

Hardin County Board of Adjustment

Minutes: 17 December 2015

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Chairman Krausman called to order the three hundredth and forty eighth meeting of the Hardin County Board of Adjustment at 5:03 p.m. on Thursday, 17 December 2015, in the Hardin County Government Center, 2nd Floor Meeting Room and appointed Board Member Steck to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson, Vice Chairman Greg Youngblood and the individuals listed on the attached sign-in sheet. County Engineer, Vicki Meredith, P E was not in attendance. Assistant County Attorney Steve Wheatley, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Hearing Officer Steck announced that the first item on the agenda is a request for a Variance for relief from the required road frontage along Red Mill Road and the 1:4 lot width-to-length ratio to allow for the property to be further subdivided. The property is a 17.704 acre site located at 995 Red Mill Rd and identified with the PVA Map Number 247-00-00-017. The property is owned by **Stuart Sullivan** and is located in the Valley Creek Urban Planning Area and is zoned Urban Residential (R-1). Assistant Director King reviewed the application and the history of the property and presented exhibits. Darren Clemons, the surveyor, of 522 N Mulberry, Elizabethtown, KY spoke on behalf of Stuart Sullivan and answered any questions from the Board Members and staff. Chairman Krausman closed the hearing at 5:15 pm. Board Member Youngblood made a motion to grant a variance because it is not out of character with the neighborhood; it does not create a safety hazard and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- b. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The following variance was granted with the noted conditions:

1. To allow for a Variance from the required road frontage and the 1:4 lot width-to-length ratio to allow for the property to be further subdivided.
2. The Record Plat with a Variance Note shall substitute for the required Site Plan.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

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At 5:23 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Hearing Officer Steck announced that the next item on the agenda is a Variance for relief from the 70' front building setback line along Gibson Lane to allow for the construction of a 24'X26' carport. The site is a 3.89 acre site located at 258 Gibson Lane, within the West Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 058-00-00-014.02 and owned by **Andrea Fouch**. Director Wesley Wright reviewed the application and entered the exhibits into the record. The Applicant, Andrea Fouch of 258 Gibson Lane, provided testimony and described the request and presented information on the location of the septic and geothermal systems. William Fouch, of 371 Ridgetop Lane and father of the applicant, provided additional testimony. Chairman Krausman questioned the proposed location and the thought the request was extensive with the amount of acreage for the lot. Board Member Youngblood agreed and added that greater oversight should have been achieved when planning for the residence and how they were going to use the property. Chairman Krausman closed the hearing at 5:35. Board Member Steck made a motion to deny the request based on other options. Board Member Youngblood provided a second. Motion passed unanimously.

At 5:45 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Hearing Officer Steck announced that the next item on the agenda is a request for a Conditional Use Permit to allow for a 40'X46' addition to an existing garage with the total square footage exceeding the square footage of the single family dwelling on site. The property is a \pm 0.95 acre site with an address of 665 Rineyville Big Springs Road (KY 220) and being Lot 3 of Shanks Estates, and identified with the PVA Map Number 182-20-01-053. The property is owned by **David Howey** and is located in the North Urban Planning Area and is zoned Urban Residential (R-1). Assistant Director King reviewed the application and the history of the property and presented exhibits of the property (attached). David Howey provided testimony to the fact that the additional room would allow for some of the equipment and vehicles to be moved indoors. Howey indicated that a commercial business was not being run out of the existing building. Adjoining neighbor Richard Smallwood, of 641 Rineyville Road, provided testimony as to the activity onsite and the unsightly of the property. Board Member Youngblood agreed with the unsightliness of the property and had reservation as to increasing the size to the building. Board Member Youngblood made a motion to table the request until the next board meeting scheduled for Thursday, January 21, 2016, in order for the Board Members to conduct a site visit. Board Member Steck provided the second. Motion passed unanimously.

At 6:22 p.m. Chairman Krausman questioned Assistant Director King on the Conditional Use Permit **Mark Waddell**. Assistant Director King indicated that the final septic inspection would be completed this week. Board Member Steck made a motion to table the request to allow for the final paperwork. Board Member Youngblood provided the second. Motion passed unanimously.

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At 6:23 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 1 December 2015 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

The following items are for information only and do not require action:

NOVEMBER 2015 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 9 Subdivision plats were approved for the month • 80 Subdivision plats were approved for the year 	New Lots Created: <ul style="list-style-type: none"> • 36 New lots approved for the month • 87 Net lots approved for the year
Building Permits: <ul style="list-style-type: none"> • 7 SFD Permits for the month • 93 SFD Permits for the year • 80 Total Building Inspections for the month • 800 Total Building Inspections for the year • 368 Total Building Permits for the year 	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none"> • 66 Total Permits for the month • 773 Total Permits for the year • 158 Total Electrical Inspections for the month • 1497 Total Electrical Inspections for the year

Review Type	Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
1 FINAL PLAT	JODI'S ACRES, LOT 1	KNOX RD	0	2.3500	11/19/2015	12/3/2015
1 FINAL PLAT	LONGVIEW ESTATES SECTION 2, LOTS 28 & 29	429 MEADOWVIEW DRIVE	-1	0.0000	9/13/2015	12/7/2015
1 FINAL PLAT	SEAGRAVES FARM DIVISION, LOTS 2 & 3	9921 ST JOHN RD	0	0.0000	11/3/2015	12/10/2015
1 FINAL PLAT	COFFMAN ACRES SUBDIVISION	872 RINEYVILLE BIG SPRINGS ROAD	1	1.0150	12/7/2015	12/11/2015
1 FINAL PLAT	FERNWOOD, SECTION 4	FERNWOOD BLVD	1	11.4650	11/24/2015	12/14/2015
			1	14.8300		

Total Records: 5

12/17/2015

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 7 January 2016 and declared the meeting adjourned at 6:25 p.m.

ADOPTED AND APPROVED THIS 7th DAY OF JANUARY 2016 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 3 December 2015

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Chairman Krausman called to order the three hundredth and forty seventh meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 3 December 2015, in the Hardin County Government Center, 2nd Floor Meeting Room and appointed Board Member Youngblood to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Director Wesley Wright and County Engineer, Vicki Meredith, P E and Member Steve Steck were not in attendance. Assistant County Attorney Steve Wheatley, legal counsel for the Board, was not requested to attend the meeting.

At 5:02 p.m. Chairman Krausman appointed Board Member Youngblood to serve as the hearing officer. Hearing Officer Youngblood announced that the first item on the agenda is a request for a Variance for relief from the 40' front setback line along Pfeiffer Drive (Undeveloped Street) to allow for a 24' x 24' attached garage. The property is a 0.860 acre site located at 429 Meadowview Drive, being proposed Lot 28A of Longview Estates and identified with the PVA Map Number 182-40-01-014. The property is owned by **Jay & Joyce D'Elia** and is located in the North Urban Planning Area and is zoned Urban Residential (R-1). Assistant Director King reviewed the application and the history of the property and presented exhibits. Jay D'Elia, the owner, of 429 Meadowview Drive, provided testimony and answered questions from the Board Members and staff. Board Member Youngblood made a motion to grant a variance because it is not out of character with the neighborhood; it does not create a safety hazard and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- c. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The following variance was granted with the noted conditions:

1. To allow for a Variance from the 40 foot front building setback line along Pfeiffer Drive (Undeveloped Street) to allow for the proposed 24'x24' attached garage to be no closer than 25' to the front property line.
2. The Amended Plat with a Variance Note shall substitute for the required Site Plan.
3. All future structure or additions must comply with setbacks as shown on the plat.
4. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Krausman provided the second. Motion passed unanimously.

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At 5:25 p.m. Chairman Krausman appointed Board Member Youngblood to serve as the hearing officer. Board Member Youngblood announced that the next item on the agenda is a Revocation of a Conditional Use Permit. Assistant Director King review the Conditional Use Permit authorized on 7 March 2013 by the Board to allow for a proposed Permanent Accessory Dwelling on the property. The property is a 100 acre tract located at 14798 Leitchfield Rd, in the West Hardin Planning Area and is zoned Rural Residential (R-2). The PVA Map Number is 089-00-00-065 and the property is owned by **Mark Waddell**. Assistant Director King reviewed the 10 conditions and determined that the activity being conducted on site does not comply with Condition #7 regarding having an approved septic system, therefore the Board of Adjustment may exercise their ability to revoke the Conditional Use Permit [KRS 100.237 (1)]. Board Member Youngblood made a motion to table the request until the next board meeting scheduled for Thursday, December 17, 2015, in order for Mark Waddell to get the proper inspection performed and finalized on the septic system.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:37 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 5 November 2015 meeting. Board Member Youngblood made a motion to approve the minutes. Chairman Krausman provided the second. Motion passed unanimously.

The following items are for information only and do not require action:

OPEN HOUSE

On November 9th a ribbon cutting ceremony was held for the County Government Building at 1:00 p.m., tours of the center ran until 6:00 p.m.

LOCAL PLANNING MEETING

On 3 December 2015, Wesley Wright will serve on the Local Planning Committee for Hardin County Schools. The meeting is held at 5:30pm at the Hardin County Central Office (65 W A Jenkins Rd) – Topics include Review of Current District Facility Plan, Building Inventory, District Enrollment and Utility / Maintenance Budgets.

OCTOBER 2015 REPORT

Plats Recorded: <ul style="list-style-type: none">• 10 Subdivision plats were approved for the month• 71 Subdivision plats were approved for the year	New Lots Created: <ul style="list-style-type: none">• 17 New lots approved for the month• 51 New lots approved for the year
Building Permits: <ul style="list-style-type: none">• 7 SFD Permits for the month• 86 SFD Permits for the year• 88 Total Building Inspections for the month• 718 Total Building Inspections for the year• 341 Total Building Permits for the year	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none">• 89 Total Permits for the month• 706 Total Permits for the year• 177 Total Electrical Inspections for the month• 1334 Total Electrical Inspections for the year

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The following subdivision plats have been recorded since November 5, 2015:

Review Type	Project / Subdivision Name	Site Address	Lots +/- (Plats)	Acres (All Permits)	Completed Date	Final Date
1 FINAL PLAT	FOX RUN SUBDIVISION, LOTS 15A & 17A, SECTION 5	BRYAN STREET	4	48.2600	11/9/2015	11/12/2015
1 FINAL PLAT	T C ACRES SUBDIVISION	JAMES DUVALL LANE	2	10.3040	9/17/2015	11/13/2015
1 FINAL PLAT	DOLLAR GENERAL	ON THE 13500 BLOCK	2	8.0410	10/6/2015	11/13/2015
1 FINAL PLAT	TAHOE ESTATES, SECTION 2	FLINT HILL ROAD	8	105.3140	10/29/2015	11/13/2015
1 FINAL PLAT	CEDAR GROVE ACRES, SECTION A, LOTS 12-16	SPRING MEADOW DRIVE	-4	0.0000	11/4/2015	11/17/2015
1 FINAL PLAT	MINIARD ACRES SECTION 1 - LOT 2A	278 KRAFT RD	6	0.0000	10/21/2015	11/19/2015
1 FINAL PLAT	ALOHA SUBDIVISION	EASTVIEW RD	3	12.4660	11/12/2015	11/24/2015
1 FINAL PLAT	SYCAMORE BEND SUBDIVISION, LOTS 7 & 8	50 DEERFIELD COURT	-1	0.0000	11/17/2015	11/24/2015
1 FINAL PLAT	GREEN ACRES SUBDIVISION, LOTS 49-52	32 SOUTH LONG GROVE ROAD	0	0.0000	10/19/2015	12/2/2015
			20	184.3850		

Total Records: 9

12/2/2015

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 17 December 2015 and declared the meeting adjourned at 5:37 p.m.

ADOPTED AND APPROVED THIS 17th DAY OF DECEMBER 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 5 November 2015

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Chairman Krausman called to order the three hundredth and forty sixth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 5 November 2015, in the Hardin County Government Center, 2nd Floor Meeting Room and appointed Board Member Steck to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. County Engineer, Vicki Meredith, P E was not in attendance. Assistant County Attorney Steve Wheatley, legal counsel for the Board, was not requested to attend the meeting.

At 5:01 p.m. Director Wesley Wright administered the Oath of Office for the Hardin County Board of Adjustment to Greg Youngblood to fill the expired term of Brent Goodin and to serve until June 30, 2018.

At 5:04 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Board Member Steck announced that the first item on the agenda is (1) a Conditional Use Permit to allow for an additional freestanding sign and (2) a Variance for relief from the 40' front setback line along Leitchfield Road for a garbage disposal container area. The site is a ± 2.006 acre site located at the 13500 Block of Leitchfield Rd, Eastview, KY within the Natural Resource Planning Area and zoned Convenience Commercial (C-1). The PVA Map Number is 089-00-00-051 and the property is owned by **Scott & Jeannie Langley**. Assistant Director, Adam King reviewed the application and the history of the property and presented the exhibits. William McDonough, the project Engineer, of 301 E. Chestnut St, Corydon, IN, and Curt Rafferty of 111 Shive Lane, Bowling Green, KY spoke in favor on behalf of Scott & Jeannie Langley for the request and the need for two signs based on the property having road frontage on two state highways, he elaborated on the requests compliance with the Comprehensive Plan and answered questions from the Commission members and staff. Chairman Krausman voiced concerns about the signage along KY 84's proximity to the single family dwelling across the street. Discussions between the applicant and the Board led to a compromise to move the proposed signage along KY 84 25' further north. Board Member Youngblood stated that this request for a Conditional Use Permit is not out of character with the area and does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;

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- 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of Adjustment, Board Member Youngblood made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. This Conditional Use Permit shall allow for a second on-site free standing sign.
2. The proposed pole mounted signage shall be 21' tall with a 6'x10' face on each side.
3. A Development Plan shall be submitted and approved in accordance with Development Guidance System, Section 6.
4. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
5. The sign located on Sonora Hardin Spring Road (KY 84), shall be moved approximately 25' to the north, to be further away from the dwelling across the street.

Board Member Steck provided the second. Motion passed unanimously.

Chairman Krausman then initiated a discussion on the Variance proposal for the dumpster enclosure. He commented on his concerns and about the possibility of being able to increase the natural berm in the vicinity of the dumpster enclosure. Board Member Steck made a motion to grant a variance because it is not out of character with the neighborhood; it will not be an enclosed structure, it does not create a safety hazard and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- B. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

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The following variance was granted with the noted conditions:

1. To allow for a Variance from the 40 foot front building setback line to allow for the proposed Garbage Disposal Container Area to encroach the front building setback line along Leitchfield Road (US 62).
2. A Development Plan in compliance with Section 6 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.
4. The existing natural berm shall be increased by 2'-3' in the vicinity of the dumpster area.

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:42 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 17 September 2015 meeting. Board Member Youngblood made a motion to approve the minutes. Board member Steck provided the second. Motion passed unanimously.

At 5:43 pm Chairman Krausman opened with a discussion of the **Nomination and Election of Officers**. Board Member Steck made a motion for the officers to remain as they are currently with Member Youngblood taking the place of former Vice Chairman Member Goodin. Board Member Youngblood provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **2016 Meeting Schedule**. Board Member Steck made a motion to approve the schedule. Board Member Youngblood provided the second. Motion passed unanimously.

The following items are for information only and do not require action:

CAAK Fall Education Conference

On October 11-14, 2015, Jimmy Morgan and Rusty Boone attended the 2015 Fall Conference in Bowling Green, KY at the University Plaza Hotel & Conference Center. The conference schedule provided many great training opportunities.

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IMPROVED HODGENVILLE TO I-65 STUDY

On 27 October 2015, KYTC held an informational public meeting and a Local Official /Stakeholder meeting, concerning the Hodgenville to I65/Glendale study. The meeting was held at the First Baptist Church, 730 Tonieville Road, Hodgenville, KY 42748. A project team has studied a more reliable and safe connection between Hodgenville and I-65/Glendale. The level of detail for evaluation will include cost estimates and an analysis of impacts and benefits.

JAMES DUVALL LANE

Kenny Grimes, is in the process of constructing a 35-foot radius cul-de-sac at the end of James Duvall Lane, as required by the Subdivision Regulations (Article 4-1 M.3.), in an effort to subdivide his farm to create two new vacant lots for family members.

BENNINGTON PLACE

Glenn Turner, has completed a Street Entrance along W. Rhudes Creek Road for the residual lot (DGS 17-14) created in 2014. Residual lots promote the future development of property behind frontage lots along existing roads and are for the remainder of the property / farm. The following criteria shall be met for residual lots:

1. Street entrance approved by the HCRD or KYTC for future street intersections
2. Contain a minimum of 5 acres
3. Containing a minimum of sixty (60) feet of road frontage

OPEN HOUSE

On November 9th a ribbon cutting ceremony will be held for the County Government Building at 1:00 p.m., with tours of the center until 6:00 p.m. Please join us!

BRENT GOODIN TO RESIGN

Brent Goodin, after more than 14-years of service, has submitted his resignation for the Board of Adjustment. We wish Brent the best in all of his future endeavors and appreciate his hard work and determination over the years.

OCTOBER 2015 REPORT

Plats Recorded: <ul style="list-style-type: none">• 10 Subdivision plats were approved for the month• 71 Subdivision plats were approved for the year	New Lots Created: <ul style="list-style-type: none">• 17 New lots approved for the month• 51 New lots approved for the year
Building Permits: <ul style="list-style-type: none">• 8 SFD Permits for the month• 87 SFD Permits for the year• 88 Total Building Inspections for the month• 718 Total Building Inspections for the year• 341 Total Building Permits for the year	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none">• 89 Total Permits for the month• 706 Total Permits for the year• 177 Total Electrical Inspections for the month• 1334 Total Electrical Inspections for the year

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Review Type	Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
1 FINAL PLAT	AMENDED PLAT OF DUNRAVEN PLACE, SECTION 2, LOTS 17A & 18A	SOUTH ANTELOPE COURT	0	0.0000	9/17/2015	9/17/2015
1 FINAL PLAT	KYANN ESTATES	BACON CREEK ROAD	2	21.9470	9/14/2015	9/17/2015
1 FINAL PLAT	FIBLE'S CORNER, SECTION 1	2395 FULLER RD	1	0.0000	9/15/2015	10/5/2015
1 FINAL PLAT	DEVINS SUBDIVISION, LOT 2 & DEVINS SUBDIVISION, LOT 3, SECTION 2	N LONG GROVE ROAD	1	3.2700	4/28/2015	10/5/2015
1 FINAL PLAT	MILAN SUBDIVISION	521 E MAIN STREET & 533 E MAIN STREET	2	1.5200	9/4/2015	10/5/2015
1 FINAL PLAT	HORN SUBDIVISION, LOT 1	3555 CONSTANTINE RD	1	0.0000	9/9/2015	10/8/2015
1 FINAL PLAT	TAMELA ACRES SUBDIVISION	BATTLE TRAINING ROAD	1	5.6320	9/22/2015	10/16/2015
1 FINAL PLAT	AMOS ACRES SUBDIVISION	ST JOHN RD	2	21.4980	9/30/2015	10/22/2015
1 FINAL PLAT	SWIFTCREEK SUBDIVISION, LOTS 1, 2, & 3	ST JOHN RD	0	0.0000	10/15/2015	10/22/2015
1 FINAL PLAT	SHORTY ACRES SUBDIVISION, SECTION 1	3495 SAINT JOHN CHURCH ROAD	2	10.0850	8/6/2015	10/26/2015
1 FINAL PLAT	BENNINGTON PLACE, LOT 13	2136 W RHODES CK RD	1	0.0000	4/29/2014	10/28/2015
1 FINAL PLAT	TWYLA JO ESTATES	150 N. GRANDVIEW CHURCH RD	6	26.6170	10/27/2015	10/28/2015
1 FINAL PLAT	JEB ACRES	BLUEBALL RD	11	139.9830	10/13/2015	11/2/2015
			30	230.5520		

Total Records: 13

11/04/2015

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 19 November 2015 and declared the meeting adjourned at 5:48 p.m.

ADOPTED AND APPROVED THIS 3rd DAY OF DECEMBER 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Chairman Krausman called to order the three hundredth and forty fifth meeting of the Hardin County Board of Adjustment at 5:08 p.m. on Thursday, 17 September 2015, in the Hardin County Government Center, 2nd Floor Meeting Room and appointed Board Member Goodin to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, Planning Assistant Melissa Wilson, Board Member Steve Steck, and the individuals listed on the attached sign-in sheet. Assistant Director Adam King, AICP, and County Engineer, Vicki Meredith, P E were not in attendance. Assistant County Attorney Steve Wheatley, legal counsel for the Board, was not requested to attend the meeting.

At 5:09 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the first item on the agenda is a request for a Variance from the 40' front building setback line to allow for an existing 8' x 24' front porch to be covered. The property is a \pm 0.7 acre site located at 401 Warren Drive, Radcliff, KY, being identified with the PVA Map Number 142-00-01-020.01. The property is owned by **Tammy Garner** and is located in the North Urban Planning Area and is zoned Urban Residential (R-1). Director Wesley Wright reviewed the application and the history of the property and presented exhibits. Tammy Garner, the Owner, of 401 Warren Drive, Radcliff, KY, provided testimony and answered questions from the Board Members and staff. Board Member Steck made a motion to grant a variance because it is not out of character with the neighborhood; it will not be enclosed, it does not create a safety hazard on this residential subdivision street and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- C. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The following variance was granted with the noted conditions:

1. To allow for a Variance from the 40 foot front building setback line along Warren Drive to allow for the existing 8' porch to be covered but shall not to be enclosed.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required (Road Department & Health Department Certification are not required).
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Goodin provided the second. Motion passed unanimously.

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At 5:22 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 20 August 2015 meeting. Board Member Goodin made a motion to approve the minutes. Board member Steck provided the second. Motion passed unanimously.

At 5:23 p.m. Chairman Krausman called for consideration and action on a **Proposed By-Law Amendment of ARTICLE V – MEETINGS** to move the location of the regularly scheduled meeting of the Board of Adjustment from the H. B. Fife Courthouse 3rd Floor Court Room to the Hardin County Government Center, 2nd Floor Meeting Room. Board Member Goodin made a motion to grant the Amendment to ARTICLE V.

Board Member Steck provided the second. Motion passed unanimously.

The following items are for information only and do not require Commission action:

BUILDING INSPECTION QUADRANT MAP

On 1 August 2015, the Kentucky Building Code Program implemented Building Inspection Areas for Hardin County. The county has been divided into four areas for Monday through Thursday, with Friday is a “catch-all”. This program has increased the per day inspection average from three to six and reduced the daily mileage from 150-miles to less than 50-miles – in one instance.

RECEPTIONIST / PLANNING ASSISTANT ACHIEVEMENT

On 3 September, Melissa Wilson has completed her first year with the Commission. We are pleased to have such a dedicated addition to the Team and appreciate her hard work!

JIM SCUDDER STATE NATURE PRESERVE

On 10 September, the Kentucky State Nature Preserves Commission invited Wesley Wright and others to attend a guided hike of the Jim Scudder SNP, off Rucker Lane at the old county landfill site. Hardin County Fiscal Court dedicated 58 acres of county property on Sept. 2, 1987, initiating the commission’s first land protection partnership with local government. Later, the commission purchased 173 acres of additional glades and surrounding second-growth forest. The preserve protects one of the best remaining examples of limestone glades in Kentucky. These glades are dry, rocky openings on otherwise forested south-facing slopes. They provide habitat for several rare plant species, including the barrens silky aster.

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AUGUST 2015 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 9 Subdivision plats were approved for the month • 54 Subdivision plats were approved for the year 	New Lots Created: <ul style="list-style-type: none"> • 10 New lots approved for the month • 50 New lots approved for the year
Building Permits: <ul style="list-style-type: none"> • 12 SFD Permits for the month • 71 SFD Permits for the year • 72 Total Building Inspections for the month • 548 Total Building Inspections for the year • 273 Total Building Permits for the year 	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none"> • 65 Total Permits for the month • 535 Total Permits for the year • 132 Total Electrical Inspections for the month • 1005 Total Electrical Inspections for the year

Review Type	Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
1 FINAL PLAT	AMENDED RECORD T K MANOR, SECTION 1, LOT 2 & TK MANOR SECTION 2	7671 HARDINSBURG ROAD	1	3.0460	7/8/2015	8/20/2015
1 FINAL PLAT	MABE ESTATES SECTION 2	FLINT HILL ROAD	3	19.9510	8/5/2015	8/24/2015
1 FINAL PLAT	LAVONE ACRES	1157 LONG HOLLOW ROAD	2	13.8700	8/25/2015	9/4/2015
1 FINAL PLAT	COFER FARMS SUBDIVISION, LOT 4C	270 UPPER COLESBURG ROAD	1	0.0000	7/15/2015	9/4/2015
1 FINAL PLAT	CENTRAL KENTUCKY GUN CLUB / REFFETT ESTATES SUBDIVISION, LOT 1B	3175 SOUTH DIXIE HIGHWAY	-1	0.0000	4/13/2015	9/4/2015
1 FINAL PLAT	CRADDOCKS ADDITION, LOTS 8-12	6551 NEW GLENDALE ROAD	-4	0.0000	6/1/2015	9/8/2015
1 FINAL PLAT	CARDIN SUBDIVISION LOTS 1A & 2B	1215 HORSEBEND ROAD	0	0.0000	8/31/2015	9/10/2015
			2	36.8670		

Total Records: 7

9/14/2015

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 5 November 2015 and declared the meeting adjourned at 5:37 p.m.

ADOPTED AND APPROVED THIS 5th DAY OF NOVEMBER 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 20 August 2015

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At 5:02 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the first item on the agenda is an Amended Conditional Use Permit to continue to allow for a Dwelling (Manufactured Home) to remain on an Agricultural Tract. The site is a \pm 20.5 acre site located on the south side of Sonora Hardin Springs Road and west of Dry Ridge Road in Eastview, KY within the West Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 045-00-00-034.01 and the property is owned by **Harold & Janice Johnson**. Assistant Director, Adam King reviewed the application and the history of the property and presented the exhibits. Harold & Janice, the owners, of 18015 Sonora Hardin Springs Rd, provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Board Member Goodin stated that because no complaints have been filed and the owners have complied with all the previous conditions, that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

Hardin County Board of Adjustment

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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 to grant the Amended Conditional Use Permit (CUP) with the following conditions:

1. The temporary dwelling shall be a temporary use for no longer than three (3) years from 20 August 2015 and must be removed from the property by 20 August 2018.
2. The temporary dwelling is a 14'x64' manufactured home located on a 20.5 acre agricultural tract that was created without a subdivision plat.
3. The temporary dwelling is for a family caregiver situation and shall only be occupied by James Elliot and his immediate family.
4. The temporary dwelling shall not be available to the public for rent.
5. Upon the vacancy of the temporary dwelling, it must be removed from the property within six (6) months.
6. This temporary dwelling shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
7. This Conditional Use Permit shall be issued to the current property owners, Harold & Alice Johnson, and shall expire when the property is transferred and not be transferable to another property owner.
8. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
9. The skirting on the manufactured home must be maintained.
10. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.

Board Member Krausman provided the second. Motion passed unanimously.

At 5:17 p.m. Chairman Krausman called for consideration and action of the **Administrative Review on the interpretation of the zoning boundaries** for Windsor Hills, Section 4, as recorded in the Hardin County Clerk's Office (Plat Cabinet 1, Sheet # 1769 as per KRS 100.257 and DGS 1-9(7)). Director Wright reviewed the History of Sections 1 through 4 of Windsor Hills, as the developed began prior to zoning (17 July 1995). Section 4 Windsor Hills was reviewed as a R-1 single family development on 21 May 1996, prior to the labeling of this map on the official zoning map. After the plat

Hardin County Board of Adjustment

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review, this particular parcel was labeled the C-2 district in error. Goodin made a motion in favor of adopting Resolution 2015-006. Board Member Krausman provided the second. Motion passed unanimously.

At 5:30 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for a Variance from the 40' front building setback line to allow for a home to be constructed atop an existing foundation and to allow for a proposed 12' covered porch. The property is a \pm 0.77 acre site located at 58 Jean Court and being Lot 42 of Windsor Hills, Section 4, being identified with the PVA Map Number 182-00-01-042. The property is owned by **Denoah & Jessica Randolph** and is located in the North Urban Planning Area and is zoned Urban Residential (R-1). Director Wesley Wright reviewed the application and the history of the property and presented exhibits. Bill Peak, the Applicant, of P.O. Box 1717, Elizabethtown, KY, provided testimony and answered questions from the Board Members and staff. Board Member Goodin made a motion to grant a variance because it is not out of character with the neighborhood; it does not create a safety hazard on this residential subdivision street and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- D. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The following variance was granted with the noted conditions:

1. To allow for a Variance from the 40 foot front building setback line to allow for a 12' covered porch to the proposed home built atop the foundation of the previous home.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.
4. The proposed front porch shall not be enclosed.

Board Member Krausman provided the second. Motion passed unanimously.

At 5:39 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 6 August 2015 meeting. Board Member Goodin made a motion to approve the minutes. Board member Krausman provided the second. Motion passed unanimously.

At 5:42 p.m. Chairman Krausman called Election of Officers. Board Member Goodin made a motion to leave the officers the same with Chairman Krausman, Vice-Chairman Goodin and Secretary Steck. Board member Krausman provided the second. Motion passed unanimously.

Hardin County Board of Adjustment

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The following items are for information only and do not require Board action:

NEW GOVERNMENT BUILDING UPDATE On Thursday, 27 August we will begin moving to our new location at 150 North Provident Way. It is anticipated Planning Commission and Board will meet at the new meeting room in September.

FORT KNOX LETTER OF SUPPORT On 11 August 2015, the Commission received a letter of support (pg 8) from the new Garrison Commander, Colonel Stephen K. Alton. Fort Knox supports the current Comprehensive Plan and our continued efforts in preserving the KY 313 Corridor as a buffer area which discourages residential use.

Review Type	Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
1 FINAL PLAT	PEYTON ESTATES LOTS 12 & 13	BOONE RD	1	0.0000	7/14/2015	8/7/201
1 FINAL PLAT	SETTLERS CREST SUBDIVISION LOTS 81-83	392 GRACELAN D TRAIL &	1	0.0000	8/3/2015	8/7/201
1 FINAL PLAT	SUGARBRANCH BOTTOM SUB	17719 LEITCHFIE	1	17.0070	1/2/1900	8/10/201
1 FINAL PLAT	RAYMOND'S ACRES SUBDIVISION	11304 SALT	1	6.0320	7/15/2015	8/13/201
1 FINAL PLAT	GRIFFIN HILL SUBDIVISION	2118 CANN SCHOOL	1	5.0000	8/13/2015	8/17/201
1 FINAL PLAT	HILLCREEK FARMS SUBDIVISION, SECTION 4, LOTS 55 & 56	136 HILLWOOD CIRCLE	-1	0.0000	8/10/2015	8/19/201
			4	28.0390		

Total Records: 6

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 17 September 2015 at 5:00 PM in the Hardin County Government Building, 150 N. Provident Way, 2nd Floor Meeting Room and declared the meeting adjourned at 5:40 p.m.

ADOPTED AND APPROVED THIS 17th DAY OF SEPTEMBER 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 6 August 2015

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Chairman Krausman called to order the three hundredth and forty third meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 6 August 2015, in the H.B. Fife Courthouse, 3rd Floor, Fiscal Court Meeting Room and appointed Board Member Goodin to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson, Board Member Steck and the individuals listed on the attached sign-in sheet. County Engineer, Vicki Meredith, P E was not in attendance. Assistant County Attorney Steve Wheatley, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the first item on the agenda is an Amended Conditional Use Permit to continue to allow for the Temporary Accessory Dwelling (Manufactured Home) to remain on the property. The site is a ± 13.3 acre site located at 916 Horn Road, Cecilia, KY within the West Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 054-00-00-026 and the property is owned by **Mark & Mary Roberts**. Assistant Director, Adam King reviewed the application and the history of the property and presented the exhibits. Mark & Mary Roberts, the owners, of 916 Horn Rd, provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Board Member Steck stated that because no complaints have been filed and the owners have complied with all the previous conditions, that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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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 Steck made the motion to grant the Amended Conditional Use Permit (CUP) with the following conditions:

1. The temporary accessory dwelling shall be a temporary use for no longer than three (3) years from 6 August 2015 and must be removed from the property by 6 August 2018.
2. The temporary accessory dwelling shall contain a minimum of 784 square feet of living space which is less than the Local Average Square Foot Standard of 1177 square feet as calculated in 2010.
3. The temporary accessory dwelling is for a family need situation and shall only be occupied by Michael Roberts and his immediate family
4. The temporary accessory dwelling shall not be available to the public for rent.
5. Upon the vacancy of the temporary accessory dwelling, it must be removed from the property within six (6) months.
6. This temporary accessory dwelling shall have a sewerage system (septic tank and lateral lines) approved by the Environmental Services Office of the Hardin County Health Department.
7. The temporary accessory dwelling shall be placed on the property as illustrated on the proposed Site Plan.
8. This Conditional Use Permit shall be issued to the current property owners, Mark & Mary Roberts, and shall expire when the property is transferred and not be transferable to another property owner.
9. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
10. The skirting on the manufactured home must be maintained.
11. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk

Board Member Goodin provided the second. Motion passed unanimously.

At 5:20 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the next item on the agenda is a Conditional Use Permit to allow for an Accessory Structure (28'x40' pole barn) on a proposed vacant lot. The site is a ± 3.18 acre site located at 270 Upper Colesburg

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Road, and being Lot 4E of Cofer Farm Subdivision, and within the East Urban Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 253-00-00-023.03 and the property is owned by **Louis Cofer**. Assistant Director, Adam King reviewed the application and the history of the property and presented the exhibits. Louis Cofer, the Owner, of 270 Upper Colesburg Road, provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Board Member Goodin stated that this request for a Conditional Use Permit is not out of character with the area and does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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 to grant the Conditional Use Permit (CUP) with the following conditions:

1. This Conditional Use Permit shall allow for the existing 28' x 40' pole barn to remain on a vacant lot (Lot 4E) as shown on the proposed plat.
2. The Amended Plat shall substitute for the Site Plan.
3. The existing pole barn is for residential/agricultural storage and shall not be used for any Commercial Activity.
4. Additional landscaping/screening shall not be required.
5. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

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At 5:32 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 9 July 2015 meeting. Board Member Steck made a motion to approve the minutes. Board member Goodin provided the second. Motion passed unanimously.

The following items are for information only and do not require Board action:

Review Type	Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
1 FINAL PLAT	AMENDED PLAT OF MERRITT SUB, LOT 1A AND 1B.	1020 AND 1046 RED HILL RD	0	-1.7000	7/23/2015	7/30/2015
1 FINAL PLAT	MYNA SUBDIVISION	2400 & 2500 BLOCK OF BACON CREEK	3	19.8950	7/21/2015	7/22/2015
1 FINAL PLAT	GLORY TRACE SUBDIVISION, LOT 1 & SECTION 2, LOT 2	BARDSTOWN ROAD	1	0.7310	7/7/2015	7/28/2015
1 FINAL PLAT	SETTLERS CREST SECTION 2	GRACELAND DRIVE	-1	22.4350	1/2/1900	7/22/2015
1 FINAL PLAT	ECHO VALLEY	VALLEY CREEK ROAD	3	8.7660	6/24/2015	7/20/2015
1 FINAL PLAT	SALLEE SUBDIVISION, LOTS 2 & 3		0	0.0000	6/15/2015	7/15/2015
1 FINAL PLAT	ANNABELLE FARM, SECTION 2	3502 MERCER LANE	2	8.0710	6/3/2015	7/14/2015
1 FINAL PLAT	BRENTWOOD ESTATES, LOT 9A & RECORD PLAT BOXWOOD SUB, LOT 1	91 CHANCELLOR COURT	0	0.0000	5/13/2015	7/2/2015
1 FINAL PLAT	JAMISON ESTATES	333 CEDAR HILL	0	0.0000	5/11/2015	7/6/2015
1 FINAL PLAT	Waco Subdivision	4880 Bardstown Road (US 62)	-7	0.0000	2/13/2015	7/27/2015
1 FINAL PLAT	School Crest Subdivision, Lot 2	7298 New Glendale Road (KY 1136)	1	0.0000	1/28/2015	7/15/2015
			2	58.1980		

Total Records: 11

JULY 2015 REPORT

<p>Plats Recorded:</p> <ul style="list-style-type: none"> • 11 Subdivision plats were approved for the month • 50 Subdivision plats were approved for the year 	<p>New Lots Created:</p> <ul style="list-style-type: none"> • 10 New lots approved for the month • 42 New lots approved for the year
<p>Building Permits:</p> <ul style="list-style-type: none"> • 7 SFD Permits for the month • 60 SFD Permits for the year • 71 Total Building Inspections for the month • 476 Total Building Inspections for the year • 244 Total Building Permits for the year 	<p>Electrical Permits (6 Jurisdictions):</p> <ul style="list-style-type: none"> • 79-Total Permits for the month • 470 Total Permits for the year • 138 Total Electrical Inspections for the month • 874 Total Electrical Inspections for the year

Hardin County Board of Adjustment

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CIRCUIT COURT HEARING On 9 June 2015, Judge Easton signed a motion to permanently enjoin and restrain Albert and Sarah Miller from operating a sawmill, taking any action converting timber or any other sawmill operation.

KYTC 4 and I-65 CONNECTION SCOPING STUDY A Project Team has been assembled to identify a more reliable and safer connection between Hodgenville and I-65 / Glendale, KY. Adam King, along with our Local Officials / Stakeholders, attended the meeting held on 30 June 2015 at the Lincoln Museum in Hodgenville, KY.

NEW GOVERNMENT BUILDING UPDATE On Friday, 14 August we will begin moving to our new location at 150 North Provident Way. The Planning Commission and Board will meet at our current location through August.

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 20 August 2015 at 5:00 PM in the H.B. Fife Courthouse and declared the meeting adjourned at 5:40 p.m.

ADOPTED AND APPROVED THIS 20th DAY OF AUGUST 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 9 July 2015

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Chairman Krausman called to order the three hundredth and forty second meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 9 July 2015, in the H.B. Fife Courthouse, 3rd Floor, Fiscal Court Meeting Room and appointed Board Member Steck to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Assistant Director Adam King, AICP, Board Member Goodin, and County Engineer, Vicki Meredith, P E were not in attendance. Assistant County Attorney Steve Wheatley, legal counsel for the Board, was not requested to attend the meeting.

At 5:01 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Board Member Steck announced that the first item on the agenda is an Amended Conditional Use Permit to continue to allow for a Child Care Center for up to 33 children. The site is a \pm 2 acre site located at 2872 Valley Creek Rd, Elizabethtown, KY within the Valley Creek Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 245-00-00-046 and the property is owned by **Randy & Marcella Trombley**. Director, Wesley Wright reviewed the application and the history of the property and presented the exhibits. Marcella Trombley, the owner, of 2872 Valley Creek Rd, provided testimony and answered questions from the Board Members and staff. Phillip Tabb of 319 S. Mulberry Street spoke in favor and answered questions from the board members. Board Member Steck stated that because no complaints have been filed against the operation and the owners have complied with all the previous conditions, that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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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 Steck made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. All outdoor recreation areas shall remain fenced and to the rear of the existing home.
2. The maximum number of children at the day care shall be thirty three (33).
3. The sign advertising the day care shall be no larger than 15 square feet, and the sign shall not be illuminated.
4. This Conditional Use Permit shall be a temporary use for no longer than seven (7) years from 9 July 2015 to 9 July 2022.
5. The Residential character and appearance of the existing structure must be maintained. No substantial alterations or improvements shall be made to the structure which would impair the structures use as a residence in the future.
6. The hours of operation shall be twenty four (24) hours a day, seven (7) days a week.
7. This Conditional Use Permit shall be issued to the current property owners, Randy & Marcella Trombley, and shall expire when the property is transferred and not be transferable to another property owner.
8. The existing Development Plan on file shall substitute for the Site Plan.
9. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
10. Screening shall consist of a solid 6' fence on the east & west sides from the rear of the house to the rear of the playground to block the view of the adjoining residential property shall be required.

Board Member Krausman provided the second. Motion passed unanimously.

At 5:12 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Board Member Steck announced that the next item on the agenda is a Conditional Use Permit to allow for Automotive Sales. The site is a \pm 1 acre site located at the corner of Bardstown Road (US 62) and Hampton Lane, Elizabethtown, KY and within the Bardstown Road Corridor Planning Area and zoned Convenience Commercial (C-1). The PVA Map Number is 243-00-08-001 and the property is owned by **JMG, LLC**. Director, Wesley Wright reviewed the application and the history of the property and presented the exhibits. Karen Fentress, the Applicant, of 101 Patterson Street, provided testimony and answered questions from the Board Members and staff. John Lanz, the Owner, spoke in favor and answered questions from the Board Members and staff. Larry Cassady, of 140 Hampton Lane, Donald McKinley, of 66 Hampton Lane, Jody Bingham, of 75 Hampton Lane, Stacy Haynes, of 50 Hampton Lane, and Paul Gamerdinger, of 244 Arlington Drive, spoke in opposition with concerns regarding safety issues, it being out of character, drainage concerns and

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increased traffic. Chairman Krausman reviewed the timeline of events and how the property was designated commercial, indicating the plat for Huntington Ridge indicates that this lot and the four other frontage lots are designated commercial. Board Member Steck stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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 to grant the Conditional Use Permit (CUP) with the following conditions:

1. A maximum of 15 vehicles shall be located on the property at one time.
2. There shall be no wrecked vehicles on site and no major automotive repair or auto-body repair conducted on site.
3. There shall be no vehicles parked in the right-of-way of Bardstown Road (US 62).
4. All vehicles/traffic must enter & exit onto Hampton Lane, not Bardstown Road. The driveway entrance shall be either concrete or asphalt.
5. The hours of operation shall be 9:00 am to 6:00 pm Monday through Friday and 10:00 am to 3:00 pm on Saturday, No Sunday office hours.
6. The Building shall comply with the commercial design standards outlined in the Subdivision Restrictions.
7. A Development Plan prepared by a licensed Surveyor/Engineer shall be required.
8. This Conditional Use Permit is issued to Mary Karen Fentress, it is not transferable, and shall expire if the use operates under different management.
9. This Conditional Use Permit shall be granted for a period of two (2) years from 9 July 2015 and expire on 9 July 2017.
10. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

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11. On the rear property line, a 6' tall wooden security fence aligned with white pine trees shall be required.

Board Member Krausman provided the second. Motion passed unanimously.

At 6:47 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Hearing Officer Steck announced that the next item on the agenda is a request for a Variance for relief from the 40-ft Front Building Setback Line to allow for the existing porch to be covered. The property is a \pm 0.459 acre site located at 165 Victorson Street, Rineyville, KY 40162 and identified with the PVA Map Number 183-30-01-024. The property is owned by **Judy Sidebottom** and is located in the North Urban Planning Area and is zoned Urban Residential (R-1). Director Wesley Wright reviewed the application and the history of the property and presented exhibits. Judy Sidebottom, the owner, of 165 Victorson Street, Rineyville, KY, provided testimony and answered questions from the Board Members and staff. Board Member Steck made a motion to grant a variance because it is not out of character with the neighborhood; it does not create a safety hazard on this residential subdivision street and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- E. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The following variance was granted with the noted conditions:

1. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
2. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Krausman provided the second. Motion passed unanimously.

At 6:57 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Hearing Officer Steck announced that the next item on the agenda is a request for a Variance for relief from the 100-foot rear building setback line adjacent to residential. Two mobile office units are proposed (12'x60' and 8'x26') 50-feet and 88-feet from the rear line. A third mobile office unit (12'x56') is located in the front and complies with all setbacks. The property is a \pm 18.88 acre site located on the West side of Lincoln Parkway and at the intersection of Harvest Drive and identified with the PVA

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Map Number 235-10-00-018.02. The property is owned by **Harry & Jane Owen** and is located in the Valley Creek Urban Planning Area and is zoned Light Industry (I-1).

Director Wesley Wright reviewed the application and the history of the property and presented exhibits. Mike Billings, the Engineer, of 315 S. Mulberry, Elizabethtown, KY, provided testimony and answered questions from the Board Members and staff on behalf of the owner, Harry Owen. Board Member Steck made a motion to grant a variance because it is not out of character with the neighborhood; it does not create a safety hazard on this residential subdivision street and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- B. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The following variance was granted with the noted conditions:

1. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
2. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Krausman provided the second. Motion passed unanimously.

At 7:08 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Board Member Steck announced that the next item on the agenda is a Conditional Use Permit to allow a residence to be rebuilt and an accessory structure within the nonresidential zone. The site is a \pm 0.82 acre site located at 108 W. Main Street, Cecilia, KY and within the Cecilia Rural Village Planning Area and zoned Convenience Commercial (C-1). The PVA Map Number is 147-30-01-018 and the property is owned by **William Weller**. Director, Wesley Wright reviewed the application and the history of the property and presented the exhibits. William Weller, the Owner, of 108 W. Main Street, provided testimony and answered questions from the Board Members and staff. Darrell Bird, of 155 W. Main Street and David Yates, of 161 Lewis Lane, spoke in opposition with concerns of multiple inoperable vehicles and answered questions from the Board Members and staff. Board Member Steck stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT

GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

Hardin County Board of Adjustment

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- 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of Adjustment, Board Member Steck made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. A Single family dwelling and a detached accessory structure may be constructed on-site. In order for non-residential activities to be conducted; a Change of Use Building Permit and a Development Plan shall be required.
2. The structures shall be placed on the property as illustrated on a site plan and in accordance with the building setback lines established for the C-1 zone.
3. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
4. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
5. Accessory Structure not to exceed 1200 (30x40) in square footage with 10 feet on the side walls and 16 feet at the high point with neutral color siding.

Board Member Krausman provided the second. Motion passed unanimously. Director Wright indicated that staff would work with Mr. Weller in complying with any wrecked or non-licensed vehicles.

At 7:37 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 4 June 2015 meeting. Board Member Steck made a motion to approve the minutes. Board member Krausman provided the second. Motion passed unanimously.

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The following items are for information only and do not require Board action:

MAY 2015 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 9 Subdivision plats were approved for the month • 32 Subdivision plats were approved for the year 	New Lots Created: <ul style="list-style-type: none"> • 11 New lots approved for the month • 25 New lots approved for the year
Building Permits: <ul style="list-style-type: none"> • 15 SFD Permits for the month • 46 SFD Permits for the year • 105 Total Building Inspections for the month • 470 Total Building Inspections for the year • 170 Total Building Permits for the year 	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none"> • 76 Total Permits for the month • 323 Total Permits for the year • 142 Total Electrical Inspections for the month • 700 Total Electrical Inspections for the year

JUNE 2015 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 7 Subdivision plats were approved for the month • 39 Subdivision plats were approved for the year 	New Lots Created: <ul style="list-style-type: none"> • 7 New lots approved for the month • 32 New lots approved for the year
Building Permits: <ul style="list-style-type: none"> • 7 SFD Permits for the month • 53 SFD Permits for the year • 119 Total Building Inspections for the month • 589 Total Building Inspections for the year • 220 Total Building Permits for the year 	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none"> • 68 Total Permits for the month • 391 Total Permits for the year • 141 Total Electrical Inspections for the month • 841 Total Electrical Inspections for the year

Review Type	Project / Subdivision Name	Site Address	Lots +/- Plats Final	Acres (All Permits)	Completed Date	Final Date
FINAL PLAT	CENTERLINE ESTATES	FALLING SPRINGS ROAD	0	0.0000	6/26/2015	7/1/2015
FINAL PLAT	FARMERS PARADISE	23157 SONORA HARDIN SPRINGS ROAD	2	69.2520	6/22/2015	6/30/2015
FINAL PLAT	NELLIE BELL RIDGE	15801 SONORA HARDIN SPRINGS ROAD (KY 84)	0	0.0000	5/7/2015	6/12/2015
FINAL PLAT	BEUWIN ACRES	1043 PIERCE MILL ROAD	1	4.0010	6/8/2015	6/23/2015
FINAL PLAT	ANNA LEE MEADOWS SUBDIVISION	HARTLEY LANE & BACON CREEK RD	3	7.2970	5/27/2015	6/17/2015
FINAL PLAT	PFIEFFER ESTATES, LOTS 8 & 9	175 MT. ZION ROAD, ELIZABETHOWN	0	0.0000	5/26/2015	6/12/2015
SITE PLAN	HAIR SALON	776 UPPER COLESBURG	0	0.0000	1/2/1900	6/4/2015
FINAL PLAT	BRENTWOOD ESTATES, LOT 9A & RECORD PLAT BOXWOOD SUB# 1	91 CHANCELLOR COURT	0	0.0000	5/13/2015	7/2/2015
FINAL PLAT	GRATEFUL LIVING SUBDIVISION, LOT 5	HARGAN ROAD (KY 1882)	0	40.7540	5/12/2015	6/4/2015
FINAL PLAT	WINDING BROOK SUBDIVISION, LOTS 1 & 2	1475 BEWLEY HOLLOW ROAD	0	0.0000	5/5/2015	6/1/2015
FINAL PLAT	FEATHERSTONE ACRES	292 MILLER LANE	3	68.5070	4/22/2015	6/3/2015
SITE PLAN	DOG KENNEL: "THE FURRY GODMOTHER" /	11230 SONORA HARDIN SPRINGS ROAD (KY 84)	0	3.7000	6/16/2015	6/17/2015
			9	193.5110		

Total Records: 12

Hardin County Board of Adjustment

Minutes: 9 July 2015

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Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 23 July 2015 at 5:00 PM in the H.B. Fife Courthouse and declared the meeting adjourned at 5:55 p.m.

ADOPTED AND APPROVED THIS 6th DAY OF AUGUST 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 4 June 2015

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Chairman Krausman called to order the three hundredth and forty first meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 4 June 2015, in the H.B. Fife Courthouse, 3rd Floor, Fiscal Court Meeting Room and appointed Board Member Goodin to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, and Assistant Director Adam King, AICP, Board Members Goodin & Steck and the individuals listed on the attached sign-in sheet. County Engineer, Vicki Meredith, P E was not in attendance. Assistant County Attorney Steve Wheatley, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the first item on the agenda is an Amended Conditional Use Permit to continue to allow for a Auto Body Shop to remain on the property. The site is a \pm 2 acre site located at 10112 Leitchfield Road, Cecilia, KY within the Stephensburg Rural Village Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 105-00-00-030 and the property is owned by **Kelly Depew & Arthur Brown**. Assistant Director, Adam King reviewed the application and the history of the property and presented the exhibits. Arthur Brown, the Owner, of 10112 Leitchfield Road, provided testimony and answered questions from the Board Members and staff. Board Member Steck stated that because no complaints have been filed against the operation and the owners have complied with all the previous conditions, that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

Hardin County Board of Adjustment

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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 Steck made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. Business Hours of Operation shall be from 9 A.M. to 5 P.M., Monday - Saturday.
2. The maximum number of vehicles on site shall be nine (9).
3. Customer vehicles must be stored inside one of the detached garages by 6 PM.
4. The existing driveway off of Zeus Road shall require an Encroachment Permit from the County Road Department with the proper culvert installed.
5. All customer vehicles must enter & exit from the driveway off of Leitchfield Road.
6. There shall only be one (1) employee of the business who does not reside on the premises.
7. This property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
8. The existing dumpster shall be screened from view with a fence.
9. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
10. This Conditional Use Permit shall be issued to the current property owner, Kelley Depew and applicant, Arthur Brown, and is not transferable.
11. All building activities shall conform to provisions of the Kentucky Building Code.
12. This Conditional Use Permit shall be for a period of five (5) years and expire on 4 June 2020.
13. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
14. Site activities must comply with all applicable State & Federal regulations concerning Environmental Protection & Air Quality. Including but not limited to NESHAP (National Emission Standards For Hazardous Air Pollutants). Please contact the Kentucky Department for Environmental Protection regarding the Environmental Compliance Assistance Program.
15. A sign no larger than six (6) square feet shall be permitted in the front yard facing Leitchfield Road (US 62).

Board Member Goodin provided the second. Motion passed unanimously.

Hardin County Board of Adjustment

Minutes: 4 June 2015

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At 5:15 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the next item on the agenda is a Conditional Use Permit to allow for the conversion of an Accessory Structure into a Beauty Shop. The site is a \pm 9 acre site located at 776 Upper Colesburg Road, Elizabethtown, KY and within the East Urban Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 253-00-00-029 and the property is owned by **Phillip & Julie Bewley**. Assistant Director, Adam King reviewed the application and the history of the property and presented the exhibits. Julie Bewley, the Owner, of 776 Upper Colesburg Road, provided testimony and answered questions from the Board Members and staff. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT

GUIDANCE SYSTEM Ordinance (Section 3.12) 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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 to grant the Conditional Use Permit (CUP) with the following conditions:

1. This Conditional Use Permit is good for three (3) years from 4 June 2015 to 4 June 2018.
2. The Beauty Salon shall have two (2) employees in addition to Julie Bewley who resides in the dwelling.
3. The hours of Operation shall be Monday – Saturday 9 am to 9 pm with the business closed Sundays.
4. A single sign no larger than six (6) square feet in area shall be permitted in compliance with Development Guidance System, Section 9.

Hardin County Board of Adjustment

Minutes: 4 June 2015

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5. Adequate parking must be illustrated on a Site Plan. Additionally, a single handicapped parking space must be provided.
6. A Site Plan in compliance with Section 7 of the Development Guidance System, Zoning Ordinance shall be required.
7. A Change of Use Building Permit shall be required.
8. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
9. This Conditional Use Permit is issued to the current owners, Phillip & Julie Bewley and shall not be transferred to another owner without approval from the Board of Adjustment.

Board Member Steck provided the second. Motion passed unanimously.

At 5:40 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 7 May 2015 meeting. Board Member Goodin made a motion to approve the minutes. Board member Steck provided the second. Motion passed unanimously.

The following items are for information only and do not require Commission action:

APRIL 2015 REPORT

Plats Recorded: <ul style="list-style-type: none">• 11 Subdivision plats were approved for the month• 24 Subdivision plats were approved for the year	New Lots Created: <ul style="list-style-type: none">• 14 New lots approved for the month• 23 New lots approved for the year
Building Permits: <ul style="list-style-type: none">• 11 SFD Permits for the month• 31 SFD Permits for the year• 79 Total Building Inspections for the month• 377 Total Building Inspections for the year• 129 Total Building Permits for the year	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none">• 93 Total Permits for the month• 247 Total Permits for the year• 127 Total Electrical Inspections for the month• 558 Total Electrical Inspections for the year

WELLHEAD PROTECTION PLAN (WHPP) The Hardin County Water District No. 1 is currently working on updating their WHPP, in which the District has asked for county. A meeting was held on 11 May 2015 to discuss the update on the 5-year plan.

2015 APA-KY SPRING CONFERENCE Adam and Wesley joined fellow Kentucky planners in Owensboro, Kentucky for the APA-KY Spring Conference. The education sessions, exciting networking opportunities, and some good old planning fun!

CIRCUIT COURT HEARING A motion for an injunction was present to Judge Easton in Circuit Court on 19 May 2015 for the Albert Miller Property on New Glendale Road. Court proceedings will continue in June in an attempt to achieve compliance with the Zoning Ordinance.

Hardin County Board of Adjustment

Minutes: 4 June 2015

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Review Type	Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
FINAL PLAT	JUNIOR WELDING SUBDIVISION	350 BACON CREEK ROAD	0	0.000	5/13/2015	5/27/2015
FINAL PLAT	DEVON BROOK ESTATES	3871 SPORTSMAN LAKE ROAD	1	0.489	5/18/2015	5/27/2015
FINAL PLAT	JODYS ACRES	MEETING CREEK ROAD	4	35.166	5/6/2015	5/27/2015
FINAL PLAT	KRIEGER ACRES	1330 BERRYTOWN ROAD	2	10.989	4/29/2015	5/6/2015
FINAL PLAT	THE ORCHARD, LOT 34B	48 W ANJOU COURT	0	0.000	4/29/2015	5/26/2015
FINAL PLAT	DUNRAVEN PLACE, SECTION 2, LOTS 17-20	SOUTH ANTELOPE COURT	0	0.000	4/16/2015	4/24/2015
FINAL PLAT	LARK HAVEN ESTATES, LOT 1	RINEYVILLE SCHOOL ROAD	0	0.977	4/17/2015	4/25/2015
FINAL PLAT	END OF TRAIL 2	S GRANDVIEW CHURCH ROAD	1	5.000	4/17/2015	4/26/2015
FINAL PLAT	JUNIOR WELDING SUBDIVISION	350 BACON CREEK ROAD	2	13.197	4/13/2015	4/27/2015
FINAL PLAT	AMENDED RECORD PLAT OF ARCHER HOLLOW & RECORD PLAT OF OAK HILL ACRES	1100 EASTVIEW ROAD	1	22.500	4/9/2015	4/28/2015
FINAL PLAT	GREEN RIDGE TREE FARM, SECTION 1, LOT 1 & SECTION 2	BARDSTOWN ROAD (US 62)	3	15.744	3/24/2015	4/28/2015
			14	104.0620		

Total Records: 11

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 09 July 2015 at 5:00 PM in the H.B. Fife Courthouse and declared the meeting adjourned at 5:55 p.m.

ADOPTED AND APPROVED THIS 9th DAY OF JULY 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 7 May 2015

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Chairman Krausman called to order the three hundredth and fortieth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 7 May 2015, in the H.B. Fife Courthouse, 3rd Floor, Fiscal Court Meeting Room and appointed Board Member Goodin to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, and Assistant Director Adam King, AICP and the individuals listed on the attached sign-in sheet. County Engineer, Vicki Meredith, P E, and Board member Steve Steck were not in attendance. Assistant County Attorney Steve Wheatley, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the first item on the agenda is a request for a Variance for relief from the Front Setback Line to allow for a proposed 10'x16' front deck. The property is a \pm 0.689 acre site located at 264 Fentress Blvd, Elizabethtown, KY 42701 and identified with the PVA Map Number 182-00-01-026. The property is owned by **Donna Mattingly** and is located in the North Urban Planning Area and is zoned Urban Residential (R-1). Assistant Director King reviewed the application and the history of the property and presented exhibits. Donna Mattingly, the owner, of 264 Fentress Blvd, Elizabethtown, KY, provided testimony and answered questions from the Board Members and staff. Michael Molesko, a neighbor, provided testimony and answered questions from the Board Members and staff. Board Member Goodin made a motion to grant a variance because it is not out of character with the neighborhood, it does not create a safety hazard on this dead end, residential subdivision street and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- C. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The following variance was granted with the noted conditions:

1. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
2. A Building Permit is required for the 12'x24' shed on Site
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.
4. The deck may not be enclosed or covered.

Hardin County Board of Adjustment

Minutes: 7 May 2015

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Board Member Krausman provided the second. Motion passed unanimously.

At 5:15 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for a Variance from the required Road Frontage and the 1:3 lot width-to-length ratio to allow for additional acreage to be merged to the lot. The property is a \pm 11.23 acre site located at 1110 Eastview Rd, being proposed Lot 1A of Archer Hollow and identified with the PVA Map Number 088-00-00-012. The property is owned by **Glenn Asauskas** and is located in the West Hardin Planning Area and is zoned Rural Residential (R-2). Assistant Director King reviewed the application and the history of the property and presented exhibits. Glenn Asauskas, the owner, of 1100 Eastview Rd, provided testimony and answered questions from the Board Members and staff. Board Member Goodin made a motion to grant a variance because the request will help prevent further development off an access easement that cross the railroad, because it will consolidate landlocked tracts and due to the fact that it satisfies the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- d. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The following variance was granted with the noted conditions:

1. An Amended Record Plat prepared by a Licensed Land Surveyor shall be required.
2. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Krausman provided the second. Motion passed unanimously.

At 5:35 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the next item on the agenda is an Amended Conditional Use Permit to continue to allow for a kennel on property. The site is a \pm 1.17 acre site located at 6280 North Dixie (US 31W), Elizabethtown, KY and being Lot 19 of Windsor Hills, Section 2, within the North Dixie Corridor Planning Area and zoned General Commercial (C-2). The PVA Map Number is 182-00-01-019 and the property is owned by **Sugar Mill Properties**. Assistant Director, Adam King reviewed the application and the history of the property and presented the exhibits. Jennifer Hofmann, the Applicant, of 1488 Kingswood Way, provided testimony and answered

Hardin County Board of Adjustment

Minutes: 7 May 2015

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questions from the Board Members and staff. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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 to grant the Conditional Use Permit (CUP) with the following conditions:

1. Business Hours of Operation shall be from 6 A.M. to 6 P.M., seven days a week.
2. The maximum number of animals on site shall be 65.
3. A maximum of ten (10) animals shall be permitted outdoors at one time between the hours of 6:30 A.M. to 9:00 AM, 12:30 P.M. to 2:00 PM and 4:00 P.M. to 5:00 P.M.
4. At all other times only two (2) animals shall be outdoors at one time.
5. No outdoor boarding of animals shall be permitted. All boarding facilities shall be indoors with dogs taken outdoors for exercise and "potty" breaks.
6. The facility shall obtain and maintain a valid Kennel License from Hardin County Animal Control and comply with Ordinance Number 249, Series 2007 "An ordinance relating to Animal Control and Welfare". Annual inspections to be conducted by Hardin County Animal Control to check health and welfare of animals on site and verify clean and sanitary conditions of the facility. Please contact Gerald Foley (270-763-2205) at Hardin County Animal Control.

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7. All dogs on site must have a valid License and Rabies Vaccinations.
8. This property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
9. The Kennel & Outdoor Play Area shall be screened from view of the adjoining properties with a 10' tall solid fence along the north property line with Mr. Beatty for a distance from the front gate to the existing white vinyl fence panels. The fence shall be installed by 31 August 2011.
10. An Amended Development Plan shall not be required due to an existing Development Plan on file and no significant changes being made on site.
11. This Amended Conditional Use Permit shall be issued to the current property owner and applicant, and is not transferable.
12. All building activities shall conform to provisions of the Kentucky Building Code.
13. This Amended Conditional Use Permit shall be for a period of Three (3) years and expire on 7 May 2018.
14. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Krausman provided the second. Motion passed unanimously.

At 5:45 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 23 April 2015 meeting. Board Member Goodin made a motion to approve the minutes. Board member Krausman provided the second. Motion passed unanimously.

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 4 June 2015 at 5:00 PM in the H.B. Fife Courthouse and declared the meeting adjourned at 5:55 p.m.

APRIL 2015 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 9 Subdivision plats were approved for the month • 20 Subdivision plats were approved for the year 	New Lots Created: <ul style="list-style-type: none"> • 10 New lots approved for the month • 14 New lots approved for the year
Building Permits: <ul style="list-style-type: none"> • 11 SFD Permits for the month • 31 SFD Permits for the year • 80 Total Building Inspections for the month • 246 Total Building Inspections for the year • 129 Total Building Permits for the year 	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none"> • 93 Total Permits for the month • 247 Total Permits for the year • 127 Total Electrical Inspections for the month • 436 Total Electrical Inspections for the year

TYPE	SUBDIVISION NAME	ACCESS ROAD	LOTS	ACRES	FP RECORDED
RECORD PLAT	End of the Trail 2	S. Grandview Church Rd	1	5	06-May-15
RECORD PLAT	Krieger Acres	Berrytown Road	2	10.99	06-May-15
AMENDED PLAT	Green Ridge Tree Farm, Section 1, Lot 1 & Green Ridge Tree Farm, Section 2	Bardstown Road (US 62)	3	15.744	28-Apr-15
AMENDED PLAT	Dunraven Place, Section 2, Lots 17-20	South Antelope Court	0	0	24-Apr-15
NEW LOTS SINCE LAST MEETING			6		

ADOPTED AND APPROVED THIS 4th DAY OF JUNE 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

 Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 23 April 2015

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Chairman Krausman called to order the three hundredth and thirty ninth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 23 April 2015, in the H.B. Fife Courthouse, 3rd Floor, Fiscal Court Meeting Room and appointed Board Member Goodin to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, County Engineer, Vicki Meredith, P E, and Board member Steve Steck and the individuals listed on the attached sign-in sheet. Assistant County Attorney Steve Wheatley, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the first item on the agenda is an amended Conditional Use Permit to allow for the parking and storage of trucks and tractor trailers on the property. The site is a \pm 6.85 acre site located 229 Bacon Creek Road, Elizabethtown within the Industrial Park Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 187-30-00-015 and the property is owned by **Donnie & Debbie Blair**. Assistant Director, Adam King reviewed the application and the history of the property and presented the exhibits. Donnie Blair, (the owner) of 229 Bacon Creek Road, provided testimony and answered questions from the Board Members and staff. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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 to grant the Conditional Use Permit (CUP) with the following conditions:

1. Maximum number of truck cabs and tractor semi-trailers allowed to be parked or stored on the property is five (5).

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2. The hours of operation shall not exceed 5 a.m. to 9 p.m. Monday through Friday.
3. Only limited routine maintenance can be performed on the property. No major work such as engine or transmission repair is allowed. No body work or painting may be performed on the property.
4. The driveway entrance must be approved by the Kentucky Transportation Cabinet (KTC) for "semi-tractors and trailers" use.
5. No truck parts may be stored outside the building (examples: Tires, Batteries, etc.).
6. No inventory or materials associated with the trucking operation may be stored on the property.
7. No freestanding sign may be displayed on the property.
8. The parking area for the semi-tractor and tractor trailers shall be designated on an approved Site Plan and adequately screened from adjoining properties with white pine trees.
9. Only limited commercial activity like a Home Occupation is allowed and the activity must have no employees working on the premises who are not members of the family, and who do not live in the dwelling unit.
10. The facilities or property shall not be used for warehousing or storage of any inventory or goods.
11. No dumpster or waste materials shall be stored on the property that allows discharge into the environment. No hazardous fluids shall be allowed to be discharged onto the property. The outside storage of fluids (including used oil) must be provided with a secondary containment structure that is illustrated on the Site Plan.
12. Truck traffic shall be limited to the use of Bacon Creek Road (KY 1904) from the facility entrance to Ring Road (KY 3005).
13. The Conditional Use Permit is granted for a period of five (5) years. The permit will expire on 23 April 2020.
14. This Conditional Use Permit shall be issued to the current property owners, Donnie & Debbie Blair, and shall expire when the property is transferred and not be transferable to another property owner.
15. A Site Plan shall be submitted and approved in accordance with the Development Guidance System, Section 7.

Board Member Steck provided the second. Motion passed unanimously.

At 5:15 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for a Conditional Use Permit to allow for residential improvements on Commercial Property. The property is a \pm 0.6 acre site with an address of 44 Rineyville School Road, and identified with the PVA Map Number 147-00-00-041. The property is

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owned by **Ralph Allen** and is located in the Rineyville Rural Village Planning Area and is zoned Convenience Commercial (C-1). Assistant Director King reviewed the application and the history of the property and presented exhibits. The owner, Ralph Allen, provided testimony and answered questions from the Board Members and staff. Board Member Steck stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of Adjustment, Board Member Steck made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. The proposed utility room and porch may only be used for residential purposes. In order for commercial activities to be conducted; a Change of Use Building Permit and a Development Plan shall be required.
2. The proposed utility room & porch shall be placed on the property as illustrated on the plans submitted and in accordance with the building setback lines established for the designated zone.
3. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
4. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Goodin provided the second. Motion passed unanimously.

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At 5:35 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for a Variance for relief from the Front Setback Line to allow for the fire damaged home to be remodeled using the existing foundation/basement. The property is a \pm 1.0 acre site located at 1328 Rineyville School Road and identified with the PVA Map Number 122-00-00-003. The property is owned by **JPMorgan Chase Bank** and is located in the West Urban Planning Area and is zoned Rural Residential (R-2). Assistant Director King reviewed the application and the history of the property and presented exhibits. Greg Timberlake, the contractor for the applicant, of 310 Young Drive, Stanford, KY, provided testimony and answered questions from the Board Members and staff. Board Member Goodin made a motion to grant a variance due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- e. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The following variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback line to allow for the existing home to be remodeled/repared in the existing footprint.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

At 5:45 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for a Variance for relief from the Front Setback Line to allow for a manufactured home to be located on site. The property is a \pm 0.82 acre site located at 15515 Sonora Hardin Springs Road and identified with the PVA Map Number 058-00-00-026. The property is owned by **Doug & Kathy Miller** and is located in the West Hardin Planning Area and is zoned Rural Residential (R-2). Assistant Director King reviewed the application and the history of the property and presented exhibits. Doug Miller, the owner, of 15556 Sonora Hardin Springs Road, provided testimony and answered questions from the Board Members and staff. Board Member Steck made a

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motion to grant a variance due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- A. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity;
- B. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The following variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback line to allow for a manufactured home to be no closer than 55' from the center line of Sonora Hardin Springs Road (KY 84).
2. The existing stone wall must be retained between the home and the road and additionally trees must be planted and maintained between the home and the road.
3. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
4. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Goodin provided the second. Motion passed unanimously.

At 6:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the next item on the agenda is a Amended Conditional Use Permit to allow for an Amusement Enterprise (Indoor Gun Range) on the property. The site is a ± 14.956 acre site located at 3175 South Dixie Highway and being Lot 1C of Reffett Estates, within the South Dixie Corridor Planning Area and zoned General Commercial (C-2). The PVA Map Number is 223-00-00-004 & 223-00-00-004.02 and the property is owned by **CMK Properties**. This applicant had been previously granted on 9 January 2014 for parcel 223-00-00-004.02. The project will now consist of combining the two tracts together and relocating the design to the west of the original site. Assistant Director, King reviewed the application and the history of the property and presented the exhibits. Michael Kruger, the applicant, of 3175 South Dixie Highway, provided testimony and answered questions from the Board Members and staff. Donna Goodloe, of 102 Randall Casteel Court, expressed concerns about the building. Board Member Goodin stated that this request for a Conditional Use

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Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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 to grant the Conditional Use Permit (CUP) with the following conditions:

1. The existing tree line/buffer on the north and south sides of the property and to the west shall be maintained and illustrated on the Development Plan.
2. Adequate on-site parking must be designated on an approved Development Plan.
3. Adequate driving lanes must be maintained from South Dixie (US 31W) to the parking area to allow for two-way traffic and the ingress/egress of Emergency Vehicles.
4. Hours of Operations shall be 10 AM to 8 AM on Monday thru Saturday and 1 PM to 5 PM on Sunday.
5. No more than 3 large single day competitions (defined as exceeding 100 participants) shall be held per year.
6. This Conditional Use Permit for Amusement Enterprises is for an indoor gun range only and any outdoor expansion shall require the Conditional Use Permit and Development Plan to be amended.
7. This Conditional Use Permit shall be good for five (5) years from 23 April 2015.

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8. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
9. A Development Plan shall be submitted and approved in accordance with Development Guidance System, Section 6.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.
11. The operation must comply with any and all Local, State and Federal guidelines regarding firearms and ammunition.

Board Member Steck provided the second. Motion passed unanimously.

At 6:10 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 5 February 2015 meeting. Board Member Steck made a motion to approve the minutes. Board member Goodin provided the second. Motion passed unanimously.

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 7 May 2015 at 5:00 PM in the H.B. Fife Courthouse and declared the meeting adjourned at 6:15 p.m.

ADOPTED AND APPROVED THIS 7th DAY OF MAY 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Chairman Krausman called to order the three hundredth and thirty eighth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 5 February 2015, in the H.B. Fife Courthouse, 3rd Floor, Fiscal Court Meeting Room and appointed Board Member Steck to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, County Engineer, Vicki Meredith, P E, and Board member Brent Goodin and the individuals listed on the attached sign-in sheet. Assistant County Attorney Steve Wheatley, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Board Member Steck announced that the first item on the agenda is a Conditional Use Permit to allow for the 40' x 60' accessory structure on site to be converted into a Commercial Dog Kennel. The site is a \pm 3.7 acre site located at 11230 Sonora Hardin Springs Road within the Natural Resource Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 089-00-00-064 and the property is owned by **Nora Margaret Bailey and Ann Rene Bailey**. Assistant Director, Adam King reviewed the application and the history of the property and presented the exhibits. Ann Rene Bailey, (the owner) of 11230 Sonora Hardin Springs Rd, provided testimony and answered questions from the Board Members and staff. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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 to grant the Conditional Use Permit (CUP) with the following conditions:

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1. Business Hours of Operation shall be from 7am-7pm Monday - Sunday
2. The maximum number of animals on site shall be 25.
3. No outdoor boarding of animals shall be permitted. All boarding facilities shall be indoors with dogs taken outdoors for exercise and "potty" breaks. The front pasture may only be utilized between the hours of 9:00 a.m. – 5:00 p.m. for 5 dogs at a time.
4. The facility shall obtain and maintain a valid Kennel License from Hardin County Animal Control and comply with Ordinance Number 249, Series 2007 "An ordinance relating to Animal Control and Welfare". Annual inspections are to be conducted by Hardin County Animal Control to check health and welfare of animals on site and verify clean and sanitary conditions of the facility. Please contact Gerald Foley (270-763-2205) at Hardin County Animal Control.
5. All dogs on site must have a valid License and Rabies Vaccinations.
6. This property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
7. The Kennel & Outdoor Play Area shall be fenced in.
8. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
9. This Conditional Use Permit shall be issued to the current property owner and applicant, and is not transferable.
10. All building activities shall conform to provisions of the Kentucky Building Code. A Change of Use Building Permit shall be required.
11. This Conditional Use Permit shall be for a period of 2 years from 5 February 2015 to 5 February 2017.
12. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

At 5:30 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 22 January 2015 meeting. Board Member Goodin made a motion to approve the minutes. Board member Steck provided the second. Motion passed unanimously.

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Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 19 February 2015 at 5:00 PM in the H.B. Fife Courthouse and declared the meeting adjourned at 5:35 p.m.

ADOPTED AND APPROVED THIS 23st DAY OF APRIL 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Minutes: 22 January 2015

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Chairman Krausman called to order the three hundredth and thirty seventh meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 22 January 2015, in the H.B. Fife Courthouse, 3rd Floor, Fiscal Court Meeting Room and appointed Board Member Goodin to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, Board member Steve Steck and the individuals listed on the attached sign-in sheet. County Engineer, Vicki Meredith, P E was not in attendance. Assistant County Attorney Steve Wheatley, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman announced that the Conditional Use Permit request by **Juergen Schwan** has been withdrawn. The applicant is acquiring a building permit for a single family dwelling so that the Conditional Use Permit shall not be required.

At 5:05 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 8 January 2015 meeting. Board Member Goodin made a motion to approve the minutes. Board member Steck provided the second. Motion passed unanimously.

At 5:15 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the first item on the agenda is a Conditional Use Permit to allow for a 27' x 44' Permanent Accessory Dwelling to be constructed on the site. The site is a \pm 8.04 acre site located at 224 Stith Lane within the Rineyville Rural Village Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 143-00-01-005.02 and the property is owned by **Stephanie Meredith**. Assistant Director, Adam King reviewed the application and the history of the property and presented the exhibits. Stephanie Meredith (the owner) of 224 Stith Lane, provided testimony and answered questions from the Board Members and staff and was agreeable to increasing the size of the proposed dwelling and adjusting its location so that it was more recognizable as the Principal Dwelling. Board Member Steck stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;

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- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of Adjustment, Board Member Steck made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. The property owner, Stephanie Meredith, must occupy either the principal dwelling unit or the accessory dwelling 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 be required.
4. The Permanent Accessory Dwelling is the existing 999 sq. ft. bungalow (1946) and the Principal Dwelling is the proposed 1500 sq. ft. ranch home and a covered front porch.
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 Permanent Accessory Dwelling must be the same and visually match the proposed dwelling on (tan vinyl siding and a shingle roof).
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 Goodin provided the second. Motion passed 2-1 with Chairman Krausman voting against the request.

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Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 3 February 2015 at 5:00 PM in the H.B. Fife Courthouse and declared the meeting adjourned at 6:00 p.m.

ADOPTED AND APPROVED THIS 3rd DAY OF FEBRUARY 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Chairman Krausman called to order the three hundredth and thirty sixth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 8 January 2015, in the H.B. Fife Courthouse, 3rd Floor, Fiscal Court Meeting Room and appointed Board Member Goodin to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, County Engineer Vicki Meredith, P E, Board member Steve Steck and the individuals listed on the attached sign-in sheet. Assistant Attorney Don Jones, legal counsel for the Board, was not requested to attend the meeting.

At 5:10 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the first item on the agenda is a continuation from a hearing that was tabled on 18 December 2014 for an Amended Conditional Use Permit to allow for the expansion of the existing Hanson Rock Quarry. The site is a ± 180 acre site located at 607 Quarry Rd, south of Upton City Limits and north of Hart County line, within the South Hardin Planning Area and zoned Heavy Industrial (I-2). The PVA Map Numbers are 197-00-00-006.06 & 197-00-00-012 and the property is owned by **Hanson Aggregates and William & Judith Lively**. Director, Wesley Wright reviewed the application and the history of the property and presented the exhibits. Glenn Price, counsel for Hanson, of 400 W Market Street, provided testimony and answered questions from the Board Members and staff. Hanson indicated that the conditions proposed by staff, in conjunction with the Board, were agreeable, with the exception of the 1000 foot mining distance from the closest residence. Chairman Krausman requested that Glenn Price elaborate on the unique attributes of the site in question and why the 1000 foot mining distance should be reduced from the closest residence. Glenn Price indicated that the distance of 1000 feet is to reduce impacts to adjoining properties. Typically, the distance factor and a berm are required to minimize potential impacts. This quarry is unique in that the railroad is positioned on the east site of the quarry at an elevation of 20-feet from grade. Additionally, Quarry Road is located between the mining area and the railroad. Board Member Goodin stated that due to the unique circumstances of the existing railroad tracks acting as a berm and due to the existing topography that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;

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- 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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 to grant the Conditional Use Permit (CUP) with the following conditions:

1. Hanson will maintain a permanent undisturbed buffer of natural vegetation 100 feet in width along the perimeter of the Subject Property. In addition a further 50 feet will be left from the undisturbed buffer to the limit of excavation making the total set back from the property line 150 feet. This additional 50 feet will be used for a perimeter road around the quarry amongst other things. There shall be no mining within 1,000 feet of any existing residence located in Hardin County, KY as of the approval date of this project. There shall be no mining within 350 feet of any existing residence located in Larue County, KY as of the approval date of this project.
2. Hanson shall maintain all property set back requirements as set forth in the Hardin County Development Guidance System Zoning Ordinance, 2009, for property zoned Heavy Industrial I-2.
3. Hanson will install fencing along the boundary of the Subject Property in areas where adequate fencing is not present or is in disrepair. Fencing will be at least 50 inches high and consist of woven wire with two strands of barbed wire. "No Trespassing" signs will be posted at the outer perimeter of the 100 foot undisturbed buffer of the Subject Property at the appropriate distance apart.
4. Quarry operations shall be limited to the area identified on the development plan as "Existing Mining Area" or "Future Mining Area".
5. Hanson shall maintain one monitoring well on the rezoned property, and shall measure groundwater levels weekly. The groundwater measurements will be recorded and be available for inspection by the Hardin County Planning Director at Upton Quarry.
6. Hanson will not blast or excavate limestone below an elevation of 735 msl in the west of the Subject Property or an elevation of 630 msl in the east of the Subject Property.
7. Hanson will implement a Water Well Replacement – Arbitration Program, the details of which are explained in the Appendix. Hanson shall deliver a copy of the Program to

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all Hardin County residents who reside within 2500 feet of the limit of the excavation of the quarry on the Subject Property.

8. Blasting shall only occur Monday through Friday between the hours of 9:00 am and 4:00 pm on the Subject Property. Only in the case of an emergency will blasting take place outside these hours. An example of such an emergency would be blasting that is delayed by thunderstorms which could pose a serious threat to our employees. Leaving the blast undetonated in the ground overnight is a federal offense.

9. Hanson shall maintain two (2) seismograph monitors to monitor ground vibration at the closest residences to the then-current blasting area. The seismograph records shall be maintained at Upton Quarry for the prior three years and be available for inspection by the Hardin County Planning Director during normal business hours.

10. Hanson will implement a Pre-Blast Survey and Damage Arbitration Program, the details of which are explained in the Appendix. Hanson shall deliver a copy of the Program to all Hardin County residents who reside within 2500 feet of the limit of the excavation of the quarry on the Subject Property.

11. All blasting and the use of explosives will be conducted in accordance with the regulations set forth by the Kentucky Department of Mines and Minerals, Division of Explosives and Blasting (pursuant to the authority of KRS 351.310 to 351.340 and 351.990) and in accordance with the Standard of Safety for Explosives, for the State of Kentucky, prepared by Department of Public Safety, Division of Fire Prevention.

12. Hanson shall limit its normal operating hours on the Subject Property to Monday through Friday with pit operations not commencing before 7:00 am and not extending beyond 7:00pm. On Saturdays operating hours will be 7:00 am to 1:00 pm. On Sunday no pit operations will take place although maintenance of equipment may take place.

13. When Hanson is supplying materials to a customer who is working on a KYDOT approved contract which includes the right to work extended hours including at night, Hanson shall be allowed to operate 24 hours per day during the term of the contract. Prior to the commencement of extended hours Hanson shall inform the Hardin County Planning Director of its proposed extended hours work schedule.

14. When Hanson is required to work extended hours on the Subject Property portable lighting units will be used to supply light at the quarry faces in order to provide employees a safe working environment. These lights are some 100 feet below ground level and will not be visible from surrounding properties.

15. In order to reduce the audible noise levels emanating from the quarry operations on the Subject Property Hanson will install U.S. Department of Labor, Mine Safety and

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Health Administration approved low frequency or strobe light back up alarms on all mobile equipment within six (6) months of the issuance of the Conditional Use Permit.

16. Following a blast and prior to loading the broken limestone at the quarry face the broken limestone is wetted down by the water truck which has a water cannon mounted on it for this purpose. Wetting the limestone helps reduce fugitive dust during the loading process. In addition the water truck is used to water all internal haul roads on a regular basis to reduce fugitive dust generated by the movement of mobile equipment within the quarry.

17. Hanson will maintain the Subject Property as a non-discharge site and will route all stormwater generated with the disturbed portions of the quarry to the existing stormwater and process water ponds located on the property.

18. An Amended Development Plan shall be submitted and approved by the Planning Commission.

19. Temporary Vegetation in compliance with the County's Erosion Prevention & Sediment Control Ordinance shall be implemented in areas that are not active for a period of five (5) years.

20. This Conditional Use Permit is issued to the current property owners/leasee, Hanson Aggregates and is transferable upon a review of the application by the Board with any new owners.

21. A Best Management Practices Plan must be submitted and approved by the Hardin County Engineer & Planning Commission that includes a "Groundwater Protection Plan, Stormwater Management Plan and an Emergency Response Plan.

Board Member Steck provided the second. Motion passed unanimously.

At 6:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for a Variance for relief from the 40' Front Setback Line to allow for the existing wood deck to remain on the property. The property is a \pm 0.59 acre site located in the Sportsman Lake Subdivision, Block 7, Lot 8, with an address of 414 Lake Shore Drive, and identified with the PVA Map Number 223-00-0D-059. The property is owned by **Sharon Oliver** and is located in the Valley Creek Urban Planning Area and is zoned Urban Residential (R-1). Assistant Director King reviewed the application and the history of the property and presented exhibits. Doug Johnson, the surveyor for the applicant, of 21500 Sonora Hardin Springs Road, provided testimony and answered questions from the Board Members and staff. Board Member Steck made a motion to grant a variance due to it will satisfy the language of the KENTUCKY REVISED

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STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- a. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity;
- b. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The following variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback line to allow for the proposed covered porch (8' x 20') to be no closer than 52' from the center-line of Berea Road. *The deck shall not be covered or enclosed.*
2. An Amended Subdivision Plat shall substitute for the required Site Plan.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk

Board Member Goodin provided the second. Motion passed unanimously.

At 6:08 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for a Conditional Use Permit to allow for the construction of a 30' x 60' Accessory Structure that exceeds the size of the dwelling on site. The property is a \pm 4.9 acre site with an address of 198 Lewis Lane, and identified with the PVA Map Number 147-00-00-041. The property is owned by **David & Clarissa Yates** and is located in the Natural Resource Planning Area and is zoned Rural Residential (R-2). Assistant Director King reviewed the application and the history of the property and presented exhibits. The owner, David Yates, provided testimony and answered questions from the Board Members and staff. Board Member Steck stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) 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;

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- 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of Adjustment, Board Member Steck made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. This Conditional Use Permit shall allow for the proposed 1800 sq. ft. pole barn (30'x60') that exceeds the size of the 1560 sq. ft. dwelling on site (1350 sq. ft. + 210 sq. ft. covered porch)
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required (Health Department approval shall not be required).
3. The proposed pole barn is for residential storage and shall not be used for any Commercial Activity.
4. The exterior siding of the proposed 30' x 60' pole barn shall be tan metal with white doors.
5. Additional landscaping/screening shall not be required if all vehicles are to be parked within the structure.
6. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

At 6:16 p.m. Chairman Krausman called for consideration and action on the **Minutes** of the 18 December 2014 meeting. Board Member Goodin made a motion to approve the minutes. Board member Steck provided the second. Motion passed unanimously.

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 22 January 2015 at 5:00 PM in the H.B. Fife Courthouse and declared the meeting adjourned at 6:20 p.m.

ADOPTED AND APPROVED THIS 22nd DAY OF JANUARY 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary