

ORDINANCE NO. 22-03

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:

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

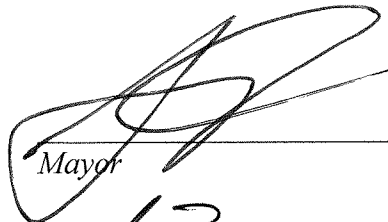
That Ordinance No. 00-18, known as the Zoning Ordinance, Somerset, Kentucky, is hereby amended by altering the Zoning Map in the following manner:

- I. By changing a boundary of land presently zoned **B-2** to **R-3**, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at **107 Losey St**, Somerset, Kentucky, and having PVA Parcel # **061-1-4-02 & 061-1-4-08**.
- 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.

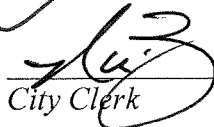
FIRST READING February 14, 2022

SECOND READING February 28, 2022

Approved: _____


Mayor

Attest: _____


City Clerk

CITY OF SOMERSET, KENTUCKY
Planning and Zoning Commission

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND RECOMMENDED ORDER**

CASE NO: Cumberland Lake Rentals

RE: Rezoning-107 Losey Street, Parcels 061-1-4-02 & 061-1-4-08

For Recording purposes,

Listed below are the parties involved in the Zone Change for

Subject Property

107 Losey Street

Somerset, Kentucky

PVA Parcels 061-1-4-02 & 061-1-4-08

Party One

City of Somerset, Planning & Zoning Commission Cumberland Lake Rentals, LLC

PO Box 989

Somerset, Kentucky, 42502

Party Two

536 Red Oak Drive

Nancy, Kentucky 42544

The Somerset Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 8th day of February, 2022 and based on the evidence presented, the Somerset Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER.

FINDINGS OF FACT

The tract has frontage along both Losey Street and Todd Street.

The applicant(s) have the property under contract from the owner of record, Arnold Harris.

Parcel 061-1-4-02 is improved with a single-family residence, garage and outbuilding.

Parcel 061-1-4-08 is unimproved. Both tracts are zoned B-2.

The applicant plans to raze the present improvements and construct a small apartment building on site, with as many as 8-units.

The tract is adjoined by three other landowners. The tract to the west is zoned B-2 and unimproved. The tract to the east on Losey Street is zoned R-1 and is unimproved. The tract to the east on Todd Street is zoned B-2 and also unimproved. The tracts across the street on Losey are zoned R-1 and B-2. The R-1 tract is improved with a single family residence. The B-2 tract is unimproved, and has additional frontage along West Columbia Street. The properties across the street on Todd Street are zoned B-2 and R-3. All are improved with single-family residences. The tract at the corner of Floyd Street and Bogle Street is improved with an apartment complex, and there are two duplexes on Floyd Street to the east of the apartment complex.

The Comprehensive Plan has this tract, as well as all nearby properties in the Social Zone. The proposed use may or may not meet requirements of KRS 100.213 (1) (that the map amendment is in agreement with the adopted

comprehensive plan), the chairman asked the Cumberland Lake Rentals representative Teddy Harris, to expand on either 100.213 (1) (a) that the existing zoning classification given to the property is inappropriate and the proposed zoning change is appropriate, or 100.213 (1) (b) that there have been changes of the economic, physical or social nature within the area involved which were not anticipated.

Mr. Harris felt that the proposed use is more in line with other properties in the immediate area, since the commercial properties have developed along Bogle Street and West Columbia, and that a residential use would be more appropriate than those allowed un the B-2 Regulations.

No other person(s) came forward to speak on the matter, and the public hearing was closed.

After the public hearing and during the discussion of the zone change, Commission Member Richard Buchanan stated that he did not know why this area would be zoned business and that it may have been a coding mistake when the map was brought up to date. He felt like the area should be zoned residential. The general consensus of the commission was that the proposed zone change is more in line with adjoining properties than the present zoning. The zone change was presented to the board for vote, with all members voting yes.

CONCLUSIONS OF LAW

The Commission believes that proposed zoning (R-3) is more appropriate for the tract based on its location and the surroundings properties rather than the current B-2. It is felt that this is sufficient cause for the zone change to meet the requirements of 100.213 1 (a).

ORDER

It is hereby recommended by this Commission that the Rezoning be granted.

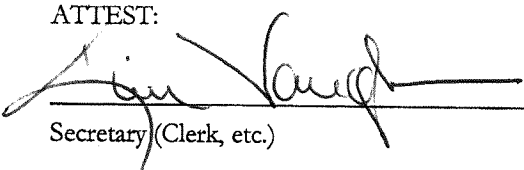
A true and correct copy of this Findings of Fact, Conclusions of Law and Recommended Order shall be sent to the Respondent by certified mail, return receipt requested and filed with the Pulaski County Clerk.

DONE AND ORDERED this 9th day of February, 2022.



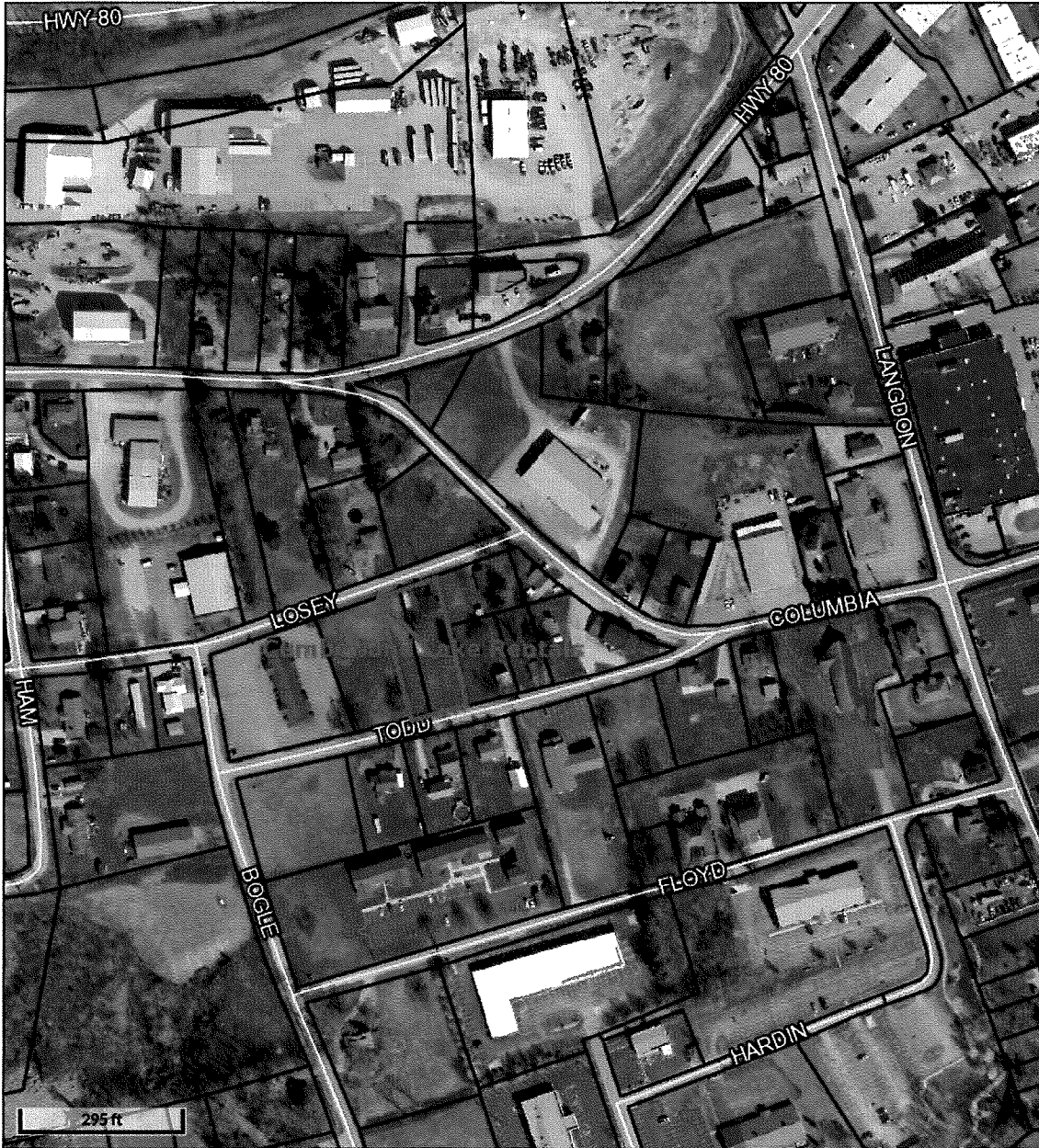
Chairman,
Planning and Zoning Commission
City of Somerset

ATTEST:

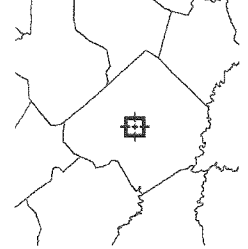

Secretary (Clerk, etc.)

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

City Attorney



Overview



Legend

-  Parcels
-  Roads
-  Land hook

Date created: 1/19/2022
Last Data Uploaded: 1/18/2022 8:14:08 PM

Developed by  **Schneider**
GEOSPATIAL