

ORDINANCE NO. 25-29

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 showing a boundary of land presently not zoned due to being annexed into the City to **B2**, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at **Undeveloped Property on 4700 S Hwy 27**, Somerset, Kentucky, and having PVA Parcel # **063-1-2-67.1**.
- 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 8, 2025

SECOND READING JANUARY 12, 2026

Approved: _____

Mayor

Attest: _____

City Clerk

**CITY OF SOMERSET, KENTUCKY
PLANNING AND ZONING COMMISSION**

**FINDINGS OF FACT, CONCLUSIONS
AND RECOMMENDED MAP AMENDMENT**

CASE NO: _____

RE: Zone Determination: ACKMD Investments, LLC

For Recording purposes,
Listed below are the parties involved in the Zone Determination for
South Highway 27
Somerset, Kentucky
PVA Parcel 063-1-2-67.1

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

Party Two
ACKMD Investments, LLC
PO Box 401
Somerset, Kentucky, 42502

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 25th day of November 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

ACKMD Investments, LLC is the owner of record of a 1.05-acre tract of land on the west side of S US 27 between its intersection with Horseshoe Drive and the Southeastern Bypass (Hwy 914). The tract is in the process of being annexed into the City of Somerset. The tract has 290 feet of frontage along S Hwy 27.

The parcel is that tract of land conveyed to ACKMD Investments, LLC, per deed of conveyance dated the 11th of September 2025 and of record in Deed Book 1118 Page 683.

During the public hearing portion of the planning and zoning meeting, the following facts were stated:

The tract to the south and east is

Parcel 063-1-2-66, Forcht Bank. The 1-acre +/- parcel is improved with a 2,012 SF Branch bank with drive through.

The bank is to the south, and a driveway borders the tract along the east property line. A second tract (Parcel 063-1-2-65) owned by Forcht Bank is east of the driveway.

The property is in the unincorporated area of Pulaski County and not subject to zoning regulations.

To the north is

Parcel 063-1-2-67, Jerry S & Brenda Ikerd Trust, UTD 10/24/1996. It is a 7.5-acre tract improved with a car auction building (6,720 SF)

The property is in the unincorporated area of Pulaski County and not subject to zoning regulations.

To the west is S Hwy 27, and across Hwy 27 is

Parcel 063-1-1-86, Beacon Hill Baptist Church. The church owns 4.75-acres and is improved with three buildings, containing 38,472 square feet.

The property is in the unincorporated area of Pulaski County and not subject to zoning regulations.

A bank is allowed in B-1 and B-2 zones.

The car auction is allowed in B-2 and I-1 zones.

The church is allowed in R-1, R-2 & R-3 zones as conditional uses, and principal uses B-1, B-2 & B-3 zones as well as an I-1 zone.

The location dovetails with the intent of the following zone outlined in the zoning ordinance:

4.8 HIGHWAY ORIENTED COMMERCIAL (B-2)

- A. Intent: It is the intent of this district to provide areas for commercial development outside of the central business district. This development should be located along major highways and should be clustered with common highway access points wherever possible. Strip development with numerous highway access points should be discouraged.

The Comprehensive Plan does not designate future uses for tracts outside the Corporate Boundaries of Somerset.

Daniel Cheshire, member of the aforementioned LLC, stated that he plans to improve the tract with a quick-serve restaurant.

This use is a principal use in the current zoning ordinance:

Article 4.8 Highway Oriented Commercial (B-2)

B) Principal Uses

8 Restaurants, Convenience Stores, or fast food establishments.

The tract is on S Hwy 27 and its size is such that it precludes many uses, such as shopping centers, new car development, multibuilding apartment complexes, 10,000 SF + larger churches, schools and other endeavors that require large areas of green space or parking.

The use in the residential field is unlikely, due to its location on a six-lane major thoroughfare.

Nearby uses are commercial in nature and would be, in all probability, be zoned B-2 if annexed into the City of Somerset.

As this is a zone determination, this action does not have to comply with KRS 100.213.

No one came forward to ask questions or offer comments during the public hearing. The members of the commission did not have any questions.

CONCLUSIONS


The board felt that the proposed zone designation (B-2) is appropriate, voting 7-0 in favor of said determination with Burgin, Floyd, Holland, Lynch, Rogers, Stringer and Vaught voting aye.

RECOMMENDED MAP AMENDMENT

It is hereby recommended by this Commission that the map amendment be shown as B-2 when annexed.

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 2nd day of December 2025.



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

- LEGEND:**
- FOUND OR EXISTING CORNER OR REFERENCE MONUMENT AS DESCRIBED HEREON
 - ANNEXATION CORNER (NO MONUMENT SET)
 - ANNEXATION BOUNDARY LINE
 - RIGHT-OF-WAY
 - APPROXIMATE LOCATION OF ADJOINING PROPERTY LINE
 - EXISTING SOMERSET CITY LIMITS BOUNDARY LINE

SURVEYORS CERTIFICATION:

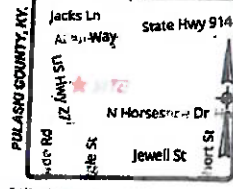
I HEREBY CERTIFY THAT THE BOUNDARY FOR ANNEXATION ORDINANCE NO. _____ FOR THE TRACT OF LAND SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY BY A CHC BASE GPS SYSTEM TO PERFORM A STATIC SESSION TO ESTABLISH GRID NORTH AND KENTUCKY SINGLE ZONE STATE PLANE COORDINATES FOR THE SURVEY PROJECT SHOWN HEREON. THE SURVEY SHOWN HEREON WAS TAKEN FROM DEEDS OF RECORD, TRANSPORTATION CABBINET PLANS AND ACTUAL FIELD MEASUREMENTS OF FOUND CORNERS.

THE PURPOSE OF THE ANNEXATION SURVEY IS TO DELINEATE THE LIMITS OF THE ANNEXATION BOUNDARY. IT DOES NOT IN ANY WAY REFLECT A DETERMINATION OF THE INDIVIDUAL PARCEL BOUNDARIES AND SHOULD NOT BE USED FOR THIS PURPOSE.

Jeff Sagley 10-20-25
DATE

JOY DUBOIS
KY, PLS 3138

VICINITY MAP
(NOT TO SCALE)



BEAVERCREEK TOWNSHIP, KY
CORRELATED TO LAND EXTRA MEASUREMENTS
(1800 SINGLE ZONE PER GPS OBSERVATIONS
AS OBSERVED ON 02/02/25)

LINE TABLE:

LINE	BEARING	DISTANCE
L1	N 89°10'19" W	8.09'
L2	N 78°02'04" E	23.74'

EXISTING CITY LIMITS OF SOMERSET
(ORDINANCE NO. _____)

JERRY AND BRENDA IKERD
(DEED BOOK 948, PAGE 074)

U.S.

EXISTING CITY LIMITS OF BURNSIDE
(ORDINANCE NO. 110.10)
HWY

27

1.05 ACRES
RECORD SOURCE:
ALL OF DEED BOOK 1118, PAGE 683

SOMERSET NATIONAL BANK
(FORCHT BANK)
(DEED BOOK 714, PAGE 623)

JD LAND SURVEYING, INC.

101 DEBBY LANE
BIRMINGHAM, KY 42010
PHONE: 606-451-1500
email: jdsurvey@comcast.net

- Boundary Surveys
- Commercial
- Residential
- Topographic Surveys
- Farm
- Subdivision Layout
- ALTA-ACSM
- Construction

CITY OF SOMERSET ORDINANCE NO. _____

CLIENT(S) / PROPERTY OWNER(S):

ACKMD INVESTMENTS, LLC
C/O DANIEL CHESHIRE
P.O. BOX 401
SOMERSET, KY 42602

"THIS PLAT DEPICTS AN ANNEXATION BOUNDARY ONLY. NOT FOR LAND TRANSFER"

LOCATION OF PARCEL:

4700 US HWY 27 SOUTH

SCALE:

1"=40'

DRAWN BY:

J.C.D.

PROJECT FILE:

JD-1578

DRAWING DATE:

10/20/2025

FIELD CREW ID:

G.L.

DRAWING NO.

JD-1578B

GRAPHIC SCALE

1" = 40'



NOTES:

ANNEXATION BOUNDARY SHOWN HEREON IS SUBJECT TO ALL COVENANTS, EASEMENTS, EXCEPTIONS, RIGHT-OF-WAYS, RESTRICTIONS OF RECORD, NOT OF RECORD OR LISTED HEREON.

ANNEXATION SHOWN HEREON MAY BE SUBJECT TO CERTAIN CITY, COUNTY, STATE, OR HEALTH DEPARTMENT REGULATIONS OR ZONING REGULATIONS.