

ORDINANCE NO. 16-03

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:

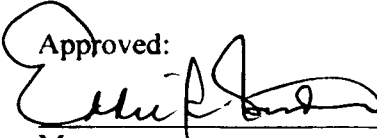
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

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


- I. By changing a boundary of land presently zoned I-1 to R1-A zone, said property being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, with a record owner of Stonebrook Development, LLC, and located off of University Drive, Somerset, KY, and as described as part of the property conveyed in Deed Book 814, Page 498 in the Pulaski County Court Clerk's Office, and known as PVA Parcel #: 060-6-2-73.
- II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to alter the Zoning Map to reflect said change and to notify all agencies required by law.
- III. This Ordinance shall be in full force and effect from and after adoption and publication according to law.

FIRST READING MARCH 14, 2016

SECOND READING MARCH 28, 2016

Approved:

Mayor

ATTEST:


City Clerk

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

APPLICATION NO. 2015-08

THE UNDERSIGNED OWNER(S) OF THE FOLLOWING LEGALLY DESCRIBED PROPERTY REQUEST(S) THE CONSIDERATION OF CHANGE IN ZONING DISTRICT CLASSIFICATION APPROVAL OF DEVELOPMENT PLAN AS SPECIFIED BELOW.

1. NAME OF OWNER/APPLICANT Stonebrook Development LLC
2. MAILING ADDRESS 100 Stonecrest Drive, Suite 1
3. PHONE NUMBER (HOME) _____ (BUSINESS) 606-305-8782
4. LOCATIONAL DESCRIPTION off University Drive, Adjacent to Senior Center
5. EXISTING USE former Tobacco Warehouse
6. PROPOSED USE R-1A Small Lot Single Family Residential
7. PRESENT ZONING DISTRICT I-1 PROPOSED ZONING DISTRICT R-1A

SUPPORT INFORMATION: ATTACH THE FOLLOWING ITEMS TO THE APPLICATION: 060-6-2-73

- 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 12/17/15 APPLICANT/OWNER SIGNATURE 

FOR OFFICIAL USE ONLY - DO NOT WRITE BELOW THIS LINE

DATE FILED 12/17/2015 DATE OF NOTICE TO PARTIES IN INTEREST 1/13/2016

DATE OF NOTICE TO NEWSPAPER 1/19/2016 DATE OF PUBLIC HEARING 1/26/2016

FEE PAID \$ 402 DECISION OF ZONING ADJUSTMENT - APPROVED DENIED _____

REASON FOR RECOMMENDATION: There have been major changes of an economic, physical or social nature which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area

DATE 1/26/2016 ML Hill
CITY OF SOMERSET PLANNING AND ZONING COMMISSION CHAIRMAN

FOR OFFICIAL USE ONLY
LEGISLATIVE AUTHORITY

DATE OF RECOMMENDATION RECEIVED: _____

ACTION BY LEGISLATIVE AUTHORITY: APPROVED _____ DENIED _____

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





Recent Sales in Area	Previous Parcel	Next Parcel	Field Definitions	Return to Main Search	Pulaski Home
Owner and Parcel Information					
Owner Name	STONEBROOK DEVELOPMENT LLC	Today's Date	February 8, 2016		
Mailing Address	100 STONECREST DR STE 1 SOMERSET, KY 42503	Parcel Number	060-6-2-73 (Account #: 27744)		
Location Address	E UNIVERSITY DR	Tax District	Somerset City & School (District 22)		
Legal Description	4.8 AC E UNIVERSITY DR	2015 Millage Rate	1.1235		
Property Usage	/ C (C)	Acres	4.8		
Neighborhood		Parcel Map	Show Parcel Map		
Plat Book/Page	/	Homestead	N		
		Lot # / Block #	/		

Value Information				
Tax Year	Land Value	Improvement Value	Misc Value	Total Market Value
Working	\$ 245,000	0	0	\$ 245,000
2014	\$ 245,000	0	0	\$ 245,000
2013	\$ 245,000	0	0	\$ 245,000

Land Information					
Land Use	Number Units	Unit Type	Land Type	Frontage	Depth
COMMERCIAL (C)	4.8	Acres	SITE	0	0

Building Information
 No Building Information available for this parcel
[Building Sketch Preview](#) [Building Photo Preview](#)
 Sketch Not Available Photo Not Available

Misc Information			
Out Building Type	Quantity	Units	Year Built
No Misc Information available for this parcel			

Sale Information								
Sale Date	Sale Price	Instrument	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
2007-10-09	\$ 250,160		814	498	Arms Length Transaction (Z)	0	FLOWERS E M JR & STEVEN & WM SHOTWEL	

[Recent Sales in Area](#) [Previous Parcel](#) [Next Parcel](#) [Field Definitions](#) [Return to Main Search Page](#) [Pulaski Home](#)
 The Pulaski County Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. Website Updated: February 7, 2016
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DEED

THIS DEED OF CONVEYANCE made and entered into this 9 day of October, 2007, by and between the ESTATE OF E. M. FLOWERS, JR., DECEASED. of 159 William Gibbs Road, Tipton, Georgia 31793; the ESTATE OF STEVEN C. FLOWERS, deceased, of 642 Lakeshore Drive, Cordell, Georgia 31015; DEENA RUNYON SHOTWELL, an unremarried widow, of P.O. Box 53, Somerset, Kentucky 42502-0053; and SUZANNE SHOTWELL, a single woman, of P.O. Box 53, Somerset, Kentucky 42502-0053, GRANTORS, and STONEBROOK DEVELOPMENT, LLC, a Kentucky Limited Liability Company, of 140 Stonebrook Drive, Suite 140, Somerset, Kentucky 42503, GRANTEE.

WITNESSETH: That for and in consideration of the sum of TWO HUNDRED FIFTY THOUSAND ONE HUNDRED SIXTY AND 00/100 (\$250,160.00) DOLLARS, cash in hand paid, the receipt of which is hereby acknowledged, the GRANTORS do hereby bargain, grant, sell and convey unto the GRANTEE, STONEBROOK DEVELOPMENT, LLC, in fee simple, its successors and assigns, the following described property, to-wit:

A certain tract or parcel of land located, lying and being in Somerset, Pulaski County, Kentucky, on the South side of University Drive approximately three tenths of a mile East of Kentucky Highway 1247, and more particularly described as follows:

Beginning at an existing iron pin (half inch) which is the Northeast corner of Modern Vending Co., Inc. and said iron pin is located 30.00 feet South of center line of University Drive; thence leaving Modern Vending Co., Inc. with South side of University Drive, North 76 degrees 04' 42" East 358.16 feet to a set iron pin; thence North 81 degrees 59' 53" East 112.36 feet to a set iron pin, corner to H. T. Hackney, (DB 447-309); thence leaving University Drive with H. T. Hackney's line, South 45 degrees 02' 09" East 130.53 feet to an existing 4" steel pipe; thence with agreed line of Farmers Tobacco Warehouse Corp (DB 86-170) South 15 degrees 25' 26" East 212.48 feet to a set iron pin; thence South 08 degrees 27' 43" East 189.61 feet to a set iron pin in North right of way of Wilcher Avenue; thence with North right of way of Wilcher Avenue for six (6) calls as follows: 1. South 79 degrees 49' 32" West 30.43 feet to a set iron pin; 2. South 63 degrees 51' 47" West 196.06 feet to a P.K. Nail; 3. South 71 degrees 20' 52" West 72.43 feet to a P.K. nail; 4. South 54 degrees 44' 55" West 60.43 feet to a P.K. nail; 5. South 72 degrees 57' 43" West 84.09 feet to a set iron pin; 6. South 53 degrees 43' 12" West 110.04 feet to an existing iron pin, corner to Modern Vending Co., Inc.; thence with Modern Vending Co., Inc. line, North 12 degrees 57' 39" West 638.11 feet to the point of beginning, and containing 6.9787 acres,

more or less, as surveyed by Bobby Hudson Land Surveying LS #1253 on November 7, 1996.

Being the same property conveyed to E. M. Flowers, Jr., Steven C. Flowers, and William Shotwell, Jr. from The Peoples Tobacco Warehousing Corporation of Somerset, Kentucky, by Deed dated December 5, 1996, of record in Deed Book 592, Page 375; E. M. Flowers, Jr. died testate on January 14, 2201. For particulars thereof, see Will Book A, Page 111; Steven C. Flowers died testate on October 18, 2004. For particulars thereof, see Will Book FYA, Page AE-1; William Shotwell, Jr. died intestate on March 17, 2007. For particulars thereof, see Affidavit of Descent of record in Deed Book 814, Page 497; all of record in the Pulaski County Court Clerk's Office, Kentucky.

The 2007 property taxes shall be prorated by the parties herein and GRANTEE shall have possession of the above described property with delivery of deed.

TO HAVE AND TO HOLD all of GRANTORS' right, title and interest in and to the aforesaid property, together with all the rights, privileges, appurtenances and improvements thereunto belonging unto the GRANTEE, STONEBROOK DEVELOPMENT, L.L.C, a Kentucky Limited Liability Company, its successors and assigns, forever, with covenant of GENERAL WARRANTY OF TITLE.

CONSIDERATION CERTIFICATE:

The parties hereto certify that the consideration reflected in this deed is the full consideration paid for the property transferred hereby. The GRANTEE joins this deed for the sole purpose of certifying the consideration pursuant to KRS Chapter 382.

IN TESTIMONY WHEREOF, witness the signatures of the GRANTORS and GRANTEE, this the date first above written.

ESTATE OF E. M. FLOWERS, JR., DECEASED,
GRANTOR

BY: Sue Gardner Flowers
SUE GARDNER FLOWERS, EXECUTRIX

ESTATE OF STEVEN C. FLOWERS.
DECEASED, GRANTOR

BY:

Estate of Steven Flowers Theodosia Williams Flowers
THEODOSIA WILLIAMS FLOWERS, EXECUTRIX

Deena Runyon Shotwell
DEENA RUNYON SHOTWELL, GRANTOR

Suzanne Shotwell
SUZANNE SHOTWELL, GRANTOR

STONEBROOK DEVELOPMENT, LLC.
GRANTEE

BY:

Brook Ping
BROOK PING, MANAGING MEMBER

STATE OF GEORGIA:
COUNTY OF TIFT

The foregoing Deed of Conveyance and Consideration Certificate was signed, acknowledged and sworn to before me this 6 day of November, 2007, by the ESTATE OF E. M. FLOWERS, JR., DECEASED, GRANTOR, by and through Sue Gardner Flowers, Executrix.

Cynthia C. Key
NOTARY PUBLIC
MY COMM. EXPIRES: 11/14/2011
Cynthia C. Key, Notary Public, Georgia
My Commission Expires 11/14/2011

STATE OF GEORGIA:
COUNTY OF TIFT

The foregoing Deed of Conveyance and Consideration Certificate was signed, acknowledged and sworn to before me this 6 day of November, 2007, by the ESTATE OF STEVEN C. FLOWERS, DECEASED, GRANTOR, by and through Theodosia Williams Flowers, Executrix.

Cynthia C. Key
NOTARY PUBLIC
MY COMM. EXPIRES: 11/14/2011
Cynthia C. Key, Notary Public, Georgia
My Commission Expires 11/14/2011