

Hardin County Board of Adjustment

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Chairman Krausman called to order the two hundredth and seventy seventh meeting of the Hardin County Board of Adjustment at 5:10 p.m. on Thursday, 23 June 2011, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Vice-Chairman Jack Holman and Secretary Brent Goodin were in attendance. Also in attendance were Director Chris Hunsinger, Planner Adam King, County Engineer Vicki Meredith, P.E., and the individuals listed on the attached sign-in sheet. Senior Planner Wesley Wright and Planning Assistant Sandra Martinez were not in attendance. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:10 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is a request for a Conditional Use Permit for a Permanent Accessory Dwelling to be located at 45 Milimish Lane. The property is a 7.38 acre site and being Lot 2 of Clemminton Estates, and identified with the PVA Map Number 142-00-00-002. The property is owned by **David and Diana Nordyke**. The property is located in the North Urban Planning Area and is zoned Urban Residential (R-1). Planner King reviewed the application and presented exhibits and slides of the property (attached). David Nordyke, the owner, provided testimony and answered questions from the Board Members. No additional testimony was presented. At 5:30 p.m. the Hearing Officer closed the hearing. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM ordinance (Section 16.3) Standards for Issuance of a Conditional Use Permit as follows:

- The use does not tend to change the character and established pattern of development of the area;
- The use is in harmony with the uses permitted by right under the sector and district in question and it does not affect adversely the use of neighboring properties;
- The use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair their value;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accord with the purposes of this ordinance, the Development Guide System 2009 and the Comprehensive Development Guide 2008;

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According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of Adjustment, Board Member Goodin made the motion based on the described size and topography of the property and the limited visibility of the proposed new dwelling to be constructed on the property, that the request is in character with the neighborhood and vicinity, to grant a Conditional Use Permit (CUP) to allow for a Permanent Accessory Dwelling on the property with the following conditions:

1. The property owners, David & Diana Nordyke, must occupy either the Principal Dwelling unit or the Permanent Accessory Dwelling unit as their principal residence, and at no time receive rent for the owner-occupied unit.
2. Adequate on site parking must be designated on an approved Site Plan.
3. A shared driveway shall not be required and the proposed driveway to the proposed dwelling shall obtain an Encroachment Permit from the Hardin County Road Department.
4. The Permanent Accessory Dwelling may contain a maximum of 1,040 square feet of living space.
5. The Permanent Accessory Dwelling shall be located in the side yard and shall be located as illustrated on the approved Site Plan and in accordance with building setback lines.
6. The exterior finish materials of the existing dwelling designated the Permanent Accessory Dwelling shall be modified to include hardy board siding with stone around the foundation to visually match the exterior finish of the proposed dwelling in type, size and placement.
7. The Permanent Accessory Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
8. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
9. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 5:35 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. This request is for a Variance for relief from the front building setback line to accommodate a proposed addition and a covered porch. The request is for two 0.34 acre tracts located at 113 McMillen Drive in the East Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Numbers are 231-40-01-037 and 231-40-01-038. The property is owned by **Charles and Kimberly Ricketts**. Planner King reviewed the application and the history of the property and presented exhibits. Kim Ricketts, the owner, provided

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testimony and answered questions from the Board Members and staff. Board Member Goodin stated that the request needed to be continued and made a motion to table the request until the next Board meeting scheduled for 5:00 p.m. on Thursday, 7 July 2011 in the R.R. Thomas County Government Building. Board Member Holman provided the second. Motion passed unanimously.

At 6:10 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. This request is for a Variance for relief from the front building setback line to accommodate a proposed pole barn (42' x 52'). The request is for a 3.7 acre tract located at 11230 Sonora Hardin Springs Road (KY 84) in the Natural Resource Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 089-00-00-064. The property is owned by **Anne Rene Bailey and Margaret Bailey**. Planner King reviewed the application and the history of the property and presented exhibits. Margaret Bailey, the owner, provided testimony and answered questions from the Board Members and staff. Board Member Goodin stated that the request needed to be continued and made a motion to table the request until the next Board meeting scheduled for 5:00 p.m. on Thursday, 7 July 2011 in the R.R. Thomas County Government Building. Board Member Holman provided the second. Motion passed unanimously.

At 6:30 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. This request is for a Variance for relief from the front building setback line to accommodate a proposed handicap ramp. The request is for a 1.0 acre site located at 63 S Briggs Lane in the North Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 116-00-00-017. The property is owned by **Diana Hayes**. Planner King reviewed the application and the history of the property and presented exhibits. Gary Cooper Jr. and his wife Angela Cooper, of 220 Haycraft, the applicants, provided testimony and answered questions from the Board Members and staff. Diana Hayes, the owner, was not present. At 6:30 p.m. the Hearing Officer closed the hearing. Board Member Goodin made a motion to deny the requested variance because of safety concerns and that the appropriate findings in compliance with KRS 100.243 were not presented. Board Member Holman provided the second. Motion passed unanimously.

At 6:35 p.m. Chairman Krausman announced that one unfinished business item was on the agenda. On 5 May 2011, the Board had tabled a request for an Administrative Review of a decision to not revoke the subdivision plat of Honey Locust Estates and/or a request for relief from the required road frontage

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standard and the lot 1:3 width-to-length ration. The proposed site is three tracts totaling 13.479 acres with addresses of 5012, 4028 and 5032 Sonora Hardin Springs Road and being Lots 1 & 2 of Honey Locust Estates and the owners are **Glynda Himebaugh and John Ferguson**. Director Hunsinger stated that the request needed to be continued. Board Member Holman made a motion to table the request until the next Board meeting scheduled for 5:00 p.m. on Thursday, 7 July 2011 in the R.R. Thomas County Government Building. Board Member Goodin provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 9 June 2011 meeting. Member Holman made a motion to approve the minutes as presented. Member Krausman provided the second. Motion passed unanimously.

Director Hunsinger provided an update on **Continuing Education** hours and forms for credit.

Director Hunsinger reported that the local Planning Commissions are coordinating efforts to assist developers in complying with the US Postal Service requirement that **cluster box units** (CBU) be installed in all new subdivisions with streets.

THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:

FP RECORDED	SUBDIVISION NAME	LOTS	ACCESS ROAD
01 June 11	June Estates	4	Rineyville Road (KY 1600)
01 June 11	Wakefield Farms Section 1, Lots 10 & 11	0	Hodgenville Road (KY 210)
01 June 11	Wakefield Farms Section 1, Lots 12, 13 & 14	0	Hodgenville Road (KY 210)
03 June 11	Welder's Hill Subdivision, Lot 1	0	Shelton Road
06 June 11	Stretch Estates	4	Druen Lane
	SINCE LAST MEETING	8	
	2011 TOTAL	15	

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THE FOLLOWING SITE PLANS HAVE BEEN APPROVED

DATE	SITE PLAN	OWNER	ACCESS ROAD
01-June-11	Accessory Dwelling	Roger & Shirley Stillwell	Summit Eastview Road
	Since Last Meeting	1	
	2011 Total	10	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 7 July 2011, and declared the meeting adjourned at 7:00 p.m.

ADOPTED AND APPROVED THIS 7th DAY OF JULY 2011 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Brent Goodin, Secretary