

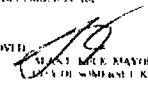

**MINUTES OF MEETING HELD DECEMBER 11, 2023**

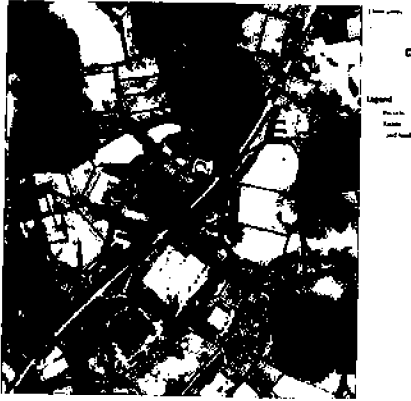
The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday December 11, 2023, at 6:00 p.m. with the following present: Council Members Robin Daughetee, Patrick Hunley, John Minton, Jim Mitchell, David Godsey, Amanda Bullock, Tom Eastham, David Burdine, Brian Dalton, Jimmy Eastham, Jerry Girdler, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley. Absent: Jerry Wheeldon

Mr. Daughetee moved to approve the minutes of the regular meeting held on November 11, 2023, along with reports as mailed. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. J. Eastham, and Mr. Girdler.

Delivery of the June 30, 2023 Financial Statements was given by RFH, PLLC.

Mr. Mitchell made a motion to approve the following Ordinance Number 23-16: ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHEMENTS TO THIS ORDINANCE AND ATTACHMENTS ARE INCORORATED IN FULL BY REFERENCE OF PVA PARCEL NUMBER 102-0-1-14.3. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. J. Eastham, and Mr. Girdler.

<p align="center">ORDINANCE NUMBER 23-16</p> <p>AN ORDINANCE OF THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHEMENTS TO THIS ORDINANCE, WITH THE PURPOSES OF PROVIDING PUBLIC UTILITY SERVICE HEREBY AND:</p> <p>WHEREAS, APPLICABLE REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNERS AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED, AND THE PROPERTY OWNERS HAVE WAIVED THE SIXTY (60) DAY WAITING PERIOD BY AND THROUGH THE VOLUNTARY REQUEST FORM SIGNED BY THE OWNER AND OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPORATED INTO THE REQUEST FORMS, AND MADE PART OF THE ATTACHEMENTS TO THIS ORDINANCE; AND</p> <p>WHEREAS, ALL DOCUMENTS AND ORDINANCES REQUIRED TO BE FILED WITH ANNOTATION OF THE PROPERTIES INTO THE COORDINATE MAPS OF THE CITY OF SOMERSET; AND</p> <p>WHEREAS, THIS DOCUMENT WAS SENT TO THE PUBLIC UTILITIES AND CITY ATTORNEY OF PENNSYLVANIA AFTER THE EFFECTIVE DATE OF THE PUBLIC UTILITIES AND CITY ATTORNEY ACT OF 1988; AND</p> <p>WHEREAS, THE PROPERTIES ARE ALL REAL PROPERTIES OF ANNUAL INCOME FOR THE OWNERS AND ALL OTHER APPLICABLE LAWS;</p> <p>NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:</p>	<p>SECTION 1</p> <p>NOTICE TO THE ASKED PUBLIC UTILITY COURT WAS GIVEN TO ALL THE PUBLIC UTILITIES AND CITY ATTORNEY OF PENNSYLVANIA, PROVIDING THE PROVISIONS OF THE PUBLIC UTILITIES AND CITY ATTORNEY ACT AS AN ALTERNATIVE TO THE PUBLIC UTILITY COURT. THE PROPERTY SHALL BE PUBLIC UTILITY SERVICE PROVIDED BY THE CITY AND NOT PROVIDED BY THE UTILITY. THE PUBLIC UTILITY COURT SHALL BE REQUIRED TO PROVIDE PUBLIC UTILITY SERVICE TO THE PROPERTY AS DESCRIBED IN THIS ORDINANCE.</p> <p>SECTION 2</p> <p>THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.</p> <p>SECTION 3</p> <p>DATE: DECEMBER 11, 2023</p> <p>SECTION 4</p> <p>APPROVED:  MAYOR, CITY OF SOMERSET, KY</p> <p>SECTION 5</p> <p>APPROVED:  CITY CLERK</p>
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6-29 Estimate

Somerset

DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Planning & Zoning Commission  
100 E. Main Street  
Somerset, KY 40387  
Phone: 502-638-1111  
Fax: 502-638-1111  
www.somersetky.gov

ANNEXATION REQUEST FORM

I, SPEDA/Clark Investment Properties, LLC formally request annexation

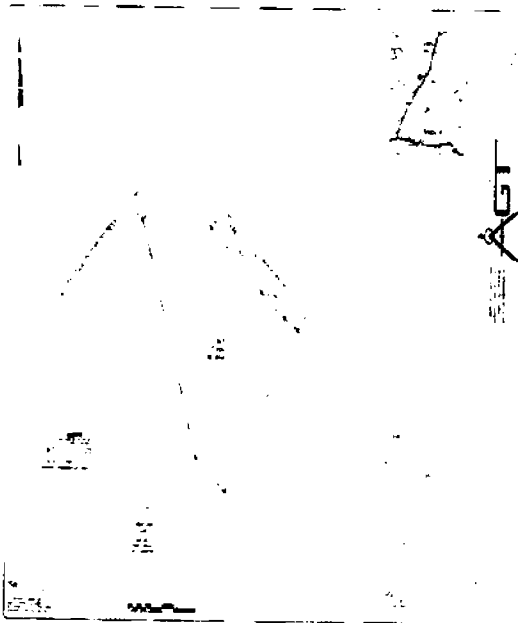
of my property located at Valley Oak Drive - 2.27 Acres

into the City of Somerset

I also request that the 60-day waiting period be waived

I also request that this property be zoned R-1

*Clark*  
SPEDA  
*Dennis Clark*  
10/11/2023



Mr. Burdine made a motion to approve the following Ordinance Number 22-19: 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 PARCEL NUMBERS 061-4-3-56.1 AND 061-4-3-57.1 FROM R-2 TO R-3. Mr. Daughetee seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. J. Eastham, and Mr. Girdler.

**ORDINANCE NO. 23-19**

AN ORDINANCE AMENDING ORDINANCE NO. 0018 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

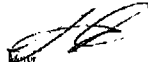
That Ordinance No. 0018, known as the Zoning Ordinance - Somerset, Kentucky is hereby amended by altering the Zoning Map to the following:

- I. By changing a boundary of land parcels zoned R-2 to R-3 and properties below more particularly described in Exhibit A attached hereto as incorporated herein in full by reference located in 2 Undeveloped Lots on Hansel's Way Somerset, Kentucky and having PVA Parcel # 061-4-3-56.1 & 061-4-3-57.1
- II. The City Clerk of the City of Somerset, Kentucky is hereby authorized to update 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 - November 13, 2023

SECOND READING - December 11, 2023

Approved:



Attest:



CITY OF SOMERSET, KENTUCKY  
 PLANNING AND ZONING COMMISSION  
 FINDINGS OF FACT  
 CONCLUSIONS AND RECOMMENDATION

CASE NO. \_\_\_\_\_

RE: Zone Change - Hansel Enterprises, LLC

For Recording purposes

Listed below are the parties involved in the zone change for Hansel Way, Somerset, Kentucky  
 PVA Parcel# 061-4-3-56.1 and 061-4-3-57.1

Party One:	Party Two:
City of Somerset, Planning & Zoning Commission PO Box 439 Somerset, Kentucky 42507	Hansel Enterprises, LLC 108 Park Avenue Somerset, Kentucky, 42504

The Planning and Zoning Commission, having heard testimony at a public hearing conducted before the Commission on the 24<sup>th</sup> day of October 2023 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATION:

**FINDINGS OF FACT**

Hansel Enterprises, LLC is the owner of records 1 two tracts of land on Hansel Way, a private drive off Park Avenue. Parcel 061-4-3-56.1 was conveyed to Hansel Enterprises, LLC, per deed of conveyance dated the 26<sup>th</sup> of February 2022 and is located in Parcel Book 1090 Page 430. Parcel 061-4-3-57.1 was conveyed to Hansel Enterprises, LLC, per deed of conveyance dated the 17<sup>th</sup> of August 2022 and is located in Parcel Book 1061 Page 435. Parcel 56.1 contains 0.12 acre. Parcel 57.1 contains 0.16 acre. The two parcels are zoned R-2.



FINDINGS OF FACT MADE BY THE PLANNING AND ZONING BOARD, AND BASED ON SAID BOARD'S RECOMMENDATION OF A ZONE CHANGE OF PARCEL NUMBER 061-0-0-12 FROM R-2 TO R-1. Mr. J. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. J. Eastham, and Mr. Girdler.

**ORDINANCE NO. 23-20**

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

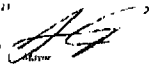
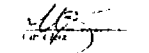
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOMERSET, KENTUCKY:

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 R-1, said properties being more particularly described in Exhibit "A" attached hereto and hereby cited here in full by reference, located at the End of Patriots Way (7 lots), Somerset, Kentucky, and having PVA Parcel # 061-0-0-12
- 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 - November 11, 2023

SECOND READING - December 11, 2023

Approved:   
 Mayor  
  
 City Clerk

CITY OF SOMERSET, KENTUCKY  
 PLANNING AND ZONING COMMISSION  
 FINDINGS OF FACT  
 CONCERNING SUBDIVISION AND REZONING MAP AMENDMENT

CASE NO. \_\_\_\_\_

RE: Zone Change, Tab Four Properties, LLC

For Recording purposes:

Listed below are the parties involved in the Zone Change for  
 Patriots Way  
 Somerset, Kentucky  
 A portion of PVA Parcel 061-0-0-12

Deedy One	P. L. Two
City of Somerset,	Tab Four Properties, LLC
Planning & Zoning Commission	
PO Box 989	774 E. Splendor Drive
Somerset, Kentucky 40502	Somerset, Kentucky, 42501

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 29<sup>th</sup> day of October 2023 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND MAP AMENDMENT:

FINDINGS OF FACT:

Tab Four Properties, LLC, the owner of record of a 0.9-acre tract at the terminus of Patriots Way, a private drive off Monmouth Street.  
 The tract is a portion of the lands conveyed to Tab Four Properties, LLC, per deed of conveyance dated the 9<sup>th</sup> of May 2015 and of record in Deed Book 1074 Page 140.  
 The parcel is zoned R-2.  
 To the south of the parcel tract are the following parcels:  
 12 - independent Drive Parcel 062-0-0-11 (Lagres Landscaping, Somerset, Kentucky - Zone R-1),  
 Patriots Way Parcel 062-0-0-10 (Lagres Landscaping, Somerset, Kentucky - Zone R-1),  
 Patriots Way Parcel 062-0-0-10 (Lagres Landscaping, Somerset, Kentucky - Zone R-1).



Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. J. Eastham, and Mr. Girdler.

Mr. T. Eastham made a motion to go into Executive Session pursuant to KRS 61.810 (b) and (g). Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Daughetee, Mr. Hunley, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. J. Eastham, and Mr. Girdler.

No action taken in Executive Session

There being no further business the meeting was adjourned at 7:14 p.m.

APPROVED: \_\_\_\_\_



MAYOR

ATTEST: \_\_\_\_\_



CITY CLERK