

ORDINANCE NO. 25-12

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 **I-2** to **R-3**, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at **100 Mardis St** Somerset, Kentucky, and having PVA Parcel # **061-6-2-47**.
- 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 APRIL 28, 2025

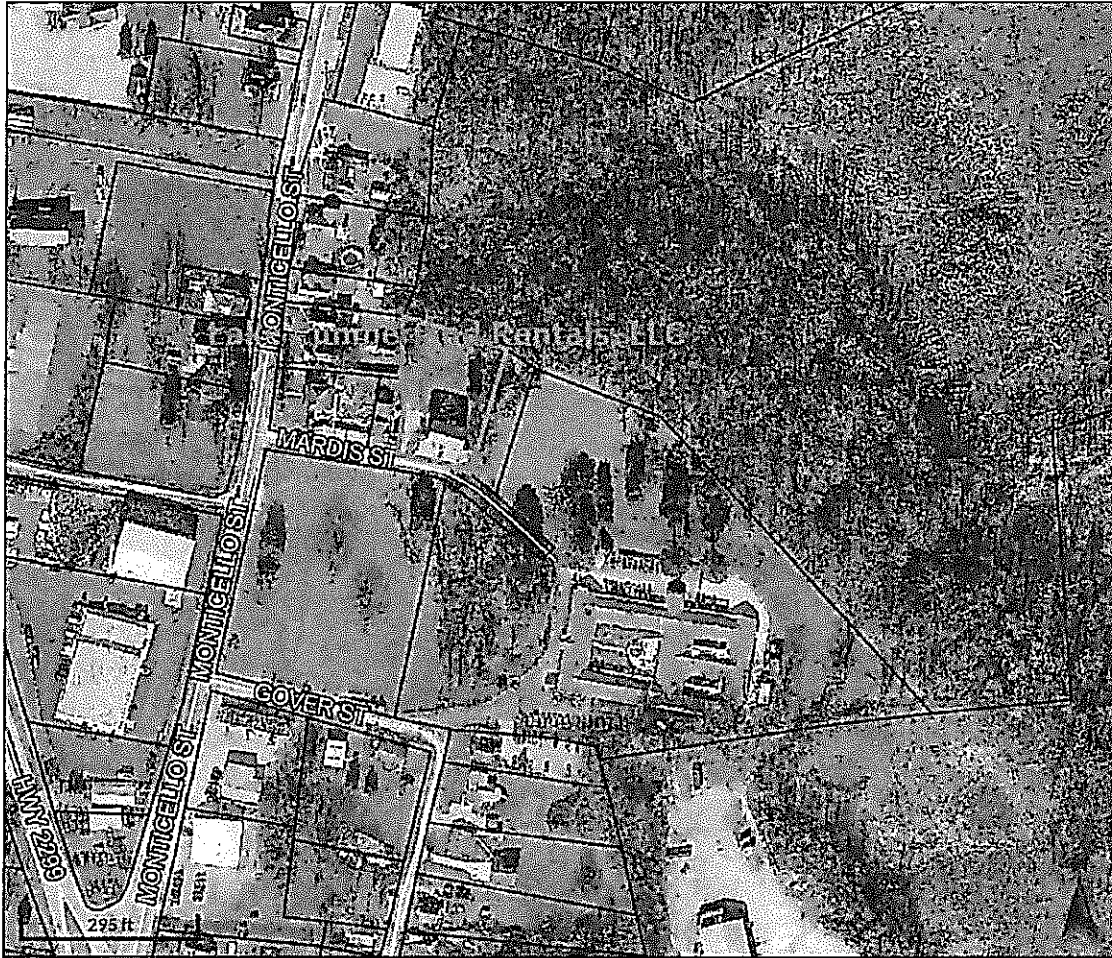
SECOND READING MAY 12, 2025

Approved: _____

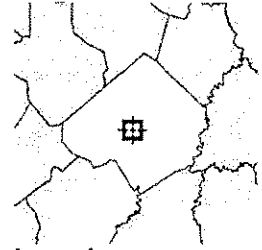
Mayor

Attest: _____

City Clerk



Overview



Legend

- Parcels
- Roads
- Land hook

| | | | | | | | | | |
|-----------|------------|----------|-------------------------|-------|-----------|--------------|----------|--------|------|
| Parcel ID | 061-6-2-47 | Mailing | LAKE CUMBERLAND RENTALS | Total | \$240,000 | Last 2 Sales | | | |
| Class | COMMERCIAL | Address | LLC | Value | | Date | Price | Reason | Qual |
| Taxing | 22 | | PO BOX 3515 | | | 2/28/2025 | \$405000 | Z | Q |
| District | | | WEST SOMERSET, KY 42564 | | | 11/16/2016 | \$240000 | B | U |
| Acres/Lot | 1.0 | Physical | 100 MARDIS ST | | | | | | |
| | | Address | Somerset City | | | | | | |

Brief
Tax Description .72 AC MARDIS ST

(Note: Not to be used on legal documents)

Date created: 4/23/2025
Last Data Uploaded: 4/22/2025 5:06:23 PM

CITY OF SOMERSET, KENTUCKY
PLANNING AND ZONING COMMISSION

FINDINGS OF FACT,
CONCLUSIONS AND RECOMMENDED MAP AMENDMENT

CASE NO: _____

RE: Zone Change: Lake Cumberland Rentals, LLC

For Recording purposes,
Listed below are the parties involved in the Zone Change for
100 Mardis Street
Somerset, Kentucky
061-6-2-47

Party One
City of Somerset,
Planning & Zoning Commission
PO Box 989
Somerset, Kentucky, 42502

Party Two
Lake Cumberland Rentals, LLC
PO Box 3515
West Somerset, Kentucky, 42564

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 22nd day of April 2025 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND MAP AMENDMENT.

FINDINGS OF FACT

Lake Cumberland Rentals, LLC is the owner of record of a tract of land at 100 Mardis Street in Somerset, Kentucky. The tract is a 0.72-acre tract designated as Parcel 061-6-2-47 by the Pulaski County PVA

The tract was conveyed Lake Cumberland Rentals, LLC by deed dated the 28th of February 2025 by Dotty Flynn and of record in Deed Book 1108 Page 545.

The tract contains 0.72-acre and has 122.9 feet of road frontage along Mardis Street.

The tract follows the road grade of Mardis Street and falls to the north.

The parcel is zoned Heavy Industry I-2.

The adjoining tracts are:

North

Monticello Street, Parcel 061-6-2-27, Somerset Energy Refining, LLC I-2

East

Mardis Street, Parcel 061-6-2-46.1, Somerset Nursing & Rehabilitation, I-2

South

422 Monticello Street, Parcel 061-6-2-45, Sword & Ousley, LLC, B-2

106 Gover Street, Parcel 061-6-2-46, Somerset Realty, LLC, B-2

West

100 Mardis Street, Parcel 061-6-2-47.1, Allen & Keitha Barnett, I-2

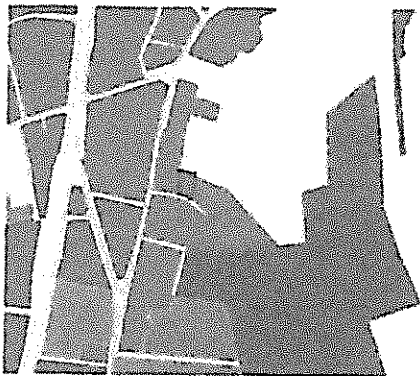
418 Monticello Street, Parcel 061-6-2-49, Clifford Hayden Tucker, R-2

416 Monticello Street, Parcel 061-6-2-50, Amanda Gooden, R-2

418 Monticello Street, Parcel 061-6-2-51, Noah Sparrow, R-2







The current zone is Heavy Industry I-2 and the requested zone change is to Medium Density Residential R-3.

The planned future use of the tract is Commercial.



Murphy Ave

LECLERCQ

-  Commercial
-  Industrial
-  Institutional
-  Mixed-Use
-  Parks/Open Space
-  Residential

Within the 400 block of Monticello Street, there are eleven single family residences, (now or formerly). Three are used in the commercial capacity. Two are on the west side of Monticello Street, 401 Monticello Street (Trinity Support Services,) and 403 Monticello Street, (Skin Lab).

420 Monticello Street (Kidz Kastle Day Care) is on the east side of Monticello Street at its intersection with Mardis Street. Kidz Kastle is also owned by the Barnetts, who own the adjoining tract on Mardis Street to the west.

The Mardis Street building is an accessory use (office) to the Kidz Kastle Day Care at 420 Monticello Street.

Kidz Kastle Day Care is a Type I day care.

A Type I Day Care is a conditional use in a R-2 and R-3 zones, and a principal use in B-1, B-2, and B-3 zones. They are an accessory use in I-1 and I-2.

The adjoining use to the east is Somerset Nursing and Rehabilitation,

A Skilled Nursing Facility is a conditional use in R-3, and a principal use as a Nursing Home in B-1, as well as B-2 under 11, Public Buildings, churches and hospitals, (same category as B-1).

Vaught, chair of the Commission, stated that the proposed zone does not meet the requirements of KRS 100.213 (1)

KRS 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.

Vaught asked the applicants to comply with *KRS 100.213 (1) (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate.*

The applicant stated that the present tract has been improved with a 6-unit apartment building since the 90's and that the present zoning is dissimilar to the uses of adjoining tracts. He also stated that the proposed zoning (residential) is more in line with these adjoining properties, rather than the use outline in the future use map in the comprehensive plan.

The applicant answered questions from the members of the board on future improvement to the property (2 six-unit apartment buildings are planned).

No other person made statements, comments, or asked questions during the public hearing.

CONCLUSIONS

There were no adjoining property owners or others at the public hearing.

The board felt that the proposed zone is more appropriate than the present use or the use outlined on the future use map in the current comprehensive plan.

The board felt there were sufficient grounds to grant a zone change, voting 4-0, in favor of said change with Floyd, Holland, Lynch, Stringer voting aye in favor of the rezoning from I-2 to R-3. Vaught abstained

RECOMMENDED MAP AMENDMENT

It is hereby recommended by this Commission that the map amendment be granted, as the present zoning (I-2) is not appropriate and the requested zoning (R-3) is more appropriate (due to uses of adjoining properties), thus meeting the requirements of KRS 100.231 (1) (a).

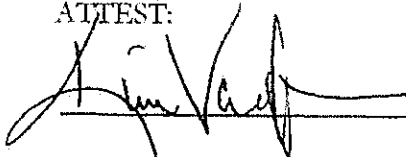
A true and correct copy of this Findings of Fact, Conclusions and Recommended Map Amendment shall be sent to the City of Somerset City Council for adoption.

DONE AND ORDERED this 11th of December 2024.



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