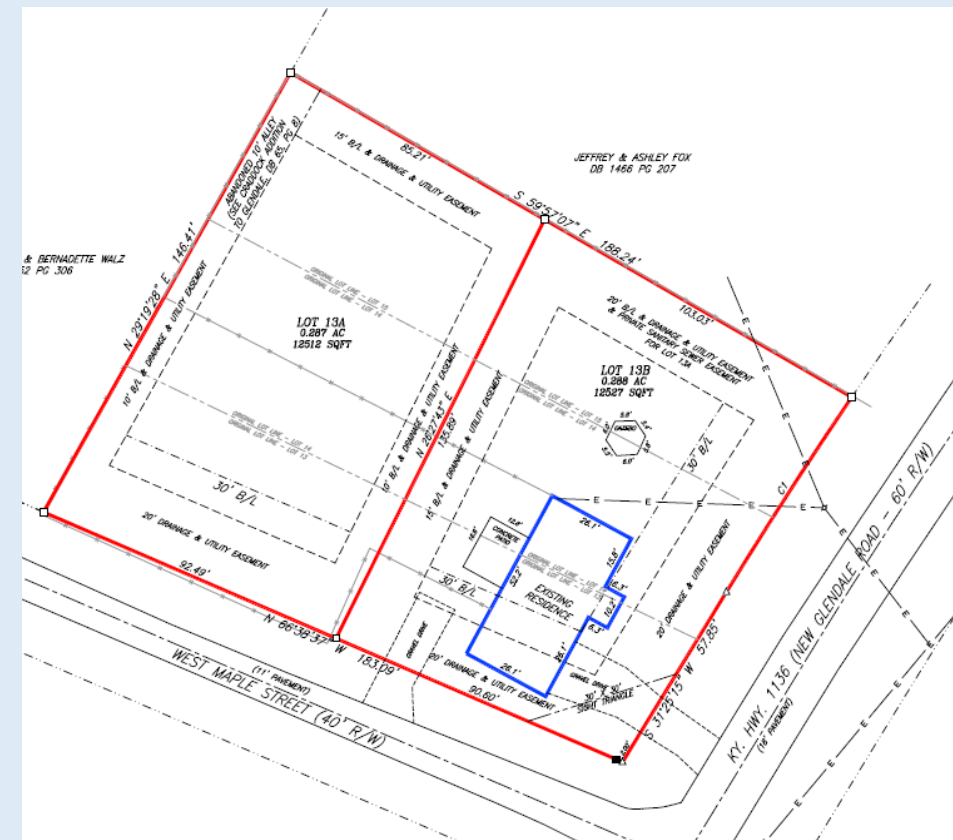




# **Hardin County Board of Adjustment 7 March 2024**

County Government Center  
Second Floor Meeting Room

# Owners: Miles Improvements, LLC



**Location** A 0.575 acre site located at located at 6487 New Glendale Road, Glendale, KY

**Zoned** Urban Residential (R-1)

**Requesting a **Variance** from the minimum pavement width requirement to allow for the property to be further subdivided (Development Guidance System [3-1(C)1])**

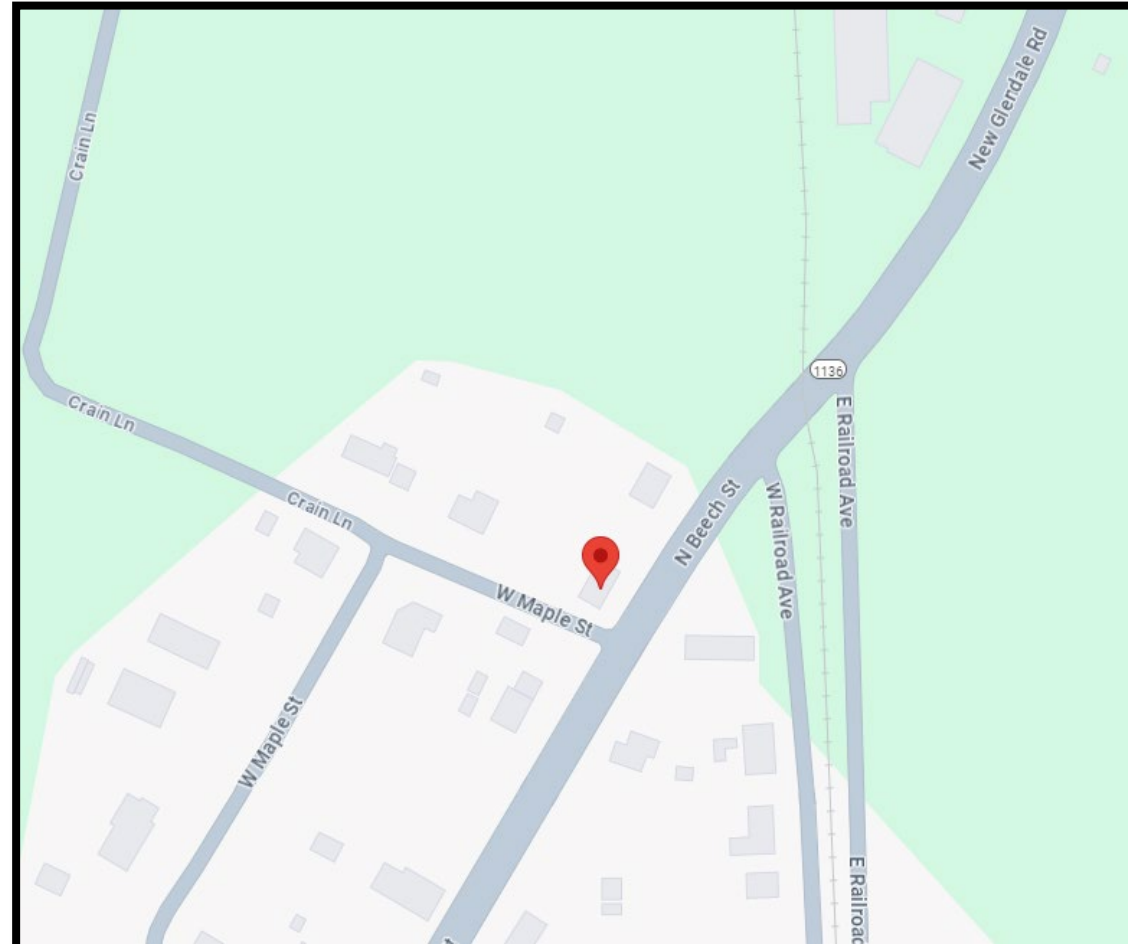
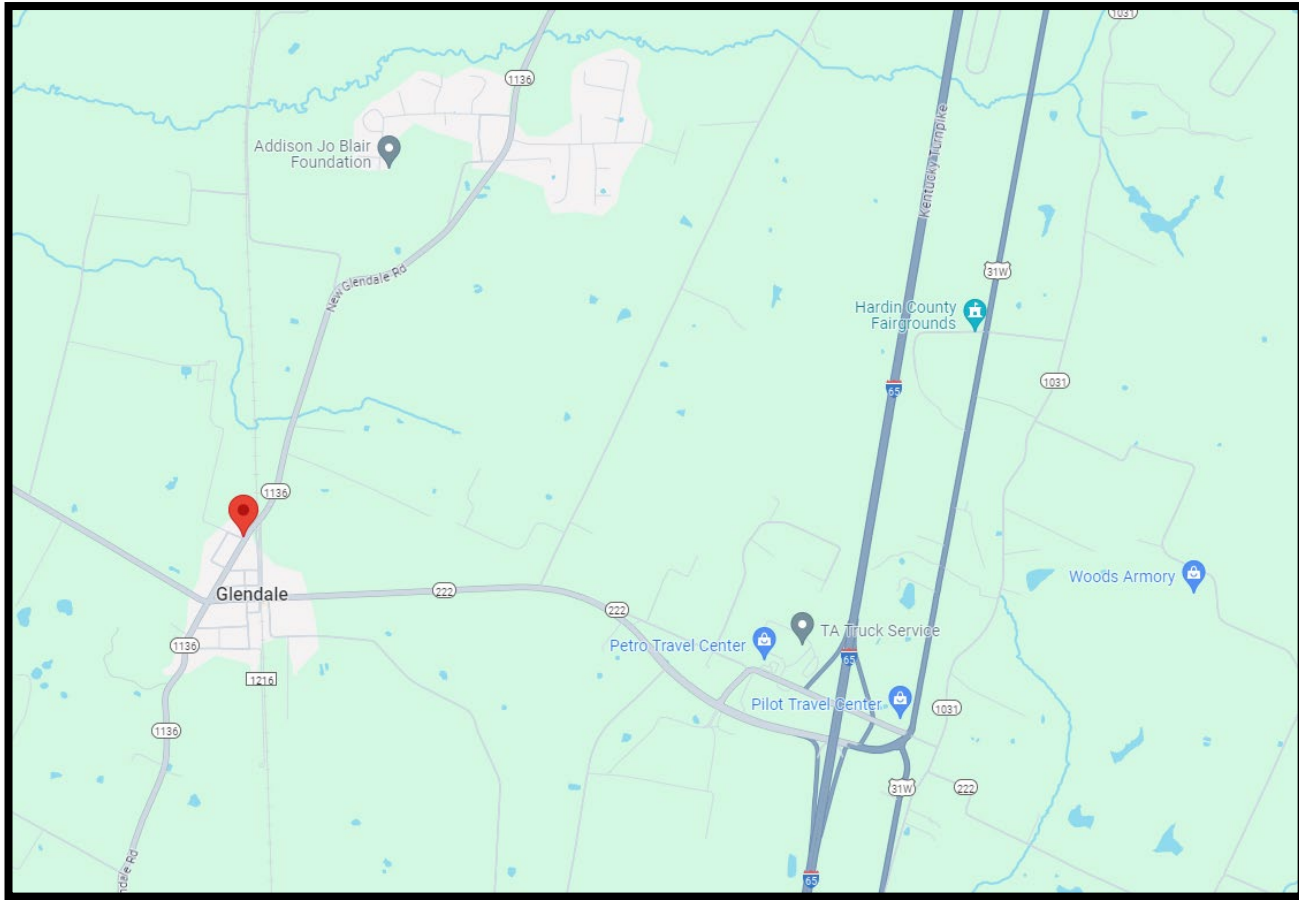
# **6487 New Glendale Road**

## **Amended Conditional Use Permit SUMMARY REPORT**

### **LISTING OF EXHIBITS**

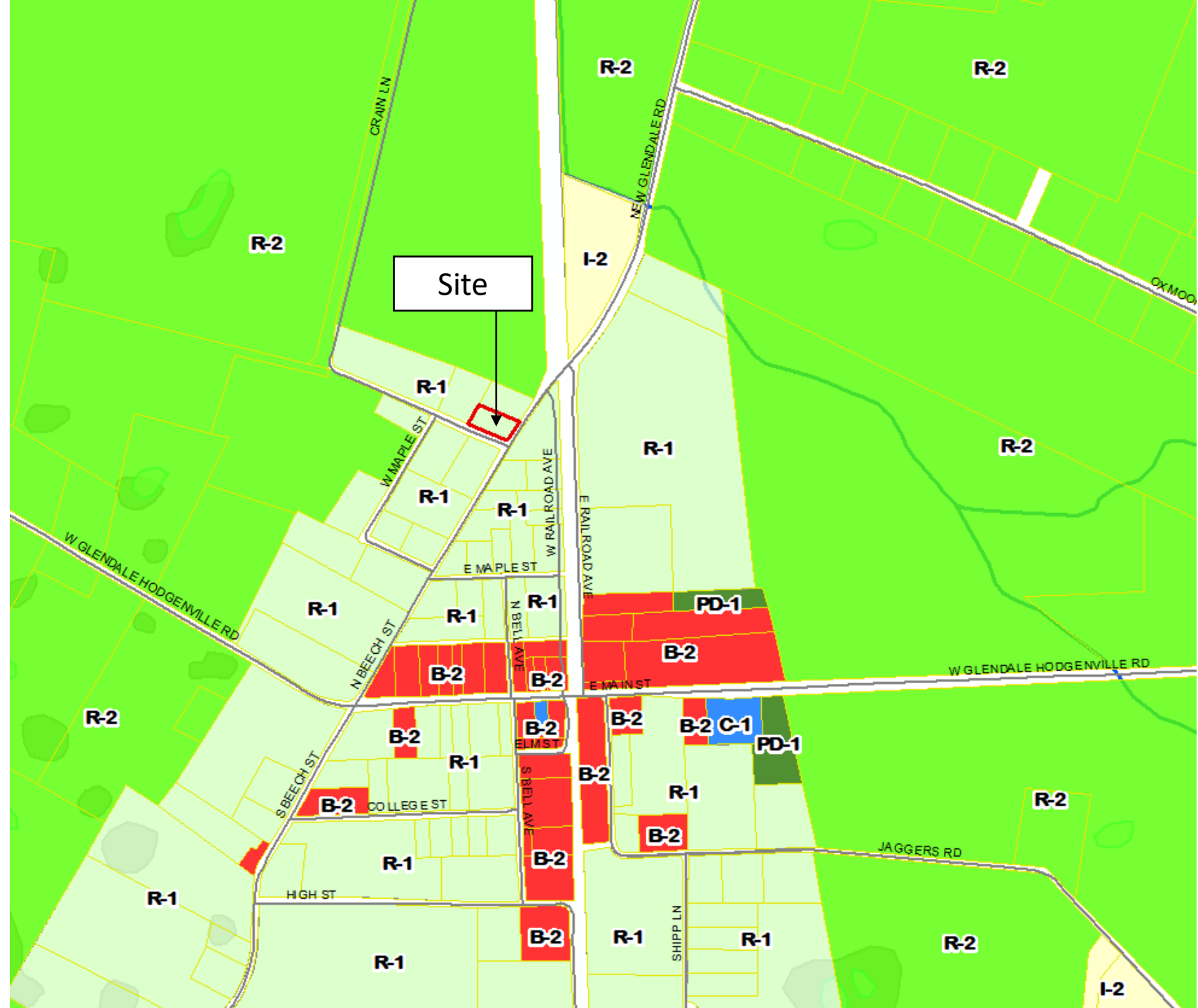
- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photos**
- D. Character of the Site**
- E. Record Plat of the Craddock Addition to the Town of Glendale (1915)**
- F. Proposed Amended Record Plat of Craddock Addition to Glendale Lots 13, 14 & 15 (2024)**
- G. Photos of the Site**
- H. Analysis of homes on West Maple Street**
- I. Analysis of Variances from the Pavement Width Requirement**
- J. Comparison of Variance Approval for Bennies Barn**
- K. \*Comprehensive Development Guide**
- L. \*Development Guidance System Ordinance**

\* Not Provided in PowerPoint





- A-1
- B-1
- B-2
- C-0
- C-1
- C-2
- I-1
- I-2
- IH
- PD-1
- R-1
- R-2
- R-3
- R-4



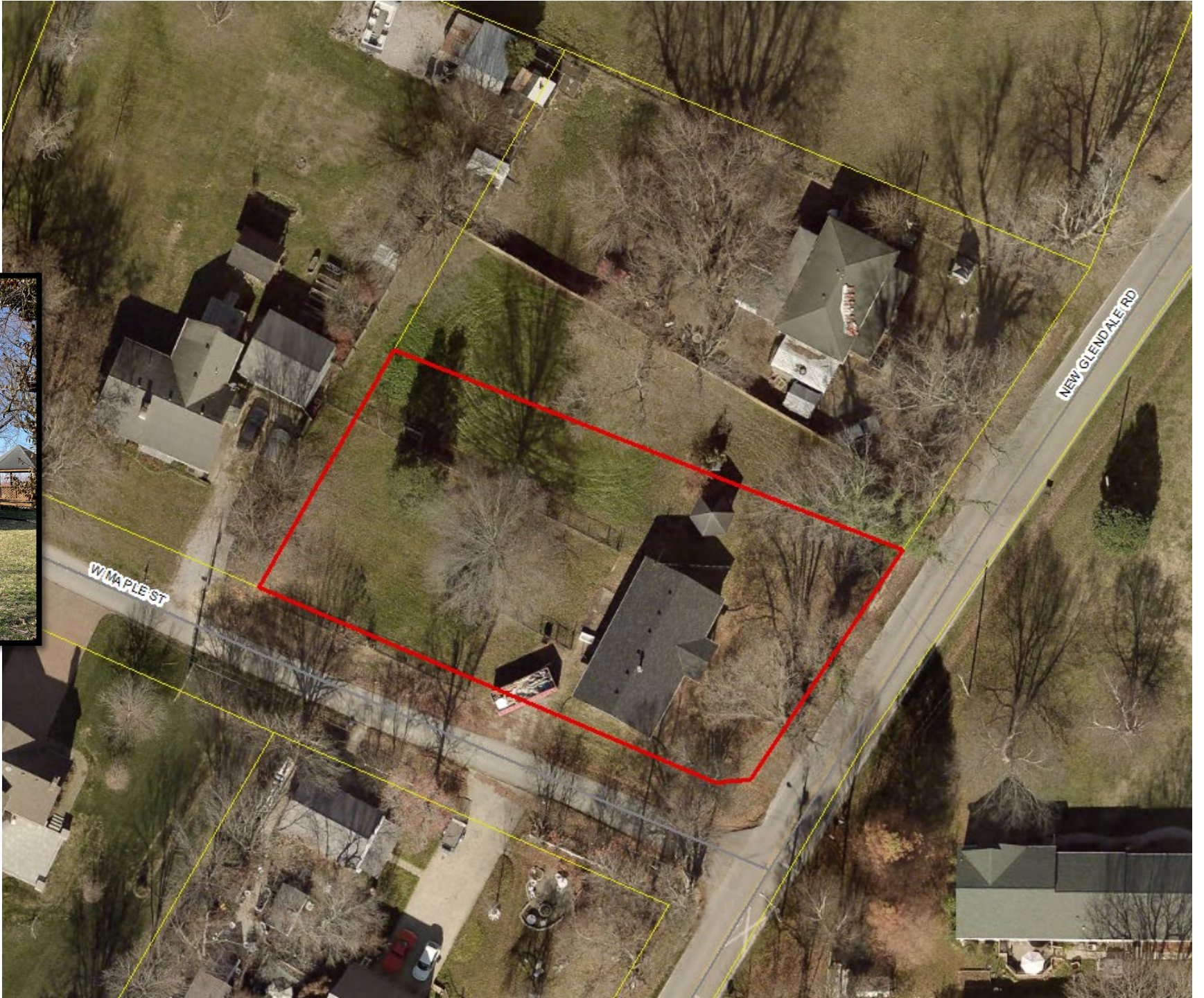


- Hardin\_Wetlands
- Hardin\_100Flood
- streams
- hardin\_sinkhole





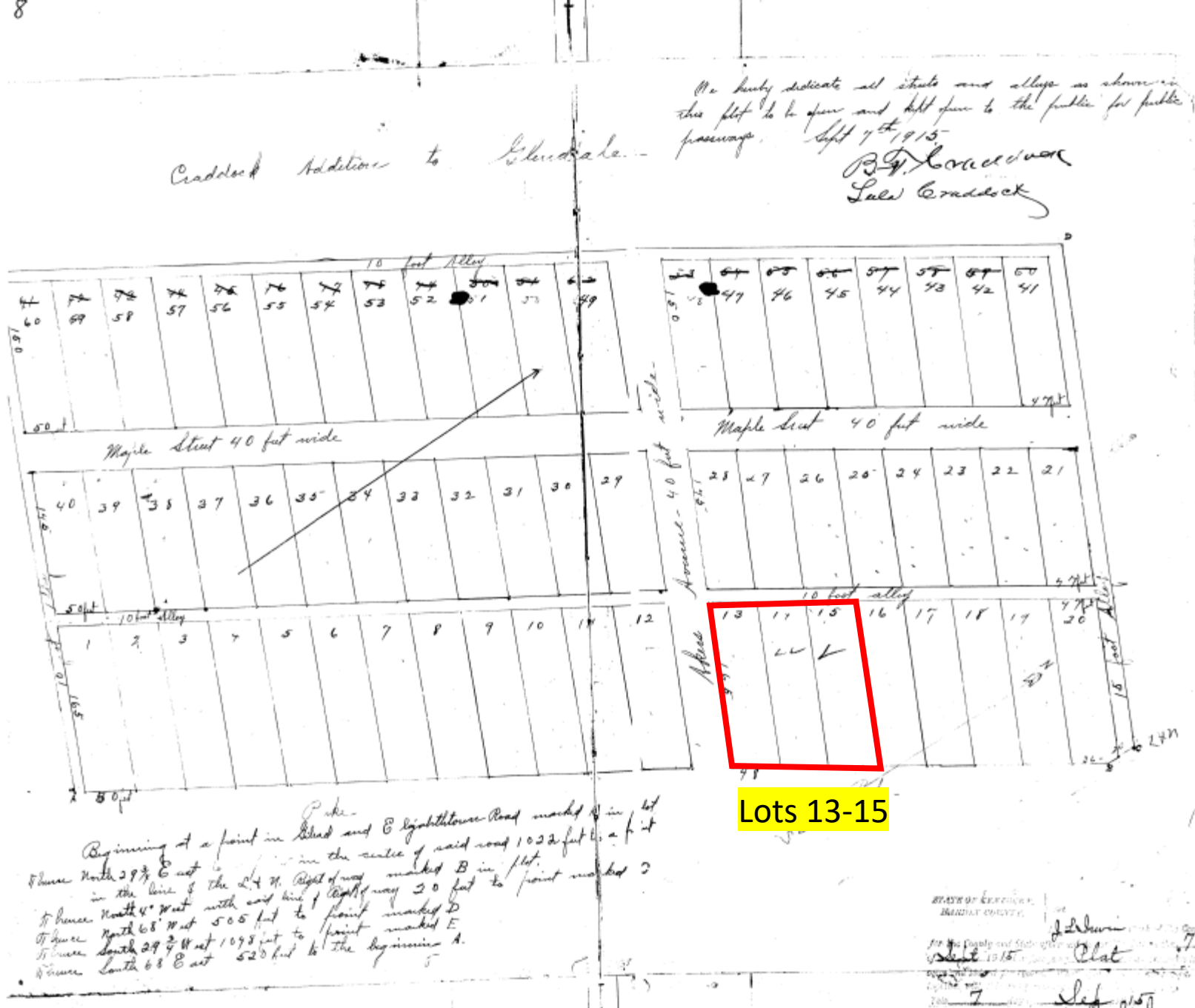
## Character of the site



1,812 sq. ft. House (1961)



Record Plat of Craddock Addition to the Town of Glendale from 1915



VARIANCE FROM THE MINIMUM [DGS 3-1(C)] TO ALLOW FOR SUBDIVIDED AS SHOWN

TY PLANNING & DEVELOPMENT

JOSEPH E. CRUM & BERNADETTE WALZ  
DB 1352 PG 306

JEFFREY & ASHLEY FOX  
DB 1466 PG 207

**LOT 13A**  
0.287 AC  
12512 SQFT

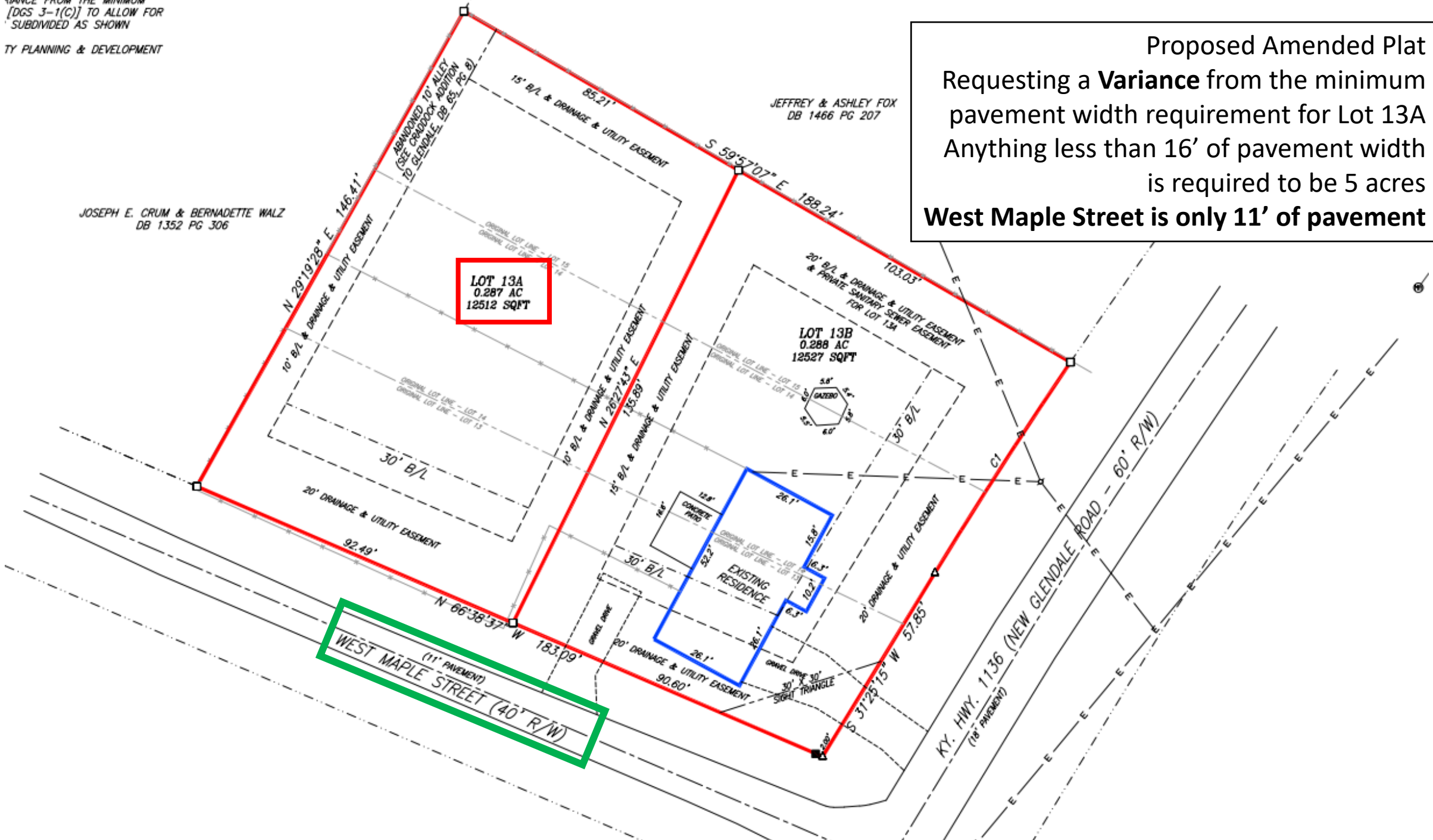
**LOT 13B**  
0.288 AC  
12527 SQFT



Proposed Amended Plat  
Requesting a **Variance** from the minimum pavement width requirement for Lot 13A  
Anything less than 16' of pavement width is required to be 5 acres  
**West Maple Street is only 11' of pavement**

WEST MAPLE STREET (11' PAVEMENT)  
WEST MAPLE STREET (40' R/W)

KY. HWY. 1136 (NEW GLENDALE ROAD - 60' R/W)  
(18' PAVEMENT)





## SECTION 3

### ZONING REGULATIONS

#### 3-1 URBAN RESIDENTIAL ZONE (R-1)

##### A. INTENT

This Zone is intended for high-density development of single family dwellings, located only where public water supply is available and individual on-site wastewater treatment is permitted by the Hardin County Health Department.

##### B. USES FOR THE ZONE

The Permitted, Accessory and Conditional Uses for lots and structures are set forth in the Land Use Table (Table 1, Pg. 56).

##### C. DIMENSION AND AREA REGULATIONS

The regulations on the dimensions and area for lots and yards are set forth as follows:

###### 1. Minimum Lot Size;

- 12,000 square feet for property having Sewer or Wastewater Treatment Alternatives;
- 40,000 square feet for property having on-site septic, access to a government maintained roadway with a 16 foot paved surface or greater and with public water available at the site; or
- 3.0 acres for property having access to a government maintained roadway with a 16 foot paved surface or greater, but without public water available at the site; or
- 5.0 acres for property having access to a government maintained roadway with less than 16 foot paved surface.

###### 2. Minimum Lot Frontage – 100'

###### 3. Minimum Width to Length Ratio – 1:4 until 300' of frontage;

###### 4. Minimum Front Yard Setback - 40';

###### 5. Minimum Side Yard Setback - 10'; 100' for Subdivision lots platted after the adoption of this ordinance and adjoining A-1, I-1, I-2 zones

###### 6. Minimum Rear Yard Setback - 15'; 100' for Subdivision lots platted after the adoption of this ordinance and adjoining A-1, I-1, I-2 zones

###### 7. Street Construction – New subdivision streets must intersect with government maintained roads with a minimum of 40 foot dedicated right-of-way and a minimum 18-foot paved road surface. To achieve street connectivity the Commission may approve secondary streets to intersect with other government maintained roads.

17-15 SEWER AND WASTEWATER TREATMENT ALTERNATIVES

This Provision is intended to implement and facilitate orderly growth consistent with the Land Use Element of the 2008 PLANNING FOR GROWTH COMPREHENSIVE DEVELOPMENT GUIDE by assuring that new development activity is served by adequate public facilities and managed sanitary sewer treatment for Hardin County.

The provision shall implement concepts contained in the Regional Wastewater Facilities Plan and the Inter-local Agreement in a manner consistent with the laws of the Commonwealth of Kentucky.

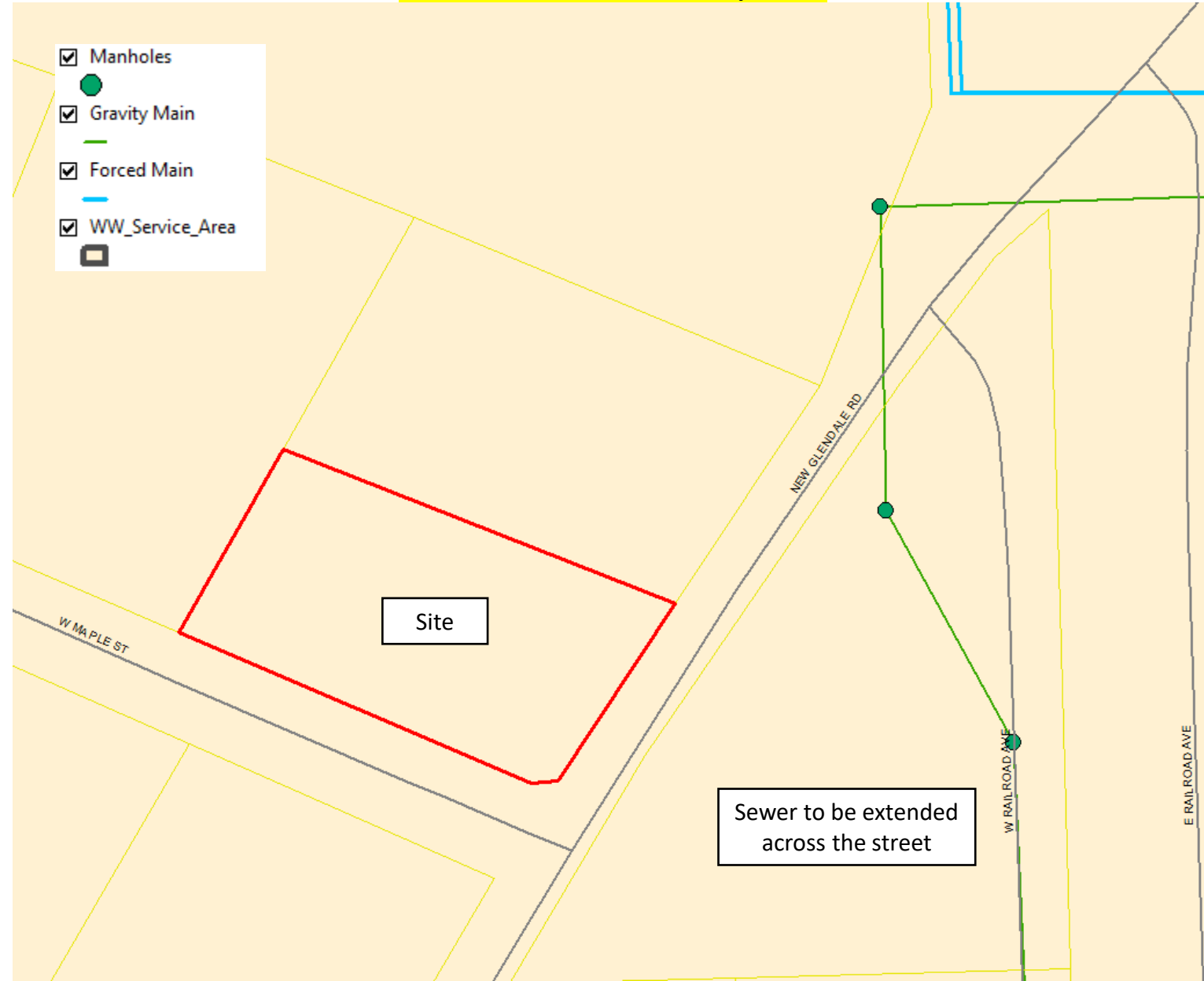
Wastewater Alternatives (also called Decentralized or community wastewater) can be defined as the centralized management of decentralized wastewater treatment systems, including on-site septic systems, cluster wastewater systems serving two or more properties, and traditional collection systems. These systems are overseen by a management entity, whether a municipality, the county, or a home owners association. This approach recognizes that on-site systems, like sewer systems, must be properly managed and maintained to protect the environment and public health, and to achieve water quality goals. Managing septic systems is appealing in areas of Hardin County that do not have the growth potential to support multi-million dollar sewer projects.

All proposals must comply with the Standards, Specifications and Details for Design and Construction of Wastewater Collection, Conveyance, and Treatment Systems as established by the Wastewater Utility Provider. Additionally, all lots must have access to a government maintained roadway with a 16 foot paved surface or greater and have public water available at the site.

DIMENSION AND AREA REGULATIONS

1. Minimum Lot Size
  - 12,000 square feet for single family; ←
  - 20,000 square feet for a duplex;
  - 40,000 square feet for multi family;
2. Minimum Lot Frontage – 75'
3. Minimum Width to Length Ratio – 1:4 until 300' of road frontage;
4. Minimum Front Yard Setback - 30";
5. Minimum Side Yard Setback - 10"; 100' for Subdivision lots created after the adoption of this ordinance and adjoining A-1, I-1, I-2 zones
6. Minimum Rear Yard Setback - 15"; 100' for Subdivision lots created after the adoption of this ordinance and adjoining A-1, I-1, I-2 zones
7. Street Construction – New subdivision streets must intersect with government maintained roads with a minimum of 40 foot dedicated right-of-way and a minimum 18-foot paved road surface. To achieve street connectivity the Commission may approve secondary streets to intersect with other government maintained roads.

Proposed Lot 13A is approvable being only 12,125 sq. ft. because it is connecting to the HCWD #2 Sewer System





East towards New  
Glendale Road



West down West  
Maple Street





West Maple Street





Proposed Lot 13A  
property corner





Proposed  
property  
line

























West Maple Street  
11 homes  
currently using  
for access and  
1 barn





## Variances from Pavement Width Requirement

Permit Date	Owner	PVA Map Number	Type	Zone	Listed Use (Dvpl, Cup, Var, Maps)	Request	Site Address	Status	Final Date
02/05/2024	MILES IMPROVEMENTS LLC	190-30-00-010	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	RESIDENTIAL	TO ALLOW FOR A VARIANCE FROM THE MINIMUM PAVEMENT WIDTH REQUIREMENT	W MAPLE STREET	PENDING	
04/11/2023	BENNIES BARN LLC	190-30-00-020.01; 190-30-00-016	VARIANCE	PD-1 - PLANNED UNIT DEVELOPMENT	ANTIQUA, GIFT & CRAFT SHOP	TO ALLOW FOR A VARIANCE FROM THE MINIMUM ROAD FRONTAGE AND PAVEMENT WIDTH REQUIREMENTS AND THE 1:4 LOT WIDTH-TO-LENGTH RATIO	434 E MAIN STREET & 122 E RAILROAD AVENUE, GLENDALE, KY	APPROVED	06/06/2023
04/13/2022	WALKER GEORGE L REVOCABLE LIVING TRUST	230-00-00-031, 230-00-00-032 & 230-00-00-045	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	RESIDENTIAL	FROM SECTION 3-1(C)7 OF THE ZONING ORDINANCE, NEW SUBDIVISION STREETS MUST INTERSECT WITH AN 18' WIDE PAVED ROAD. (PAVEMENT WIDTH)	726 TUNNEL HILL CHURCH ROAD, ELIZBETHTOWN, KY	APPROVED	05/19/2022

Records 1 to 3 (of 3)

3 Total: 2 Approved, 1 Pending

# Bennies Barn Variance

Variance from the Minimum  
Pavement Width  
Requirement (Less than 16'  
has to be 5 acres or greater)  
East Railroad Avenue: **15'**  
Pavement Width (Lots 1A &  
2A)



## KY. HWY. 222 ENTRANCE NOTE

Kentucky Department of Highways must approve all  
lot entrances onto Ky. Hwy. 222 (East Main Street).

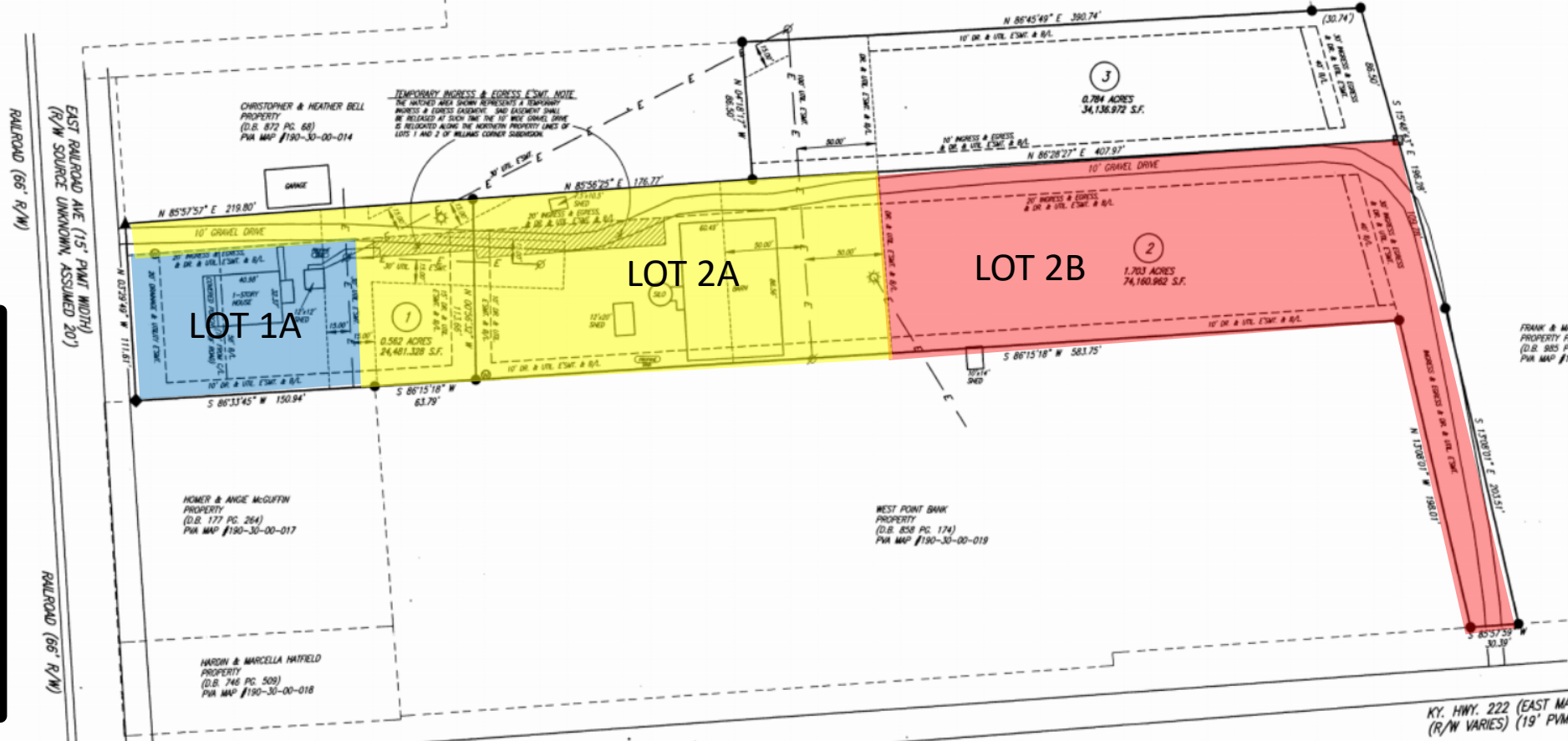
## LOCAL AVERAGE SQUARE FOOT STANDARD NOTE

A dwelling containing less than 1000 square feet of living space is allowed  
this subdivision. The existing structures shown on this plot are pre-existing  
structures and therefore do not need to meet the local minimum square foot  
standard established on this subdivision plot.

## GENERAL NOTES

- 1) THIS PROPERTY IS SUBJECT TO ANY AND ALL RIGHTS-  
OF-WAY, APPURTENANCES, RESTRICTIONS AND/OR  
EASEMENTS IN EFFECT TO DATE.
- 2) SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT  
SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES,  
RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE,  
OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT  
TITLE SEARCH MAY DISCLOSE.
- 3) ADJOINING PROPERTY OWNERS ARE ACCORDING TO THE  
HARDIN COUNTY PROPERTY VALUATION OFFICE.

JAMES DAVID & IDELL SEGO  
PROPERTY  
(D.B. 622 PG. 35)  
PVA MAP #190-30-00-013



KY. HWY. 222 (EAST MA  
(R/W VARIES) (19' PVM

# Findings necessary for Granting Variances

## KRS 100.243 and DGS 5-3(B)

1. Before any variance is granted, the Board of Adjustment must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation. In making these findings, the board shall consider whether:
  - 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;
  - c. The circumstances are the result of actions of the applicant taken subsequent to the adoption of this regulation from which relief is sought.
  
2. The Board shall deny any request for variance arising from circumstances that are the result of willful violations of this regulation by the applicant subsequent to the adoption of this regulation.



*I make a Motion to **Approve** the Variance with the Following Conditions:*

*Based on the Staff Presentation and the Testimony presented in the Public Hearing and that it satisfies the Standards for Variances outlined in the Development Guidance System, Zoning Ordinance 5-3(B)(1) with Finding of Fact:*

(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;

(C) The circumstances are the result of actions of the applicant taken subsequent to the adoption of this regulation from which relief is sought.

Motion to Approve the proposed Variance :

- 1. To allow for a Variance from the minimum pavement width requirement to allow for the property to be further subdivided.**
- 2. An Amended Record Plat shall substitute for the required site plan.**
- 3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.**

OR

Motion to Deny