

## Hardin County Board of Adjustment

Minutes: 21 December 2017

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Chairman Krausman called to order the three hundredth and eighty third meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 21 December 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also in attendance were, Director Adam King, AICP, Administrative Assistant Susan Bowen and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced that the first item on the agenda is a Conditional Use Permit to allow for a home occupation – lawn and landscape business. The property is a 3.5 acre site located at 320 Country Lane, Radcliff, KY in the North Urban area and is zoned Urban Residential(R-1). The PVA Map number is 162-00-02-019 and the property is owned by Jason & Deborah Thompson. Director King reviewed the application and the history of the property and presented exhibits. A letter in favor of the proposal from James Richards (Exhibit J) and letter against the proposal from Eric Akers (Exhibit M) were included in the Board members packets and made part of the record. Jason and Deborah Thompson provided testimony and answered questions from the Board Members and staff. Leland Stokes of 323 Country Lane, Radcliff, KY spoke in opposition with concerns of outside burning, damaging Country Lane which is a concrete road and additional traffic. John Sanders of 322 Country Lane, Radcliff, KY presented a petition signed by neighbors (Exhibit N) in opposition of the request, he spoke about the subdivision restrictions and had concerns about property values decreasing with a commercial activity in the area. Martha Greenlee of 319 Country Lane, Radcliff, KY spoke in opposition regarding burning. Maureen Johnson of 306 Country Lane, Radcliff, KY and Mandy Hall of 321 Country Lane, Radcliff, KY had concerns with burning and with traffic and the children in the neighborhood. Evelyn Stokes of 323 Country Lane, Radcliff, KY asked questions about the Conditional Use process and who enforces the conditions. Ron Brown of 318 Country Lane, Radcliff, KY has no problem with Mr. Thompson taking down the brush that is in a blind spot at the bend of the road and request that bamboo be planted to help with noise control. Jason Thompson, owner, spoke and said he heard the neighbor's concerns about burning and that he would no longer burn waste associated with his business. He also noted that he has GPS on all of his work vehicles and gets a text alert if the vehicles speed. Board Member Youngblood stated the importance of safety in the neighborhood. Chairman Krausman closed the hearing at 6:45 p.m. Board Member Steck stated that this request for the 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;

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- 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 Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing). Board Member Steck made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. This Conditional Use Permit for, "Grass is Greener Lawn & Landscaping" shall allow for an activity that exceeds the definition of a Home Occupation. The Business shall be permitted 4 employees, 3 trucks associated with the business & 6 trailers. All mowers and equipment are to be stored in the garage.
2. The existing trees along the side property lines shall be preserved. Additionally, clumping bamboo shall be planted continuously along the side property lines from the detached garage forward to the house and along the chain link fence facing the street.
3. The Hours of Operation shall be M-F 7:00 A.M. to 9:00 P.M., Saturday 9:00 A.M. to 9:00 P.M., Sunday 10:00 A.M. to 9:00 P.M.
4. No signage shall be permitted.
5. All outdoor lighting must be pointed down and not spill onto adjoining properties.
6. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required illustrating the parking areas, driveway, required landscaping, etc.
7. Employees' vehicles will be parked in the rear yard behind the home along with all trailers and trucks associated with the business.

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8. Work vehicles shall turn around in the existing driveway and not make use of the residential turn around at the end of Country Lane.
9. The existing brush in the blind spot at the bend of Country Lane shall be trimmed by the Applicant.
10. The Conditional Use Permit is valid for 2 years. After which time, a Renewal Hearing must be held before the Board of Adjustment.
11. This Conditional Use Permit is issued to the owners, Jason & Deborah Thompson, it is not transferable and shall expire if the property is transferred.
12. There shall be no burning of outside waste associated with the business and adhere to all applicable laws regarding outdoor burning.
13. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 6:48 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 19 November 2017 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 4 January 2018 at 5:00 pm and the meeting was adjourned at 6:56 pm.

**ADOPTED AND APPROVED THIS 8<sup>th</sup> DAY OF FEBRUARY 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 9 November 2017

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Chairman Krausman called to order the three hundredth and eighty second meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 9 November 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also in attendance were, Director Adam King, AICP, Administrative Assistant Susan Bowen, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced that the first item on the agenda is a Conditional Use Permit to allow for a wedding and event venue in the former Cecilia Methodist Church. The property is a 0.450 acre site located at 353 Methodist Street, Cecilia, KY in the Cecilia Rural Village Area and is zoned Urban Residential (R-1). The PVA Map Number is 147-30-01-036 and the property is owned by Mark and Anna Akins. Director King reviewed the application and the history of the property and presented exhibits. Anna and Mark Akins provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:45 p.m. Board Member Steck stated that this request for the 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.

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According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing). Board Member Steck made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. This Conditional Use Permit for, "The Cecilian Chapel" shall allow for the former Cecilia Methodist Church to be used as a wedding & event venue.
2. The existing tree line along the rear property line shall be preserved.
3. Only 50 large events per year shall be permitted with greater than 50 people and unlimited number of events per year with less than 50 people.
4. The Hours of Operation shall be 10am – 10pm Monday – Thursday and 10am – 12am on Friday & Saturday and 12pm-8pm Sunday.
5. Music shall not exceed a decibel level of 95db as measured by DJ. There shall be no amplified music outdoors. This restriction shall be written into the contract for parties renting the facility.
6. A single sign, 32 square feet and no taller than 8' in height shall be permitted. The signage may be externally lit.
7. All outdoor lighting must be pointed down and not spill onto adjoining properties.
8. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required illustrating the parking areas, driving lanes, etc.
9. The Conditional Use Permit is valid for 2 years (Expires on 11-9-2019). After which time, a Renewal Hearing must be held before the Board of Adjustment.
10. The proposed Wedding & Event Venue shall require building & electrical permits thru the KBC Program of our office.
11. This Conditional Use Permit is issued to current owners, Mark & Anna Akins, it is not transferable, and shall expire if the property is transferred.
12. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:50 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 19 October 2017 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

At 5:55 p.m. Chairman Krausman called for consideration and action on the **2018 Meeting Schedule (attached)**. Board Member Steck made a motion to approve the

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schedule. Board Member Youngblood provided the second. Motion passed unanimously.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 21 December 2017 at 5:00 pm and the meeting was adjourned at 6:15 pm.

**ADOPTED AND APPROVED THIS 21ST DAY OF DECEMBER 2017 BY THE  
HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

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Chairman Krausman called to order the three hundredth and eighty first meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 19 October 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also in attendance were, Director Adam King, AICP, Administrative Assistant Susan Bowen, County Engineer Vicki Meredith, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced that the first item on the agenda is a Conditional Use Permit to allow for a Permanent Accessory Dwelling (576 sq. ft. pool house). The property is a ± 26.8 acre site located at 216 Bennett Road, Rineyville, KY in the KY 1600 Corridor Planning Area and is zoned Urban Residential (R-1). The PVA Map Number is 120-00-00-015 and the property is owned by **Patsy Bennett**. Director King reviewed the application and the history of the property and presented exhibits. Patsy Bennett of 216 Bennett Rd, Rineyville, KY provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:07 p.m. Board Member Steck stated that this request for the 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.

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According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing). Board Member Steck made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. The property owner, Patsy Bennett, 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 onsite parking must be designated on an approved site plan.
3. A shared driveway shall be required.
4. The Permanent Accessory Dwelling is a 576 sq. ft. proposed pool house and the Principal Dwelling is the existing 3105 sq. ft. home.
5. The Permanent Accessory Dwelling shall be located in the rear yard and shall be located as illustrated on the approved Site Plan and in accordance with building setback lines.
6. The exterior finish materials of the Permanent Accessory Dwelling must be the same and visually match the Principal dwelling on Site (vinyl siding with a shingled roof).
7. The Permanent Accessory Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
8. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
9. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:16 p.m. Hearing Officer Steck announced that the next item on the agenda is a Variance from the 40-foot front building setback lines along Ireland School Road to allow for the construction of an attached garage. The property is an existing 0.885 acre site located at the 500 block of Ireland School Road, Radcliff, KY being Lot 17 of Irish Hills, Section 2 within the North Urban Planning Area and is zoned Urban Residential (R-1). The PVA Map Number is 141-00-06-004 and the property is owned by **William and Lori Perks**. Director King reviewed the application and the history of the property and presented exhibits. Lori Perks of Ireland School Rd, Radcliff, KY provided testimony



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and answered questions from the Board Members and staff. No one spoke in opposition.

Chairman Krausman closed the hearing at 5:40 p.m. Board Member Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing citing the topography of the site and the low speed limit on the road. He stated it will not be out of character of the surrounding neighborhood, it 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 40' front building setback along Ireland School Road to allow for the proposed attached garage to be no closer than 53' from the centerline of the road.
2. Prior to the issuance of a Building Permit a release of easement shall be required from Nolin RECC for the 30' utility easement illustrated on the plat.
3. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
4. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

At 5:48 p.m. Hearing Officer Steck announced that the next item on the agenda is a Conditional Use Permit to allow for an Asphalt Plant at the Vulcan Materials Hardin County Quarry. The property is a 7.5 acre portion of a 458 acre site located at 7015 Leitchfield Road in the Natural Resource Planning Area and is zoned Heavy Industrial (I-2). The PVA Map Number is 148-00-00-010 and the property is owned by **Buchanan Property Group, LLC**. Director King reviewed the application and the history of the property and presented exhibits. Brian Pace and Regina Bell with Vulcan Materials of 115 E. Park Dr., Suite 100, Brentwood, TN provided testimony and answered questions

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from the Board Members and staff. Darryl Waltz of 5230 Glendale Hodgenville Rd W, Glendale, KY asked questions regarding environmental concerns, lighting and odor. Bryan Carr with Vulcan Materials of 3553 Heritage Industrial Dr., Heritage, TN provided testimony and answered additional questions. No one spoke in opposition. Chairman Krausman closed the hearing at 6:23 p.m. Board Member Steck stated that this request for the 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 Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing). 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 an Asphalt Plant at the existing Vulcan Hardin County Rock Quarry.
2. Business Hours shall be from 6:00 a.m. to 6:00 p.m. Monday thru Saturday with no business activities on Sundays. If required by contract, the facility may be operated on a 24 hour basis for the term of the contract
3. An Existing Encroachment Permit for the Commercial Entrance shall be required from KYTC.

4. A 15' tall berm (measured from the grade inside the facility) shall be maintained in the south east corner of the leased area in the vicinity of the plant. Existing trees and vegetation shall be maintained along the south and east boundaries.
5. Compliance with Federal, State and Local Industrial Stormwater requirements including USEPA MSGP (Multi Sector General Permit), KDOW KPDES Permit KYR00, and all local Stormwater / Erosion Prevention and Sediment Control permits shall be required.
6. Compliance with all State Air Quality standards and dust abatement measures shall be required.
7. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
8. A Development Plan in compliance with Section 6 of the Development Guidance System, Zoning Ordinance 2009 shall be required to include a drainage/grading plan.
9. A Best Management Plan which includes an Emergency Response Plan must be prepared and submitted to the Planning Commission Staff and County Engineer for review and acceptance.
10. The Asphalt Plant and stock piles must be located as illustrated on the approved Development Plan.
11. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 6:28 p.m. Hearing Officer Steck announced that the next item on the agenda is an **Administrative Review**. The Hearing Officer called for consideration and action on the Administrative Review (attached) on the interpretation of the zoning boundaries for the Harrison Evans Jr. Estate regarding Sheacroft Subdivision, Sections 1-4. The site consists of 61 platted lots on 50 acres on the west side of Bacon Creek Road (KY 1904), south of the intersection with Ring Road (KY 3005) in Elizabethtown, KY. Consideration shall be given to the development pattern of the area and the circumstances surrounding the 1995 Zoning Map designation of Industrial Holding (IH) for Sheacroft Subdivision, Sections 1-4 as per KRS 100.257 (Resolution 2017-007). Director King reviewed the history of the property and presented the exhibits. Board Member Steck made a motion to approve the zoning boundaries interpretation that the Sheacroft Subdivision, Sections 1-4(61 lots on 50 acres) be zoned Urban Residential (R-1) rather than Industrial Holding (IH) based on the 4 previously recorded plats and residential subdivision restrictions from 1979. Board Member Youngblood provided the second. Motion passed unanimously.

At 6:40 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 21 September 2017 meeting. Board Member Youngblood made a

motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 9 November 2017 at 5:00 pm and the meeting was adjourned at 6:45 pm.

**ADOPTED AND APPROVED THIS 9<sup>th</sup> DAY OF NOVEMBER 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

Chairman Krausman called to order the three hundredth and eightieth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 21 September 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also in attendance were, Assistant Director Adam King, AICP, Administrative Assistant Susan Bowen and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced that the first item on the agenda is a Variance from the 40-foot front building setback lines along Reva Ridge Road and Bluegrass Road to allow for the construction of a deck. The property is  $\pm$  0.48 acre site located at 19 Reva Ridge Road, Elizabethtown, KY and known as Lot 2 of Farmgate Estates in the North Urban Planning Area and is zoned Urban Residential (R-1). The PVA Map Number is 231-10-01-002 and the property is owned by **Karoline Meadows**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Karoline Meadows of 19 Reva Ridge Road, Elizabethtown, KY provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:07 p.m. Board Member Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing citing that the site is above grade from a 4 way stop intersection with a 25 mph speed limit. He stated it will not be out of character of the surrounding neighborhood, it 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 40' front building setback along Reva Ridge Road to allow for the proposed deck connecting the side deck and the front porch (to be no closer than 54' from the centerline of Reva Ridge Road and no closer than 63' from the centerline of Bluegrass Road). The proposed deck shall not be covered or enclosed and have wood construction or of similar construction.
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 Steck provided the second. Motion passed unanimously.

At 5:12 p.m. Hearing Officer Steck announced that the next item on the agenda is a Conditional Use Permit to allow for an Outdoor Wedding and Event Venue. The property is a 5 acre site located at 2638 Glendale Hodgenville Rd West within the Natural Resource Area and zoned Rural Residential (R-2). The PVA Map Number is 190-10-00-008 and it is owned by **Carl & Wanda Edwards and Alan Ash**. Assistant Director King reviewed the application and the history of the property. Alan Ash of 244 Jagers Rd. Glendale, KY and Wanda Edwards of 6370 Hardinsburg Rd. Cecilia, KY provided testimony and answered questions from the Board Members and staff. Doug Sharp of 2685 Glendale Hodgenville Rd West, Glendale, KY spoke in favor. No one spoke in opposition. Chairman Krausman closed the hearing at 5:58 p.m. Board Member Steck stated that this request for the Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use does not tend to change the character and established pattern of development of the area;
- The use is in harmony with the uses permitted by right under the sector and district in question and it does not affect adversely the use of neighboring properties;
- The use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair their value;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity;
- 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 Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing). 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 area behind the house & barn to be used for outdoor weddings & events. The use of any structures shall require approval from KBC Program for compliance with the KY Building Code.

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2. The existing tree line along the side and rear property lines shall be preserved.
3. Only 25 events per year shall be permitted.
4. The Hours of Operation shall be 8am – 10pm Monday – Thursday and 8am – 12am on Friday & Saturday and 8am-8pm Sunday. (Events may not start until 10am Monday-Saturday and 12pm on Sunday)
5. Music shall not exceed a decibel level of 95db as measured by DJ. The speakers shall be oriented facing towards the rear of the property. This restriction shall be written into the contract for parties renting the facility.
6. A single sign 3'x2' no taller than 8' shall be permitted. The sign may be lit.
7. All outdoor lighting must be pointed down and not spill onto adjoining properties.
8. The existing paved entrances shall obtain an existing encroachment permit from the KYTC. One driveway shall serve as an entrance and the other as the exit.
9. Outdoor activities shall be restricted to the area behind the house and barn.
10. A contract for Port-a-pots must be maintained for all events on site.
11. The proposed parking layout must comply with the parking standards as outlined in Section 8 of the Zoning Ordinance. Measures must be taken in the form of a fence or landscaping to prevent vehicles from entering and exiting the parking area directly to KY 222.
12. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required illustrating the parking areas, driving lanes, etc.
13. The Conditional Use Permit is valid for 2 years (9/21/2019). After which time, a Renewal Hearing must be held before the Board of Adjustment.
14. This Conditional Use Permit is issued to current owners, Wanda Edwards and Alan Ash, it is not transferable, and shall expire if the property is transferred.
15. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 6:06 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 7 September 2017 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 19 October 2017 at 5:00 pm and the meeting was adjourned at 6:12 pm.

**ADOPTED AND APPROVED THIS 19<sup>th</sup> DAY OF OCTOBER 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 7 September 2017

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Chairman Krausman called to order the three hundredth and seventy ninth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 7 September 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also in attendance were, Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced that the first item on the agenda is a continuation from the 3 August 2017 and 17 August 2017 hearings for a Conditional Use Permit for Automotive Repair and Storage of up to 32 vehicles on site. The site is a 3.072 acre tract located at 4399 W Glendale Hodgenville Road and being Lot 1 of Tiny J Acres within the Natural Resource Planning Area and is zoned Rural Residential (R-2). The PVA Map Number is 170-00-00-017 and owned by **Amanda Boone and Randall Gray**. Assistant Director King reviewed the application and the history of the property. Randall Gray of 4431 Glendale Hodgenville Rd W, Glendale, KY provided testimony and answered questions from the Board Members and staff. Lois Pierce of 4313 Glendale Hodgenville Rd W, Glendale KY spoke in opposition. Fred Stein of 4645 Glendale Hodgenville Rd W, Glendale KY expressed concerns with the size of the fenced area as well as who was responsible for monitoring the site. Tina Hardy of 4208 Glendale Hodgenville Rd W, Glendale KY spoke in opposition. Chairman Krausman closed the hearing at 6:30 p.m. Board Member Youngblood indicated that he had reservations about the application. Board Member Steck stated that this request for the Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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



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

## **Hardin County Board of Adjustment**

Minutes: 7 September 2017

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According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing). Board Member Steck made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. Hours of Operation shall be from 12:00 pm – 9:00 pm Monday – Friday and 2:00 pm – 7:00 pm on Saturday.
2. 20 vehicles may be stored on site and shall be completely screened from view of the right-of-way and adjoining properties in the designated area. The area shall be an 80'x125' gravel parking area to the west side and rear of the existing building. 10 of these vehicles may be non-operational and/or non-licensed and registered.
3. The vehicles will be screened via a 6' tall solid wood privacy fence with landscaping (5 shrubs and 2 trees) along the front side facing the road.
4. The Staff will conduct a Site Visit in 90 days (December 7, 2017) to verify compliance. An inventory of vehicles on site will be conducted and maintained.
5. There shall only be no employees of the business who does not reside on the premises other than family members.
6. This Conditional Use Permit shall allow for general Auto Repair and the storage of vehicles. There shall be no retail sales of parts/vehicles.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
8. This Conditional Use Permit shall be issued to the current property owners, Amanda Boone & Randall Gray and is not transferable.
9. This Conditional Use Permit shall be for a period of one (1) year and expire on 7 September 2018.
10. A Certificate of Land Use Restrictions shall be recorded in the Hardin County Clerk's Office.
11. An Emergency Response and Spill Prevention Plan shall be required.

Chairman Krausman provided the second. Motion passed 2-1, with Board Member Youngblood voting against.

At 6:33 p.m. Hearing Officer Steck announced that the next item on the agenda is a Conditional Use Permit to allow for the construction of a 30'x30' carport on a vacant lot. The site is a 0.922 acre tract adjacent to 9809 Leitchfield Road (US 62) and being within the Stephensburg Rural Village Planning Area and is zoned Rural Residential (R-2). The PVA Map Number is 105-00-00-054 and owned by **Robert & Colleen Bruington**. Assistant Director King reviewed the application and the history of the property. Colleen

Bruington of 9809 Leitchfield Rd, Stephensburg, KY provided testimony, answered questions from the Board Members and staff and explained that after obtaining cost estimates that she would like to build a 30'x30' garage to match their residence next

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

Minutes: 7 September 2017

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door, as oppose to a carport. No one spoke in opposition. Chairman Krausman closed the hearing at 6:44 p.m. Board Member Youngblood stated that this request for the Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use does not tend to change the character and established pattern of development of the area;
- The use is in harmony with the uses permitted by right under the sector and district in question and it does not affect adversely the use of neighboring properties;
- The use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair their value;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity;
- 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 Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing). Board Member Youngblood made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. This Conditional Use Permit shall allow for a proposed 30'x30' garage without a dwelling on the property.
2. The proposed garage is for residential storage and shall not be occupied or used for any Commercial Activity.
3. The garage shall be constructed of wood posts with a green metal roof and brown metal sides.
4. Additional landscaping and/or screening shall not be required.
5. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
6. Building and Electrical permits must be secured thru the KBC Building Program of our office.
7. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

## **Hardin County Board of Adjustment**

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At 6:46 p.m. Hearing Officer Steck announced that the next item on the agenda is a Variance from the 70' front building setback line to allow for the construction of a proposed sanctuary. The property is an existing  $\pm$  6 acre site located at 189 Pickerell Lane, Vine Grove, KY, within the West Urban Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 079-00-00-004 and the property is owned by **Liberty Baptist Church**. Director Wright reviewed the application and the history of the property and presented exhibits. Pastor, Mark Weidemann, the applicant, of 179 Cecil Drive, Rineyville, KY, provided testimony about this new septic area required and the blueline stream on the property hindered the sitting of the sanctuary. Pastor Weidemann indicated Pickerell Lane was a dead end road. No one spoke in opposition. Chairman Krausman closed the hearing at 7:03 p.m. Board Member Steck made a motion to grant a variance based on the staff presentation, the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 70' front building setback along Pickerell Lane to allow for the proposed sanctuary to be 40' from the front property line.
2. An Amended Record Plat and a 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 Youngblood provided the second. Motion passed unanimously.

At 7:06 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 17 August 2017 meeting. Board Member Steck made a motion to approve the minutes. Board Member Youngblood provided the second. Motion passed unanimously.

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

**3 YEARS OF SERVICE**

Melissa Wilson, Planning Technician, celebrates 3-years of service with the Planning Commission on 3 September 2017.

## Hardin County Board of Adjustment

Minutes: 7 September 2017

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### **SUBDIVISION PROJECTS WITH SURETIES**

The deadline for the eleven (11) major subdivisions expires on 15 September 2017 for all improvements to be installed. Final inspections and site visits to review progress are being performed by staff.

### **SUBDIVISION PLATS RECORDED AUGUST**

| Project / Subdivision Name                                     | Site Address                   | Lots     | Acres (All Permits) | Completed Date | Final Date |
|--|--------------------------------|----------|---------------------|----------------|------------|
| RAY'S SUBDIVISION, SECTION 1, LOT 1A AND SECTION 2, LOTS 5 -12 | LOCUST GROVE RD                | -5       | 0.0000              | 8/17/2017      | 8/3/2017   |
| BEAVER PASS  | 428 EARL WISE LANE             | 1        | 0.0000              | 7/31/2017      | 8/7/2017   |
| NOEL ESTATES, LOTS 1 & 3                                       | 3477 MIDDLE CREEK ROAD         | 0        | 0.0000              | 7/19/2017      | 8/10/2017  |
| LOWER COLESBURG ESTATES  | 365 LOWER COLESBURG ROAD       | 1        | 3.0000              | 7/31/2017      | 8/15/2017  |
| FULL CIRCLE RANCH  | 10 MASTERS                     | 1        | 2.8400              | 5/11/2017      | 8/16/2017  |
| VERNIE ACRES   | JAMES DUVALL LANE              | 1        | 4.9600              | 8/4/2017       | 8/18/2017  |
| WILLIE'S PLACE   | 21300 SONORA HARDIN SPRINGS RD | 1        | 2.7800              | 7/12/2017      | 8/18/2017  |
| HOLMAN HILLS ESTATES, LOTS 1 & 2                               | 3359 SHEPHERDSVILLE RD         | 0        | 0.0000              | 7/27/2017      | 8/21/2017  |
| SLACK SUBDIVISION  | ST JOHN ROAD                   | 9        | 29.1070             | 7/26/2017      | 8/23/2017  |
|  |                                | <b>9</b> | <b>42.6</b>         |                |            |

**Total Records: 9**

**9/1/2017**

### **AUGUST 2017 REPORT**

|  |   |
|--|---|
| <b>Plats Recorded:</b> <ul style="list-style-type: none"> <li>• 9 Subdivision plats were approved for the month</li> <li>• 61 Subdivision plats were approved for the year</li> </ul>  | <b>New Lots Created:</b> <ul style="list-style-type: none"> <li>• 14 New lots approved for the month</li> <li>• 76 Net lots approved for the year</li> </ul>  |
| <b>Building Permits:</b> <ul style="list-style-type: none"> <li>• 24 SFD Permits for the month</li> <li>• 113 SFD Permits for the year</li> <li>• 93 Total Building Inspections for the month</li> <li>• 838 Total Building Inspections for the year</li> <li>• 374 Total Building Permits for the year</li> </ul> | <b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"> <li>• 93 Total Permits for the month</li> <li>• 627 Total Permits for the year</li> <li>• 162 Total Electrical Inspections for the month</li> <li>• 1246 Total Electrical Inspections for the year</li> </ul> |

**Hardin County Board of Adjustment**

Minutes: 7 September 2017

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Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 21 September 2017 at 5:00 pm and the meeting was adjourned at 7:09 pm.

**ADOPTED AND APPROVED THIS 21<sup>st</sup> DAY OF SEPTEMBER 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 17 August 2017

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Chairman Krausman called to order the three hundredth and seventy eighth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 17 August 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also in attendance were, Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced that the first item on the agenda is a request for a (1) Conditional Use Permit to allow for the construction of a garage that exceeds the size of the home on site and (2) a Variance from the front building setback along Middle Creek Road to allow for the construction of a front deck. The site is a 1.23 acre tract located at 1688 Middle Creek Road in Elizabethtown, KY within the Valley Creek Urban Planning Area and is zoned Rural Residential (R-2). The PVA Map Number is 246-00-00-027 and the property is owned by **Darren & Betty Burton**. Assistant Director King reviewed the application and the history of the property. Darren Burton, of 1688 Middle Creek Road, Elizabethtown, KY provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:20 p.m. Board Member Steck stated that this request for the Conditional Use Permit to construct a garage larger than the home does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

## Hardin County Board of Adjustment

Minutes: 17 August 2017

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Additionally, the requested Variance to construct an 8'x12' deck on the front of the home will not be out of character of the surrounding neighborhood, it 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which are as follows:

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

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 and Variance with the following conditions:

1. This Conditional Use Permit shall allow for the construction of a 40'x60' garage on site that exceeds the size of the dwelling.
2. The proposed structure is for residential storage and shall not be occupied or used for any Commercial Activity.
3. The garage shall be metal sided with a metal roof in a sandstone/clay color scheme.
4. Additional landscaping and/or screening shall not be required.
5. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
6. Building and Electrical permits must be secured thru the KBC Building Program of our office.
7. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

The variance was granted with the noted conditions:

4. To allow for a Variance from the 40' front building setback along Middle Creek Road to allow for the proposed 8'x12' deck to be no closer than 46.5' from the centerline of the road. The proposed deck shall not be covered or 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.

Board Member Youngblood provided the second. Motion passed unanimously.



## **Hardin County Board of Adjustment**

Minutes: 17 August 2017

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At 5:25 p.m. Hearing Officer Steck announced that the next item on the agenda is a continuation from the 3 August 2017 hearing for a Conditional Use Permit for Automotive Repair and Storage of up to 32 vehicles on site. The site is a 3.072 acre tract located at 4399 W Glendale Hodgenville Road and being Lot 1 of Tiny J Acres within the Natural Resource Area and is zoned Rural Residential (R-2). The PVA Map Number is 170-00-00-017 and owned by **Amanda Boone**. Assistant Director King reviewed the application and the history of the property. Lois Pierce, of 4313 W Glendale Hodgenville Road, expressed concerns with the hours of operation and changing the character of the area. Fred Stein, of 4645 W Glendale Hodgenville Road stated concerns with the green metal fence being out of character with the neighborhood, would like to see a wood fence placed and/or photographs of what the fence would look like. Justine Hardy, P.O. Box 66, Glendale, KY spoke in opposition regarding the number of cars allowed as well as the neighbors having to "police" a "salvage yard" to ensure that the conditions are met. Board Member Youngblood made a motion to table the request until the next board meeting scheduled for Thursday, 7 September 2017, in order for the Applicant, Randy Gray, to be present. Board Member Steck provided the second. Motion passed unanimously.

At 6:14 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 3 August 2017 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

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

### **LINCOLN TRAIL HOME BUILDERS ASSOCIATION**

Ed Bryan will be attending the monthly meeting of the LTHBA on 24 August. A Nolin RECC will present new code requirements to the association.

### **APA-KY FALL CONFERENCE 2017**

Wesley & Adam will attend the one day Fall Conference on Friday, 29 September at The Parklands of Floyds Fork, Louisville, Kentucky. The theme is to promote a healthy community through connectivity, mobility, public space, and diversity. Please join us!

### **KENTUCKY FARM BUREAU**

Wesley will attend the Kentucky Farm Bureau's annual country ham breakfast on Thursday, 24 August courtesy of the Hardin County Kentucky Farm Bureau Branch.

**Hardin County Board of Adjustment**

Minutes: 17 August 2017

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Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 7 September 2017 at 5:00 pm and called for the meeting to be adjourned at 6:18 pm Board Member Youngblood made a motion to adjourn the meeting. Board Member Steck provided the second. Motion passed unanimously.

**ADOPTED AND APPROVED THIS 7<sup>th</sup> DAY OF SEPTEMBER 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 3 August 2017

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Chairman Krausman called to order the three hundredth and seventy seventh meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 3 August 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Member in attendance was Vice-Chairman Youngblood. Also in attendance were, Assistant Director Adam King, AICP and Administrative Assistant Susan Bowen and the individuals listed on the attached sign-in sheet. Board Member Steck, Director Wesley Wright and Planning Assistant Melissa Wilson were not in attendance. Chairman Krausman appointed Vice-Chairman Youngblood to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Youngblood announced that the first item on the agenda is for a Conditional Use Permit to allow for the reconstruction of a 24'x20' barn on a vacant property. The site is a 2.189 acre tract located at 821 Nathans Lane in Eastview, KY within the Natural Resource Planning Area and is zoned Rural Residential (R-2). The PVA Map Number is 046-00-00-016 and the property is owned by **Farrah and Carrie Cottrell**. Assistant Director King reviewed the application and the history of the property. Farrah Cottrell, of 821 Nathan's Lane, Eastview, KY provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Hearing Officer Youngblood closed the hearing at 5:11 p.m. Board Member Youngblood stated that this request for the Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

## Hardin County Board of Adjustment

Minutes: 3 August 2017

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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 Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing). Board Member Youngblood made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. This Conditional Use Permit shall allow for a proposed 24'x20' barn with electric service without a dwelling on the property.
2. The proposed structure is for residential storage and shall not be occupied or used for any Commercial Activity.
3. The barn shall be constructed of grey metal siding with a metal roof.
4. Additional landscaping and/or screening shall not be required.
5. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
6. Building and Electrical permits must be secured thru the KBC Building Program of our office.
7. 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 5:12 p.m. Chairman Krausman appointed Board Member Youngblood to serve as the Hearing Officer. Hearing Officer Youngblood announced that the next item on the agenda is a Conditional Use Permit to allow for the construction of a 40'x66' garage prior to the construction of a house on site. The property is a vacant 1.99 acre tract on Twelve Point Buck Blvd. in Elizabethtown, KY and being Lot 10A of Deer Field Estates, Section 4, within the KY 1600 Corridor and is zoned Urban Residential (R-1). The PVA Map Number is 165-00-00-024.12 and the property is owned by **Jon & Brenda Pirtle**. Assistant Director King reviewed the application and the history of the property. Jon Pirtle, of 3288 Rineyville Road, Elizabethtown, KY provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Hearing Officer Youngblood closed the hearing at 5:20 p.m. Board Member Youngblood stated that this request for the 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:

## Hardin County Board of Adjustment

Minutes: 3 August 2017

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

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing). Board Member Youngblood made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. This Conditional Use Permit shall allow for the construction of a 40'x66' garage on site prior to the construction of the dwelling.
2. The proposed structure is for residential storage and shall not be occupied or used for any Commercial Activity.
3. The garage shall be a stick framed building with wood toned siding and a metal roof.
4. The existing trees between Twelve Point Buck Blvd. and the proposed garage shall be preserved.
5. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
6. Building and Electrical permits must be secured thru the KBC Building Program of our office.
7. 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.

## **Hardin County Board of Adjustment**

Minutes: 3 August 2017

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At 5:25 p.m. Chairman Krausman appointed Board Member Youngblood to serve as the Hearing Officer. Hearing Officer Youngblood announced that the next item on the agenda is a Conditional Use Permit for Automotive Storage to allow for up to 32 vehicles to be stored on site. The property is a 3.072 acre tract located at 4399 W Glendale Hodgenville Road and being Lot 1 of Tiny J Acres within the Natural Resource Area and is zoned Rural Residential (R-2). The PVA Map Number is 170-00-00-017 and owned by Amanda Boone. Assistant Director King reviewed the application and the history of the property. Randall Gray, the applicant, of 4431 W Hodgenville Glendale Road, Glendale, KY provided testimony and answered questions from the Board Members and staff. Bob Watkins, of 4478 W Glendale Hodgenville Road, expressed concerns with the application regarding potential noise and decreasing property values. Lois Pierce, of 4313 W Glendale Hodgenville Road, expressed concerns with the hours of operation and changing the character of the area. Fred and Martha Stein, of 4645 W Glendale Hodgenville Road had concerns regarding compliance with the conditions and requested that if the applicant shall be approved, would like a drawing or photographs of what the fence would look like. Justine Hardy, P.O. Box 66, Glendale, KY spoke in opposition regarding noise and appearance. Janet Hardy, P.O. Box 66, Glendale, KY expressed concerns that the area appears to look like a salvage yard. Hearing Officer Youngblood made a motion to table the request until the next board meeting scheduled for Thursday, 17 August 2017, in order for the Board Members to conduct a site visit. Chairman Krausman provided the second. Motion passed unanimously.

At 6:20 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 6 July 2017 meeting. Board Member Youngblood made a motion to approve the minutes. Chairman Krausman provided the second. Motion passed unanimously.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 17 August 2017 at 5:00 pm and called for the meeting to be adjourned at 6:30 pm Chairman Krausman made a motion to adjourn the meeting. Board Member Youngblood provided the second. Motion passed unanimously.

**ADOPTED AND APPROVED THIS 17th DAY OF AUGUST 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 6 July 2017

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Acting Chairman Youngblood called to order the three hundredth and seventy sixth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 6 July 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Member in attendance was Secretary Steve Steck. Also in attendance were, Director Wesley Wright, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Chairman Krausman and Assistant Director Adam King were not in attendance. Acting Chairman Youngblood appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced that the first item on the agenda is for a Conditional Use Permit to allow for the construction of a 1000 sq. ft. apartment as a Permanent Accessory Dwelling. The site is a  $\pm$  7.5 acre site located within the Valley Creek Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 223-00-00-032.09 and the property is owned by **James and Candice Dant**. Director Wright reviewed the application and the history of the property. James Dant, of 1440 Sportsman Lake Rd, Elizabethtown, KY provided testimony and answered questions from the Board Members and staff. Jim Duplessis, of 1422 Sportsman Lake Rd, Elizabethtown, KY expressed his concerns with trespassing on his property. Acting Chairman Youngblood closed the hearing at 5:44 p.m. Board Member Steck stated that this request for the 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;

## Hardin County Board of Adjustment

Minutes: 6 July 2017

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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) with the following conditions:

1. The property owners, James & Candice Dant, 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 1000 sq. ft. proposed apartment and the Principal Dwelling is the existing 2006 sq. ft. home.
5. The Permanent Accessory Dwelling shall be located in the rear yard and shall be located as illustrated on the approved Site Plan and in accordance with building setback lines.
6. The exterior finish materials of the Permanent Accessory Dwelling must be the same and visually match the Principal dwelling on Site (tan colored vinyl siding with a green shingled roof).
7. The Permanent Accessory Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
8. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
9. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.
11. A fence or trees/shrubbery must be located along the rear property line.

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:48 p.m. Acting Chairman Youngblood appointed Board Member Steck to serve as the Hearing Officer. Hearing Officer Steck announced that the next item on the agenda is a Variance from the 70' front building setback line to allow for a proposed dwelling. The property is an existing  $\pm$  3 acre site located at 514 Hornback Lane, Sonora, KY, within the South Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 154-00-00-033 and the property is owned by **Donald and Patricia Hornback**. Director Wright reviewed the application and the history of the property and



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presented exhibits. Alicia Gerald, the applicant, of 75 W. Horseshoe Ave, Upton, KY, provided testimony and answered any questions from the Board and staff. Donald Hornback, of 542 Hornback Lane, Sonora, KY provided testimony and answered questions from the Board and Staff. No one spoke in opposition. Acting Chairman Youngblood closed the hearing at 6:07 p.m. Board Member Steck made a motion to grant a variance based on the staff presentation, the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 70' front building setback at the end of Hornback Lane to allow for the proposed manufactured home to be no closer than 60' from the edge of the pavement.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 6:09 p.m. Acting Chairman Youngblood appointed Board Member Steck to serve as the Hearing Officer. Hearing Officer Steck announced that the next item on the agenda is a Variance from the 40' front building setback line to allow for a proposed dwelling to be constructed on an existing foundation. The property is an existing  $\pm$  0.885 acre site located at the 500 block of Ireland School Rd, Radcliff, KY, within the North Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 141-00-06-004 and the property is owned by **William & Lori Perks**. Director Wright reviewed the application and the history of the property and presented exhibits. Lori Perks, of 674 Ireland School Rd, Radcliff, KY, provided testimony and answered any questions from the Board and staff. No one spoke in opposition. Acting Chairman Youngblood closed the hearing at 6:26 p.m. Board Member Steck made a motion to grant a variance based

## Hardin County Board of Adjustment

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on the staff presentation, the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 40' front building setback along Ireland School Road to allow for the proposed house to be constructed on the existing basement/foundation to be no closer than 56' from the centerline of the road.
2. Prior to the issuance of a Building Permit a report from a Structural Engineer/ Architect shall be required certifying the structural integrity of the existing basement/foundation.
3. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
4. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 6:28 p.m. Acting Chairman Youngblood called for consideration and action on the **Minutes (attached)** of the 22 June 2017 meeting. Board Member Steck made a motion to approve the minutes. Board Member Youngblood provided the second. Motion passed unanimously.

At 6:29 p.m. Acting Chairman Youngblood called for consideration and action on the **Annual Nomination and Election of Officers**. Board Member Steck made a motion for the officers to remain the same. Board Member Youngblood provided the second. Motion passed unanimously.

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

## Hardin County Board of Adjustment

Minutes: 6 July 2017

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### JUNE 2017REPORT

|  |  |
|--|--|
| <b>Plats Recorded:</b> <ul style="list-style-type: none"> <li>• 7 Subdivision plats were approved for the month</li> <li>• 42 Subdivision plats were approved for the year</li> </ul>  | <b>New Lots Created:</b> <ul style="list-style-type: none"> <li>• 10 New lots approved for the month</li> <li>• 40 Net lots approved for the year</li> </ul>   |
| <b>Building Permits:</b> <ul style="list-style-type: none"> <li>• 25 SFD Permits for the month</li> <li>• 78 SFD Permits for the year</li> <li>• 117 Total Building Inspections for the month</li> <li>• 623 Total Building Inspections for the year</li> <li>• 332 Total Building Permits for the year</li> </ul> | <b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"> <li>• 81 Total Permits for the month</li> <li>• 430 Total Permits for the year</li> <li>• 180 Total Electrical Inspections for the month</li> <li>• 901 Total Electrical Inspections for the year</li> </ul> |

### SUBDIVISION PLATS RECORDED IN JUNE

| Project / Subdivision Name                                     | Site Address                    | Lots +/- (Plats Final) | Acres (All Permits) | Completed Date | Final Date |
|--|---------------------------------|------------------------|---------------------|----------------|------------|
| KENDRICKS ACRES SUBDIVISION, LOT 1                             | 995 RED MILL ROAD               | 0                      | 11.8330             | 5/25/2017      | 6/12/2017  |
| PFIEFFER ESTATES, LOTS 13 & 14                                 | 286 MT. ZION RD                 | -1                     | 0.0000              | 6/2/2017       | 6/12/2017  |
| PFEIFFER ESTATES, LOTS 15 & 16                                 | MT ZION RD                      | -1                     | 0.0000              | 1/2/1900       | 6/13/2017  |
| CLAUSON'S GLENN SUBDIVISION, LOT 2                             | PATRIOT PARKWAY (KY HWY 361)    | 5                      | 0.0000              | 3/9/2017       | 6/14/2017  |
| GROEPPE SUBDIVISION, SECTION 2, LOT 12A                        | 6834 RINEYVILLE RD (KY HWY 220) | 0                      | 4.4630              | 5/17/2017      | 6/14/2017  |
| TURNER SUBDIVISION   | KNOX AVENUE                     | 2                      | 28.0900             | 5/3/2017       | 6/20/2017  |
| ALMA'S ACRES AND BOUNDARY SURVEY OF DONALD & GINA HART TRACT A | PECKS LANE                      | 3                      | 15.0800             | 6/20/2017      | 6/26/2017  |
|  |                                 | <b>8</b>               | <b>59.4660</b>      |                |            |

Total Records: 7

7/5/2017

**Hardin County Board of Adjustment**

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Acting Chairman Youngblood announced that the next regular scheduled meeting will be held on Thursday 3 August 2017 at 5:00 pm and called for the meeting to be adjourned at 6:30 pm Board Member Steck made a motion to adjourn the meeting. Board Member Youngblood provided the second. Motion passed unanimously.

**ADOPTED AND APPROVED THIS 3<sup>rd</sup> DAY OF AUGUST 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 22 June 2017

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Chairman Krausman called to order the three hundredth and seventy fifth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 22 June 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also in attendance were, Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer. Hearing Officer Steck announced that the first item on the agenda is a Variance from the 1:3 lot width-to-length ratio to allow for additional acreage to be merged to the lot. The property is an existing  $\pm$  3 acre site located at 3421 Middle Creek Road, Elizabethtown, KY, within the East Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 257-00-00-017.01 and the property is owned by **Chad McGuffin**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Roger McGuffin, of 3477 Middle Creek Road and Chad McGuffin of 3421 Middle Creek Road, provided testimony and answered any questions from the Board and staff. Chairman Krausman expressed his concerns about approving a "ribbon" lot. Member Steck felt it was not out of character with other properties on the south side of Middle Creek Road. No one spoke in opposition. Chairman Krausman closed the hearing at 5:25 p.m. Board Member Youngblood made a motion to grant a variance because no new lots are being created based on the staff presentation, the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

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

The variance was granted with the noted conditions:

## Hardin County Board of Adjustment

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1. To allow for a Variance from the 1:3 lot width-to-length ratio to allow for Lots 1 & 3 of Noel Estates to be amended so that Lot 1 extends to the existing rear property line of Lot 3 (1:6.1 ratio).
2. An Amended Record Plat shall substitute for the required Site Plan.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed 2-1 with Chairman Krausman voting against the motion to approve.

At 5:27 p.m. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer. Hearing Officer Steck announced that the next item on the agenda is a Variance from the 40' front building setback line along the undeveloped right-of-way to allow for the construction of a proposed house. The property is an existing  $\pm$  0.68 acre site located at the corner of Nancy Drive and an undeveloped right-of-way, Elizabethtown, KY, within the Valley Creek Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 234-00-0B-031 and the property is owned by **Jerry & Emma Tade**. Director Wright reviewed the application and the history of the property and presented exhibits. Jerry Tade, of 260 Nancy Drive, provided testimony and answered any questions from the Board and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:43 p.m. Board Member Steck made a motion to grant a variance based on the staff presentation, the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which are as follows:

- c. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity;
- 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 variance was granted with the noted conditions:

## Hardin County Board of Adjustment

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1. To allow for a Variance from the 40' front building setback along an undeveloped street to allow for the proposed house to be no closer than 31' from the property line.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:47 p.m. Hearing Officer Steck announced that the next item on the agenda is for a Conditional Use Permit to allow for the existing cabin to remain on site as a Permanent Accessory Dwelling and to allow for the construction of a new home. The site is a  $\pm$  50.75 acre site located within the Valley Creek Urban Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 235-00-00-002 and the property is owned by **Daryl & LeeAnn Pepper**. Assistant Director King reviewed the application and the history of the property. Daryl Pepper, of 907 Dogwood Circle, Elizabethtown, KY provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 6:00 p.m. Board Member Steck stated that this request for the 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;

## Hardin County Board of Adjustment

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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) with the following conditions:

1. The property owners, Daryl & Lee Ann Pepper, 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 960 sq. ft. existing cabin and the Principal Dwelling is the proposed 4300 sq. ft. home.
5. The Permanent Accessory Dwelling shall be located in the side yard and shall be located as illustrated on the approved Site Plan and in accordance with building setback lines.
6. The exterior finish materials of the Permanent Accessory Dwelling must be the same and visually match the Principal dwelling on Site (wood siding with stone accents).
7. The Permanent Accessory Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
8. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
9. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 6:05 p.m. Hearing Officer Steck announced that the next item on the agenda is for a Conditional Use Permit to allow for the construction of a 16'x36' accessory structure without a dwelling on site. The site is a  $\pm$  1.8 acre site located within the KY 313 Corridor Planning Area and zoned Residential Estate (R-3). The PVA Map Number is 259-00-01-036 and the property is owned by **Greg & Sue Kelly**. Director Wright reviewed the application and the history of the property. Greg Kelly, of 236 Cartwright Estates, Elizabethtown, KY provided testimony and answered questions from the Board



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Members and staff. Roger Hutchens, of 490 Cartwright Estates, stated he had no objections. He also stated he liked the Kelly's intentions for said property. Ray Web, of 491 Cartwright Estates, proclaimed he had to get an elevation certificate when he constructed an accessory structure. He encourages the Kelly's to do the same. No one spoke in opposition. Chairman Krausman closed the hearing at 6:27 p.m. Board Member Youngblood stated that this request for the Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. This Conditional Use Permit shall allow for a proposed 16'x36' carport/elevated shed structure with electric service without a dwelling on the property.
2. An Elevation Certificate must be submitted and approved by the Floodplain Coordinator.
3. The proposed structure is for residential storage and shall not be used for any Commercial Activity. Prior to occupancy a Change of Use Building Permit shall be required.

## **Hardin County Board of Adjustment**

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4. Additional landscaping and/or screening shall not be required.
5. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
6. Building and Electrical permits must be secured thru the KBC Building Program of our office.
7. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

At 6:29 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 6 June 2017 meeting. Board Member Steck made a motion to approve the minutes. Board Member Youngblood provided the second. Motion passed unanimously.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 6 July 2017 at 5:00 pm and called for the meeting to be adjourned at 6:30 pm. Board Member Youngblood made a motion to adjourn the meeting. Board Member Steck provided the second. Motion passed unanimously.

**ADOPTED AND APPROVED THIS 6<sup>th</sup> DAY OF JULY 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 8 June 2017

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Chairman Krausman called to order the three hundredth and seventy fourth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 8 June 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also in attendance were, Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced that the first item on the agenda was for an **Administrative Review**. The Hearing Officer called for consideration and action on the Administrative Review (attached) on the interpretation of the zoning boundaries for the existing "Hardin County Quarry" operated by Vulcan Materials Company consisting of a 189.45 acre portion of three separate tracts that total 460.90 acres located on the south side of Leitchfield Road (US 62) as per KRS 100.257 (Resolution 2017-003). Director Wright reviewed the history of the Property and presented the exhibits. Board Member Steck made a motion to approve the zoning boundaries interpretation that the "Hardin County Quarry" be zoned Heavy Industrial (I-2) rather than Rural Residential (R-2) based on the staff presenting a timeline of public hearings and Development Plan approvals since 1992. Board Member Youngblood provided the second. Motion passed unanimously.

At 5:31 p.m. Hearing Officer Steck announced that the next item on the agenda is for an Amended Conditional Use Permit to continue to allow for a Temporary Accessory Dwelling (12'x56' manufactured home) to remain on site. The site is a  $\pm$  1 acre site located within the Natural Resource Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 105-00-00-017 and the property is owned by **Jesse Burton**. Assistant Director Wright reviewed the application and the history of the property. Rebecca East, the applicant, of 714 Franklin Cross Road, Cecilia, KY provided testimony and answered questions from the Board Members and staff. Chairman Krausman reiterated with the applicant that the unit is temporary and that the permit may not be extended further. Krausman recommended a reduced time period from the previous approval. No one spoke in opposition. Chairman Krausman closed the hearing at 5:42 p.m. Board Member Steck stated that this request for the 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;
- 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) with the following conditions:

1. The Temporary Accessory Dwellings shall be a temporary use for no longer than three (3) years from 2 June 2017 and must be removed from the property by 8 June 2020.
2. The existing Mobile Home (12' x 56') on site is a Temporary Accessory Dwelling and has approximately 672 square feet of living space which is less than the Local Average Square Foot Standard of 1267 square feet.
3. The Temporary Accessory Dwelling is for a care-giver situation and shall only be occupied by the owner's granddaughter, Rebecca East and her immediate family.
4. Upon the vacancy of the Temporary Accessory Dwelling, it must be removed from the property within six (6) months.
5. The Temporary Accessory Dwelling shall have a sewerage system (septic tank and lateral lines) approved by the Environmental Services Office of the Hardin County Health Department.
6. This Conditional Use Permit shall be issued to the current property owner, Jesse Burton, Sr., and shall expire when the property is transferred and not be transferable to another property owner.

## Hardin County Board of Adjustment

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7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
8. The skirting on the manufactured home must be maintained.
9. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:44 p.m. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer. Hearing Officer Steck announced that the next item on the agenda is a Variance from the 70' front building setback line to allow for the construction of a 30'x48' garage. The property is a  $\pm$  3.44 acre site located at 3817 Laurel Ridge Road, Eastview KY, within the West Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 031-00-00-032 and the property is owned by **Josh & Katrina Lingerfelt**. Director Wright reviewed the application and the history of the property and presented exhibits. Katrina Lingerfelt, of 3817 Laurel Ridge Road, provided testimony and answered any questions from the Board and staff. Chairman Krausman closed the hearing at 5:57 p.m. Board Member Youngblood made a motion to grant a variance based on the staff presentation, the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it 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 with the proposed location being at a higher elevation than the road, and will not allow an unreasonable circumvention of the requirements of this regulation with the topography dropping off to the rear of the lot significantly and the request does satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 70' front building setback line (90' to C/L) to allow for a proposed 30' x 48' garage to be no closer than 70' to the center line of Laurel Ridge Road.

## Hardin County Board of Adjustment

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

Board Member Steck provided the second. Motion passed unanimously.

At 5:59 p.m. Hearing Officer Steck announced that the next item on the agenda is for a Conditional Use Permit to operate a saw mill on the former Missouri Walnut Log Yard site. The site is a  $\pm$  22.68 acre site located within the West Hardin Planning Area and zoned Light Industrial (I-1). The PVA Map Number is 060-00-00-006 and the property is owned by **Missouri Walnut LLC**. Assistant Director Wright reviewed the application and the history of the property. Tyler Pence, of 118 Pickhandle Rd, Cecilia, KY provided testimony and answered questions from the Board Members and staff. Dean Pence of 118 Pickhandle Rd, Cecilia KY provided testimony and answered questions from the Board Members and staff. Chairman Krausman closed the hearing at 6:46 p.m. Board Member Youngblood stated that this request for the Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

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

## Hardin County Board of Adjustment

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According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System, and the proceedings before the Board of Adjustment, Board Member Youngblood made the motion to grant the Conditional Use Permit (CUP) noting that the property has historically been used as a sawmill & it's been zoned Industrial since 1995 and is identified in the Industrial Element of the Comp Plan with the following conditions:

1. This Conditional Use Permit shall allow for a Saw Mill operation to include outdoor log storage and retail sales of firewood.
2. Prior to the use of the entrance to the west, the applicants shall contact the KY Transportation Cabinet and request an inspection of the gravel entrance to the site. An encroachment permit for a Commercial Entrance shall be required from the KY Transportation Cabinet (Please contact Kevin Dixon).
3. Adequate parking areas must be designated on the Development Plan along with an area provided for semi-trucks to turn around.
4. Due to the rocky soil conditions, and in lieu of the previous required pine tree buffer; Screening must be attached to the existing chain link fence to screen the operation from view of Leitchfield Road (US 62) within one (1) year (8 June 2018).
5. The lumber and finished products shall be stored on the back half of the property with only firewood stored between the loading dock area and the chain link fence.
6. The existing tree line to the east and west sides of the property shall be preserved, along with existing trees along Leitchfield Road frontage.
7. The applicants shall be responsible for dust control onsite of the sawdust and gravel areas. A semi-trailer shall be located on-site to contain the sawdust. The gravel areas must watered down as needed to minimize the amount of dust.
8. No open fires shall be allowed onsite in conjunction with the Saw Mill operation.
9. The Hours of Operation shall be 7AM to 7PM Monday – Friday, 7AM to 5PM Saturday, with no operations on Sunday.
10. This Conditional Use Permit is issued to the proposed property owners, Dean & Tyler Pence (doing business as D & T Log and Lumber, LLC) and shall expire if the property is transferred.
11. The Conditional Use Permit is valid for three (3) years. Expiring on 8 June 2020. After which time, a renewal hearing must be held before the Board of Adjustment.
12. An Erosion & Sediment Control Plan using Best Management Practices shall be required that complies with the County's Ordinance and be approved by the County Engineer.

## Hardin County Board of Adjustment

Minutes: 8 June 2017

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13. The operation of the Saw Mill shall be performed in accordance with all applicable County, State and Federal rules and regulations.
14. A Development Plan prepared by a Licensed Surveyor or Engineer shall be required.
15. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

At 6:48 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 25 May 2017 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

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

### MAY 2017 REPORT

|  |  |
|--|--|
| <b>Plats Recorded:</b> <ul style="list-style-type: none"> <li>• 7 Subdivision plats were approved for the month</li> <li>• 35 Subdivision plats were approved for the year</li> </ul>  | <b>New Lots Created:</b> <ul style="list-style-type: none"> <li>• 26 New lots approved for the month</li> <li>• 32 Net lots approved for the year</li> </ul>   |
| <b>Building Permits:</b> <ul style="list-style-type: none"> <li>• 10 SFD Permits for the month</li> <li>• 53 SFD Permits for the year</li> <li>• 114 Total Building Inspections for the month</li> <li>• 506 Total Building Inspections for the year</li> <li>• 270 Total Building Permits for the year</li> </ul> | <b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"> <li>• 78 Total Permits for the month</li> <li>• 350 Total Permits for the year</li> <li>• 138 Total Electrical Inspections for the month</li> <li>• 721 Total Electrical Inspections for the year</li> </ul> |

### SUBDIVISION PLATS RECORDED IN MAY

| Project / Subdivision Name                | Site Address           | Lots      | Acres (All Permits) | Completed Date | Final Date |
|---|------------------------|-----------|---------------------|----------------|------------|
| IRISH HILLS                               | 214 DAWSON LANE        | 0         | 0.9480              | 4/24/2017      | 5/2/2017   |
| POSSUM HOLLER SUBDIVISION, LOT 1          | N LONG GROVE RD        | 0         | 0.0000              | 4/7/2017       | 5/10/2017  |
| DEERFIELD ESTATES, SECTION 4, LOTS 9 & 10 | TWELVE POINT BUCK BLVD | 1         | 1.9940              | 2/27/2017      | 5/16/2017  |
| PEYTON ESTATES, LOTS 6 & 7                | 6670 S WILSON RD       | -1        | 0.0000              | 4/26/2017      | 5/16/2017  |
| LAVONE ACRES SECTION 2                    | 1233 LONG HOLLOW RD    | 2         | 14.7020             | 5/5/2017       | 5/24/2017  |
| BROWN SWISS ESTATES, SECTION 2            | RINEYVILLE RD          | 2         | 22.0000             | 4/27/2017      | 5/24/2017  |
| LELIA AND LOETTA SUBDIVISION              | ST JOHN ROAD           | 21        | 114.3000            | 5/10/2017      | 5/25/2017  |
|   |                        | <b>25</b> | <b>153.9440</b>     |                |            |

Total Records: 7



**Hardin County Board of Adjustment**

Minutes: 8 June 2017

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Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 22 June 2017 at 5:00 pm and called for the meeting to be adjourned at 6:50 pm Board Member Youngblood made a motion to adjourn the meeting. Board Member Steck provided the second. Motion passed unanimously.

**ADOPTED AND APPROVED THIS 22 DAY OF JUNE 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 25 May 2017

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Chairman Krausman called to order the three hundredth and seventy third meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 25 May 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also in attendance were, Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced that the first item on the agenda is a continuation from the 20 April 2017 hearing for a Variance requesting relief from the front and side building setbacks to allow for renovations and additions to the existing house at 2905 Eastview Rd. The property is a  $\pm$  0.468 acre tract and identified by PVA Map Number 088-00-00-058. The property is owned by **John & Jennifer DeWitt** and is located in the West Hardin Planning Area and is zoned Rural Residential (R-2). Assistant Director King reviewed the application and entered the exhibits into the record. Douglas Johnson, the Surveyor, of 21500 Sonora Hardin Springs Rd, Big Clifty KY, submitted a survey drawing of the residence (Exhibit "H") as well provided testimony and answered questions from the Board Members and staff. John DeWitt, the Owner, of 2905 Eastview Rd, Elizabethtown KY, provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:13 p.m. Board Member Youngblood made a motion to grant the variance based on the staff presentation, the testimony provided in the public hearing and because it is not out of character with the area. He indicated that the variance for the addition will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity. The variance will not allow an unreasonable circumvention of the requirements of this regulation and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

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

The variance is granted with the noted conditions:

1. To allow for a Variance from the front and side building setback lines to allow for additions and renovations to the existing home to be no closer than 8' to the side and 11' from the front property line along Eastview Road.
2. A Record Plat shall substitute for the required Site Plan.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

## Hardin County Board of Adjustment

Minutes: 25 May 2017

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4. A Demo permit will be required for the removal of the Addition on the south side, as well as, a Building permit for the proposed Addition.

Board Member Steck provided the second. Motion passed unanimously.

At 5:16 p.m. Hearing Officer Steck announced that the next item on the agenda is for a continuation from the 20 April 2017 hearing for a Conditional Use Permit to allow for an outdoor wedding & event venue. The site is a ± 24.038 acre site located within the Natural Resource Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 089-00-00-084 and the property is owned by **Nicolle Staples**. Director Wright reviewed the application indicated that a site visit was coordinated by staff to allow the board members an opportunity to hear a DJ (Music Mania DJ Services) play outside from 3pm-4pm on 3 May 2017. All three members attended the event and commented on their visit. Nicolle Staples, the owner of 13943 Leitchfield Rd, Elizabethtown, KY provided testimony and answered questions from the Board Members and staff. Gerry & Karen Aubrey of 143 Prairie Court, Louisville KY spoke in opposition. Chairman Krausman closed the hearing at 5:44 p.m. Board Member Youngblood stated that this request for the Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

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

## Hardin County Board of Adjustment

Minutes: 25 May 2017

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

1. This Conditional Use Permit shall allow for the area to the east and south of the barn to be used for outdoor weddings & events. The use of any structures (house and/or barns) shall require approval from KBC Program for compliance with the KY Building Code and require an Amended Conditional Use Permit.
2. The existing tree line along the property line shall be preserved.
3. Only 25 events per year shall be permitted.
4. The Hours of Operation shall be 10am – 10pm Sunday – Thursday and 10am – 12am on Friday & Saturday and only operated from April 1<sup>st</sup> through October 31<sup>st</sup>.
5. Music shall not exceed a decibel level of 95db as measured by DJ. This restriction shall be written into the contract for parties renting the facility. Additionally, the speakers must be located behind the barn facing the Western Kentucky Parkway at every event.
6. A single sign 3'x2' no taller than 8' in height shall be permitted.
7. All outdoor lighting must be pointed down and not spill onto adjoining properties.
8. The existing paved entrance shall obtain an existing encroachment permit from the KYTC.
9. Outdoor activities shall be restricted to the area behind and beside the wooden barn.
10. A contract for Port-a-pots must be maintained with AA Portable Sanitation for all events on site. Trash pickup must be performed within 24 hours after each event.
11. The proposed parking layout must be arranged to allow for one way traffic around the existing metal barn and to allow for emergency vehicles to have access to the property.
12. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required illustrating the parking areas, driving lanes, etc.
13. The Conditional Use Permit is valid for two (2) years and expires on 25 May 2019. After which time, a Renewal Hearing must be held before the Board of Adjustment.
14. This Conditional Use Permit is issued to current owner, Nicolle Staples, it is not transferable, and shall expire if the property is transferred.
15. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

## Hardin County Board of Adjustment

Minutes: 25 May 2017

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16. "No Trespassing" signs shall be placed around the perimeter of the property.

Board Member Steck provided the second. Motion passed unanimously.

At 5:46 p.m. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer. Hearing Officer Steck announced that the next item on the agenda is a Variance from the 1:4 lot width-to-length ratio in order to add an additional two acres behind Lot 3 of Oxford Estates. The property is a  $\pm$  3 acre site located at 1054 Thomas Rd, Rineyville, KY, within the West Hardin Planning Area and zoned Urban Residential (R-1). The PVA Map Number is 163-00-00-003.06 and the property is owned by **Vernie & Phyllis McGuffin**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Vernie McGuffin, of 1054 Thomas Rd, provided testimony and answered any questions from the Board and staff. Chairman Krausman closed the hearing at 5:55 p.m. Board Member Steck made a motion to grant a variance based on the staff presentation, the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 1:4 lot width-to-length ratio to allow for additional acreage to be merged to Lot 3 of Oxford Estates, Section 2.
2. An Amended Record Plat shall substitute for the required Site Plan.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

## Hardin County Board of Adjustment

Minutes: 25 May 2017

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At 5:58 p.m. Hearing Officer Steck announced that the next item on the agenda is for an Amended Conditional Use Permit (2012 yr) to continue to allow for a Temporary Accessory Dwelling (14'x70' manufactured home) to remain on site. The site is a ± 44 acre site located within the Natural Resource Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 151-00-00-005 and the property is owned by **Phillip & Judy Kerr**. Director Wright reviewed the application and the history of the property. Judy Kerr of 1149 White Mills Glendale Road East, Glendale, KY provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 6:06 p.m. Board Member Steck stated that this request for the Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. The Temporary Accessory Dwellings shall be a temporary use for no longer than three (3) years and must be removed from the property by 25 May 2020.

## Hardin County Board of Adjustment

Minutes: 25 May 2017

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2. The proposed Manufactured Home (14' x 70') on site is a Temporary Accessory Dwelling and has approximately 980 square feet of living space which is less than the Local Average Square Foot Standard of 1340 square feet.
3. The Temporary Accessory Dwelling is for a family situation (care giver) and shall only be occupied by the owners' mother, Ethel Jean Ammons and her immediate family. It shall not be available to the public for rent.
4. Upon the vacancy of the Temporary Accessory Dwelling, it must be removed from the property within six (6) months.
5. The Temporary Accessory Dwelling shall have a sewerage system (septic tank and lateral lines) approved by the Environmental Services Office of the Hardin County Health Department.
6. This Conditional Use Permit shall be issued to the current property owner, Phillip & Judy Kerr, and shall expire when the property is transferred and not be transferable to another property owner.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
8. The skirting on the manufactured home must be maintained.
9. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.
11. This property does not have frontage on a government maintained road and cannot be further subdivided at this time.

Board Member Youngblood provided the second. Motion passed unanimously.

At 6:08 p.m. Hearing Officer Steck announced that the next item on the agenda is for a Conditional Use Permit to allow for the construction of a 30'x40' garage that will exceed the size of the dwelling. The site is a  $\pm$  1 acre site located within the Glendale Rural Village Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 190-30-00-023 and the property is owned by **Ronnie Jones and Suzanne Oldham**. Assistant Director King reviewed the application and the history of the property. Suzanne Oldham of 1774 Glendale Hodgenville Rd provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 6:15 p.m. Board Member Youngblood stated that this request for the 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;

## Hardin County Board of Adjustment

Minutes: 25 May 2017

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

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

1. This Conditional Use Permit shall allow for the construction of a proposed 30' x 40' pole barn garage that exceeds the size of the 920 sq. ft. home on site.
2. The proposed pole barn shall be constructed of white metal siding with a black roof to match the dwelling on site.
3. Additional landscaping or screening shall not be required.
4. The proposed Pole Barn shall be for residential storage with no commercial activity permitted.
5. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
6. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
7. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.



## Hardin County Board of Adjustment

Minutes: 25 May 2017

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At 6:18 p.m. Hearing Officer Steck announced that the next item on the agenda is a Variance requesting relief from the 45' front building setback to allow for the construction of a home on Lot 44 of Santa Fe Subdivision. The property is a  $\pm$  1.23 acre tract and identified by PVA Map Number 242-00-02-044. The property is owned by **Shane & Melissa Lee** and is located in the East Hardin Planning Area and is zoned Rural Residential (R-2). Assistant Director King reviewed the application and entered the exhibits into the record. Mike Billings, the Surveyor, of 315 S Mulberry, Elizabethtown KY, provided testimony and answered questions from the Board Members and staff. Chairman Krausman closed the hearing at 6:31 p.m. Board Member Youngblood made a motion to grant the variance based on the staff presentation, the testimony provided in the public hearing on the steep topography and because it is not out of character with the area, will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity. The variance will not allow an unreasonable circumvention of the requirements of this regulation and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- 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 variance is granted with the noted conditions:

1. To allow for a Variance from the 45' front building setback line to allow for the proposed home to be no closer than 30' from the front property line.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

At 6:32 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 20 April 2017 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

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

## Hardin County Board of Adjustment

Minutes: 25 May 2017

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### APA-KY SPRING CONFERENCE 2017

Wesley & Adam attended the Spring Conference from May 17-19<sup>th</sup> at Lake Cumberland to obtain continuing education.

#### APRIL 2017 REPORT

|   |   |
|---|---|
| <b>Plats Recorded:</b> <ul style="list-style-type: none"><li>• 5 Subdivision plats were approved for the month</li><li>• 28 Subdivision plats were approved for the year</li></ul>  | <b>New Lots Created:</b> <ul style="list-style-type: none"><li>• 4 New lots approved for the month</li><li>• 4 Net lots approved for the year</li></ul>   |
| <b>Building Permits:</b> <ul style="list-style-type: none"><li>• 11 SFD Permits for the month</li><li>• 43 SFD Permits for the year</li><li>• 88 Total Building Inspections for the month</li><li>• 392 Total Building Inspections for the year</li><li>• 154 Total Building Permits for the year</li></ul> | <b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"><li>• 72 Total Permits for the month</li><li>• 271 Total Permits for the year</li><li>• 157 Total Electrical Inspections for the month</li><li>• 581 Total Electrical Inspections for the year</li></ul> |

#### SUBDIVISION PLATS RECORDED IN APRIL

| Project / Subdivision Name            | Site Address                  | Lots | Acres (All Permits) | Completed Date | Final Date |
|---------------------------------------|-------------------------------|------|---------------------|----------------|------------|
| EMHL ESTATES, SECTION 1               | SOUTH COLE LANE               | 1    | 17.4660             | 3/22/2017      | 4/1/2017   |
| DEWITT SUBDIVISION                    | 2324 GAITHER STATION RD       | 1    | 0.4200              | 1/17/2017      | 4/13/2017  |
| OAK HILL ACRES, SECTION 2             | 375 MEETING CREEK ROAD        | 2    | 13.3900             | 3/23/2017      | 4/17/2017  |
| VANESSA SUBDIVISION, SECTION 2, LOT 2 | 3076 VALLEY CREEK RD          | 0    | 0.0000              | 2/17/2017      | 4/26/2017  |
| REBECCA ROSE FARM, LOTS 1A & 2A       | 3903 AND 3927 SALT RIVER ROAD | 0    | 0.0000              | 4/18/2017      | 4/27/2017  |
|                                       |                               | 4    | 31.2760             |                |            |

**Total Records: 5**

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 8 June 2017 at 5:00 pm and called for the meeting to be adjourned at 6:50 pm. Board Member Youngblood made a motion to adjourn the meeting. Board Member Steck provided the second. Motion passed unanimously.

**Hardin County Board of Adjustment**  
Minutes: 25 May 2017  
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**ADOPTED AND APPROVED THIS 8<sup>th</sup> DAY OF JUNE 2017 BY THE HARDIN  
COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 20 April 2017

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Chairman Krausman called to order the three hundredth and seventy second meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 20 April 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Secretary Steve Steck and Vice Chairman Greg Youngblood. Also in attendance were, Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer. Hearing Officer Steck announced that the first item on the agenda is a Conditional Use Permit to allow for the existing 36x60' barn to be located on a vacant 3 acre lot and a Variance from the 1:3 lot width-to-length ratio to allow for the 14.779 acre farm to be further subdivided. The property is a ± 14.779 acre site located at 1233 Long Hollow Road, Rineyville, KY, within the West Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 039-00-00-028 and the property is owned by **Lavonne McCoy**. Director Wright reviewed the application and the history of the property and presented exhibits. Lavonne McCoy, of 1233 Long Hollow Rd, the owner, provided testimony and answered any questions from the Board and staff. Chairman Krausman closed the hearing at 5:23 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 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;

## Hardin County Board of Adjustment

Minutes: 20 April 2017

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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 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 Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing). 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 creation of a 3 acre lot with the existing 36'x60' barn but no dwelling on site.
2. The existing barn is wood sided with a metal roof.
3. The existing barn shall be used for residential/agricultural storage and no commercial activity shall be permitted.
4. Access to the barn shall be from the existing driveway from Long Hollow Road.
5. Additional screening or landscaping shall not be required.
6. There shall be no outdoor storage of materials on site.
7. A Record Plat with a Conditional Use Permit note shall substitute for the required Site Plan.
8. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Additionally, he made a motion to grant a variance based on the staff presentation, the testimony provided in the public hearing, and that the proposed Lot 1 meets the standards and proposed Lot 2 is 11 acres in size. He stated it will not be out of character of the surrounding neighborhood, it 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

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

## Hardin County Board of Adjustment

Minutes: 20 April 2017

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The variance was granted with the noted conditions:

1. To allow for a Variance from the 1:3 lot width-to-length ratio to allow for the 14.7 acre site to be further subdivided. Proposed Lot 2 (11.7 acres) will have an average depth of 1662.72' with 200' of road frontage
2. A Record Plat with a Variance Note will substitute for the required Site Plan.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:27 p.m. Hearing Officer Steck announced that the next item on the agenda is a Variance from the front and side building setbacks to allow for renovations and additions to the existing house. The property is a  $\pm$  0.468 acre site located at 2905 Eastview Rd, Eastview, KY, within West Hardin Planning Area and is zoned Rural Residential (R-2). The property is identified by PVA Map Number 088-00-00-058. The property is owned by **John & Jennifer DeWitt**. Assistant Director King reviewed the application and entered the exhibits into the record. John DeWitt, the owner of 2905 Eastview Rd, provided testimony and answered questions from the Board Members and staff. Barry DeWitt, of 593 DeWitt Lane, Eastview, KY spoke in favor of the application. Board Member Steck made a motion to table the request until the next board meeting scheduled for Thursday, 25 May 2017, in order for the Board Members to conduct a site visit and to allow the surveyor additional time to finish the survey.

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:53 p.m. Hearing Officer Steck announced that the next item on the agenda is a Conditional Use Permit to allow an outdoor wedding & event venue. The property is a  $\pm$  24.038 acre site located at 13943 Leitchfield Rd (US 62), Eastview, KY, within Natural Resource Planning Area and is zoned Rural Residential (R-2). The property is identified by PVA Map Number 089-00-00-084. The property is owned by **Nicolle Staples**. Assistant Director King reviewed the application and entered the exhibits into the record. Nicolle Staples, the owner of 13943 Leitchfield Rd (US 62), provided testimony and answered questions from the Board Members and staff. Jason Carr (the contractor), of 257 French Lane, Elizabethtown, KY spoke in favor and suggested a sound board on the back of the barn. Janet Waters, of 14022 Leitchfield Rd, requested that if the applicant shall be approved then an 8' ft chain link fence be required where the property adjoins her family's farm. Gerald Aubrey, of 143 Prairie Court, Louisville, KY expressed concerns and supported the request for the 8' ft chain link fence as a barrier to the 11 acres he owns. Travis and Sabrina Reed, of 13889 Leitchfield Rd, expressed concerns with the application and the potential noise from the events. Board Member Steck made a motion to table the request until the next board meeting

## Hardin County Board of Adjustment

Minutes: 20 April 2017

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scheduled for Thursday, 25 May 2017, in order for the Board Members to conduct a site visit.

Board Member Youngblood provided the second. Motion passed unanimously.

At 6:45 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 23 March 2017 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

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

### **CONTINUING EDUCATION**

17-19 April 2016 Ed Bryan attended the CAAK Spring Training Conference at Kentucky Dam Village in Gilbertsville, Kentucky.

### **APA-KY EXECUTIVE COMMITTEE MEETING**

On Friday March 24 the Planning Commission hosted 14 planners from across the state as part of the APA-KY Executive Committee Meeting in the second floor meeting room of the County Government Building.

### **MARCH 2017 REPORT**

|  |   |
|--|---|
| <b>Plats Recorded:</b> <ul style="list-style-type: none"><li>• 12 Subdivision plats were approved for the month</li><li>• 23 Subdivision plats were approved for the year</li></ul>  | <b>New Lots Created:</b> <ul style="list-style-type: none"><li>• 11 New lots approved for the month</li><li>• 3 Net lots approved for the year</li></ul>  |
| <b>Building Permits:</b> <ul style="list-style-type: none"><li>• 18 SFD Permits for the month</li><li>• 32 SFD Permits for the year</li><li>• 125 Total Building Inspections for the month</li><li>• 303 Total Building Inspections for the year</li><li>• 105 Total Building Permits for the year</li></ul> | <b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"><li>• 74 Total Permits for the month</li><li>• 199 Total Permits for the year</li><li>• 163 Total Electrical Inspections for the month</li><li>• 424 Total Electrical Inspections for the year</li></ul> |

**Hardin County Board of Adjustment**  
 Minutes: 20 April 2017  
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**SUBDIVISION PLATS RECORDED IN MARCH**

| Project / Subdivision Name   | Site Address                        | Lots +/-<br>(Plats Final) | Acres (All Permits) | Completed Date | Final Date |
|--|-------------------------------------|---------------------------|---------------------|----------------|------------|
| CARMAN SUBDIVISION, LOT 4  | 162 EARL WISE LANE                  | 0                         | -0.5490             | 2/27/2017      | 3/2/2017   |
| MONTEREY, SECTION 2, LOTS 59, 60 & 61  | LAWNDALE ROAD                       | -1                        | 0.0000              | 2/15/2017      | 3/2/2017   |
| DAUGHERTY SUBDIVISION, LOTS 1A, 1B, 1C & 2   | HARDINBURG ROAD (KY 86)             | -2                        | 0.0000              | 2/6/2017       | 3/7/2017   |
| KING PROPERTY  | LINCOLN PARKWAY                     | 4                         | 29.6210             | 2/13/2017      | 3/9/2017   |
| MILLINER SUBDIVISION   | 9640 BATTLE TRAINING RD             | 0                         | 0.0000              | 1/2/1900       | 3/13/2017  |
| AMENDED RECORD PLAT OF CRUSE SUBDIVISION, LOTS 1. RECORD PLAT OF CRUSE SUBDIVISION, SECTION 2, AND BOUNDARY SURVEY OF THE CRUSE FARM | 3500 MILLERSTOWN RD                 | 1                         | 8.9530              | 2/2/2017       | 3/13/2017  |
| NEWMAN ESTATES, LOTS 9 & 10  | NEEDHAM RD                          | -1                        | 0.0000              | 3/14/2017      | 3/20/2017  |
| WANDERING MEADOWS SUBDIVISION, SECTION 2   | 11324 RINEYVILLE ROAD (KY HWY 1600) | 2                         | 20.1850             | 2/7/2017       | 3/22/2017  |
| CALDWELL ACRES   | 3509 BARDSTOWN RD                   | 2                         | 9.9400              | 3/14/2017      | 3/23/2017  |
| REFFETT ESTATES, LOTS 7,8,9,10,11, & 12  | REFFETT LANE                        | -5                        | 8.4490              | 7/25/2016      | 3/24/2017  |
| MCNEELEY SUBDIVISION   | 2608 RED MILL RD                    | 2                         | 15.3900             | 3/6/2017       | 3/24/2017  |
| HABERSHAM 49 & 50  | HABERSHAM DRIVE                     | -1                        | 0.0000              | 3/21/2017      | 3/29/2017  |
|  |                                     | <b>1</b>                  | <b>91.9890</b>      |                |            |

**Total Records: 12**

**4/5/2017**



**Hardin County Board of Adjustment**

Minutes: 20 April 2017

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Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 25 May 2017 at 5:00 pm and called for the meeting to be adjourned at 6:50 pm Board Member Youngblood made a motion to adjourn the meeting. Board Member Steck provided the second. Motion passed unanimously.

**ADOPTED AND APPROVED THIS 25<sup>th</sup> DAY OF MAY 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 23 March 2017

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Chairman Krausman called to order the three hundredth and seventy first meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 23 March 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Secretary Steve Steck and Vice Chairman Greg Youngblood. Also in attendance were, Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced that the first item on the agenda is a continuation from the 9 March 2017 hearing for a Variance requesting relief from the 70' front building setback line to accommodate a proposed 42'X60' barn at 95 Bill Court. The property is a ± 7.738 acre tract and identified by PVA Map Number 261-00-02-002.01. The property is owned by **William & Rhonda Carter** and is located in the East Hardin Planning Area and is zoned Rural Residential (R-2). Director Wright reviewed the application and entered the exhibits into the record. William & Rhonda Carter, the owners of 95 Bill Court, Elizabethtown KY, provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:38 p.m. After a discussion amongst the board members it was determined that the 12' lean-to closest to the road would have to be removed. Board Member Youngblood made a motion to grant the variance based on the staff presentation, the testimony provided in the public hearing and because it is not out of character with the area. He indicated that the variance for the proposed barn will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity. The variance will not allow an unreasonable circumvention of the requirements of this regulation and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

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

The variance is granted with the noted conditions:

1. To allow for a Variance from the front building setback line along Bill Court for the proposed barn to be no closer than 41' from the centerline of the road.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.
4. The wooden privacy fence shall be required to remain in place.

## Hardin County Board of Adjustment

Minutes: 23 March 2017

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Board Member Steck provided the second. Motion passed unanimously.

At 5:39 p.m. Hearing Officer Steck announced that the next item on the agenda is for a Conditional Use Permit to allow for an Automotive Sales Lot. The site is a  $\pm$  6.989 acre site located within the South Dixie Corridor Planning Area and zoned General Commercial (C-2). The PVA Map Number is 222-00-00-026 and the property is owned by **Tim Hack**. Assistant Director King reviewed the application and the history of the property. Tim Hack of 2303 Dexterville Oak Ridge Rd, Morgantown, KY provided testimony and answered questions from the Board Members and staff. He also verified that the Conditional Use Permit was just for the Auto Sales and did not apply to his pre-existing scrap metal recycling business on site. No one spoke in opposition. Chairman Krausman closed the hearing at 5:56 p.m. Board Member Youngblood stated that this request for the Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

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

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

## Hardin County Board of Adjustment

Minutes: 23 March 2017

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1. This Conditional Use Permit shall allow for an Automotive Sales Lot using 5 existing parking spaces at the Green State Metals Scrap Metal Recycling Facility.
2. A maximum of five (5) vehicles may be displayed for sale in the designated parking spaces as illustrated on the plan.
3. The hours of operation shall be 9:00 AM to 4:00 PM on weekdays and 8:00 AM to 12:00 PM Saturdays and NO sales activities on Sundays.
4. All wrecked or inoperable vehicles shall be parked in the designated parking area behind the existing privacy fencing
5. There shall be no parking of vehicles within the right-of-way of South Dixie Highway (US 31W).
6. Landscaping in the form of bushes shall be required along the foundations of the existing buildings.
7. An Amended Development Plan shall be submitted and approved in accordance with Development Guidance System, Section 6.
8. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.
9. This permit is being issued to Green State Metals c/o Tim Hack, it is only transferable to a new property owner after an Amended Conditional Use Permit is granted by the Board of Adjustment.

Board Member Steck provided the second. Motion passed unanimously.

At 5:58 p.m. Chairman Krausman called for consideration and action on the **Administrative Review (attached)** on the interpretation of the zoning boundaries for an existing landlocked tract totaling 4.181 acres to the rear of the 6100 block of Bardstown Road (US 62) as per KRS 100.257 (Resolution 2017-002). Assistant Director King reviewed the history of the Property and presented the exhibits. Board Member Steck made a motion to approve the zoning boundaries interpretation that the landlocked tract be zoned Rural Residential (R-2) rather than Convenience Commercial (C-1). Board Member Youngblood provided the second. Motion passed unanimously.

At 6:08 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 9 March 2017 meeting. Board Member Steck made a motion to approve the minutes. Board Member Youngblood provided the second. Motion passed unanimously.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 20 April 2017 at 5:00 pm and called for the meeting to be adjourned at 6:09 pm Board Member Youngblood made a motion to adjourn the meeting. Board Member Steck provided the second. Motion passed unanimously.

**Hardin County Board of Adjustment**

Minutes: 23 March 2017

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**ADOPTED AND APPROVED THIS 20<sup>th</sup> DAY OF APRIL 2017 BY THE HARDIN  
COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 9 March 2017

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Chairman Krausman called to order the three hundredth and seventieth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 9 March 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Member in attendance was Board Member Steve Steck. Also in attendance were, Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Vice Chairman Greg Youngblood was not in attendance. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced that the first item on the agenda is a Variance requesting relief from the 70' front building setback line to accommodate a proposed 14'x50' addition to the existing house. The house was constructed in the early 1919 and is located on a 68-acre parcel. The property is identified by PVA Map Number 064-00-00-012. The property is owned by **Donald & Debbie Lucas** and is located in the Natural Resource Planning Area and is zoned Rural Residential (R-2). Assistant Director King reviewed the application and entered the exhibits into the record. Donald Lucas, the owner of 3037 Salt River Rd, Rineyville KY, provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:08 p.m. Board Member Steck made a motion to grant the variance based on the staff presentation, the testimony provided in the public hearing and because it is not out of character with the area. He indicated that the variance for the addition will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity due to the age of the dwelling, will not cause a hazard or a nuisance to the public because the home sits at a higher elevation than the roadway and due to the mature trees between the road and the home. The variance will not allow an unreasonable circumvention of the requirements of this regulation and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

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

The variance is granted with the noted conditions:

1. To allow for a Variance from the front building setback to allow for the construction of a proposed 14'x50' addition to be no closer than 57' from the center line of Salt River Road.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.

## Hardin County Board of Adjustment

Minutes: 9 March 2017

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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 5:10 p.m. Hearing Officer Steck announced that the next item on the agenda is for a Conditional Use Permit to allow for the construction of a 30'x48' pole barn with a 12'x48' lean-to that will exceed the size of the dwelling. The site is a  $\pm$  4.91 acre site located within the East Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 260-00-00-007.03 and the property is owned by **Ronald & Gidget Frakes**. Assistant Director King reviewed the application and the history of the property. Ronald & Gidget Frakes of 2751 Lower Colesburg Rd provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:24 p.m. Board Member Steck stated that this request for the Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 3.12) Standards for Issuance of a Conditional Use Permit as follows:

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

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

## Hardin County Board of Adjustment

Minutes: 9 March 2017

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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 construction of a 30'x48' pole barn with a 12'x48' lean-to (2016 sq. ft.) which exceeds the size of the 1316 sq. ft. manufactured home on site.
2. The proposed pole barn is constructed of light grey metal siding and a dark grey metal roof with grey trim and white doors.
3. Access to the pole barn shall be from the existing driveway.
4. Additional screening or landscaping shall not be required.
5. The existing pole barn shall be used for residential storage only with no commercial activity.
6. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
7. Building & Electric permits shall be required.
8. 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 5:26 p.m. Hearing Officer Steck announced that the next item on the agenda is a Variance requesting relief from the 70' front building setback line to accommodate a proposed 42'X60' barn. Construction has started without a permit. The property is identified by PVA Map Number 261-00-02-002.01. The property is owned by **William & Rhonda Carter** and is located in the East Hardin Planning Area and is zoned Rural Residential (R-2). Director Wright reviewed the application and entered the exhibits into the record. William & Rhonda Carter, the owners of 95 Bill Court, Elizabethtown KY, entered in exhibit "I" (petition signed by neighbors) and exhibit "J" (pictures of the barn), as well as, 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 scheduled for Thursday, 23 March 2017, in order for the Board Members to conduct a site visit.

Chairman Krausman provided the second. Motion passed unanimously.

At 6:01 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 23 February 2017 meeting. Board Member Steck made a motion to approve the minutes. Chairman Krausman provided the second. Motion passed unanimously.



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

**SUBDIVISION PLATS RECORDED IN FEBRUARY**

| Project / Subdivision Name              | Site Address        | Lots +/- (Plats Final) | Acres (All Permits) | Completed Date | Final Date |
|---|---------------------|------------------------|---------------------|----------------|------------|
| BROOKS-NOE                              | 203 CEDAR HILL DR   | 1                      | 0.4760              | 1/26/2017      | 2/7/2017   |
| PAULINE'S SUBDIVISION, LOT 2            | LEITCHFIELD ROAD    | 0                      | 11.8840             | 1/23/2017      | 2/7/2017   |
| GENEVA ESTATES                          | OVERALL PHILLIPS RD | 1                      | 4.8260              | 1/9/2017       | 2/14/2017  |
| SALT RIVER ROAD SUBDIVISION, LOTS 1 & 2 | SALT RIVER ROAD     | -1                     | 0.0000              | 10/26/2016     | 2/15/2017  |
|   |                     | 1                      | 17.1860             |                |            |

**Total Records: 4**

**3/3/2017**

**FEBRUARY 2017 REPORT**

|   |   |
|---|---|
| <p><b>Plats Recorded:</b></p> <ul style="list-style-type: none"> <li>• 4 Subdivision plats were approved for the month</li> <li>• 11 Subdivision plats were approved for the year</li> </ul>  | <p><b>New Lots Created:</b></p> <ul style="list-style-type: none"> <li>• 2 New lots approved for the month</li> <li>• 2 Net lots approved for the year</li> </ul>   |
| <p><b>Building Permits:</b></p> <ul style="list-style-type: none"> <li>• 11 SFD Permits for the month</li> <li>• 15 SFD Permits for the year</li> <li>• 87 Total Building Inspections for the month</li> <li>• 178 Total Building Inspections for the year</li> <li>• 58 Total Building Permits for the year</li> </ul> | <p><b>Electrical Permits (6 Jurisdictions):</b></p> <ul style="list-style-type: none"> <li>• 63 Total Permits for the month</li> <li>• 125 Total Permits for the year</li> <li>• 143 Total Electrical Inspections for the month</li> <li>• 261 Total Electrical Inspections for the year</li> </ul> |

**Hardin County Board of Adjustment**

Minutes: 9 March 2017

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Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 23 March 2017 at 5:00 pm and called for the meeting to be adjourned at 6:11 pm Board Member Steck made a motion to adjourn the meeting. Chairman Krausman provided the second. Motion passed unanimously.

**ADOPTED AND APPROVED THIS 23<sup>rd</sup> DAY OF MARCH 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 23 February 2017

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Chairman Krausman called to order the three hundredth and sixty ninth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 23 February 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Member in attendance was Board Member Steve Steck. Also in attendance were, Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Vice Chairman Greg Youngblood was not in attendance. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:00 p.m. Hearing Officer Steck announced that the first item on the agenda is a continuation from the 8 December 2016 hearing for an Amended Conditional Use Permit to allow for the Event Venue of, "The Place of Gilead" to continue to operate. The site is a ± 12 acre site located within the Glendale Industrial Planning 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**. Director Wright reviewed the application and the history of the property and presented exhibits including a summary of the Board members site visit and the decibel readings as observed by the DJ we hired. Renetta DeRamos of 633 Gilead Church Road spoke in opposition. John DeRamos of 633 Gilead Church Road spoke in opposition. Carolyn Bow of 597 Gilead Church Road, expressed concerns for the safety of her grandchildren and spoke in opposition. Chairman Krausman closed the hearing at 5:19 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 as follows:

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

## **Hardin County Board of Adjustment**

Minutes: 23 February 2017

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

1. 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.
2. 7 additional evergreen trees (5' tall) and planted 10' on center shall be required to be planted along the edge of the parking lot to protect the view shed of the adjoining properties to the west. Additionally the existing tree line along the property line shall be preserved.
3. Only 50 large events (over 100 participants) per year shall be permitted. An unlimited number of small events shall be permitted.
4. The Hours of Operation shall be 10am – 10pm Sunday – Thursday and 10am – 12am on Friday & Saturday.
5. Music inside the building shall not exceed a decibel level of 95db as measured by DJ inside of the building. This restriction shall be written into the Edwards contract for parties renting the facility.
6. A single sign 3'x2' no taller than 8' in height shall be permitted. The applicant shall be required to add lighting to the existing sign.
7. All outdoor lighting must be pointed down and not spill onto adjoining properties.
8. The existing entrance into the property shall serve as the primary entrance and the "future entrance" shown on the Development Plan may only be constructed after a public hearing for a Revised Conditional Use Permit to discuss additional screening.
9. Outdoor activities shall be restricted to the area behind the barn and the "Orchard area" beside the house.
10. The Conditional Use Permit is valid for three (3) years. After which time, a Renewal Hearing must be held before the Board of Adjustment.
11. This Conditional Use Permit is issued to current owners, John & Michelle Edwards, it is not transferable, and shall expire if the property is transferred.
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.

## Hardin County Board of Adjustment

Minutes: 23 February 2017

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At 5:21 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 Conditional Use Permit to allow for a Permanent Accessory Dwelling to allow for the two existing houses to be plated on a single lot and a Variance from the 1:3 lot width-to-length ratio to allow for the 20.185 acre farm to be further subdivided. The property is a ± 20.185 acre site located at 11324 Rineyville Road, Vine Grove, KY, within the KY 1600 Corridor Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 078-00-00-007 and the property is owned by **Charles & Brenda Bewley**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Pat Bruce, of 11550 Rineyville Rd, expressed concerns with water and sinkholes. Ralph Dick of 11201 Rineyville Rd, asked questions concerning the 1:3 ratio. Pamela Dick of 11201 Rineyville Rd expressed concerns with the water supply for their well. Mike Billings, the surveyor, provided testimony and answered any questions from the Board and staff. While in discussion with the Board members and staff, Mike Billings withdrew his request for a Variance because adequate road frontage exists for both lots to be approvable without a Variance. Chairman Krausman closed the hearing at 6:15 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 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,

## **Hardin County Board of Adjustment**

Minutes: 23 February 2017

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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 Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing). Board Member Steck made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. The property owners, Charles & Brenda Bewley, and Scott & Kelley Mooney 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 an existing 1,722 sq. ft. cape-cod house (circa 1930) and the Principal Dwelling is an existing 2,112 sq. ft. brick ranch house.
5. The Permanent Accessory Dwelling shall be located in the side yard and shall be located as illustrated on the approved Record Plat and in accordance with building setback lines.
6. The exterior finish materials of the Permanent Accessory Dwelling are the existing white vinyl siding and the principal dwelling is the existing brick home.
7. The Permanent Accessory Dwelling and Principal Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
8. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
9. A Record Plat will substitute for the required Site Plan.
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.

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Minutes: 23 February 2017

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At 6:17 p.m. Hearing Officer Steck announced that the next item on the agenda is for an Amended Conditional Use Permit to allow for the childcare center, "Early Connections Childcare Ministry" to continue to operate and remain on site. The site is a  $\pm$  5.959 acre site located within the Valley Creek Urban Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 256-00-00-006 and the property is owned by **Valley Creek Baptist Church**. Director Wright reviewed the application and the history of the property and presented exhibits. Jessica Bolin, of 417 Kaylyn Drive, Elizabethtown, KY provided testimony and answered questions from the Board and staff. Pete Nolan of 2596 Middle Creek Rd, Elizabethtown, KY spoke in favor and answered any questions from the Board and staff. Chairman Krausman closed the hearing at 6.23 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 as follows:

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

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

1. Any proposed outdoor recreational areas shall be fenced and screened on all sides.
2. The maximum number of children at the child care center shall be sixty (60) children.
3. Any proposed sign advertising the child care center shall be no larger than 6 square feet and less than eight feet in height, and the sign shall not be illuminated.

## Hardin County Board of Adjustment

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4. This Conditional Use Permit shall be a temporary use for no longer than ten (10) years from 23 February 2017.
5. The hours of operation shall be Monday – Friday 7:00 AM – 6:00 PM.
6. This Conditional Use Permit shall be issued to the current property owners, Valley Creek Baptist Church, and shall expire when the property is transferred and not be transferable to another property owner.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
8. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
9. The facility shall be inspected and approved by the State Fire Marshall and receive Certification and a Type II license through the State.

Chairman Krausman provided the second. Motion passed unanimously.

At 6:25 p.m. Hearing Officer Steck announced that the next item on the agenda is a Variance requesting relief from the 15' rear and 10' side building setbacks to accommodate an existing concrete block well house. The property is identified by PVA Map Number 188-00-00-017. The property is owned by **Charles & Lana DeWitt** and is located in the Industrial Park Planning Area and is zoned Industrial Holding (IH). Assistant Director King reviewed the application and entered the exhibits into the record. Barry DeWitt, the owner of 593 DeWitt Lane, Eastview KY, provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 6.35 p.m. Board Member Steck made a motion to grant the variance based on the staff presentation and the testimony provided in the public hearing because it is not out of character with the area. He indicated that 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

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



## Hardin County Board of Adjustment

Minutes: 23 February 2017

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The variance is granted with the noted conditions:

1. To allow for a Variance from the 15' rear and 10' side building setbacks as shown on the plat to accommodate the existing concrete block well house that lies within the existing fence.
2. A Record Plat shall substitute for the required Site Plan.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 6:37 p.m. Hearing Officer Steck announced that the next item on the agenda is a continuation from the 19 January 2017 hearing for a Conditional Use Permit to allow for a 1050 sq. ft. Permanent Accessory Dwelling to be constructed on site and for a Temporary Accessory Dwelling to allow for the manufactured home to remain on site. The site is a ± 25.96 acre site located within the South Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 211-00-00-013 and the property is owned by **Mitchell & Tammy Devore**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Tammy Devore, the owner of 13039 S Dixie Hwy, Sonora KY provided testimony and answered questions from the Board and staff. Chairman Krausman closed the hearing at 6:51 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 as follows:

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

## **Hardin County Board of Adjustment**

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

1. The Temporary Accessory Dwelling shall be a temporary use for no longer than three (3) years from 23 February 2017 and must be removed from the property by 23 February 2020.
2. The Temporary Accessory Dwelling shall be a 12' x 56' singlewide manufactured home (2000) that is already located on the property.
3. The Temporary Accessory Dwelling shall only be occupied by Tyler Devore and his 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. The property owners, Mitchell & Tammy Devore, 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.
7. The Permanent Accessory Dwelling is a 1050 sq. ft. site built house and the Principal Dwelling is the existing 3224 sq. ft. home.
8. The Permanent Accessory Dwelling shall be located in the rear yard and shall be located as illustrated on the approved Site Plan and in accordance with building setback lines.
9. The exterior finish materials of the Permanent Accessory Dwelling must be the same and visually match the Principal dwelling on Site (white vinyl siding with a black metal roof).
10. A shared driveway shall be required.
11. Adequate on- site parking must be designated on an approved site plan.
12. The Permanent Accessory Dwelling, Temporary Accessory Dwelling and Principal Dwelling shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
13. This Conditional Use Permit shall be issued to the current property owners, Mitchell & Tammy Devore, is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
14. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.

## **Hardin County Board of Adjustment**

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Chairman Krausman provided the second. Motion passed unanimously.

At 6:58 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 19 January 2017 meeting. Board Member Steck made a motion to approve the minutes. Chairman Krausman provided the second. Motion passed unanimously.

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

### **9 YEARS OF SERVICE**

Adam King, AICP celebrated 9-years of service with the Planning Commission on 15 February 2017.

### **ARMY COMMUNITY PARTNERSHIP PROGRAM**

Wesley participated in the Army Community Partnership Program meeting held at the Camp Carlson Lodge, Fort Knox, KY on February 14, 2017. The program encourages Army installations to enter into agreements with local and state governments to obtain goods and services.

### **METROPOLITAN PLANNING ORGANIZATION**

Adam attended the Elizabethtown/Radcliff MPO Technical Advisory Committee Meeting on February 16, 2017 to work on the draft 2018 Unified Planning Work Program and the Prioritization Process for the Strategic Highway Investment Formula for Tomorrow.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 7 March 2017 at 5:00 pm and called for the meeting to be adjourned at 7:02 pm Board Member Steck made a motion to adjourn the meeting. Chairman Krausman provided the second. Motion passed unanimously.

**ADOPTED AND APPROVED THIS 9<sup>th</sup> DAY OF MARCH 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 19 January 2017

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Chairman Krausman called to order the three hundredth and sixty eighth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 19 January 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Board Member Steve Steck. Also in attendance were, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Director Wesley Wright was not in attendance. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced that the first item on the agenda is a Continuation of a Variance previously held on 5 January 2017 requesting relief from the 40' front building setback line to allow for the construction of a ramp onto the front of the house. The property is identified by PVA Map Number 186-20-03-025. The property is owned by **Darwin Hinds** and is located in the West Urban Planning Area and is zoned Urban Residential (R-1). Assistant Director King reviewed the application and entered the exhibits into the record. Joe Ballard, the Contractor of 1209 Emory Rd, Elizabethtown KY, provided testimony and answered questions from the Board Members and staff. The initial request had been Amended so that the ramp was no closer to the road than the existing concrete porch. Board Member Steck made a motion to grant the variance based on the staff presentation and the testimony provided in the public hearing citing Section R311.8 Ramps from the 2012 International Residential Code that allows for an exception for ramps to have a 12.5 percent slope. He indicated that 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

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

The variance is granted with the noted conditions:

1. To allow for a Variance from the 40' front building setback line along Stanford Drive to accommodate the proposed handicap ramp to be no closer than 52' from the centerline of the road.
2. A Site Plan in compliance with Section 7 shall be required.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

## Hardin County Board of Adjustment

Minutes: 19 January 2017

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Board Member Youngblood provided the second. Motion passed unanimously.

At 5:10 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 an Amended Conditional Use Permit to allow for a Dog Kennel to remain on the property. The site is a  $\pm$  3.7 acre site located at 11230 Sonora Hardin Springs Rd, Eastview, KY, within the Natural Resource Planning Area and zoned Rural Residential (R-2). The PVA Map Number is 089-00-00-064 and the property is owned by **Margaret & Ann Rene Bailey**. Assistant Director King reviewed the application and the history of the property and presented exhibits. Ann Rene Bailey, the owner, of 11230 Sonora Hardin Springs Rd, provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Board Member Youngblood stated that this request for an Amended Conditional Use Permit does satisfy the language of the DEVELOPMENT GUIDANCE SYSTEM Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing). Board Member Youngblood made the motion to grant the Conditional Use Permit (CUP) with the following conditions:

1. Business Hours of Operation shall be from 7am-7pm Monday – Sunday.
2. The maximum number of animals on site shall be 25.

## Hardin County Board of Adjustment

Minutes: 19 January 2017

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3. No outdoor boarding of animals shall be permitted. All boarding facilities shall be indoors with dogs taken outdoors for exercise and “potty” breaks. The front pasture may only be utilized between the hours of 7:00 a.m. – 7:00 p.m. for 10 dogs at a time.
4. The facility shall obtain and maintain a valid Kennel License from Hardin County Animal Control and comply with Ordinance Number 249, Series 2007 “An ordinance relating to Animal Control and Welfare”. Annual inspections are to be conducted by Hardin County Animal Control to check health and welfare of animals on site and verify clean and sanitary conditions of the facility. Please contact Hardin County Animal Control at (270-763-2205).
5. All dogs on site must have a valid License and Rabies Vaccinations.
6. This property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
7. The Kennel & Outdoor Play Area shall be fenced in.
8. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
9. This Conditional Use Permit shall be issued to the current property owner and applicant, and is not transferable.
10. All building activities shall conform to provisions of the Kentucky Building Code. A Change of Use Building Permit shall be required.
11. This Conditional Use Permit shall be for a period of 4 years from 19 January 2017 to 19 January 2021.
12. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

At 5:24 p.m. Hearing Officer Steck announced that the next item on the agenda is a Variance requesting relief from the required road frontage on a government maintained road to allow for four existing tracts to be merged together. The property is identified by PVA Map Number 223-00-00-002.01. The property is owned by **Geneva Warren Revocable Living Trust** and is located in the North Glendale Urban Planning Area and is zoned Urban Residential (R-1). Assistant Director King reviewed the application and entered the exhibits into the record. Doug Johnson, the Surveyor of 21500 Sonora Hardin Springs Rd, Eastview KY, provided testimony and answered questions from the Board Members and staff. Wayne Noe, of 358 Overall Phillips Rd, Elizabethtown, KY expressed concerns regarding additional development and traffic on the private gravel road and bought up a maintenance agreement. Board Member Steck made a motion to

## Hardin County Board of Adjustment

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grant the variance based on the staff presentation and the testimony provided in the public hearing. He indicated that 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

- 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 variance is granted with the noted conditions:

1. To allow for a Variance from the government maintained road frontage requirement to allow for the four existing tracts to be merged together into a single lot.
2. A Record Plat with a Variance Note shall substitute for the required Site Plan.
3. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:48 p.m. Chairman Krausman called for a motion to table the request of a Conditional Use Permit for a Permanent Accessory Dwelling, and a Temporary Accessory Dwelling owned by **Mitchell Devore** and an Amended Conditional Use Permit for a Wedding/Event Venue, owned by **John & Michelle Edwards**. Board Member Steck made a motion to table both of the hearings until the next scheduled hearing to be held on 23 February 2017.

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:52 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 5 January 2017 meeting. Board Member Steck made a motion to approve the minutes. Board Member Youngblood provided the second. Motion passed unanimously.

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

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### **INSURANCE SERVICES OFFICE (ISO)**

The commission had received the final results of the 2015 ISO Building Code Effectiveness Grading Schedule. The final results of the Effectiveness Grading Schedule are a Classification of 99 for 1 and 2 family residential property and 4 for commercial and industrial property. The 99 is due to a lack of plan review conducted on residential properties.

### **LOCAL PLANNING MEETING**

On 9 January 2017, Wesley Wright met with Local Planning Committee for Hardin County Schools. The meeting was held at 5:30pm at the Hardin County Central Office (65 W A Jenkins Rd) – Topics include Review of Current District Facility Plan, Building Inventory, District Enrollment and Utility / Maintenance Budgets.

### **PLANNING COMMISSION AUDIT**

The FY 2016 Audit has been prepared by Stiles, Carter & Associates.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 23 February 2017 at 5:00 pm and called for the meeting to be adjourned at 5:54 pm Board Member Youngblood made a motion to adjourn the meeting. Board Member Steck provided the second. Motion passed unanimously.

**ADOPTED AND APPROVED THIS 23<sup>rd</sup> DAY OF FEBRUARY 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**



## Hardin County Board of Adjustment

Minutes: 5 January 2017

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Chairman Krausman called to order the three hundredth and sixty seventh meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 5 January 2017, in the Hardin County Government Center, 2<sup>nd</sup> Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Board Member Steve Steck. Also in attendance were, Director Wesley Wright, Assistant Director Adam King, AICP, Planning Assistant Melissa Wilson and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced that the first item on the agenda is a Variance requesting relief from the 40' front building setback line to allow for the construction of an 8'x42' covered deck on the front of the home. The property is identified by PVA Map Number 200-10-01-001. The property is owned by **Glenn & Mary Thompson** and is located in the North Urban Planning Area and is zoned Urban Residential (R-1). Assistant Director King reviewed the application and entered the exhibits into the record. Johnny Key, the Contractor of 592 Howardstown Rd, Hodgenville KY, provided testimony and answered questions from the Board Members and staff. Board Member Youngblood made a motion to grant the variance based on the staff presentation and the testimony provided in the public hearing because it is not out of character with the area given the 30' front setback shown on the Record Plat from 1972. He indicated that 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 and due to it will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243. Findings necessary for granting variances) which is as follows:

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

The variance is granted with the noted conditions:

1. To allow for a Variance from the 40' front building setback line along East Airview Drive to accommodate the proposed 42'x8' covered deck to be no closer than 56' from the center line of the road. (The deck may be covered but shall not be enclosed)
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 Steck provided the second. Motion passed unanimously.

At 5:17 p.m. Hearing Officer Youngblood announced that the next item on the agenda is a Variance requesting relief from the 40' front building setback line to allow for the construction of a handicap ramp on the front of the house. The property is identified by PVA Map Number 186-20-03-025. The property is owned by **Darwin Hinds** and is located in the West Urban Planning Area and is zoned Urban Residential (R-1). Assistant Director King reviewed the application and entered the exhibits into the record. Joe Ballard, the contractor, of 1209 Emory Rd, Elizabethtown, KY spoke in favor and answered questions from the Board Members and staff. Darwin Hinds, the owner of 502 Stanford Drive spoke in favor and answered questions from the Board Members and staff. Board Member Youngblood made a motion to table the request until the next board meeting scheduled for Thursday, 19 January 2017, in order for the Board Members to conduct a site visit and to give the owner time to consider alternatives.

Board Member Steck provided the second. Motion passed unanimously.

At 6:13 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 8 December 2016 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

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

### SUBDIVISION PLATS RECORDED IN DECEMBER

| Project / Subdivision Name | Site Address              | Lots +/- (Plats Final) | Acres (All Permits) | Completed Date | Final Date |
|----------------------------|---------------------------|------------------------|---------------------|----------------|------------|
| SYLVESTER SUBDIVISION      | RINEYVILLE BIG SPRINGS RD | 2                      | 12.7040             | 7/13/2016      | 12/1/2016  |
| KLAB ESTATES               | BARDSTOWN ROAD            | 1                      | 3.3150              | 9/23/2016      | 12/22/2016 |
| MCCOMBS ESTATES            | 1809 KNOX AVE             | 2                      | 4.3110              | 11/21/2016     | 12/28/2016 |
|                            |                           | 5                      | 20.3300             |                |            |

Total Records: 3

1/3/2017

**DECEMBER 2016 REPORT**

|  |  |
|--|--|
| <b>Plats Recorded:</b> <ul style="list-style-type: none"><li>• 3 Subdivision plats were approved for the month</li><li>• 76 Subdivision plats were approved for the year</li></ul>   | <b>New Lots Created:</b> <ul style="list-style-type: none"><li>• 5 New lots approved for the month</li><li>• 50 Net lots approved for the year</li></ul>   |
| <b>Building Permits:</b> <ul style="list-style-type: none"><li>• 11 SFD Permits for the month</li><li>• 123 SFD Permits for the year</li><li>• 108 Total Building Inspections for the month</li><li>• 1075 Total Building Inspections for the year</li><li>• 434 Total Building Permits for the year</li></ul> | <b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"><li>• 60 Total Permits for the month</li><li>• 878 Total Permits for the year</li><li>• 179 Total Electrical Inspections for the month</li><li>• 1635 Total Electrical Inspections for the year</li></ul> |

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 19 January 2017 at 5:00 pm and called for the meeting to be adjourned at 6:15 pm Board Member Youngblood made a motion to adjourn the meeting. Board Member Steck provided the second. Motion passed unanimously.

**ADOPTED AND APPROVED THIS 19<sup>th</sup> DAY OF JANUARY 2017 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**