

MINUTES OF MEETING HELD JULY 27, 2026

The Common Council of the City of Somerset, Kentucky met in a regular meeting on Monday July 27, 2026, at 6:00 p.m. with the following present: Council Members David Burdine, Brian Dalton, Brannen Wheeldon, Jimmy Eastham, Margaret Dick, Phyllis Lawson, John Minton, Jim Mitchell, David Godsey, Amanda Bullock, Tom Eastham, Mayor Alan Keck, City Attorney John Adams, and City Clerk Nick Bradley. Absent: Patrick Hunley.

Mr. Godsey made a motion to approve the minutes of the meeting of July 13, 2026. Mr. Mitchell seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Ms. Dick, Ms. Lawson, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock and Mr. T. Eastham.

Mr. T. Eastham made a motion to approve the following Ordinance Number 26-12: 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 323 RANDOLPH ST PVA PARCEL NUMBER 076-1-2-04.3 FROM R2 TO R1A. Mr. Godsey seconded the motion. Upon roll call the following Council Members voted "Aye": Mr. Burdine, Mr. Dalton, Mr. Wheeldon, Mr. J. Eastham, Ms. Dick, Ms. Lawson, Mr. Minton, Mr. Mitchell, Mr. Godsey, Ms. Bullock and Mr. T. Eastham.

ORDINANCE NO. 26-12

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 R1A, and properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located on 323 Randolph St Somerset, Kentucky, and having PVA Parcel #: 076-1-2-04.3.
- 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 JULY 13, 2026

SECOND READING JULY 27, 2026

Approved: 
Attest: 
City Clerk



CITY OF SOMERSET, KENTUCKY
PLANNING AND ZONING COMMISSION

FINDINGS OF FACT,
CONCLUSIONS AND RECOMMENDED MAP AMENDMENT

CASE NO. YC-2016-04

R.E. Zone Change: Mayer Properties, LLC

For Recording purposes,
Listed below are the parties involved in the Zone Change for
321-323 Randolph Street
Somerset, Kentucky
PMA Parcels 076-1-2-04.3

Party One City of Somerset, Planning & Zoning Commission PO Box 989 Somerset, Kentucky, 42502	Party Two Mayer Properties, LLC 375 Whitaker Road Somerset, Kentucky, 42503
---	--

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 23rd day of June 2016 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND MAP AMENDMENT:

FINDINGS OF FACT

Mayer Properties, LLC is the owner of record of Lot 1 Randolph Street Division, as recorded in Plat Cabinet G Slide 343D and being conveyed to Mayer Properties, LLC by Quitclaim Deed dated the 1st of August 2015 and of record in Deed Book 1118 Page 319.

The parcel is zoned R-2.

The applicant is requesting the property be rezoned to R-1A so that the individual units of the duplex can be sold to third parties.

The property to the south is

Lot 3 of the Randolph Street Division, Parcel 076-1-2-04.2 (J. Beard) Zone R-2, vacant.

The property to the west is

130 Duncan Street, Parcel 076-4-2-01.2 (T. Heister), Zone R-2, single family residence.

The property to the north is

317 319 Randolph Street, Parcel 076-1-1-49 (Lake Cumberland Resorts, LLC), Zone R-2, multiple duplexes.

The property to the east, across Randolph Street is

316 Randolph Street, Parcel 076-1-2-01.1 (B. Harwell), Zone R-2, single family residence.

The majority of properties along Randolph Street are single family residences.

The subject and the adjoining tract north (17-319 Randolph Street) are the only multi-family residences on Randolph. All others are single family residences. Sandhaven Way and Dehaven Circle, in Woodfield Subdivision off Randolph Street, are improved with duplexes, seven in total. They are owned by one entity.

The future use of the tract is residential.

The current zone is R-2 and the requested zone change is R-1A.

The applicant has constructed a duplex on the lot. It is constructed in such a way that the units can be sold separately. The owner of Unit 1, 321 Randolph Street asked the applicant to sell her the unit in which she was residing.

In order to do this, the property needs to be divided in such a manner to conform to the R-1A setbacks and site area and rezone the property to R-1A.

I, the member of Mayer Properties, LLC, Nathan Sears, spoke and answered several questions from the board regarding the property. Burjio had several comments and questions, and asked if this was legal. John Adams responded stating that Zone R-1A accommodates zero lot line buildings. One person, a nearby resident, came forward during the public hearing stating that he had no problems with the proposed zone change, and felt that ownership of the unit rather than rent of same would be better for the upkeep by the buyer. Said owner had a position of adjoining and nearby residents supporting the rezoning.

Mr. Sears stated that the intent of the other units is in discussion with him to purchase his unit as well.

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

KRS 100.213 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.

CONCLUSIONS

The board felt that the proposed zone change is similar to the other properties in the City of Somerset and provide affordable housing. The board felt there were sufficient grounds to grant a zone change, voting 5-0 in favor of said change with Floyd, Hailand, Lynch, Rogers, Stringer and Vaughn voting in favor of the rezoning from R-2 to R-1A. Burjio abstained.

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, having met the requirements of KRS 100.213 (1).

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 24th of June 2016.

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

First reading was given the following Ordinance Number 26-13: AUTHORIZING THE FORMAL CLOSING, DECLARING SURPLUS, AND DISPOSAL TO THE SURROUNDING PROPERTY OWNERS THE PART OF THE PLATTED BUT UNDEVELOPED PART OF A CITY STREET "SUMMIT AVENUE" BETWEEN HILLVIEW AVENUE AND VAUGHT STREET.

ORDINANCE 26-13

AN ORDINANCE AUTHORIZING THE FORMAL CLOSING, DECLARING SURPLUS, AND DISPOSAL TO THE SURROUNDING PROPERTY OWNERS THE PART OF THE PLATTED BUT UNDEVELOPED PART OF A CITY STREET "SUMMIT AVENUE" BETWEEN HILLVIEW AVENUE AND VAUGHT STREET.

WHEREAS, the following described street has been dedicated as a public street by reference to state to Plat Cabinet ____, Slide ____, and possibly other records filed and of record in the Polk County Clerk's Office, but having never been developed, to wit:

"The unconstructed part Summit Avenue located between Hillview and Vaught Street or more commonly located as the back property line of Prairie Farm Dairy facility on the South Side of Thomas Avenue."

WHEREAS, A property owner has petitioned the City to have the property declared surplus and convey the to the adjoining property owners

WHEREAS, the City of Somerset desires to acknowledge the dedication of said street as this same may be legally closed, declared surplus, and disposal by conveyance to the surrounding property owners as herein provided; and

WHEREAS, all property owners who abut the public street, alley or way have consented in writing to the proposed closing of the street; and,

NOW, THEREFORE, BE IT ORDAINED, by the City of Somerset, Kentucky, the following findings are made with reference thereto:

1. The street to be closed is and described as follows: The undeveloped part of Summit Avenue (See Exhibit A) if dedicated properly to the City of Somerset is deemed and found to be surplus;

2. Written notice of the proposed closing was given by the petitioning property owner in or abutting the public street (See Exhibit B); and,

3. The property owners abutting the public street, being closed have given their written consent to the closing and a copy of the written consent(s) is and are attached hereto (See Exhibit B); and,

Accordingly, based upon the findings of fact herein, it is hereby ORDERED and ORDAINED the public street, alley or way described as hereby CLOSED, FOUND TO BE SURPLUS PROPERTY WITH NO USE TO THE CITY OF SOMERSET, AND MAY BE DISPOSED OF BY CONVEYANCE TO THE SURROUNDING PROPERTY OWNER. A copy of this Ordinance shall be filed of record in the Polk County Clerk's Office as required by KRS §2-403(2).

The foregoing Ordinance was read and presented to a regular meeting of the City Council of Somerset, Kentucky for the first reading on the 27th day of July, 2026.

Motion by _____, seconded by _____, that the Ordinance be adopted as the law of the City of Somerset, Kentucky, to be effective immediately upon publication thereof as required by law after a Second Reading on _____, 2026.

APPROVED: ALAN L. KLECK, MAYOR
CITY OF SOMERSET, KY

ATTEST: NICK BRADLEY, CITY CLERK

2

VERIFIED PETITION TO CLOSE PUBLIC STREET

Thomas C. Garner, Jr., as Manager of Garner Landscapes LLC, a Kentucky Limited Liability Company, by counsel, pursuant to KRS § 82.405, hereby respectfully petitions the City of Somerset, Kentucky to close a certain portion of Summit Avenue located within the City of Somerset, and in support thereof deem now state as follows:

1. This Petition seeks the closure of Summit Avenue, a public way located within the City of Somerset, Kentucky, specifically that portion thereof between Vaught Street and Hillview Avenue. A detailed survey of this portion of Summit Avenue proposed to be closed is attached hereto as **Exhibit A**.

2. The closure is sought pursuant to Kentucky Revised Statutes § 82.405, which authorizes a legislative body of a city to close a public way under specified conditions.

3. Summit Avenue is a public way located within the corporate limits of the City of Somerset, Kentucky.

4. Garner Landscapes LLC owns the real property with an address of 200 Vaught Street, Somerset, Kentucky, which property abuts Summit Avenue.

5. All property owners in or abutting that portion of Summit Avenue between Vaught Street and Hillview Avenue have agreed to the closure as evidenced by the executed consents attached hereto as **Exhibit B**.

6. This portion of Summit Avenue is not used as a thoroughfare and will provide the abutting property owners with additional land that may be used for further development of the abutting lots.

7. Kentucky Revised Statutes § 82.405 establish the procedure for closing a public way located within a city.

1

8. Under Kentucky Revised Statutes § 82.405(1), if the legislative body determines that a public way should be closed and that all property owners in or abutting the public way agree to the closing, the legislative body may proceed to close the public way as provided under subsection (2).

9. Alternatively, if that determination is not made, a public way may be closed only as provided in subsections (3) and (4) of Kentucky Revised Statutes § 82.405.

10. In this case, all property owners in or abutting the public way have agreed to the closure (see Exhibit B hereto), and therefore the legislative body may proceed under subsection (2).

11. The closure of that certain portion of Summit Avenue depicted on the plat as Exhibit A is in the public interest because the additional land then conveyed to the abutting landowners may be used for future development within the City of Somerset.

WHEREFORE, Petition respectfully requests that the City of Somerset:

- A. Determine that Summit Avenue should be closed in part, specifically that portion between Vaught Street and Hillview Avenue;
- B. Determine that all property owners in or abutting the public way agree to the closure;
- C. Close Summit Avenue between Vaught Street and Hillview Avenue pursuant to Kentucky Revised Statutes § 82.405; and
- D. Grant any and all other relief as the City of Somerset, Kentucky deems just and proper.

2



VERIFICATION

Thomas C. Garner, Jr., as Manager of Garner Landscapes LLC, a Kentucky Limited Liability Company, after being duly sworn, now states that he has read the foregoing Verified Petition to Close Public Street, and that the information contained therein is true and correct to the best of his belief.

Thomas C. Garner, Jr.
 THOMAS C. GARNER, JR., Manager of
 Garner Landscapes LLC, a Kentucky Limited
 Liability Company

STATE OF KENTUCKY
 COUNTY OF PULASKI, SCT.

Subscribed, sworn to and acknowledged before me by Thomas C. Garner, Jr., as Manager of Garner Landscapes LLC, a Kentucky Limited Liability Company, personal known to me, on the 12th day of March, 2026.

Shawnna M. Vanhook
 NOTARY PUBLIC
 My Comm. Expires 09/14/29
 Notary ID# KYNP124420

Respectfully Submitted,
Shawnna M. Vanhook
 Shawnna M. Vanhook
 LAW OFFICE OF SHAWNNA M. VANHOOK, PSC
 48 Public Square
 P.O. Box 1573
 Somerset, Kentucky 40522
 (606) 678-1826
 shawnna@shawnnavanhook.com
 Attorney for Garner Landscapes LLC

1

EXHIBIT
 B

CONSENT OF CIRCA 1912 PROPERTIES L.L.C.

I, Scott Lynch, as the Manager of Circa 1912 Properties L.L.C., a Kentucky Limited Liability Company, as one of the owners adjoining that portion of Summit Avenue between Vaughn Street and Hillview Avenue, do hereby expressly agree and consent to the City of Somerset, Kentucky closing that portion of Summit Avenue between Vaughn Street and Hillview Avenue. This Consent is made pursuant to the requirements of Kentucky Revised Statutes § 82.405.

CIRCA 1912 PROPERTIES L.L.C.,
 A Kentucky Limited Liability Company

By: *Scott Lynch*
 SCOTT LYNCH, Manager

COMMONWEALTH OF KENTUCKY
 COUNTY OF PULASKI

The foregoing Consent was executed, sworn to, and acknowledged before me on the 12th day of March, 2026, by Scott Lynch, as Manager of Circa 1912 Properties L.L.C., a Kentucky Limited Liability Company, to be said company's duly authorized and free act and deed.

William Gorman
 NOTARY PUBLIC
 State of Large, Kentucky
 My Commission Expires 12-31-28
 Notary ID# KY NP 951074

CONSENT OF PRAIRIE FARMS DAIRY, INC.

I, David Morrow, as General Manager of Prairie Farms Dairy, Inc., a Foreign Corporation, as one of the owners adjoining that portion of Summit Avenue between Vaughn Street and Hillview Avenue, do hereby expressly agree and consent to the City of Somerset, Kentucky closing that portion of Summit Avenue between Vaughn Street and Hillview Avenue. This Consent is made pursuant to the requirements of Kentucky Revised Statutes § 82.405.

PRAIRIE FARMS DAIRY, INC.,
 A Foreign Corporation

By: *David Morrow*
 DAVID MORROW, General Manager

COMMONWEALTH OF KENTUCKY
 COUNTY OF PULASKI

The foregoing Consent was executed, sworn to, and acknowledged before me on the 13th day of April, 2026, by David Morrow, as General Manager of Prairie Farms Dairy, Inc., a Foreign Corporation, to be said corporation's duly authorized and free act and deed.

William Gorman
 NOTARY PUBLIC
 State of Large, Kentucky
 My Commission Expires 12-31-28
 Notary ID# KYNP951074

CONSENT OF DON DON, LLC

I, Donald Gene Hurt, Jr., as the sole Member of Don Don, LLC, a Kentucky Limited Liability Company, as one of the owners adjoining first portion of Summit Avenue between Virginia Street and Hillview Avenue, do hereby expressly agree and consent to the City of Somerset, Kentucky closing that portion of Summit Avenue between Vaught Street and Hillview Avenue. This Consent is made pursuant to the requirements of Kentucky Revised Statutes § 82.405.

DON DON, LLC,
A Kentucky Limited Liability Company

By: Donald Gene Hurt, Jr.
DONALD GENE HURT, JR., Member

COMMONWEALTH OF KENTUCKY
COUNTY OF FULASKI

The foregoing Consent was executed, read to, and acknowledged before me on the 1st day of August, 2026, by Donald Gene Hurt, Jr., as Member of Don Don, LLC, a Kentucky Limited Liability Company, to be said company's duly authorized and free act and deed.

Y. D. Daugherty KINP 13284
NOTARY PUBLIC
Summit, Kentucky
My Commission Expires: 08/17/2028
Notary ID #: KINP 13284

There being no further business, the meeting was adjourned at 6:44 p.m.

APPROVED: _____

MAYOR

ATTEST: _____

CITY CLERK