

## Hardin County Board of Adjustment

Minutes: 6 December 2012

Page 1 of 6

Chairman Krausman called to order the three hundredth and second meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 6 December 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Vice-Chairman Jack Holman and Secretary Brent Goodin were in attendance. Also in attendance were Planner Adam King, AICP and the individuals listed on the attached sign-in sheet. Director Chris Hunsinger, Senior Planner Wesley Wright and County Engineer Vicki Meredith, P E were not present. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

Chairman Krausman called for consideration and action on the **Minutes** of the 8 November 2012 meeting. Member Goodin made a motion to approve the minutes as presented. Member Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the adoption of the Board of Adjustment **Meeting Schedule** for the calendar year 2013 (attached). Member Goodin made a motion to adopt the 2013 Meeting Schedule as presented. Member Holman provided the second. Motion passed unanimously.

At 5:15 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is a request for a Conditional Use Permit to allow for a Permanent Accessory Dwelling (640 sq. ft. house) on the property. The property is a 58 acre site with the PVA Map Parcel Number 082-00-00-006. The property address is 8075 Rineyville Big Springs Road (KY 220) and is owned by **Jesse Bates**. Vice Chairman Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and presented the exhibits. Jesse Bates, the owner, provided testimony and answered questions from the Board Members and staff. The Hearing Officer closed the hearing at 5:25 p.m. 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 is 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;

## Hardin County Board of Adjustment

Minutes: 6 December 2012

Page 2 of 6

- 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;

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) for a Permanent Accessory Dwelling with the following conditions:

1. The property owner, Jesse Bates, 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 a 640 sq. ft. detached dwelling and the Principal Dwelling is the existing 2500 sq. ft. home.
5. The Permanent Accessory Dwelling shall be located in the rear 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 Principal dwelling on Site (wood siding with green shingle roof & green trim).
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.

Member Holman provided the second. Motion passed unanimously.

## **Hardin County Board of Adjustment**

Minutes: 6 December 2012

Page 3 of 6

At 5:25 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a request for a Variance for relief from the 1:3 lot width-to-length ratio to allow for Lot 3B to be further subdivided. The site is a 3.0 acre tract located on Lot 3D of Sagebrush Corners in the Rineyville Rural Village Planning Area and zoned Convenience Commercial (C-1). The PVA Map Number is 121-00-00-006.05 and is owned by **Paul & Diane Taylor**. Planner King reviewed the application and the history of the property and presented exhibits. Paul Taylor of 106 Berrytown Road, Rineyville, the owner, provided testimony and answered questions from the Board Members and staff. Mr. Taylor stated that he had concerns regarding the children's safety, if the existing entrance were to be shared or if it were to be moved. At 6:00 p.m., Board Member Goodin made a motion to table until the 20 December meeting to allow time to look at the existing entrance and a possible redesign. Board Member Holman provided the second. Motion passed unanimously.

At 6:05 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a Variance request for relief from the required front building setback to accommodate a new manufactured home to be placed where a previous unit was located. The proposed site is a 0.324 acre site located at 158 South Mill Street in the Cecilia Rural Village Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 147-40-00-001 and is owned by **Frank Logsdon**. Planner King reviewed the application and the history of the property and presented exhibits. Frank Logsdon of 158 South Mill Street, the owner, provided testimony and answered questions from the Board Members and staff. At 6:20 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant a variance due to it being a small narrow lot at the end of a dead-end road that is beyond the county maintenance, and that it will not alter the essential character of the general vicinity, that it will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- 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 40' front building setback for the proposed manufactured home.

## Hardin County Board of Adjustment

Minutes: 6 December 2012

Page 4 of 6

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

Chairman Krausman provided the second. The motion passed 2-1 with Member Holman voting to deny the Variance.

At 6:20 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a Variance request for relief from the required front building setback to accommodate a proposed barn (40' x 40'). The proposed site is a 29.123 acre site located on Lot 9 of Sutzer Creek Subdivision, Section 2 and in the West Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 057-00-00-002.09 and is owned by **Roy and Brenda Dillard**. Planner King reviewed the application and the history of the property and presented exhibits. Roy and Brenda "Star" Dillard of 13355 Sonora Hardin Springs Road, the owners, provided testimony and answered questions from the Board Members and staff. At 6:35 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant a variance due to topography and a blue line stream on site, because it is an agricultural building on agricultural property located on a dead-end road with limited traffic, and that it will not alter the essential character of the general vicinity, that it will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- 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 70' front building setback for the proposed barn.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required with a Variance Note included. (Health Dept. approval not required).
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

## Hardin County Board of Adjustment

Minutes:6 December 2012

Page 5 of 6

Planner King reported that the Commission Staff met with ICON Engineering in preliminary discussions of the Planning Commission needs in the design of a **New County Government Center**.

Planner King reported that the Hardin County Cooperative Extension Service and the Hardin County Chamber of Commerce jointly hosted the **2012 Farm-City Day Program** and that Director Hunsinger was 41<sup>st</sup> recipient of the Distinguished Service Award for Farm-City Relations.

Planner King reported that on 5 December 2012 the **Technical Advisory Committee of the MPO** met to discuss potential changes to the Urbanized Area Boundary as it pertains to road network classifications. Additionally the Policy Committee is recommending the name of Unity Way for the E2RC (KY 361) Road Project.

Planner King reported that through the **KAPA Elections** he has been elected by his peers to serve as the Secretary of the Kentucky Chapter of the American Planning Association for 2013 & 2014. Planner King had previously served as the Regional Representative for South Central Kentucky.

### THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:

SUBDIVISION NAME	LOTS	RECORDED
Clauson' Glen Subdivision, Lot 3	0	01-Nov-12
Misty Morning Estates	0	01-Nov-12
McCormack Subdivision, Lots 24, 25 & 26	-2	01-Nov-12
Treva's Farm Division Lots 2 and 3B	1	01-Nov-12
Uncle Tom's Place	1	01-Nov-12
Concord Heights Subdivision Section 1, Lots 8 and Tall Pine Estates	-2	01-Nov-12
Carriage Hills Subdivision	2	01-Nov-12
Bethlehem Academy Subdivision, Lot 2 and Bethlehem Academy	7	01-Nov-12
Tabb Springs Estates	6	01-Nov-12
Caughron Subdivison	2	01-Nov-12
Fernandez Place	2	01-Nov-12
Seagraves Farm Division Estates	4	01-Nov-12
<b>SINCE LAST MEETING</b>	21	01-Nov-12
<b>2012 TOTAL</b>	149	01-Nov-12

**Hardin County Board of Adjustment**

Minutes: 6 December 2012

Page 6 of 6

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 20 December 2012, and declared the meeting adjourned at 6:30 p.m.

**ADOPTED AND APPROVED THIS 17th DAY OF JANUARY 2013 BY THE  
HARDIN COUNTY BOARD OF ADJUSTMENT.**

---

Brent Goodin, Secretary

## Hardin County Board of Adjustment

Minutes: 8 November 2012

Page 1 of 3

Chairman Krausman called to order the three hundredth and first meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 18 November 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Vice-Chairman Jack Holman and Secretary Brent Goodin were in attendance. Also in attendance were Senior Planner Wesley Wright, Planner Adam King, AICP, County Engineer Vicki Meredith, P E and the individuals listed on the attached sign-in sheet. Director Chris Hunsinger was not present. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is a request for a Variance for relief from the required front building setback to accommodate a proposed dwelling. The site is a 20.8 acre tract located on Tabor Lane in the Kentucky 313 Corridor Planning Area and zoned Residential Estate (R-3). The PVA Map Number is 228-00-0C-034 and is owned by **Bryan Manis**. Vice Chairman Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and the history of the property and presented exhibits. At 5:15 p.m., Board Member Holman made a motion to table due to the owner not being present. Chairman Goodin provided the second. Motion passed unanimously.

At 5:17 p.m. Hearing Officer Holman announced that the next item on the agenda is a request for a Conditional Use Permit to construct an Accessory Structure (2000 sq. ft. pole barn) that exceeds the size of the dwelling (1534 sq. ft. home) on site and to allow for an Automotive Repair Business to be conducted from the Accessory Structure. The proposed site is a  $\pm 0.96$  acre site located at 60 Duggins Switch Road. The PVA Map Parcel Number is 119-30-00-071 and is owned by **Jody Exler**. Planner King reviewed the application and exhibits. Jody Exler of 60 Duggins Switch Road, the owner, provided testimony and answered questions from the Board Members and staff. Joseph Cecil of 10 Duggins Switch Road, provided testimony and answered questions from the Board Members and staff. At 5:52, the Applicant, Jody Exler then announced that he would withdraw his request. No further action was taken by the Board.

At 5:55 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that this is the request for

## Hardin County Board of Adjustment

Minutes: 8 November 2012

Page 2 of 3

a Variance for relief from the required front building setback to accommodate a proposed dwelling that had been tabled previously. Member Holman made a motion to reopen the hearing. Member Goodin provided a second. Motion passed unanimously. The site is a 20.8 acre tract located on Tabor Lane in the Kentucky 313 Corridor Planning Area and zoned Residential Estate (R-3). The PVA Map Number is 228-00-0C-034 and is owned by **Bryan Manis**. Vice Chairman Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and the history of the property and presented exhibits. At 6:05 p.m., Board Member Goodin made a motion to grant a variance due to the property being seven miles from town in a rural area, that the amount of traffic is limited due to it being a non-county maintained, dead-end, gravel road and that it would not cause any safety issues, and that it will not alter the essential character of the general vicinity, that it will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- 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 70' front building setback for the proposed house to be no closer than 45' from the front property line.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required with a Variance Note included.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Member Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 18 October 2012 meeting. Member Goodin made a motion to approve the minutes as presented. Member Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the Annual Election of Officers. Board Member Goodin made a motion for the current Officers to maintain their designated offices; Robert Krausman, Chairman, Jack Holman,



**Hardin County Board of Adjustment**  
Minutes: 8 November 2012  
Page 3 of 3

Vice Chairman and Brent Goodin, Secretary. Board Member Holman provided a second. Motion unanimously passed.

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

<b>SUBDIVISION NAME</b>	<b>LOTS</b>	<b>RECORDED</b>
Blandford's Place Subdivision	1	19-Oct-12
Shaw Fields Subdivision	3	19-Oct-12
Catland Estates, Lots 1 & 2	0	22-Oct-12
Arbor View Subdivision Section 2, Lot 30A	0	23-Oct-12
Clover Meadow Subdivision, Lot 1 and McPeak Estates	8	26-Oct-12
<b>SINCE LAST MEETING</b>	12	
<b>2012 TOTAL</b>	128	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 6 December 2012, and declared the meeting adjourned at 6:15 p.m.

**ADOPTED AND APPROVED THIS 6th DAY OF DECEMBER 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

---

Brent Goodin, Secretary

## Hardin County Board of Adjustment

Minutes: 18 October 2012

Page 1 of 7

Chairman Krausman called to order the three hundredth meeting of the Hardin County Board of Adjustment at 5:05 p.m. on Thursday, 18 October 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Vice-Chairman Jack Holman and Secretary Brent Goodin were in attendance. Also in attendance were Senior Planner Wesley Wright, Planner Adam King, AICP, County Engineer Vicki Meredith, P E and the individuals listed on the attached sign-in sheet. Director Chris Hunsinger was not present. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is a request for a Conditional Use Permit for a proposed Accessory Structure (40' x 60' garage) to be constructed on a tract without a dwelling. The property is a 2.46 acre site located on Battle Training Road and identified with the PVA Map Number 198-00-00-003. The property is owned by **Billy & Christine Bailey** and is located in the North Urban Planning Area and is zoned Rural Residential (R-2). Vice Chairman Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and presented exhibits and slides of the property (attached). Billy Bailey, the owner, provided testimony and answered questions from the Board Members and staff and presented pictures as exhibit I. No additional testimony was presented. At 5:20 p.m. the Hearing Officer closed the hearing. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM ordinance (Section 16.3) Standards for Issuance of a Conditional Use Permit as follows:

- The use does not tend to change the character and established pattern of development of the area;
- The use is in harmony with the uses permitted by right under the sector and district in question and it does not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,

## Hardin County Board of Adjustment

Minutes: 18 October 2012

Page 2 of 7

- The use shall be in accord with the purposes of the Development Guide System 2009 and the Comprehensive Development Guide 2008;

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 stated that based on the proposed structure location and the size and characteristics of the property, a future dwelling can be accommodated on the property and the proposed accessory structure is in character with the structures located on properties in the vicinity. 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 proposed 2440 sq. ft. garage (40' x 60') to be constructed on site prior to a dwelling being constructed.
2. The proposed garage is for residential storage and shall not be used for any Commercial Activity.
3. The proposed garage 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.
4. The exterior siding of the proposed 40'x60' garage shall be white metal with a blue metal roof so that it visually matches the accessory structures on the adjoining property.
5. Additional landscaping and/or screening shall not be required.
6. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
7. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Member Holman provided the second. Motion passed unanimously.

At 5:20 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a Variance request for relief from the required rear building setback to accommodate an existing 48' x 22' barn. The proposed site is a 10.928 acre site located at 1405 Centerpoint Road and being proposed Lot 2A of Catland Estates in the South Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Numbers are 109-00-00-017 and 109-00-00-017.01 and is owned by **Bradley & Amanda Pence and the Priddy Estate**. Planner King reviewed the application and the history of the property and presented exhibits. Darren Clemons of Clemons Land Surveying, representative the owners, provided

## Hardin County Board of Adjustment

Minutes: 18 October 2012

Page 3 of 7

testimony and answered questions from the Board Members and staff. Penny Lucas of 1220 Kelly Drive spoke in favor of the request. At 5:45 p.m., the Hearing Officer closed the hearing. Board Member Holman made a motion to grant a variance due to the property being over 10 acres in a rural area, that it is an agricultural building, that the amount of traffic is limited and would not cause any safety issues, and that it will not alter the essential character of the general vicinity, that it will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- 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 50' rear building setback for the existing barn (48' x 22').
2. An Amended Record Plat with a Variance Note shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Member Goodin provided the second. The motion passed 2-1 with Chairman Krausman voting to deny the Variance.

At 5:45 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. This is a Conditional Use Permit request for a Permanent Accessory Dwelling to allow the "original house" to be converted from storage back into a dwelling. The property is a 4.97 acre site located on the south side of Locust Grove Road and with the PVA Map Number 234-00-00-084. The property addresses are 1949 & 1965 Locust Grove Road and is owned by **JOHN & JANICE CRAWFORD**. Planner King reviewed the application and presented the exhibits. John Crawford, of 1965 Locust Grove Road, the owner, provided testimony and answered questions from the Board Members and staff. No additional testimony was presented. The Hearing Officer closed the hearing at 6:05 p.m. After some discussion, the Board decided that the proposal was more appropriate as a Temporary Accessory Dwelling. 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 is as follows:

- The use does not tend to change the character and established pattern of development of the area;

## Hardin County Board of Adjustment

Minutes: 18 October 2012

Page 4 of 7

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

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 Change of Use Building Permit shall be required to convert the "original house" currently being used for residential storage back into a dwelling.
2. Building and electric permits shall be acquired prior to the commencement of construction or alteration efforts.
3. All development activities shall be completed within the time limits prescribed by the Hardin County Development Guidance System, the Kentucky Building Code, the Commission, or the Board of Adjustments.
4. The Temporary Accessory Dwelling shall be the 940 sq. ft. "original" ranch house on the property at 1949 Locust Grove Road.
5. The Temporary Accessory Dwelling is for a caregiver situation and shall only be occupied by the owner's father, Mr. Todd.
6. The Temporary Accessory Dwelling shall be a temporary use for not longer than five (5) years from 18 October 2012 to 18 October 2017.
7. The Temporary Accessory Dwelling shall not be available to the public for rent.
8. Both dwellings shall have a sewerage system approved by the Hardin County Health Department.
9. When the original dwelling is vacated by Mr. Todd it must be removed from the property within six months or converted back into residential storage via a Change of Use Building Permit.
10. This Amended Conditional Use Permit is issued to current property owners, John & Janice Crawford, it is not transferable, and shall expire if the property is transferred.
11. A Certificate of Land Use Restrictions shall be recorded in the office of the

## Hardin County Board of Adjustment

Minutes: 18 October 2012

Page 5 of 7

Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 6:05 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced a request for an Amended Conditional Use Permit for a Temporary Accessory Dwelling (14' x 66' manufactured home) to be allowed to remain on the property. The property is a 5.0 acre site with an address of 611 West Rhudes Creek Road, and identified with the PVA Map Number 223-00-04-010. The property is owned by **Billy & Carolyn Day** and is located in the North Glendale Urban Planning Area and is zoned Urban Residential (R-1). Planner King reviewed the application and the history of the property including the previous Conditional Use Permits and presented exhibits and slides of the property (attached). David Day, the applicant and Carolyn Day, the owner, provided testimony that this Temporary Accessory Dwelling was for a family need and "care giver" situation due to the health of Billy Day answered questions from the Board Members and staff. No additional testimony was presented. At 6:25 p.m. the Hearing Officer closed the hearing. Board Member Goodin stated that this request for an Amended Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM ordinance (Section 16.3) Standards for Issuance of a Conditional Use Permit as follows:

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

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 stated that based on the testimony presented that the request is in character with the neighborhood and vicinity because five of

## **Hardin County Board of Adjustment**

Minutes: 18 October 2012

Page 6 of 7

the twelve closest dwellings are manufactured homes, the primary dwelling is not visible from the public right of way, the Local Average Square Foot Standard has not changed since the previous application and that this request is for a “family need” situation and made the motion to grant an Amended Conditional Use Permit (CUP) to allow the manufactured home to remain on the property with the following conditions:

1. The Temporary Accessory Dwelling shall be a temporary use for no longer than 7 months from 18 October 2012 and must be removed from the property by 18 May 2013.
2. The Temporary Accessory Dwelling shall contain a minimum of 924 square feet of living space which is less than the Local Average Square Foot Standard of 1716 square feet.
3. The Temporary Accessory Dwelling is for a family need situation and shall only be occupied by David Day 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 existing Site Plan.
8. This Amended Conditional Use Permit shall be issued to the current property owners, Billy and Carolyn Day, and shall expire when the property is transferred and not be transferable to another property owner.
9. An existing and approved Site Plan is on file with our office.
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.

**Hardin County Board of Adjustment**

Minutes: 18 October 2012

Page 7 of 7

12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 6 September 2012 meeting. Member Holman made a motion to approve the minutes as presented. Member Goodin provided the second. Motion passed unanimously.

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

SUBDIVISION NAME	LOTS	RECORDED
Car Lot Estates, Lots 3A and 5	0	14-Sept-12
Wild Apple Grove Estates	9	19-Sept-12
Fellowship Place	22	24-Sept-12
Ivanhoe Estates, Lot 2	2	26-Sept-12
Coakley Estates, Lots 1 & 2	0	2-Sept-12
White Lace Subdivision	2	02-Oct-12
Providence Place, Lot 1A	0	08-Oct-12
Pearl's Black Acre Subdivision, Lots 1, 2 & 3	0	12-Oct-12
<b>SINCE LAST MEETING</b>	35	
<b>2012 TOTAL</b>	116	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 8 November 2012, and declared the meeting adjourned at 6:30 p.m.

**ADOPTED AND APPROVED THIS 8th DAY OF NOVEMBER 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

---

Brent Goodin, Secretary



## Hardin County Board of Adjustment

Minutes: 20 September 2012

Page 1 of 2

Chairman Krausman called to order the two hundredth and ninety-ninth meeting of the Hardin County Board of Adjustment at 5:05 p.m. on Thursday, 20 September 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Vice-Chairman Jack Holman and Secretary Brent Goodin were in attendance. Also in attendance were Senior Planner Wesley Wright, Planner Adam King, AICP, County Engineer Vicki Meredith, P E and the individuals listed on the attached sign-in sheet. Director Chris Hunsinger was not present. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is a Variance request for relief from the required road frontage (100 foot minimum) for a redesign of two tracts located on Old Tunnel Hill Road to allow for the two existing tracts to be reshaped at 1707 Tunnel Hill Road. The proposed site is a 9 acre site located at 1707 Tunnel Hill Road in the North Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 231-10-00-023 and is owned by **Junko Cosby**. Planner King reviewed the application and the history of the property and presented exhibits. Larry Jury of 169 Chestnut Grove Road, the applicant, provided testimony and answered questions from the Board Members and staff. At 5:35 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant the variance from the required road frontage so that the two existing tracts could be reshaped so that each dwelling was on a separate tract due to the fact that it will not alter the essential character of the general vicinity, that it will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- 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 required road frontage so that both the existing tracts will have frontage on Old Tunnel Hill Road (private gravel lane).

**Hardin County Board of Adjustment**

Minutes: 20 September 2012

Page 2 of 2

2. A Record Plat with a Variance Note shall be required. As part of the plat, Tract 2 must contain a minimum of 5 acres and Tract 1 must maintain a minimum of 3 7/8 acres.
3. The addresses shall change from 1707 & 1715 Tunnel Hill Road to 690 & 760 Old Tunnel Hill Road.
4. Private Road Signs and two (2) Stop Signs for Old Tunnel Hill Road shall be required to be installed by the applicant by 20 November 2012.
5. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Chairman Krausman called for consideration and action on the **Minutes** of the 6 September 2012 meeting. Member Holman made a motion to approve the minutes as presented. Member Goodin provided the second. Motion passed unanimously.

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

SUBDIVISION NAME	LOTS	RECORDED
Wheeler Estates Subdivision	1	10-Sept-12
Heath Subdivision Section 2, Lot 1C	1	13-Sept-12
<b>SINCE LAST MEETING</b>	2	
<b>2012 TOTAL</b>	81	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 18 October 2012, and declared the meeting adjourned at 5:45 p.m.

**ADOPTED AND APPROVED THIS 18th DAY OF OCTOBER 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

\_\_\_\_\_  
Brent Goodin, Secretary

## Hardin County Board of Adjustment

Minutes: 6 September 2012

Page 1 of 4

Chairman Krausman called to order the two hundredth and ninety-eighth meeting of the Hardin County Board of Adjustment at 5:05 p.m. on Thursday, 6 September 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Vice-Chairman Jack Holman and Secretary Brent Goodin were in attendance. Also in attendance were Senior Planner Wesley Wright, Planner Adam King, AICP, County Engineer Vicki Meredith, P E and the individuals listed on the attached sign-in sheet. Director Chris Hunsinger was not present. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is a Conditional Use Permit requesting approval to allow the original dwelling (ranch house) to remain on the property (on the back of the moving truck) for an additional six months after the new house has been constructed. The proposed site is a 10 acre tract with an address of 303 Heritage Trail in the Rineyville Rural Village Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 120-00-00-023. Planner King reviewed the application and the history of the property and presented exhibits. Harry Covault, the owner, presented a letter and pictures, which became Exhibit J, and provided testimony and answered questions from the Board Members and staff. Stephen Edwards of 4300 Grand Wood Way, Crestwood, Kentucky, the applicant, provided testimony and answered questions from the Board Member and staff. Nelly Gilmore of 211 Heritage Trail and Susan Vaughn of 313 Heritage Trail spoke in favor of the request. Board Member Goodin made a motion to deny the request due to the fact that it does not satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit and that the owner be granted 75 days to come into compliance by removing the structure.

Board Member Holman provided the second. Motion passed unanimously.

At 5:50 p.m. Hearing Officer Holman announced that the next item on the agenda is a request for a Conditional Use Permit to construct a 440 square foot addition to an Accessory Structure (2102 sq. ft. pole barn) that exceeds the size of the dwelling (1512 sq. ft. home) on site. The proposed site is a ±19.14 acre site located at 3474 Long Hollow Road and being Lot 2 of Hattie Heights. The PVA Map Parcel Number is 038-00-00-009 and is owned by **Jay & Rhonda Basham**. Planner King reviewed the application and exhibits. Jay Basham of 3474 Long Hollow Road, the owner, provided testimony and answered questions from the

## Hardin County Board of Adjustment

Minutes: 6 September 2012

Page 2 of 4

Board Members and staff. At 6:05 p.m., the Hearing Officer closed the hearing. Board Member Goodin stated that this request for a Conditional Use Permit for an Accessory Structure that exceeds the size of the dwelling on site, does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit is as follows:

- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The use shall be in accord with the purposes of this ordinance and the Comprehensive Development Guide System and the comprehensive Development Guide;

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) for the size of the Accessory Structure to exceed the size of the dwelling on site due to the size of the property and the fact that it was not out of character with the other accessory structures in the area and with the following conditions:

1. The proposed 440 sq. ft. addition (20' x 22') to the existing 2102 sq. ft. pole barn/garage/carport shall be a total of 2542 sq. ft. which is greater than the 1512 sq. ft. (under roof) dwelling on site.
2. The proposed addition 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. The exterior siding of the proposed 20' x 22' addition shall be grey metal siding with a white metal roof along with the existing structure so that they visually match.
4. Additional landscaping and/or screening shall not be required due to placement behind the home and due to the existing mature trees on site.
5. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
6. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

## Hardin County Board of Adjustment

Minutes: 6 September 2012

Page 3 of 4

At 6:05 p.m. Hearing Officer Holman announced that the next item on the agenda is the continuance of a Conditional Use Permit for an Expanded Home Occupation to operate a Karate Studio within a detached garage that exceeds the definition of a Home Occupation. The proposed site is a 0.41 acre site located on Lot 11 of Pfeiffer Estates and a 0.795 acre site being Lot 10A of Pfeiffer Estates. The property address is 295 Teresa Road and is owned by **Nancy Longendyck**. Planner King reviewed the application and exhibits. The applicant, Alexander Nieves and Zaida Nieves of 295 Teresa Road, provided testimony and answered questions from the Board Members and staff. Ed Farmer of Mt Zion Church and Rafael Nunez of 2713 Pioneer Court spoke in favor of the request stating that it was good for the community. Gerald Dever of 80 Teresa Road also spoke in favor of the request but had concerns in regards to increase in traffic, safety issues and reducing the speed limit on Teresa Road. At 6:50 p.m., the Hearing Officer closed the hearing. Board Member Holman 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 is as follows:

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

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

1. The Home Occupation shall have no more than 10 vehicles on Site.
2. The Hours of Operation for the Karate Studio shall be Monday 7pm-9pm, Thursday 7pm-9pm and Saturday 11am-7pm.
3. This expanded Home Occupation is for a Karate Studio (within the existing detached garage).

**Hardin County Board of Adjustment**

Minutes: 6 September 2012

Page 4 of 4

4. An Amended Record Plat merging the two lots together shall be required.
5. The Karate Studio shall have a sewerage system (septic tank & lateral lines) approved by the Environmental Services Office of the Hardin County Health Department.
6. A single sign not to exceed six (6) square feet in area and eight (8) feet in height shall be permitted.
7. This Conditional Use Permit shall be issued to the current property owners, Nancy Longendyck and shall expire when the property is transferred and not be transferable to another property owner.
8. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
9. A Change of Use Building Permit shall be required to convert the existing garage to meet the commercial building code. As part of this process, restroom facilities shall be required within the existing detached garage.
10. This Conditional Use Permit shall be granted for one (1) year and shall expire on 6 September 2013.
11. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Chairman Krausman provided the second. The motion passed 2-1 with member Goodin voting to deny the Conditional Use Permit.

Chairman Krausman called for consideration and action on the **Minutes** of the 23 August 2012 meeting. Member Goodin made a motion to approve the minutes as presented. Member Holman provided the second. Motion passed unanimously.

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

SUBDIVISION NAME	LOTS	RECORDED
Hillard's Gift Subdivision	1	21-Aug-12
Ben's Acres, Lot 12 and Ben's Acres Section 2	2	24-Aug-12
<b>SINCE LAST MEETING</b>	2	
<b>2012 TOTAL</b>	79	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 20 September 2012, and declared the meeting adjourned at 7:00 p.m.

**ADOPTED AND APPROVED THIS 20th DAY OF SEPTEMBER 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

\_\_\_\_\_  
Brent Goodin, Secretary

## Hardin County Board of Adjustment

Minutes: 23 August 2012

Page 1 of 6

Chairman Krausman called to order the two hundredth and ninety-seventh meeting of the Hardin County Board of Adjustment at 5:05 p.m. on Thursday, 23 August 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Vice-Chairman Jack Holman and Secretary Brent Goodin were in attendance. Also in attendance were Senior Planner Wesley Wright, Planner Adam King, AICP, County Engineer Vicki Meredith, P E and the individual listed on the attached sign-in sheet. Director Chris Hunsinger was not present. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is a Revised Conditional Use Permit request to Amend Condition #14 (to make the Permit transferable to a new owner) from the May 2012 Conditional Use Permit to expand the existing rock quarry operation – Mink Brothers Quarry. The property is located at 11889 Leitchfield Road in the Natural Resource Planning Area and zoned Heavy Industrial (I-2). The property is owned by **Leon & Roger Mink**. Vice Chairman Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King presented the slides of the new information in regards to allowing the Conditional Use Permit to be transferable to a new owner upon a review before the Board. Leon & Roger Mink provided testimony and answered questions from the Board Members and staff. Clifton Willyard of 104 Willyard Lane spoke about extending the 100' buffer area around the perimeter of the property to a 500' buffer area. The Hearing Officer closed the hearing at 5:35 p.m. 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 is 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;

## **Hardin County Board of Adjustment**

Minutes: 23 August 2012

Page 2 of 6

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, including the Heavy Industrial (I-2) standards, 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. An Amended Development Plan shall be submitted and approved by the Planning Commission which conforms to the requirements of the Development Guidance System.
2. The entrance to the property must receive an Encroachment Permit from the Kentucky Department of Transportation.
3. A Best Management Practices Plan must be prepared, reviewed and approved by Hardin County Water District No. 2, Hardin County Engineer and the Planning Commission that includes the following items:
  - The development of a "Groundwater Protection Plan" which includes sinkhole management
  - The development of a "Storm Water Management Plan" designed to manage the surface water runoff and include management of the fluids which may be stored on site or leak from equipment.
  - The development of an "Emergency Response Plan" to be implemented in the case of a spill.
4. Compliance with underground storage tank regulations (as applicable).
5. Sewage disposal system approved by the Hardin County Health Department.
6. The mining activity including blasting and excavation shall be limited to above 660 feet of elevation to prevent exposure of the groundwater table and conduits limiting the possibility of ground water diversion.
7. A nitrate monitoring program must be conducted by the operators of the quarry at specified locations and sampling performed on a scheduled determined by Hardin County Water District No. 2 based on the blasting schedule of the quarry operation.
8. Blasting activities and the stock piling of materials on the site shall only occur in compliance with the distance standards determined by East Kentucky Power Cooperative, Inc. for the existing utility easements.
9. The quarry operation shall be limited to the area identified on the development plan as "Proposed Mining Area". Any expansion of the operation beyond this area shall require an Amended Development Plan and approval by the Planning Commission.
10. A buffer area of 100 feet from the property line as illustrated on the proposed Development Plan shall be maintained surrounding the mining area and future mining areas adjacent to all properties zoned Residential.



## Hardin County Board of Adjustment

Minutes: 23 August 2012

Page 3 of 6

- There shall be no mining within 1,000 feet of any residence situated on any adjoining properties as of the approval date of this proposal.
11. Information on the blasting activities shall be provided to any interested party by the operator of the quarry.
  12. The Planning Commission shall provide to the Kentucky Department for Surface Mining Reclamation and Enforcement information on the following issues that were identified during the public hearing to be considered by the Department during the state permitting process.
    - The proposed quarry facility is located in the Source Water Protection Area for Hardin County Water District No. 2 and the White Mills Water Treatment Plant. Based on studies and work performed by ground water specialist it has been determined that “any surface water runoff” from the proposed site “will ultimately affect” the White Mills Spring, which is the “sole source of water” for the White Mills Water Treatment Facility.
    - Adjacent to the proposed site to the west is a cave known as the Wonderland Cavern. A report from the Department in the Wildlife Diversity Program, Endangered Species Biologist indicated that evidence of two species of endangered bats was found in this cave.
    - The adjoining property to the south is the location of a “wet” cave on the Willyard property.
    - Electric transmission lines owned by Eastern Kentucky Power cross the property of this proposed quarry with poles located on the property that are labeled “EKPC Pole #T5” & “EKPC Pole #T6”.
    - A structure located on Miles Hill Road is listed on the Kentucky Historic Resources Inventory (Site Number HD-217).
  14. This Conditional Use Permit is issued to the current property owner and is transferable upon a review of the application by the Board, with the new owners.
  15. A 20’ Side Yard Setback (Minimum for the Heavy Industrial Zone (I-2)) shall be maintained adjacent to properties not zoned Residential. However, rock may be removed from this 20’ Side Yard Setback but vegetation shall be re-established following rock removal.
  16. Temporary Vegetation in compliance with the County’s Erosion Prevention and Sediment Control Ordinance shall be implemented in areas that are not active for a period of five (5) years.
  17. The owners shall be required to place boundary markers along the property line boundaries of the Quarry.
  18. Prior to disturbance of Sinkholes labeled # 4 - 9 on the Amended Development Plan, testing in coordination with Hardin County Water District #2, Hardin County Planning Commission and the Hardin County

## Hardin County Board of Adjustment

Minutes: 23 August 2012

Page 4 of 6

Engineer's Office must be performed to determine the impacts on Willyard Cave and the Source Water Protection Area.

Board Member Holman provided the second. Motion passed unanimously.

At 5:40 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a request for a Conditional Use Permit for a Home Occupation to operate a Karate Studio within a detached garage that exceeds the definition of a Home Occupation. The proposed site is a 0.41 acre site located on Lot 11 of Pfeiffer Estates. The property address is 295 Teresa Road and is owned by **Nancy Longendyck**. Planner King reviewed the application and exhibits. The applicant, Alexander Nieves of 295 Teresa Road, provided testimony and answered questions from the Board Members and staff. Jeanette Hernandez of 119 Marbury Trace, Rev. Marcelino Morales of 108 Sugar Hill Court, Gerald Raymer of 3421 Teresa Road, Ed Farmer of 502 Boone Road and Rafael Nunez of 2713 Pioneer Court all spoke in favor of the request stating that it was good for the children and the community. Ruth Slack of 190 Teresa Road and Gerald Dever of 80 Teresa Road spoke against the request in regards to increase in traffic and safety issues as well as hours of operations. Board Member Goodin made a motion to table until the next Board meeting scheduled for 5:00 p.m. on Thursday, 6 September 2012 in the R.R. Thomas County Government Building so that a Site Visit could be conducted by the members of the Board.

Board Member Holman provided the second. Motion passed unanimously.

At 6:30 p.m. Hearing Officer Holman announced that the next item on the agenda is an Amended Conditional Use Permit request to extend the time limit for the Temporary Dwelling (14' x 64' manufactured home) located on the 20.5 acre Agricultural Tract. The property is a 20.5 acre site in the West Hardin Planning Area and zoned Rural Residential (R-2) and with the PVA Map Parcel Number 045-00-00-034.01. The property address is 18015 Sonora Hardin Springs Road and is owned by **Harold & Alice Johnson**. Planner King reviewed the application and presented the exhibits. Harold & Alice Johnson of 18015 Sonora Hardin Springs Road, the owners, provided testimony and answered questions from the Board Members and staff. The Hearing Officer closed the hearing at 7:00 p.m. Board Member Goodin stated that this request for an Amended Conditional Use Permit to allow the extension of the time period for the existing Temporary Dwelling is for a family caregiver situation and does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit is as follows:

## **Hardin County Board of Adjustment**

Minutes: 23 August 2012

Page 5 of 6

- 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;

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 23 August 2012 and must be removed from the property by 23 August 2015.
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.

**Hardin County Board of Adjustment**

Minutes: 23 August 2012

Page 6 of 6

10. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.

Board Member Holman provided the second. Motion passed unanimously.

At 7:00 p.m. Hearing Officer Holman announced that the next item on the agenda is the continuance of an Amended Conditional Use Permit request to allow for the expansion of the existing Scrap Metal Recycling business. The property address is 2732 S. Dixie Highway and is owned by **Tim Hack**. Tim Hack of 2732 S. Dixie Highway, the owner, provided testimony and officially withdrew his request.

At 7:05 p.m. Chairman Krausman announced that the request for a Conditional Use Permit to construct a 960 square foot pole barn that exceeds the size of the dwelling (480 sq. ft. manufactured home) located at 140 First Union Church Road has been withdrawn by the owners **Craig & Theresa Smith**.

Chairman Krausman called for consideration and action on the **Minutes** of the 9 August 2012 meeting. Member Goodin made a motion to approve the minutes as presented. Member Holman provided the second. Motion passed unanimously.

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

<b>SUBDIVISION NAME</b>	<b>LOTS</b>	<b>RECORDED</b>
Cralle Farms Subdivision, Lot 2	1	01-Aug-12
Buckeye Estates Section 2	2	13-July-12
Royal Acres Estates	0	19-July-12
Nall-Lincoln Subdivision, Lots 18, 73 & 74	-2	23-July-12
<b>SINCE LAST MEETING</b>	1	
<b>2012 TOTAL</b>	77	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 6 September 2012, and declared the meeting adjourned at 6:40 p.m.

**ADOPTED AND APPROVED THIS 6th DAY OF SEPTEMBER 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

---

Brent Goodin, Secretary

## Hardin County Board of Adjustment

Minutes: 9 August 2012

Page 1 of 5

Chairman Krausman called to order the two hundredth and ninety-sixth meeting of the Hardin County Board of Adjustment at 5:05 p.m. on Thursday, 9 August 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Vice-Chairman Jack Holman and Secretary Brent Goodin were in attendance. Also in attendance were Senior Planner Wesley Wright, Planner Adam King, AICP and the individual listed on the attached sign-in sheet. Director Chris Hunsinger and County Engineer Vicki Meredith, P E were not present. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is an Amended Conditional Use Permit request to allow for the expansion of the existing Scrap Metal Recycling business. The property address is 2732 S. Dixie Highway and is owned by **Tim Hack**. Vice Chairman Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and exhibits. The owner, Tim Hack, of 2732 S. Dixie Highway, provided testimony and answered questions from the Board Members and staff. Wilma Horn of 2798 S. Dixie Highway spoke in favor of the request. William Bickett of 2798 S. Dixie Highway also spoke in favor of the request. Member Goodin made a motion to table until the next Board meeting scheduled for 5:00 p.m. on Thursday, 6 September 2012 in the R.R. Thomas County Government Building in order for the owner to obtain additional information from the Kentucky Transportation Cabinet and the Hardin County Engineering Department. Board Member Holman provided the second. Motion passed unanimously.

At 5:55 p.m. Hearing Officer Holman announced that the next item on the agenda is a request for a Conditional Use Permit to construct a 1592 square foot addition to an Accessory Structure (768 sq. ft. garage) that exceeds the size of the dwelling (1652 sq. ft. home). The proposed site is a  $\pm$ 11 acre site located at 1748 Webb Mill Road. The PVA Map Parcel Number is 074-00-00-053 and is owned by **Ivan Miller**. Planner King reviewed the application and exhibits. Ivan Miller of 1748 Webb Mill Road, the owner, provided testimony and answered questions from the Board Members and staff. At 6:10 p.m., the Hearing Officer closed the hearing. Board Member Goodin stated that this request for a Conditional Use Permit for an Accessory Structure that exceeds the size of the dwelling on site, does satisfy the language of the DEVELOPMENT GUIDANCE

## Hardin County Board of Adjustment

Minutes: 9 August 2012

Page 2 of 5

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

- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The use shall be in accord with the purposes of this ordinance and the Comprehensive Development Guide System and the comprehensive Development Guide;

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) due to the size of the property and the fact that it was not out of character with the other accessory structures in the area and with the following conditions:

1. The proposed 1592 sq. ft. addition (28'x 50' with a 24' x 8' covered porch) to the existing 768 sq. ft. garage (24'x 32') shall be a total of 2360 sq. ft. which is greater than the 1652 sq. ft. (under roof) dwelling on site.
2. The proposed addition 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. The exterior siding of the proposed 28' x 50' addition shall be vinyl sided along with the existing garage so that they visually match.
4. Additional landscaping and/or screening shall not be required due to the placement of the addition being behind the home and due to the existing mature trees on site.
5. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7. Health Department approval shall not be required.
6. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

## Hardin County Board of Adjustment

Minutes: 9 August 2012

Page 3 of 5

At 6:10 p.m. Hearing Officer Holman announced that the next item on the agenda is an Amended Conditional Use Permit request approval to extend the time limit for the Temporary Accessory Dwelling (16' x 76' manufactured home) for up to an additional 2 years (thru June 2016). Additionally, the owner is requesting approval to replace the Temporary Accessory Dwelling with a Permanent Accessory Dwelling (approximately 1100 sq.ft. <under roof> site built home) after the two year extension. The property is a 2.62 acre site being Lot 52 of Quail Hollow Subdivision in the KY 313 Corridor Planning Area and zoned Rural Estate (R-3) and with the PVA Map Parcel Number 240-00-01-052. The property address is 253 South Ridge Road and is owned by **Darren Clary**. Planner King reviewed the application and presented the exhibits. James Bates of 257 South Ridge Road, the applicant, provided testimony and answered questions from the Board Members and staff. The Hearing Officer closed the hearing at 6:30 p.m. Board Member Goodin stated that this request for a Conditional Use Permit for a Permanent Accessory Dwelling and the extension of the time period for the existing Temporary Accessory Dwelling does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit is 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;

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 property owner, Darren Clary 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.

## **Hardin County Board of Adjustment**

Minutes: 9 August 2012

Page 4 of 5

3. A shared driveway shall be required.
4. The Permanent Accessory Dwelling is to be no larger than 1100 square feet under roof and the Principal Dwelling is the existing 1238 sq. ft. house.
5. The Permanent Accessory Dwelling shall be located in front of the existing house 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 Principal dwelling on site (yellow vinyl siding with white trim and blue three tab asphalt shingles).
7. The Permanent Accessory Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
8. This Conditional Use 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.
11. The time period for the existing Temporary Accessory Dwelling shall be extended for an additional 2 years and shall be removed from the property by 9 June 2016 or within 30 days of occupancy of the Permanent Accessory Dwelling.
12. The Temporary Accessory Dwelling shall contain a minimum of 1216 square feet of living space which exceeds the Local Average Square Foot Standard of 887 square feet as calculated in 2010.
13. The Temporary Accessory Dwelling is for a family caregiver situation and shall only be occupied by Darren Clary and his immediate family.
14. The Temporary Accessory Dwelling shall not be available to the public for rent.



**Hardin County Board of Adjustment**

Minutes: 9 August 2012

Page 5 of 5

Board Member Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 19 July 2012 meeting. Member Goodin made a motion to approve the minutes as presented. Member Holman provided the second. Motion passed unanimously.

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

<b>SUBDIVISION NAME</b>	<b>LOTS</b>	<b>RECORDED</b>
Cottonwood Estates Section 2, Lots 81A, 82A and 88A	0	12-July-12
Arbor View Subdivision Section 2, Lots 15A & 17A	0	13-July-12
Monty's Subdivision	2	19-July-12
Dallas Ridge Estates, Lot 1 and Dallas Ridge Estates Section 2	1	23-July-12
Hays Estates Subdivision, Lot 3A	1	26-July-12
<b>SINCE LAST MEETING</b>	4	
<b>2012 TOTAL</b>	76	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 23 August 2012, and declared the meeting adjourned at 6:40 p.m.

**ADOPTED AND APPROVED THIS 23rd DAY OF AUGUST 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

---

Brent Goodin, Secretary

## Hardin County Board of Adjustment

Minutes: 19 July 2012

Page 1 of 8

Chairman Krausman called to order the two hundredth and ninety-fifth meeting of the Hardin County Board of Adjustment at 5:05 p.m. on Thursday, 19 July 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman Vice-Chairman Jack Holman and Board Member Brent Goodin were in attendance. Also in attendance were Senior Planner Wesley Wright, Planner Adam King, AICP and the individual listed on the attached sign-in sheet. Director Chris Hunsinger and County Engineer Vicki Meredith, P E were not present. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is an Amended Conditional Use Permit request to allow for a Temporary Accessory Dwelling (12' x 60' manufactured home) to remain on the property. The property is a 5.01 acre site being Lot 1 of Holbert's Pointe in the Natural Resource Planning Area and zoned Rural Residential (R-2) and with the PVA Map Parcel Number 085-00-00-003. The property address is 1232 Yates Chapel Road and is owned by **Ruby Goodman**. Hearing Officer Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and presented the exhibits. Ruby Goodman of 1232 Yates Chapel Road, the owner, provided testimony and answered questions from the Board Members and staff. The Hearing Officer closed the hearing at 5:15 p.m. 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 is 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;

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of

## **Hardin County Board of Adjustment**

Minutes: 19 July 2012

Page 2 of 8

Adjustment, Board Member Goodin 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 two years from 19 July 2012 and must be removed from the property by 19 July 2014.
2. The temporary accessory dwelling shall contain a minimum of 720 square feet of living space which is less than the Local Average Square Foot Standard of 1388 square feet as calculated in 2010.
3. The temporary accessory dwelling is for a family need situation and shall only be occupied by Ruby Goodman's son 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 Hardin County Health Center.
7. The temporary accessory dwelling shall be placed on the property as illustrated on the Record Plat of Holbert's Pointe.
8. This Amended Conditional Use Permit shall be issued to the current property owner, Ruby Goodman, and shall expire when the property is transferred and not be transferable to another property owner.
9. The existing Subdivision Plat shall substitute for the Site Plan.
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.

Board Member Holman provided the second. Motion passed unanimously.

At 5:15 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a request for a Conditional Use Permit for a Residential Addition

## Hardin County Board of Adjustment

Minutes: 19 July 2012

Page 3 of 8

(20' x 20' lean to) to the existing building on property that is zoned Convenience Commercial (C-1). The proposed site is a 2.68 acre site located at 5123 South Wilson Road and is owned by **Harry & Patricia Sheroan**. Planner King reviewed the application and exhibits. The owners, Harry & Patricia Sheroan, of 5123 South Wilson Road, provided testimony and answered questions from the Board Members and staff. At 5:35 p.m., the Hearing Officer closed the hearing. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit is as follows:

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

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 proposed 20'x20' lean-to addition may only be used for residential purposes. In order for Commercial Activities to be conducted within it, a Change of Use Building Permit and Development Plan shall be required.
2. The proposed addition 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. The exterior siding of the proposed 20' x 20' addition shall be constructed of grey metal.

## Hardin County Board of Adjustment

Minutes: 19 July 2012

Page 4 of 8

4. A site plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
5. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 5:35 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a Variance request for relief from the required front building setback to accommodate a proposed 14' x 76' manufactured home. The proposed site is a 16.4 acre site located at 619 Summit Eastview Road and being Lot 3 of Cushman Place in the West Urban Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 073-00-00-018.01 and is owned by **Tonya Kerr**. Planner King reviewed the application and the history of the property and presented exhibits. Tonya Kerr of 619 Summit Eastview Road, the owner, provided testimony and answered questions from the Board Members and staff. At 5:55 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant a variance due to the topography of the property, the limited amount of traffic, and that it will not alter the essential character of the general vicinity, that it will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- f. 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 for the proposed Manufactured Home to be no closer than 65' from the C/L of the road.
2. A Site Plan with a Variance Note shall be required.
3. A Building Permit shall be required for the proposed Manufactured Home.
4. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

## Hardin County Board of Adjustment

Minutes: 19 July 2012

Page 5 of 8

At 5:55 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is an Amended Conditional Use Permit request to allow for a Temporary Accessory Dwelling (14' x 66' manufactured home) to remain on the property. The property is a 5.0 acre site with addresses of 6227 & 6229 S. Dixie Highway in the South Dixie Corridor Planning Area and zoned Rural Residential (R-2). The PVA Map Parcel Number 225-00-00-003 and is owned by **Charles & Helen Preston**. Planner King reviewed the application and presented the exhibits. Kenneth Hodge, representing the owners, provided testimony and answered questions from the Board Members and staff. The Hearing Officer closed the hearing at 6:15 p.m. Board Member Goodin stated that this request for an Amended Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit is 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;

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 Accessory Dwellings shall be a temporary use for no longer than two years from 19 July 2012 and must be removed from the property by 19 July 2014.
2. The Temporary Accessory Dwelling (14' x66') has approximately 924 square feet of living space which is greater than the Local Average Square Foot Standard of 896 square feet.
3. The Temporary Accessory Dwelling is for a caregiver situation and shall only be occupied by the owner's son, Ronnie Hodge and his immediate family.

## Hardin County Board of Adjustment

Minutes: 19 July 2012

Page 6 of 8

4. Upon the vacancy of the Temporary Accessory Dwelling, it must be removed from the property within six (6) months.
5. The 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.
6. This Amended Conditional Use Permit shall be issued to the current property owners, Charles & Helen Preston, and shall expire when the property is transferred and not be transferable to another property owner.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
8. The skirting on the manufactured home must be maintained.
9. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 6:20 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a request for a Conditional Use Permit for a proposed Accessory Structure (32' x 48' pole barn) to be constructed on a tract without a dwelling. The property is a 5.112 acre site located on Glendale-Hodgenville Road and being Lot 3 of Ian Estates and identified with the PVA Map Number 225-00-00-019.02. The property is owned by **Casey Richardson** and is located in the Natural Resource Planning Area and is zoned Rural Residential (R-2). Planner King reviewed the application and presented exhibits and slides of the property (attached). Casey Richardson, the owner, provided testimony and answered questions from the Board Members and staff. No additional testimony was presented. At 6:35 p.m. the Hearing Officer closed the hearing. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM ordinance (Section 16.3) Standards for Issuance of a Conditional Use Permit as follows:

- The use does not tend to change the character and established pattern of development of the area;

## **Hardin County Board of Adjustment**

Minutes: 19 July 2012

Page 7 of 8

- 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 location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accord with the purposes of the Development Guide System 2009 and the Comprehensive Development Guide 2008;

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 stated that based on the proposed structure location and the size and characteristics of the property, a future dwelling can be accommodate on the property and the proposed accessory structure is in character with the structures located on properties in the vicinity. 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 construction of a 32' x 48' pole barn (1536 sq. ft.) prior to the construction of a dwelling on site.
2. The proposed pole barn (1536 sq. ft.) shall be subordinate in scale to the proposed dwelling (1620 sq. ft.).
3. A single proposed driveway shall be shared by the proposed pole barn and future house.
4. The exterior finish materials of the proposed pole barn shall be neutral colored metal and visually match the proposed dwelling.
5. Additional landscaping & screening shall not be required due to the existing tree line on the property.
6. A Building Permit shall be required.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance



**Hardin County Board of Adjustment**

Minutes: 19 July 2012

Page 8 of 8

shall be required.

- 8. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 21 June 2012 meeting. Member Goodin made a motion to approve the minutes as presented. Member Holman provided the second. Motion passed unanimously.

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

SUBDIVISION NAME	LOTS	RECORDED
HILLCREST MANOR SUBDIVISION SECTION 1, LOTS 22A	1	12-June-12
STONERIDGE SUBDIVISION SECTION 1, LOTS 68A & 69A	-1	12-June-12
EASTWOOD ESTATES SECTION 2, LOTS 4E & 4F	0	12-June-12
BIT OF HEAVEN, LOT 3A & BIT OF HEAVEN SECTION 2	0	12-June-12
IMOGENE ACRES	1	12-June-12
LOU-ANITA FARMS, LOT 1	1	12-June-12
MANAGERIE RUN	1	12-June-12
MAGNOLIA FOREST, LOTS 13, 14 & 15	-2	12-June-12
<b>SINCE LAST MEETING</b>	1	
<b>2012 TOTAL</b>	72	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 9 August 2012, and declared the meeting adjourned at 6:50 p.m.

**ADOPTED AND APPROVED THIS 9th DAY OF AUGUST 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

\_\_\_\_\_  
Brent Goodin, Secretary

## Hardin County Board of Adjustment

Minutes: 21 June 2012

Page 1 of 7

Chairman Krausman called to order the two hundredth and ninety-fourth meeting of the Hardin County Board of Adjustment at 5:10 p.m. on Thursday, 21 June 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman Vice-Chairman Jack Holman, Board Member Brent Goodin and County Engineer Vicki Meredith, P.E were in attendance. Also in attendance were Director Chris Hunsinger, Planner Adam King, AICP and the individual listed on the attached sign-in sheet. Senior Planner Wesley Wright was not present. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:10 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is a Conditional Use Permit request to allow for a Temporary Accessory Dwelling (manufactured home) on the property. The property is a 3.003 acre site being Lot 1 of Spencer Forrest Subdivision in the West Hardin Planning Area and zoned Rural Residential (R-2) and with the PVA Map Parcel Number 042-00-00-048.01. The property address is 385 Tom Duvall Lane and is owned by **Wallace & Brenda Lucas**. Hearing Officer Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and presented the exhibits. Wallace & Brenda Lucas of 385 Tom Duvall Lane, the owners, provided testimony and answered questions from the Board Members and staff. The Hearing Officer closed the hearing at 5:25 p.m. 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 is 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;

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:

## **Hardin County Board of Adjustment**

Minutes: 21 June 2012

Page 2 of 7

1. The Temporary Accessory Dwellings shall be a temporary use for no longer than five years from 21 June 2012 and must be removed from the property by 21 June 2017.
2. The Proposed Manufactured Home (16' x 80') on site is a Temporary Accessory Dwelling and has approximately 1280 square feet of living space which is greater than the Local Average Square Foot Standard of 1161 square feet.
3. The Temporary Accessory Dwelling is for a caregiver situation and shall only be occupied by the owner's mother, Oleta Lucas and her immediate family.
4. Upon the vacancy of the Temporary Accessory Dwelling, it must be removed from the property within six (6) months.
5. The 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.
6. This Conditional Use Permit shall be issued to the current property owners, Wallace & Brenda Lucas and shall expire when the property is transferred and not be transferable to another property owner.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
8. The skirting on the manufactured home must be maintained.
9. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
10. The proposed Manufactured Home shall comply with the building setbacks as established on the plat.
11. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 5:30 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a request for a Conditional Use Permit for a Home Occupation to

## Hardin County Board of Adjustment

Minutes: 21 June 2012

Page 3 of 7

operate a commercial kitchen that exceeds the definition of a Home Occupation. The proposed site is a 3.25 acre site located on Lot 4 of Gehr Estates. The property address is 339 Williams Cemetery Road and is owned by **Roy & Susan McDowell**. Planner King reviewed the application and exhibits. The owners, Roy & Susan McDowell, of 339 Williams Cemetery Road, provided testimony and answered questions from the Board Members and staff. At 5:45 p.m., the Hearing Officer closed the hearing. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit is as follows:

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

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 Expanded Home Occupation may have no more than two employees who do not reside within the dwelling on site.
2. This Expanded Home Occupation is for a Commercial Kitchen (14' x 24' addition to the existing detached garage).
3. No retail sales shall take place on site.
4. The Commercial Kitchen shall have a sewerage system (septic tank, lateral lines & grease trap) approved by the Environmental Services Office of the Hardin County Health Department.

## Hardin County Board of Adjustment

Minutes: 21 June 2012

Page 4 of 7

5. A single sign not to exceed six (6) square feet in area and eight (8) feet in height shall be permitted.
6. This Conditional Use Permit shall be issued to the current property owners, Roy Neal & Susan McDowell, and shall expire when the property is transferred and not be transferable to another property owner.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
8. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
9. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 5:50 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a request for a Conditional Use Permit to construct a 960 square foot pole barn that exceeds the size of the dwelling (480 sq. ft. manufactured home). The proposed site is a  $\pm 0.47$  acre site located at 140 First Union Church Road. The PVA Map Parcel Number is 224-00-00-050.01 and is owned by **Craig & Theresa Smith**. Planner King reviewed the application and exhibits. Craig & Theresa Smith of 140 First Union Church Road, the owners, provided testimony and answered questions from the Board Members and staff. Board Member Goodin made a motion to table until the next Board meeting scheduled for 5:00 p.m. on Thursday, 19 July 2012 in the R.R. Thomas County Government Building so that a Site Visit could be made by the Board Members. Board Member Holman provided the second. Motion passed unanimously.

At 6:10 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a request for a Conditional Use Permit. This is a Conditional Use Permit request to allow for a Permanent Accessory Dwelling (1200 sq. ft. apartment within the existing detached garage) on the property. The property is a 2.8 acre site being Lot 3 of Oak Forest Estates and with the PVA Map Parcel Number 229-00-02-003. The property address is 215 Rustic Trail Blvd. and is owned by **Sharon Novak and Barry Risinger**. Planner King reviewed the

## Hardin County Board of Adjustment

Minutes: 21 June 2012

Page 5 of 7

application and presented the exhibits. Barry Risinger of 179 Sea Hero Way, the owner, provided testimony and answered questions from the Board Members and staff. The Hearing Officer closed the hearing at 6:25 p.m. 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 is 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;

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 property owners, Sharon Novak & Barry Risinger, 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 a 1200 sq. ft. apartment within the existing detached garage and the Principal Dwelling is the existing 6,732 sq. ft. house.
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.

## Hardin County Board of Adjustment

Minutes: 21 June 2012

Page 6 of 7

6. The exterior finish materials of the Permanent Accessory Dwelling must be the same and visually match the Principal dwelling on Site
7. (yellow wood siding & white trim).
8. The Permanent Accessory Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
9. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
10. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
11. A Change of Use Building Permit shall be required for the portion of the existing garage being converted into an apartment.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 6:30 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a Variance request for relief from the required front building setback to accommodate a proposed 48' x 48' barn to replace an existing 50' x 50' barn. The proposed site is a 41.8 acre site located at 5219 Rineyville Big Springs Road in the West Urban Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 121-00-00-018 and is owned by **Don & Bonnie Wilcox**. Planner King reviewed the application and the history of the property and presented exhibits. Don Wilcox of 5219 Rineyville Big Springs Road, the owner, provided testimony and answered questions from the Board Members and staff. Kenneth Wilcox of 5219 Rineyville Big Springs Road, the applicant, provided testimony and answered questions from the Board Members and staff. At 6:40 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant a variance due to the topography of the property and the overhead power lines limiting placement of the structure, and that it will not alter the essential character of the general vicinity, that it will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY

**Hardin County Board of Adjustment**

Minutes: 21 June 2012

Page 7 of 7

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

- g. 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 for the proposed 48'x48' barn to be no closer than 61' from the C/L of the road.
- 2. A Site Plan with a Variance Note shall be required (Health Department signature shall not be required)
- 3. A Building Permit shall be required for the proposed 48'x48' barn.
- 4. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 7 June 2012 meeting. Member Goodin made a motion to approve the minutes as presented. Member Holman provided the second. Motion passed unanimously.

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

SUBDIVISION NAME	LOTS	RECORDED
Dr Aud's First Addition, Lots 23A and 26A	0	25-May-12
Hush Puppy Estate	5	28-May-12
Randolph's Ridge Subdivision	13	07-June-12
Amended Plat of Cedar Grove Acres, Lots 26-29	-3	08-June-12
<b>SINCE LAST MEETING</b>	15	
<b>2012 TOTAL</b>	71	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 19 July 2012, and declared the meeting adjourned at 6:45 p.m.

**ADOPTED AND APPROVED THIS 19th DAY OF JULY 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

---

Brent Goodin, Secretary



## Hardin County Board of Adjustment

Minutes: 7 June 2012

Page 1 of 7

Chairman Krausman called to order the two hundredth and ninety-third meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 7 June 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman Vice-Chairman Jack Holman and Board Member Brent Goodin were in attendance. Also in attendance were Director Chris Hunsinger, Planner Adam King, AICP and the individual listed on the attached sign-in sheet. Senior Planner Wesley Wright and County Engineer Vicki Meredith, P.E. were not present. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is the Variance request for relief from the required side setback line to accommodate an existing garage. The site is a 0.72 acre tract located at 55 Tunnel Hill Road to be known as Lot 1 of Aljan Subdivision in the East Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 231-40-00-022 and is owned by **Allen & Janet Dailey**. Hearing Officer Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and the history of the property and presented exhibits. Allen Dailey of 55 Tunnel Hill Road, the owner, provided testimony and answered questions from the Board Members and staff. Jim Banks, of Banks Surveying Company, the surveyor for the project, provided testimony and answered questions from the Board Members and staff. At 5:35 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant a variance due to the lots being deep and narrow, that it is not out of character for the area and that it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- b. The strict application of the provisions of the regulation would deprive the applicant of 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 side building setback to allow for the existing 32' x 31' garage.
2. A Record Plat with a Variance Note shall be required.

## Hardin County Board of Adjustment

Minutes: 7 June 2012

Page 2 of 7

3. A Building Permit shall be required for the 32' x 31' garage and the 37' x 28' garage on site.
4. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. The motion passed 2-1 with Chairman Krausman voting to deny the Variance.

At 5:35 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a Variance request for relief from the required front building setback line along the right-of-way where a street has not been constructed between Lots 32 & 33 of Pfeiffer Estates to allow for the placement of a manufactured home where a manufactured home has been removed. The proposed site is a 0.459 acre site located at 380 Teresa Road and being Lot 33 of Pfeiffer Estates Section 2, in the North Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 199-20-02-024 and is owned by **Charles Spivey**. Planner King reviewed the application and the history of the property and presented exhibits. Charles Spivey of 265 Airview Drive, the owner, provided testimony and answered questions from the Board Members and staff. Spivey stated that he and the owner of Lot 32 did not desire to participate in a Road Closing Public Hearing. At 5:50 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant a variance due to the limited development potential of the adjoining property at the end of the platted right-of-way, due to the character of the area and the narrow lots and that it will not alter the essential character of the general vicinity, that it will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- h. 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 adjacent to the Right-of-Way for Future Street labeled "Outlet" to allow for the placement of a singlewide manufactured home parallel to Teressa Road.
2. Proposed Manufactured Home may be no closer than 10' to the side property line.

## Hardin County Board of Adjustment

Minutes: 7 June 2012

Page 3 of 7

3. A Site Plan with a Variance Note shall be required.
4. A Building Permit shall be required for the proposed manufactured home.
5. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 6:05 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. This is a Revised Conditional Use Permit request to allow for a Temporary Accessory Dwelling (14' x 54' manufactured home) to remain on the property. The property is a 3.608 acre site being Lot 4 of Klotter Subdivision in the West Hardin Planning Area and zoned Rural Residential (R-2) and with the PVA Map Parcel Number 027-00-00-013.04. The property address is 16779 St. John Road and is owned by **Terry & Sheila Plemmons**. Planner King reviewed the application and presented the exhibits. Sheila Plemmons of 16779 St. John Road, the owner, provided testimony and answered questions from the Board Members and staff. The Hearing Officer closed the hearing at 6:25 p.m. Board Member Goodin stated that this request for a Revised Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit is 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;

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 Revised Conditional Use Permit (CUP) with the following conditions:

## Hardin County Board of Adjustment

Minutes: 7 June 2012

Page 4 of 7

1. The Temporary Accessory Dwelling was originally approved in June 2006 for 6 years and may continue as a temporary use for no longer than four years from 7 June 2012 and must be removed from the property by 7 June 2016.
2. The existing Manufactured Home (14' x 48') on site is a Temporary Accessory Dwelling and has approximately 672 square feet of living space which is less than the Local Average Square Foot Standard of 1,193 square feet.
3. The Temporary Accessory Dwelling is for a care-giver situation and shall only be occupied by the owner's brother, William Tomashek and his immediate family.
4. Upon the vacancy of the Temporary Accessory Dwelling, it must be removed from the property within six (6) months.
5. The 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.
6. This Conditional Use Permit shall be issued to the current property owners, Terry & Sheila Plemmons, and shall expire when the property is transferred and not be transferable to another property owner.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
8. The skirting on the manufactured home must be maintained.
9. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 6:25 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a Variance request for relief from the required front building setback line to allow for the placement of a double wide manufactured home to replace a single wide manufactured home. The proposed site is an 11.992 acre site located at 733 Bacon Creek Road in the Industrial Park Planning Area and zoned Industrial Holding (IH). The PVA Map Number is 187-30-00-023 and is owned by **Imogene Bush**. Planner King reviewed the application and the history of the property and presented exhibits. Imogene Bush, the owner, provided testimony and answered questions from the Board Members and staff.

## Hardin County Board of Adjustment

Minutes: 7 June 2012

Page 5 of 7

Barry Davidson and Stacey Kelly of Trading Post Homes, 42 Battle Training Road, provided testimony and answered questions from the Board Members and staff and provided Exhibit L, photos of the proposed home. At 6:40 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant a variance due to the oversized right-of-way at the intersection of Ring Road & Bacon Creek Road, due to the fact that most of the property is in the flood plain and the location of the existing septic system limits where the manufactured home can be located, that the proposed manufactured home will still be 100' from the centerline of Bacon Creek Road and that it will not alter the essential character of the general vicinity, that it will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- 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 to allow for the replacement of the singlewide Mobile Home on Site.
2. The proposed Manufactured Home and front deck shall be no closer than 45' from the front property line.
3. A Variance Note shall be required on the proposed Record Plat.
4. A Building Permit shall be required for the proposed Manufactured Home.
5. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 6:40 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. This is a Conditional Use Permit request to allow for a Temporary Accessory Dwelling (Manufactured Home) on the property. The property is a 1.0 acre site with the PVA Map Parcel Number 105-00-00-017. The property address is 714 Franklin Cross Road and the property is owned by **Jessie Burton, Sr.** Planner King reviewed the application and presented the exhibits. Jessie Burton, Sr. of 714 Franklin Cross Road, the owner, provided testimony and answered questions from the Board Members and staff. Rebecca East, the applicant, of 714 Franklin Cross Road, provided testimony and answered questions from the Board Members and staff.

## Hardin County Board of Adjustment

Minutes: 7 June 2012

Page 6 of 7

The Hearing Officer closed the hearing at 7:05 p.m. 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 is 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;

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, including the Rural Residential (R-2) standards which do not allow for the property to be subdivided at this time, 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 Temporary Accessory Dwellings shall be a temporary use for no longer than five years from 7 June 2012 and must be removed from the property by 7 June 2017.
2. The existing Mobile Home (12' x 56') on site is a Temporary Accessory Dwelling and has approximately 672 square feet of living space which is less than the Local Average Square Foot Standard of 1,267 square feet.
3. The Temporary Accessory Dwelling is for a care-giver situation and shall only be occupied by the owner's granddaughter, Rebecca East and her immediate family.
4. Upon the vacancy of the Temporary Accessory Dwelling, it must be removed from the property within six (6) months.
5. The 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.
6. This Conditional Use Permit shall be issued to the current property owner, Jesse Burton, Sr., and shall expire when the property is transferred and not be transferable to another property owner.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.

**Hardin County Board of Adjustment**

Minutes: 7 June 2012

Page 7 of 7

- 8. The skirting on the manufactured home must be maintained.
- 9. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
- 10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 3 May 2012 meeting. Member Holman made a motion to approve the minutes as presented. Member Goodin provided the second. Motion passed unanimously.

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

<b>SUBDIVISION NAME</b>	<b>LOTS</b>	<b>RECORDED</b>
Dr Aud's First Addition, Lots 23A and 26A	0	25-May-12
Hush Puppy Estate	5	28-May-12
Randolph's Ridge Subdivision	13	07-June-12
Amended Plat of Cedar Grove Acres, Lots 26-29	-3	08-June-12
<b>SINCE LAST MEETING</b>	15	
<b>2012 TOTAL</b>	71	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 21 June 2012, and declared the meeting adjourned at 7:15 p.m.

**ADOPTED AND APPROVED THIS 21st DAY OF JUNE 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

---

Brent Goodin, Secretary

## Hardin County Board of Adjustment

Minutes: 3 May 2012

Page 1 of 7

Chairman Krausman called to order the two hundredth and ninety-second meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 3 May 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman Vice-Chairman Jack Holman and Board Member Brent Goodin were in attendance. Also in attendance were Director Chris Hunsinger, Planner Adam King, AICP, County Engineer Vicki Meredith, P.E. and the individual listed on the attached sign-in sheet. Senior Planner Wesley Wright was not present. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is the Variance request for relief from the required front building setback line for a proposed covered front porch and wheelchair ramp. The site is a 1.26 acre tract located at 3817 South Dixie Highway (US 31W) and known as Lot 2 of Wildwood Acres Subdivision, Section 2 in the South Dixie Corridor Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 223-00-03-006 and is owned by **Jimmie & Julia Workman**. Hearing Officer Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and the history of the property and presented exhibits. Jimmie & Julia Workman, the owners, provided testimony and answered questions from the Board Members and staff. At 5:20 p.m., the Hearing Officer closed the hearing. Board Member Holman made a motion to grant a variance due to the special circumstances of the large 120' Right of Way in this location, that the dwelling is uphill from the road and that it is not out of character for the area and that it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- a. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity

The following variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback to allow for the construction of a 6' deep covered front porch and a wheelchair ramp.
2. A Site Plan with a Variance Note shall be required (Health Department signature shall not be required)
3. A Building Permit shall be required for the proposed covered porch and wheelchair ramp.
4. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.



## Hardin County Board of Adjustment

Minutes: 3 May 2012

Page 2 of 7

Board Member Goodin provided the second. Motion passed unanimously.

At 5:25 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a Variance request for relief from the required front building setback line to accommodate a proposed roof deck. The proposed site is a 0.84 acre site located at 312 W. Main Street, Cecilia, in the Cecilia Rural Village Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 147-30-01-009 and is owned by **Leroy & Jennie Weaver**. Planner King reviewed the application and the history of the property and presented exhibits. Jennie Weaver, the owner, provided testimony and answered questions from the Board Members and staff. Tim McMahan, of 132 Shady Brook Court, provided testimony and answered questions from the Board Members and staff. At 5:35 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant a variance due to the fact it is in character with the Cecilia Rural Village, that it will be no closer to the road than the existing house (constructed in 1921) and that it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- 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 front building setback to allow for the construction of a roof deck.
2. A Site Plan with a Variance Note shall be required (Health Department signature shall not be required)
3. A Building Permit shall be required for the dormer remodel and the proposed roof deck.
4. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 5:40 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. This is a Conditional Use Permit request to allow for a Permanent Accessory Dwelling (800 sq. ft. apartment above the existing garage)

## Hardin County Board of Adjustment

Minutes: 3 May 2012

Page 3 of 7

to allow for the construction of a 1400 sq. ft. site built home to be built on the property. The property is a 43.7 acre site with the PVA Map Parcel Number 041-00-00-002.02. The property address is 1212 Vertrees Church Lane and the property is owned by **William Williams**. Planner King reviewed the application and presented the exhibits. William Williams of 1212 Vertrees Church Lane, the owner, provided testimony and answered questions from the Board Members and staff. The Hearing Officer closed the hearing at 5:50 p.m. 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 is 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;

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, including the Rural Residential (R-2) standards that do not allow for the property to be subdivided at this time, 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 property owner, William Williams, 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 Proposed Principal Dwelling shall exceed 1399 square feet. (proposal is a 1400 sq. ft. cedar sided ranch - site built house)
5. The existing apartment above the detached garage shall be the Permanent Accessory Dwelling and may contain a maximum of 800 square feet of living space.
6. 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.

## Hardin County Board of Adjustment

Minutes: 3 May 2012

Page 4 of 7

7. The exterior finish materials of the Proposed Principal Dwelling and the existing detached garage (with apartment above it) shall be cedar siding with brown metal roofs.
8. The Proposed Principal Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
9. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
10. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
11. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 5:55 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is the continuance of the Conditional Use Permit request from the 19 April 2012 meeting to expand the existing rock quarry operation – Mink Brothers Quarry. The property is located at 11889 Leitchfield Road in the Natural Resource Planning Area and zoned Heavy Industrial (I-2). The property is owned by **Leon & Roger Mink**. Planner King presented the slides of the new information requested by the Board in regards to; reclamation, closest homes to the quarry operation, testing/monitoring in the event the quarry is sold and the County Engineer's opinion of eliminating the 100' buffer between Mink Brothers and Vulcan. Eric Spurrier, the land surveyor for the project, and Leon & Roger Mink provided testimony and answered questions from the Board Members and staff. The Hearing Officer closed the hearing at 7:20 p.m. 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 is 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;

### **Hardin County Board of Adjustment**

Minutes: 3 May 2012

Page 5 of 7

- the use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity;

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, including the Heavy Industrial (I-2) standards, 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:

13. An Amended Development Plan shall be submitted and approved by the Planning Commission which conforms to the requirements of the Development Guidance System.
14. The entrance to the property must receive an Encroachment Permit from the Kentucky Department of Transportation.
15. A Best Management Practices Plan must be prepared, reviewed and approved by Hardin County Water District No. 2, Hardin County Engineer and the Planning Commission that includes the following items:
  - The development of a "Groundwater Protection Plan" which includes sinkhole management
  - The development of a "Storm Water Management Plan" designed to manage the surface water runoff and include management of the fluids which may be stored on site or leak from equipment.
  - The development of an "Emergency Response Plan" to be implemented in the case of a spill.
16. Compliance with underground storage tank regulations (as applicable).
17. Sewage disposal system approved by the Hardin County Health Department.
18. The mining activity including blasting and excavation shall be limited to above 660 feet of elevation to prevent exposure of the groundwater table and conduits limiting the possibility of ground water diversion.
19. A nitrate monitoring program must be conducted by the operators of the quarry at specified locations and sampling performed on a scheduled determined by Hardin County Water District No. 2 based on the blasting schedule of the quarry operation.
20. Blasting activities and the stock piling of materials on the site shall only occur in compliance with the distance standards determined by East Kentucky Power Cooperative, Inc. for the existing utility easements.
21. The quarry operation shall be limited to the area identified on the development plan as "Proposed Mining Area". Any expansion of the operation beyond this area shall require an Amended Development Plan

- and approval by the Planning Commission.
22. A buffer area of 100 feet from the property line as illustrated on the proposed Development Plan shall be maintained surrounding the mining

### **Hardin County Board of Adjustment**

Minutes: 3 May 2012

Page 6 of 7

- area and future mining areas adjacent to all properties zoned Residential.
23. There shall be no mining within 1,000 feet of any residence situated on any adjoining properties as of the approval date of this proposal.
24. Information on the blasting activities shall be provided to any interested party by the operator of the quarry.
25. The Planning Commission shall provide to the Kentucky Department for Surface Mining Reclamation and Enforcement information on the following issues that were identified during the public hearing to be considered by the Department during the state permitting process.
- The proposed quarry facility is located in the Source Water Protection Area for Hardin County Water District No. 2 and the White Mills Water Treatment Plant. Based on studies and work performed by ground water specialist it has been determined that “any surface water runoff” from the proposed site “will ultimately affect” the White Mills Spring, which is the “sole source of water” for the White Mills Water Treatment Facility.
  - Adjacent to the proposed site to the west is a cave known as the Wonderland Cavern. A report from the Department in the Wildlife Diversity Program, Endangered Species Biologist indicated that evidence of two species of endangered bats was found in this cave.
  - The adjoining property to the south is the location of a “wet” cave on the Willyard property.
  - Electric transmission lines owned by Eastern Kentucky Power cross the property of this proposed quarry with poles located on the property that are labeled “EKPC Pole #T5” & “EKPC Pole #T6”.
  - A structure located on Miles Hill Road is listed on the Kentucky Historic Resources Inventory (Site Number HD-217).
14. This Conditional Use Permit is non-transferable and the Permit shall expire upon the transfer of the property.
15. A 20’ Side Yard Setback (Minimum for the Heavy Industrial Zone (I-2)) shall be maintained adjacent to properties not zoned Residential. However, rock may be removed from this 20’ Side Yard Setback but vegetation shall be re-established following rock removal.
16. Temporary Vegetation in compliance with the County’s Erosion Prevention and Sediment Control Ordinance shall be implemented in areas that are not active for a period of five (5) years.
17. The owners shall be required to place boundary markers along the property line boundaries of the Quarry.

18. Prior to disturbance of Sinkholes labeled # 4 - 9 on the Amended Development Plan, testing in coordination with Hardin County Water District #2, Hardin County Planning Commission and the Hardin County

**Hardin County Board of Adjustment**

Minutes: 3 May 2012

Page 7 of 7

Engineer's Office must be performed to determine the impacts on Willyard Cave and the Source Water Protection Area.

Board Member Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 19 April 2012 meeting. Member Holman made a motion to approve the minutes as presented. Member Goodin provided the second. Motion passed unanimously.

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

RECORDED	SUBDIVISION NAME	LOTS	ACCESS ROAD
17-April-2012	Amended Plat of Graves Estates, Lots 2A & 4	0	St. John Road
19-Apr - 2012	Amended Plat of Aultman Acres, Sec. 2, Lot 5A	1	Bethlehem Academy Road
1-May-2012	Amended Plat of Farmgate Estates, Lots 23 & 24	-1	Tunnel Hill Church Road
<b>SINCE LAST MEETING</b>			
<b>2012 TOTAL</b>		46	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 7 June 2012, and declared the meeting adjourned at 7:15 p.m.

**ADOPTED AND APPROVED THIS 7<sup>th</sup> DAY OF JUNE 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

\_\_\_\_\_  
Brent Goodin, Secretary

## Hardin County Board of Adjustment

Minutes: 19 April 2012

Page 1 of 5

Chairman Krausman called to order the two hundredth and ninety-first meeting of the Hardin County Board of Adjustment at 5:05 p.m. on Thursday, 22 March 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman Vice-Chairman Jack Holman and Board Member Brent Goodin were in attendance. Also in attendance were Director Chris Hunsinger, Planner Adam King, AICP and the individual listed on the attached sign-in sheet. Senior Planner Wesley Wright and County Engineer Vicki Meredith, P.E. were not present. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. This is a Conditional Use Permit request to allow for a Temporary Accessory Dwelling (Manufactured Home) on the property. The property is a 44 acre site with the PVA Map Parcel Number 151-00-00-005. The property address is 1149 White Mills Glendale Road and the property is owned by **Phillip & Judy Kerr**. Hearing Officer Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and presented the exhibits. Phillip & Judy Kerr of 3592 Battle Training Road, the owners, provided testimony and answered questions from the Board Members and staff. Lisa Waggoner of 191 Jones Street, provided testimony and answered questions from the Board Members and staff. Dwight Morgan, Magistrate of 2067 Hogan Road, provided testimony in favor of the request. The Hearing Officer closed the hearing at 5:30 p.m. 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 is 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;

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, including the Rural Residential (R-2) standards

## **Hardin County Board of Adjustment**

Minutes: 19 April 2012

Page 2 of 5

that do not allow for the property to be subdivided at this time, 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 Temporary Accessory Dwellings shall be a temporary use for no longer than five (5) years from 19 April 2012 and must be removed from the property by 19 April 2017.
2. The proposed Manufactured Home (28' x 48') on site is a Temporary Accessory Dwelling and has approximately 1344 square feet of living space which is more than the Local Average Square Foot Standard of 1340 square feet.
3. The Temporary Accessory Dwelling is for a family situation (care giver) and shall only be occupied by the owners' mother, Ethel Jean Ammons and her immediate family. It shall not be available to the public for rent.
4. Upon the vacancy of the Temporary Accessory Dwelling, it must be removed from the property within six (6) months.
5. The 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.
6. This Conditional Use Permit shall be issued to the current property owner, Phillip & Judy Kerr, and shall expire when the property is transferred and not be transferable to another property owner.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
8. The skirting on the manufactured home must be maintained.
9. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.
11. This property does not have frontage on a government maintained road and cannot be further subdivided at this time.

Board Member Holman provided the second. Motion passed unanimously.



## Hardin County Board of Adjustment

Minutes: 19 April 2012

Page 3 of 5

At 5:35 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a request for a Conditional Use Permit to allow for a dog kennel, doing business as Jerry's Boarding Kennels, on the property. The proposed site is a ±1.52 acre site located on Lot 1 of Coville Acre Subdivision. The property address is 12346 Leitchfield Road and is owned by **Jerry & Barbara Colville**. Planner King reviewed the application and presented the exhibits. The owners, Jerry & Barbara Colville, of 12346 Leitchfield Road, provided testimony and answered questions from the Board Members and staff. Dwight Morgan, Magistrate, of 2067 Hogan Road, provided testimony in favor of the request. The Hearing Officer closed the hearing at 5:55 p.m. 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 is 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;

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, including the Rural Residential (R-2) standards that do not allow for the property to be subdivided at this time, 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 7:00A.M. to 7:00P.M., seven days a week.
2. The maximum number of animals on site shall be three (3) dogs, not including the owners' dogs.
3. No outdoor boarding of animals shall be permitted. All boarding facilities shall be indoors with dogs allowed outdoors for exercise and "potty" breaks.

## Hardin County Board of Adjustment

Minutes: 19 April 2012

Page 4 of 5

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 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)
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 outdoor runs shall be screened from view of the adjoining property to the north with a four (4) foot solid white vinyl fence.
8. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
9. This Conditional Use Permit shall be issued to the current property owners, Jerry & Barbara Colville, 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 for the existing garage to be used as a Kennel.
11. This Conditional Use Permit shall be for a period of five (5) years and expire on 19 April 2017.
12. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 6:00 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. This request is for a Conditional Use Permit to expand the existing rock quarry operation – Mink Brothers Quarry. The property is located at 11889 Leitchfield Road in the Natural Resource Planning Area and zoned Heavy Industrial (I-2). The property is owned by **Leon & Roger Mink**. Hearing Officer Holman conducted the swearing in ceremony for all individuals who may provide testimony. Director Hunsinger reviewed the application and exhibits. Planner King presented the slides of the property (attached). The owners, Leon Mink of 2252 Springfield Road and Roger Mink of 2184 Springfield Road provided testimony and answered question from the Board and staff. Eric Spurrier, the

**Hardin County Board of Adjustment**

Minutes: 19 April 2012

Page 5 of 5

land surveyor for the project, provided testimony and answered questions from the Board Members and staff. Ernie Young of 12320 Leitchfield Road provided testimony and answered questions from the Board. Dwight Morgan, Magistrate, of 2067 Hogan Road, provided testimony in favor of the request. The topics that were addressed in the testimony included, but not limited to; 100' buffer, screening of the property, reclamation, bonds, state inspections, drainage/stormwater, traffic safety, and dust and noise control. Chairman Krausman requested that the staff obtain additional information for the Board in regards to; reclamation, bonds, testing/monitoring in the event it is sold and the County Engineer's opinion of eliminating the 100' buffer between Mink Brothers and Vulcan. Board Member Goodin made a motion to table until the next Board meeting scheduled for 5:00 p.m. on Thursday, 3 May 2012 in the R.R. Thomas County Government Building.

Board Member Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 22 March 2012 meeting. Member Goodin made a motion to approve the minutes as presented. Member Holman provided the second. Motion passed unanimously.

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

RECORDED	SUBDIVISION NAME	LOTS	ACCESS ROAD
21 Mar 12	Gilpin Subdivision	0	Hodgenville Road
02 Apr 12	Jeffs Division	2	S. Mill Street
06 Apr 12	Alder's Hills	1	Cann School Road
11 Apr 12	Providence Place, Lots 4A & 5A	-1	Bewley Hollow Road
12 Apr 12	Bee Cee Estate	2	Optimist Road
<b>SINCE LAST MEETING</b>		4	
<b>2012 TOTAL</b>		46	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 3 May 2012, and declared the meeting adjourned at 7:15 p.m.

**ADOPTED AND APPROVED THIS 3<sup>rd</sup> DAY OF MAY 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

---

Brent Goodin, Secretary

## Hardin County Board of Adjustment

Minutes: 22 March 2012

Page 1 of 6

Chairman Krausman called to order the two hundredth and ninetieth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 22 March 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman Vice-Chairman Jack Holman and Board Member Brent Goodin were in attendance. Also in attendance were Director Chris Hunsinger, Senior Planner Wesley Wright, Planner Adam King, AICP, County Engineer Vicki Meredith, P.E. and the individual listed on the attached sign-in sheet. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

Chairman Krausman called for consideration and action on the **Minutes** of the 8 March 2012 meeting. Member Goodin made a motion to approve the minutes as presented. Member Holman provided the second. Motion passed unanimously.

At 5:15 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is a request for a Conditional Use Permit to construct a 560 square foot addition to an Accessory Structure (1120 sq. ft. pole barn) that exceeds the size of the dwelling (1568 sq. ft. manufactured home). Vice Chairman Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. The proposed site is a ±5.67 acre site located at 240 Ditto Lane and being Lot 35 of Hobbs Estates. The PVA Map Parcel Number is 118-00-00-055 and is owned by **Billy Joe & Sandra Byerly**. Planner King reviewed the application and exhibits. Sandra Byerly of 240 Ditto Lane, the owner, provided testimony and answered questions from the Board Members and staff. At 5:30 p.m., the Hearing Officer closed the hearing. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit is as follows:

- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The use shall be in accord with the purposes of this ordinance and the Comprehensive Development Guide System and the comprehensive Development Guide;

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of

## Hardin County Board of Adjustment

Minutes: 22 March 2012

Page 2 of 6

Adjustment, Board Member Goodin made the motion to grant the Conditional Use Permit (CUP) due to the size of the property and the fact that it was not out of character with the other accessory structures in the area and with the following conditions:

1. This Conditional Use Permit shall allow for a 14' x 40' "lean-to" addition to the existing 28' x 40' pole barn for a total of 1680 sq. ft. which is larger than the 1568 sq. ft. dwelling (28' x 56' manufactured home) on site.
2. A shared driveway shall be required.
3. The exterior finish materials of the accessory structure shall be grey siding with white trim & doors to match the dwelling on site.
4. Additional landscaping/screening shall not be required due to the size of the lot and distance from the road.
5. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
6. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 5:30 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. This is a Revised Conditional Use Permit request to allow for a Permanent Accessory Dwelling (1694 sq. ft. apartment above the existing detached garage) to remain on the property. The property is a 5.71 acre site being Lot 2C of Gehr Estates Subdivision and with the PVA Map Parcel Number 248-00-00-005.01. The property address is 249 Williams Cemetery Road and is owned by **MICHAEL & CAROLYN SIMMONS**. Hearing Officer Holman conducted the swearing in ceremony for all individuals who may provide testimony. Planner King reviewed the application and presented the exhibits. Michael Simmons of 249 Williams Cemetery Road, the owner, provided testimony and answered questions from the Board Members and staff. Neal McDowell, 339 Williams Cemetery Road, spoke in favor of the request. The Hearing Officer closed the hearing at 5:45 p.m. 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 is as follows:

## **Hardin County Board of Adjustment**

Minutes: 22 March 2012

Page 3 of 6

- 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;

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 property owners, Michael and Carolyn Simmons, 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 provided.
3. A shared driveway shall be required.
4. The Permanent Accessory Dwelling shall be an apartment above the detached garage and contain 1694 sq. ft.
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 or visually match the principal residence in type, size and placement (tan siding with white trim and black shutters).
7. The existing tree line to the north shall be preserved to reduce the visibility from adjoining properties.
8. The Permanent Accessory Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
9. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.

## Hardin County Board of Adjustment

Minutes: 22 March 2012

Page 4 of 6

10. A Site Plan shall not be required due to an existing plan on file for this existing apartment.
11. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 5:46 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. This is a Conditional Use Permit request to allow for a Permanent Accessory Dwelling (1556 sq. ft. site built home) to replace the Temporary Accessory Dwelling (Manufactured Home) on the property. The property is a 4.93 acre site with the PVA Map Parcel Number 217-00-00-054.01. The property addresses are 3526 & 3592 Battle Training Road and the property is owned by **Buddy & Ruby Carlisle**. Planner King reviewed the application and presented the exhibits. Glen Carlisle of 3592 Battle Training Road, the applicant, provided testimony and answered questions from the Board Members and staff. Buddy Carlisle of 3410 Battle Training Road, the owner, provided testimony and answered questions from the Board Members and staff. The Hearing Officer closed the hearing at 6:25 p.m. 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 is 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;

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, including the Residential Estate (R-3) standards that do not allow for the property to be subdivided at this time, and the

## **Hardin County Board of Adjustment**

Minutes: 22 March 2012

Page 5 of 6

proceedings before the Board of Adjustment, Board Member Goodin made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. Glen Carlisle, 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 and one of the existing driveways to the manufactured home must be eliminated with grass re-seeded in the ditch. Please work with the KY Transportation Cabinet in fulfilling this requirement.
4. The Proposed Principal Dwelling shall exceed 1340 square feet. (Proposal is a 1340 sq. ft. brick ranch with a walk out basement and attached garage for a total of 3163 sq. ft. under roof)
5. The existing brick ranch house shall be the Permanent Accessory Dwelling and may contain a maximum of 1340 square feet of living space.
6. The Permanent Accessory Dwelling shall be located in the rear yard and shall be located as illustrated on the approved Site Plan and in accordance with building setback lines.
7. The exterior finish materials of the Proposed Principal Dwelling must be a ranch house with a brick façade and shingle roof to match the existing dwelling on site.
8. The existing manufactured home must be removed from the property within 30 days of the Certificate of Occupancy being issued for the proposed dwelling.
9. The Proposed Principal Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
10. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
11. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.



**Hardin County Board of Adjustment**  
Minutes: 22 March 2012  
Page 6 of 6

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

RECORDED	SUBDIVISION NAME	LOTS	ACCESS ROAD
15 Mar 12	Chickasaw Pointe	2	Valley Creek Road
<b>SINCE LAST MEETING</b>		2	
<b>2012 TOTAL</b>		42	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 19 April 2012, and declared the meeting adjourned at 6:30 p.m.

**ADOPTED AND APPROVED THIS 19<sup>th</sup> DAY OF APRIL 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

\_\_\_\_\_  
Brent Goodin, Secretary

## Hardin County Board of Adjustment

Minutes: 8 March 2012

Page 1 of 4

Chairman Krausman called to order the two hundredth and eighty-ninth meeting of the Hardin County Board of Adjustment at 5:05 p.m. on Thursday, 8 March 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman Vice-Chairman Jack Holman and Board Member Brent Goodin were in attendance. Also in attendance were Director Chris Hunsinger, Senior Planner Wesley Wright, Planner Adam King, AICP, County Engineer Vicki Meredith, P.E. and the individual listed on the attached sign-in sheet. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is a request for a Conditional Use Permit for the **Valley Creek Baptist Church** to operate a Child Care Center for more than 6 children (requesting 60) in the existing church building. Vice Chairman Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. The proposed site is a ±11.48 acre site located at the corner of Valley Creek Road and Springfield Road. The property address is 4685 Springfield Road and is owned by **Valley Creek Baptist Church**. Planner King reviewed the application and exhibits. Micah Johnson of 4685 Springfield Road, Children's Pastor of Valley Creek Baptist Church, provided testimony and answered questions from the Board Members and staff. At 5:25 p.m., the Hearing Officer closed the hearing. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit is as follows:

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

## Hardin County Board of Adjustment

Minutes: 8 March 2012

Page 2 of 4

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. Once permanent outdoor recreational equipment is installed on the property it shall be fenced and screened from view on all sides.
2. The maximum number of children at the child care center shall be sixty (60).
3. Any proposed sign advertising the child care center shall be no larger than 6 square feet and less than eight feet in height, and the sign shall not be illuminated.
4. This Conditional Use Permit shall be a temporary use for no longer than five (5) years from 8 March 2012 to 8 March 2017.
5. The hours of operation shall be 7:00 a.m. to 6:00 p.m. Monday through Friday.
6. This Conditional Use Permit shall be issued to the current property owners, Valley Creek Baptist Church, and shall expire when the property is transferred and not be transferable to another property owner.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
8. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
9. The facility shall be inspected and approved by the State Fire Marshall and receive Certification and a Type II license through the State.

Board Member Holman provided the second. Motion passed unanimously.

At 5:25 p.m. Chairman Krausman appointed Vice Chairman Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is the continuance of the Variance request from the 23 February 2012 meeting for relief from the required road frontage and the lot 1:4 width-to-length ratio. The proposed site is a 37.972 acre tract to be known as Lot 79A of Royal Acres in the Valley Creek Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Numbers are 224-00-00-082 and 224-00-01-079 and is owned by **Willie & Somi Neal**. Planner King reviewed the application and the history of the property and presented exhibits. Willie Neal, the owner, provided testimony and answered questions from the Board Members and staff. At 5:45 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant a variance due to the fact it will be improving the present situation by

## Hardin County Board of Adjustment

Minutes: 8 March 2012

Page 3 of 4

consolidating a land locked property, eliminating two non-conforming lots and merging it all together to create two lots with access on a government maintained road. That it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- 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 required road frontage and the 1:4 width-to-length ratio for Proposed Lot 79A of Royal Acres Estates, Section 2.
2. A Variance Note shall be required on the Amended Plat.
3. The existing driveway from Kings Way into the property must be moved to be within the applicant's property lines.
4. A Change of Use Building Permit shall be required converting the existing garage into a single family dwelling.
5. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 23 February 2012 meeting. Member Goodin made a motion to approve the minutes as presented. Member Holman provided the second. Motion passed unanimously.

Senior Planner Wright provided a map and listing of all the properties in Hardin County that were damaged due to the **Tornado and High Winds** that occurred on 29 February 2012.

Senior Planner Wright reported on and provided some of the information presented in the **Annual Report for 2011** produced by the staff of the Planning Commission and Board of Adjustment. The annual report presents a summary of applications submitted to the Planning Commission and provides details on some of the functions and activities of the Planning Commission, Board of Adjustment

**Hardin County Board of Adjustment**

Minutes: 8 March 2012

Page 4 of 4

and the inspection programs that implement the Kentucky Building Code. The report will be presented to Fiscal Court on 13 March 2012.

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

RECORDED	SUBDIVISION NAME	LOTS	ACCESS ROAD
17 Feb 12	Pfieffer Estates, Section 2, Lots 27 & 28	-1	Teresa Road
24 Feb 12	Cedar Grove Acres Section C, Lots 45, 46 & 47	-2	Cedar Glen Lane
27 Feb 12	Ashabraner Estates, Lots 1A, 2, 3 and 4	-1	Sonora Hardin Springs Road
27 Feb 12	Hattie Heights	3	Long Hollow road
<b>SINCE LAST MEETING</b>		-1	
<b>2012 TOTAL</b>		40	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 22 March 2012, and declared the meeting adjourned at 6:00 p.m.

**ADOPTED AND APPROVED THIS 22<sup>nd</sup> DAY OF MARCH 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

\_\_\_\_\_  
Brent Goodin, Secretary

## Hardin County Board of Adjustment

Minutes: 23 February 2012

Page 1 of 3

Vice Chairman Holman called to order the two hundredth and eighty-eighth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 23 February 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Vice-Chairman Jack Holman, Board Member Brent Goodin was in attendance. Also in attendance were Senior Planner Wesley Wright, Planner Adam King, AICP, County Engineer Vicki Meredith, P.E. and the individual listed on the attached sign-in sheet. Chairman Bob Krausman and Director Chris Hunsinger were not in attendance. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

Vice Chairman Holman announced that the first item on the agenda is to be withdrawn.

At 5:00 p.m. Vice Chairman Holman appointed served as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a request for a Variance for relief from the required road frontage and the lot 1:4 width-to-length ratio. The proposed site is a 37.972 acre tract to be known as Lot 79A of Royal Acres in the Valley Creek Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Numbers are 224-00-00-082 and 224-00-01-079 and is owned by **Willie & Somi Neal**. Hearing Officer Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and the history of the property and presented exhibits. Willie Neal, the owner, provided testimony and answered questions from the Board Members and staff. Adjoining property owner, John Bowles, 3046 Sportsman Lake Road, raised questions about the address of the property and regarding a Right-of-Way into the property from Sportsman Lake Road. Board Member Holman stated that the request needed to be continued in order for the members to make a site visit. Board Member Holman made a motion to table until the next Board meeting scheduled for 5:00 p.m. on Thursday, 8 March 2012 in the R.R. Thomas County Government Building.

Board Member Goodin provided the second. Motion passed unanimously.

At 5:35 p.m. Vice Chairman Holman served as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a request for a Variance for relief from the required front building setback line to accommodate an existing accessory structure (garage). The proposed site is a 1.43 acre tract with an address of 4277 Bardstown Road and being proposed Lot 4F of

## Hardin County Board of Adjustment

Minutes: 23 February 2012

Page 2 of 3

Eastwood Estates, Section in the Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 243-00-00-041.10.

Hearing Officer Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and the history of the property and presented exhibits. **Robert Darnell**, the owner, provided testimony and answered questions from the Board Members and staff. Kenny Sims of 65 Edlin Lane, Pete Edlin of 835 Edlin Lane and Mike Edlin of 185 Edlin Lane all spoke in favor of the request. At 5:50 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant a variance due to the fact that Edlin Lane has very limited traffic and only serves as access to eight (8) properties, the low speed limit and unusual angle of intersection and nature of Edlin Lane, that it will not alter the essential character of the general vicinity, it will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- 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 Variance Note shall be required on the Amended Plat.
2. A Building Permit shall be required for the addition to the existing garage.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 9 February 2012 meeting. Member Goodin made a motion to approve the minutes as presented. Member Holman provided the second. Motion passed unanimously.

**Hardin County Board of Adjustment**  
Minutes: 23 February 2012  
Page 3 of 3

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

RECORDED	SUBDIVISION NAME	LOTS	ACCESS ROAD
13 Feb 12	McCracken Hill Subdivision	1	Duggin Switch Road
14 Feb 12	Mahoney Acres	2	Miller Road
	<b>SINCE LAST MEETING</b>	3	
	<b>2012 TOTAL</b>	41	

Vice Chairman Holman announced that the next Board meeting is scheduled for Thursday, 8 March 2012, and declared the meeting adjourned at 6:00 p.m.

**ADOPTED AND APPROVED THIS 8<sup>th</sup> DAY OF MARCH 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

---

Brent Goodin, Secretary



## Hardin County Board of Adjustment

Minutes: 9 February 2012

Page 1 of 4

Chairman Krausman called to order the two hundredth and eighty-seventh meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 9 February 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Vice-Chairman Jack Holman and Board Member Brent Goodin were in attendance. Also in attendance were Senior Planner Wesley Wright, Planner Adam King, AICP, Planning Assistant Sandra Martinez, County Engineer Vicki Meredith, P.E. and the individual listed on the attached sign-in sheet. Director Chris Hunsinger was not in attendance. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is a request for a Variance for relief from the required front building setback line to accommodate an existing accessory structure (40' x 56' garage). The proposed site is a 12.9 acre tract with an address of 3534 Long Hollow Road and being proposed Lot 1 of Hattie Heights in the West Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 038-00-00-008. Hearing Officer Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and the history of the property and presented exhibits. **Lonnie & Verna Basham**, the owners, provided testimony and answered questions from the Board Members and staff. At 5:15 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant a variance due to the fact that it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and that this request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follow:

- f. 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 the existing metal building (40' x 56') to remain on the property as illustrated, 62.6' from the front property line.
2. A Variance Note shall be required on the Record Plat of Hattie Heights.

## Hardin County Board of Adjustment

Minutes: 9 February 2012

Page 2 of 4

3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

At 5:15 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. At this time Board Member Goodin asked to be recused from the hearing. This request is for a Variance for relief from the required road frontage and the 1:4 width-to-length ratio to amend Lot 22 of Wexford Place. The property is an 11.581 acre tract located off Wexford Drive and known as Lot 22 of Wexford Place in the North Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 230-00-03-022. The property is owned by **Joseph Prather**. Hearing Officer Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and presented exhibits. Senior Planner Wright reviewed the history of the property. Jeremy Lynch, of Turner Engineering and representative of the owner, provided testimony and answered questions from the Board Members and staff. Board Member Holman stated that the request needed to be continued and made a motion to table until the next Board meeting scheduled for 5:00 p.m. on Thursday, 23 February 2012 in the R.R. Thomas County Government Building.

Board Member Krausman provided the second. Motion passed unanimously.

At 6:15 p.m. Board Member Goodin returned to the meeting.

At 6:15 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a request for a Conditional Use Permit for the **Church of God of Prophecy**, a Recreational Enterprise, to allow for the expansion of the existing camp, known as **Camp Nikao**, with additional living quarters on site. Vice Chairman Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. The proposed site is a ±60 acre site located on the east side of Shepherdsville Road. The property address is 7566 Shepherdsville Road and is owned by **Church of God of Prophecy**. Planner King reviewed the application and exhibits. Senior Planner Wright presented the Amended Development Plan. Scott Gillum of 510 Maple Crest Way, pastor of

## **Hardin County Board of Adjustment**

Minutes: 9 February 2012

Page 3 of 4

Church of God of Prophecy, provided testimony and answered questions from the Board Members and staff. Camp Nikao Board Chairman, Vernon Schlosser of 188 Sea Hero Drive provided testimony and answered questions from the Board Members and staff. At 6:45 p.m., the Hearing Officer closed the hearing. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit is as follows:

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

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. Adequate parking must be illustrated on the approved Development Plan.
2. The proposed signage shall conform to the signage standards as established in the Development Guidance System Zoning Ordinance, Section 9.
3. The additional living quarters within the Prayer Tower & Ministry Center are incidental to the Church Camp operation.
4. The Prayer Tower & Ministry Center shall have a sewerage system (septic tank and lateral lines) approved by the Environmental Services Office of the Hardin County Health Department.
5. An Amended Development Plan shall be required.

**Hardin County Board of Adjustment**

Minutes: 9 February 2012

Page 4 of 4

7. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
8. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Chairman Holman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 19 January 2012 meeting. Member Holman made a motion to approve the minutes with corrections. Member Goodin provided the second. Motion passed unanimously.

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 23 February 2012, and declared the meeting adjourned at 6:45 p.m.

**ADOPTED AND APPROVED THIS 23<sup>rd</sup> DAY OF FEBRUARY 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

---

Brent Goodin, Secretary

## **Hardin County Board of Adjustment**

Minutes: 19 January 2012

Page 1 of 2

Chairman Krausman called to order the two hundredth and eighty-sixth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 19 January 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Vice-Chairman Jack Holman was in attendance. Also in attendance were Senior Planner Wesley Wright, Planner Adam King, AICP, County Engineer Vicki Meredith, P.E. and the individual listed on the attached sign-in sheet. Board Member Brent Goodin, Director Chris Hunsinger and Planning Assistant Sandra Martinez were not in attendance. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is the continuance of a request for a Variance for relief from the required front building setback line to accommodate an existing accessory structure (12' x 24' storage shed). The proposed site is an 8.33 acre tract with an address of 2469 Bethlehem Academy Road and being Lot 5A of Aultman Acres in the Natural Resource Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 124-00-00-004. Planner King reviewed the application and the history of the property and presented exhibits. James Cooper, the owner, provided testimony and answered questions from the Board Members and staff. Board Member Holman made a motion to deny the variance request due to the fact that it does not satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 Findings necessary for granting variances) and that the owner has 120 days to come into compliance by removing the structure or filing an Amended Plat using Open Space Design that would reduce the building setback to 40 feet.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:20 Chairman Krausman announced that the next item on the agenda had been withdrawn.

Chairman Krausman called for consideration and action on the **Minutes** of the 5 January 2012 meeting. Member Holman made a motion to approve the minutes as presented. Member Krausman provided the second. Motion passed unanimously.

**Hardin County Board of Adjustment**  
 Minutes: 19 January 2012  
 Page 2 of 2

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

RECORDED	SUBDIVISION NAME	LOTS	ACCESS ROAD
04 Jan 12	Wakefield Subdivision, Section 2	26	Hodgenville Road (KY 210)
11 Jan 12	Ian Estates	3	Glendale-Hodgenville Rd. (KY 222)
<b>SINCE LAST MEETING</b>			
<b>2012 TOTAL</b>		29	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 9 February 2012, and declared the meeting adjourned at 5:30 p.m.

**ADOPTED AND APPROVED THIS 9th DAY OF FEBRUARY 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

\_\_\_\_\_  
 Brent Goodin, Secretary

## **Hardin County Board of Adjustment**

Minutes: 5 January 2012

Page 1 of 4

Chairman Krausman called to order the two hundredth and eighty-fifth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 5 January 2012, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Secretary Brent Goodin and Vice-Chairman Jack Holman were in attendance. Also in attendance were Planner Adam King, County Engineer Vicki Meredith, P.E. and the individuals listed on the attached sign-in sheet. Director Chris Hunsinger, Senior Planner Wesley Wright and Planning Assistant Sandra Martinez were not in attendance. Hardin County Attorney Jennifer B. Oldham, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the first item on the agenda is a request for a Variance for relief from the required front building setback line to accommodate an existing accessory structure (12' x 24' storage shed). The proposed site is a 8.33 acre tract with an address of 2469 Bethlehem Academy Road and being Lot 5A of Aultman Acres in the Natural Resource Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 124-00-00-004. The owner is **James & Charlotte Cooper**. Hearing Officer Holman conducted the swearing in ceremony for all individuals in attendance that may provide testimony. Planner King reviewed the application and the history of the property and presented exhibits. James Cooper, the owner, provided testimony and answered questions from the Board Members and staff. Kevin Addington of 203 Shane Drive spoke in favor of the request. No additional testimony was presented. Board Goodin stated that a site visit would be necessary and made a motion to table the request until the next Board meeting scheduled for 19 January 2012. Board Member Holman provided the second. Motion passed unanimously.

At 5:40 p.m. Chairman Krausman appointed Board Member Holman to serve as the hearing officer. Hearing Officer Holman announced that the next item on the agenda is a request for a Conditional Use Permit to convert part of the existing garage (48' x 20' = 960 sq. ft.) to be used as a Permanent Accessory Dwelling located at 462 Martin Road that was continued from the 8 December 2011 meeting. The property is a 1.0 acre site and being Lot 1 of Farewell Subdivision, and identified with the PVA Map Number 081-00-00-024. The property is owned by **Joseph Lamar and Sue Hardesty**. The property is located in the Natural Resource Planning Area and is zoned Rural Residential (R-2). Planner King reviewed the application and presented exhibits and slides of the property (attached). Joseph Lamar and Sue Hardesty of 462 Martin Road, the owners, provided testimony and answered questions from the Board Members. Neighbor,

## Hardin County Board of Adjustment

Minutes: 5 January 2012

Page 2 of 4

Robin Skaggs of 432 Martin Road, provided testimony and answered questions from the Board Members and staff. No additional testimony was presented. At 5:20 p.m. the Hearing Officer closed the hearing. Board Member Goodin stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM ordinance (Section 16.3) Standards for Issuance of a Conditional Use Permit as follows:

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

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 stated the request is in character with the neighborhood and vicinity. Board Member Goodin made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. The property owners, Joseph & Sue Hardesty, 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. All trailers, equipment and extra vehicles should be parked to the rear of the garage.
3. A shared driveway shall be required. The southernmost entrance shall be removed within sixty (60) days of receiving the Certificate of Occupancy.
4. The accessory dwelling may contain a maximum of 960 square feet of living space within the existing 48' x 48' detached garage.



## Hardin County Board of Adjustment

Minutes: 5 January 2012

Page 3 of 4

5. The 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 accessory dwelling must be the same or visually match the principal residence in type, size and placement (grey siding with maroon & white trim).
7. A front gable/ covered front porch shall be required. Additionally, a minimum of five exterior windows shall be required and shall have maroon shutters similar to those on the house.
8. The front yard shall be re-seeded into grass and 8 boxwood shrubs shall be required to be planted along the foundation of the building.
9. The accessory dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
10. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
11. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Holman provided the second. Motion passed unanimously.

Chairman Krausman announced that the request for a Conditional Use Permit by **Mattias Lambert** is to continue to be tabled until the next Board meeting scheduled for 5:00 p.m. on Thursday, 19 January 2012 in the R.R. Thomas County Government Building.

Chairman Krausman called for consideration and action on the **Minutes** of the 8 December 2011 meeting. Member Goodin made a motion to approve the minutes as presented. Member Holman provided the second. Motion passed unanimously.

**Hardin County Board of Adjustment**  
 Minutes: 5 January 2012  
 Page 4 of 4

**THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:**

RECORDED	SUBDIVISION NAME	LOTS	ACCESS ROAD
29 Nov 11	Springfield Meadows, Lots 30A – 42A	-11	Standing Oak Drive
30 Nov 11	Cedar Hills Subdivision, Lots 20, 21, 22, 23, 24 & 25	-5	First Street
06 Dec 11	Stacy's Place	1	Salt River Road
14 Dec 11	Sharp's Flats Subdivision	2	Main Street
16 Dec 11	Knothole Lodge Subdivision	0	Optimist Road
<b>SINCE LAST MEETING</b>		-13	
<b>2011 TOTAL</b>		-11	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 19 January 2012, and declared the meeting adjourned at 6:15 p.m.

**ADOPTED AND APPROVED THIS 19th DAY OF JANUARY 2012 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

---

Brent Goodin, Secretary