

ORDINANCE NO. 06-08

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.

BEGINNING on a Kentucky right of way marker, said marker being a corner with Pyles and Worley (Deed Book 616, Page 116); THENCE with the West right of way of US 27 South 27 degrees 24 minutes 41 seconds East for a distance of 450.33 feet to an iron pin found (2563), said pin being a corner with North Plaza of Somerset Inc (Deed Book 526, Page 605); THENCE leaving the West right of way of US 27 with the line with North Plaza of Somerset, Inc. South 58 degrees 12 minutes 14 seconds West for a distance of 30.56 feet to an iron pin found: THENCE with the line with North Plaza of Somerset, Inc. South 64 degrees 00 minutes 47 seconds West for a distance of 647.73 feet to an capped iron pin set at a stone; THENCE with the line with North Plaza of Somerset, Inc. South 17 degrees 38 minutes 43 seconds East for a distance of 203.34 feet to a 14" Cedar, said Cedar being a corner with Evelyn Dunaway (Deed Book 236, Page 088); THENCE with the line with Evelyn Dunaway South 64 degrees 17 minutes 42 seconds West for a distance of 1209.08 feet to an capped iron pin set, said pin being a corner with Parkland Estates (Plat Cabinet B Slide 354); THENCE with the line with Parkland Estates North 25 degrees 39 minutes 12 seconds West for a distance of 181.00 feet to a capped iron pin set at the corner of Lots 12 and 13; THENCE with the line with Parkland Estates South 72 degrees 16 minutes 04 seconds West for a distance of 187.50 feet to a capped iron pin set; THENCE with the line with Parkland Estates North 26 degrees 08 minutes 51seconds West for a distance of 62.00 feet to a capped iron pin found (3167) at the comer of Lot 13 and 27; THIENCE with the line with Parkland Estates North 26 degrees 08 minutes 51 seconds West for a distance of 345.74 feet to a capped iron pin found (1253), said pin being a corner with Pyles and

Worley (Deed Book 616, Page116); THENCE with the line with Pyles and Worley North 63 degrees 06 minutes 45 seconds East for a distance of 2091.40 feet to a Kentucky right of way marker which is the point of beginning and having an area of 26.5938 acres as surveyed by Bobby Hudson, LPLS 1253 on 05/25/1999.

The above described being a portion of the property conveyed to Emma Marie Todd, a Grantor herein, by Deed of Conveyance from Lucille Godby and VanDair Godby, her husband, dated July 29, 1960, of record in Deed Book 249, Page 337, Pulaski County Court Clerk's Office, Kentucky.

There is also excepted out of the above description 5.52 acres adjacent to Parkland Estates which is to remain zoned R-1 and the remaining acreage of 26.5938 acres shall be zoned B-2.

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, 2006

SECOND READING: June 26, 2006

APPROVED:

E. Wiles
MAYOR

ATTEST:

Anna Godby
CITY CLERK

SUMMARY OF
ORDINANCE NO. 06-08

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 a 441 N Hwy 27 having an area of 26.5938 acres as surveyed by Bobby Hudson, LPLS 1253 on 05/25/1999. 21.07 acres zoned B-2.

There is also execepted out of the above description 5.52 acres adjacent to Parkland Estates which is to remain zoned R-1 and the remaining acreage of 26.5938 acres shall be zoned B-2.

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

APPLICATION NO. 06-01

Ord No. 06-08

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: Clifty Properties LLC
MAILING ADDRESS: 120 S. Hwy 27 Somerset Ky
2. PHONE NUMBER (HOME): _____ (BUSINESS) _____
3. PROPERTY OWNER: Same as above
4. LOCATION DESCRIPTION: South Hwy. 27 (Dave Hall Cars located on property)
5. EXISTING USE: Open Lot & (car lot)
6. PROPOSED USE: Open Lot & (car lot)
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: 4/27/06 APPLICANT SIGNATURE: *Ron Oshen*

FOR OFFICIAL USE ONLY
PLANNING COMMISSION

DATE FILED 4-27-06 DATE OF NOTICE IN NEWSPAPER 5-12-06 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: ~~back 502 feet stay Residential~~ First 1500 be zoned B-2
 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 CLIFTY PROPERTIES LLC, 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 6:30PM FOR THE PURPOSE OF RE-ZONING 441 N HWY 27 FROM THE PRESENT R-1 TO B-2.

A LEGAL DESCRIPTION IS AS FOLLOWS:

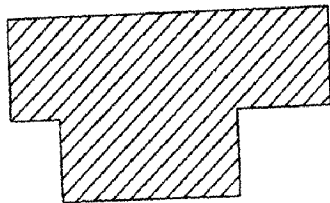
BEGINNING on a Kentucky right of way marker, said marker being a corner with Pyles and Worley (Deed Book 616, Page 116); THENCE with the West right of way of US 27 South 27 degrees 24 minutes 41 seconds East for a distance of 450.33 feet to an iron pin found (2563), said pin being a corner with North Plaza of Somerset Inc (Deed Book 526, Page 605); THENCE leaving the West right of way of US 27 with the line with North Plaza of Somerset, Inc. South 58 degrees 12 minutes 14 seconds West for a distance of 30.56 feet to an iron pin found: THENCE with the line with North Plaza of Somerset, Inc. South 64 degrees 00 minutes 47 seconds West for a distance of 647.73 feet to an capped iron pin set at a stone; THENCE with the line with North Plaza of Somerset, Inc. South 17 degrees 38 minutes 43 seconds East for a distance of 203.34 feet to a 14" Cedar, said Cedar being a corner with Evelyn Dunaway (Deed Book 236, Page 088); THENCE with the line with Evelyn Dunaway South 64 degrees 17 minutes 42 seconds West for a distance of 1209.08 feet to an capped iron pin set, said pin being a corner with Parkland Estates (Plat Cabinet B Slide 354); THENCE with the line with Parkland Estates North 25 degrees 39 minutes 12 seconds West for a distance of 181.00 feet to a capped iron pin set at the corner of Lots 12 and 13; THENCE with the line with Parkland Estates South 72 degrees 16 minutes 04 seconds West for a distance of 187.50 feet to a capped iron pin set; THENCE with the line with Parkland Estates North 26 degrees 08 minutes 51 seconds West for a distance of 62.00 feet to a capped iron pin found (3167) at the corner of Lot 13 and 27; THENCE with the line with Parkland Estates North 26 degrees 08 minutes 51 seconds West for a distance of 345.74 feet to a capped iron pin found (1253), said pin being a corner with Pyles and Worley (Deed Book 616, Page 116); THENCE with the line with Pyles and Worley North 63 degrees 06 minutes 45 seconds East for a distance of 2091.40 feet to a Kentucky right of way marker which is the point of beginning and having an area of 26.5938 acres as surveyed by Bobby Hudson, LPLS 1253 on 05/25/1999.

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VICINITY MAP
NOT TO SCALE

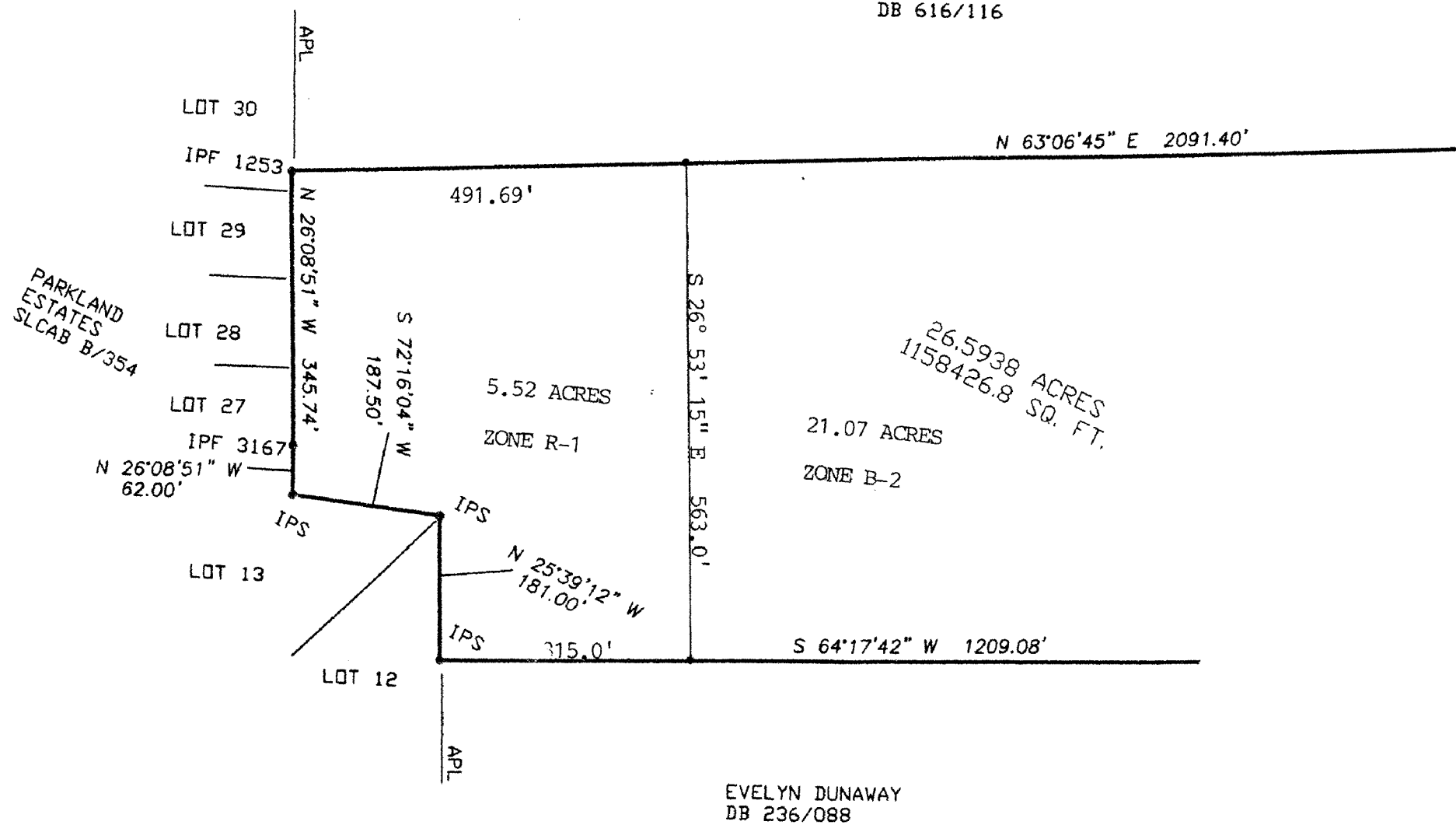
CLIFTY RD

US 27



SURVEY NOTES
1. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS AND RIGHTS-IN-WAY NOW ON RECORD.
2. ALL MONUMENTS REFERRED TO ON THIS PLAN ARE 1/2" x 1 1/2" PEGS AND HAVE BEARING AND DISTANCE OR RECORDED DEEDS UNLESS OTHERWISE NOTED.

PYLES AND WORLEY
DB 616/116



EVELYN DUNAWAY
DB 236/088

