

ORDINANCE NO. 22-11

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-1** to **B-2**, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at **Undeveloped Property on 914**, Somerset, Kentucky, and having PVA Parcel # **050-0-1-01**.
- 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

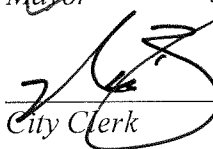
SECOND READING June 27, 2022

Approved:



Mayor

Attest:



City Clerk

CITY OF SOMERSET, KENTUCKY
Planning and Zoning Commission

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

CASE:_RE: Rezoning-18.09-acre bounded by KY 914 & Oak Hill Road

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

Pulaski County Extension District

Foundation, Inc.

28 Parkway Drive

Somerset, Kentucky, 42503

The Somerset Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission Board on the 7th of June, 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 property has been annexed into the City of Somerset with the date of the final reading being April 25, 2022. It was zoned R-1 as required by the Zoning Ordinance (00-18) Article 4-17.

The comprehensive plan has the lands along KY 914 as residential.

Mr. T. J. Adkins spoke on behalf of Pulaski County Extension District Foundation, Inc. the owner of record on an 18.09-acre tract of land bounded on the west by KY 914 and on the east by Oak Hill Road.

Mr. Adkins stated that the Extension Services is planning to construct a 12,000 square foot building that will be offices, services and meeting room. The building will be located on approximately 2.0-acres. The remaining land will be used for crop experiments. The extension agency currently has 18 plots of fescues seeing how the different species grow in the area.

Mr. Adkins stated that the present zoning is inappropriate, and the proposed zoning is more appropriate due to uses of the adjoining properties and changes of an economic nature, physical or social nature that were not anticipated in the adopted comprehensive plan.

One person chose to speak during the public hearing. Her main concern was that her property was being rezoned as well. She was assured that since she lived in the county, that the board had no say over her property even if it was zoned. She had questions about flags in her yard, which appeared to have been placed to show utility locations. In the end, she was quite pleased with the proposed use and the resulting green space.

The tract is an amalgam of five tracts of land purchased between December 2014 and June 2018.

The tract is unimproved with topography that is level to slightly rolling.

To the north is the campus of the Oak Hill Baptist Church. The church is situated on a 21.717-acre tract that also fronts on KY 914 and Oak Hill Road.

Farm Credit Mid-America has an office on a 3.0-acre tract (Parcel 050-0-0-13.4) adjoining the subject at the intersection of KY 914 and UK Extension Blvd.

Mr. McMujjo, LLC owns a 3.06-acre tract across from yjr Farm Credit Offices that adjoins the subject and also fronts on KY 914 and UK Extension Blvd.

Along the south property line, there is one residence at the intersection of Oak Hill Road and No Mans Lane, as well as four duplexes on No-Man's Lane, and one tract improved with a boat storage facility between the single family residence and the duplexes.

There is one residence adjoining the tract on Oak Hill Road (2325 Oak Hill Road, Parcel 050-0-0-13) as well as the Noah's Ark Storage Complex (Parcel 050-0-1-14) at the northwest corner of the property.

The tracts across Oak Hill Road are all improved with single family residences (five).

The tract across from KY 914 has been improved with a funeral home (2012, Parcel 050-0-0-13.1) and cemetery

All adjoining tracts are outside the City of Somerset and therefore not zoned.

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 location and the uses of adjoining and nearby tracts with all members voting aye.

CONCLUSIONS OF LAW

The Commission believes that the proposed zoning (B-2) is more appropriate based on the continued development along KY 914 since its construction in the mid to late 00's 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.

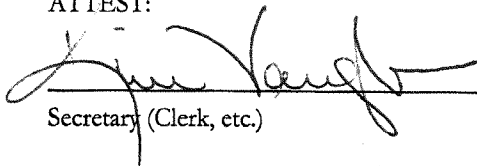
A true and correct copy of this Findings of Fact, Conclusions of Law and Recommended Order shall be sent to the Respondent by certified mail, return receipt requested.

DONE AND ORDERED this 7th day of June, 2022.



Chairman,
Planning and Zoning Commission
City of Somerset

ATTEST:



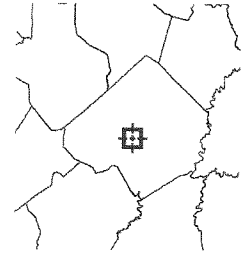
Secretary (Clerk, etc.)

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	050-0-1-01	Mailing	PULASKI COUNTY EXTENSION	Total	\$510,000	Last 2 Sales			
Class	COUNTY EXEMPT PROPERTY	Address	DISTRICT FOUNDATION INC PO BOX 720 SOMERSET, KY 42502	Value		Date	Price	Reason	Qual
Taxing	11	Physical	OAK HILL RD			2/15/2022	\$510000	K	U
District		Address	Pulaski County			12/22/2014	\$475000	A	U
Acres/Lot	18.09	Brief							
Tax Description	TR 1 PULASKI CO DIST FOUNDATION INC BNDRY SUR 18.09								
	(Note: Not to be used on legal documents)								

Date created: 5/31/2022
 Last Data Uploaded: 5/30/2022 8:13:16 PM

Developed by **Schneider**
 GEOSPATIAL