

ORDINANCE NO. 26-04

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 **R2** to **B3**, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located at **414 Broadway St** Somerset, Kentucky, and having PVA Parcel #: **061-7-8-68**.
- 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 MARCH 9, 2026

SECOND READING MARCH 23, 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 Change: Renaissance Enterprises of Somerset, Inc., 414 Broadway Street

For Recording purposes,
Listed below are the parties involved in the Zone Change for
414 Broadway St
Somerset, Kentucky
PVA Parcel 061-7-8-68

Party One

City of Somerset, Planning and Zoning Commission
PO Box 989
Somerset, Kentucky, 42502

Party Two

Renaissance Enterprises of Somerset, Inc.,
159 Woodland Drive
Somerset, Kentucky, 42501

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 3rd day of March 2026 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND MAP AMENDMENT.

FINDINGS OF FACT

Renaissance Enterprises of Somerset, Inc., is the owner of record of a tract of land at 414 Broadway Street, per deed of conveyance dated the 6th of January 2021 and of record in Deed Book 1026 Page 375.

The building has a history of commercial use for the past 55+ years.

The present owner runs a repair service, House Doctors of Somerset, out of the building since its purchase in 2021. The property began as a grocery, being Whitis' Grocery in the 60's and 70's and has been several uses since its original use ceased.

The subject tract; Parcel 061-7-8-68, is zoned R-2, Low-Moderate Density Residential.

The tract to the east; Parcel 061-7-7-68, 114 Marydale Avenue is zoned R-2 Low-Moderate Density Residential and improved with a single-family residence.

The tracts to the south are;

Parcel 061-8-1-40, 500 Bourne Avenue, Pulaski County, Kentucky for use and benefit of Lake Cumberland Health Department, B-3 Neighborhood Commercial and is improved with a 25,000 SF + clinic/office occupied by Lake Cumberland Health Department.

Parcel 061-8-1-39, 419 Bourne Avenue, Oak Pointe Centre, Inc., I-1 Light Industrial, and is improved with two buildings containing over 100,000 square feet. The property is the former Palm Beach factory.

The tracts to the west are;

Parcel 061-8-1-69, 410 Broadway Street, is zoned R-2, Low-Moderate Density Residential and is improved with a single-family residence.

- 1) Parcel 061-8-1-68.1, Broadway Street, 2) Parcel 061-7-8-67, 163 Cotter Avenue, and 3) 061-7-8-66, Cotter Avenue are zoned R-2, Low-Moderate Density Residential, owned by the same entity, and are 1) vacant and 2) church, 3) parking lot.

The applicant wishes to rezone the property to B-3 Neighborhood Commercial to be able to expand the building.

The present use is legal nonconforming (grandfathered) and per Article 3.3 A)

3.3 CONTINUATION OF NON-CONFORMING STRUCTURES

A) Alterations: A non-conforming structure shall not be enlarged, replaced or structurally altered except as provided for in this ordinance. Minor repairs to and routine maintenance of property where nonconforming situations exist are permitted and encouraged. Major renovation, i.e., work estimated to cost more than 25 percent of the appraised valuation of the structure to be renovated may be done only in accordance with a building permit issued pursuant to this ordinance.

The planned future use for the property is residential. The proposed zone change brings the property in agreement with its past use for the past 55+ years.

This property has been zoned wrong for years, as it meets the intent of the R-3 Zone.

4.9 NEIGHBORHOOD COMMERCIAL (B-3)

A. Intent. The intent for this district is to accommodate neighborhood shopping and service facilities to serve the needs of the surrounding residential area. This district should be oriented to the residential neighborhood and should have a roadway system which will be adequate to accommodate the anticipated vehicular traffic.

While the present use may not exactly agree to the intent above, the occasion may arise wherein a future use is more in line with a listed principal use.

The zone change meets the requirements of KRS 100.213 (1) (a)

Findings necessary for proposed map amendment -- Reconsideration. (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, or, in the absence of such a finding, that one (1) or more of the following apply and such finding shall be recorded in the minutes and records of the planning commission or the legislative body or fiscal court: (a) That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate;

CONCLUSIONS

The present zone is inappropriate given its past use, and the proposed zone is the appropriate zone.

Mr. Bart Williams, principal of Renaissance Enterprises of Somerset, Inc. spoke and gave an outline of his past use and the need to rezone the property (to enable an expansion of the building for heated storage of equipment).

Vaught and Burgin, grew up in adjoining neighborhoods and stated that it was apparent that the present zoning is incorrect and that it should have been zoned B-3 (Neighborhood Commercial) years ago.

There were no citizens present to comment on this matter.
The members had few comments on the matter as well.

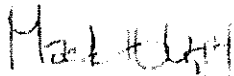
The commission voted 7-0 in favor of the rezoning, with Burgin, Floyd, Holland, Lynch, Rogers, Stringer and Vaught voting aye.

RECOMMENDED MAP AMENDMENT

It is hereby recommended by this Commission that the map amendment be granted, as the present zoning is inappropriate and the requested zone is appropriate and meets the requirements of Article 10.6 (1) of the City of Somerset Zoning Ordinance as well as KRS 100.231 (1) (a).


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 3rd day of March 2026.



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