

## MINUTES OF MEETING HELD FEBRUARY 24, 2020

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday February 24 , 2020 at 6:00 p.m. with the following present: Council Members; John Minton, Jim Mitchell, David Godsey, Amanda Bullock, Tom Eastham, David Burdine, Brian Dalton, Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Mike New, Donna Hunley, Mayor Alan Keck, and City Clerk Nick Bradley. Absent: City Attorney John Adams.

Mr. Minton moved to approve the minutes of the regular meeting held on February 10, 2020 along with reports as mailed. Mr. Burdine seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, and Mrs. Hunley.

Mr. Mitchell made a motion to approve following Ordinance Number 20-03: 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 (129 Circle Street Parcel # 061-5-3-84 from R-2 to R-3). Ms. Bullock seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, and Mrs. Hunley.

**ORDINANCE NO. 20-04**  
 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, is hereby amended by altering the Zoning Map in the following manner:

- I. By changing a boundary of land presently zoned R-2 to R-3, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at 129 Circle Street, Somerset, Kentucky, and having PVA Parcel # 061-5-3-84
- II. The City Clerk of the City of Somerset, Kentucky, is hereby authorized to alter the Zoning Map to reflect said changes
- III. This Ordinance shall be in full force and effect from and after adoption and publication according to law.

FIRST READING: February 10, 2020

SECOND READING: February 24, 2020

Approved: \_\_\_\_\_  
 Attest: \_\_\_\_\_  
 City Clerk



FINDINGS OF FACT AND RECOMMENDATIONS OF THE CITY OF SOMERSET  
 PLANNING & ZONING COMMISSION

OWNER: Brown Builders, LLC  
 ADDRESS: 129 Circle Street  
 PARCEL #S: 061-5-3-84

On January 28<sup>th</sup>, 2020 the Planning & Zoning Commission of the City of Somerset convened for a regularly scheduled / special-called meeting and noticed hearing and at such meeting made findings of fact as to the property described in the plat and zone change application attached hereto and incorporated herein in full by reference.

The Planning & Zoning Commission believes that the recommendation as set forth below is proper according to law and MEETS the requirements for a zone change from R-2 to R-3 due to the following findings of fact:

**CHANGES IN THE ECONOMIC NATURE WITHIN THE AREA INVOLVED, WHICH WERE NOT ANTICIPATED IN THE ADOPTED COMPREHENSIVE PLAN AND WHICH HAVE SUBSTANTIALLY ALTERED THE BASIC CHARACTER OF SUCH AREA, THE REQUESTED ZONE CHANGE IS BETTER SUITED FOR PROPERTY LOCATED AT 129 CIRCLE STREET.**

WHEREFORE, the Planning & Zoning Commission via a majority vote agree to RECOMMEND to the Common Council of the City of Somerset that the subject property be re-zoned from R-2 to R-3 based on the above findings of fact.

Administrative Official: \_\_\_\_\_  
 Chairman, Planning & Zoning Commission: \_\_\_\_\_

Courtesy for Planning & Zoning Commission  
 (Sign only if legal assistance was sought by the Commission)

DISCLAIMER  
 This form was prepared by the City Attorney for administrative purposes only. All findings and/or recommendations stated on this form shall be written in the notes prepared by the Chairman of the Commission, as either authorized Personnel, and are subject to the authority of the Planning & Zoning Commission as provided under the authority of all applicable law.

**EXHIBIT "A"**

John Adams, City Attorney

Parcel ID	Address	Area	Zone	Area	Zone	Area	Zone	Area	Zone
061-5-3-84	129 Circle Street	0.12	R-2	0.12	R-3	0.12	R-2	0.12	R-2

Public.net Pulaski County, KY PVA



Parcel ID	061-5-3-84	Mailing Address	129 CIRCLE ST	Time Value	\$0	Last 3 Labels	
Owner	BROWN BUILDERS, LLC	APRIL 15 2019	SOMERSET KY 40501	Date	9/30/2019	Parcel	1
Taxing District	233	Period Address	129 CIRCLE ST		5/21/2019	Parcel	1
Area	0.12		SOMERSET KY			Parcel	1

Date printed: 5/15/2020  
 Last Date: 5/15/2020 9:17:33 AM  
 Copyright: 2020 Public.net

First reading was given the following Ordinance Number 20-04: An Ordinance Authorizing the Closing of South College Street Between East Mt. Vernon and Rosewood Avenue.

**ORDINANCE 20-04**  
**AN ORDINANCE AUTHORIZING THE CLOSING OF SOUTH COLLEGE STREET BETWEEN EAST Mt. VERNON AND ROSEWOOD AVENUE**

WHEREAS, the following described street has been dedicated as a public street by reference to same in various deeds filed of record in the Pulaski County Court Clerk's Office, and,

WHEREAS, the City of Somerset desires to acknowledge the dedication of said street so that same may be legally closed as herein provided, and,

WHEREAS, the purpose of the closure is to provide better use of land for the Lake Cumberland Farmers Market site, reduce commercial traffic (foot and vehicle) from the new use of the farmers market site and the former Food Fair building, around the homes on Rosewood Avenue,

WHEREAS, all property owners who abut the public street, alley or way have consented in writing to the proposed closing of the street, and,

NOW, THEREFORE, BE IT ORDAINED by the City of Somerset, Kentucky, the following findings of fact are made with reference thereto:

1. The street to be closed is and described as follows: South College Street, Somerset, Kentucky from East Mt. Vernon to Rosewood Avenue.
2. Written notice of the proposed closing was given to the property owner in or abutting the public street (See Exhibit A); and,
3. The property owners abutting the public street, being closed has given their written consent to the closing and a copy of the written consent is attached hereto, and,

4. The fence closing the street, to be built with the development of the Lake Cumberland Farmers Market shall include a gate which can be used from time to time (not regularly) for special vehicles (e.g. large trucks, boats on trailers, or other equipment) of the adjoining land owners and the adjoining land owners only. Should the gate ever require a lock, each adjoining landowner shall receive a key.

Accordingly, based upon the findings of fact herein, it is hereby ORDAINED and ORDAINED the public street, alley or way described is hereby CLOSED effective upon publication of this Ordinance. A copy of this Ordinance shall be filed of record in the Pulaski County Clerk's Office as required by KRS 82.405.2.

The foregoing Ordinance was read and presented to a regular meeting of the City Council of Somerset, Kentucky, for the first reading on the 24<sup>th</sup> day of February 2020.

On \_\_\_\_\_, 2020, A Motion was made by Councilperson \_\_\_\_\_ seconded by Councilperson \_\_\_\_\_ that the Ordinance be adopted as the law of the City of Somerset, Kentucky, to be effective immediately upon publication thereof as required by law.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Alan Cook, Mayor  
City of Somerset, Kentucky

Attest:

Nick Bradlee, Clerk  
City of Somerset, Kentucky

First reading was given the following Ordinance Number 20-05: An Ordinance to the City of Somerset, Kentucky, Annexing by Property as Described Below and in Attachments to this Ordinance, Attachments Incorporated in Full by Reference (Southern Oaks Funeral Home – 2110 West Highway 914).

ORDINANCE NUMBER 20-05

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN, AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS, AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETE, AND THE PROPERTY OWNERS FURTHER HAVE WAIVED THE SIXTY (60) DAY WAITING PERIOD BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPORATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE, AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET, AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAWS,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

SECTION 1 THAT THE PROPERTIES DESCRIBED BELOW IN ATTACHMENTS HERE TO AND BELOW, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE, ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS:

EXHIBIT C, 35.91 ACRES OF A PLAT TITLED "ANNEXATION SURVEY FOR THE OAKS FURNERAL HOME AND ME-HS AND BORNERS DESCRIPTION, SAID LAND HAVING PVA LOT DESIGNATION 050-0-0-1-1, AND ADDRESS 2110 WEST HIGHWAY 914, SOMERSET, KY 40502, COMMONLY KNOWN AS "500 THE OAKS FURNERAL HOME".

SECTION 2 THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND PUBLICATION BY LAW.

FIRST READING

SECOND READING

APPROVED

MAST BECK, MAYOR  
CITY OF SOMERSET, KY

ATTEST:  
NRCK BRADLEY, CITY CLERK



DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Planning & Zoning Commission  
100 East Main Street - 3rd Floor  
Somerset, KY 40502  
Phone: 606-422-0118  
Fax: 606-422-3651  
www.cityofsomerset.com

ANNEXATION REQUEST FORM

I, Richard D. Beck (Print Name) formally request annexation of my property located at 2110 West Highway 914, Somerset, KY 40502 into the City of Somerset

I also request that the 60-day waiting period be waived

I also request that this property be zoned B-2

Richard D. Beck  
Signature

2/20/20  
Date

SHEET 002

Dist: 35.91 Acres  
City of Somerset, Kentucky Annexation  
Ordinance No. \_\_\_\_\_

A certain tract or parcel of land located adjacent to the existing City limits (Ordinance No. 12-05) of Somerset, Kentucky and more particularly described as follows:

The following description was prepared by Anthony G. Thompson PLS #3030 of AGI Land Surveying Firm Permit #490, said description was based on the following information: an actual staked and RTK GPS field survey in part, of several right-of-way markers and portions of right-of-way fence, and calls taken from right-of-way data obtained from the Kentucky Transportation Cabinet plans for Kentucky Highway 914 and calls from the plat described in a Deed to People's Choice Funeral Home, LLC Deed Book 870, page 014 of record in the Putnam County Court Clerk's office in Somerset, Kentucky. The purpose of this survey is to delineate the limits of all areas of annexation. It does not in any way reflect a determination of the individual parcel boundaries and should not be used for this purpose.

Beginning at a point having a KY State Plane single zone coordinate of N: 3,843,593.282; E: 5,343,888.878. Said point further described as being in the City limits of Somerset, Kentucky per Ordinance No. 12-05:

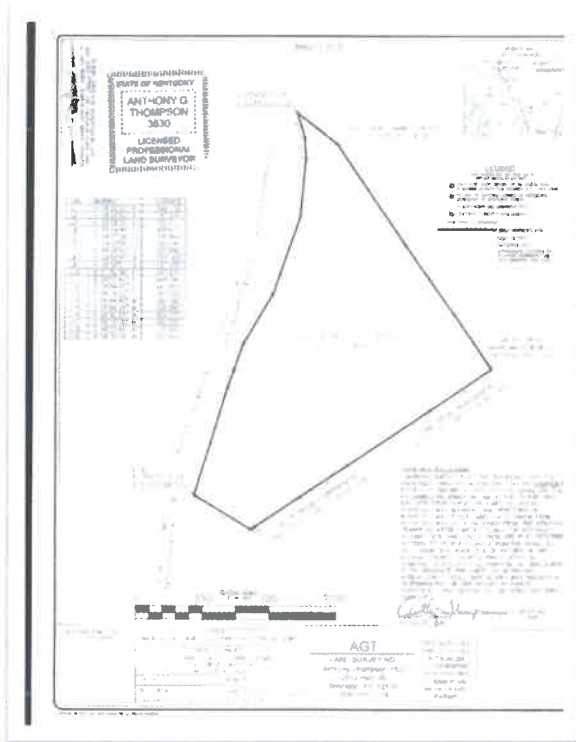
- L1: N 16°52'25" E a distance of 699.178;
- L2: N 18°09'52" E a distance of 97.539;
- L3: N 18°09'52" E a distance of 152.611;
- L4: N 30°19'46" E a distance of 308.813;
- L5: N 18°07'28" E a distance of 105.885;
- L6: N 18°07'28" E a distance of 321.043;
- L7: N 08°26'50" E a distance of 328.649;
- L8: N 03°53'47" W a distance of 107.466;
- L9: N 18°03'21" W a distance of 137.470;
- L10: S 51°59'58" E a distance of 267.523;
- L11: S 33°53'42" E a distance of 648.740;
- L12: S 34°04'07" E a distance of 447.890;
- L13: S 34°18'22" E a distance of 397.020;
- L14: S 55°44'40" W a distance of 397.790;
- L15: S 50°59'29" W a distance of 528.980;
- L16: S 58°20'43" W a distance of 301.370;
- L17: S 58°19'18" W a distance of 282.830;
- L18: S 48°33'48" W a distance of 20.500;
- L19: N 54°30'09" W a distance of 351.602 to the point of Beginning

Said Annex boundary having an area of 1,564,367 square feet or 35.81 acres



Anthony G. Thompson  
Anthony G. Thompson PLS #3030

01/27/20  
Date



Mr. Burdine made a motion to accept a tax refund for John Livingston & Nelliem Perkins for a Homestead Exemption in the amount of \$51.09. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. New, and Mrs. Hunley.

There being no further business the meeting adjourned at 7:45 p.m.

APPROVED:



MAYOR

ATTEST:



CITY CLERK