

**ORDINANCE NO. 23-02**

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 **Undeveloped Property at the end of Early & Conley Dr**, Somerset, Kentucky, and having PVA Parcel # **061-8-3-46**
- 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    January 9, 2023

SECOND READING    FEBRUARY 13, 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, Conley Drive

For Recording purposes (if applicable),

Listed below are the parties involved in the Zone Change for

Conley Drive

Somerset, Kentucky

PVA Parcel 061-8-3-46

**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 27<sup>th</sup> day of December 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 Conley Drive, per deed of conveyance dated the 20<sup>th</sup> of April 2022 and of record in Deed Book 1054 Page 150.

The sellers purchased the tract in January 2015 (Deed Book 925 Page 349) and the past use during his ownership is unchanged-vacant land.

The seller bought the tract from the estate of Allene Shearer Ramsey, who in turn purchased the tract in 1984. (Allene Shearer Ramsey) was living in the adjoining house in June 2014.

Ms. Shearer passed on December 3, 2014.

The adjoining house was built in 1950 based on comments in an article in 2014.

The subject tract; Parcel 061-8-3-46, is zoned B-3, Neighborhood Commercial.

The tracts to the east; Parcel 061-8-4-25, Somerwoods is zoned B-2 Highway Commercial and Parcel and Parcel 061-8-4-15 (Dopp) is zoned R-2 Low-Moderate Density Residential.

The tract to the south; Parcel 061-8-3-47, Dopp (Vacant) is zoned R-2 Low-Moderate Density Residential.

The tracts to the west;

Parcel 061-8-3-44, Lake Cumberland District Health Department is zoned B-3 Neighborhood Commercial.

Parcel 061-8-3-43, Hammond is zoned B-3 Neighborhood Commercial.

Parcel 061-8-3-42, Christopher is zoned B-3 Neighborhood Commercial.

The tract to the north 061-8-3-45 is zoned R-3 Medium Density Residential.

The applicant wishes to rezone the property to R-3 Medium Density Residential.

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 citizens present for comments and their greatest concerns were the planned improvements.

Members of the board expressed concerns about its topography and drainage.

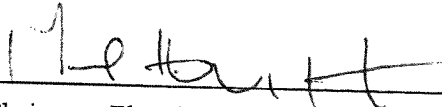
The commission voted 5-0 in favor of the rezoning, with Burgin, Floyd, Holland, Stringer and Vaught voting in favor of the rezoning, and Epley and Lynch absent.


### **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 28<sup>th</sup> day of December 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