

Hardin County Board of Adjustment

Minutes: 18 December 2014

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Chairman Krausman called to order the three hundredth and thirty fifth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 18 December 2014, in the H.B. Fife Courthouse, 3rd Floor, Fiscal Court Meeting Room and appointed Board Member Goodin to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, County Engineer Vicki Meredith, P E, Board member Steve Steck and the individuals listed on the attached sign-in sheet. Assistant Attorney Don Jones, legal counsel for the Board, was not requested to attend the meeting.

At 5:10 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the first item on the agenda is a continuance from 4 December 2014, a Conditional Use Permit to allow for a Wedding/Event Venue within an Accessory Structure on site. The site is a 12 acre site located at 495 Gilead Church Rd, west of Dixie Hwy (US 31W), within the Glendale Industrial Area and zoned Rural Residential (R-2). The PVA Map Number is 208-00-00-016 and the property is owned by **John & Michelle Edwards**. Assistant Director King reviewed the application and the history of the property and presented the exhibits. The Owner, John Edwards, of 495 Gilead Church Rd, provided testimony and answered questions from the Board Members and staff. Ranetta Deramos, of 424 Andover Dr, spoke in opposition, regarding concerns with the amount of excessive traffic, increase in noise, and privacy. Carolyn Bow, of 597 Gilead Church Rd, spoke in opposition, regarding concerns with excessive noise. Board Member Steck stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

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

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

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

1. A Change of Use Building Permit shall be required for the Single Family Dwelling, Cottage, and Accessory Structure to meet the Commercial Building Code.
2. An adequate parking area must be designated on the Site Plan to accommodate a minimum of 60 vehicles per the 300 person occupancy load.
3. A proposed Commercial Entrance must obtain an encroachment permit onto Gilead Church Road (KY 1136) from the KY Transportation Cabinet to allow for two-way traffic throughout the property.
4. A solid wood/vinyl privacy fence shall be installed to screen the parking from view and to prevent headlights from glaring onto the adjoining property to the west.
5. The proposed dumpster shall be screened from view via solid wood fence/vinyl.
6. Only 30 large events (over 100 participants) per year shall be permitted. Unlimited for small events.
7. The Hours of Operation shall be 8am – 10am for set up only, 10am – 10pm Sunday – Thursday and 10am – 12am on Friday & Saturday.
8. A single sign 3'x2' no taller than 8' in height shall be permitted.
9. All outdoor lighting must be pointed down and not spill onto adjoining properties.
10. Health Department approval shall be required for the proposal.
11. The existing single wide manufactured home must be removed from the property within six months.
12. This Conditional Use Permit is issued to current owners, John & Michelle Edwards, it is not transferable, and shall expire if the property is transferred.
13. This Conditional Use Permit shall allow for the existing barn, cottage and residence to be used as a wedding/event venue. Any additional structures shall require approval from the Board of Adjustment.
14. A Development Plan shall be required illustrating the proposal and compliance with all Conditions to include, Parking & Landscaping.
15. If more than an acre of ground is disturbed, a Stormwater/Drainage Plan must be submitted and approved by the Engineering Department.
16. The Conditional Use Permit is valid for 2 years. After which time, a Renewal Hearing must be held before the Board of Adjustment.
17. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
18. Outdoor activities shall be restricted to the area behind the barn.

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Chairman Goodin provided the second. Motion passed unanimously.

At 7:15 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for a Conditional Use Permit to allow for the conversion of an 8'x40' shipping container into a single family dwelling to be located on the property. The property is a \pm 2.0 acre site with an address of 2491 Cash Road, and identified with the PVA Map Number 134-00-00-006. The property is owned by **Jo Ann Priddy** and is located in the South Hardin Planning Area and is zoned Rural Residential (R-2). Assistant Director King reviewed the application and the history of the property and presented exhibits of the property (attached). Larry Mengel of Habitat for Humanity, the Applicant, provided testimony and answered questions from the Board Members and staff. Merl Priddy, of 1424 Cash Rd, provided testimony and spoke in favor of the request. Darren Thompson, of 2400 Cash Rd, provided testimony and asked questions regarding ownership of the land and the dwelling. Sharon Hornback, of 2553 Cash Rd, provided testimony and asked questions regarding insurance of the land and dwelling. 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 shall not tend to change the character and established pattern of development of the area of the proposed use;
- 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 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;
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan;

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

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Adjustment, Board Member Goodin made the motion to grant the Conditional Use Permit (CUP) for the Temporary Dwelling to remain on the property with the following conditions:

1. The 8' x 40' Shipping Container Dwelling shall contain a minimum of 320 square feet footprint.
2. The Proposed Shipping Container Dwelling shall have a sewerage system (septic tank and lateral lines) approved by the Environmental Services Office of the Hardin County Health Department.
3. The Shipping Container Dwelling shall be placed on the property in compliance with building setbacks and be illustrated on the Site Plan.
4. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
5. The Shipping Container Dwelling shall be installed atop a permanent masonry foundation.
6. A minimum of two (2) windows must be installed on the front of the Shipping Container Dwelling facing Cash Road.
7. A 6'x8' covered front porch shall be required on the Shipping Container Dwelling facing Cash Road.
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.
10. The Shipping Container Dwelling shall be painted and maintained in an earth tone color scheme.

Board Member Steck provided the second. Motion passed unanimously.

At 8:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for a Conditional Use Permit to allow for the expansion of the existing Hanson Rock Quarry. The property is a \pm 180.0 acre site with an address of 607 Quarry Road, and identified with the PVA Map Number 197-00-00-006.06 & 197-00-00-012. The property is owned by **William & Judith Lively and Hanson Aggregates** and is located in the South Hardin

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Planning Area and is zoned Heavy Industrial (I-2). Director Wright reviewed the application and the history of the property and presented exhibits of the property (attached). Glen Price, the applicants Attorney, of 400 W. Market St., Louisville, KY, provided testimony and supplied Exhibit H (the Conditional Use Permit Application Narrative), Exhibit K (mining permit), and Exhibit L (Applications) and explained the uniqueness of this Quarry Application with the existing buffer/berm provided by the railroad between the quarry and the closest homes located in Larue County. William Lively, owner, provided testimony as to when and how the property has been logged in the past. Board Member Goodin made a motion to table the request until the next board meeting scheduled for Thursday, January 8, 2015, in the H.B. Fife Courthouse in order for the Board Members to conduct a site visit.

Board Member Steck provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 4 December 2014 meeting. Board Member Steck made a motion to approve the minutes. Board member Goodin provided the second. Motion passed unanimously.

Chairman Krausman announced the Board had Unfinished Business from the 4 December 2014 meeting. The request is of a Variance by applicant **Joshua Lindbloom** and owner **Tony Griffith** for relief from the 40' front building setback line to accommodate a proposed manufactured home on a 0.39 acre site located at 2657 Springfield Road. Final Action was not decided at the previous meeting. Member Steck made a motion to approve the request with finding of fact B. Board member Goodin provided a second. Chairman Krausman stated that the proposed distance from the center line of the road appears hazardous and raises safety concerns. Board member Goodin reiterated Chairman Krausman concerns. The Motion failed 2-1 with Steck in favor.

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 8 January 2015 at 5:00 PM in the H.B. Fife Courthouse and declared the meeting adjourned at 9:00 p.m.

ADOPTED AND APPROVED THIS 8TH DAY OF JANUARY 2015 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Chairman Krausman called to order the three hundredth and thirty fourth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 4 December 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building and appointed Board Member Steck to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, County Engineer Vicki Meredith, P E, and the individuals listed on the attached sign-in sheet. Board Member Brent Goodin was not in attendance. Assistant Attorney Don Jones, legal counsel for the Board, was not requested to attend the meeting.

At 5:02 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Board Member Steck announced that the first item on the agenda is a continuance from 6 November 2014, a Variance for relief from the 40' front building setback to accommodate a proposed manufactured home to replace the existing manufactured home. The site is a 0.39 acre site located at 2657 Springfield Rd, within the Valley Creek Urban Area and zoned Urban Residential (R-1). The PVA Map Number is 232-40-00-017.01 and owned by **Tony Griffith**. Assistant Director King reviewed the application and the history of the property and presented the original exhibits along with traffic count numbers and accident data. The Applicant, Joshua Lindbloom of 487 Hillcreek Dr, provided testimony and answered questions from the Board Members and staff. Shirley Beauchamp of 2713 Springfield Rd spoke about the request regarding concerns with safety and rules & regulations. Chairman Krausman closed the hearing. Board Member Steck made a motion to table the request until the next Board meeting. The motion failed for lack of a second. Chairman Krausman made a motion to deny the request based on safety factors. The motion failed due to lack of a second. Final action of the request has not been determined. Consideration may be heard on 18 December 2014.

At 5:25 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Board Member Steck announced that the next item on the agenda is a Variance request for a Variance for relief from the Front Building Setback Line to accommodate a proposed covered porch. The site is a 0.23 acre lot located at 409 Berea Road, within the West Urban planning area and zoned Urban Residential (R-1). The PVA Map Number is 186-40-02-021 and owned by **Kerwin Kerr**. Assistant Director King reviewed the application and the history of the property and presented exhibits. The Applicant's Builder, Randy Humphrey of 2129 West Rhodes Creek, provided testimony and answered questions from the Board members and staff. Board Member Steck made a motion to grant a variance due to it will satisfy the language of the KENTUCKY REVISED

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STATUTES (Section 100.243. Findings necessary for granting variances) which is as 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 line to allow for the proposed covered porch (8' x 20') to be no closer than 52' from the center-line of Berea Road. *The porch may be covered but shall not be enclosed.*
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required (Health Department & Road Department approval not required)
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk

Chairman Krausman provided the second. Motion passed unanimously.

At 5:40 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Board Member Steck announced that the next item on the agenda is a Conditional Use Permit to allow for a Vehicle Graphics Business "Auto Trim Design" to be operated out of the Accessory Structure on site. The site is a \pm 2.404 acre lot located at 3634 Rineyville Road, within the Kentucky 1600 Corridor Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 165-00-00-014.01 and owned by **Thomas & Valerie Smith**. Assistant Director King reviewed the application and the history of the property and presented exhibits. The Owner, Thomas Smith of 3634 Rineyville Road, provided testimony and answered questions from the Board Members and staff. Kenneth Leasor of 3581 Rineyville Road spoke in favor of the request and provided testimony. Board Member Steck stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

- The use does not tend to change the character and established pattern of development of the area;
- The use is in harmony with the uses permitted by right under the sector and district in question and it does not affect adversely the use of neighboring properties;

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- The use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair their value;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- the use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity;

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

1. A Change of Use Building Permit shall be required for the Accessory Structure to meet the Commercial Building Code.
2. An adequate parking area must be designated on the Site Plan along with an area large enough for all vehicles on site to be able to turn around so that no vehicles back out into KY 1600.
3. There shall be no outdoor storage of materials on site and only one vehicle associated with the business may be stored outdoors.
4. A row of White Pine Trees (5' tall, planted 10' on center) shall be required along the north and east sides of the parking area to screen them from view of adjoining properties.
5. The proposed dumpster shall be screened from view via a fence.
6. No open fires or burning shall be allowed onsite.
7. The Hours of Operation shall be 9:00 a.m.-5:30 p.m. Monday – Friday.
8. A single sign 3'x2' no taller than 8' shall be permitted.
9. All outdoor lighting must be pointed down and not spill onto adjoining properties.
10. This Conditional Use Permit is issued to current owners, Tom & Valerie Smith, it is not transferable, and shall expire if the property is transferred.
11. This Conditional Use Permit shall allow for a vehicle graphics/window tinting/sign business within the accessory structure, any other Commercial Activity shall require Board approval.
12. There shall be no Automotive Mechanical Repair or Auto Body Work performed on site.
13. The Conditional Use Permit is valid for N/A years. After which time, a Renewal Hearing must be held before the Board of Adjustment.
14. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
15. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
16. A Subdivision Plat in compliance with the Subdivision Regulations merging the residence with the accessory structure shall be required.
17. The business shall have no more than five (5) employees working onsite.

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Chairman Krausman provided the second. Motion passed unanimously

At 6:30 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Board Member Steck announced that the next item on the agenda is a Conditional Use Permit to allow for the operation of a wedding/event venue within an Accessory Structure on site. The site is a ±12 acre site located at 495 Gilead Church Rd, within the Glendale Industrial Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 208-00-00-016 and owned by **John & Michelle Edwards**. Assistant Director King reviewed the application and the history of the property and presented exhibits. The Owner, John Edwards of 495 Gilead Church Rd, provided testimony and answered questions from the Board Members and staff. The Applicants, Architect, Charles Keys of 3005 Taylor Blvd, Louisville, KY spoke in favor of the request and provided testimony. Whitney Carpenter of Ridgeway Dr. spoke in favor and provided testimony. Carolyn Bow of 597 Gilead Church Road, spoke in opposition and voiced concerns about the hours of operation, noise, the use of alcohol, and parties getting out of hand. Rometta DeRomos of 424 Andover Drive, voiced concerns with the driveway, drainage, and the impact it will have on her parent's property next door. James Sheroan of 739 Gilead Church Rd, spoke in opposition of the request. Randy Boone of 597 Gilead Church Rd, also spoke in opposition of the request. Board Member Steck made a motion to table the request until the next Board meeting scheduled for 5:00 p.m. on Thursday, 18 December 2014 in the H.B. Fife Court house in order to allow for the Board Members to make a Site Visit.

Chairman Krausman provided the second. Motion passed unanimously.

At 7:30 p.m. Chairman Krausman called for consideration and action on a Proposed By-Law Amendment of ARTICLE V – MEETINGS to move the location of the regularly scheduled meeting of the Board of Adjustment from the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building to the H.B. Fife Courthouse, 3rd Floor, Fiscal Court Meeting Room. Board Member Steck made a motion to grant the proposal.

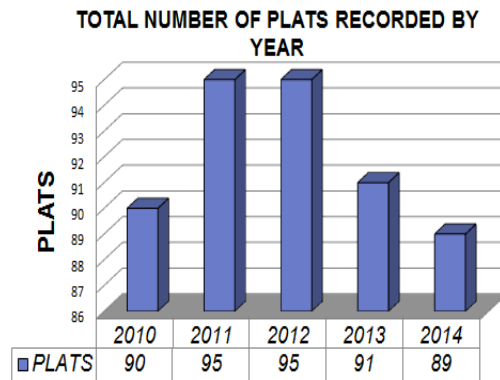
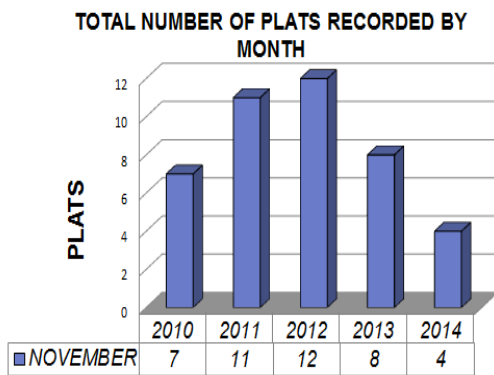
Chairman Krausman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 6 November 2014 meeting. Board Member Steck made a motion to approve the minutes. Chairman Krausman provided the second. Motion passed unanimously.

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NOVEMBER 2014 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 4 Subdivision plats were approved for the month • 89 Subdivision plats were approved for the year 	New Lots Created: <ul style="list-style-type: none"> • 14 New lots were approved for the month • 115 New lots were approved for the year
Building Permits: <ul style="list-style-type: none"> • 8 SFD Permits for the month • 92 SFD Permits for the year • 326 Total Building Permits for the year 	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none"> • 18 SFD Permits for the month • 292 SFD Permits for the year • 697 Total Permits for the year
Building Inspections / Reviews: <ul style="list-style-type: none"> • 21 SFD Residential Inspections for the month • 04 Commercial Inspections for the month • 61 Total Building Inspections for the month • 777 Total Building Inspections for the year 	Electrical Inspections: <ul style="list-style-type: none"> • 73 SFD Residential Inspections for the month • 07 Commercial Inspections for the month • 143 Total Electrical Inspections for the month • 1367 Total Electrical Inspections for the year



Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 18 DECEMBER 2014 at 5:00 PM in the H.B. Fife Courthouse and declared the meeting adjourned at 8:00 p.m.

ADOPTED AND APPROVED THIS 18TH DAY OF DECEMBER 2014 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Chairman Krausman called to order the three hundredth and thirty third meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 6 November 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building and appointed Board Member Goodin to conduct the swearing in ceremony for all those in attendance who planned to speak. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, Board Member Brent Goodin, Board Member Steve Steck, and the individuals listed on the attached sign-in sheet. County Engineer Vicki Meredith, P E was not in attendance. Assistant Attorney Don Jones, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the first item on the agenda is a Variance for relief from the 40' front building setback to accommodate a proposed manufactured home to replace the existing manufactured home. The site is a 0.39 acre site located at 2657 Springfield Rd, within the Valley Creek Urban Area and zoned Urban Residential (R-1). The PVA Map Number is 232-40-00-017.01 and owned by **Tony Griffith**. Assistant Director King reviewed the application and the history of the property and presented exhibits. The Applicant, Joshua Lindbloom of 487 Hillcreek Dr, provided testimony and answered questions from the Board Members and staff. George Aubrey of 2629 Springfield Rd spoke about the request and had concerns with the property being backfilled and causing drainage issues. He submitted Exhibit H to the Board which was a photograph on Mrs. Beauchamp's camera of the damage to the home from a recent accident involving a truck that ran off the road. Shirley Beauchamp of 2713 Springfield, spoke about the request with concerns about a truck that drove through the existing home just two weeks ago, her fencing needing to be repaired four times in thirty years, and the property being an eye sore. Tim Griffith of 2713 Springfield Rd spoke in opposition of the request with concerns about safety. He stated that five or more times within the last 8-10 years a car has driven onto the property not including the one that drove through the existing home two weeks ago. Board Member Steck made a motion to table the request until the next Board meeting scheduled for 5:00 p.m. on Thursday, 4 December 2014 in the R.R. Thomas County Government Building in order to allow for the Board members to make a Site Visit.

Board member Goodin provided the second. Motion passed unanimously.

At 5:45 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the next item on the agenda is a Variance request for relief from the 40' front building setback line to

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accommodate a proposed pole barn (40' x 30'). The site is a 2 acre site located at 630 Buckles Rd within the South Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 090-00-00-008 and owned by **Clifford Goodman**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Clifford Goodman of 630 Buckles Rd, the owner, provided testimony and answered questions from the Board Members and staff. Steve Barrett of Affordable Metal Buildings provided pictures (Exhibit H) and spoke in favor of the request. Discussion was made on reducing the rear setback from 15' to 10' so that only a 6' variance would be required. Board Member Goodin made a motion to grant a variance due to it will not cause a hazard or a nuisance to the public, it will not cause a safety concern, the area is rural in nature and the narrow road has a low speed limit 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 line to allow for the proposed pole barn to be no closer than 54' from the center line of Buckles Rd and to reduce the rear building setback from 15' to 10'.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Member Steck provided the second. Motion passed unanimously.

At 6:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the next item on the agenda is a Variance request for relief from the 40' front building setback line along Smithers Lane to accommodate for a proposed manufactured home to replace the existing home. The site is a 0.19 acre site located at 64 Crutz Lane, within the North Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 183-40-01-058 and owned by **Kathy & Jerry Caswell**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Jerry Caswell of 64 Crutz Lane, the owner, provided testimony and answered questions from the Board Members and staff. Steve Reissig of 7120 N Dixie Hwy (Oakwood Homes) provided Floor Plans (Exhibit

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H) and spoke in favor. Connie Beard of 1977 Middlecreek Rd, spoke in favor and provided testimony. Dorothy Hensley of 128 Crutz Lane, spoke in opposition and provided testimony. Board Member Steck made a motion to grant a variance due to it will not cause a hazard or a nuisance to the public, it will not cause a safety concern, it will be in character with the "village" character of the area and due to the 25 mph speed limit 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 line along Smithers Lane to accommodate a proposed manufactured home to replace the existing manufactured home.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Member Goodin provided the second. Motion passed unanimously.

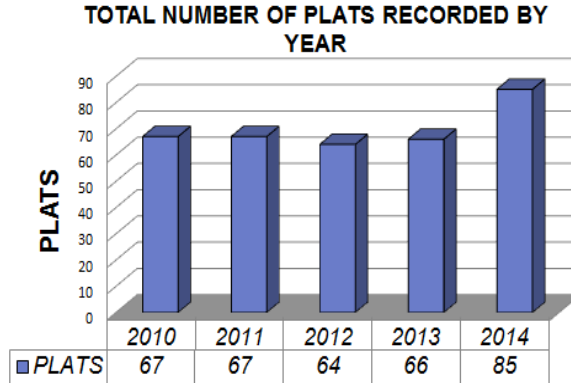
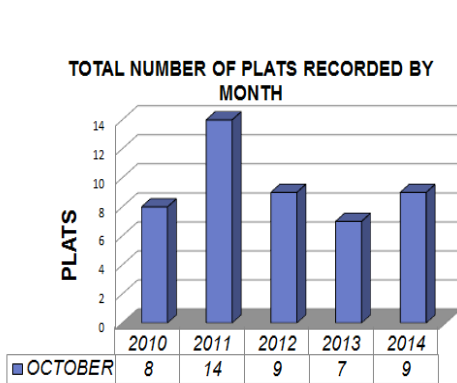
Chairman Krausman announced that the Variance request by **Gerald and Joni Hill** that had been tabled from the 18 September 2014 meeting has been withdrawn. The applicants are acquiring additional acreage from their neighbor so that the Variance shall not be required.

Chairman Krausman called for consideration and action on the **Minutes** of the 23 October 2014 meeting. Board Member Goodin made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

The following items were informational and did not require action:

OCTOBER 2014 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 9 Subdivision plats were approved for the month • 85 Subdivision plats were approved for the year 	New Lots Created: <ul style="list-style-type: none"> • 7 New lots were approved for the month • 98 New lots were approved for the year
Building Permits: <ul style="list-style-type: none"> • 8 SFD Permits for the month • 84 SFD Permits for the year • 296 Total Building Permits for the year 	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none"> • 34 SFD Permits for the month • 272 SFD Permits for the year • 590 Total Permits for the year
Building Inspections / Reviews: <ul style="list-style-type: none"> • 33 SFD Residential Inspections for the month • 04 Commercial Inspections for the month • 85 Total Building Inspections for the month • 716 Total Building Inspections for the year 	Electrical Inspections: <ul style="list-style-type: none"> • 21 SFD Residential Inspections for the month • 05 Commercial Inspections for the month • 149 Total Electrical Inspections for the month • 1224 Total Electrical Inspections for the year



Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 4 DECEMBER 2014 at 5:00 PM and declared the meeting adjourned at 6:30 p.m.

ADOPTED AND APPROVED THIS 4TH DAY OF DECEMBER 2014 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

 Steve Steck, Secretary

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Chairman Krausman called to order the three hundredth and thirty first meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 18 September 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building and appointed Board Member Goodin to conduct the swearing in ceremony for all those in attendance who planned to speak. In addition to Chairman Krausman, Board Members Steve Steck and Brent Goodin were in attendance. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, County Engineer Vicki Meredith, P E and the individuals listed on the attached sign-in sheet. Assistant Attorney Don Jones, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the first item on the agenda is a Variance request for relief from the required front & side building setback lines to accommodate a proposed addition to the home. The site is a 2.986 acre tract located at 346 W. Main Street, Cecilia in the Cecilia Rural Village Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 147-30-01-005 and owned by **Don & Peggy Gibson**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Tim Yates of 346 W. Main St, provided testimony and answered questions from the Board Members and staff. Board Member Goodin made a motion to grant a variance due to them not enlarging the footprint of the original 1925 house and it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not cause a safety concern 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:

4. To allow for a Variance from the front building setback line to allow for the proposed addition and covered front porch to be no closer than 53' from the center line of W. Main Street / Hardinsburg Road (KY 86) and to allow for the addition to be no closer than 7' from the side property line. However, the covered front porch may not be enclosed.
5. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
6. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

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Member Steck provided the second. Motion passed unanimously.

At 5:20 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for a Conditional Use Permit to allow for the retail sales of merchandise within a proposed 16' x 24' accessory building in the Rural Residential Zone (R-2). The property is a 25.36 acre site located at 124 Millerstown Loop, and identified with the PVA Map Number 177-00-00-033. The property is owned by **Levi Yoder** and is located in the South Hardin Planning Area and is zoned Rural Residential (R-1). Assistant Director King reviewed the application and the history of the property and presented exhibits and slides of the property (attached). Levi Yoder of 124 Millerstown Loop, the owner, provided testimony and answered questions from the Board Members and staff. Patricia Kinkade of 475 Millerstown Loop, spoke in opposition of the request with concerns about large trucks and the narrow road. Lon Zea of 229 Millerstown Loop, spoke about the request and had concerns about the narrow road and suggested an entrance off of the State Highway of KY 224. Board Member Steck made a motion to table the request until the next Board meeting scheduled for 5:00 p.m. on Thursday, 23 October 2014 in the R.R. Thomas County Government Building in order to allow for the applicant to work with the staff and the KY Transportation Cabinet.

Board member Goodin provided the second. Motion passed unanimously.

At 5:55 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a Variance request for relief from the 200' county road frontage requirement in order to combine five tracts into a single agricultural tract as defined in Section 17-5(4) of the Zoning Ordinance. The properties in question consist of 5 tracts totaling 25.6 acres tract located at the 300 Block of Devers Rd, north of the Valley Creek Spur and within the East Hardin Planning Area. The property is zoned Rural Residential (R-2) and owned by **Charles & Sheryl Phillips** (PVA Map Number 273-00-01-009.01). Assistant Director King reviewed the application and the history of the property. Mr. King indicated that Devers Lane is a Private Road and not maintained by Hardin County. Tracts exist along Devers Lane that were created by deed without Planning Commission approval – in the form of a subdivision plat. Building and Electrical permits have been withheld from this Lane do to the lack of Planning Commission approval. Charlie Phillips of 333 W. Bryan Road, Owner/Applicant, spoke in favor of the request and how he had bought the property under the assumption that he could build a house on the property. Larry Rust of 2947 Youngers Creek Rd, New Haven, KY provided testimony and answered questions from the Board Members

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and staff. Mr. Rust owns + 200 acres off Devers Road in several tracts and was supportive of the Phillips request. Greg Miller of 161 Evans Lane, who owns a one acre tract across Devers Road provided testimony in favor of the request and answered questions from the Board Members and staff. Board Member Steck made a motion to grant a variance due to the fact that the applicant's proposal exceeds the 25 acre agricultural threshold defined in Section 17-5(4) of the Zoning Ordinance and the proposal will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not cause safety concerns 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. A Record Plat with a Variance Note shall be required and shall substitute for the Site Plan.
2. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk

Member Goodin provided the second. Motion passed unanimously.

At 6:30 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for a Variance to allow for relief from the 10' side building setback line to accommodate a proposed 14' x 30' storage room and covered porch to an existing garage. The property is a 0.53 acre site located at 521 E Main Street, Cecilia, KY, and identified with the PVA Map Number 147-30-02-024. The property is owned by **Gerald & Joni Hill** and is located in the Cecilia Rural Village Planning Area and is zoned Urban Residential (R-1). Assistant Director King reviewed the application and the history of the property and presented exhibits. Gerald & Joni Hill of 521 E Main Street, Cecilia, KY the owners, provided testimony and answered questions from the Board Members and staff. Board Member Goodin made a motion to table the request until the next Board meeting scheduled for 5:00 p.m. on Thursday, 23 October 2014 in the R.R. Thomas County Government Building in order to allow for the applicant to work with the staff on alternative designs and in order for the Board members to make a Site Visit.

Board member Steck provided the second. Motion passed unanimously.

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Chairman Krausman called for consideration and action on the **Minutes** of the 21 August 2014 meeting. Board Member Steck made a motion to approve the minutes. Board Member Goodin provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **2015 Meeting Schedule** of the 18 September 2014 meeting. Board Member Steck made a motion to approve the schedule. Board Member Goodin provided the second. Motion passed unanimously.

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

RECEPTIONIST / PLANNING ASSISTANT HIRED

On 3 September 2014, Melissa Wilson began her first day with the Commission. Melissa moved to Hardin County in 2009 and has experience in an office environment and with coordinating plumbing inspectors with Pro Tec Mechanical. Sandra Martinez's last day will be on 18 September 2014.

MPO ADVISORY COMMITTEE

On 5 September 2014, the above mentioned group met to discuss future growth patterns and the MPO Traffic Model.

MPO – TECHNICAL ADVISORY COMMITTEE

On 11 September 2014, the group began working on the Metropolitan Transportation Plan Update by prioritizing various future road projects and also began creating a bicycle and pedestrian map between the cities of Elizabethtown & Radcliff.

HABITAT - CONTAINER HOUSE

Ed Bryan, Building Inspector, has been working with Mike Childers of ICON Engineering on a proposal for Habitat Humanity c/o Larry Mengel to allow for the conversion of a storage shipment container to that of a single family residence. The dwelling will consist of a 273SF One Bedroom / One Bath unit with a complete kitchen and living area.

AUGUST 2014 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 10 Subdivision plats were approved for the month • 66 Subdivision plats were approved for the year 	New Lots Created: <ul style="list-style-type: none"> • 08 New lots were approved for the month • 85 New lots were approved for the year
Building Permits: <ul style="list-style-type: none"> • 8 SFD Permits for the month • 67 SFD Permits for the year • 236 Total Building Permits for the year 	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none"> • 24 SFD Permits for the month • 220 SFD Permits for the year • 500 Total Permits for the year
Building Inspections / Reviews: <ul style="list-style-type: none"> • 43 SFD Residential Inspections for the month • 06 Commercial Inspections for the month • 93 Total Building Inspections for the month • 548 Total Building Inspections for the year 	Electrical Inspections: <ul style="list-style-type: none"> • 54 SFD Residential Inspections for the month • 08 Commercial Inspections for the month • 135 Total Electrical Inspections for the month • 946 Total Electrical Inspections for the year

SUBDIVISION NAME	LOTS	RECORDED
Fontaine Estates Subdivision, Section 1, Lot 4	0	19-Aug-14
Cenn Estate	1	19-Aug-14
Nickoson Estates	2	25-Aug-14
Goose Landing Estates	-3	26-Aug-14
La French Estates Section 2 and Amended Boundary Survey	2	28-Aug-14
Sutherland Place, Lot 1	0	04-Sept-14
NEW LOTS SINCE LAST MEETING	2	
2014 TOTAL	45	

The next Board meeting is scheduled for Thursday, 23 October 2014 at 5:00 P.M. The first meeting in October is canceled due to Fall Break.

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 23 October 2014 at 5:00 PM. The first meeting in October is canceled due to Fall Break and declared the meeting adjourned at 6:55 p.m.

ADOPTED AND APPROVED THIS 23rd DAY OF OCTOBER 2014 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

 Steve Steck, Secretary

Hardin County Board of Adjustment

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Chairman Krausman called to order the three hundredth and thirtieth seventh meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 21 August 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Board Member Steve Steck was in attendance. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, County Engineer Vicki Meredith, P E and the individuals listed on the attached sign-in sheet. Board Member Brent Goodin was not present. Assistant Attorney Philip Moore, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Director Wright conducted the swearing in ceremony for all individuals who may provide testimony and announced that the first item on the agenda is a Conditional Use Permit request to allow for the construction of a proposed accessory structure (30' x 36' storage building) on a vacant lot without a dwelling on site. The site is a 0.998 acre tract located on the north side of Glendover Drive adjacent to 80 Glendover Drive in the East Urban Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 253-00-00-017 and is owned by **Gary & Etzel Stopher**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Gary Stopher of 80 Glendover Drive, the owner, provided testimony and answered questions from the Board Members and staff. Mark Haas of 188 Glendover Drive, provided testimony in favor of the request. At 5:15 p.m., the Hearing Officer closed the hearing. Board Member Steck stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

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

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

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

1. This Conditional Use Permit shall allow for the proposed 1200 sq. ft. storage building (30'x40') to be constructed on the property without a dwelling on site.
2. The proposed storage building is for residential storage and shall not be used for any Commercial Activity.
3. The exterior siding of the proposed storage building shall be grey metal with two (2) overhead doors.
4. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required. (Health Department approval shall not be required)
5. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:15 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Hearing Officer Steck announced that the next item on the agenda is a request for a Conditional Use Permit to allow for a mobile home (1973 model) on the property. The property is a 1.0 acre site located on Salt River Road and being Lot 2 of Yongray's Rustic Kamp, and identified with the PVA Map Number 031-00-00-055.02. The property is owned by **Yong Evanoff & Ray Fultz** and is located in the West Hardin Planning Area and is zoned Rural Residential (R-2). Assistant Director King reviewed the application and the history of the property and presented exhibits and slides of the property (attached). Ray Fultz of 140 Reed Lane, the owner, provided testimony and answered questions from the Board Members and staff. Emery Martin of 257 Airview Drive, Elizabethtown, spoke in favor of the request. At 5:30 p.m. the Hearing Officer closed the hearing. Board Member Steck 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 shall not tend to change the character and established pattern of development of the area of the proposed use;
- 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 location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site

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- 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 accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of Adjustment, Board Member Steck made the motion to grant the Conditional Use Permit (CUP) to allow for a mobile home (1973 model) on the property:

1. This Conditional Use Permit shall allow for the placement of a mobile home (1973 model) on Lot 2 of Yongray's Rustic Kamp.
2. The 12' x 60' Mobile Home (1973) shall contain a minimum of 720 square feet of living space.
3. The Mobile Home shall have a sewerage system (septic tank and lateral lines) approved by the Environmental Services Office of the Hardin County Health Department.
4. The Mobile Home shall be placed on the property in compliance with building setbacks and be illustrated on a Site Plan.
5. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
6. The skirting on the mobile home must be maintained.
7. The existing trees around the mobile home and between the home and Salt River Road must be preserved and maintained as a landscape buffer.
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.
10. The two other mobile homes located on site must receive Board of Adjustment approval with building permits obtained within 90 days of the Board action (21 November 2014).

Chairman Krausman provided the second. Motion passed unanimously.

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At 5:30 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Hearing Officer Steck announced that the next item on the agenda is a request for a Conditional Use Permit to allow for the construction of a proposed accessory structure (two car garage) on a vacant lot without a dwelling on site. The site is a 0.883 acre tract located on the west side of Margaret Drive and being Lot 4 of Den Ang Subdivision in the East Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 243-00-05-004 and is owned by **Thomas & Kelly Wheeler**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Thomas & Kelly Wheeler of 92 Margaret Drive, the owners, provided testimony and answered questions from the Board Members and staff. At 5:40 p.m., Board Member Steck made a motion to table the request until the next Board meeting scheduled for 5:00 p.m. on Thursday, 18 September 2014 in the R.R. Thomas County Government Building in order to research the Blue Line Stream further and to obtain additional information regarding the location of the septic tank and lateral lines.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:45 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Hearing Officer Steck announced that the next item on the agenda is a request for an Amended Conditional Use Permit to allow for the Automotive Storage business to remain on site. The property is a 3.8 acre site located at 247 First Street and being Lot 61 of Plantation Park, Section 2. Assistant Director King reviewed the application and the history of the property and presented exhibits and slides of the property (attached). Emery Martin, the applicant, provided testimony and answered questions from the Board Members and staff. Clayton of Cummins Mobile Home Park on First Street spoke in favor of the request. Dave Underwood of 298 Teresa Lane requested that the area be cleaned up and that a chain link fence would help with the appearance of the property. The Hearing Officer closed the hearing at 6:55 p.m.

Board Member Steck stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit 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 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

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- 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 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, Chairman Krausman made the motion to grant the Amended Conditional Use Permit (CUP) to allow for the Automotive Storage business to remain on the property with the following conditions:

1. This property shall only be used as a Vehicle Storage Facility that is not open to the public. The repair or disassembly of vehicles, crushing of vehicles, or stacking of vehicles shall not be permitted on the property.
2. The maximum number of vehicles permitted on site shall be 150 and shall be limited to passenger vehicle; no commercial trucks/vehicles.
3. A six foot tall solid privacy fence, constructed of metal and wood as shown on the Development Plan, shall be installed and maintained on the property to screen vehicles from view of the right-of-way and adjoining property owners.
4. The hours of operations shall be from 8:00 am to 5:00 pm, Monday thru Saturday with not business activities on Sundays.
5. An Encroachment Permit for a Commercial Entrance shall be required from the Hardin County Road Department.
6. A "Recyclers" Permit from the KY State Transportation Cabinet shall be required as authorized by KRS 177.905 – 177.950 and 603 KAR 3:051.
7. Landscaping in the form of 8 trees and 45 shrubs shall be planted and maintained along the First Street road frontage within the 50' building setback to create a green space. The existing trees and vegetative screen must be maintained along the rear property line.
8. This Conditional Use Permit is temporary and shall expire two (2) years from 21 August 2014 on 21 August 2016.
9. Compliance with Federal, State and Local Industrial Stormwater requirements including USEPA MSGP (Multi Sector General Permit), KDOW KPDES Permit, and all local Stormwater / Erosion Prevention and Sediment Control permits shall be required.
10. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.

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11. A Development Plan in compliance with Section 6 of the Development Guidance System, Zoning Ordinance 2009 shall be submitted and approved.
12. A Best Management Plan which includes an Emergency Response Plan must be prepared, submitted to the Planning Commission Staff and County Engineer for review and acceptance.
13. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Member Steck provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 7 August 2014 meeting. Board Member Steck made a motion to approve the minutes. Chairman Krausman provided the second. Motion passed unanimously.

The following item is for information only and did not require Board action:

THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:

SUBDIVISION NAME	LOTS	RECORDED
G. Childrens Home	5	25-Jul-14
G. Childrens Home	4	25-Jul-14
Brittwill Farm	1	25-Jul-14
Bennington Place, Lot 13	1	29-Jul-14
Perkins/Miller Subdivision Section 1, Lot 2	1	30-Jul-14
Four Seasons Estates, section 5, Lots 64A & 65A	-1	31-Jul-14
The Orchard, Lots 1A & 3A	-1	01-Aug-14
Wyndy Hills Estates Section 2, Lots 6 and 7B	0	05-Aug-14
Nall Lincoln Subdivision Section 1, Lots 40 & 45	-1	06-Aug-14
Bohannon Subdivision Lots 5A, 6B & 8A	1	08-Aug-14
Big View Subdivision	2	11-Aug-14
NEW LOTS SINCE LAST MEETING	12	
2014 TOTAL	43	

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MPO – TECHNICAL ADVISORY COMMITTEE met on 6 August 2014. The group started work on the Metropolitan Transportation Plan Update by prioritizing various future road projects and also began creating a bicycle and pedestrian map between the cities of Elizabethtown & Radcliff.

PLANNING TECHNICIAN TO RESIGN Sandra Martinez anticipates on leaving the Commission to obtain employment in Louisville. She will stay on with the Commission until an employment opportunity becomes available. The position has been advertised and interviews have been conducted. A total of 68 resumes have been submitted for consideration.

FISCAL COURT APPOINTS STEVE STECK (12 August 2014) Hardin County Fiscal Court has appointed Steve Steck to the Planning Commission serve the unexpired term of Bill Ball. His term will end 30 April 2015.

PLANNING COMMISSION – The Meeting held on Tuesday, 19 August at 5:00. The following action was taken:

PUBLIC HEARING - Public comments on proposed amendments to the Background and Community Facilities Element of the *Planning for Growth, Comprehensive Development Guide*. (**Adopted** Amendments and **readopted** entire plan).

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 18 September 2014 and declared the meeting adjourned at 6:30 p.m.

ADOPTED AND APPROVED THIS 18th DAY OF SEPTEMBER 2014 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Chairman Krausman called to order the three hundredth and twenty ninth meeting of the Hardin County Board of Adjustment at 5:05 p.m. on Thursday, 7 August 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Member Steve Steck and Member Brent Goodin were in attendance. Also in attendance was Assistant Director Adam King, AICP and the individuals listed on the attached sign-in sheet. Director Wesley Wright and County Engineer Vicki Meredith, P E Hardin County were not present. Assistant Attorney Philip Moore, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Member Goodin conducted the swearing in ceremony for all individuals who may provide testimony and announced that the first item on the agenda is a request for an Amended Conditional Use Permit to allow for the existing home occupation (Auto Detailing Business) to remain on the property. The property is located in the Urban Residential Zone (R-1) in the North Urban Planning Area. The request is for a 0.701 acre site located at 1668 Rineyville Big Springs Road (KY 220) and being Lot 2 of Gail Estates. The PVA Map Number is 163-00-00-080.02 and the property is **Rick's Auto Detailing**. Assistant Director King reviewed the application and the history of the property and presented exhibits and slides of the property. Rickie & Sheila Fegett, of 1668 Rineyville Big Springs Road, the owners, provided testimony and answered questions from the Board Members and staff. Board Member Steck 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 shall not tend to change the character and established pattern of development of the area of the proposed use;
- 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 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,

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

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

1. This Conditional Use Permit to exceed the definition of a Home Occupation shall be good for seven (7) years from 7 August 2014.
2. This Conditional Use Permit will allow for the existing Accessory Structures (20' x 27' garage) to be used for Rick's Automotive Detailing Business.
3. The hours of operation shall be from 8:30 am to 6:00 pm Monday thru Saturday.
4. Only 4 vehicles associated with the business activity shall be parked or kept on site and must be parked behind the privacy fence. In addition, three (3) personal vehicles and one (1) school bus may be parked onsite.
5. A single sign no larger than 6 sq. ft. in size may be permitted on site and shall not be in be located in the Right of Way of Rineyville Big Springs Road (KY 220).
6. A Site Plan in compliance with Section 7 of the Zoning Ordinance is on file with our office.
7. A turnaround shall be provided to prevent vehicles from having to back out into Rineyville Big Springs Road (KY 220).
8. The existing privacy fence must be maintained.
9. This Conditional Use Permit shall be issued to the current property owners, Rick & Sheila Fegett, and shall expire when the property is transferred and not be transferable to another property owner.
10. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
11. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Member Goodin provided the second. Motion passed unanimously.

At 5:15 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for an Amended Conditional Use Permit to allow for a Temporary Accessory Dwelling (12' x 60' manufactured home) to remain on the property. The property is a 5.041 acre site with an address of 1232 Yates Chapel Road, and identified with the PVA Map Number 085-00-00-003. The property is owned by **Ruby Goodman** and is located in the Natural Resource Planning Area

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and is zoned Rural Residential (R-2). Assistant Director King reviewed the application and the history of the property and presented exhibits and slides of the property (attached). Ruby Goodman, 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 16.3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- 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 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 accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of Adjustment, Board Member Goodin made the motion to grant the Amended Conditional Use Permit (CUP) for the Temporary Dwelling to remain on the property with the following conditions:

1. The temporary accessory dwelling shall be a temporary use for no longer than two years from 7 August 2014 and must be removed from the property by 7 August 2016.
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.

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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 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.
12. The building permit for the single family home on Lot 2 must be reopened with a final inspection obtained.

Member Steck provided the second. Motion passed unanimously.

At 5:30 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Hearing Officer Goodin announced that the next item on the agenda is a request for an Amended Conditional Use Permit for a Recreational and Amusement Enterprise to operate a paintball facility known as **Conder's Paint Ball**. The proposed site is a ±78 acre site located on the south side of Ford Highway. The property address is 187 Ford Highway and is owned by **Dennis Conder**. Assistant Director King reviewed the application and exhibits. The owners, Dennis Conder and Beverly Conder, of 813 Hawkins Drive, provided testimony and answered questions from the Board Members and staff. At 5:45 p.m., the Hearing Officer closed the hearing. Board Member Steck 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;

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

1. The existing tree line/buffer between the paintball fields and the adjoining properties must be illustrated on the Site Plan and maintained.
2. Adequate on-site parking must be designated on an approved site plan.
3. Adequate driving lanes must be maintained from Ford Highway to the parking area to allow for the ingress/egress of Emergency Vehicles.
4. Hours of Operations for outside activities shall be 8am to 7:30pm Monday thru Friday, 10am to 7:30pm on Saturday and 11am to 7:30pm on Sunday. Hours of operation for indoor activities shall be 8am to 9pm.
5. Ten (10) large competitions (defined as exceeding 100 participants) shall be held per year.
6. Health Department approval shall be required for the snack bar operations and the existing septic systems.
7. This Conditional Use Permit for Recreational/Amusement Enterprises is for Paintball only and any expansion such as rifle/pistol/gun or archery ranges shall require the Conditional Use Permit to be amended.
8. This Amended Conditional Use Permit shall be good for seven (7) years from 7 August 2014 to 7 August 2021.
9. One sign advertising the business shall be permitted (no larger than 6 square feet) and illustrated on the approved Site Plan.
10. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
11. An existing Site Plan is on file with our office.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Member Goodin provided the second. Motion passed unanimously.

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At 5:45 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the next item on the agenda is a Variance request for relief from the front building setback line to accommodate an addition and covered front porch to the existing house. The site is a 31.2 acre tract located at 450 Thomas Hornback Road in the South Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 154-00-00-037 and owned by **Stephen Hornback**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Stephen Hornback of 450 Thomas Hornback Road, the owner, provided testimony and answered questions from the Board Members and staff. At 6:15 p.m., the Hearing Officer closed the hearing. Board Member Goodin made a motion to grant a variance due to the unique situation of the "turnaround" at the end of the dead-end road, the lack of future development potential, the limited traffic on the road with only 3 homes and the fact it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not safety concerns 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;
- 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:

7. To allow for a Variance from the front building setback line to allow for the proposed addition and covered front porch to be no closer than 45' from the front property line (95' from the center of the "cul-de-sac".
8. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
9. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Member Steck provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 17 July 2014 meeting. Board Member Goodin made a motion to approve the minutes. Chairman Steck provided the second. Motion passed unanimously.

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

THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:

SUBDIVISION NAME	LOTS	RECORDED
Forest Springs Subdivision, Lot 1 & 2B	0	09-July-14
Nall Lincoln Subdivision, Lot 10, 11 & 12	-2	09-July-14
Coyle Subdivision, Lots 2, 3 & 4	0	14-July-14
NEW LOTS SINCE LAST MEETING	-2	
2014 TOTAL	31	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 21 August 2014 and declared the meeting adjourned at 6:30 p.m.

ADOPTED AND APPROVED THIS 21st DAY OF AUGUST 2014 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Minutes: 17 July 2014

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Chairman Krausman called to order the three hundredth and twenty eighth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 17 July 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Board Member Brent Goodin and Board Member Steve Steck were in attendance. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP and the individuals listed on the attached sign-in sheet. County Engineer Vicki Meredith, P E Hardin County was not present. Assistant Attorney Philip Moore, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Member Goodin conducted the swearing in ceremony for all individuals who may provide testimony and announced that the first item on the agenda is a request for an Amended Conditional Use Permit to allow for the Mobile Office to remain on the property. The property is located in the Interstate Commercial Zone (B-1) in the Glendale Junction Planning Area. The request is for a 1.149 acre site located at 473 Glendale Hogenville Road West (KY 222) and being Lot 2 of Quality Diesel Service, Inc. The PVA Map Number is 207-00-00-041.01 and the property is **Quality Diesel Services, Inc.** Assistant Director King reviewed the application and the history of the property and presented exhibits and slides of the property. Randy Buckles, of 473 Glendale Road, the owner, provided testimony and answered questions from the Board Members and staff. 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 shall not tend to change the character and established pattern of development of the area of the proposed use;
- 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 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,

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

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of Adjustment, Board Member Goodin made the motion to grant the Amended Conditional Use Permit (CUP) for the Mobile Office to remain on the property with the following conditions:

1. The Mobile Office shall be a temporary use for no longer than five (5) years from 17 July 2014 and must be removed from the property by 17 July 2019.
2. Upon the vacancy of the Mobile Office, it must be removed from the property within six (6) months.
3. The Mobile Office shall have an approved Sanitary Waste System approved by the Environmental Services Office of the Hardin County Health Department.
4. A Development Plan is on file with our office and shall substitute for the required Site Plan.
5. The Mobile Office shall be placed on the property as illustrated on the proposed Development Plan.
6. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
7. Skirting in the form of concrete barriers must be installed and maintained around the perimeter of the Mobile Office.
8. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Member Steck provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 19 June 2014 meeting. Board Member Goodin made a motion to approve the minutes. Chairman Steck provided the second. Motion passed unanimously.

At 5:30 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the next item on the agenda is an Amended Conditional Use Permit request to allow for a temporary accessory dwelling (20' x 52' manufactured home) to remain on the property. The site is a 1.8 acre tract located at 1309 St. John Road in the St. John Road Corridor Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 185-00-00-023 and is owned by **William Burnett**. Assistant Director King reviewed the application and the history of the property and presented exhibits. William Burnett of 1309 St. John Road, the owner, provided testimony

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and answered questions from the Board Members and staff.. Rick Thomas of 6770 St John Road spoke in opposition of the request. At 5:45 p.m., the Hearing Officer closed the hearing. Board Member Steck stated that this request for an Amended Conditional Use Permit does not satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit and therefore the request should be denied and that the existing accessory dwelling (20' x 52' manufactured home) shall be removed in sixty (60) day, no later than 15 September 2014. Member Goodin provided the second. Motion passed unanimously.

At 5:45 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the next item on the agenda is a Variance request for relief from the required side building setback line to accommodate a proposed garage (28' x 28'). The site is a 0.34 acre tract located at 713 Glendale-Hodgenville Road West in the North Glendale Urban Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 207-00-00-037 and owned by **Delbert Best**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Delbert Best of 711 Glendale-Hodgenville Road West, the owner, provided testimony and answered questions from the Board Members and staff. Board Member Steck made a motion to table the request until the next Board meeting to be held on 7 August 2014 so that staff may further research the deed of the subject property to the adjoining property to the west of the applicant. Member Goodin provided the second. Motion passed unanimously.

At 6:20 p.m. Chairman Krausman appointed Board Member Goodin to serve as Hearing Officer and announced that the next item on the agenda is request to remove the existing house at 293 Wise Lane and replace it with a new residence and to continue to allow the Temporary Accessory Dwelling (1975 mobile home 14' x 70') to remain on the property. The site is an 8.3 acre tract with the address of 428 Earl Wise Lane and being Lot 1 of Beaver Pass Subdivision in the E2RC Corridor Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 163-00-00-091 and is owned by **Joseph & Francis Wise**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Joseph Wise of 428 Earl Wise Lane, the owner, 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 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 as follows:

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

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. 1 The Temporary Accessory Dwellings shall be a temporary use for no longer than seven (7) more years and must be removed from the property by 18 August 2021.
2. The existing Mobile Home on site is a Temporary Accessory Dwellings and has 980 square feet of living space which is less than the Local Average Square Foot Standard of 1472 square feet.
3. The Temporary Accessory Dwelling is for a family situation and shall only be occupied by Michael Wise and his immediate families.
4. Upon the vacancy of the Temporary Accessory Dwelling, it must be removed from the property within six (6) months.
5. 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.
6. This Conditional Use Permit shall be issued to the current property owners, Joseph & Francis Wise, and shall expire when the property is transferred and not be transferable to another property owner.
7. An Amended Subdivision Plat shall be required and shall substitute for the Site Plan.
8. The skirting on the mobile 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. The "old house" shall be removed from the site within six months.

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Minutes: 17 July 2014
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Member Steck provided the second. Motion passed unanimously.

THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:

SUBDIVISION NAME	LOTS	RECORDED
Effie's Acres	10	13-June-14
Prairie View Estates Section 3, Lot 54	1	18-June-14
Mockingbird Heights, Lots 66-82 and Lots 90 & 91	-20	18-June-14
Corbit Subdivision	5	18-June-14
Bama Corner Section 1	1	18-June-14
Longfield Estates Section 3	1	19-June-14
NEW LOTS SINCE LAST MEETING	-2	
2014 TOTAL	33	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 7 August 2014 and declared the meeting adjourned at 6:35 p.m.

**ADOPTED AND APPROVED THIS 7th DAY OF AUGUST 2014 BY THE
HARDIN COUNTY BOARD OF ADJUSTMENT.**

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 19 June 2014

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Chairman Krausman called to order the three hundredth and twenty seventh meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 19 June 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Board Member Steve Steck was in attendance. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, Assistant Attorney Philip Moore, legal counsel for the Board, County Engineer Vicki Meredith, P E and the individuals listed on the attached sign-in sheet. Board Member Brent Goodin and was not present.

At 5:00 p.m. Chairman Krausman appointed Assistant Attorney Philip Moore to serve as the hearing officer. Attorney Moore announced that the first item on the agenda is a Revocation of a Conditional Use Permit. Director Wright review the Conditional Use Permit authorized on 5 November 2013 by the Planning Commission for the use of a saw mill operation at 11910 New Glendale Road, Sonora, Kentucky. The property is a 2 acre portion of a 42.6 acre site located in the South Hardin Planning Area and is zoned Agricultural (A-1). The PVA Map Number is 174-00-00-015.02 and owned by **Henry & Susie Miller**. Director Wright reviewed the 16 conditions and determined that the activity being conducted on site does not comply with seven (7) of the conditions (#2, 5, 6, 7, 9, 13 and 16) placed on the operation. Director Wright informed the Board that the saw mill operation does not comply with the conditions as outlined by the Commission therefore the Board of Adjustment may exercise their ability to revoke the Conditional Use Permit [KRS 100.237 (1)]. Chairman Krausman made a motion to authorize the Administrative Official to proceed with the necessary actions to revoke the Conditional Use Permit. This is based on the testimony presented and site visits conducted. Board Member Steck provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 5 June 2014 meeting. Board Member Steck made a motion to approve the minutes. Chairman Krausman provided the second. Motion passed unanimously.

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 17 July 2014 and declared the meeting adjourned at 5:30 p.m.

ADOPTED AND APPROVED THIS 17th DAY OF JULY 2014 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 5 June 2014

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Chairman Krausman called to order the three hundredth and twenty sixth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 5 June 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Board Member Brent Goodin and Board Member Steve Steck were in attendance. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, County Engineer Vicki Meredith, P E Hardin County, Assistant Attorney Philip Moore, legal counsel for the Board and the individuals listed on the attached sign-in sheet.

At 5:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin conducted the swearing in ceremony for all individuals who may provide testimony. This is a Variance request for relief from the required road frontage and the 1:3 lot width-to-length ratio to allow for the creation of a lot around the existing house. The site is a proposed 3.025 acre lot located on the northeast side of Lower Colesburg Road to be known as Britwill Farm, Lot 1 in the East Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 260-00-00-009.01 and owned by **Morning Myst, LLC**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Darren Clemons of Clemons Land Surveying, representing the owner, provided testimony and answered questions from the Board Members and staff. At 5:15 p.m., the Hearing Officer closed the hearing. Board Member Steck made a motion to grant a variance due to the fact it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not safety concerns 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. A Record Plat with a Variance Note shall be required and shall substitute for the Site Plan.
2. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk

Board Member Goodin provided the second. Motion passed two to three with Chairman Krausman voting to deny the Variance.

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At 5:15 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin announced that the next item on the agenda is a Variance request for relief from the side building setback line to accommodate the existing pole barn (40' x 31') and relief from the required road frontage and 1:4 lot width-to-length ratio. The site is a proposed 1.176 acre tract to be known as Lot 77A of Mockingbird Heights Subdivision in the Industrial Park Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 187-30-00-008 and owned by **Shannon, Faye and Larry Deweese**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Shannon Deweese of 114 Joseph Ave, one of the owners, 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 made a motion to grant a variance due to the fact it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not safety concerns 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 side building setback line to accommodate the existing 40'x31' pole barn on proposed Lot 77A.
2. To allow for a Variance from the required road frontage and 1:4 lot width-to-length ratio to allow Lot 91 to be merged with Lot 77 to create Lot 77A.
3. An Amended Subdivision Plat with a Variance Note shall be required and shall substitute for the Site Plan.
4. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

At 5:30 p.m. Chairman Krausman appointed Attorney Philip Moore to serve as the hearing officer. Board Member Goodin recused himself from the hearing and left the meeting room. Assistant Director King left the meeting to attend a prior engagement. Attorney Moore conducted the swearing in ceremony for all individuals who may provide testimony and announced that the next item on the agenda is a Review of a Conditional Use Permit. Director Wright review the Conditional Use Permit authorized on 5 November 2013 by the Planning

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Minutes: 5 June 2014

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Commission for the use of a Saw Mill Operation at 11910 New Glendale Road. The property is a 2 acre portion of a 42.6 acre site located in the South Hardin Planning Area and is zoned Agricultural (A-1). The PVA Map Number is 174-00-00-015.02 and owned by **Henry & Susie Miller**. Director Wright reviewed the 16 conditions and determined that the activity being conducted on site does not comply with 7 of the conditions (#2,4,5,6,7,8 and 16) placed on the operation. Director Wright informed the Board that they are to review the permit and the site and may exercise their ability to revoke the Conditional Use Permit. Albert Miller of 11910 New Glendale Road, Sonora, Mill Operator (son of owner), provided testimony on the request and answered questions. Dean Pence (Lumber Provider) of 118 Pickhandle-Wilmoth Road, Cecilia, provided testimony on the request and answered questions. John Latham (neighbor) of 11879 New Glendale Road, Sonora, spoke in opposition and provided testimony on the hours and dust exceeding the limits set by the Commission and answered questions. Pete Tabb (neighbor) of 11879 New Glendale Road, Sonora, spoke in opposition of the operation and provided testimony and answered questions. An unidentified individual provided favorable testimony on the operation and answered questions. Chairman Krausman and Steck indicated that they would like to visit the operation on an active day. Member Steck made a motion to table the request until the next Board meeting scheduled for 5 p.m. on 17 July 2014. Chairman Krausman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 22 May 2014 meeting. Board Member Steck made a motion to approve the minutes. Chairman Krausman provided the second. Motion passed unanimously.

Hardin County Board of Adjustment
Minutes: 5 June 2014
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The following item is for information only and did not require Board action:

SUBDIVISION NAME	LOTS	RECORDED
Pendleton Subdivision	1	21-May-14
Cardin Subdivision, Lot 2A & Tract 2	0	21-May-14
Royal Acres Subdivision, Lot 72A	0	21-May-14
Slice of Heaven	1	22-May-14
Nathan Acres	1	28-May-14
Jarrold's Place	1	28-May-14
NEW LOTS SINCE LAST MEETING	4	
2014 TOTAL	35	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 17 July 2014 and declared the meeting adjourned at 8:00 p.m.

ADOPTED AND APPROVED THIS 19th DAY OF JUNE 2014 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 22 May 2014

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Chairman Krausman called to order the three hundredth and twenty fifth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 22 May 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Board Member Steve Steck was in attendance. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP and the individuals listed on the attached sign-in sheet. County Engineer Vicki Meredith, P E Hardin County was not present. Assistant Attorney Philip Moore, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Director Wesley Wright to serve as the hearing officer. Director Wright conducted the swearing in ceremony for all individuals who may provide testimony and announced that the first item on the agenda is a Conditional Use Permit request to allow for a temporary accessory dwelling (14' x 80' manufactured home) for a caregiver situation. The site is a 14.4 acre tract located at 3730 Blueball Church Road in the Natural Resource Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 066-00-00-042 and is owned by **Tim Aubrey**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Tim Aubrey of 3730 Blueball Church Road, the owner, provided testimony and answered questions from the Board Members and staff. Tim Aubrey, Jr. of 3730 Blueball Church Road, provided testimony and answered questions from the Board Members and staff. At 5:25 p.m., the Hearing Officer closed the hearing. Board Member Steck stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

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

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

Hardin County Board of Adjustment

Minutes: 22 May 2014

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1. The Temporary Accessory Dwelling (14'x 80' manufactured home) shall be a temporary use for no longer than five (5) years from 22 May 2014 and must be removed from the property by 22 May 2019.
2. The Temporary Accessory Dwelling is for a family need situation and shall only be occupied by Tim Aubrey and his immediate family.
3. The Temporary Accessory Dwelling 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. 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.
6. The Temporary Accessory Dwelling shall be placed on the property as illustrated on the proposed Site Plan.
7. This Conditional Use Permit shall be issued to the current property owner, Tim Aubrey, 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. The skirting on the manufactured home must be maintained.
10. The manufactured home must be removed from Gloria Anglin's property within ninety (90) days.
11. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:30 p.m. Chairman Krausman appointed Director Wesley Wright to serve as the hearing officer and announced that the next item on the agenda is a Conditional Use Permit request to allow for the construction of an accessory structure (1365 sq ft pole barn) that exceeds the size of the dwelling (980 sq ft manufactured home). The site is a proposed 6.367 acre tract located at 545 Pendleton Lane in the East Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 241-30-00-032.05 and is owned by **Justin Pendleton**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Justin Pendleton of 545 Pendleton Lane, the owner, provided testimony and answered questions from the Board Members and staff. At 5:40 p.m., the Hearing Officer closed the hearing. Board Member Steck stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. This Conditional Use Permit shall allow for the proposed 1365 sq. ft. pole barn (35'x39') to be constructed on Lot 1 of Pendleton Subdivision.
2. The proposed 1365 sq. ft. Pole Barn (35'x39') shall exceed the size of the existing dwelling (14' x 70' mobile home) on site.
3. A Subdivision Plat prepared by a Licensed Surveyor shall be required and shall substitute for the required Site Plan.
4. The proposed pole barn is for residential storage and shall not be used for any Commercial Activity.
5. The exterior siding of the proposed Pole Barn shall be light tan metal with two (2) overhead doors.
6. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:45 p.m. Chairman Krausman appointed Director Wesley Wright to serve as the hearing officer. Director Wright announced that the next item on the agenda is a Conditional Use Permit request to allow for a permanent accessory dwelling (1200 sq. ft. ranch house). The site is a 3.082 acre tract located at 12564 Leitchfield Road in the Natural Resource Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 106-00-00-081 and is owned by **Robert & Jennifer King**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Robert & Jennifer King of 12564 Leitchfield Road, the owners, provided testimony and answered questions from the Board Members and staff. At 6:10 p.m., the Hearing Officer closed the hearing. Board Member Steck stated that this request for a Conditional Use

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Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. The property owners, Robert & Jennifer King, 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. detached dwelling and the Principal Dwelling is the existing 3131 sq. ft. home.
5. The Permanent Accessory Dwelling shall be located in the side yard within 150' of the principal dwelling 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 siding with white trim, green shutters and a shingle roof).
7. The Permanent Accessory Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
8. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.

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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.

Chairman Krausman provided the second. Motion passed unanimously.

At 6:15 p.m. Chairman Krausman appointed Director Wesley Wright to serve as the hearing officer. Director Wright announced that the next item on the agenda a Variance request for relief from the front building setback line to accommodate a proposed garage (26' x 23'). The site is a 1.679 acre tract located on Lot 100 of Santa Fe Subdivision with an address of 496 Loretto Drive in the East Urban Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 242-00-02-100 and owned by **Mary Hagan**. Assistant Director King reviewed the application and the history of the property and presented exhibits. William Tapp of 496 Loretto Drive, representing the owner, provided testimony and answered questions from the Board Members and staff. At 6:30 p.m., the Hearing Officer closed the hearing. Board Member Steck made a motion to grant a variance due to the fact it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not safety concerns 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 line to allow for the proposed garage (26'x23') to be no closer than 42' from the edge of pavement.
2. A Site Plan shall be required (Health Department Approval not required).
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk

Board Member Krausman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 8 May 2014 meeting. Board Member Steck made a motion to approve the minutes. Chairman Krausman provided the second. Motion passed unanimously.

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

THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:

SUBDIVISION NAME	LOTS	RECORDED
Rapture Heights	1	05-May-14
Valley Creek Estates, Lot 27	1	05-May-14
Cedar Grove Acres Section 1, Lots 39, 40, 41 & 42	-3	05-May-14
Harmony Hills, Lot 1A	6	06-May-14
NEW LOTS SINCE LAST MEETING	5	
2014 TOTAL	31	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 5 June 2014 and declared the meeting adjourned at 6:45 p.m.

ADOPTED AND APPROVED THIS 5th DAY OF JUNE 2014 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

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Chairman Krausman called to order the three hundredth and twenty fourth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 8 May 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Board Member Brent Goodin and Board Member Steve Steck were in attendance. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP and the individuals listed on the attached sign-in sheet. County Engineer Vicki Meredith, P E Hardin County was not present. Assistant Attorney Philip Moore, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin conducted the swearing in ceremony for all individuals who may provide testimony. This is a Variance request for relief from the required road frontage to allow for additional acres to be merged with the existing two tracts in order for them to be contiguous. The site is two tracts totaling ± 23 acres located at 1100 Eastview Road in the Natural Resource Planning Area and zoned Rural Residential (R-2). The PVA Map Numbers are 088-00-00-008 & 088-00-00-012 and owned by **Glen Asauskas**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Glen Asauskas, the owner, provided testimony and answered questions from the Board Members and staff. At 5:15 p.m., the Hearing Officer closed the hearing. Board Member Steck made a motion to grant a variance due to the fact it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not safety concerns 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:

3. To allow for a Variance from the required road frontage to allow for the Applicant to merge 2+ additional acres to his two existing tracts.
4. A Record Plat prepared by a Licensed Land Surveyor shall be required.
5. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk

Board Member Goodin provided the second. Motion passed unanimously.

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At 5:15 p.m. Chairman Krausman announced that the Conditional Use Permit request for a Temporary Accessory Dwelling was withdrawn by the owner Jennifer Englund.

Chairman Krausman called for consideration and action on the **Minutes** of the 17 April 2014 meeting. Board Member Goodin made a motion to approve the minutes. Chairman Steck provided the second. Motion passed unanimously.

At 5:30 p.m. Chairman Goodin appointed Board Member Goodin to serve as Hearing Officer and announced that the next item on the agenda is a Conditional Use Permit request to allow for the construction of an accessory structure (1600 sq ft pole barn) that exceeds the size of the dwelling (1064 sq ft) along with a request for a Variance from the required 1:4 lot width to length ratio to allow for additional acreage to be merged to the property. The site is a proposed 3.2 acre tract located at 306 Crume Road in the North Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 119-30-00-037 and is owned by **Aaron & Andrea Houser**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Aaron Houser of 306 Crume Road, 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 stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. This Conditional Use Permit shall allow for the proposed 1620 sq. ft. pole barn (30'x54') to be constructed on Lot 3 of Clark Estate, Section 2.

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2. An Amended Subdivision Plat shall be required and shall substitute for the required Site Plan.
3. The proposed pole barn is for residential storage and shall not be used for any Commercial Activity.
4. The exterior siding of the proposed 30' x 54' pole barn shall be metal.
5. Additional landscaping/screening shall not be required.
6. Only three (3) vehicles shall be parked outside the proposed pole barn.
7. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Chairman Steck provided the second. Motion passed unanimously.

Board Member Goodin made a motion to grant a variance due to the fact it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not safety concerns 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 1:4 lot width-to-length ratio.
2. A Record Plat prepared by a Licensed Land Surveyor shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Chairman Steck provided the second. Motion passed unanimously.

At 5:45 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. This is a Variance request for relief from the required road frontage to allow for two existing tracts to be merged together. The site is a 7.415 acre tract located at 406 Walnut Creek Road in the West Urban Planning

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Area and is zoned Urban Residential (R-1). The PVA Map Number is 165-00-00-050 and is owned by **Frank Hobbs**. Assistant Director King reviewed the application and the history of the property and presented exhibits. At 6:00 p.m., the Hearing Officer closed the hearing. Board Member Steck made a motion to grant a variance due to the fact it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not safety concerns 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 required road frontage to allow for the Applicant to merge the two existing tracts.
2. A Record Plat prepared by a Licensed Land Surveyor shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk

Board Member Goodin provided the second. Motion passed unanimously.

At 6:00 p.m. Chairman Krausman announced that the Conditional Use Permit for a Permanent Accessory Dwelling was withdrawn by the owner Gary Masters.

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

APRIL 2014 REPORT

Plats Recorded: <ul style="list-style-type: none">• 07 Subdivision plats were approved for the month• 29 Subdivision plats were approved for the year	Lots Created: <ul style="list-style-type: none">• 0 Lots were approved for the month• 33 Lots were approved for the year
Building Permits: <ul style="list-style-type: none">• 14 SFD Permits for the month• 31 SFD Permits for the year• 91 Total Building Permits for the year	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none">• 29 SFD Permits for the month• 73 SFD Permits for the year• 143 Total Permits for the year
Building Inspections / Reviews: <ul style="list-style-type: none">• 31 SFD Residential Inspections for the month• 05 Commercial Inspections for the month• 75 Total Building Inspections for the month• 240 Total Building Inspections for the year	Electrical Inspections: <ul style="list-style-type: none">• 37 SFD Residential Inspections for the month• 13 Commercial Inspections for the month• 94 Total Electrical Inspections for the month• 417 Total Electrical Inspections for the year

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THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:

SUBDIVISION NAME	LOTS	RECORDED
Oxford Estates Section 2, Lots 4 & 5	0	11-Apr-14
Essex Place, Lots 1 & 2	-1	15-Apr-14
Aqua View Subdivision, Lots 1A & 3F	0	22-Apr-14
Mill Creek Subdivision Section 3, Lots 40 & 41	0	23-Apr-14
Heavenly Hills Section 1 Lots 1 & 3; Section 2, Lot 5 & Section 3	1	23-Apr-14
Hardin Co. Sportsman Lake Block 3, Lots 12A, 39 & 40	-2	28-Apr-14
Twin Oaks Subdivision Section 1, Lots 51, 52, 53 & 54	-3	29-Apr-14
NEW LOTS SINCE LAST MEETING	-5	
2014 TOTAL	26	

Chairman Krausman announced that the next Board meeting is scheduled for Thursday, 22 May 2014 and declared the meeting adjourned at 6:00 p.m.

ADOPTED AND APPROVED THIS 22nd DAY OF MAY 2014 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Minutes: 17 April 2014

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Chairman Krausman called to order the three hundredth and twenty third meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 17 April 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Board Member Brent Goodin and Board Member Steve Steck were in attendance. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP and the individuals listed on the attached sign-in sheet. County Engineer Vicki Meredith, P E Hardin County was not present. Assistant Attorney Philip Moore, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. Board Member Goodin conducted the swearing in ceremony for all individuals who may provide testimony. This is a Variance request for relief from the required front building setback to allow for the construction of a proposed single family dwelling replacing the dwelling that burned down atop the existing basement. The site is a 1.275 acre tract with an address of 244 Jagers Road in the Glendale Rural Village Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 193-30-00-037 and is owned by **Roy Alan Ash**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Roy Ash, the owner, provided testimony and answered questions from the Board Members and staff. At 5:15 p.m., the Hearing Officer closed the hearing. Board Member Steck made a motion to grant a variance due to the fact it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not safety concerns 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;
- b. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

The following variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback line to allow for the proposed dwelling to be no closer than 50' from the center line of Jagers Road.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.

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

Board Member Goodin provided the second. Motion passed unanimously.

At 5:15 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. This is a Variance request for relief from the required front building setback to allow for the co-location of an AT&T Equipment Shelter within the existing fenced area. The site is a 0.23 acre leased area of a 46 acre tract located at 531 Thomas Lane in the West Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 145-00-00-056 and is owned by **Kenneth & Vicki Heibert**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Roy Johnson of 3605 Mattingly Road, Buckner, Kentucky, the applicant, 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 made a motion to grant a variance due to the fact that it is a pre-existing cellular tower and compound and that it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not safety concerns 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 and side building setbacks to allow for the co-location and proposed ground facilities on the existing tower and within the existing fenced area.
2. An Amended Development Plan shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk

Board Member Steck provided the second. Motion passed unanimously.

At 5:30 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. This is a Variance request for relief from the required front

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building setback to accommodate for the existing metal building (65' x 100'). The site is a 3.017 acre tract located at 11 Quarry Ridge Court and being Lot 29 of WACO Subdivision in the Bardstown Road Corridor Planning Area and zoned Heavy Industrial (I-2). The PVA Map Number is 243-00-07-029 and is owned by **FL Tanks**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Clint Lewis of 2514 Leafdale Road, Hodgenville, KY, representing the owner, provided testimony and answered questions from the Board Members and staff. Alice Benningfield of 911 Silver Mine Road, provided testimony and answered questions from the Board Members and staff. At 5:40 p.m. the Hearing Officer closed the hearing. Board Member Steck made a motion to grant a variance due to the fact it will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not safety concerns 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 60' x 100' pole building to encroach 4' into the setback as shown hereon.
- 2 An Amended Development Plan shall be required.
- 3 A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Goodin provided the second. Motion passed unanimously.

At 5:45 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. This is a Conditional Use Permit request to allow for a permanent accessory dwelling (manufactured home) to replace the existing mobile home at Lot 2 of Harold Estates with the address being 93 Masters Drive. The property is a 2.056 acre site located in the North Dixie Area and zoned General Commercial (C-2) with the PVA Map Parcel Number 182-00-00-019. The property is owned by **Gary Masters**. Assistant Director King reviewed the application and presented the exhibits. Gary Masters, the owner, provided testimony and answered questions from the Board Members and staff. Justin Slinker of 36 Masters Drive, provided testimony and answered questions from the Board Members and staff. Karen Masters of 36 Masters Drive, provided testimony and answered questions from the Board Members and staff. Board

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Member Goodin stated that the request does not meet the requirements for a Permanent Accessory Dwelling and needed to be continued to give the applicant time to work with the staff on an approvable application and made a motion to table the request until the next Board meeting scheduled for 8 May 2014. Board Member Steck provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 20 March 2014 meeting. Board Member Goodin made a motion to approve the minutes. Chairman Steck provided the second. Motion passed unanimously.

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

HARDIN COUNTY COMPREHENSIVE PLAN – A review of the major issues identified in 2008 as a need in the community and updates for 2014.

MAP AMENDMENT REVIEW BEFORE FISCAL COURT The 4 March 2014 Planning Commission map amendment granted for VULCAN CONSTRUCTION MATERIALS from Urban Residential (R-1) to Heavy Industrial (I-2) has been appealed to Fiscal Court. Fiscal Court will hear the appeal on 22 April 2014, with the decision (or not) occurring on 13 May 2014. The property is a 26.8 acre portion of a 173 acre tract is located at the end of Mount Zion Road and west of Bewley Hollow Road and north of Hollow Bridge Drive.

INSTALLATION PLANNING BOARD (IPB) FOR FORT KNOX (20 March 2014) BG Combs' first IPB since assuming Senior Commander duties earlier this month and the Garrison Command presented information to her on the "road ahead" for installation. Topics addressed were Installation top priorities, Transformation (missions and demographics), Public Works plans (facilities, housing, energy), Training capacity and capabilities (future range projects).

MARCH 2014 REPORT

Plats Recorded: <ul style="list-style-type: none">• 05 Subdivision plats were approved for the month• 22 Subdivision plats were approved for the year	Lots Created: <ul style="list-style-type: none">• 18 Lots were approved for the month• 33 Lots were approved for the year
Building Permits: <ul style="list-style-type: none">• 12 SFD Permits for the month• 17 SFD Permits for the year• 54 Total Permits for the year	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none">• 29 SFD Permits for the month• 73 SFD Permits for the year• 143 Total Permits for the year
Building Inspections / Reviews: <ul style="list-style-type: none">• 10 SFD Residential Inspections for the month• 05 Commercial Inspections for the month• 09 plan reviews for the month• 18 plan reviews for the year	Electrical Inspections: 97 for month

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THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:

SUBDIVISION NAME	LOTS	RECORDED
French Estates	12	18-Mar-14
Front of the Yards	2	19-Mar-14
Seven Acre Corner	1	27-Mar-14
NEW LOTS SINCE LAST MEETING	15	
2014 TOTAL	31	

Chairman Krausman announced that the next Board meeting scheduled for Thursday, 8 May 2014 and declared the meeting adjourned at 6:00 p.m.

ADOPTED AND APPROVED THIS 8th DAY OF MAY 2014 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 20 March 2014

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Chairman Krausman called to order the three hundredth and twentieth second meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 20 March 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Board Member Brent Goodin and Board Member Steve Steck were in attendance. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP and the individuals listed on the attached sign-in sheet. County Engineer Vicki Meredith, P E Hardin County was not present. Assistant Attorney Philip Moore, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. Assistant Director King conducted the swearing in ceremony for all individuals who may provide testimony. This is a request for a Conditional Use Permit to allow for a welding & fabrication business within a detached garage on site. The property is located in the Rural Residential Zone (R-2) in the East Hardin Planning Area. The request is for a 5 acre site located at 639 Stovall Road. The PVA Map Number is 262-00-00-007 and the property is owned by **Chris & Rachel Hart**. Assistant Director King reviewed the application and the history of the property and presented exhibits and slides of the property. Chris Hart, of 639 Stovall Road, the owner, provided testimony and answered questions from the Board Members and staff. Board Member Steck stated that this request for a Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit is as follows:

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

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

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

1. This Conditional Use Permit is good for three (3) years from 20 March 2014 to 20 March 2017.
2. Hours of Operation shall be 8 AM to 8 PM Monday through Sunday.
3. A single 4'x4' sign shall be permitted in the yard along Stovall Road.
4. Only one non-licensed and non-registered, inoperable vehicle may be parked outdoors on the property.
5. There shall be no outdoor storage of materials or scrap.
6. A Site Plan in compliance with Section 7 of the Development Guidance System, Zoning Ordinance shall be required. (Health Dept. approval not required)
7. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
8. This Conditional Use Permit is issued to the current owners, Chris & Rachel Hart, and shall not be transferred to another owner without approval from the Board of Adjustment.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:25 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer announced that the next item on the agenda is a Variance request for relief from the required 300' of road frontage and the lot 1:4 width-to-length ratio to allow for a proposed Lot 4A of Oxford Estates. The site is an 8.63 acre tract with an address of 1102 Thomas Road in the West Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Numbers are 166-00-0D-003 and 166-00-00-003.07 and is owned by **Jeff and Amy Vo**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Jeff Vo, the owner, provided testimony and answered questions from the Board Members and staff. Philip Tabb, of 319 S. Mulberry provided testimony and answered questions from the Board Members. Phillip Taylor of 1078 Thomas Road asked questions of the Staff regarding potential subdividing of his property. 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 it will

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not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, it will not safety concerns 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:

- 4 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:

4. To allow for a Variance from the required 300' of road frontage and the lot 1:4 width-to-length ratio to allow for the proposed Lot 4A.
5. An Amended Subdivision Plat shall be required.
6. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk

Chairman Steck provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 6 February 2014 meeting. Board Member Goodin made a motion to approve the minutes. Chairman Steck provided the second. Motion passed unanimously.

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

PLANNER'S BREAKFAST Mike Skaggs, Region 5 Representative of APA-KY Executive Committee hosted a breakfast as part of the APA-KY outreach and training efforts. The event was held on Friday, February 28 at 9:00 am at the Cracker Barrel in Elizabethtown.

FISCAL COURT APPOINTS LARRY JAGGERS II (11 March 2014) Hardin County Fiscal Court has appointed Larry Jaggars II to serve a four-year term on the Planning Commission. Larry will replace the expiring term of Rod Grusy. His term will end 30 April 2018. 120-hours of Orientation Training will be provided by the Staff to discuss the Comprehensive Plan 2008, Zoning Ordinance 2009 and Subdivision Regulations.

CECILIA COMMUNITY RURITAN CLUB (17 March 2014) Wesley and Adam presented and had great conversation with a group of approximately 25

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individuals at the CECILIA RURITAN CLUB, Cecilia, KY. The presentation included a review of the 2013 Commission activities and a discussion on a proposed Open Air Pavilion for the Ruritan. The meeting was catered by Bob Evans and attended by Dwight Morgan, Carl Cox, David Yates, Bob Owsley and Cordell Tabb to name a few.

FEBRUARY 2014 REPORT

<p>Plats Recorded:</p> <ul style="list-style-type: none"> • 10 Subdivision plats were approved for the month • 17 Subdivision plats were approved for the year 	<p>Lots Created:</p> <ul style="list-style-type: none"> • 03 Lots were approved for the month • 15 Lots were approved for the year
<p>Single Family Building Permits:</p> <ul style="list-style-type: none"> • 01 Permits were issued for the month • 06 Permits were approved for the year 	<p>Plan Reviews: 04 review for the month 09 reviews for the year</p>
<p>Building Inspections Performed SFD:</p> <ul style="list-style-type: none"> • 11 SFD Residential Inspections for the month <p>Commercial Building Inspections Performed:</p> <ul style="list-style-type: none"> • 05 Commercial Inspections for the month 	<p>Electrical Permits: 41 for the month Electrical Inspections: 106 for month</p>

THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:

SUBDIVISION NAME	LOTS	RECORDED
Bluestem Subdivision	1	27-Feb-14
Wakefield Farms Section 1, Lots 13A, 14A, 15 & Wakefield Farms Section 2, Lots 16, 17, & 18	-2	12-Mar-14
Madge's Acres	5	13-Mar-14
NEW LOTS SINCE LAST MEETING	4	
2014 TOTAL	16	

Chairman Krausman announced that the next Board meeting scheduled for Thursday, 17 April 2014 and declared the meeting adjourned at 6:00 p.m.

ADOPTED AND APPROVED THIS 17th DAY OF APRIL 2014 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 6 February 2014

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Chairman Krausman called to order the three hundredth and twentieth first meeting of the Hardin County Board of Adjustment at 5:05 p.m. on Thursday, 6 February 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Board Member Steve Steck was in attendance. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP and the individuals listed on the attached sign-in sheet. Board Member Brent Goodin and County Engineer Vicki Meredith, P E Hardin County were not present. Assistant Attorney Philip Moore, legal counsel for the Board, was not requested to attend the meeting.

At 5:10 p.m. Chairman Krausman appointed Board Member Steck to serve as the hearing officer. This is a request for a Conditional Use Permit to allow for a Greenhouse & Plant Nursery in the Rural Residential Zone (R-2). The property is located in the Rural Residential Zone (R-2) in the South Hardin Planning Area. The request is for a 15 acre site located at 13335 South Dixie Highway (US 31W). The PVA Map Number is 211-00-00-010 and the property is owned by **Dennis & Michelle Jordan**. Assistant Director King reviewed the application and the history of the property and presented exhibits and slides of the property. Dennis Jordan, of 515 Briarwood Circle, the owner, provided testimony and answered questions from the Board Members and staff. Board Member Steck 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 shall not tend to change the character and established pattern of development of the area of the proposed use;
- 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 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 accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. This Conditional Use Permit is good for five (5) years from 6 February 2014 to 6 February 2019.
2. Hours of Operation shall be 8am to 6pm Monday – Sunday.
3. There shall be no additional signage other than the existing 8'x8' signage on US 31W.
4. A single, marked handicapped parking space must be provided as close as possible to the loading dock area.
5. A Site Plan in compliance with Section 7 of the Development Guidance System, Zoning Ordinance shall be required.
6. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
7. This Conditional Use Permit is issued to the current owner, Dennis Jordan and shall not be transferred to another owner without approval from the Board of Adjustment.
8. Any additional commercial structures on the property shall require a Zone Change to a Commercial Zone. Additional greenhouses shall be permitted.

Chairman Krausman provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 23 January 2014 meeting. Board Member Steck made a motion to approve the minutes. Chairman Krausman provided the second. Motion passed unanimously.

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

THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:

SUBDIVISION NAME	LOTS	RECORDED
Hogue Acres, Lot 2 & Monroe Subdivision, Lot 10A	1	02-Jan-14
Carl's Place Subdivision	2	07-Jan-14
Hepler Hollow	2	13-Jan-14
Lonnie Acres, Lot 3B	0	16-Jan-14
Judith Heights Subdivision Section 2, Lots 18A & 19	0	23-Jan-14
NEW LOTS SINCE LAST MEETING	5	
2014 TOTAL	5	

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Chairman Krausman announced that the next Board meeting scheduled for Thursday, 18 February 2014 is cancelled due to no agenda items and therefore the next Board meeting will be 6 March 2014 and declared the meeting adjourned at 5:45 p.m.

**ADOPTED AND APPROVED THIS 20th DAY OF MARCH 2014 BY THE
HARDIN COUNTY BOARD OF ADJUSTMENT.**

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 23 January 2014

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Chairman Krausman called to order the three hundredth and twentieth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 23 January 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Board Member Brent Goodin and Board Member Steve Steck were in attendance. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP and the individuals listed on the attached sign-in sheet. County Engineer Vicki Meredith, P E Hardin County was not present. Assistant Attorney Philip Moore, legal counsel for the Board, was not requested to attend the meeting.

At 5:00 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. This is a request for an Amended Conditional Use Permit to allow a Home Occupation (Beauty Shop) to remain on the property. The property is located in the Urban Residential Zone (R-1) in the Rineyville Rural Village Planning Area. The request is for a 3.0 acre site located at 3619 Saint John Church Road (KY 1538). The PVA Map Number is 143-00-02-041 and the property is owned by **Lydia Smith**. Director Wright reviewed the application and the history of the property. Assistant Director King presented exhibits and slides of the property. Rachel Carder of 3619 Saint John Church Road, the applicant, provided testimony and answered questions from the Board Members and staff. 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 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 this ordinance and the Comprehensive Development Guide System and the comprehensive Development Guide;

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According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of Adjustment, Board Member Goodin made the motion to grant the Amended Conditional Use Permit (CUP) for a Home Occupation (Beauty Shop) with the following conditions:

1. This Amended Conditional Use Permit is good for seven (7) years from 23 January 2014 to 23 January 2021.
2. The Beauty Salon shall have two (2) employees in addition to Rachel Carder, who resides in the dwelling.
3. A single sign no larger than six (6) square feet in area shall be permitted in compliance with Development Guidance System, Section 9.
4. A Site Plan in compliance with Section 7 of the Development Guidance System, Zoning Ordinance is on file with our office.
5. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
6. This Amended Conditional Use Permit is issued to the applicant, Rachel Carder and shall not be transferred to another owner without approval from the Board of Adjustment.

Chairman Steck provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 9 January 2014 meeting. Board Member Goodin made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

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

DECEMBER 2013 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 8 Subdivision plats were approved for the month • 90 Subdivision plats were approved for the year 2013 	Lots Created: <ul style="list-style-type: none"> • 7 Lots were approved for the month • 103 Lots were approved for the year 2013
Single Family Building Permits: <ul style="list-style-type: none"> • 7 Permits were issued for the month • 117 Permits were approved for the year 2013 	Plan Reviews: 1 review for the month 119 reviews for the 2013 year
Electrical Permits: 46 for the month Electrical Inspections: 123 for month	

Hardin County Board of Adjustment
 Minutes: 23 January 2014
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THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:

SUBDIVISION NAME	LOTS	RECORDED
Deer Run Subdivision	1	18-Nov-13
Tanbark Estates Section 1, Lots 1 & 3	0	21-Nov-13
Industrial Park of Glendale Section 1	3	25-Nov-13
Dipietro Estates, Lot 4 & Danny's Acres Subdivision	1	27-Nov-13
Jo-Na-Re Farm, Lot 1A & Jo-Na-Re Farm, Lot 2 Section 2	2	03-Dec-13
Horn Estates Section 3, Lot 8	1	04-Dec-13
Kenhome Acres	2	10-Dec-13
Crandalls	1	10-Dec-13
Old Deckard Place Subdivision, Lots 1A & 3	-1	12-Dec-13
Sipes Subdivision Section 1, Lots 9 & 10	0	16-Dec-13
Dairy Hills	1	16-Dec-13
Deleon Estates, Lots 4, 5 & 6	-2	19-Dec-13
Sizemore Acres	1	27-Dec-13
Strader's Acres, Section 2	2	30-Dec-13
NEW LOTS SINCE LAST MEETING	12	
2013 TOTAL	105	

Chairman Krausman declared the meeting adjourned at 5:30 p.m.

**ADOPTED AND APPROVED THIS 6th DAY OF FEBRUARY 2014 BY THE
 HARDIN COUNTY BOARD OF ADJUSTMENT.**

 Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 9 January 2014

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Chairman Krausman called to order the three hundredth and nineteenth meeting of the Hardin County Board of Adjustment at 5:05 p.m. on Thursday, 9 January 2014, in the R.R. Thomas Meeting Room on the second floor of the R.R. Thomas County Government Building. In addition to Chairman Krausman, Board Member Brent Goodin and Board Member Steve Steck were in attendance. Also in attendance were Director Wesley Wright, Assistant Director Adam King, AICP, County Engineer Vicki Meredith, P E and the individuals listed on the attached sign-in sheet. Hardin County Assistant Attorney Philip Moore, legal counsel for the Board, was not requested to attend the meeting.

At 5:05 p.m. Chairman Krausman appointed Board Member Goodin to serve as Hearing Officer and announced that the first item on the agenda is request to continue to allow the Temporary Accessory Dwelling (Manufactured Home 14' x 60') to remain on the property for an additional 6 months. The site is a 5.0 acre tract with the address of 601 and 611W Rhudes Creek Road in the North Glendale Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 223-00-04-010 and is owned by **Carolyn Day**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Carolyn Day of 611 W. Rhudes Creek Road, Glendale, the owner, and David Day 601 W. Rhudes Creek Road, Glendale, the applicant, provided testimony and answered questions from the Board Members and staff. At 5:25 p.m., the Hearing Officer closed the hearing. Board Member Steck 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 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: 9 January 2014

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

1. The Temporary Accessory Dwelling shall be a temporary use for no longer than eight (8) months from 9 January 2014 and must be removed from the property by 9 September 2014.
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 Conditional Use Permit shall be issued to the current property owner, 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.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Chairman Goodin provided the second. Motion passed unanimously.

At 5:28 p.m. Chairman Krausman appointed Board Member Goodin to serve as the hearing officer. This is a Conditional Use Permit request to allow for an Amusement Enterprise (indoor gun range). The property is a 13.5 acre site located in the South Dixie Corridor Area and zoned General Commercial (C-2) with a PVA Map Parcel Number of 223-00-00-004.02 and with an address of 3175 South Dixie Highway (US 31W) and is owned by Bennie & Barbara Grissom. The applicant is **Michael Krueger**. Assistant Director King reviewed the application and presented the exhibits. Michael Krueger of 175 Emerald Way, Elizabethtown, the applicant, provided testimony and answered questions from the Board Members and staff. James Akins of 327 Nancy Drive, Glasgow,

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spoke in favor of the request. Barbara Grissom, the owner, of 2401 S. Dixie Elizabethtown, spoke in favor of the request. The Hearing Officer closed the hearing at 6:10 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 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 existing tree line/buffer on the north and south sides of the property and to the west shall be maintained and illustrated on the Development Plan.
2. Adequate on-site parking must be designated on an approved Development Plan.
3. Adequate driving lanes must be maintained from South Dixie (US 31W) to the parking area to allow for two-way traffic and the ingress/egress of Emergency Vehicles.
4. Hours of Operations shall be 10 AM to 8 PM on Monday thru Saturday and 1 PM to 5 PM on Sunday.
5. No more than 3 large single day event competitions (defined as exceeding 100 participants) shall be held per year.
6. This Conditional Use Permit for Amusement Enterprises is for an indoor gun range only and any outdoor expansion of the ranges shall require the Conditional Use Permit and Development Plan to be amended.
7. This Conditional Use Permit shall be good for five (5) years from 9 January 2014.
8. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.

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9. A Development Plan shall be submitted and approved in accordance with Development Guidance System, Section 6.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.
11. The operation must comply with any and all Local, State and Federal guidelines regarding firearms and ammunition.

Chairman Steck provided the second. Motion passed unanimously.

Chairman Krausman called for consideration and action on the **Minutes** of the 19 December 2013 meeting. Board Member Goodin made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

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

SEWER ORDINANCE – On 20 December 2013, Fiscal Court had a 2nd reading and adopted Section 18 of the Zoning Ordinance (Sewage Disposal and Treatment Requirements)

GROUND BREAKING CEREMONY – On 20 December 2013, our office attended the ground breaking ceremony for the new County Government Building located at the corner of Ring Road and Patriot Parkway.

AMENDED ADDRESS ORDINANCE – On 20 December 2013, Fiscal Court amended the address ordinance and will now name the private lanes created by Patriot Parkway.

AUDIT REVIEW – Stiles, Carter & Associates has begun the preliminary work on the Audit for FY 2014.

Hardin County Board of Adjustment

Minutes: 9 January 2014

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THE FOLLOWING SUBDIVISION PLATS HAVE BEEN APPROVED AND RECORDED:

SUBDIVISION NAME	LOTS	RECORDED
Deer Run Subdivision	1	18-Nov-13
Tanbark Estates Section 1, Lots 1 & 3	0	21-Nov-13
Industrial Park of Glendale Section 1	3	25-Nov-13
Dipietro Estates, Lot 4 & Danny's Acres Subdivision	1	27-Nov-13
Jo-Na-Re Farm, Lot 1A & Jo-Na-Re Farm, Lot 2 Section 2	2	03-Dec-13
Horn Estates Section 3, Lot 8	1	04-Dec-13
Kenhome Acres	2	10-Dec-13
Crandalls	1	10-Dec-13
Old Deckard Place Subdivision, Lots 1A & 3	-1	12-Dec-13
Sipes Subdivision Section 1, Lots 9 & 10	0	16-Dec-13
Dairy Hills	1	16-Dec-13
Deleon Estates, Lots 4, 5 & 6	-2	19-Dec-13
Sizemore Acres	1	27-Dec-13
Strader's Acres, Section 2	2	30-Dec-13
NEW LOTS SINCE LAST MEETING	12	
2013 TOTAL	105	

Chairman Krausman declared the meeting adjourned at 6:30 p.m.

**ADOPTED AND APPROVED THIS 23rd DAY OF JANUARY 2014 BY THE
HARDIN COUNTY BOARD OF ADJUSTMENT.**

Steve Steck, Secretary