

ORDINANCE NO. 22-10

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 311 Park Ave, Somerset, Kentucky, and having PVA Parcel # 060-6-6-67.
- 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 June 13, 2022

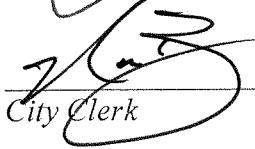
SECOND READING June 27, 2022

Approved:



Mayor

Attest:



City Clerk

CITY OF SOMERSET, KENTUCKY
Planning and Zoning Commission

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND RECOMMENDED ORDER

CASE: Eagle Management

RE: Rezoning-311 Park Avenue

For Recording purposes,

Listed below are the parties involved in the Zone Change for

Subject Property

311 Park Avenue

Somerset, Kentucky

PVA Parcel 060-6-6-67

Party One

City of Somerset, Planning & Zoning Commission

PO Box 989

Somerset, Kentucky, 42502

Party Two

Eagle Management, LLC

PO Box 3215

West Somerset, Kentucky, 42564

The Somerset Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission Board on the 31st of May, 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 only person in attendance for the public hearing was Mike Whitaker, member of Eagle Management.

No one else spoke on the proposed zone change.

The applicant has owned this tract of land since February 2011.

The tract is unimproved with topography that falls to the rear.

309 Park Avenue, Parcel 060-6-6-66, to the south and east, is owned by Lifeline Foundation, Inc. and is zoned B-2. It is improved with a commercial building that is used for early childhood education.

313 Park Avenue, Parcel 060-6-6-68, to the north, is owned by Angie Silvers et al and is zoned B-2. It is improved with a single-family residence.

315 & 317 Park Avenue, farther to the north, are zoned B-2 and are improved with a single-family residences as well.

319 Park Avenue, Parcel 060-6-6-71, also to the north, is owned by New Horizon Graphics, Inc. and is zoned B-2. It is improved with a commercial building. This building is behind 315 & 317 Park Avenue and access is via a driveway north of 317 Park Avenue that runs along the north property line of same.

The 16.48-acre tract across the street was purchased by Palisades of Somerset, LLC in 2020 and has been subdivided and that portion fronting on Park Avenue has been rezoned to R-3 from I-1.

600 Clifty Street, Parcel 060-6-6-74 & 060-6-6-73.1 are owned by Lifeline Realty, LLC and these tracts are zoned B-2 and are improved with a commercial building and parking lot.

The applicants feel that the present zoning (B-2) is inappropriate and that the requested zone (R-3) is more appropriate.

The comprehensive plan calls for the area in which the property is located to be a commercial use in the future. This tract and the larger tract across the street have remained unimproved for the past 20+ years and there appears that there has not been any interest in the property in the business sector. Accessibility may be a factor, as Park Avenue is a dead end street with narrow roadbed, no sidewalks, curbs or gutters.

Palisades of Somerset, LLC has a commitment on several tracts on the lots fronting Park Avenue for multi-family uses.

The board agrees with the applicant and feels that the proposed zone is more appropriate for the property than the past planned use, based upon the limited desire for this tract in the business sector, and the interest from others for the tract(s) across the street.

CONCLUSIONS OF LAW

The Commission believes that due to a lack of construction activity in the business sector in the immediate area in the past 10 to 20 years that the present zoning (B-2) is inappropriate and that the requested zoning classification (R-3) is more appropriate and that the zone change should be allowed per KRS 100.213 (1) (a).

ORDER

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

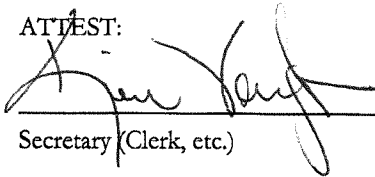
A true and correct copy of this Findings of Fact, Conclusions of Law and Recommended Order shall be sent to the Respondent by certified mail, return receipt requested.

DONE AND ORDERED this 6th day of June, 2022.



Chairman,
Planning and Zoning Commission
City of Somerset

ATTEST:



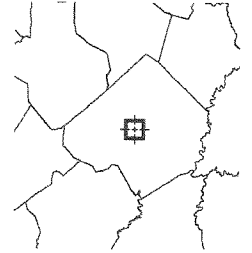
Secretary (Clerk, etc.)

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

Parcel ID	060-6-6-67	Mailing Address	EAGLE MANAGEMENT LLC	Total Value	\$10,000	Last 2 Sales			
Class	RESIDENTIAL		PO BOX 3215			Date	Price	Reason	Qual
Taxing District	22		W SOMERSET, KY 42564			2/9/2011	\$30000	R	U
Acres/Lot	n/a	Physical Address	311 PARK AVE			12/31/2009	\$15000	S	U
			Somerset City						

Brief Tax Description LT 15-16 & 25-26 BL C KY HEIGHTS SUB PARK AVE

(Note: Not to be used on legal documents)

Date created: 6/6/2022
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