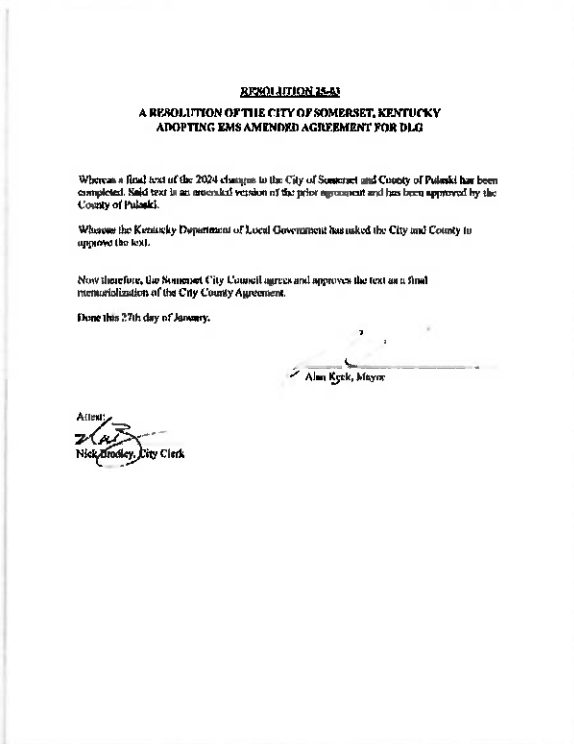


MINUTES OF MEETING HELD JANUARY 27, 2025

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday January 27, 2025, at 6:00 p.m. with the following present: Council Members Patrick Hunley, John Minton, Jim Mitchell, David Godsey, Amanda Bullock, David Burdine, Brian Dalton, Brannen Wheeldon, Jimmy Eastham, Margaret Dick, Phyllis Lawson, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley. Absent: Tom Eastham

Mr. Mitchell made a motion to approve the minutes of the regular meeting of January 13, 2025. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Ms. Dick, and Ms. Lawson.

Mr. Burdine made a motion to approve the following Resolution Number 25-03: APPROVING THE TEXT AS A FINAL MEMORIALIZATION OF THE CITY OF SOMERSET/PULASKI COUNTY EMS INTERLOCAL AGREEMENT. Ms. Lawson seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Ms. Dick, and Ms. Lawson.



Mr. J. Eastham made a motion to approve the following Ordinance Number 24-34: 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 OF UNDEVELOPED PROPERTY AT THE N CORNER OF BOURNE AVE AND JARVIS AVE FROM B-3 TO R-1. Ms. Bullock seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Ms. Dick, and Ms. Lawson.

ORDINANCE NO. 24-34

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-1, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at Undeveloped Property at the N Corner of Bourne Ave & Jarvis Ave Somerset, Kentucky, and having PVA Parcel # 061-7-7-01
- 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 DECEMBER 9, 2024

SECOND READING JANUARY 27, 2025

Approved: Mayor
Attest: City Clerk

Page 2 of 6

Somerset

APPLICATION FOR ZONING AMENDMENT/DEVELOPMENT PLAN APPROVAL
to the
CITY OF SOMERSET PLANNING & ZONING COMMISSION

APPLICATION NUMBER: 24-06
THE UNDERSIGNED OWNER OF THE FOLLOWING LEGALLY DESCRIBED PROPERTY REQUESTS THE CONSIDERATION OF CHANGE IN ZONING CLASSIFICATION/APPROVAL OF DEVELOPMENT PLAN AS SPECIFIED BELOW:
1. NAME OF OWNER (APPLICANT): Leonard Lee and Terri Collier
2. MAILING ADDRESS: P.O. Box 53, Louisville, KY 40207
3. PHONE NUMBERS: HOME: 502-378-0000 BUSINESS: 502-378-0000
4. LOCATION/DESCRIPTION: 807-415 Bourne Avenue, Somerset, KY 40387
5. EXISTING USE: Vacant CURRENT ZONE CLASSIFICATION: B-3
6. PROPOSED USE: Residential Development PROPOSED ZONE CLASSIFICATION: R-1

SUPPORT INFORMATION: ATTACH THE FOLLOWING ITEMS TO THE APPLICATION:
A. A VICTIMITY MAP SHOWING PROPERTY LINES, STREETS AND EXISTING ZONING. MARK THE PROPERTY YOU WISH TO HAVE REZONED WITH THE PROPOSED ZONE CLASSIFICATION.
B. COPY OF THE DEED TO THE PARCEL THAT IS BEING REQUESTED TO BE REZONED.
C. COPY OF THE PLAT TO THE PARCEL THAT IS REQUESTED TO BE REZONED.
D. CHECK IN THE AMOUNT OF \$400 MADE PAYABLE TO THE CITY OF SOMERSET.

DATE: 1/24/25 APPLICANT/OWNER SIGNATURE: Lee Collier
FOR OFFICIAL USE ONLY - DO NOT WRITE BELOW THIS LINE

DATE FILED: 1/24/25 DATE OF NOTICE TO ADJACENT PROPERTY OWNERS: 1/24/25
DATE OF NOTICE TO NEIGHBORS: 1/24/25 DATE OF PUBLIC HEARING: 1/24/25
ISSUED: 1/24/25 DIVISION OF ZONING COMMISSION: APPROVED ☒ DISAPPROVED ☐
IF DENIED, REASON FOR DENIAL: _____

CITY OF SOMERSET PLANNING & ZONING COMMISSION CHAIRMAN
FOR OFFICIAL USE ONLY - LEGISLATIVE AUTHORITY
DATE OF RECOMMENDATION RECEIVED: _____
ACTION BY LEGISLATIVE AUTHORITY: APPROVE _____ DENY _____
DATE OF 1ST READING: _____ DATE OF 2ND READING: _____

DATE SUBMITTED: _____ FLEET SIGNATURE: _____ MAYOR SIGNATURE: _____
NOTE: THIS FORM AND THE SUPPORTING INFORMATION MUST BE FILED WITH THE SOMERSET PLANNING COMMISSION. THE APPLICATION MUST BE RETURNED TO THE OFFICE OF THE CITY CLERK OF THE CITY OF SOMERSET, KENTUCKY, BY THE DEADLINE FOR THE RECEIVING DATE.

CITY OF SOUTHEAST, KENTUCKY
PLANNING AND ZONING COMMISSION
FINDINGS OF FACT
CONCLUSIONS AND RECOMMENDED MAP AMENDMENT

CASE NO.

RE: Zone Change: Leonard Lee Coffee & Truma Coffee (Site Development, I-2-C)

For Recording purposes,
Land below are the parties involved in the Zone Change for
Lots at the corner of Bourne Avenue & Jarvis Avenue
Southeast, Kentucky
061-7-2-01

Party One City of Southeast, Planning & Zoning Commission PO Box 989 Southeast, Kentucky, 42502	Party Two Leonard Lee Coffee & Truma Coffee PO Box 53 Letcher, Kentucky, 42567
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The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 26th day of November 2024 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND MAP AMENDMENT:

FINDINGS OF FACT

Leonard Lee Coffee and Truma Coffee are the owners of a tract of land on Bourne Avenue at an intersection with Jarvis Avenue.

The parcel is that tract of land conveyed to Leonard Lee Coffee and Truma Coffee by deed dated the 8th of January 2020 by Gary & Jane Perkins and of record in Letcher Book 1080 Page 682.

The Perkins purchased the property from the Coffees in 2010 (Deed Book 934 Page 654) who had bought the property in 2005 (278 754 Page 383) when they purchased the tract from the Keweenaw Brothers Construction Co., Inc.

Brown Brothers Construction Co., obtained the property through a series of transfers between July 15, 1991 and June 3, 1973.

The tract contains 4.76 acres and has 571.02 feet of road frontage along Bourne Avenue and 461.44 feet of road frontage along Jarvis Avenue (CV 759).

The tract is at the road grade of Bourne Avenue and runs to the north. There is a depression at the intersection of Bourne and Jarvis Avenues that will be used as a detention basin.

The parcel is zoned R-1.

To reach to the north are:

8 Ridgeway Drive, Parcel 051-7-0-49 (W Coffey), Zone R-1,
9 Ridgeway Drive, Parcel 041-7-0-45 (T Muckey), Zone R-1,

To reach to the east are:

503 Jarvis Avenue, Parcel 076-1-1-15 (J Hyden), Zone R-2,
504 Jarvis Avenue, Parcel 076-1-1-16 (R Dick), Zone R-2,
Jarvis Avenue, Parcel 076-1-1-15 (J Muckey), Zone R-2,
508 Jarvis Avenue, Parcel 076-1-1-16 (A Cook), Zone R-2,
602 Jarvis Avenue, Parcel 076-1-1-16 (J Muckey), Zone R-2,
708 Jarvis Avenue, Parcel 076-1-1-16 (J Muckey & Kathleen Laska), Zone R-2

To reach to the south are:

Shawnee Avenue, Parcel 076-0-0-01 (D Thompson), Zone B-2,
818 Bourne Avenue, Parcel 076-0-0-01 (Hennage Hope of Church of God), Zone B-2

And the tract to the west is

805 Bourne Avenue, Parcel 061-7-2-05 (T Shepherd & J Baker, Jr), Zone R-2.

The current zone is Neighborhood Commercial R-3 and the requested zone change is to Single Family R-1.

The planned future use of the tract is Commercial.

The tract of land is intended for use by a business to construct smaller structure homes on smaller R-1A street lots within the City. Because of the topography, the intent is to construct to go with larger lots and build a slightly larger house than that being listed on the R-1A lots.

The single family residences that will be constructed on the lots is approximately 1,850 square feet.

RECOMMENDED MAP AMENDMENT

It is hereby recommended by this Commission that the map amendment be granted, as the present zoning (R-3) is not appropriate and the requested zoning (R-1) is more appropriate, than meeting the requirements of KRS 100.031 (1) (a).

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

DONE AND ORDERED this 27th of November 2024.

H. J. ...
Chairman, Planning and Zoning Commission
City of Southeast

ATTEST:
[Signature]
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

After today, representing ME Development, LLC and John Stein, member of ME Development, LLC, spoke during the public hearing regarding the use of the property if rezoned and presented a preliminary concept of the layout of the development.

Vaughn, chair of the Commission, stated that the proposed zone does not meet the requirements of KRS 100.031 (1).

KRS 100.031 Findings necessary for proposed map amendment - Recommendation. (1) Before any map amendment is granted, the planning commission or the legislative body or local court must find that the map amendment is in agreement with the adopted comprehensive plan.

After which he asked the applicants to comply with KRS 100.031 (1) (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate.

Mr. Godfrey stated that the tract has had no interest for commercial usage in the past nineteen years and felt that the present zoning classification was not appropriate. They felt that the proposed zone is more appropriate, as it is in line with the uses of the adjoining properties.

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

During the meeting, several questions pertaining to the subdivision were asked from members of the board, but none pertained to the zoning of the property, just the physical characteristics of same.

CONCLUSIONS

As noted above, there were several citizens at the public hearing, but no one came forward during the comments session of the public hearing concerning this property.

The board felt that the proposed zone dovetails with some adjoining properties. While not brought up in the meeting, the zoning officer has had an inquiry on the possibility of rezoning Bourne Avenue, Parcel 076-0-0-01 (D Thompson), Zone B-2 into R-1, and the possibility of constructing single-bedroom apartment building(s) on that site. This site, while not as large, has better topography and appears to have not had any inquiries from the zoning office about potential uses in the commercial versus other supporting the claims of the applicants.

The board felt there were sufficient grounds to grant a zone change, writing 6-0 in favor of said change with Burger, Floyd, Holland, Lynch, Stringer and Vaughn voting in favor of the rezoning from R-1 to R-1.

First reading was given the following Ordinance Number 25-06: 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 OF UNDEVELOPED PROPERTY ON HALEY ST. FROM R2 TO R1A.

ORDINANCE NO. 25-06

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:

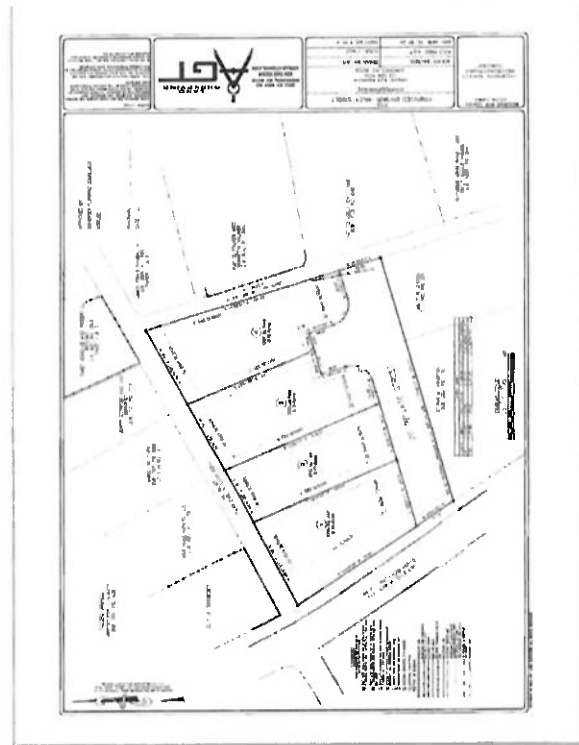
- I. By changing a boundary of land presently zoned R-2 to R-1A, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at Undeveloped Property on Haley St Somerset, Kentucky, and having PVA Parcel # 061-7-7-64.1
- II. That 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 27, 2025

SECOND READING _____

Approved: _____ Mayor

Attest: _____ City Clerk



Kentucky Pulaski County, KY PVA

Parcel ID: 061-7-7-64.1
Class: CITY/EDCPT PROPERTY
Tracing Office: 22
Aerial/Land: 50
Brief: The Commission

Mapping Address: HANCOCK BORN HUMANITY POLYTON JAMES SOMERSET, KY 40362
Parcel Address: HALEY ST Somerset City

Legal Description: (TT-1288 C (P) PCT INFLUITY CO. SUB (under West to be revised) see legal description)

Date created: 1/27/2025
Last Date Modified: 1/27/2025 1:50:37 PM
Downloaded by: SCHNEIDERMAN

Value: \$150,000
Date: 1/28/2025
Price: \$180,000
Reason: Q1

Page 2 of 2

Somerset

APPLICATION FOR ZONING AMENDMENT/DEVELOPMENT PLAN APPROVAL
to the
CITY OF SOMERSET PLANNING & ZONING COMMISSION

THE UNDERSIGNED (OWNERS) OF THE FOLLOWING LEGALLY DESCRIBED PROPERTY REQUESTS THE CONSIDERATION OF CHANGE IN ZONING CLASSIFICATION/APPROVAL OF DEVELOPMENT PLAN AS SPECIFIED BELOW:

1. NAME OF OWNER/APPLICANT: Hancock Born Humanity Pulaski County, KY
2. MAILING ADDRESS: P.O. Box 1438 Somerset, KY 40362
3. PHONE NUMBERS: HOME: 606-271-2278 BUSINESS: 606-271-2278
4. LOCATION DESCRIPTION: currently undeveloped land on Haley St. PVA # 061-7-7-64.1
5. EXISTING USE: Residential EXISTING ZONE CLASSIFICATION: R-2
6. PROPOSED USE: Residential PROPOSED ZONE CLASSIFICATION: R-1A

SUPPORT INFORMATION: ATTACH THE FOLLOWING ITEMS TO THE APPLICATION

- A. A VICINITY MAP SHOWING PROPERTY LINES, STREETS AND EXISTING ZONING, MARKING PROPERTY YOU WANT TO HAVE REZONED WITH THE PROPOSED ZONE CLASSIFICATION
- B. COPY OF THE DEED TO THE PARCEL THAT IS REQUESTING TO BE RE-ZONED
- C. COPY OF THE PLAN TO THE PARCEL THAT IS REQUESTING TO BE RE-ZONED
- D. CHECK IN THE AMOUNT OF \$400 MADE PAYABLE TO THE CITY OF SOMERSET

DATE: 1/27/25 APPLICANT/OWNER SIGNATURE: Hancock Born Humanity

FOR OFFICIAL USE ONLY - DO NOT WRITE IN THIS LINE

DATE FILED: 1/27/25 DATE OF NOTICE TO ADJACENT PROPERTY OWNERS: 1/27/25
DATE OF NOTICE TO NEWSPAPER: 1/27/25 DATE OF PUBLIC HEARING: 1/27/25
FEE PAID: PAID DECISION OF ZONING COMMISSION: APPROVED REAPPROVED: _____
IS DENIED, REASON FOR DENIAL: _____

DATE: _____ CITY OF SOMERSET PLANNING & ZONING COMMISSION CHAIRMAN

FOR OFFICIAL USE ONLY - LEGISLATIVE AUTHORITY

DATE OF RECOMMENDATION RECEIVED: _____
ACTION BY LEGISLATIVE AUTHORITY: APPROVED: _____ DENIED: _____
DATE OF 1ST READING: _____ DATE OF 2ND READING: _____

DATE SIGNED: _____ CITY SIGNATURE: _____ MAYOR SIGNATURE: _____

NOTE: THIS FORM AND THE SUPPORTING INFORMATION MUST BE FILED WITH THE SOMERSET PLANNING COMMISSION. THE APPLICATION MUST BE REFERRED TO THE OFFICE OF P & Z SECURED OR 1ST FLOOR OF THE SOMERSET PUBLIC COURTHOUSE AT 1000 MAIN ST. TO THE MEETING DATE.

CITY OF SOMMERS, KENTUCKY
PLANNING AND ZONING COMMISSION
FINDINGS OF FACT,
CONCLUSIONS AND RECOMMENDED MAP AMENDMENT

CAM NO. _____

RE: Zoning Change: A-1 (Habitat for Humanity)

For Recording purposes,
listed below are the parties involved in the Zoning Change for
Lots on Haley Street
Somerset, Kentucky
061-7-7-64-1

Party One City of Somerset, Planning & Zoning Commission PO Box 900 Somerset, Kentucky, 42507	Party Two Habitat for Humanity PO Box 1690 Somerset, Kentucky, 42502
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The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 10th day of December 2021 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND MAP AMENDMENT

FINDINGS OF FACT

Habitat for Humanity are the owners of parcel of a tract of land on Haley Street between its intersections with Corner Avenue and Mayfield Avenue/Somerset Street. The tract being composed of lots 7, 8, 9, 10, 11, & 12 in Block C of the 1st Subdivided Property Subdivided as recorded in Plat Cabinet A Book 25-Sub 7 and being designated as Parcel 061-7-7-64-1 by the Pulaski County PVA

The tract was conveyed to Habitat for Humanity by deed dated the 8th of November 2010 by Larry Johnson and Lucie Johnson, husband and wife, and of record in Deed Book 587 Page 416.

The tract contains 0.67-acre and has 130 feet of road frontage along Haley Street and 216.97 feet of road frontage along an undeveloped 12' alley abutting the tract property line and 371.48 feet of road frontage along an undeveloped alley abutting the east property line.

The tract follows the east grade of Haley Street (falls from the north to the south) and Corner Avenue and flows to the north and west.

The parcel is zoned B-2.

All adjoining tracts are zoned B-2.

The adjoining tracts are:

North:

201 Corner Avenue-City of Somerset-Parcel 061-7-7-59
203 Corner Avenue-NBC Investments, L.L.C. Parcel 061-7-7-30
205 Corner Avenue-Nancy Barker Parcel 061-7-7-31
207 Corner Avenue-Ralph Thomas & Tamara Parham, Parcel 061-7-7-72
209 Corner Avenue-Robert & Tracy Bowling-Vacant Parcel 061-7-7-73

East:

213 White Street-James Craig Bough, Jr.-061-7-7-42
215 White Street-Moore & Beanna Walter-061-7-7-63
217 White Street-Laura Joann Chay-Yar-061-7-7-64

South:

112 Mayfield Avenue-James B. Latham 061-7-7-67
114 Mayfield Avenue-Dwain Hampton 061-7-7-68

West:

163 Corner Avenue-Church for Jesus, Inc. 061-7-7-67

The current use is Low Moderate Density Residential and the requested zoning change is to Single Family Residential R-1A Small Lot.

The planned future use of the tract is Residential.

The trend of use in Somerset is for buildings to reconstruct, and since some houses on R-1A are old and within the City. They can buy a tract or acres of tracts, either improved or unimproved, and make more lots so they can spread the cost of the lot across as many projects as possible.

The applicant is a non-profit, and can't not a factor in the request. To ability to build as many houses as possible for potential clients in their dream, and by going with R-1A since they would be able to build two more houses on this tract, as R-1 would only allow two acres (24' frontage minimum).

Representatives from Habitat for Humanity and spoke during the public hearing regarding the use of the property if rezoned and presented a preliminary conception of the layout of the development. Vaughn, chair of the Commission, stated that the proposed zone does meet the requirements of KRS 100.213 (1)

KRS 100.213 (1) Findings necessary for proposed map amendment - Rezoning. (1) Before any map amendment is granted, the planning commission or the legislative body or joint committee must find that the map amendment is in agreement with the adopted comprehensive plan.

Chairman Vaughn asked the applicant to comply with KRS 100.213 (1) (d) That the resulting zoning classification is to the property is appropriate and that the proposed zoning classification is appropriate.

They stated that with the increased costs within the housing market due to the pandemic and natural catastrophes, that potential housing consumers wish to get the maximum benefit from land purchases and have been seeking lots to the R-1A zone so as to get more units per acre. As such, it is felt that the present zoning classification was not appropriate, and the proposed zone is more appropriate.

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

The owner presented a well-developed plan, and the density is similar to several tracts along Corner Avenue to the north and west.

CONCLUSIONS

As stated above, there were several reasons at the public hearing, but no one came forward during the commission session of the public hearing concerning this property.

The board felt that the proposed zone dovetails with uses on adjoining properties.

The board felt there were sufficient grounds to grant a zoning change, voting 6-0 in favor of said change with Borge, Floyd, Holland, Lynch, Stanger and Vaughn voting in favor of the rezoning from B-2 to R-1A.

RECOMMENDED MAP AMENDMENT

It is hereby recommended by the Commission that the map amendment be granted, as the present zoning (B-2) is not appropriate and the requested zoning (R-1A) is more appropriate (due to economic changes), thus meeting the requirements of KRS 100.213 (1) (d).

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 ORIGINED this 11th of December 2021.


Chairman, Planning and Zoning Commission
City of Somerset


Planning & Zoning Commission Clerk

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

City Attorney

There being no further business the meeting was adjourned at 6:44 p.m.

APPROVED:



MAYOR

ATTEST:



CITY CLERK