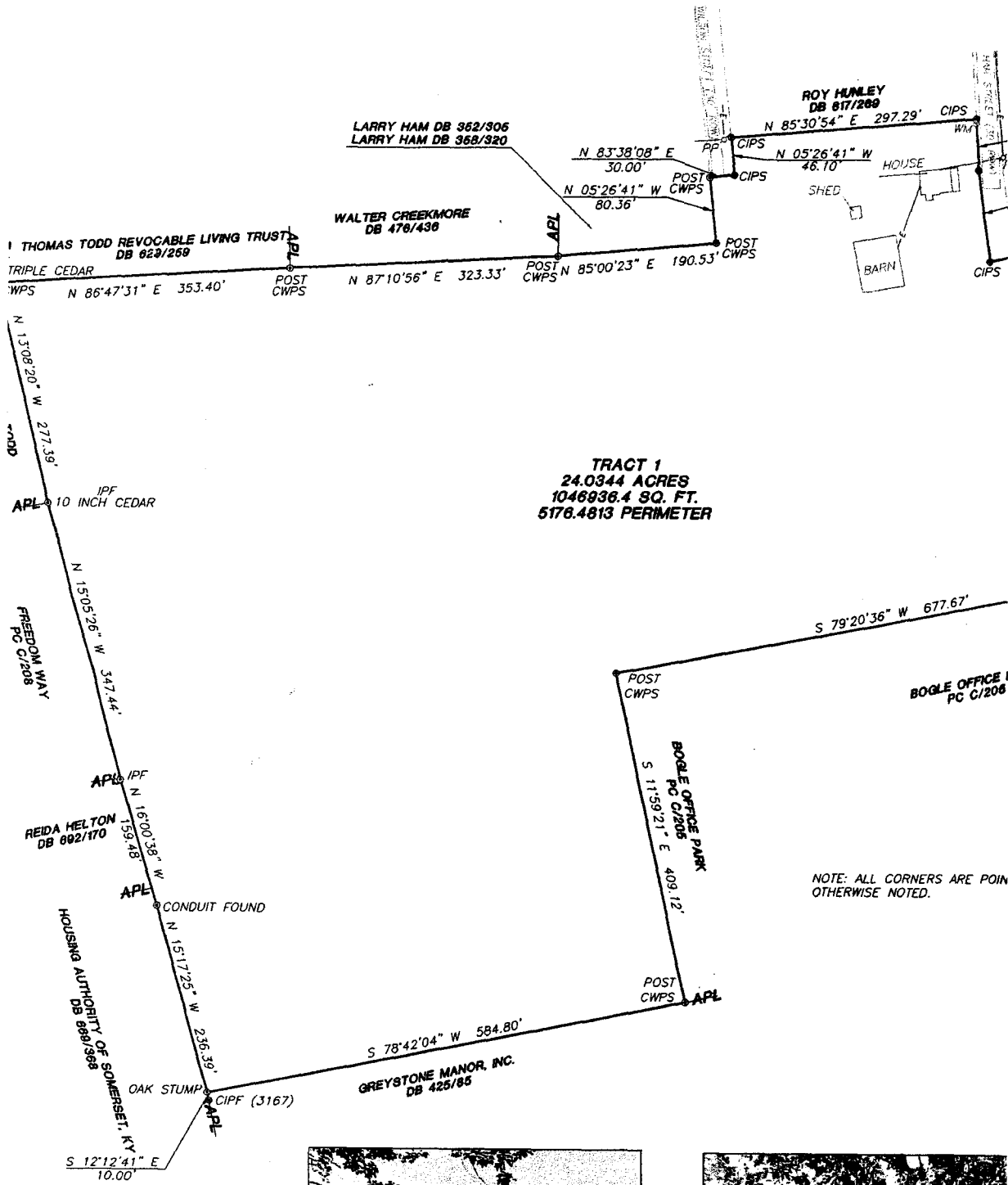
PULASKI CO
SOMERSET
KENTUCKY

RAY HAM
HAM STREET
SOMERSET
KENTUCKY 42501

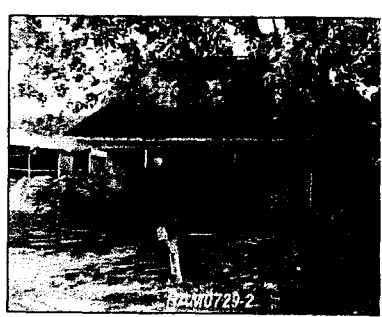
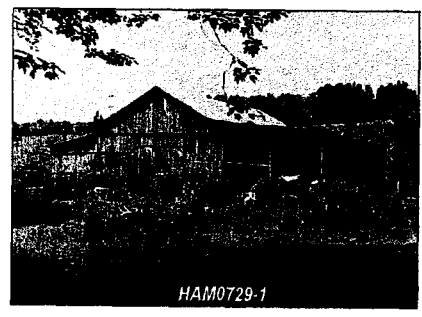
BM IH	07/28/2004	24.0344 ACRES
O STRUNK	08/06/2004	PART DB 134/083 DB 256/438
B HUDSON	08/09/2004	*****

Bobby Hudson Land Surveying, Inc.
840 North Highway 27
Somerset, Kentucky 42503



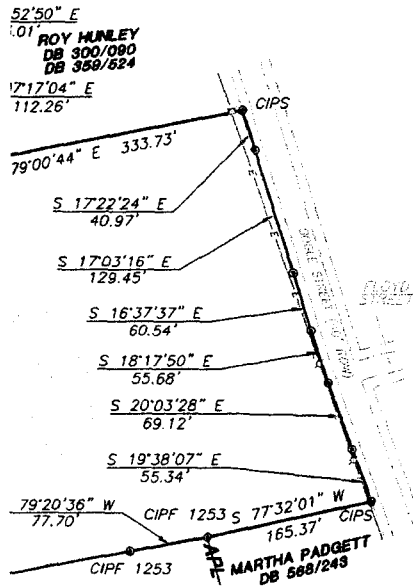


NOTE: ALL CORNERS ARE POIN OTHERWISE NOTED.





THE BASIS FOR THE MAGNETIC MERIDIAN WAS THE S 79°20'36" W LINE FROM PLAT CAB C/205



4E RIGHT OF WAY UNLESS

UTILITY CERTIFICATION

I BEING A DULY AUTHORIZED AGENT OF THE CITED UTILITY COMPANY, ACCEPT THE EASEMENTS SHOWN ON THIS RECORD PLAT ON BEHALF OF MY COMPANY.

ELECTRIC COMPANY
 REPRESENTATIVE _____ DATE _____

TELEPHONE COMPANY
 REPRESENTATIVE _____ DATE _____

WATER COMPANY
 REPRESENTATIVE _____ DATE _____

GAS COMPANY
 REPRESENTATIVE _____ DATE _____

THE APPROXIMATE LOCATION IS
 LATITUDE 37°05.314' NORTH
 LONGITUDE 084°37.499' WEST

CERTIFICATION OF ROADWAY ENTITLED

I HEREBY CERTIFY THAT AN ENTRANCE FROM THE PROPOSED DEVELOPMENT WILL BE GRANTED ONTO THE CITY STREET, COUNTY ROAD, OR STATE ROAD SHOWN ON THE PLAT DESCRIBED HEREON, HOWEVER AN ENTRANCE PERMIT FOR EACH LOT WILL BE REQUIRED AFTER STRUCTURE LOCATION IS ESTABLISHED.

SIGNATURE _____ DATE _____

TITLE _____

CERTIFICATION OF HEALTH DEPT

I HEREBY CERTIFY THAT THE SEWER INMAN INSTALLED OR PROPOSED FOR INSTALLATION, PROPERLY FULLY MEETS OR EXCEEDS THE OF THE HEALTH DEPARTMENT FOR HEALTH DEPT IS HEREBY APPROVED.

SIGNATURE _____

TITLE _____

PLAT NOTES

1. THE PROPERTY IS SUBJECT TO ALL EASEMENTS THAT MAY OR MAY NOT BE ON RECORD.
2. THE PROPERTY IS SUBJECT TO ALL RIGHTS OF WAY THAT MAY OR MAY NOT BE ON RECORD.
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5. THE DIMENSIONS SHOWN ON THIS PLAT AS SET ARE 1/2" X 18" REBAR WITH CAPS LABELED LPLS1253.

CERTIFICATION OF OWNERSHIP AND

(NONE) HEREBY CERTIFY THAT (NONE) ARE THE PROPERTY THROUGH ALLEGED AND THAT (NONE) THIS PLAT OF SUBDIVISION WITH (NONE) AND ESTABLISH THE MINIMUM BUILDING AREA AND DEDICATE ALL STREETS, ALLEYS, WALKS, OTHER SPACES TO PUBLIC OR PRIVATE USE ACCORDANCE WITH THE STATE AND COUNTY REGULATIONS, UNLESS OTHERWISE NOTED.

SIGNATURE OF OWNER _____

SIGNATURE OF MARKET _____

THE SUBJECT OF THIS PLAT IS TO QUOTE 24.0344 ACRES, PART OF CONTAINING 24.0344 ACRES, TRACT 1 CONTAINING 24.0344 ACRES. THIS PROPERTY IS LOCATED IN ZONE C OF RATE MAP NUMBER 210199.00028, DATED 06 HAS BEEN DETERMINED TO BE OUTSIDE THE PLAT.

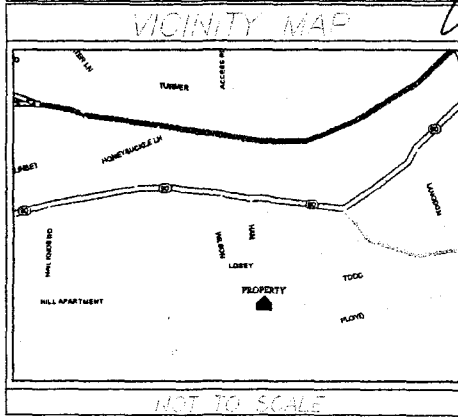
LEGEND

● CORNER STAKE	○ OTHER POINT SYMBOL
GPS GLOBAL POSITIONING SYSTEM MEASUREMENT POINT	APL APPROXIMATE ADJACENT LINE
CON CORNER NO MONUMENTATION	FM FIRE MOUND
CIPF CAPED IRON PIN SET	HM HAMMOCK
IRP IRON PIN SET	GM GAS METER
CWPS CAPED WITNESS PIN SET	PIS POINT CENTERLINE BROWNH
RPS REFERENCE PIN SET	PIC POINT CENTERLINE CREEK
CWPS CAPED IRON PIN FOUND	PCP POINT ON CENTERLINE
IRP IRON PIN FOUND	PSW POINT ON RIGHT OF WAY
BHT PIN NAIL FOUND	
RPS PIN NAIL SET	-E- ELECTRIC POWER LINE
RML RIGHT OF WAY MARKER	-T- TELEPHONE LINE
ROW RIGHT OF WAY	-W- WATER LINE
EDM EDGE OF PAVEMENT	-S- SEWER LINE
UP UTILITY POLE	-G- GAS LINE
WM WINTER METER	-X- FENCE

SURVEYOR'S CERTIFICATION

I CERTIFY THAT THE SURVEY DEPICTED BY IS CONDUCTED UNDER MY DIRECT SUPERVISION OF SAID SURVEYOR WITH SUFFICIENT TO THIS IS A CLASS A SURVEY AND THE LINE OF CLOSURE IS 1,245.32' THE LINEAR AND MEASUREMENTS HAVE BEEN ADJUSTED BY THIS SURVEY AND PLAT MEET THE REQUIREMENTS OF THE GOVERNING AUTHORITIES AND THE BEST OF MY KNOWLEDGE.

[Signature]



SURVEY PLAT

RAY HAM PROJEC

HAM STREET SOMERSET KENTUCKY
 PULASKI COU SOMERSET KENTUCKY

RAY HAM HAM STREET SOMERSET KENTUCKY 42501

BH BH	07/29/2004	24.0344 ACRES
D STRUNK	08/05/2004	PART DB 134/083 DB 256/458
B HUDSON	08/05/2004	000000

Bobby Hudson Land Surveying, Inc.
 840 North Highway 27
 Somerset, Kentucky 42503

