

ORDINANCE NUMBER 26-06

AN ORDINANCE TO THE CITY OF SOMERSET, KENTUCKY, ANNEXING BY CONSENT PROPERTY AS DESCRIBED BELOW AND IN ATTACHMENTS TO THIS ORDINANCE, ATTACHMENTS INCORPORATED IN FULL BY REFERENCE HEREIN, AND

WHEREAS, ANNEXATION REQUEST FORMS HAVE BEEN SUBMITTED BY THE PROPERTY OWNER(S), AND THE FORMS HAVE BEEN ACCEPTED BY THE CITY AS COMPLETED; AND THE PROPERTY OWNERS EACH HAVING WAIVED THE SIXTY (60) DAY WAITING PERIOD, BY AND THROUGH THE ANNEXATION REQUEST FORM, SIGNED BY THE OWNER AND/OR AN AUTHORIZED AGENT OF THE OWNER AND INCORPORATED IN FULL HEREIN BY REFERENCE, AND MADE PART OF THE ATTACHMENTS TO THIS ORDINANCE; AND

WHEREAS, ALL DOCUMENTS AND RECORDS NEEDED TO PROCEED WITH ANNEXATION OF THE PROPERTIES INTO THE CORPORATE LIMITS OF THE CITY OF SOMERSET; AND

WHEREAS, THIS DOCUMENT WAS SENT TO THE JUDGE EXECUTIVE AND COUNTY ATTORNEY OF PULASKI COUNTY AFTER THE FIRST READING AS NOTICE UNDER 23 REGULAR SESSION SENATE BILL 141; AND

WHEREAS, THE PROPERTIES MEET ALL REQUIREMENTS FOR ANNEXATION AS SET FORTH IN KRS AND ALL OTHER APPLICABLE LAW.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF SOMERSET, KENTUCKY:

SECTION 1.

THAT THE PROPERTIES DESCRIBED BELOW IN ATTACHMENTS HERETO AND BELOW ARE HEREBY ANNEXED INTO THE CITY'S CORPORATE LIMITS:

EXHIBIT A THE DELINEATED LAND COMPRISING A TRACT OF LAND .89 ACRES SHOWN ON ANNEXATION MAP TITLED "ANNEXATION MAP, 1 TRACT TOTALING .89 ACRES BY SURVEY, SOMERSET, KY" DATED 2/27/26 BY BOBBY L. HUDSON LAND SURVEYOR. THE PROPERTY IS PARTIALLY IMPROVED LAND ON THE EAST SIDE OF PUMPHOUSE ROAD ADJOINING SOMERSPORT PARK.

SECTION 2. THE PROPERTY IS IMPROVED AS R-3. AND THE OWNER HAS APPLIED FOR THE RECOMMENDATION AND HAS RECEIVED THE RECOMMENDATION OF THE PLANNING AND ZONING BOARD. (SEE CASE NO: ZC-2025-06)

SECTION 3. NOTICE TO PULASKI COUNTY FISCAL COURT WAS GIVEN AFTER THE FIRST READING AND 45 DAYS BEFORE THE SECOND READING.

SECTION 4. THIS ORDINANCE SHALL TAKE EFFECT AFTER ITS PASSAGE AND UPON PUBLICATION BY LAW.

FIRST READING: MARCH 23, 2026

SECOND READING: MAY 11, 2026 (NOT BEFORE MAY 7TH, 2026)

APPROVED:


ALAN L. KECK, MAYOR
CITY OF SOMERSET, KY

ATTEST:


NICK BRADLEY, CITY CLERK

Office of the
City Attorney
P.O. Box 989
Somerset, KY 42502



Office 606-425-5351
Fax 606-679-2481

John B. Adams
City Attorney

March 24, 2026

Emailed and Hard Copy via USPS

Hon. Marshall Todd
Judge Executive, Pulaski County
100 North Main Street
Suite 202
Somerset, Kentucky 42501

Hon. Martin L. Hatfield
Pulaski County Attorney
103 South Maple Street
Somerset, Kentucky 42501

Senate Bill 141 Annexation Notice –340 Pumphouse Road

Greetings:

Please let this correspondence serve as notice to Pulaski County Fiscal Court of an annexation of the real property at 340 Pumphouse Road. The notice is given pursuant to 23 Regular Session Senate Bill 141.

Procedurally, the Common Council of the City of Somerset heard a first hearing on the above-described properties on March 23, 2026, in its regular meeting of that date.

Please find enclosed a draft of the Ordinance and supporting documents, Ordinance 26-____.

If it is your opinion this notice is in any way deficient, please contact me immediately.

Sincerely,

John B. Adams

Alan Keck
MAYOR

Reginald Chaney
City Engineer



City of Somerset
P.O. Box 989 Somerset, KY 42502
Office 606-425-5362
Fax 606-425-5370

**DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION
CITY ENGINEERING DIVISION**

306 East Mount Vernon Street
P.O. Box 989
Somerset, KY 42502
Phone: (606)-425-5362
Cell: (606)-875-7770
rchaney@cityofsomerset.com

ANNEXATION REQUEST AND ZONE DESIGNATION FORM

I, Lake Cumberland Rental, LLC (David Coffey), formally request annexation of my property located at 340 Pumphouse Rd.

Into the City of Somerset.

In making this request I also request that a ZONE DESIGNATION hearing be held on this property to be annexed, as allowed in KRS 100.209 (1), and for this property to be ZONED R-3 upon condition of annexation approval. I have attached the APPLICATION FOR ZONE DESIGNATION AND APPROVAL to this application for your consideration.

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



Signature

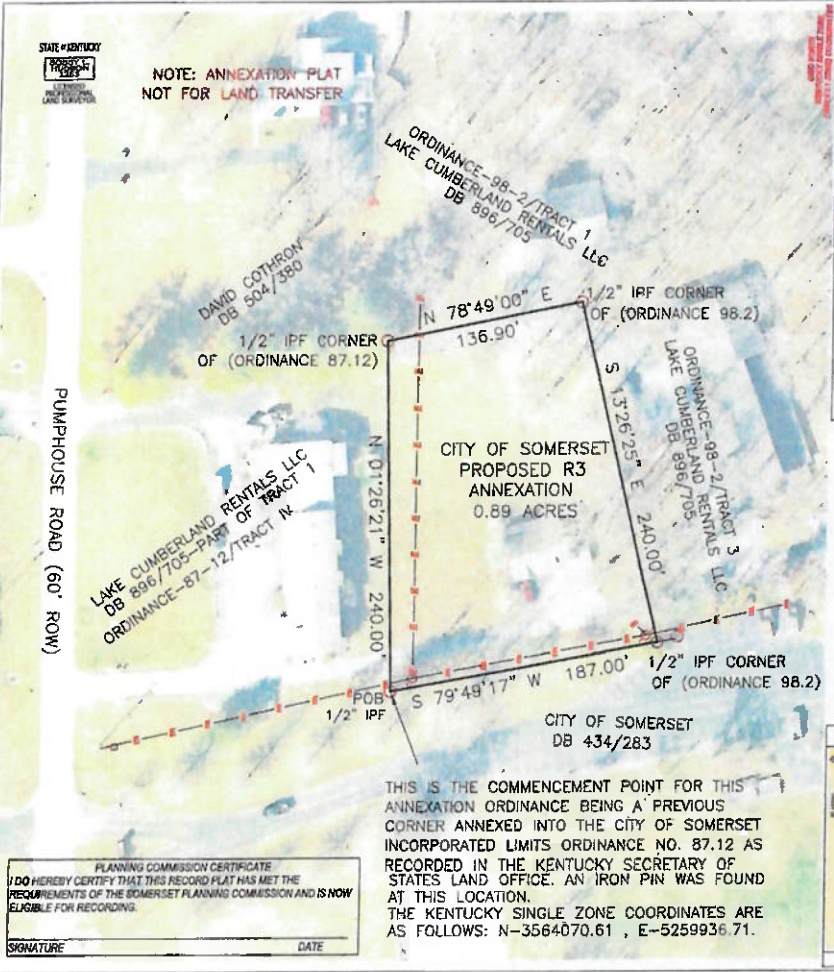
03/17/2026
Date

The Spirit of Southern Kentucky

Equal Opportunity Employer M/F/H/V (606) 678-5176 (TDD)



NOTE: ANNEXATION PLAT NOT FOR LAND TRANSFER



PLANNING COMMISSION CERTIFICATE
 I DO HEREBY CERTIFY THAT THIS RECORD PLAT HAS MET THE REQUIREMENTS OF THE SOMERSET PLANNING COMMISSION AND IS NOW ELIGIBLE FOR RECORDING.
 SIGNATURE _____ DATE _____

THIS IS THE COMMENCEMENT POINT FOR THIS ANNEXATION ORDINANCE BEING A PREVIOUS CORNER ANNEXED INTO THE CITY OF SOMERSET INCORPORATED LIMITS ORDINANCE NO. 87.12 AS RECORDED IN THE KENTUCKY SECRETARY OF STATES LAND OFFICE. AN IRON PIN WAS FOUND AT THIS LOCATION. THE KENTUCKY SINGLE ZONE COORDINATES ARE AS FOLLOWS: N-3564070.61 , E-5259936.71.

PURPOSE OF PLAT
 1) TO CREATE A 0.89 ACRE PARCEL TO BE ANNEXED INTO THE CITY OF SOMERSET. OWNERS REQUEST THIS PROPERTY TO BE ANNEXED INTO THE CITY LIMITS OF SOMERSET BEING ZONED (R3)

GRAPHIC SCALE
 1" = 20' TO 1" = 120' FEET

UNLESS OTHERWISE NOTED, ALL BEARINGS AND DISTANCES WERE OBTAINED FROM THE RECORDS OF THE SURVEYOR'S OFFICE WITHOUT THE BENEFIT OF AN ABSTRACT FILE. THIS SURVEYOR ASSUMES NO LIABILITY FOR ANY LOSS RELATIVE TO ANY OTHER PLAT EARLY BE DISCOVERED BY AN ABSTRACT OR TITLE SEARCH OF THE PROPERTY.

DESCRIPTION: IRON PIN FOUND - BY PROPERTY CORNER
 CAPPED IRON PIN FOUND - OFF

UTILITY POLE - OFF
 ELECTRIC LINE - OFF

POINT ON THE RIGHT OF WAY - PPH (SEE NOTE)
 APPROXIMATE PROPERTY LINE - APL - APL



SURVEYORS CERTIFICATE
 THIS ANNEXATION ORDINANCE DESCRIPTION WAS CREATED FROM COMBINATION OF FIELD SURVEY WORK AND RECREATION OF DEED DESCRIPTIONS BY ROBBY HUDSON LAND SURVEYING INC. ALL BEARINGS ARE BASED ON KENTUCKY SINGLE ZONE COORDINATE SYSTEM.
 BOBBY HUDSON, LPLS 1283
 2-27-26

ANNEXATION MAP
 1 TRACT TOTALING 0.89 ACRES BY SURVEY SOMERSET, PULASKI COUNTY, KENTUCKY

LAND CUMBERLAND RENTALS, LLC
 PO BOX 2013
 WEST SOMERSET, KY 40381
 LAND CUMBERLAND RENTALS, LLC
 PO BOX 2013
 WEST SOMERSET, KY 40381

PLANNING COMMISSION
 PULASKI COUNTY, KENTUCKY
 BOBBY HUDSON, LPLS 1283
 2700 HIGHWAY 2022, SOMERSET, KY 40381
 BOBBY HUDSON LAND SURVEYING INC. (FORM PERMIT #402)
 170 HIGHWAY 2022, SOMERSET, KY 40381
 DATE: 02/27/2026
 PLAT: 0226-0004-004 PAGE 7/8



OWNER	ADDRESS	APPROXIMATE ACRES
DAVID COTHRON	504/380	1/2
LAKE CUMBERLAND RENTALS LLC	896/705	12
LAKE CUMBERLAND RENTALS LLC	896/705	12
LAKE CUMBERLAND RENTALS LLC	896/705	12
LAKE CUMBERLAND RENTALS LLC	896/705	12
LAKE CUMBERLAND RENTALS LLC	896/705	12

ORIGINAL SIGNED PLAT IS FILED AT THE COUNTY CLERK'S OFFICE



Bobby Hudson Land Surveying, Inc.
 170 Highway 2227 Somerset, Kentucky 42503
 Voice - (606) 679-5628 Fax - (606) 679-9056 Email - bob@hudson-survey.com

LEGAL DESCRIPTION 02/27/26

CITY OF SOMERSET ANNEXATION ORDINANCE NO. _____

A CERTAIN TRACT OF LAND ADJOINING THE EXISTING CITY LIMITS OF SOMERSET (ORDINANCE NO. 87.12) BEING NEAR THE EAST RIGHT OF WAY OF PUMPHOUSE ROAD (60' ROW) IN PULASKI COUNTY, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING ON A 1/2" IRON PIN FOUND, SAID PIN BEING A COMMON CORNER WITH THE CITY OF SOMERSET (DEED BOOK 434 PAGE 283) BEING A PREVIOUS CORNER ANNEXED TO THE CITY OF SOMERSET (ORDINANCE NO. 87.12), AND HAVING A SINGLE ZONE COORDINATES OF N=3564070.61, E=6259936.71 AND BEING THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE WITH THE NEW LINE WITH LAKE CUMBERLAND RENTALS, LLC (DEED BOOK 896 PAGE 705) NORTH 01 DEGREES 26 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 240.00 FEET TO A 1/2" IRON PIN FOUND A PREVIOUS ANNEXATION CORNER OF (ORDINANCE 87.12), SAID PIN BEING A CORNER WITH DAVID COTHRON (DEED BOOK 504 PAGE 380);

THENCE WITH THE LINE OF DAVID COTHRON NORTH 78 DEGREES 49 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 136.90 FEET TO A 1/2" IRON PIN FOUND A PREVIOUS ANNEXATION CORNER OF (ORDINANCE 98.2), SAID PIN BEING A CORNER WITH LAKE CUMBERLAND RENTALS, LLC (DEED BOOK 896 PAGE 705);

THENCE WITH THE LINE OF LAKE CUMBERLAND RENTALS, LLC (DEED BOOK 896 PAGE 705) SOUTH 13 DEGREES 26 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 240.00 FEET TO A 1/2" IRON PIN FOUND A PREVIOUS ANNEXATION CORNER OF (ORDINANCE 98.2), SAID PIN BEING A CORNER WITH THE CITY OF SOMERSET (DEED BOOK 434 PAGE 283);

THENCE WITH THE LINE OF THE CITY OF SOMERSET (DEED BOOK 434 PAGE 283) SOUTH 79 DEGREES 49 MINUTES 17 SECONDS WEST FOR A DISTANCE OF 187.00 FEET TO A 1/2" IRON PIN FOUND A PREVIOUS ANNEXATION CORNER OF (ORDINANCE 87.12) WHICH IS THE POINT OF BEGINNING AND HAVING AN AREA OF 0.89 ACRES.

THIS ANNEXATION ORDINANCE DESCRIPTION WAS CREATED FROM A COMBINATION OF FIELD SURVEY WORK AND RECREATION OF DEED DESCRIPTIONS

THE ABOVE DESCRIBED BEING A PORTION OF THE PROPERTY CONVEYED TO LAKE CUMBERLAND RENTALS, INC. BY DEED BOOK 896 PAGE 705 IN THE RECORDS OF THE PULASKI COUNTY CLERK'S OFFICE AT SOMERSET, KENTUCKY.

ALL CORNERS OR WITNESS MONUMENTS REFERRED TO HEREIN AS IRON PINS SET ARE ONE-HALF INCH REBAR 18 INCHES LONG AND CAPPED WITH A BLUE CAP MARKED LS 1253, EXCEPT AS OTHERWISE NOTED ALL BEARINGS ARE REFERENCED TO GRID NORTH-KY STATE PLANE, SINGLE ZONE (1600 KY 1 ZONE) COORDINATES.

THIS PROPERTY IS SUBJECT TO ANY AND ALL RIGHTS OF WAY AND/OR EASEMENTS OF RECORD OR IN EXISTENCE AT THIS TIME AND REGULATIONS THAT MAY APPLY THROUGH PLANNING AND ZONING.



Pulaski County, KY PVA

David Guffey
Pumphouse Road



- Legend**
- Parcels
 - Roads
 - Land hook



DEPARTMENT OF HOUSING, BUILDINGS AND CONSTRUCTION

Alan Keck
Mayor

Planning & Zoning Commission

306 East Mount Vernon Street
P.O. Box 989

Somerset, KY 42502

Phone: (606) 425-5312

Fax: (606) 677-0688

www.cityofsomerset.com

Mark Vaught
Chairman

Reggie Chaney
City Engineer

Kim Vaught
Zoning Official

APPLICATION FOR ZONING DESIGNATION

to the

CITY OF SOMERSET PLANNING & ZONING COMMISSION

APPLICATION NUMBER: ZD 2026-_____

THE UNDERSIGNED OWNER(S) OF THE FOLLOWING LEGALLY DESCRIBED PROPERTY REQUESTS THE CONSIDERATION OF A ZONE DESIGNATION IN ZONING CLASSIFICATION OF THE ANNEXATION PLAN AS SPECIFIED BELOW:

- 1. NAME OF OWNER (APPLICANT): Lake Cumberland Rentals LLC (David Bailey)
2. MAILING ADDRESS: PO Box 3515 West Somerset, KY 42564
3. PHONE NUMBERS: HOME: 606 305 5333 BUSINESS: ' '
4. LOCATION DESCRIPTION: Open land with existing Apartments
5. PROPOSED USE: Apartments PROPOSED ZONE DESIGNATION: R-3

SUPPORT INFORMATION: ATTACH THE FOLLOWING ITEMS TO THE APPLICATION

- A. A VICINITY MAP SHOWING PROPERTY LINES AND STREETS. MARK THE PROPERTY YOU WISH TO HAVE DESIGNATED IN THE ANNEXATION WITH THE PROPOSED ZONE CLASSIFICATION.
B. COPY OF THE DEED TO THE PARCEL THAT IS REQUESTING TO BE ZONED.
C. COPY OF THE PLAT TO THE PARCEL THAT IS REQUESTING TO BE ZONED.
D. CHECK IN THE AMOUNT OF \$402 MADE PAYABLE TO THE CITY OF SOMERSET

DATE: 03/17/2021 APPLICANT/OWNER SIGNATURE: [Signature]

FOR OFFICIAL USE ONLY - DO NOT WRITE BELOW THIS LINE

DATE FILED: _____ DATE OF NOTICE TO ADJACENT PROPERTY OWNERS: _____
DATE OF NOTICE TO NEWSPAPER: _____ DATE OF PUBLIC HEARING: _____
FEE PAID: \$_____ DECISION OF ZONING COMMISSION: APPROVED _____ DISAPPROVED _____
IF DENIED, REASON FOR DENIAL: _____

DATE

CITY OF SOMERSET PLANNING & ZONING COMMISSION CHAIRMAN

NOTE: THIS FORM AND THE SUPPORTING INFORMATION MUST BE FILED WITH THE SOMERSET PLANNING COMMISSION. THE APPLICATION MUST BE RETURNED TO THE OFFICE OF P & Z (LOCATED ON 2ND FLOOR OF THE SOMERSET ENERGY CENTER) FOUR (4) WEEKS PRIOR TO THE MEETING DATE.

CITY OF SOMERSET, KENTUCKY
PLANNING AND ZONING COMMISSION

FINDINGS OF FACT,
CONCLUSIONS AND RECOMMENDED MAP AMENDMENT

CASE NO: ZC-2025-06

RE: Zone Change/Zone Determination: Lake Cumberland Rentals, LLC

For Recording purposes,
Listed below are the parties involved in the Zone Change for
350 Pumphouse Road
Somerset, Kentucky
A portion of PVA Parcel 075-3-1-35

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

Party Two
Lake Cumberland Rentals, LLC
PO Box 3515
West Somerset, Kentucky, 42564

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 30th day of September 2024 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND MAP AMENDMENT.

FINDINGS OF FACT

Lake Cumberland Rentals, LLC is the owner of record of four parcels of land on the east side of Pumphouse Road north of the Somersport Park, more specifically being those tracts of land conveyed to Lake Cumberland Rentals, LLC by Deed of Conveyance dated the 1st of April 2013 by P & B Properties, LLC and of record in Deed Book 896 Page 705.

This rezoning deals with a portion of Tract 1, which is a 1.9752-acre tract designated as PVA Parcel 075-3-1-35. Only the west half of the tract is located within the City of Somerset, having been annexed in Ordinance 87-12 and being Tract 4 of same.

That portion of the tract is zoned R-2 and the requested zoning is R-3. The tract is improved with a 10,082 square foot apartment building housing 8-units. There is a second building on the tract, 340 Pumphouse Road, that contains 1,190 square feet and is a duplex. This building is in the unannexed portion of the tract.

David Guffey, member of Lake Cumberland Rentals, LLC, was asked during the public hearing section of the meeting if he intended to annex the remainder of the tract. He stated that he is going to ask for the annexation of the remainder and in fact submitted a request on Monday, October 6, 2025. This request was returned as there are deficiencies that need to be addressed in the application.

The buildings were constructed by Clark Massey, and he bought this tract in November 1988 after the front portion was annexed in 1987.

The annexation paperwork asked that this portion of the tract be zoned B-2.

It is unknown if he built the building in stages, as the earliest online picture is from 1997 showing the 8-units in place as well as the duplex.

A second annexation in 1998 annexed the remaining tracts owned by Lake Cumberland Rentals, LLC, excluded the rear portion of the 1.9752-acre tract.



Unshaded area is outside the city limits. Map is from Secretary of States offices

The parcel is zoned R-2. The future use of the property is Residential.

To the south of the tract is the following parcel;

310 Pumphouse Road Parcel 075-3-1-34 City of Somerset (Somersport Park), Zone R-1.

Present use is allowed per Article 4.2 Low Density Residential

B. Principal Uses

2. Parks and Playgrounds operated by government

To the north of the tract is:

410 Pumphouse Road, Parcel 075-3-1-38, David & Christine Cothron, Zone R-2,
Present use is allowed per Article 4.4 Low to Moderate Density Residential

B. Principal Uses

1. The principal uses permitted in R-1 Zone

B. Principal Uses (R-1)

1. Single Family Residences

To the east of the tract is:

330 Pumphouse Road, Parcel 075-3-1-36, Lake Cumberland Rentals, LLC, Zone R-2,

Tract is improved with one building, 7,700 square feet and houses 6 units.

The present use is not allowed in a R-2 zone. It is permitted in a R-3 zone.

Article 3.4 CONTINUATION OF NON-CONFORMING USES/SITUATIONS addresses this issue, stating:

The lawful use of a building or premise existing at the time of adoption of any zoning regulation affecting it may be continued, although such use does not conform to the provisions of such regulations,

East of the properties owned by the applicant is 200 Cory Lane, a townhouse complex with nine units in two buildings, that are owned by seven different owners. A townhouse complex is a conditional use in R-2, R-3 & R-1A zones. The parent tract is zoned R-3 and the use is permissible as detailed in Article 4.5 Medium Density Residential,

D. Conditional Use

5. Townhouses.

See also Article 2.44 MULTI-FAMILY DWELLING UNITS & TOWNHOUSES
DEVELOPMENT PLAN REQUIRED

To the west of the tract (across Pumphouse Road) is:

345 Pumphouse Road, Parcel 060-9-1-58, East Somerset Baptist Church, Zone B-2

Present use is allowed per Article 4.8 Highway Oriented Commercial

B. Principal Uses

28. Churches

The applicant has asked that the tract be rezoned from R-2 to R-3, so that he may build additional units on the front portion of the parcel. During the public hearing phase of the meeting, he was asked what he plans to construct and stated that he was going to build two six-plexes.

After the applicant spoke in the public hearing, no one came forward with comments or questions.

In addition to the zone change, it is felt that the portion of the tract that will be annexed should also be zoned R-3. City Attorney John Adams, felt that designating a zone determination at this time if the owner applies for annexation in a reasonable time is permissible.

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

City Attorney