

ORDINANCE NO. 16-04

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:

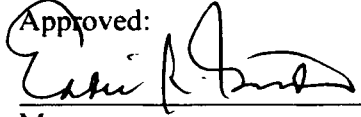
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

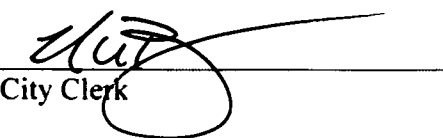
That Ordinance No. 00-18, known as the Zoning Ordinance, Somerset, Kentucky, be and the same is hereby amended by altering the Zoning Map in the following manner:

- I. By changing a boundary of land presently zoned R-2 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 D&R Development, Inc., and located at 128/130 Lair Street, Somerset, KY, and as described as part of the property conveyed in Deed Book 821, Page 269 in the Pulaski County Court Clerk's Office, and known as PVA Parcel #: 060-6-5-38.
- 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. P2 2015-07

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 Dee Miller - D&R Development, Inc.
2. MAILING ADDRESS 211 N. Maple St. #3
3. PHONE NUMBER (HOME) 606-875-4401 (BUSINESS) _____
4. LOCATIONAL DESCRIPTION 128-130 Lair St.
5. EXISTING USE Housing
6. PROPOSED USE Housing
7. PRESENT ZONING DISTRICT R2 PROPOSED ZONING DISTRICT R1-A

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 12/16/2015 APPLICANT/OWNER SIGNATURE [Signature]

FOR OFFICIAL USE ONLY - DO NOT WRITE BELOW THIS LINE

DATE FILED 12/16/2015 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:

~~IF DENIED, REASON FOR DENIAL~~ The existing zoning class, R2, is inappropriate for the property as renovated. The duplex has been renovated into a single family residence, and in order to sell the property, the new class is appropriate so the parent tract can be subdivided

1/26/2016
DATE

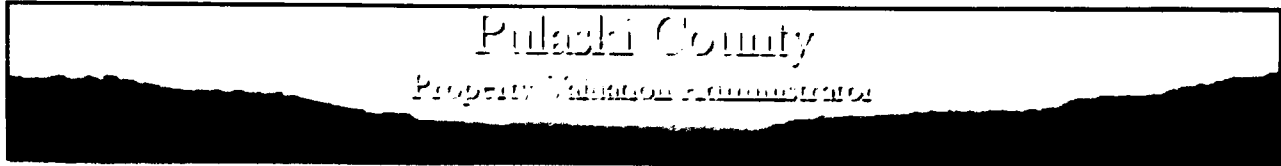
[Signature]
CITY OF SOMERSET PLANNING AND ZONING COMMISSION CHAIRMAN

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	D & R DEVELOPMENT INC	Today's Date	February 8, 2016
Mailing Address	104 LINCOLN ST SUITE # 7	Parcel Number	060-6-5-38 (Account #: 25213)
Location Address	SOMERSET, KY 42501	Tax District	Somerset City & School (District 22)
Legal Description	128/130 LAIR ST	2015 Millage Rate	1.1235
Property Usage	.30 AC LAIR ST	Acres	0.3
Neighborhood	/ R (R)	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	\$ 39,500	0	0	\$ 39,500
2014	\$ 39,500	0	0	\$ 39,500
2013	\$ 39,500	0	0	\$ 39,500

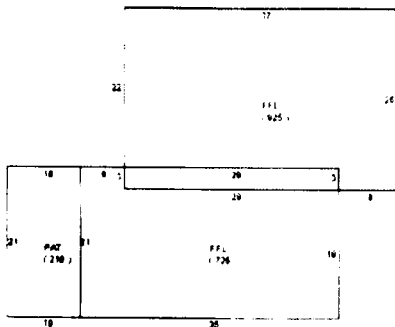
Land Information

Land Use	Number Units	Unit Type	Land Type	Frontage	Depth
RESIDENTIAL (R)	0.3	Acres	SITE	0	0
RESIDENTIAL (R)	0	Acres	SITE	0	0

Building Information

Style	Gross Sq Ft	Finished Sq Ft	Stories	Interior Walls	Exterior Walls	Year Built	Effective Year Built
DUPLEX	0	0	2 STORY		VINYL	1950	0
Foundation	Roof Type	Roof Coverage	Flooring Type	Heating Type	Bathrooms	Grade	Number Fire Pl
CONCRETE BLO	GABLE	COMPOSITION SHINGLES		HEAT PUMP	2.0	D	0
Style	Gross Sq Ft	Finished Sq Ft	Stories	Interior Walls	Exterior Walls	Year Built	Effective Year Built
SINGLE FAMILY	0	0	1 STORY		CONCRETE BLOCK	1970	0
Foundation	Roof Type	Roof Coverage	Flooring Type	Heating Type	Bathrooms	Grade	Number Fire Pl
SLAB	GABLE	COMPOSITION SHINGLES		GAS	1.0	D	0

[Building Sketch Preview](#) [Enlarge/Show All](#)



[Building Photo Preview](#) [Enlarge/Show All](#)



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
2008-03-24	\$ 39,500		821	269	Partial Sales (A)	0	HOWARD CAM & OPAL	

224

269428

DEED

THIS DEED OF CONVEYANCE made and entered into this 24 day of March, 2008 by and between THE ESTATE OF OPAL HOWARD, by and through Karen Rush, Executor, and WILLIAM P. LORTON AKA WILLIAM PAUL LORTON, a single man, of 321 1/2 N. Maple Street, Somerset, Kentucky 42501, GRANTORS, and D & R DEVELOPMENT, INC. of 211 N. Maple Street, Apt. B, Somerset, Kentucky 40501, GRANTEE.

WITNESSETH: That for and in consideration of the sum of Thirty-nine
Thousand Five Hundred and 00/100 (\$39,500) DOLLARS, cash in hand paid, the receipt of which is hereby acknowledged, the GRANTORS do hereby bargain, grant, sell and convey unto the GRANTEE, D & R DEVELOPMENT, INC., in fee simple, its successors and assigns, the following described property, to-wit:

A certain tract of land in the City of Somerset, Pulaski Co., Kentucky, located on Lair Street and described more particularly as follows:

BEGINNING at a 1/8" Rebar Found (no cap), 15' from the centerline of Maple Street at a corner to Rufino Benitez, Sr. (Db 718 Pg 275) and the parent tract, Cam Howard (Db 193 Pg 176). THENCE with Benitez, Sr. and Howard North 77 degrees 08 minutes 42 seconds East for a distance of 106.76 feet to the TRUE POINT OF BEGINNING, a 1/2" x 18" Rebar Set stamped W. Daulton (Red) cap #2463 (hereinafter referred to as an Iron Pin Set) in the line of Benitez, Sr. and Howard. THENCE still with Benitez, Sr., then with David Beattie (Db 458 Pg 553) North 77 degrees 08 minutes 42 seconds East for a distance of 184.49 feet to a 1/2" Iron Pipe Found in the Right of Way of Lair Street. THENCE with the Right of Way of Lair Street South 09 degrees 52 minutes 54 seconds East for a distance of 73.14 feet to an Iron Pin Set in the Right of Way of Lair Street (16" Right of Way). THENCE still with the Right of Way of Lair Street South 79 degrees 28 minutes 07 seconds West for a distance of 189.78 feet to an Iron Pin Set in the Right of Way of Lair Street. THENCE through Howard North 11 degrees 47 minutes 21 seconds West for a distance of 30.41 feet to an Iron Pin Set; North 38 degrees 19 minutes 45 seconds East for a distance of 10.05 feet to an Iron Pin Set; North 11 degrees 47 minutes 21 seconds West for a distance of 28.65 feet to the TRUE POINT OF BEGINNING. Together with and subject to covenants, easements, and restrictions of record. Said property contains 0.30 acres more or less, as surveyed by Weylan G. Daulton LLS #2463 by Magnetic North on 02-05-2008.

Being a part of the same property conveyed to Cam Howard and Opal Howard, husband and wife, by deed dated April 2, 1954 from Taylor Ward and Edna Mae Ward, husband and wife, as appears of record in Deed Book 193, Page 176; Cam Howard predeceased his wife and Opal Howard became the sole, fee simple owner of the above described property pursuant to the survivorship provision in the aforesaid deed; Opal Howard died testate devising the above described property to William Paul Lorton aka William P. Lorton, for particulars thereof, see Will of record in Will Book 54, Page 377, Pulaski County Court Clerk's Office, Kentucky.

The 2008 property taxes shall be prorated and GRANTEE shall have possession of said property At Closing

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, HENRY O. JONES, in fee simple, his heirs 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 OPAL HOWARD, GRANTOR

BY: Karen Rush, Executrix
KAREN RUSH, EXECUTOR

William P. Lorton
WILLIAM P. LORTON, GRANTOR

D & R DEVELOPMENT, INC., GRANTEE

BY: [Signature]

NAME: D & R Development, Inc

TITLE: President

STATE OF KENTUCKY
COUNTY OF PULASKI...SCT

The foregoing Deed of Conveyance and Consideration Certificate was signed, acknowledged and sworn to before me this 24 day of March, 2008 by OPAL HOWARD ESTATE, GRANTOR, by and through Karen Rush, Executor.

[Signature]
NOTARY PUBLIC
MY COMM. EXPIRES: June 23, 2007

STATE OF KENTUCKY
COUNTY OF PULASKI...SCT

The foregoing Deed of Conveyance and Consideration Certificate was signed, acknowledged and sworn to before me this 24 day of March, 2008 by WILLIAM P. LORTON, a single man, GRANTOR.

[Signature]
NOTARY PUBLIC
MY COMM. EXPIRES: June 23, 2007

STATE OF KENTUCKY
COUNTY OF PULASKI...SCT

The foregoing Consideration Certificate was signed, acknowledged and sworn to before me this 24 day of March, 2008 by D & R DEVELOPMENT, INC., GRANTEE, by and through D. Croix M. Mc, its authorized President, to be the true act and deed of said corporation.

Gwen D. [Signature]
NOTARY PUBLIC
MY COMM. EXPIRES: June 23, 2009

THIS DOCUMENT PREPARED BY:

[Signature]
JAY MCSHURLEY, LAWYER
126 NORTH MAPLE STREET
P. O. BOX 1827
SOMERSET, KENTUCKY 42502
606-677-9014

STATE OF KENTUCKY, COUNTY OF PULASKI, SCT 1
RALPH TROXTELL, CLERK OF PULASKI COUNTY, CERTIF:
THAT ON THE 24 DAY OF March THE
FOREGOING DEED WAS PRODUCED TO ME CERTIFIED AS ABOVE
AND LODGED FOR RECORD TRANSFER TAX WAS PAID IN THE SUM
OF 39.10 WHEREUPON I HAVE RECORDED THE SAME
TOGETHER WITH THIS CERTIFICATE THIS 24 DAY
OF March IN Book 0821 PAGE 272
TEST: RALPH TROXTELL, CLERK
[Signature] DC