

MINUTES OF MEETING HELD FEBRUARY 13, 2023

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday February 13, 2023, at 6:00 p.m. with the following present: Council Members; John Minton, Jim Mitchell, David Godsey, Tom Eastham, David Burdine, Brian Dalton, Jerry Wheeldon, Jimmy Eastham, Jerry Girdler, Robin Daughetee, Patrick Hunley, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley. Absent: Amanda Bullock.

Mr. Burdine moved to approve the minutes of the regular meeting held on January 23, 2023, along with reports as mailed. Mr. Dalton seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Godsey, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, and Mr. Hunley.

Mr. Daughetee made a motion to approve the following Ordinance Number 23-02: 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 End of Early & Conley Dr. Mr. T. Eastham seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Godsey, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, and Mr. Hunley. "No" Mr. Minton and Mr. Mitchell. Motion passed.

ORDINANCE NO. 23-02

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-3, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at Undeveloped Property at the end of Early & Conley Dr, Somerset, Kentucky, and having PVA Parcel # 061-8-3-46
- 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 January 9, 2023

SECOND READING February 13, 2023

Approved:  _____
 Attest:  _____

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

FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDED MAP AMENDMENT

CASE NO: _____

RE: Zone Change: Slade Properties & Development, LLC, Conley Drive

For Recording purposes (if applicable),
 Listed below are the parties involved in the Zone Change: Ex
 Conley Drive
 Somerset, Kentucky
 PVA Parcel 061-8-3-46

Party One	Party Two
City of Somerset, Planning and Zoning Commission P.O. Box 989 Somerset, Kentucky, 42502	Slade Properties & Development, LLC 109 Jasper Street Somerset, Kentucky, 42501

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 27th day of December 2022 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND MAP AMENDMENT(S):

FINDINGS OF FACT

Slade Properties & Development, LLC is the owner of record of a tract of land on Conley Drive, per deed of conveyance dated the 20th of April 2022 and of record in Deed Book 1054 Page 150
 The sellers purchased the tract in January 2015 (Deed Book 925 Page 349) and the past use during his ownership is unchanged vacant land
 The seller bought the tract from the estate of Allene Shearer Ramsey, who in turn purchased the tract in 1984. (Allene Shearer Ramsey) was living on the adjoining parcel as of June 2014.
 Mr. Shearer passed on December 3, 2014
 The adjoining house was built in 1950 based on comments in an article in 2014.
 The subject tract, Parcel 061-8-3-46, is zoned B-3, Neighborhood Commercial.
 The tract to the east, Parcel 061-8-4-25, Somerset-roads is zoned B-2 Highway Commercial and Parcel and Parcel 061-8-4-15 (Dopp) is zoned R-2 Low-Moderate Density Residential.

The tract to the south, Parcel 061 8 3 47, Dopp (Vacant) is zoned R 2 Low Medium Density Residential.
The tracts to the west,
Parcel 061 8 3 44, Lake Cumberland District Health Department is zoned B 3 Neighborhood Commercial.
Parcel 061 8 3 43, Harwood is zoned B 3 Neighborhood Commercial.
Parcel 061 8 3 42, Christopher is zoned B 3 Neighborhood Commercial.
The tract to the north 061 8 3 45 is zoned R 3 Medium Density Residential.

The applicant wishes to rezone the property to R-3 Medium Density Residential.
The planned future use for the property is residential, and the proposed zoning change agrees with the planned future use.
The zoning change meets 100.213 (1):
100.213 Findings necessary for proposed map amendments. Reconsideration. (1) Before any map amendments 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.

CONCLUSIONS

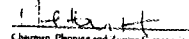
The requested rezoning is in agreement with the future use outlined in the comprehensive plan.
Mr. Josh Collins, a principal of State Properties & Development, LLC, spoke and gave a general outline on the future use of the property.
There were citizens present for comments and their greatest concern was the planned improvements.
Members of the board expressed concerns about its topography and drainage.
The commission voted 5 0 in favor of the rezoning, with Ruggen, Ford, Hollist, Stranger and Vaught voting in favor of the rezoning, and Epley and Lynch absent.

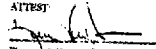
RECOMMENDED MAP AMENDMENT

It is hereby recommended by this commission that the map amendment be granted, as the present zoning is in compliance with the Comprehensive Plan, meeting the requirements of KRS 100.231 (1).

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

DONE, AND ORDERED this 28th day of December 2022.


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.

Mr. Mitchell made a motion to go approve the following tax refunds: Robin L. Keeney, 2022 Homestead Exemption \$52.65, Saraswati Inc., 2022 Tangible Amendment \$20.52. Mr. Daughetee seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Minton, Mr. Mitchell, Mr. Godsey, Mr. T. Eastham, Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Mr. Girdler, Mr. Daughetee, and Mr. Hunley.

There being no further business the meeting adjourned at 6:29 p.m.

APPROVED: 

MAYOR

ATTEST: 

CITY CLERK