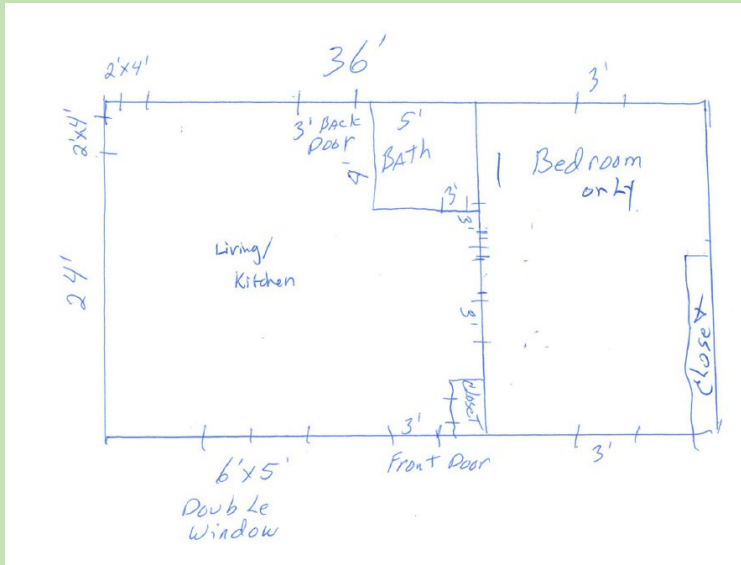




# **Hardin County Board of Adjustment 18 April 2024**

County Government Center  
Second Floor Meeting Room

Owners: David Wise



**Location** A 1.097 acre site located at 2766 Rineyville Big Springs Road, Rineyville, KY, known as Lot 5A of David's Way Estate.

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

**Request for a **Conditional Use Permit** for a Permanent Accessory Dwelling to allow for the construction of a 864 sq. ft. home in addition to the current 2,220 sq. ft. home on site.**

# 2766 Rineyville Big Springs Road

## Conditional Use Permit SUMMARY REPORT

### LISTING OF EXHIBITS

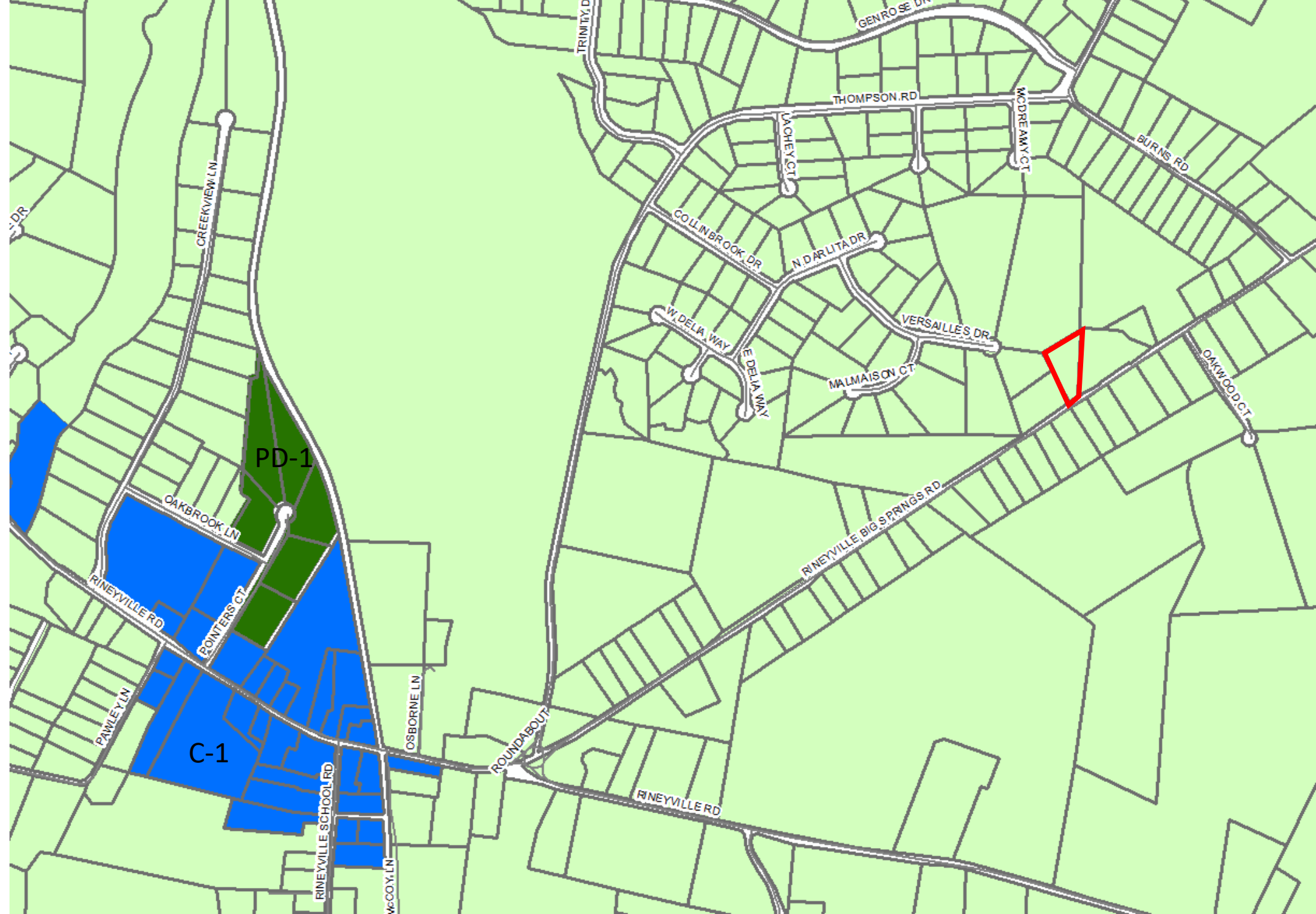
- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photo (2024)**
- D. Applicants Site Plan**
- E. House Plans/Schematics**
- F. Amended Record Plat of David's Way Estates (2022)**
- G. Photographs**
- H. Septic approvals for existing and proposed dwellings**
- I. Character of the Area**
- J. Analysis of other Conditional Use Permits for Permanent Accessory Dwellings in the Urban Residential (R-1) Zone**
- K. Permanent Accessory Dwelling & Average Square Footage Comparison**
- L. Zoning Ordinance Permanent Accessory Dwelling Criteria**
- M. \*Comprehensive Development Guide**
- N. \*Development Guidance System Ordinance**

\* Not Provided in PowerPoint



MasterZone  
 DISTRICT

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





N DARLITA DR

VERSAILLES DR

MALMAISON CT

RINEVILLE BIG SPRINGS RD

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

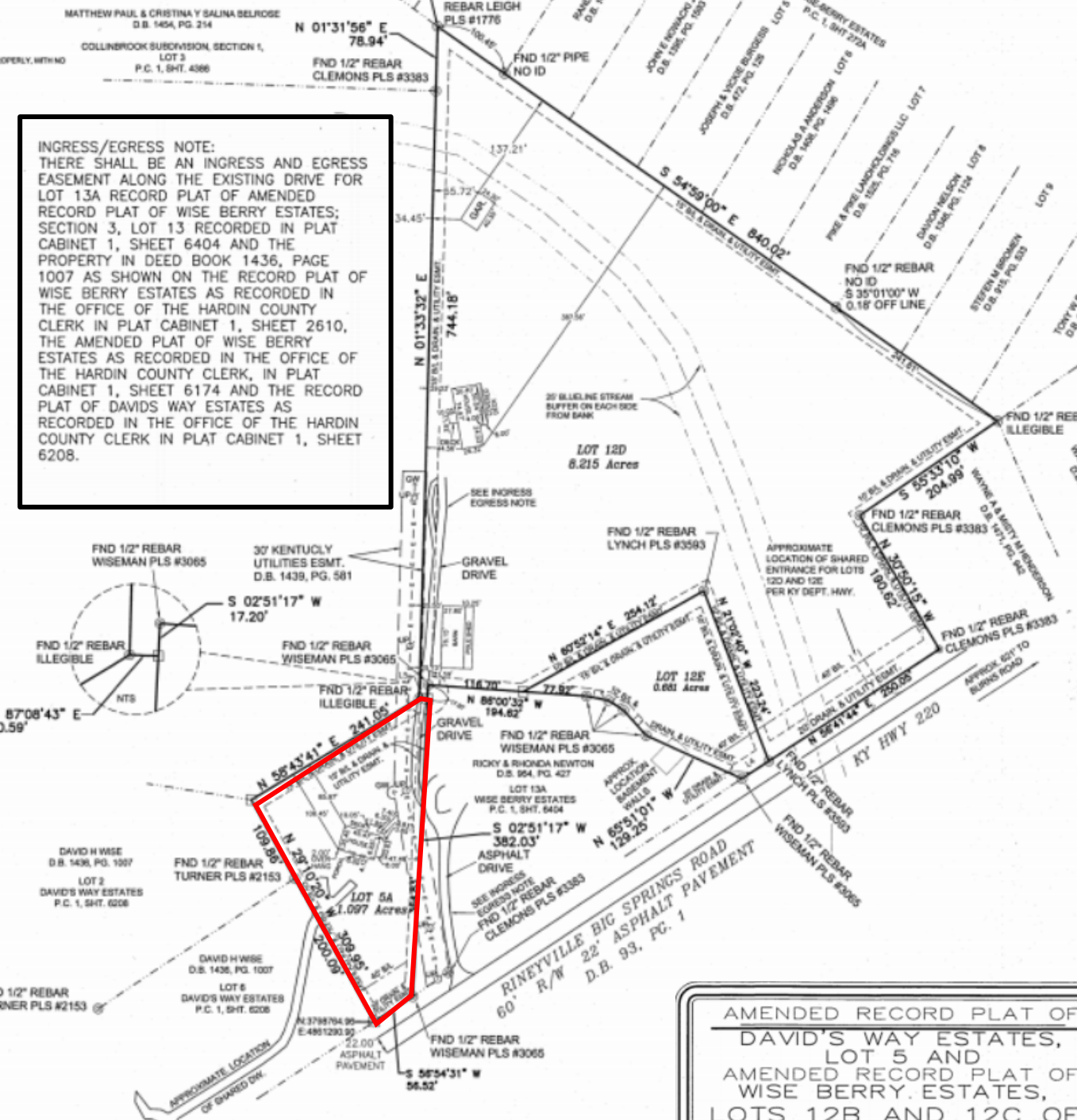




VERSAILLES DR

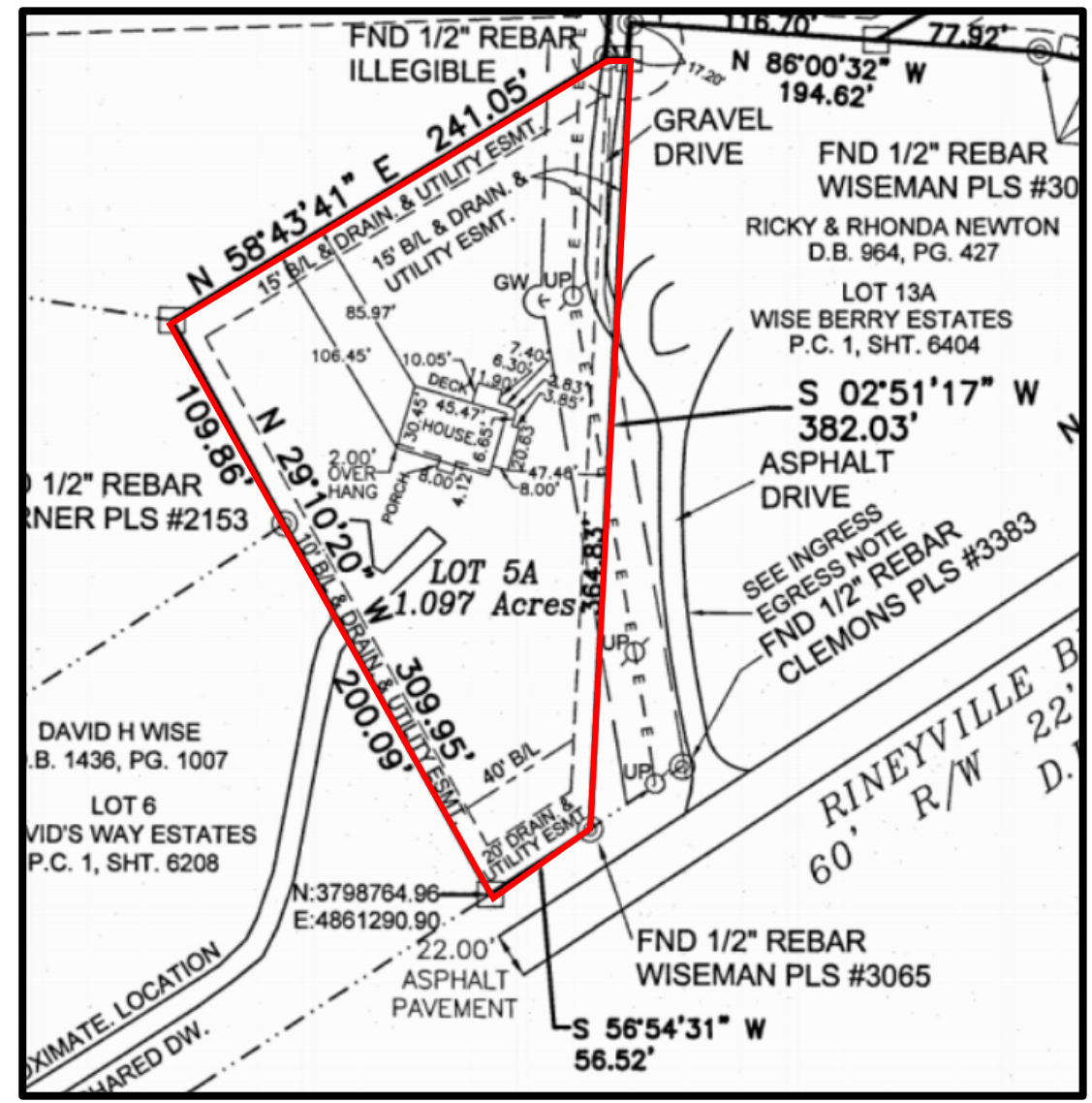
RINEVILLE BIG SPRINGS RD





**INGRESS/EGRESS NOTE:**  
 THERE SHALL BE AN INGRESS AND EGRESS EASEMENT ALONG THE EXISTING DRIVE FOR LOT 13A RECORD PLAT OF AMENDED RECORD PLAT OF WISE BERRY ESTATES; SECTION 3, LOT 13 RECORDED IN PLAT CABINET 1, SHEET 6404 AND THE PROPERTY IN DEED BOOK 1436, PAGE 1007 AS SHOWN ON THE RECORD PLAT OF WISE BERRY ESTATES AS RECORDED IN THE OFFICE OF THE HARDIN COUNTY CLERK IN PLAT CABINET 1, SHEET 2610, THE AMENDED PLAT OF WISE BERRY ESTATES AS RECORDED IN THE OFFICE OF THE HARDIN COUNTY CLERK, IN PLAT CABINET 1, SHEET 6174 AND THE RECORD PLAT OF DAVIDS WAY ESTATES AS RECORDED IN THE OFFICE OF THE HARDIN COUNTY CLERK IN PLAT CABINET 1, SHEET 6208.

**AMENDED RECORD PLAT OF DAVID'S WAY ESTATES, LOT 5 AND AMENDED RECORD PLAT OF WISE BERRY ESTATES, LOTS 12B AND 12C OF 2740 RINEYVILLE BIG SPRINGS RD, ELIZABETHTOWN, KY**



DAVID H WISE  
 D.B. 1436, PG. 1007  
 LOT 2  
 DAVID'S WAY ESTATES  
 P.C. 1, SHT. 6208

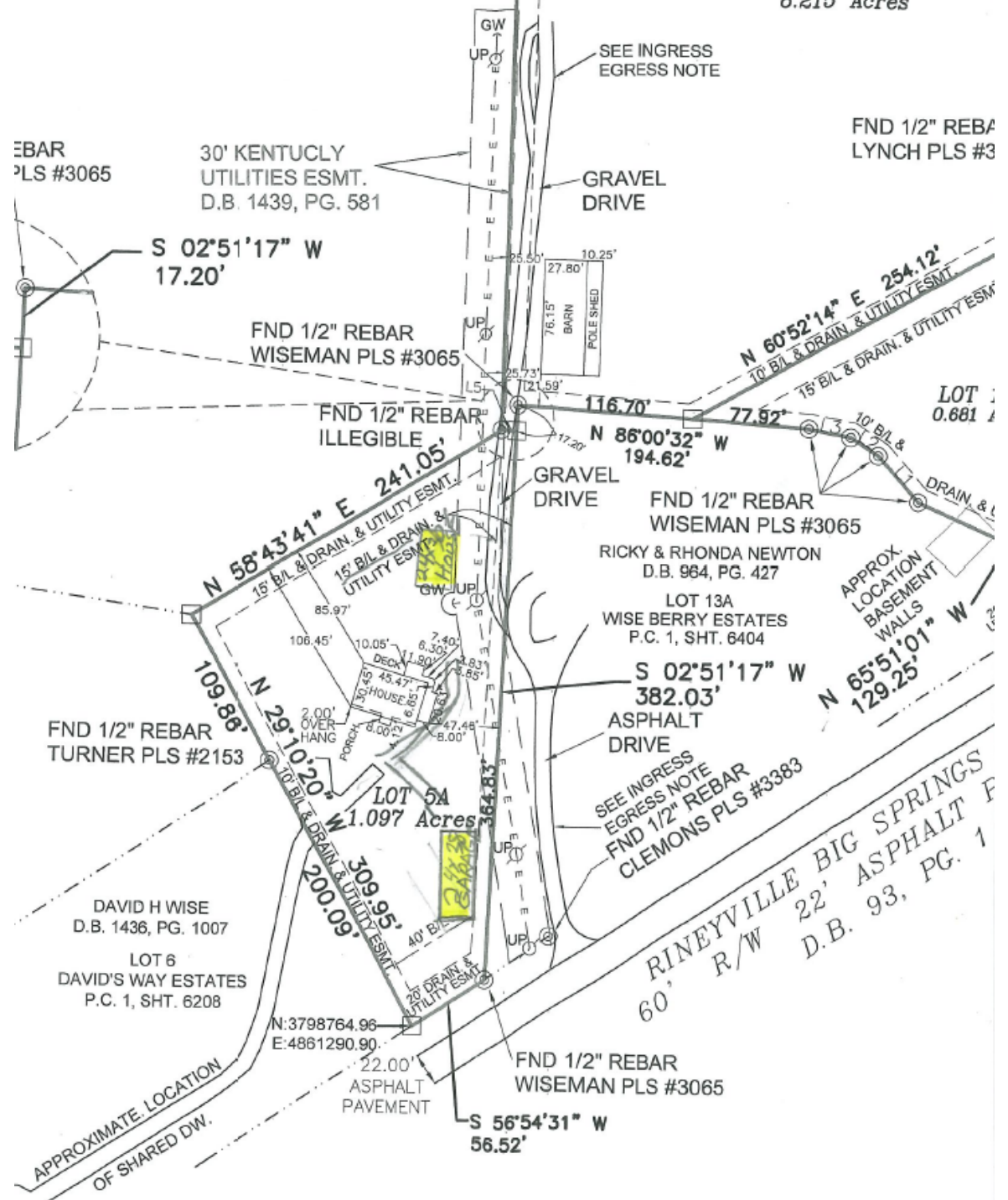
DAVID H WISE  
 D.B. 1436, PG. 1007  
 LOT 6  
 DAVID'S WAY ESTATES  
 P.C. 1, SHT. 6208

RICKY & RHONDA NEWTON  
 D.B. 964, PG. 427  
 LOT 13A  
 WISE BERRY ESTATES  
 P.C. 1, SHT. 6404

SEE INGRESS  
 EGRESS NOTE  
 FND 1/2" REBAR  
 CLEMONS PLS #3383

RINEYVILLE B  
 60' R/W D.

FND 1/2" REBAR  
 WISEMAN PLS #3065



EBAR  
PLS #3065

30' KENTUCKY  
UTILITIES ESMT.  
D.B. 1439, PG. 581

FND 1/2" REBAR  
LYNCH PLS #3

S 02°51'17" W  
17.20'

FND 1/2" REBAR  
WISEMAN PLS #3065

GRAVEL  
DRIVE

FND 1/2" REBAR  
ILLEGIBLE

GRAVEL  
DRIVE

FND 1/2" REBAR  
WISEMAN PLS #3065

RICKY & RHONDA NEWTON  
D.B. 964, PG. 427

LOT 13A  
WISE BERRY ESTATES  
P.C. 1, SHT. 6404

FND 1/2" REBAR  
TURNER PLS #2153

S 02°51'17" W  
382.03'

ASPHALT  
DRIVE

SEE INGRESS  
EGRESS NOTE  
FND 1/2" REBAR  
CLEMONS PLS #3383

DAVID H WISE  
D.B. 1436, PG. 1007  
LOT 6  
DAVID'S WAY ESTATES  
P.C. 1, SHT. 6208

LOT 5A  
1.097 Acres

RINEYVILLE BIG SPRINGS  
R/W 22' ASPHALT F  
D.B. 93, PG. 1

N:3798764.96  
E:4861290.90

22.00'  
ASPHALT  
PAVEMENT

FND 1/2" REBAR  
WISEMAN PLS #3065

S 56°54'31" W  
56.52'

APPROXIMATE LOCATION  
OF SHARED DW.

SEE INGRESS  
EGRESS NOTE

0.210 Acres

10.25'

27.80'

76.15'

25.50'

25.73'

121.59'

116.70'

77.92'

17.20'

194.62'

116.70'

77.92'

10.25'

27.80'

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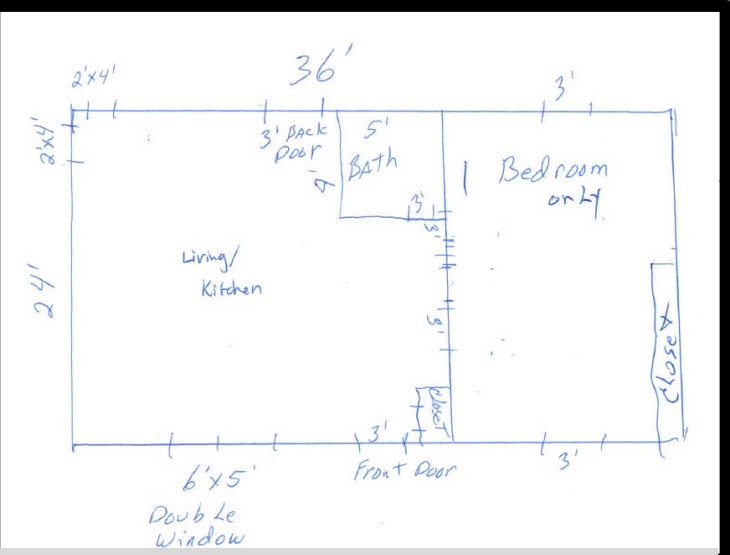
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121.59'



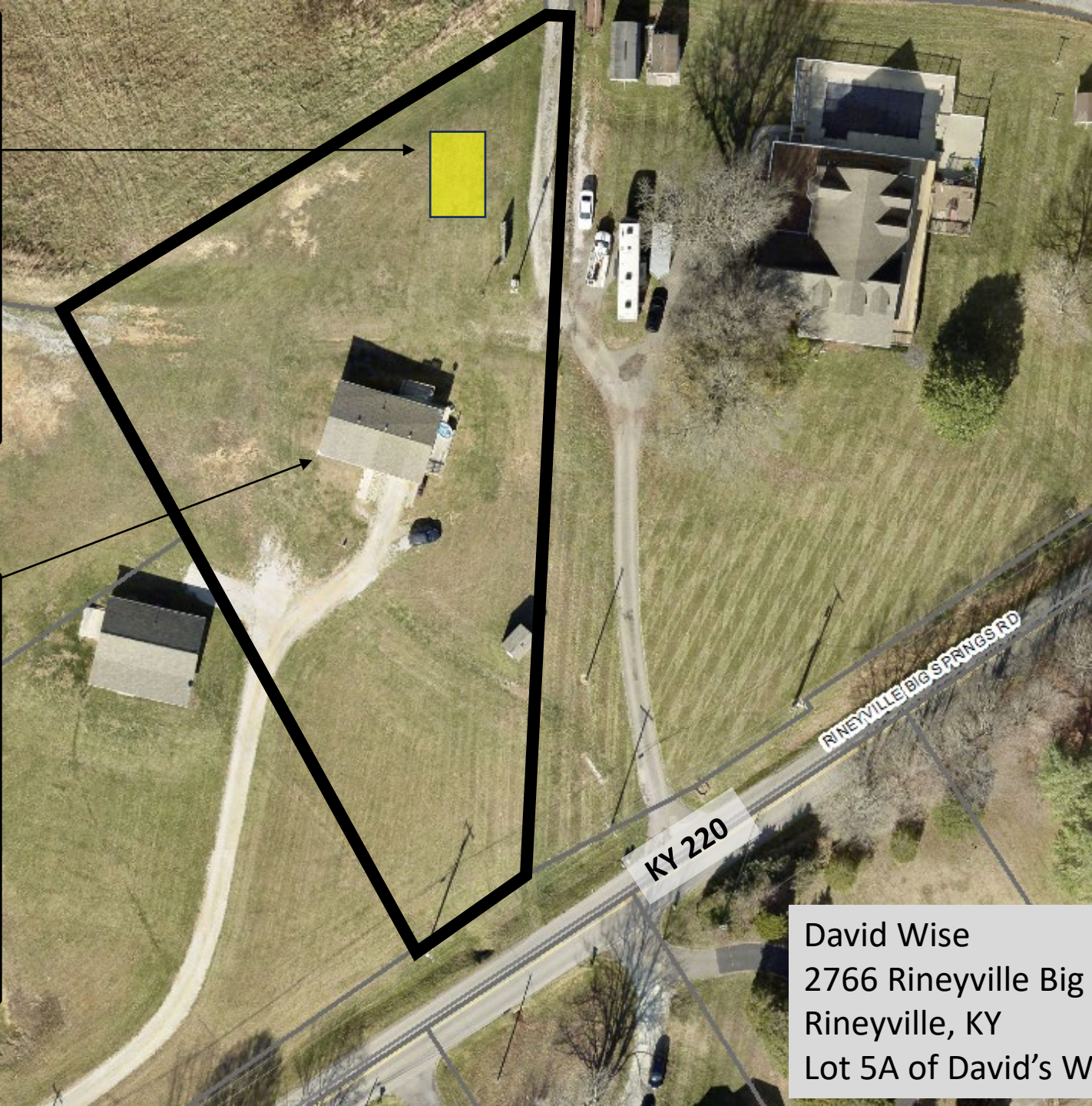




Proposed Permanent Accessory Dwelling (864 sq. ft. home)

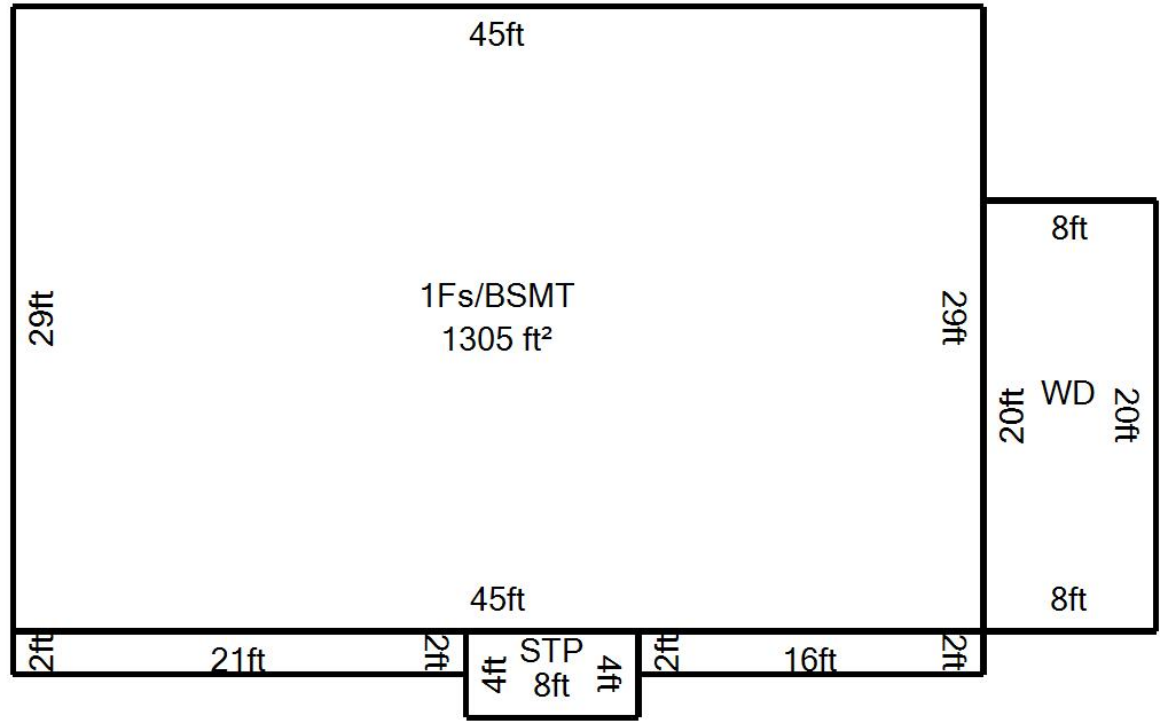


Existing 2,200 sq. ft. home



David Wise  
 2766 Rineyville Big Springs Road,  
 Rineyville, KY  
 Lot 5A of David's Way

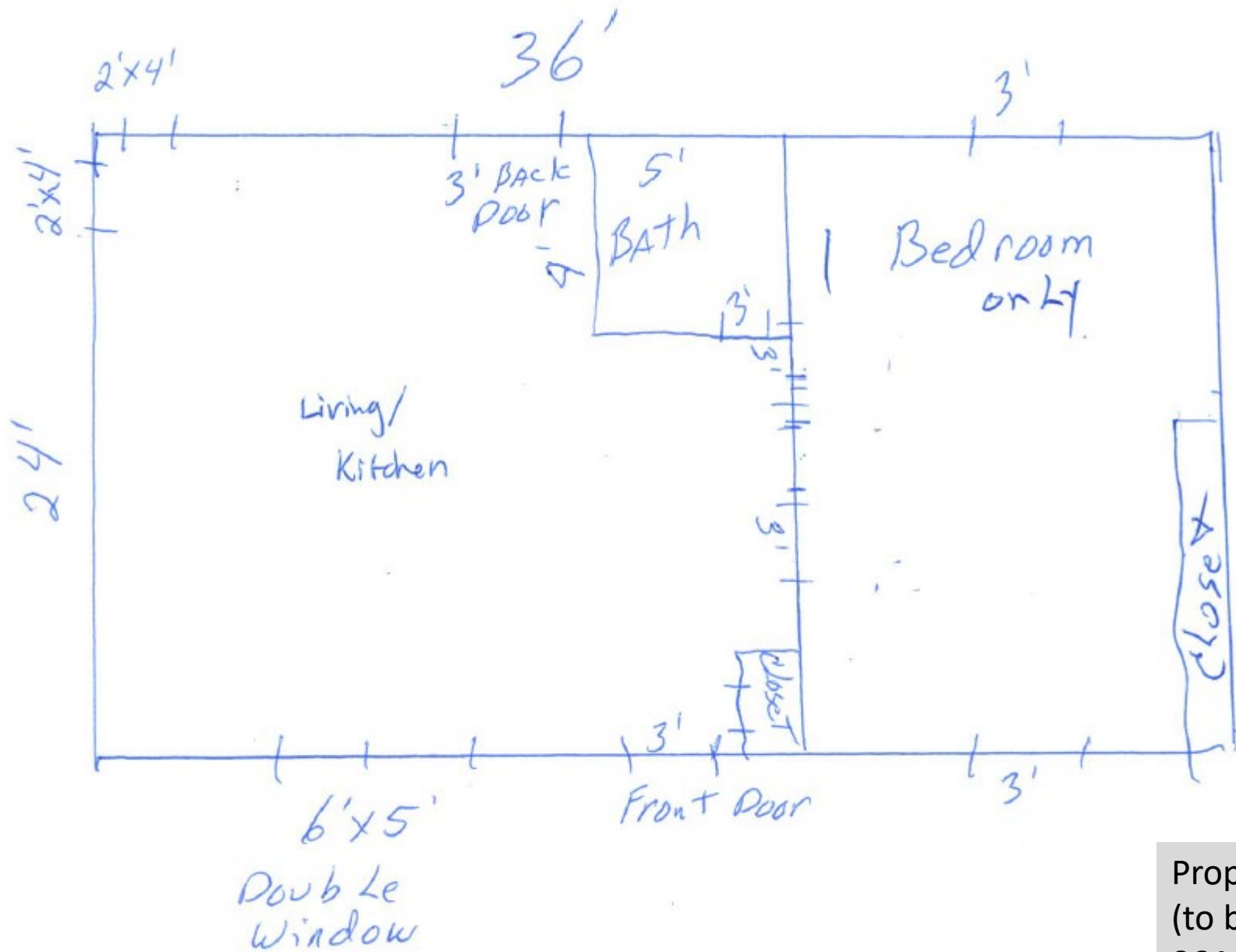
Principle Dwelling



Improvement Information

Description	DAVIDS WAY EST LT 5A
Type of Residence	RAISED RANCH
Year Built	2018
Num Stories	1
Above Ground Sqft	1379
Total Living Area	2220
Basement	FULL
Basement Sqft	1305
Basement Sqft Finish	841

Finished Basement %	65
Bedrooms	3
Full Baths	2
Half Baths	0
Exterior	VINYL
Heat	HEAT PUMP
Air Condition	CENTRAL
Fireplace	0



Proposed Permanent Accessory Dwelling  
 (to be occupied by the Applicant)  
 864 sq. ft.  
 White vinyl siding with a shingle roof





























E147-054-22

EXISTING SEWERAGE SYSTEM INSPECTION

For Department Use Only

File Number 184393

County Hardin District 302

Name of Applicant David Wise

Phone Number of Applicant (270) 765-6928

Property Address 2766 Pineville Big Springs Road Pineville

Regular 1 Follow-up 2 Complaint 3 Survey 4 Other 5

Inspection Results

Water Supply 1 Public 2 Private 3 Other

Date Samples were collected
Do Samples meet current bacteriological standard? Yes No N/A
Does Water System meet the standards? Yes No N/A

Production Results: \_\_\_\_\_ gallons

Source: W - Well S - Spring O - Other
Sewage System: 1 Public 2 Private 3 Other

Was there a malfunction evident during inspection? Yes No

Date permit was issued \_\_\_\_\_ Date property was last inspected \_\_\_\_\_

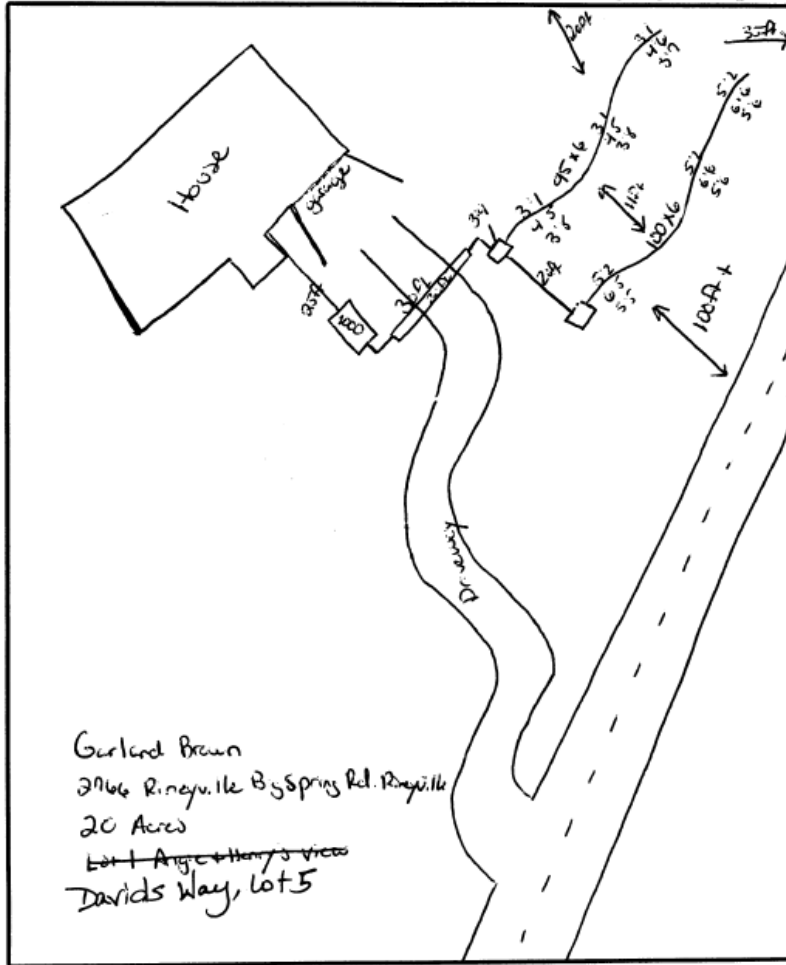
Was system approved? Yes (Action Code A) No (Action Code Y)

Remarks: NO ISSUES AT TIME OF INSPECTION

The Certified Inspector does not represent nor warrant the operation or proper functioning of this onsite sewage disposal system for any period of time.

Inspected By: Derrin Williams Date: 3-31-2022
Certification No.: RS 001335 / RS001397 EHS No.: 19177-161703

1 O S E Y R 2 O S P Y R



— SITE PLAN
— PROPOSED SYSTEM
X INSTALLED SYSTEM

DATE 7-27-17
CI JPH

For Department Use Only
County Hardin File # 184393
District 302 Permit # 2-0598-17
Name of Installer Garland Brown Certification No.
Property Address 2766 Pineville Big Springs Rd. Pineville

Regular 1 Follow-up 2 Complaint 3 Survey 4 Other 5

Table with columns: Design, Type of System Installed, Inspection Results. Rows include: Pretreatment Units, Fill Soil Required, Treatment Area, Alternating Valve, Distribution Box(es), Gravity mains, Perforated Lateral Piping, Trench barrier material, Pump station, Pump, Switches & Controls, Alarm, Electrical components, Force mains, Other.

Remarks: 3 Bedroom system
N 30756057
W 85957561

The Certified Inspector does not represent nor warrant the operation or proper functioning of this on-site sewage disposal system for any period of time.

Final Installation Approved Yes (Action code A) No (Action Code Y)
Inspected By: Jacob J. E. Date: 7-27-17
Certificate No.: 1165 EHS No.: 61653

Kentucky

FAKED 7-27-17

Septic approval for existing house

DFS-321 (Rev. 9/96) **KENT FOR HEALTH AND FAMILY SERVICES**  
**DEPARTMENT FOR PUBLIC HEALTH**  
**ONSITE SEWAGE DISPOSAL SYSTEMS**  
**SITE EVALUATION**

County: Hardin Application No.: 1-0582-24

Owner's Name: David Wise Lot Address: 5A

Applicant's Name: Same Address: 2766 Rineyville Big Springs

Lincoln Trail District Health Department FILE # 264289

1-058224 2  
O S E Y R O S F Y R

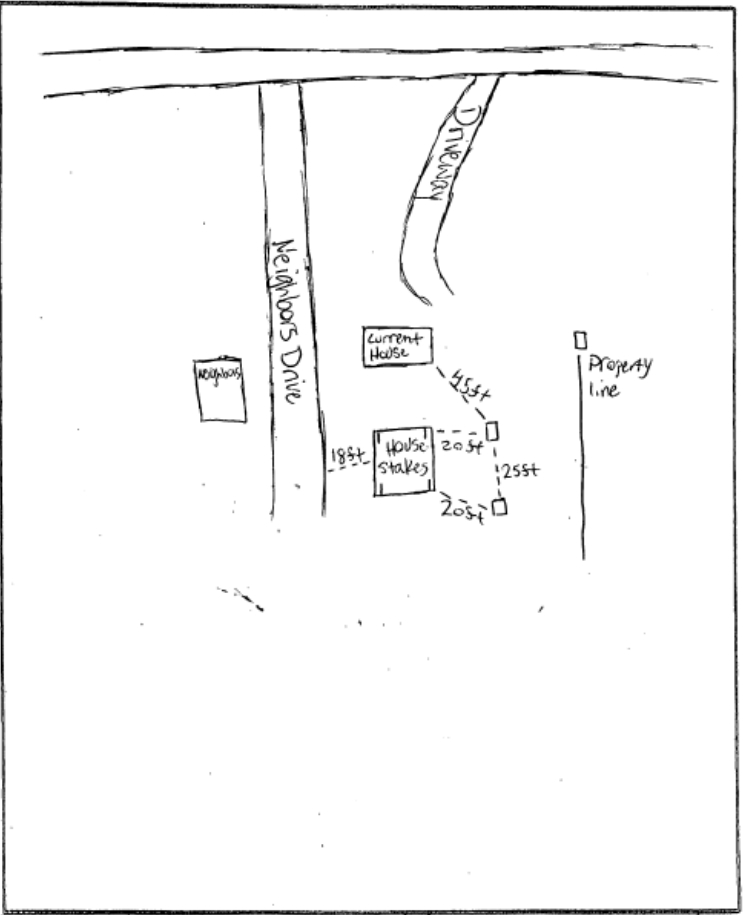
(099-3210 09/95) text **ON-SITE SEWAGE DISPOSAL SYSTEMS OPTIONS**

FILE NUMBER: 264289  
 3/13/24 (Date)

SITE EVAL. NO: 1-0582-24 County: Hardin (District): LTDHD  
 PHONE NO: 270-763-7636

OWNERS NAME: David Wise  
 MAILING ADDRESS: 2766 Rineyville Big Springs

Evaluation Factors	Proposed System Area	Alternative Area 1
1. Topography (slope %)	<u>2%</u>	S PS U
2. Landscape Position	<u>convex Hillside</u>	S PS U
3. Soil Texture and Group	<u>0-3 III s.l 3-3.5 III s.c 3.5-3.6 III s.c</u>	S PS U
4. Soil Structure	<u>0-5 granular 5-3.6 blocky</u> <u>3.6" massive</u>	S PS U
5. Internal Soil Drainage	<u>No matthes</u>	S PS U
6. Soil Depth (in.)	<u>42"</u>	S PS U
7. Restrictive Horizons (in.)	<u>Massive 36"</u>	S PS U
8. Available Space	<u>100%</u>	S PS U
9. Overall Site Classification	S <u>PS</u> U	S PS U
10. Soil Series (if available)		



\*Based on the results of the site evaluation the applicant may choose one of the checked (  ) options from Section I and II. Any items checked in Section III are required to be installed. One or more of the checked options in Section IV may be chosen.

**Section I Pretreatment Units** (Choose one)  
 A septic tank with a minimum capacity of 1000 gallons.  
 Two septic tanks in series, each with a minimum capacity of \_\_\_ gallons.  
 A septic tank with a minimum capacity of \_\_\_ gallons along with an approved effluent filter.  
 Multiple septic tanks in series each with a minimum capacity of \_\_\_ gallons and a minimum combined capacity of \_\_\_ gallons.  
 Installation of an aerobic pretreatment unit.

**Section II Minimum Treatment Area** (Choose one)  
 60 feet of two (2) foot conventional trench width installed 18 inches deep. 6" settled cover  
 feet of eight (8) or (10) inch gravelless pipe installed \_\_\_ inches deep.  
 feet of low pressure pipe trench installed \_\_\_ deep.  
 57 feet of 4 foot wide lateral beds installed 18 inches deep. 6" settled cover soil  
 32 feet of leaching chambers installed 18 inches deep.  
 square feet of lagoon water surface area followed by \_\_\_ feet of two (2) foot conventional trench width installed \_\_\_ inches deep.  
 A mound system designed and sized based upon the information and criteria given in the United States Environmental Protection Agency publication EPA 625/1-80-012, "Design Manual, Onsite Wastewater Treatment and Disposal Systems".  
 An Experimental Constructed Wetland System designed and sized based upon the information and criteria given in the Cabinet for Human Resources publication, "Constructed Wetlands Guidelines".

**Section III System Modifications** (Required if checked)  
 A curtain drain installed \_\_\_ inches deep.  
 A grease trap with a minimum capacity of \_\_\_ gallons.  
 feet of \_\_\_ foot wide lateral beds installed \_\_\_ inches deep for the laundry greywater.  
 A two (2) foot increase in minimum spacing between individual trenches; and, a twenty-five (25) foot increase in minimum setback distances downslope of the lateral field.

**Section IV Other System Options**  
 An approved alternating valve or device with each individual alternate lateral field or bed containing one-half (1/2) of the total linear footage required for the system.  
 feet of \_\_\_ foot wide lateral beds installed \_\_\_ inches deep for the laundry greywater.

\*Sizing of other onsite sewage disposal systems not specifically mentioned in regulation 902 KAR 10:085 or on this form may be approved on a case by case basis by the Cabinet. The applicant will be responsible for contracting and paying a private consultant to draft and submit these plans to the cabinet.

Remarks: 1 bedroom No garbage disposal.  
\*be sure septic permit is pulled, check for conditional use permit

11. List site and/or system modifications or alternatives required for site approval and the specific area selected for system installation. Requires Conditional Use Permit

**FILLED OR DISTURBED SITES ONLY**

12. Percolation Test Required: Yes  No

13. Percolation tester instructions: Test to be run in flagged area at depth of \_\_\_ in. Pre-soaking of test holes to be in accordance with Section 6. (4) ( ) Test measurements to be conducted in accordance with Section 6. (5) ( ).

Attach copy of application and site plan. Draw in evaluation areas and designate area selected for system installation (flagged area).

Date Requested: 3/13/24 Start Time: 10:00 A.M. P.M.  
 Date Completed: 3/13/24 End Time: 11:00 A.M. P.M.

Certified Inspector: [Signature] Cert. No.: 61990  
 County or District Health Department: LTDHD

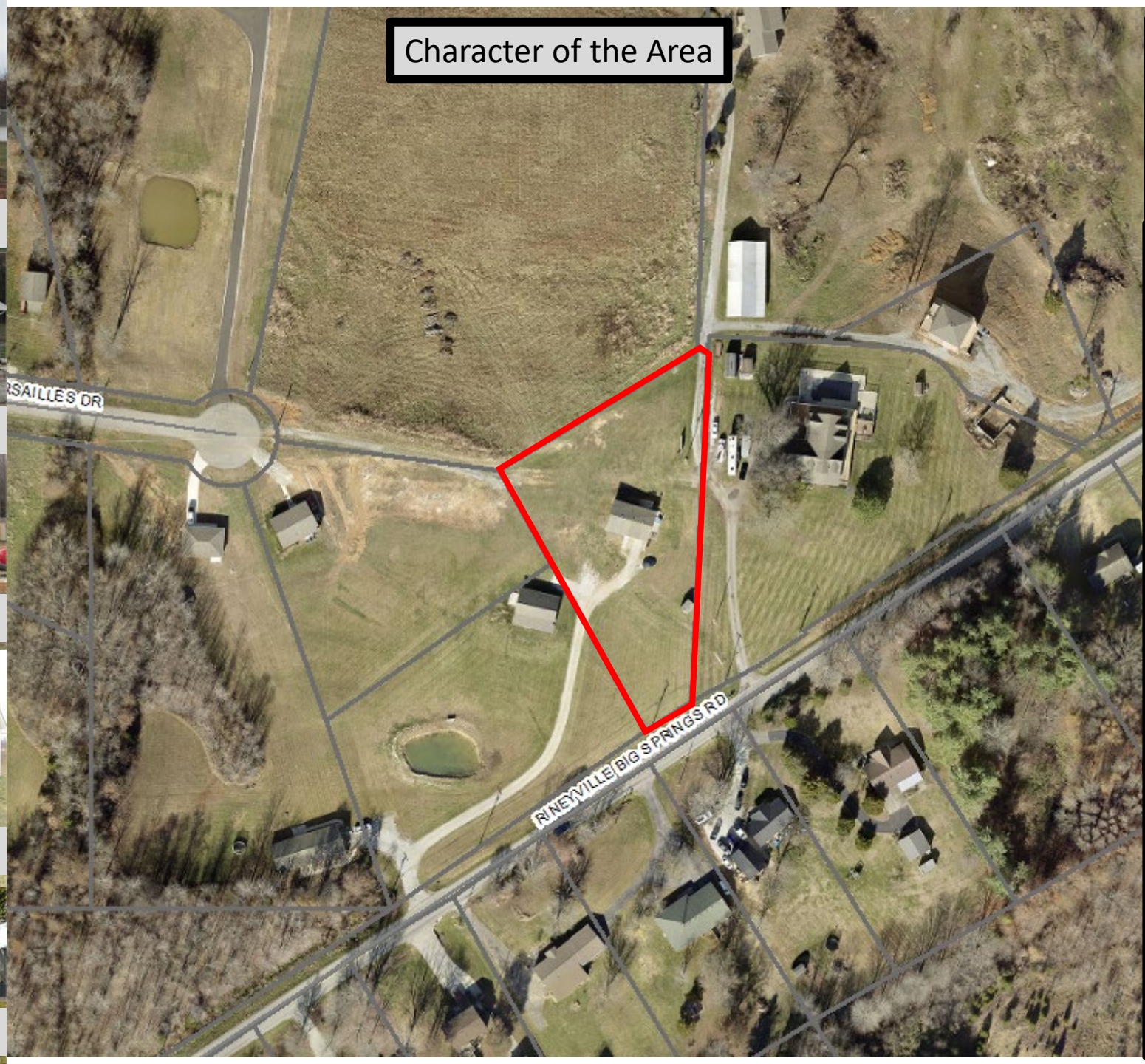
SITE PLAN LOT LOCATION: 2766 Rineyville Big Springs Road DATE: 3/13/24  
 PROPOSED SYSTEM CI: Sydney Knippenberg  
 INSTALLED SYSTEM

Inspector: [Signature] EHS No.: 61990 Cert. No.: 1314

Septic approval for proposed permanent accessory dwelling



# Character of the Area



1120 sq. ft. garage (2023)



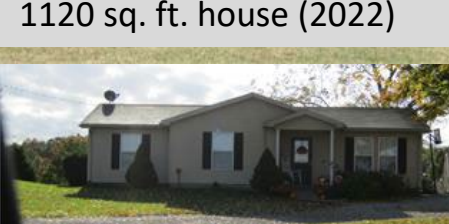
1344 sq. ft. house (2019)



1120 sq. ft. house (2022)



1120 sq. ft. house (2022)



1160 sq. ft. house (2002)



2700 sq. ft. barn (1975)



5298 sq. ft. house (1961)



1980 sq. ft. house (2023)



2016 sq. ft. house (1987)

# Conditional Use Permits for Permanent Accessory Dwellings in the Urban Residential (R-1) Zone

30 Total: 24 Approved, 3 Withdrawn, 1 Denied & 2 Pending

Permit Date	Owner	PVA Map Number	Type	Zone	Listed Use (Dvpl, Cup, Var, Maps)	Project / Subdivision Name	Request	Site Address	Acres (All Permits)	Status
03/14/2024	WISE DAVID H	143-00-01-008	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	DAVID'S WAY ESTATES, LOT 5A - PERMANENT ACCESSORY DWELLING	TO ALLOW FOR A 864 SQ. FT. PERMANENT ACCESSORY DWELLING IN ADDITION TO THE 2,220 SQ. FT. PRINCIPLE DWELLING	2766 RINEYVILLE BIG SPRINGS ROAD	1.097	PENDING
03/07/2024	HOOD JACOB & KELSEY L	218-00-00-014	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	HOOD PERMANENT ACCESSORY DWELLING	TO ALLOW FOR A PERMANENT ACCESSORY DWELLING ON SITE	1909 PEAR ORCHARD	1.021	PENDING
11/07/2023	SPALDING DAVID G & JUANITA R	162-00-05-011	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	KILEY RIDGE ESTATE, LOT 11 - SPALDING PERMANENT ACCESSORY DWELLING	TO ALLOW FOR THE CONSTRUCTION OF A 624 SQ. FT. HOME IN ADDITION TO THE CURRENT 1,440 SQ. FT. HOME ON SITE	3243 DECKARD SCHOOL ROAD, RADCLIFF, KY 40160	1.076	APPROVED
04/11/2023	MEDICK BART & SONYA	120-00-01-020	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	SHANNONDOAH ESTATES SUBDIVISION, SECTION 3, LOT 18A - PERMANENT ACCESSORY DWELLING	TO ALLOW FOR THE CONSTRUCTION OF A 900 SQ FT SECOND DWELLING IN ADDITION TO THE 2951 SQ FT HOME ON SITE	246 HUNTINGTON LANE, RINEYVILLE, KY 40162	1.519	APPROVED
03/09/2023	EDLIN PHILLIP PAUL	243-00-00-040	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	EDLIN PERMANENT ACCESSORY DWELLING	TO ALLOW FOR THE CONSTRUCTION OF A 1308 SQ FT COTTAGE IN ADDITION TO THE 5800 SQ FT EXISTING HOUSE/BARN	835 EDLIN LANE, ELIZABETHTOWN, KY 42701	282.000	APPROVED
02/28/2023	WISE DAVID	143-00-01-008.01	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	DAVIDS WAY ESTATES, LOT 1 - PERMANENT ACCESSORY DWELLING	TO ALLOW FOR THE 1428 SQ FT GARAGE ON SITE TO BE CONVERTED INTO A HOUSE IN ADDITION TO THE PRE-EXISTING 1824 SQ FT HOME ON SITE.	182 VERSAILLES DRIVE & 2836 RINEYVILLE BIG SPRINGS ROAD, RINEYVILLE, KY 40162	2.470	DENIED
01/12/2023	CRAWFORD JANICE & JOHN	234-00-00-084	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	CRAWFORD PERMANENT ACCESSORY DWELLING	PERMANENT ACCESSORY DWELLING, PRE-EXISTING 940 SQ FT HOME ON SITE USED AS STORAGE TO BE CONVERTED BACK INTO LIVING AREA	1965 LOCUST GROVE ROAD, ELIZABETHTOWN, KY 42701	4.974	APPROVED
08/25/2022	KEELING ROXANNES & DONALD R	234-00-08-027	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	27A CONCORD HEIGHTS SUBDIVISION	PERMANENT ACCESSORY DWELLING - TO ALLOW FOR THE CONSTRUCTION OF A 1280 SQ FT APARTMENT ABOVE THE EXISTING DETACHED GARAGE	350 NANCY DRIVE	.995	APPROVED
06/21/2022	BRACKETT MARK THOMAS & PATRICIA LYNN	235-00-00-008	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	BRACKETT PERMANENT ACCESSORY DWELLING	PERMANENT ACCESSORY DWELLING, TO ALLOW FOR THE CONSTRUCTION OF A NEW HOME (2506 SQ FT LIVING SPACE) AND THE EXISTING GARAGE WITH APARTMENT (576 SQ FT LIVING SPACE) TO REMAIN ON SITE	91 ROUNDTOP ROAD, ELIZABETHTOWN, KY 42701	65.145	APPROVED
05/12/2022	SAN NICOLAS SHERLENE K ROBINSON	162-00-01-108	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	BENS ACRES, LOT 20 - PERMANENT ACCESSORY DWELLING	PERMANENT ACCESSORY DWELLING BEHIND THE EXISTING 1,064 SQ. FT. HOME	629 HOMESTEAD AVENUE, RADCLIFF, KY 40160	2.333	APPROVED
04/27/2022	PALM ADAM M & CAROLYN	217-00-00-023.02	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	SENTA HILL SUBDIVISION, LOT 1 - PALM PERMANENT ACCESSORY DWELLING	PERMANENT ACCESSORY DWELLING 1,031 SQ FT SECOND HOUSE	232 BITTERSWEET DRIVE, ELIZABETHTOWN, KY 42701	8.057	APPROVED
05/24/2021	WALKER ROBERT FRANCIS SR	143-00-01-005.01	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	WALKER - PERMANENT ACCESSORY DWELLING	PERMANENT ACCESSORY DWELLING TO ALLOW FOR A PROPOSED DETACHED GARAGE WITH A 1150 SQ. FT. APARTMENT ABOVE IT	360 RINEYVILLE SCHOOL ROAD, RINEYVILLE, KY	1.490	APPROVED

Continued on next slide

Permit Date	Owner	PVA Map Number	Type	Zone	Listed Use (Dvpl, Cup, Var, Maps)	Project / Subdivision Name	Request	Site Address	Acres (All Permits)	Status
02/17/2021	REED LAURA M & DANIEL LINKER	190-30-02-027	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	LINKER GARAGE APARTMENT	TO ALLOW FOR A PROPOSED GARAGE WITH AN ACCESSORY APARTMENT	147 E MAIN ST GLENDALE, KY	.550	APPROVED
01/07/2021	PIRTLE JON W JR & BRENDA	165-00-00-024.12	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	DEER FIELD ESTATES, SECT. 4, LOT 10B - PIRTLE PERMANENT ACCESSORY DWELLING	TO ALLOW FOR THE CONSTRUCTION OF A DWELLING IN ADDITION TO THE APARTMENT WITHIN THE BARN	123 TWELVE POINT BUCK BLVD., ELIZABETHTOWN KY	2.074	APPROVED
01/07/2020	HOLLOMAN, BRAD	143-00-01-045	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	WISE BERRY ESTATES, LOT 11, #2	TO ALLOW FOR A PERMANENT ACCESSORY DWELLING (800 SQ FT GUEST HOUSE)	3345 FRED BURNS RD	.799	APPROVED
08/01/2018	TURNER SAMUEL C & MAGGIE B	217-00-00-023	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING	TO ALLOW FOR A PERMANENT ACCESSORY DWELLING	236 BITTERSWEET DRIVE	19.460	APPROVED
05/04/2018	EDLIN MICHAEL TODD & TERESA L	243-00-00-041	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	EASTWOOD ESTATES LOT 10 SECTION 3	TO ALLOW FOR PERMANENT ACCESSORY DWELLING	185 EDLIN LANE	22.182	APPROVED
09/25/2017	BENNETT PATSY	120-00-00-015	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY		TO ALLOW FOR PERMANENT ACCESSORY DWELLING	216 BENNETT RD	26.800	APPROVED
06/07/2017	DANT JAMES R & CANDICE M	223-00-00-032.09	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	BENGTSSON ACRES SUBDIVISION, LOT 1	TO ALLOW FOR THE CONSTRUCTION OF A PERMANENT ACCESSORY DWELLING (1000 SQ FT GARAGE APARTMENT) ON THE PROPERTY	1440 SPORTSMAN LAKE ROAD	7.510	APPROVED
06/01/2017	PEPPER DARYL & LEE ANN	235-00-00-002	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY		TO ALLOW FOR THE EXISTING CABIN TO REMAIN ON SITE AND TO ALLOW FOR THE CONSTRUCTION OF A NEW HOME	CALICO SPRINGS RD	50.000	APPROVED
12/29/2014	Stephanie Meredith	143-00-01-005.02	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	Permanent Accessory Dwelling /	Permament Accessory Dwelling on property to properly care for relative with arising health issues.	224 Stith Lane	8.040	APPROVED
10/17/2013	GARY & TERESA GRIFFIN	184-00-02-024	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING / FONTAINE ESTATES	ADDITION (49 SQ FT) TO AN EXISTING ACCESSORY DWELLING (500 SQ FT)	235 FONTAINE DRIVE	.700	APPROVED
09/25/2013	BARRY & KAREN BIRDWHISTELL	164-00-00-037	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	ACCESSORY DWELLING / LEWIS PROPERTY	TO CONSTRUCT A PERMANENT ACCESSORY DWELLING PRIOR TO THE PRIMARY DWELLING	RINEYVILLE ROAD	4.379	WITHDRAWN
10/30/2012	DOROTHY WALLACE	182-10-00-002	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	WALLACE PERMANENT ACCESSORY DWELLING /	CONDITIONAL USE PERMIT FOR A PERMANENT ACCESSORY DWELLING	4273 S WILSON ROAD	.574	APPROVED
01/30/2012	ROBERT & CONSTANCE DARNELL	243-00-00-041.10	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING / EASTWOOD ESTATES, SECTION 2, LOT 4	CONVERT PART OF THE EXISTING RECREATION BUILDING INTO A PERMENANT ACCESSORY DWELLING	BARDSTOWN ROAD (US 62)	1.430	WITHDRAWN
10/20/2011	MATTIAS LAMBERT	183-40-01-021	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING /	TO ALLOW FOR A PERMANENT ACCESSORY DWELLING FOR PUBLIC RENTAL	6960 S WILSON ROAD	.620	WITHDRAWN
06/01/2011	DAVID AND DIANA NORDYKE	142-00-00-002	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING / CLEMMINTON ESTATES, LOT 2	PERMANENT ACCESSORY DWELLING (2052 SQ FT)	45 MILIMISH LANE	7.380	APPROVED
06/29/2010	DAVID & KELLI SCHULTZ	230-00-00-035	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING /	PERMANENT ACCESSORY DWELLING - POOL HOUSE WITH LIVING QUARTERS (38' X 24')	189 ADAMS LANE	49.786	APPROVED
03/04/2010	PHILLIP EDLIN	243-00-00-040	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING /	PERMANENT ACCESSORY DWELLING - POLE BARN (40' X 100') WITH LIVING QUARTERS (25' X 40')	835 EDLIN LANE	282.000	APPROVED
10/29/2009	SINGER ANTHONY K & SHIRLEY M	114-00-00-022.05	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING / CLOVER MEADOW SUBDIVISION	PERMANENT ACCESSORY DWELLING	1794 THOMAS ROAD	2.260	APPROVED



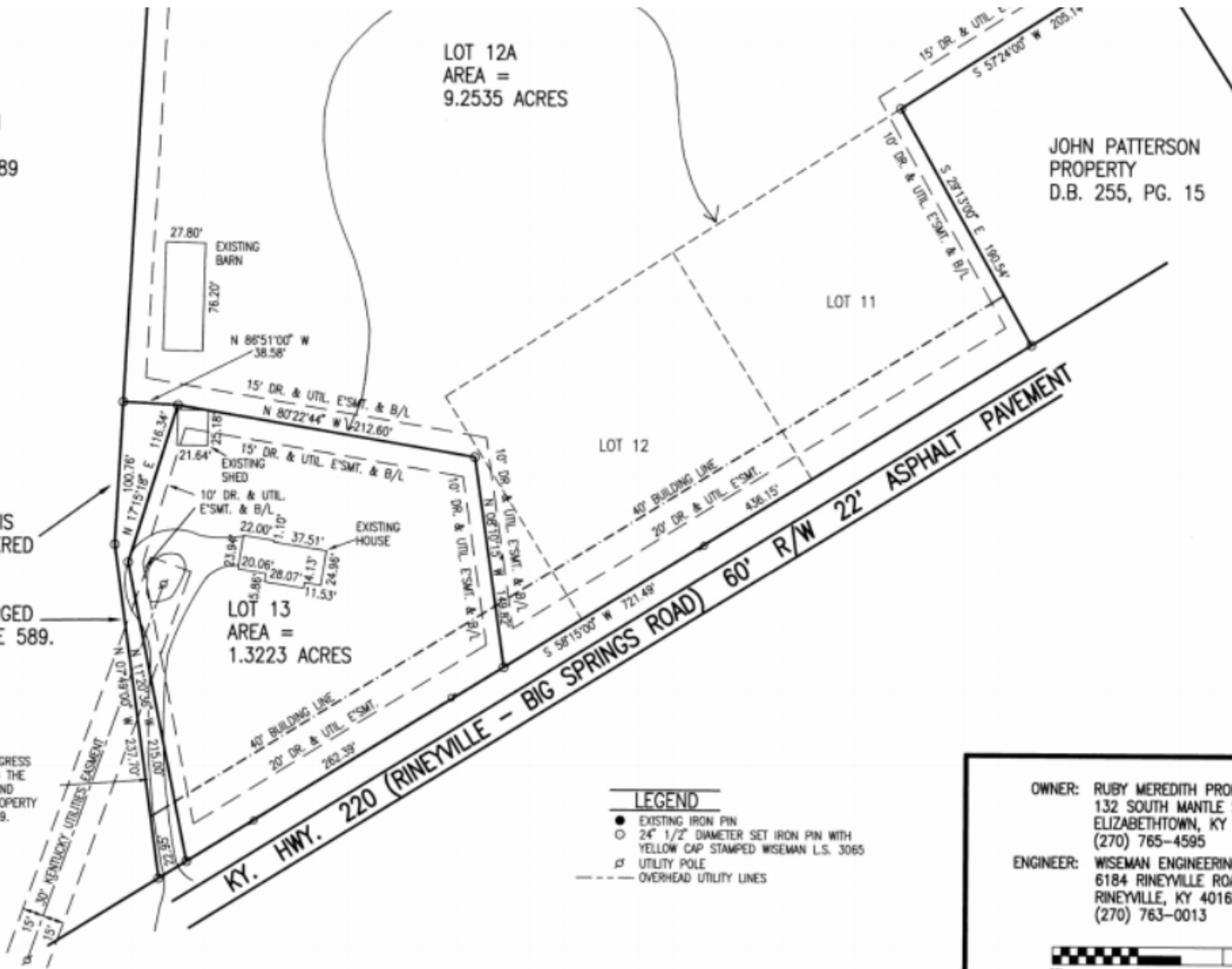
RUBY MEREDITH  
PROPERTY  
D.B. 95, PG. 589

LOT 12A  
AREA =  
9.2535 ACRES

JOHN PATTERSON  
PROPERTY  
D.B. 255, PG. 15

THE AREA OF THIS TRACT IS  
TO SMALL AND IS CONSIDERED  
A NON-BUILDABLE LOT.  
AREA = 0.1360 ACRES.  
THIS TRACT SHALL BE MERGED  
WITH DEED BOOK 95, PAGE 589.

NOTE: THERE SHALL BE AN INGRESS  
AND EGRESS EASEMENT ALONG THE  
EXISTING DRIVE FOR LOT 13 AND  
FOR THE BALANCE OF THE PROPERTY  
AND DEED BOOK 95, PAGE 589.



- LEGEND**
- EXISTING IRON PIN
  - 2" 1/2" DIAMETER SET IRON PIN WITH YELLOW CAP STAMPED WISEMAN L.S. 3065
  - UTILITY POLE
  - OVERHEAD UTILITY LINES

OWNER: RUBY MEREDITH PROPERTY  
132 SOUTH MANTLE STREET  
ELIZABETHTOWN, KY 42701  
(270) 765-4595

ENGINEER: WISEMAN ENGINEERING  
6184 RINEYVILLE ROAD  
RINEYVILLE, KY 40162  
(270) 763-0013



SCALE: 1" = 60' DATE: JAN. 10, 2000

AMENDED RECORD PLAT OF  
LOTS 11 & 12 WISE BERRY  
ESTATES SECTION 1 AND  
RECORD PLAT OF WISE BERRY  
ESTATES SECTION 3 - LOT 13

D.B. 828, PG. 81

1-19-00 *Herrietta Bolton*  
DATE HERRIETTA BOLTON

**NOTARY CERTIFICATION**  
I CERTIFY THAT I AM A NOTARY FOR THE STATE OF Alabama  
I FURTHER CERTIFY THAT THE ABOVE SIGNATURE(S) (S, ARE)  
LEGAL AND (HAS, HAVE) BEEN EXECUTED VOLUNTARILY, TO  
THE BEST OF MY KNOWLEDGE AND BELIEF.  
1/19/00 *[Signature]*  
DATE NOTARY PUBLIC

**My Commission Expires 06-30-2008**  
DATE COMMISSION EXPIRES  
1-15-00 *Marilyn Cole*  
DATE MARILYN COLE  
1-15-00 *Terry Cole*  
DATE TERRY COLE

**NOTARY CERTIFICATION**  
I CERTIFY THAT I AM A NOTARY FOR THE STATE OF  
I FURTHER CERTIFY THAT THE ABOVE SIGNATURE(S) (S, ARE)  
LEGAL AND (HAS, HAVE) BEEN EXECUTED VOLUNTARILY, TO  
THE BEST OF MY KNOWLEDGE AND BELIEF.  
1-15-00 *Hina Rhonda Morgan*  
DATE HINA RHONDA MORGAN  
4-18-2001  
DATE COMMISSION EXPIRES



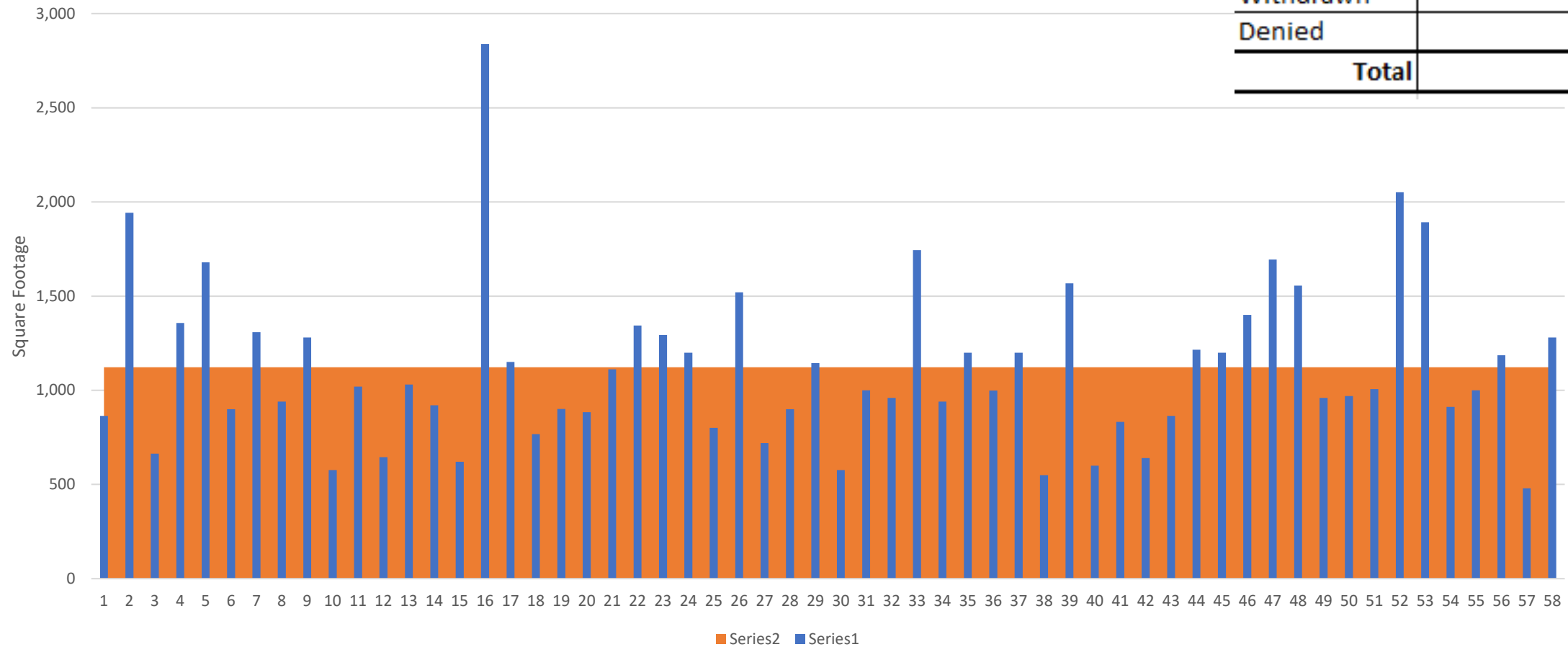
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DATE COMMISSION EXPI

# Permanent Accessory Dwellings

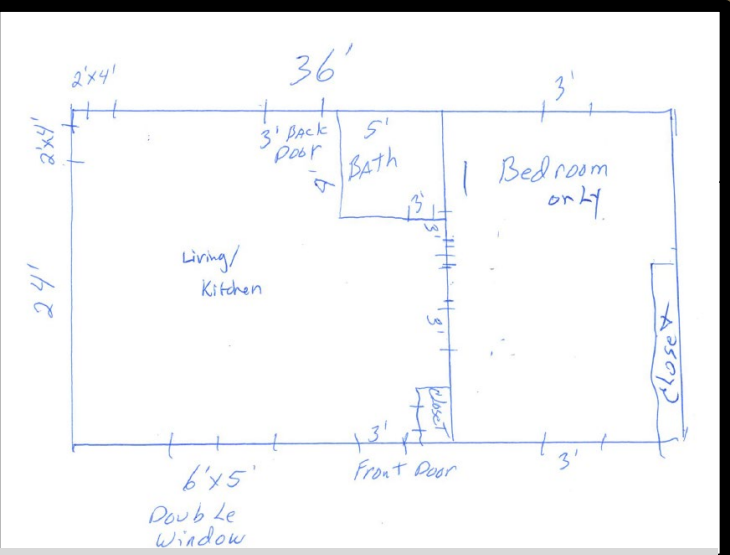
Status	Count
Approved	58
Pending	3
Withdrawn	5
Denied	2
<b>Total</b>	<b>58</b>

Accessory Structure & Average Square Footage Comparison



There have been **58** Approved Permanent Accessory Dwellings.

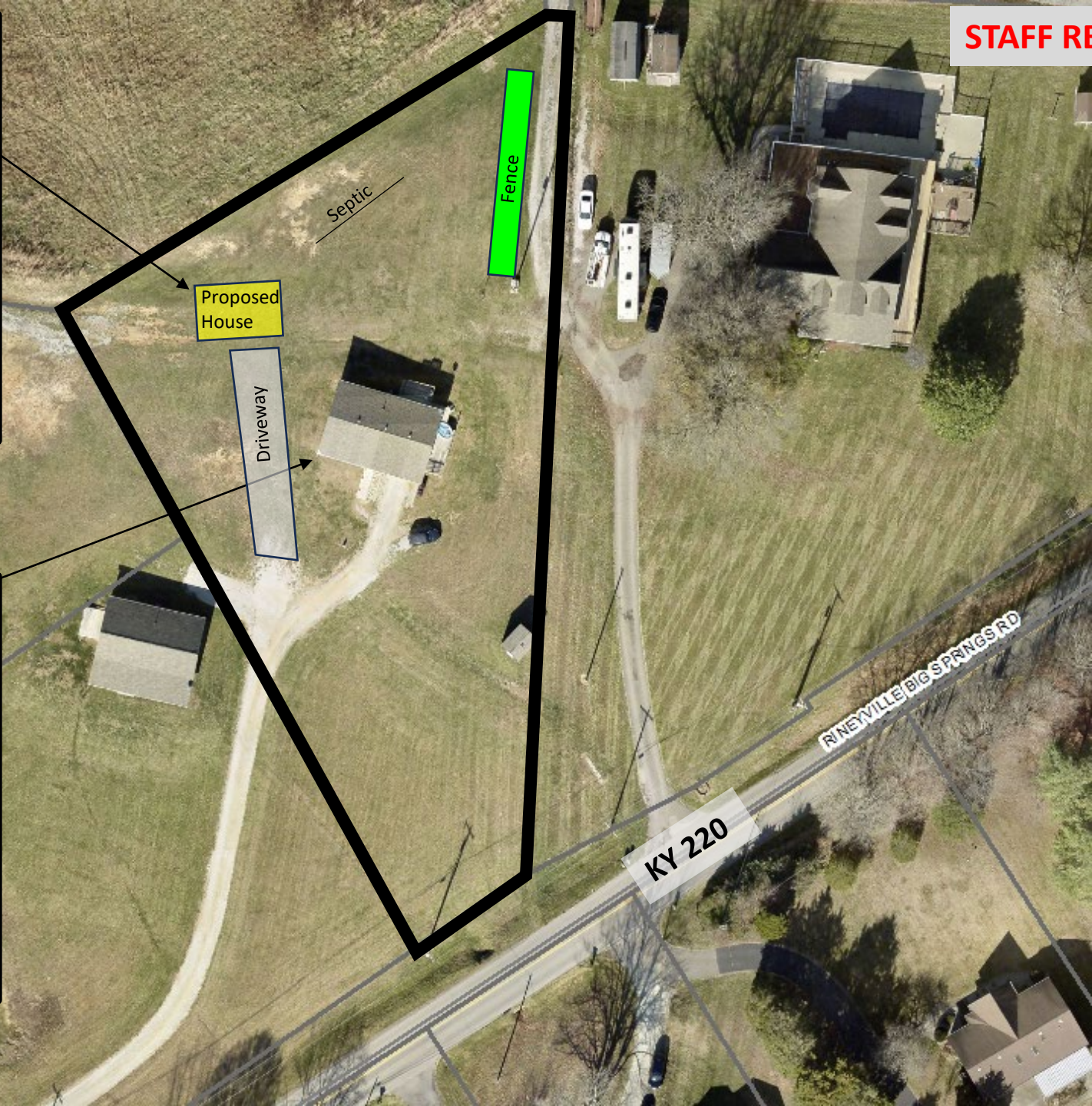
The Average Square Footage of those 57 Approved is **1,117 sq. ft.**



Proposed Permanent Accessory Dwelling (864 sq. ft. home)



Existing 2,200 sq. ft. home



### 16-3 STANDARDS FOR ISSUANCE

The Board of Adjustment shall issue a CUP only after all of the following standards satisfy the language of the Ordinance:

- A. The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- B. 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;
- C. 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;
- D. The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- E. The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- F. The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

**GENERAL CONDITIONS** In granting any Conditional Use Permit, the Board shall designate such conditions in connection therewith as will, in its opinion, assure that the use will conform to the requirements set out in the Zoning Ordinance and that it will continue to so do. Such conditions may include, but are not limited to the following:

- A. Secure a financial security to insure completion or construction of imposed conditions;
- B. Reasonable time limits may be imposed to insure completion of the project in question or any individual components of the project, if none are established, the project shall be complete in one year;
- C. Conditions may be imposed to abate or restrict noise, smoke, dust, light, or other elements that may affect surrounding properties;
- D. Establish building setbacks and yard requirements necessary for orderly expansion and to prevent traffic congestion;
- E. Provide for adequate parking and ingress and egress to public streets and roads;
- F. Provide the adjoining property with a buffer or shield from view of the proposed use;
- G. Establish minimum dwelling unit square foot requirements in order to protect property values;
- H. Establish Hours of Operation for businesses and commercial activities;
- I. Establish limits as to the scope and intensity of activities conducted under the Conditional Use Permit;
- J. Establish time limits for the Conditional Use Permit at which time the permit shall expire or require renewal;
- K. Conditional Uses shall comply with all applicable standards of the Zoning Ordinance, including the parking, landscape, lighting and signage regulations. Additional standards may be included in the listed requirements for a particular use;
- L. All other plans, licenses, permits and documentation from/for other agencies may be required by the Board.

**A. Permanent Accessory Dwellings**

An accessory dwelling unit is a detached structure. The Board shall consider the following criteria prior to issuance of the Conditional Use Permit:

1. Creation. Constructing a detached accessory dwelling unit on a site with an existing house.
2. Ownership. The property owner must occupy either the principal dwelling unit or the accessory dwelling used as his/her principal residence, and at no time receive rent for the owner-occupied unit. Owner residence must be proven by driver license, voter registration or other evidence acceptable to the Board, such as but not limited to deeds, utility bills and the like. For added assurance that the owner-occupancy requirements will continue to be met, a Certificate of Land Use Restrictions shall be recorded in the Clerk's Office. The Conditional Use Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirement as stated herein.
3. Parking. Adequate on site parking must be designated on an approved site plan.
4. Driveways. Shared driveways are to be encouraged wherever possible.
5. Maximum size. The size of the accessory dwelling may be no more than 50% of the living area of the house or 900 square feet, whichever is less.
6. Minimum Width. The accessory dwelling must be a minimum width of at least twenty feet at its smallest width measurement.
7. Location. The accessory dwelling should be located behind the principle dwelling in the rear yard to minimize the visual impact of two separate residences.
8. Exterior finish materials. The exterior finish material must be the same or visually match in type, size and placement of the exterior finish material of the house.
9. Sewage System. The accessory dwelling shall have its own septic system approved by the Hardin County Health Department or be connected to a sanitary sewer system.
10. Density. Accessory Dwelling units are not included in the minimum or maximum density calculations for a site.

The Commission and Board reserves the right to allow exceptions from the above requirements at their discretion in cases where strict adherences to the above may be impractical or uneconomical.

Conditions may include, but are not limited to the following:

DGS [5-3(A)]

*I make a Motion to **Approve** the Conditional Use Permit with the Following Conditions:*

*Based on the Staff Presentation and the Testimony presented in the Public Hearing and that it satisfies the Standards for Issuance outlined in the Development Guidance System, Zoning Ordinance 16-3.*

1. This Conditional Use Permit for a Permanent Accessory Dwelling will allow for a 864 sq. ft. second dwelling (permanent accessory dwelling) to be constructed in addition to the 2,200 sq. ft. home (principal dwelling) on site.
2. The property owner, David Wise, must occupy either the principal dwelling or the permanent accessory dwelling as the principal residence, and at no time receive rent for the owner-occupied unit. (Owners residence must be proved by drivers license)
3. Adequate on site parking must be designated on an approved site plan.
4. The existing driveway entrance will be shared by both dwellings.
5. The Permanent Accessory Dwelling is the proposed 864 sq. ft. second dwelling and the pre-existing 2,200 sq. ft. house is the Principal Dwelling.
6. The exterior finish materials of the permanent accessory dwelling will be white vinyl siding with a shingled roof to match the principal dwelling.
7. Both dwellings shall have septic systems approved by the Environmental Services Office of the 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. Additional landscaping / screening in the form of \_\_\_\_\_ shall be required.
10. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
11. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

OR MOTION TO DENY