**ORDINANCE NO. 26-18**

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 **R3**, said properties being more particularly described in Exhibit "A" attached hereto and incorporated herein in full by reference, located on **Park Ave, Undeveloped Parcel** Somerset, Kentucky, and having PVA Parcel #: **061-4-3-66**.

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 OCTOBER 12, 2026

SECOND READING OCTOBER 26, 2026

Approved: _____
*Mayor*

Attest: _____
*City Clerk*

CITY OF SOMERSET, KENTUCKY
PLANNING AND ZONING COMMISSION

FINDINGS OF FACT,
CONCLUSIONS AND RECOMMENDED MAP AMENDMENT

CASE NO: ZC 2026-05

RE: Zone Change: Hansel Enterprises, LLC

For Recording purposes,
Listed below are the parties involved in the Zone Change for
Hansel Way
Somerset, Kentucky
PVA Parcel 061-4-3-66

| Party One | Party Two |
|---|---|
| City of Somerset,<br>Planning & Zoning Commission<br>PO Box 989<br>Somerset, Kentucky, 42502 | Hansel Enterprises, LLC,<br><br>106 Park Avenue<br>Somerset, Kentucky, 42501 |

The Planning and Zoning Commission having heard testimony at a public hearing conducted before the Commission on the 29th day of September 2026 and based on the evidence presented, the Planning and Zoning Commission enters the following FINDINGS OF FACT, CONCLUSIONS AND MAP AMENDMENT.

The parcel is zoned Low to Moderate Density Residential (R-2) and the petitioner has asked for it to be rezoned to Medium Density Residential (R-3).

FINDINGS OF FACT

Hansel Enterprises, LLC is the owner of record of a parcel of land on Park Avenue.

It is PVA parcel 061-4-3-66.

The tract was conveyed to Hansel Enterprises, LLC in two deeds.

a) Deed of conveyance dated the 2nd of January 2024 and of record in Deed Book 1087 Page 640.

b) Deed of conveyance dated the 3rd of July 2025 and of record in Deed Book 1129 Page 84.

105 & 107 Park Avenue and 100 Lincoln Street/603 West Columbia Street are owned by the applicant. They were purchased in 2018 and have undergone extensive remodeling since purchase. They were in poor shape prior to the 2018 purchase.

103 Park Avenue has been constructed in the past two years through a conditional use.

105 & 107 Park Avenue, 100 Lincoln Street/603 West Columbia Street, 125 Park Avenue, 530-538 Parkview Court and 533-539 Parkview Court were constructed prior to the current zoning ordinance and adoption of current map and these situations are considered to be "legal nonconforming" and addressed in Article 3 of the City of Somerset Planning Ordinance (00-18) pages 40-42.

Mr. Nick Dunn, DSA Engineering Solutions spoke for Mr. Hansel and answered several questions from the board regarding the property and proposed improvements.

No one else came forward to make comments on the matter.

As stated earlier, the future use of the tract is residential and complies with KRS 213 (1).

The applicant was asked to comply with KRS 213 (1) (a) as well.

The applicant stated that the trend in the neighborhood is for multi-family development.

With the current zoning (R-2) the property can be improved with a single-family residence, duplex or triplex.

The topography is such that a retaining wall is necessary to construct on the tract.

The applicant is asking for the zone change to R-3 in order to construct more units (6) on the tract so as to offset the costs of the retaining wall versus constructing three one-story units. The trend in Somerset is to build smaller one-bedroom units due to the high cost of construction. The planned building will have a walk-out basement that incorporates the retaining wall as the rear wall of the lower-level units. A variance has been requested along with the zone change, so as to ease the rear setback tin order to build closer to the rear property line to obtain the required number of parking spots, (9 required, 12 planned, 1 ADA spot, 11 regular spots).

The rear wall will have one-story above ground, and one-story below ground.

This would basically be the same elevation in the same approximate location as if a tri-plex was constructed instead of the six-unit building, with walk-out (forward facing) basement.

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 100.231 (1) and (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 5th day of October 2026.

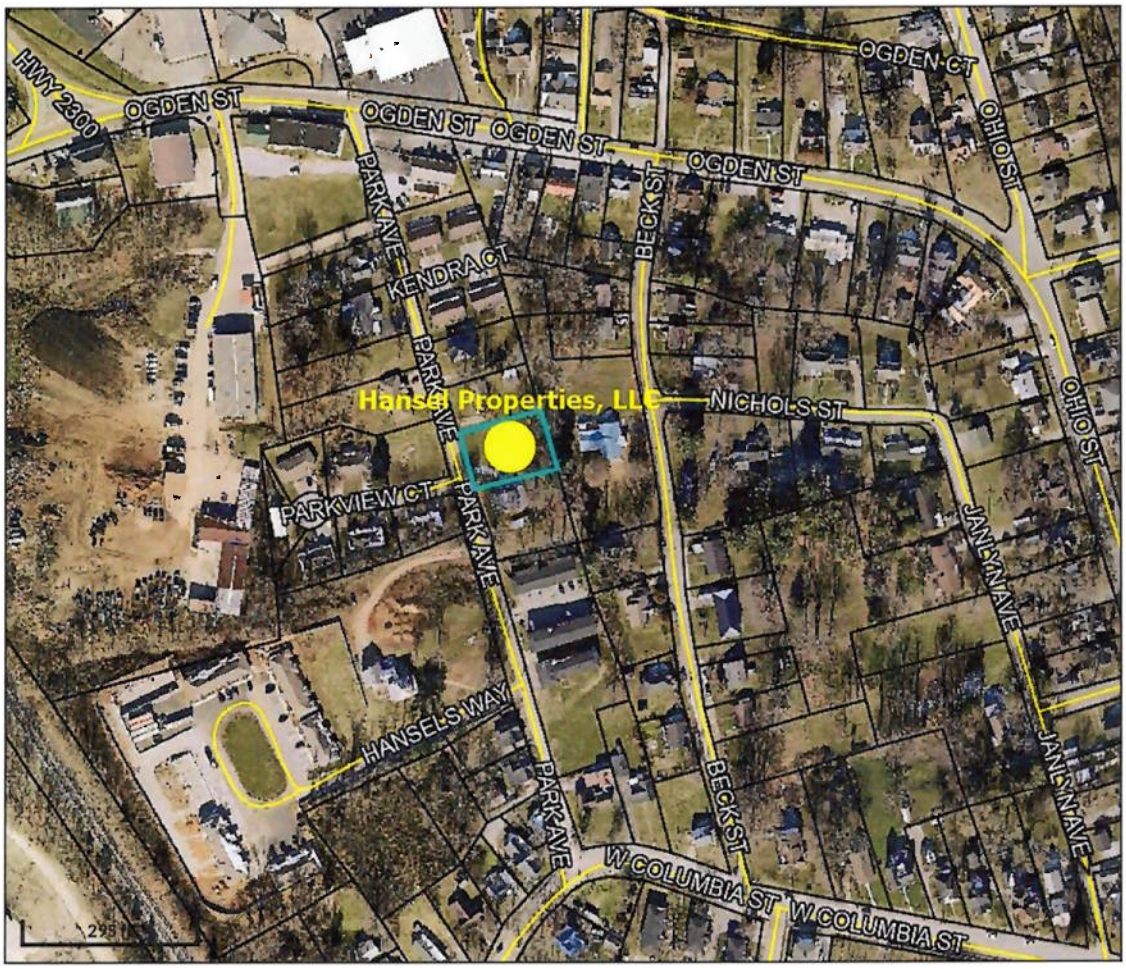
Chairman, Planning and Zoning Commission
City of Somerset
ATTEST:

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

# Pulaski County, KY PVA




Overview



Legend

- Parcels
- Roads
- Land hook

| | | | |
|---|---|---|---|
| **Parcel ID** | 061-4-3-66 | **Mailing Address** | HANSEL PROPERTIES LLC |
| **Class** | RESIDENTIAL | | 106 PARK AVE |
| **Taxing District** | 22 | | SOMERSET, KY 42501 |
| **Acres/Lot** | 1.0 | **Physical Address** | PARK AVE |
| | | | Somerset City |

**Last 2 Sales**

| Date | Price | Reason | Qual |
|---|---|---|---|
| 1/2/2024 | $18000 | G | U |
| 4/12/2002 | $7500 | G | U |

**Brief Tax Description** .28 AC PARK AVE

(Note: Not to be used on legal documents)

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