

Based on Said Board's Recommendation of A Zone Change of Parcel Number 089-0-0-03.3 From I-2 to B-2.

ORDINANCE NO. 23-03

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:

This 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 B-2, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, on undeveloped property located between Bernsberg Rd and E KY Hwy 80, Somerset, Kentucky, and having PVA Parcel # 089-0-0-03.3.
- 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 February 28, 2023

SECOND READING _____

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 Change: SP1-D-1 Properties, Bernsberg Road/East Hwy 80

For Recording purposes,
Listed below are the parties involved in the Zone Change for
Bernsberg Road
Somerset, Kentucky
A portion of PVA Parcel 089-0-0-03.3, that will be rezoned to
PVA Parcel 089-0-0-03A, 03.5, 03.6 & 03.7

Party One	Party Two
City of Somerset, Planning and Zoning Commission PO Box 200 Somerset, Kentucky, 42502	SPEDA Properties I, LLC 306 East Mount Vernon Street Somerset, Kentucky, 42501

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 21st day of February 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

SPEDA Properties I, LLC is the owner of record of a tract of land sit bounded on the south by East KY 80 and on the north by Bernsberg Road and being Parcel 2 of Deed Book 1013 Page 186 a 22.91-acre tract on plot named Corner (Lanes) Island Property # 2 as recorded in Plat Cabinet G Side 19C. SPEDA is a predecessor entity purchased the tract on October 2019 (Deed Book 1004 Page 687) and the plot was in unsharped pasture land. The subject was rezoned in 2020 (Ordinance 20-12) at which time it was zoned I-2 at the request of the owner of record SPEDA.

The parcel front across Bernsberg Road on the north, the remainder of Parcel 089-0-0-03.3, is a zoned I-2 Heavy Industry.
The tract to the west, Parcel 089-0-0-03.2 (Parcel 1 - A. B. Smith Corner Farmhouse) is in a use not in the city and not zoned.
The tracts to the east, Parcel 089-0-0-03.2 (Dorinda Thompson & Marky French Living Trust) and Parcel 089-0-0-03.1 (James Conners) are not in the city and not zoned.
East Highway 80 is the western boundary.
The applicant wishes to rezone the property to B-2 (aggressive commercial).
The planned future use for the property is Commercial, and the proposed zone change agrees with the Planned Future use.
The zone change meets 100.213 (1).
100.213 Findings necessary for proposed map amendments - Recommendation: (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.

CONCLUSIONS

The rezoning proposed is in agreement with the future use outlined in the comprehensive plan. There were no citizens present to comment on the rezoning or against the rezoning. The commission voted 5-0 in favor of the rezoning, with 5 ayes, 1 and 1 abstain, 0 noes and 1 abstain voting in favor of the rezoning, and 1 abstain remaining neutral.

RECOMMENDED MAP AMENDMENT

It is hereby recommended by the Commission that the map amendments be granted, as the present zoning is in compliance with the Comprehensive Plan, meeting the requirements of KRS 100.213 (1).

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

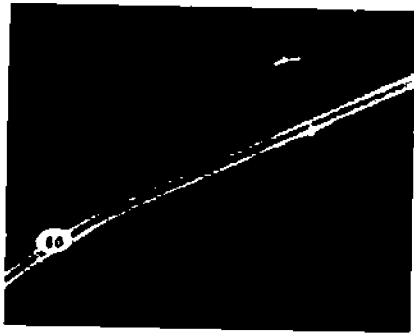
DONE AND ORDERED on 22nd day of February 2023

Melba...
Chairman, Planning and Zoning Commission
City of Somerset

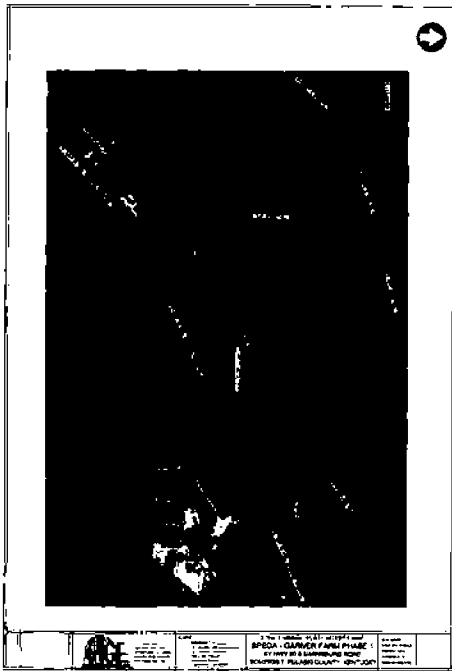
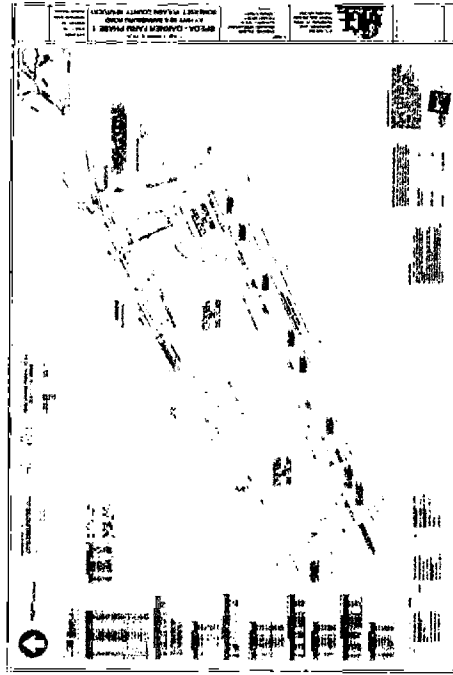
ATTEST:
[Signature]
Planning and Zoning Commission Clerk

This document was prepared for the staff of the Planning and Zoning Department under the supervision of John Adams, City Attorney.

City Attorney



Legend
City Line
Planned Use
1 in = 2,100 feet
1.5
Miles



There being no further business the meeting adjourned at 6:22 p.m.

APPROVED:



MAYOR

ATTEST:



CITY CLERK