

ORDINANCE NO. 22-20

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:

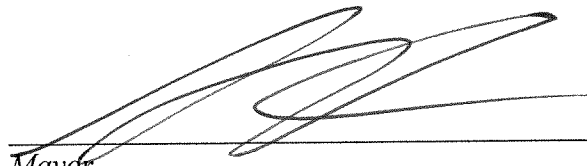
That Ordinance No. 00-18, known as the Zoning Ordinance, Somerset, Kentucky, is hereby amended by altering the Zoning Map in the following manner:

- I. By changing a boundary of land presently zoned **B-3** to **R-3**, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at **509 Bourne Ave**, Somerset, Kentucky, and having PVA Parcel # **061-8-3-45**.
- 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 December 12, 2022


SECOND READING January 9, 2023

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: Slade Properties & Development, LLC, 509 Bourne Avenue

For Recording purposes,

Listed below are the parties involved in the Zone Change for

509 Bourne Avenue

Somerset, Kentucky

PVA Parcel 061-8-3-45

Party One

City of Somerset, Planning and Zoning Commission
PO Box 989
Somerset, Kentucky, 42502

Party Two

Slade Properties & Development, LLC
109 Jasper Street
Somerset, Kentucky, 42501

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 22nd day of November 2022 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND MAP AMENDMENT.

FINDINGS OF FACT

Slade Properties & Development, LLC is the owner of record of a tract of land at 509 Bourne Avenue, per deed of conveyance dated the 20th of April 2022 and of record in Deed Book 1054 Page 074.

The sellers purchased the house in January 2015 (Deed Book 925 Page 349) and the past use during his ownership is unknown, (presumed to be residential in nature).

The seller bought the tract from the estate of Allene Shearer Ramsey, who received the tract as a beneficiary of the Barton L. Ramsey, Jr. Trust in 1988. Dr. Ramsey was an obstetrician who passed in 1969 and his widow, (Allene Shearer Ramsey) was living in the house in June 2014.

Ms. Shearer passed on December 3, 2014.

The house was built in 1950 based on comments in an article in 2014. A portion of the present improvements were in place in 1951. The present structure appears to be in place based on an aerial

photo taken in 1956. The building was used as a residence/office for Dr. Ramsey up till his passing in 1969. The present owner stated that there are still medical records in the building.

The subject tract; Parcel 061-8-3-45, is zoned B-3, Neighborhood Commercial.

The tract to the east; Parcel 061-8-4-25, Somerwoods is zoned B-2 Highway Commercial.

The tract to the south; Parcel 061-8-3-46, Slade Properties & Development, LLC (Vacant) is zoned B-3 Neighborhood Commercial.

The tract to the west; Parcel 061-8-3-44, Lake Cumberland District Health Department is zoned B-3 Neighborhood Commercial.

The tracts across the street; Parcel 061-8-1-42 & 43, City of Somerset (Park), Parcel 061-8-1-41; Roy Muse (Single Family Residence) and Parcel 061-8-1-40 Pulaski County (Health Department), are all zoned B-3 Neighborhood Commercial.

The applicant wishes to rezone the property to R-3 Medium Density Residential. The applicant stated in a pre-application interview that he plans to renovate the structure and change the use to a boarding house (a listed principal use for up to 8 people) after which the applicant will then apply for a conditional use so as to exceed the 8-person limitation. The applicant further stated that he does not plan on building additional building(s) on this parcel. The applicant stated that the absence of sanitary sewage outside the city limits is why he has chosen this tract to meet the needs of his client. The applicant stated that this is a short-term remedy and after additional purchases and/or construction, he may return this tract to its original zoning.

The planned future use for the property is residential, and the proposed zone change agrees with the planned future use.

The zone change meets 100.213 (1).

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

The requested rezoning is in agreement with the future use outlined in the comprehensive plan. Mr. Josh Collins, a principal of Slade Properties & Development, LLC spoke and gave a general outline on the future use of the property.

There were no citizens present to comment in favor for or against the rezoning.

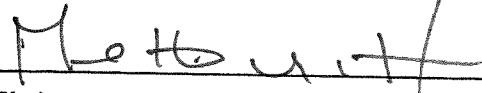
The commission voted 6-1 in favor of the rezoning, with Burgin, Epley, Floyd, Holland, Stringer and Vaught voting in favor of the rezoning, and Lynch opposing said rezoning.

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, meeting 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 23rd day of November 2022.



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