

ORDINANCE NO. 24-08

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-3** to **R-1A**, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at **200 & 202 Bourne Ave**, Somerset, Kentucky, and having PVA Parcel # **062-5-7-48 & 061-5-7-49**.
- 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 April 8, 2024


SECOND READING April 22, 2024

Approved:



Mayor

Attest:



City Clerk

CITY OF SOMERSET, KENTUCKY
PLANNING AND ZONING COMMISSION

FINDINGS OF FACT,
CONCLUSIONS AND RECOMMENDED MAP AMENDMENT

CASE NO: _____

RE: Zone Change: Habitat for Humanity

For Recording purposes,
Listed below are the parties involved in the Zone Change for
Lots at the corner of Bourne Avenue & Race Street
Somerset, Kentucky
PVA Parcels 061-5-7-48 & 061-5-7-49

Party One
City of Somerset,
Planning & Zoning Commission
PO Box 989
Somerset, Kentucky, 42502

Party Two
Habitat for Humanity, Pulaski County Corporation
PO Box 1685
Somerset, Kentucky, 42502

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 26th day of March 2024 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND MAP AMENDMENT.

FINDINGS OF FACT

Habitat for Humanity, Pulaski County Corporation is the owner of record of two tracts of land on Bourne Avenue at its intersection with Race Street.

The two tracts of land are those properties conveyed to Habitat for Humanity, Pulaski County Corporation by Deed dated the 2nd of December 2023 by the City of Somerset, Kentucky, a Kentucky Municipal Corporation and of record in Deed Book 1083 Page 356.

The two parcels are zoned R-3.

To the south across Race Street are;

130 Bourne Avenue, Parcel 061-5-7-50 (E Phelps), Zone R-3,

330 Race Street, Parcel 061-5-7-28 (L Gilmore), Zone R-3,

To the west is;

331 Race Street, Parcel 061-5-7-31 (Stevenson Family Irrevocable Trust), Zone R-2,

To the north is:

204 Bourne Avenue, Parcel 061-5-7-47 (A Waters), Zone R-3.

To the east are

201 Bourne Avenue, Parcel 061-8-1-55 (D Fitzpatrick) Zone R-2.

203 Bourne Avenue, Parcel 061-8-1-56 (J Edwards) Zone R-2.

The future use of the tract is residential.

The current zone is R-3 and the requested zone change is R-1A.

The trend of late in Somerset is for builders to construct smaller starter homes on similar sized lots within the City. The owner will orient the houses along Race Street and get three lots if it is rezoned. R-3 has the largest setbacks of the four residential zones. R-1A has the smallest setbacks. The builders seeking the rezones to R-1A are getting the most economic benefit from the land, and this is another example of the trend. There is a rezone and subdivision of two lots in front of the Planning and Zoning Commission on April 2, as well as another gentleman who wishes to divide a R-3 Lot into R-1A tracts that is in the discussion phase with the Commission.

The representatives for Habitat for Humanity, Pulaski County Corporation spoke and answered several questions from the board regarding the property and proposed improvements.

The zone change meets the requirements of KRS 100.213 (1)

KRS 100.213 Findings necessary for proposed map amendment -- Reconsideration. (1) Before any map amendment is granted, the planning commission or the legislative body or fiscal court must find that the map amendment is in agreement with the adopted comprehensive plan.

CONCLUSIONS

There were several citizens at the public hearing but no one came forward during the comments session of the public hearing concerning this property.

The board felt that the proposed uses are similar to the other properties in the City of Somerset and provide housing for a sector (military veterans) that have a need. The representatives from Habitat for Humanity, Pulaski County Corporation stated that there are very favorable loan terms enabling the veterans to purchase these houses. The board felt there were sufficient grounds to grant a zone change, voting 6-0 in favor of said change with Burgin, Floyd, Holland, Lynch, Stringer and Vaught voting in favor of the rezoning from R-3 to R-1A.

RECOMMENDED MAP AMENDMENT

It is hereby recommended by this Commission that the map amendment be granted, as the present zoning is in compliance with the Comprehensive Plan, having met the requirements of KRS 100.231 (1).

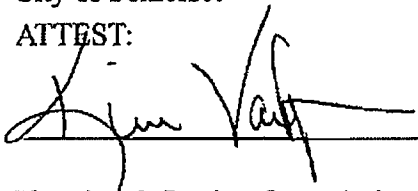
A true and correct copy of this Findings of Fact, Conclusions and Recommended Map Amendment shall be sent to the City of Somerset City Council for adoption.

DONE AND ORDERED this 2nd of April 2024.



Chairman, Planning and Zoning Commission
City of Somerset

ATTEST:



Planning & Zoning Commission Clerk

This document was prepared by the staff of the Planning and Zoning Department under the supervision of John Adams, City Attorney

City Attorney

PULASKI COUNTY KY HABITAT FOR HUMANITY

CLIENTS: PROPERTY OWNERS:
 CLIENT'S NAME: OWMERS NAME
 ADDRESS: ADDRESS
 ADDRESS ZIP: ADDRESS ZIP

THIS PLAN DEPICTS A BOUNDARY SURVEY THAT COMPLETES WITH 101 KGR 181.67

LOCATION OF PARCEL:

TAXID: BOUNDARY: MONUMENT:
 1-1-XX J.C.D. J.D. XXX
 DRAWING DATE: FIELD CENTER: OFFICE NO:
 XX/XX/11 J.C.D. J.D. XXX

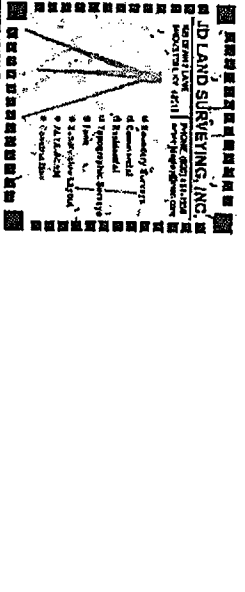
SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT A TOTAL STATION GPS SYSTEM WAS USED BY PERSONS UNDER MY DIRECT SUPERVISION IN PULASKI COUNTY, KY TO ESTABLISH A GRID NORTH, PLANNING A STRIP BEARING TO ESTABLISH GRID COORDINATES FOR THE SAME. I HAVE THE PLANE TABLE, THE BASE RECEIVER AND THE STRIP TOTAL STATION HEREIN VISIBLE, FREQUENCY UNITS USED FOR MEASURING RECEIVED MONUMENTS, REMARKS AND ESTABLISHING CORRECTION MONUMENTS, REMARKS AND METHODS WERE TAKEN TO ENSURE QUALITY OF SURVEY AND THE BEARING POSITIVE ACCURACY FOR ANY ONE METER EACH OF THE WIDTH 100 FEET FOR THE UNPERTURBED SHOWN HEREON.

JERRY DABLET DATE
 N.Y. 12.10.11 3138

LEGEND:

- SET 3/4" STEEL REBAR 18" IN LENGTH WITH A RED PLASTIC SURVEY CAP STAKED 1/4" TO 1/2" PLS. 3138
- SET 1/4" STEEL REBAR 18" IN LENGTH WITH A YELLOW PLASTIC SURVEY CAP STAKED 1/4" TO 1/2" PLS. 3138
- BEARING OR DISTANCE CORNER OR REFERENCE MONUMENT AS DESCRIBED HEREON
- MONUMENT POINTING MONUMENT (M.P.)
- EXISTING UTILITY POLE
- POINT OF BEGINNING
- BOUNDARY LINE
- BOUNDARY LINE CORNER WITH RIGHT-OF-WAY
- RIGHT-OF-WAY
- EXISTING UTILITY LINE
- APPROXIMATE LOCATION OF ADJACENT PROPERTY LINE



LAND TRAVERSE

IF A NORTH CORNER ON LAND TRAVERSE

NOTES:

PROPERTY SHOWN HEREON IS SUBJECT TO ALL COVENANTS, EASEMENTS, EXCEPTIONS, RESERVATIONS, RIGHTS OF WAY, RIGHTS OF RECORD, NOT RECORDED ON LISTED HEREON.

LEVEL IS STATED OTHERWISE HEREON. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF ASTRONOMIC OBSERVATIONS. THE BEARING OR DISTANCE CORNER MONUMENTS TO ANY UTILITY LINE SHALL BE THE PROPERTY OF THE UTILITY COMPANY OR THE PROPERTY.

NO INVESTIGATION WAS MADE DURING THE SURVEY TO DETERMINE THE EXISTENCE OF ANY STRUCTURES WHICH MIGHT BE AFFECTED BY THE SURVEY. THE SURVEYOR HAS BEEN ADVISED BY THE CLIENT THAT THERE ARE NO SUCH STRUCTURES ON THE PROPERTY.

LAND SHOWN HEREON MAY BE SUBJECT TO CERTAIN CITY, COUNTY, STATE, OR FEDERAL REGULATIONS, REGULATIONS OR ZONING REGULATIONS.

FIELD SURVEY COMPLETED ON: _____

PURPOSE OF SURVEY: _____

CG_SETTINGS SITE

VICINITY MAP (NOT TO SCALE)

GRID NORTH

BEARINGS SHOWN HEREON WERE CORRELATED TO GRID NORTH BY THE SURVEYOR'S GPS. BEARINGS SHOWN HEREON WERE CORRELATED TO GRID NORTH BY THE SURVEYOR'S GPS. BEARINGS SHOWN HEREON WERE CORRELATED TO GRID NORTH BY THE SURVEYOR'S GPS.

LAND SURVEYING, INC.

101 KGR 181.67

NO. OF STATION: 10
 NO. OF POINTS: 10
 NO. OF BEARINGS: 10
 NO. OF DISTANCES: 10
 NO. OF MONUMENTS: 10
 NO. OF CORNERS: 10
 NO. OF UTILITY LINES: 10
 NO. OF ADJACENT PROPERTIES: 10

HORIZONTAL DATUM USED: NAD 83

GRID MODEL USED: GEOID96

VERTICAL DATUM USED: NAVD83

PRESENT SURVEYED WITH: GPS TYPE 1073

FACTORS:

1.0000000000000000
 1.0000000000000000
 1.0000000000000000
 1.0000000000000000

ALL DIMENSIONS AND DISTANCES SHOWN HEREON WERE MEASURED ON THE GROUND.

DATE OF SURVEY: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF SURVEY: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF SURVEY: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF SURVEY: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF SURVEY: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF SURVEY: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____

DATE OF RECORDING: _____

DATE OF PLANING: _____