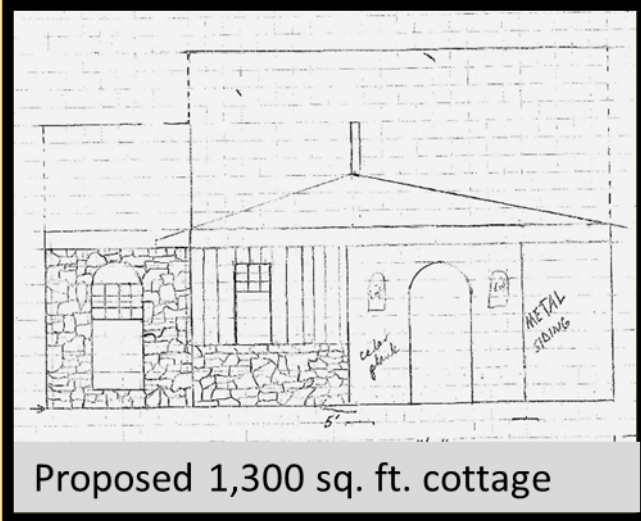




Hardin County Board of Adjustment 20 April 2023

County Government Center
Second Floor Meeting Room

Owner: Phillip “Pete” Edlin



Location A 282 acre site located at 835 Edlin Lane in Elizabethtown, KY

Zoned Urban Residential (R-1)

Requesting a **Conditional Use Permit for a Permanent Accessory Dwelling to allow for the construction of a 1,308 sq. ft. cottage in addition to the existing 5,800 sq. ft. house/barn on site.**

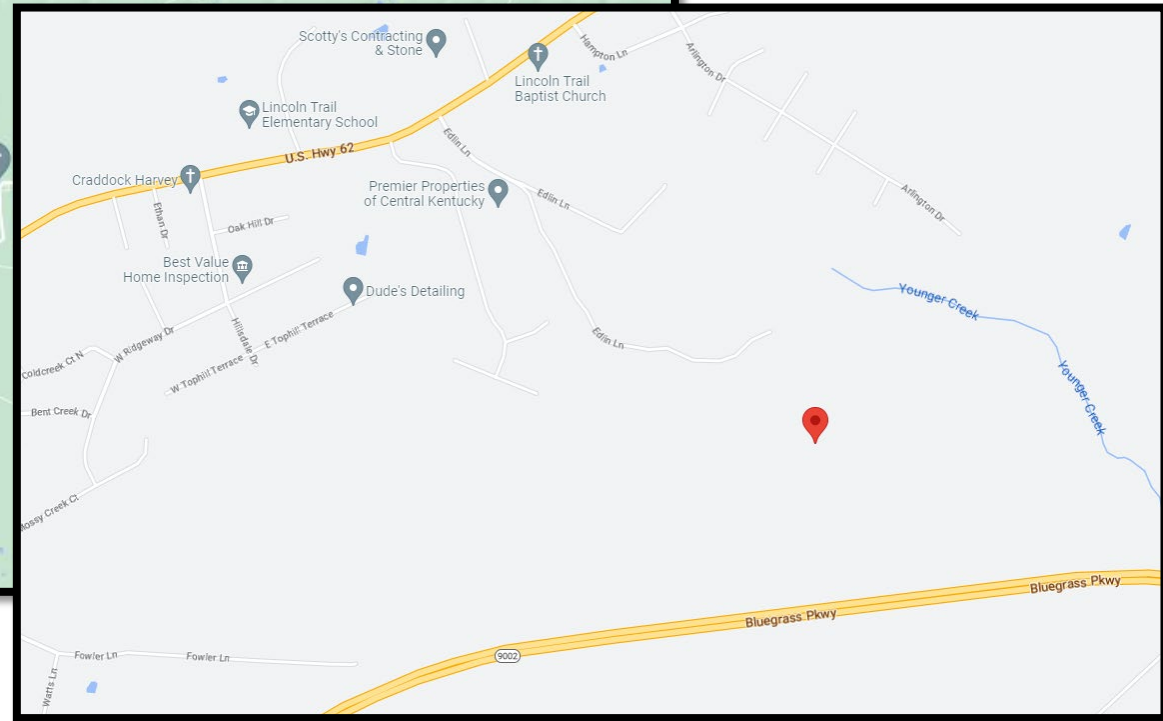
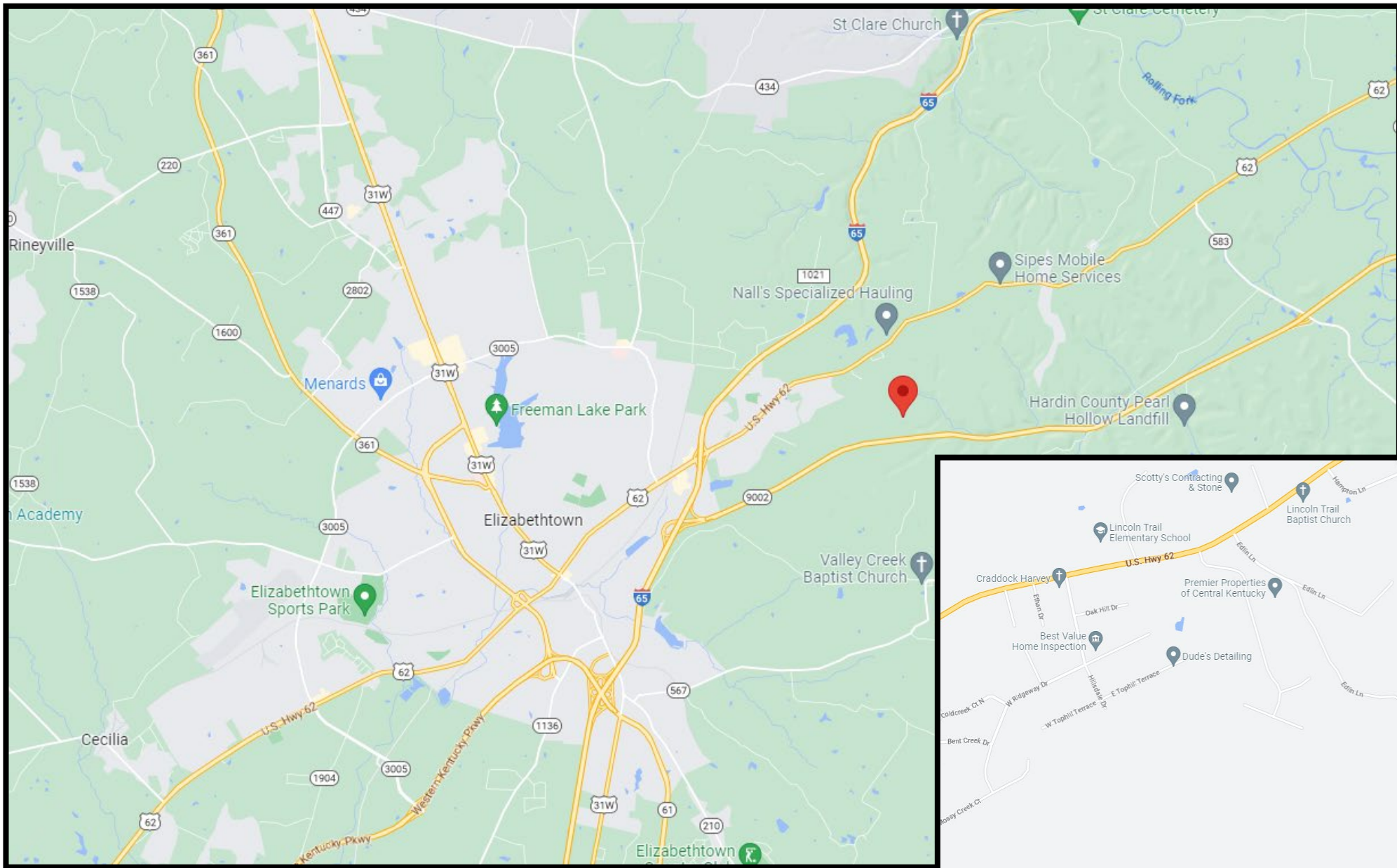
835 Edlin Lane

Conditional Use Permit SUMMARY REPORT

LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photos**
- D. Character of the Site**
- E. Character of the Area**
- F. Photographs**
- G. Construction Plans for Proposed Cottage**
- H. Analysis of Land Use and KBC Permits for the Site**
- I. Analysis of Conditional Use Permits for Permanent Accessory Dwellings in the Urban Residential Zone (R-1)**
- J. Accessory Structure & Average Square Footage Comparison**
- K. Zoning Ordinance Permanent Accessory Dwelling Criteria**
- L. *Comprehensive Development Guide**
- M. *Development Guidance System Ordinance**

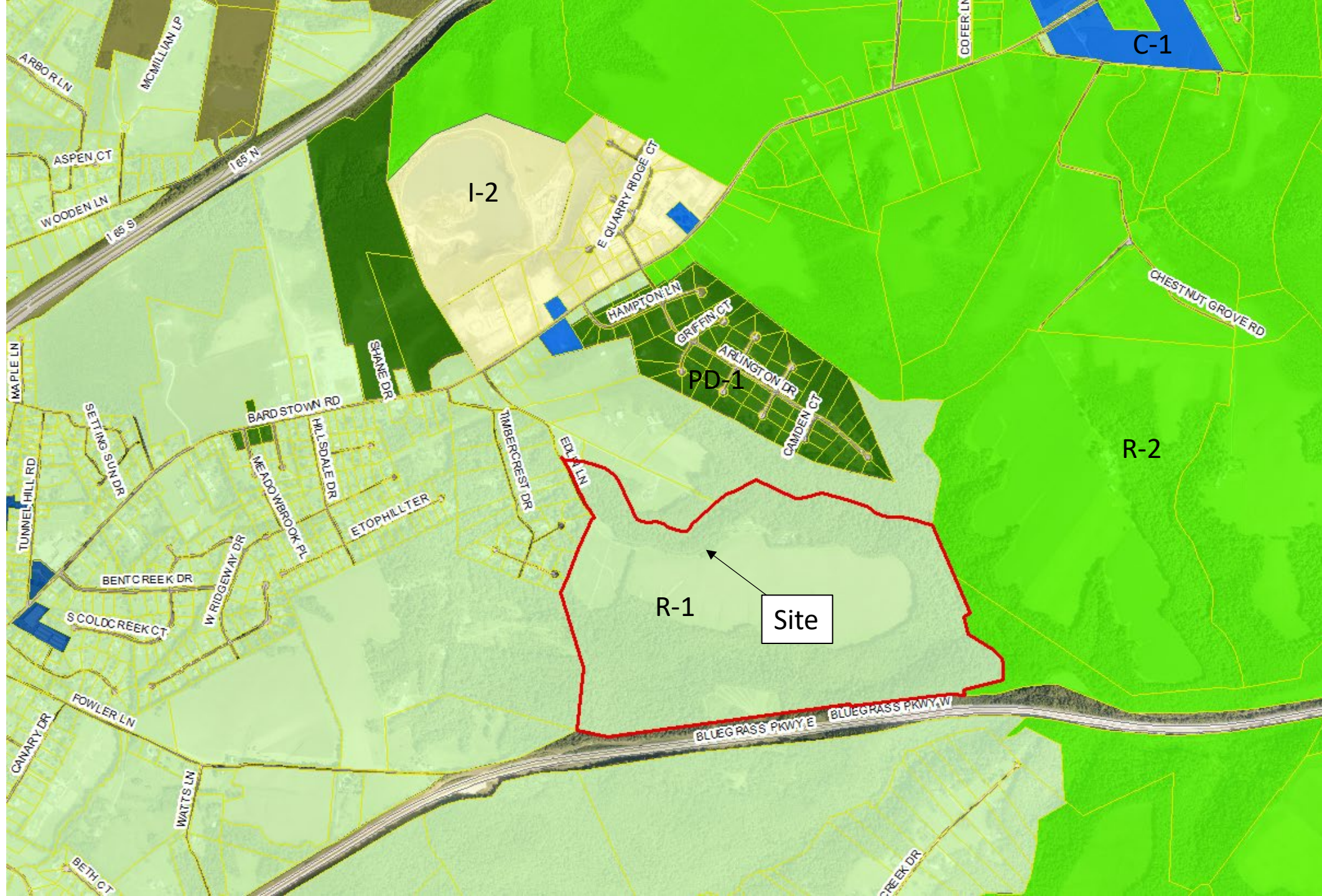
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☐ MasterZone

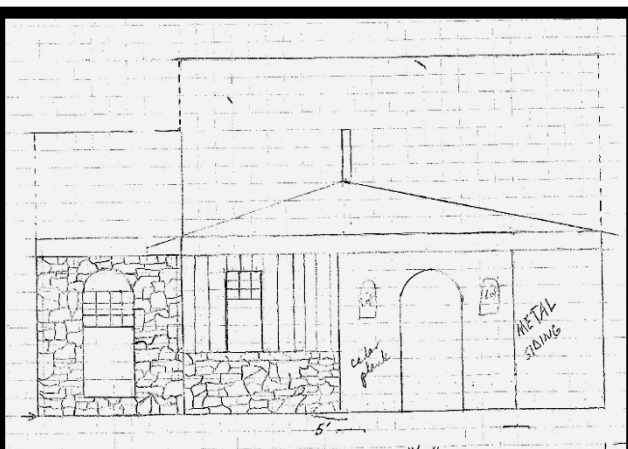
DISTRICT

- 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



- ☒ streams
- ☒ Hardin_Wetlands
- ☒ Hardin_100Flood
- ☒ hardin_sinkhole

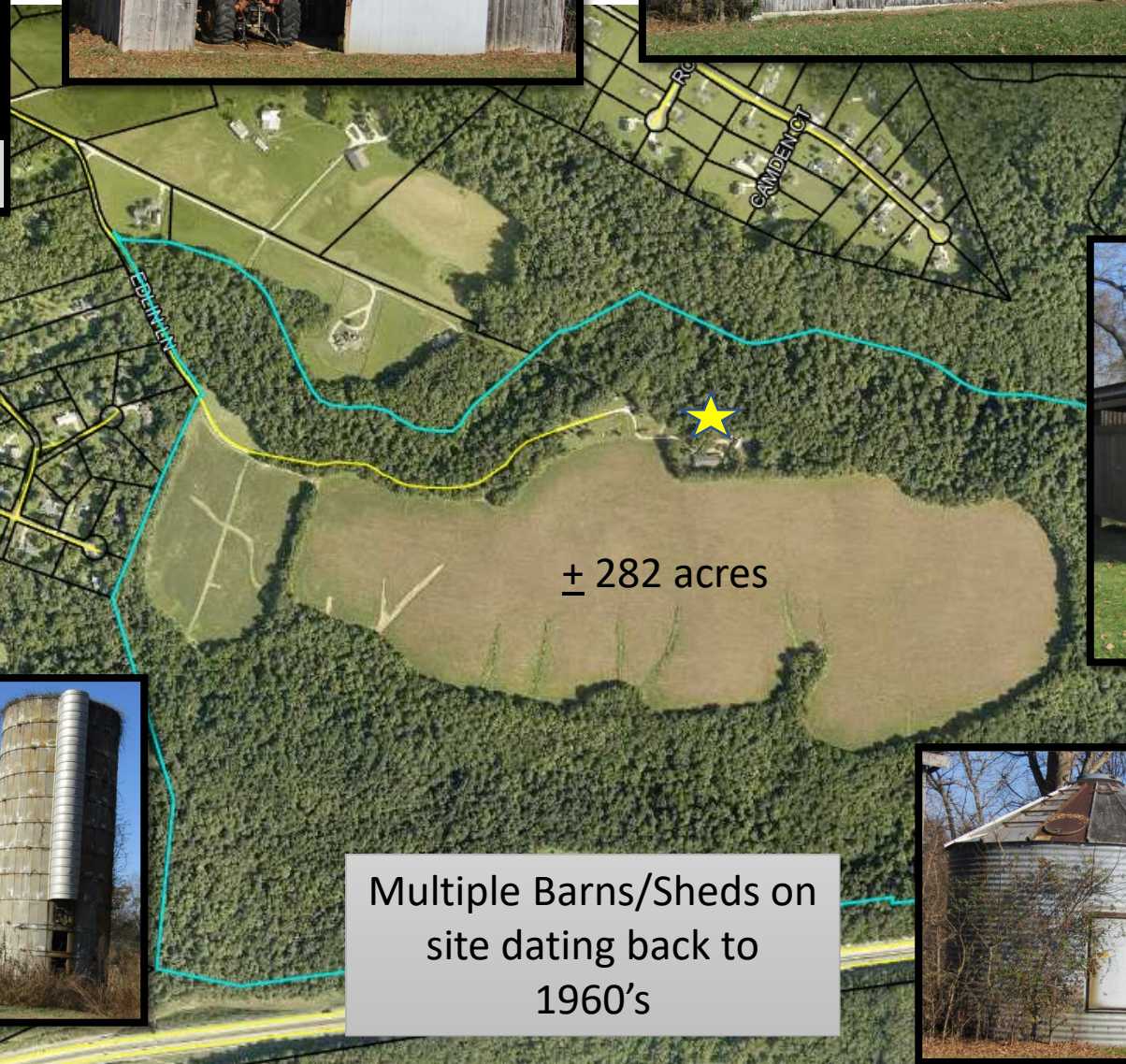




Proposed 1,300 sq. ft. cottage



Existing 5,800 sq. ft. barn / house



± 282 acres

Multiple Barns/Sheds on
site dating back to
1960's



2021 24' x 40' pavilion





House

Looking up driveway
towards house



Looking down drive
from front yard



Gate at end of drive
looking down Edlin
Lane



Looking down drive
towards house



2011 Residence



1946 Historical Home







Not to scale – proposed
location of dwelling



2021 Pavilion



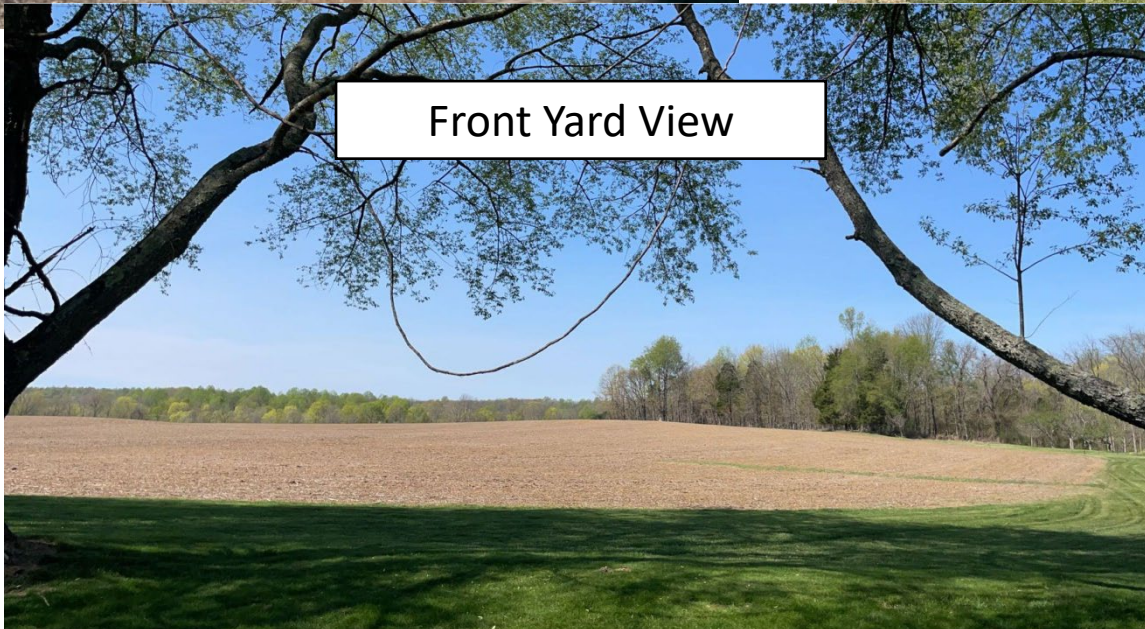
Various Barns on Site



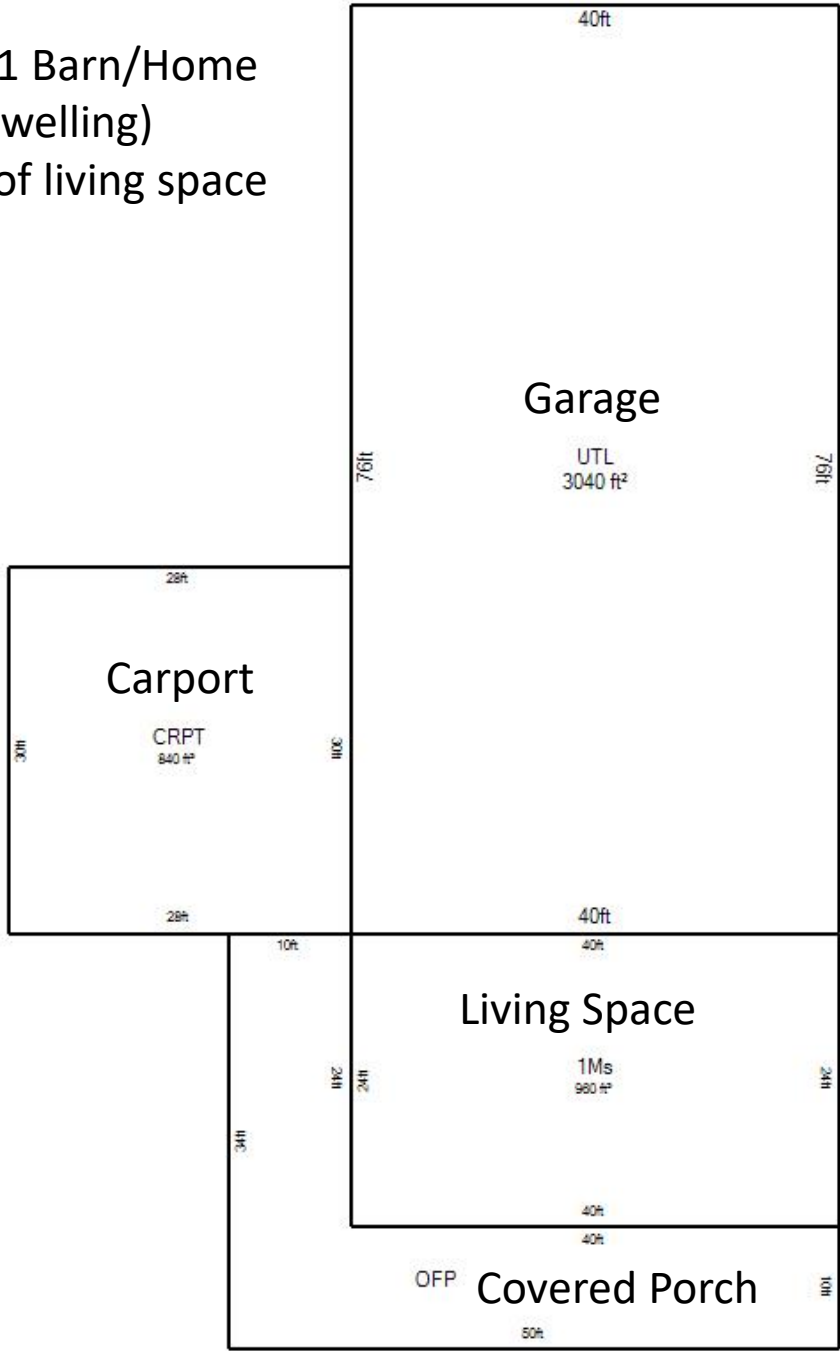
Historical Home



Front Yard View

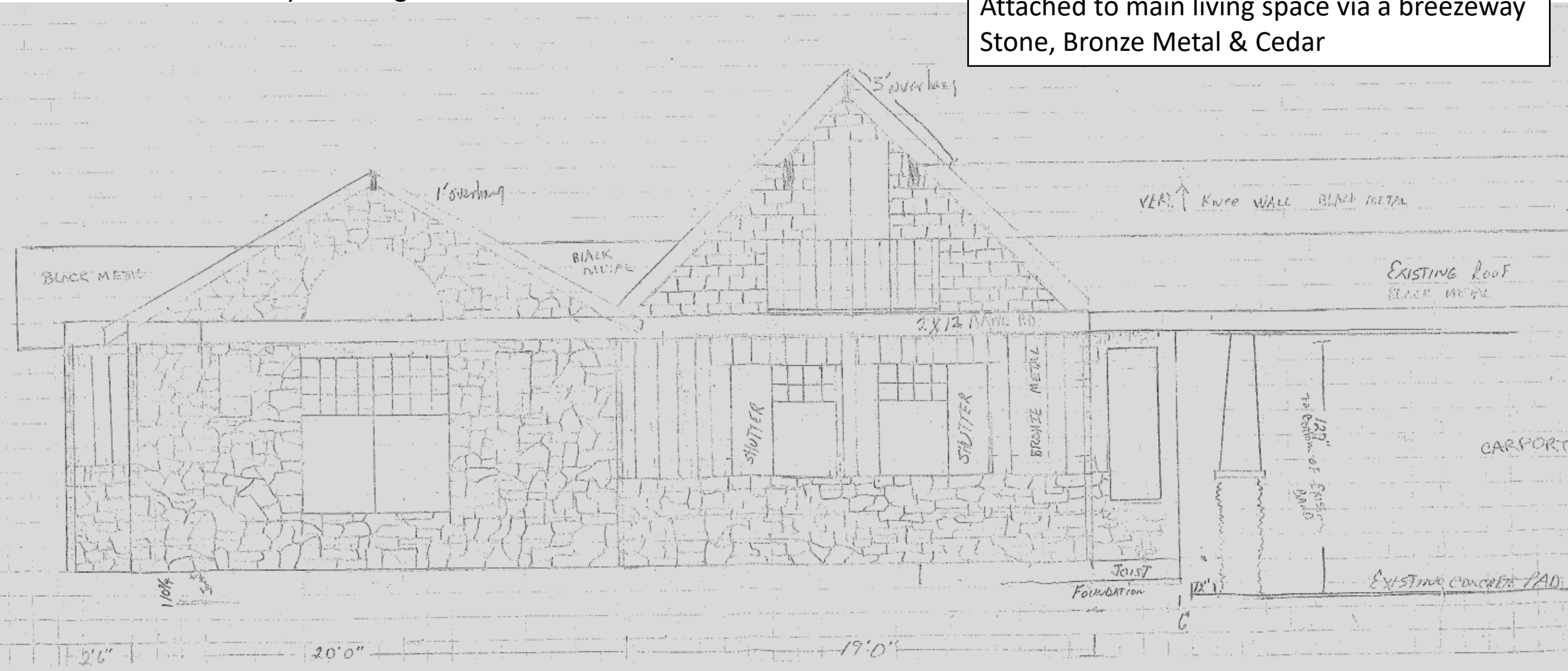


5,800 Sq. Ft. 2011 Barn/Home
(Principle Dwelling)
- Only 960 sq. ft. of living space



Proposed Cottage Plans –
Permanent Accessory Dwelling

1,308 sq. ft.
1 Bed 1 Bath
Attached to main living space via a breezeway
Stone, Bronze Metal & Cedar



VERT. KNOCK UNIT

EXISTING ROOF

METAL SIDING

8'0" x 7'0"

3'6" x 7'0"

3'0" x 7'0"

WOOD SHED

METAL SIDING

2'0" x 6'

STONE BELOW

EXISTING CONCRETE SLAB

6"

3'6"

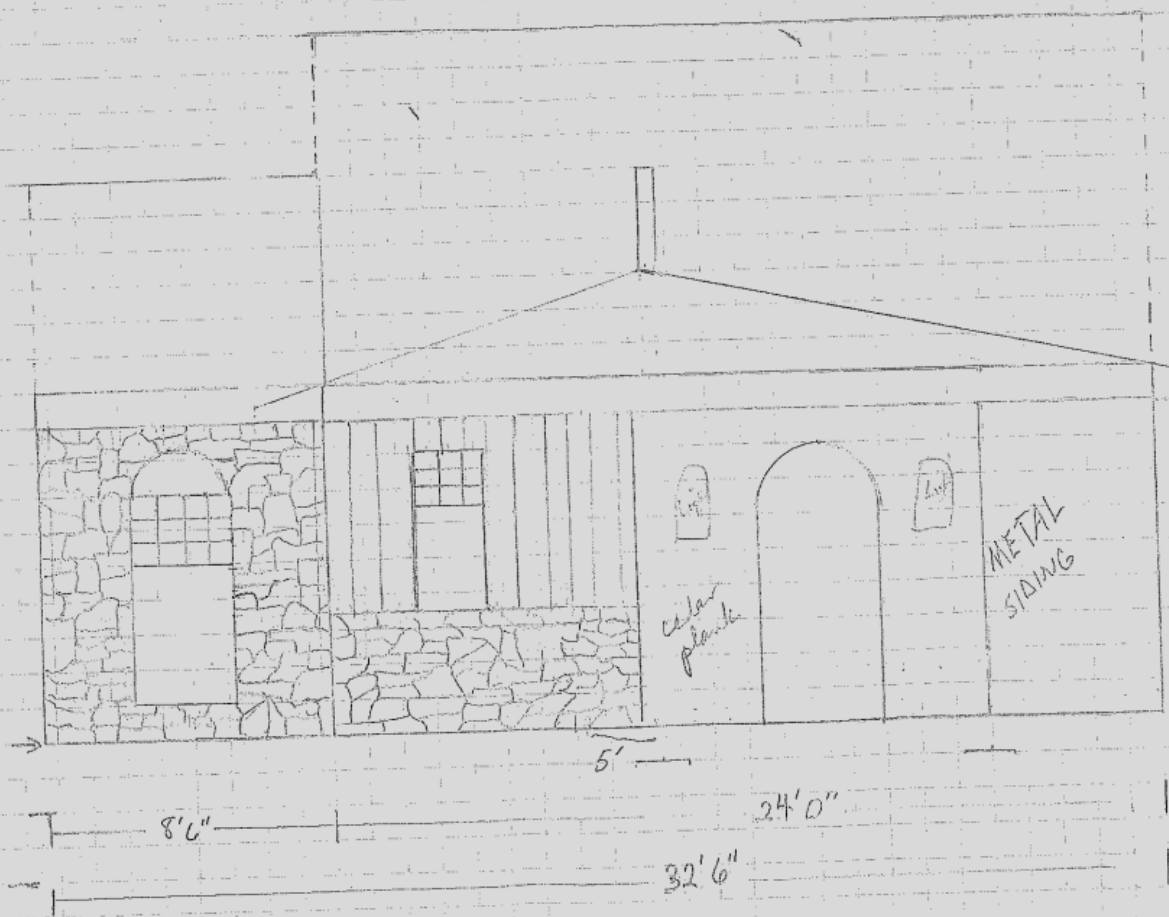
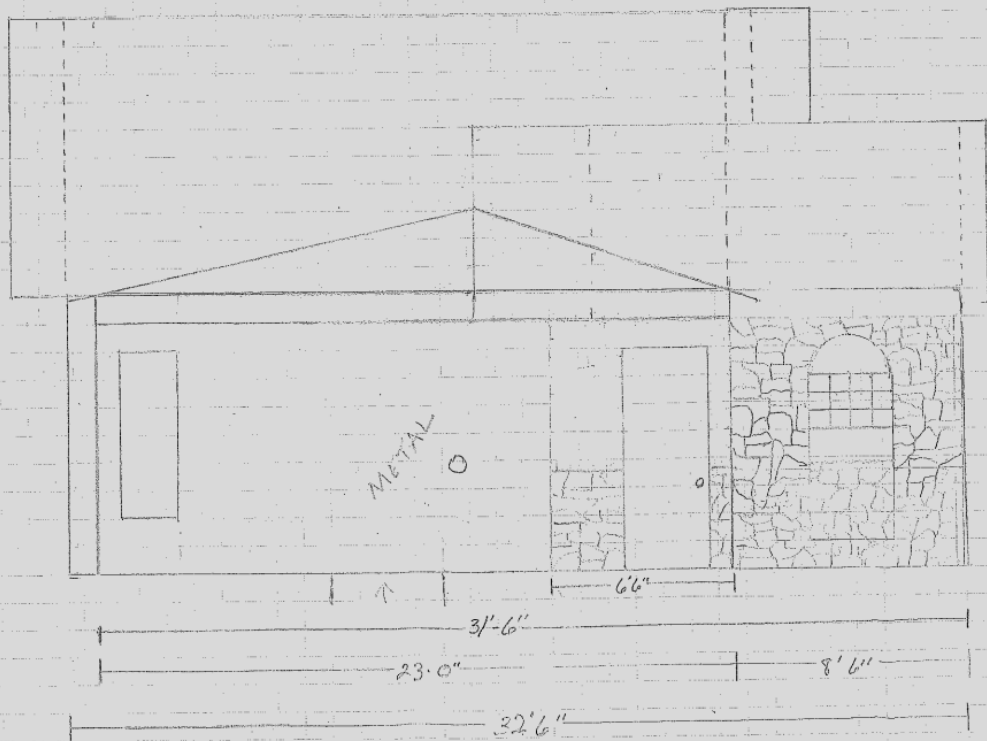
19'6"

22'0"

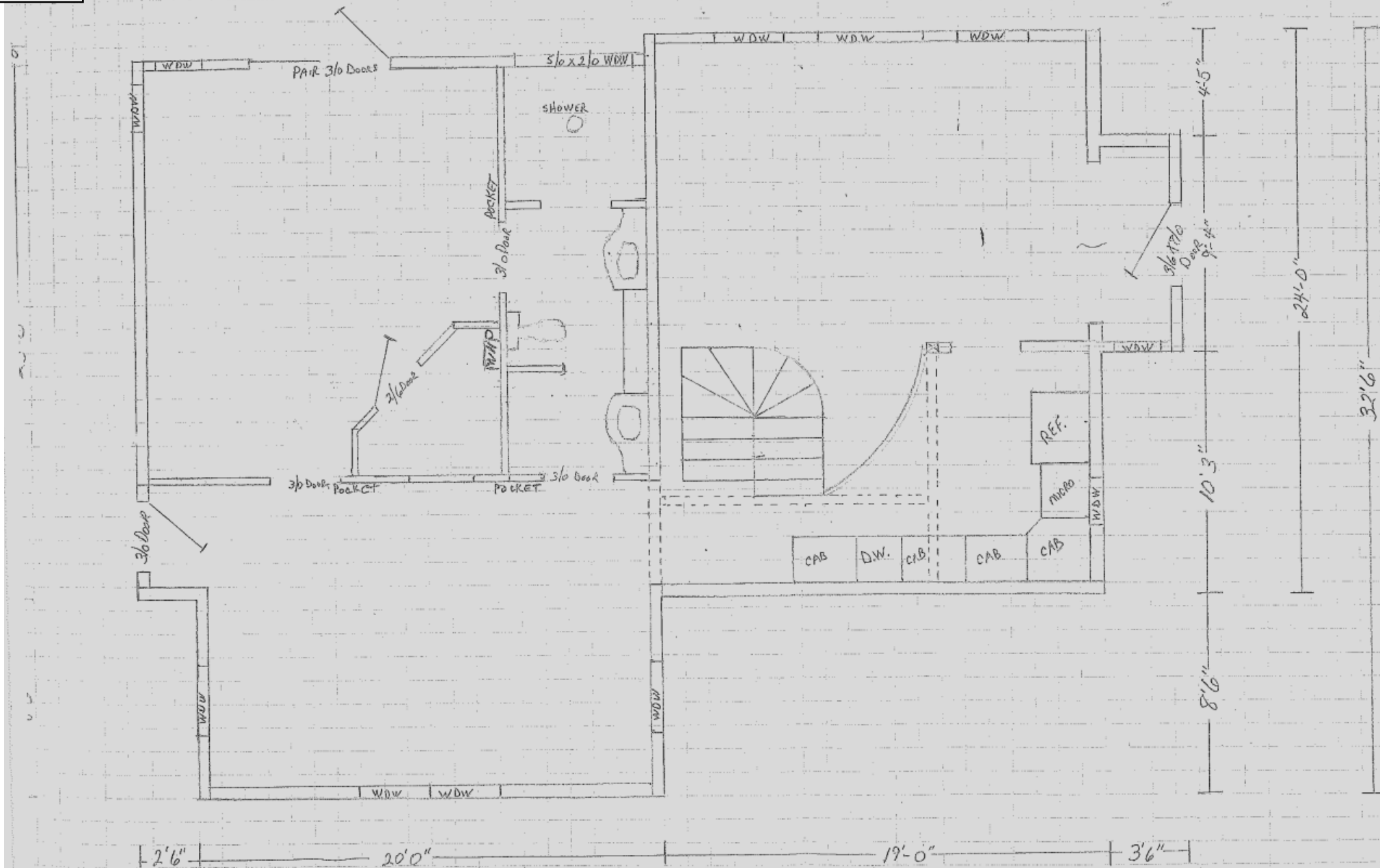
3'6"

41'6"

O.A.



Floor plan



Analysis of Land Use/KBC Permits for the Property

- 1 approved Permanent Accessory Dwelling
- Multiple Accessory Structures Approved

Permit Date	Owner	PVA Map Number	Type	Zone	Listed Use (Dvpl, Cup, Var, Maps)	Project / Subdivision Name	Request	Site Address	Expiration Date	Status
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	06/17/2023	PENDING
12/05/2011	EDLIN PHILLIP PAUL	243-00-00-040	INQUIRY	R-1 - URBAN RESIDENTIAL ZONE			ROAD IMPROVEMENTS TO EDLIN LANE	835 EDLIN LANE	01/30/2016	
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	05/08/2010	APPROVED

Records 1 to 3 (of 3)

Permit Number	Permit Date	Parcel	Property Address	Owner	Parcel	Project	Applicant	Inspection Day	Previous Use	Type of Work	Expiration Date	Completed Inspections	Total Inspections	Status	CO Date
201800435	04/16/2018	243-00-00-040	835 EDLIN LN	EDLIN PHILLIP PAUL	243-00-00-040	EDLIN, PHILLIP & JAN	EDLIN, PHILLIP	Wednesday	Residential	ACCESSORY STRUCTURE - DETACHED	05/08/2019	1	1	Closed	
201800431	04/16/2018	243-00-00-040	835 EDLIN LN	EDLIN PHILLIP PAUL	243-00-00-040	EDLIN, PHILLIP & JAN	EDLIN, PHILLIP	Friday	Residential	ACCESSORY STRUCTURE - DETACHED	11/27/2019	2	2	Closed	05/31/2019
201800430	04/16/2018	243-00-00-040	835 EDLIN LN	EDLIN PHILLIP PAUL	243-00-00-040	EDLIN, PHILLIP & JAN	EDLIN, PHILLIP	Wednesday	Residential	ACCESSORY STRUCTURE - DETACHED	12/02/2019	3	3	Closed	06/05/2019
20100446	04/13/2010	243-00-00-040	835 EDLIN LN	EDLIN PHILLIP PAUL	243-00-00-040	EDLIN, PHILLIP			Agricultural	ACCESSORY STRUCTURE - DETACHED		0	0	Closed	
20100439	04/12/2010	243-00-00-040	835 EDLIN LN	EDLIN PHILLIP PAUL	243-00-00-040	EDLIN, PHILLIP	EDLIN, PHILLIP		Residential	SINGLE FAMILY DWELLING		0	0	Closed	09/27/2011

Records 1 to 5 (of 5)

Previous Permanent Accessory Dwelling Approval

820 Sq. Ft. 1946 Historical Home



5,800 Sq. Ft. 2011 Barn/Home
(Principle Dwelling)



1. The property owner, Phillip Edlin, must occupy the Permanent Accessory Dwelling and at no time receive rent for the owner-occupied dwelling. The 820 square foot house constructed in 1946 that is located on the property has historical significance. It shall not be occupied as a dwelling, but may be preserved.

Analysis of Permanent Accessory Dwelling Applications in the R-1 Zone

Permit Date ⬆	Owner ⬆	PVA Map Number ⬆	Type ⬆	Zone ⬆	Listed Use (Dvpl, Cup, Var, Maps) ⬆	Project / Subdivision Name ⬆	Request ⬆	Site Address ⬆	Expiration Date ⬆	Status ⬆
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	06/17/2023	PENDING
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, RINEYVILLE, KY 40162	06/08/2023	PENDING
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		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		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		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		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		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		APPROVED
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		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		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		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		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		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		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	BENGTTSSON 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		APPROVED

Analysis of Permanent Accessory Dwelling Applications in the R-1 Zone (continued)

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		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		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	12/07/2013	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		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	12/20/2012	APPROVED
01/30/2012	ROBERT & CONSTANCE DARNELL	243-00-00-041.10	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	PERMENANT ACCESSORY DWELLING / EASTWOOD ESTATES, SECTION 2, LOT 4	CONVERT PART OF THE EXISTING RECREATION BUILDING INTO A PERMENANT ACCESSORY DWELLING	BARDSTOWN ROAD (US 62)		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		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	07/23/2011	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	08/22/2010	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	05/08/2010	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	12/19/2009	APPROVED

Records 1 to 26 (of 26)

26 Total: 21 Approved, 3 Withdrawn, 2 Pending



2019 Contemporary Home (2,113 sq. ft.)



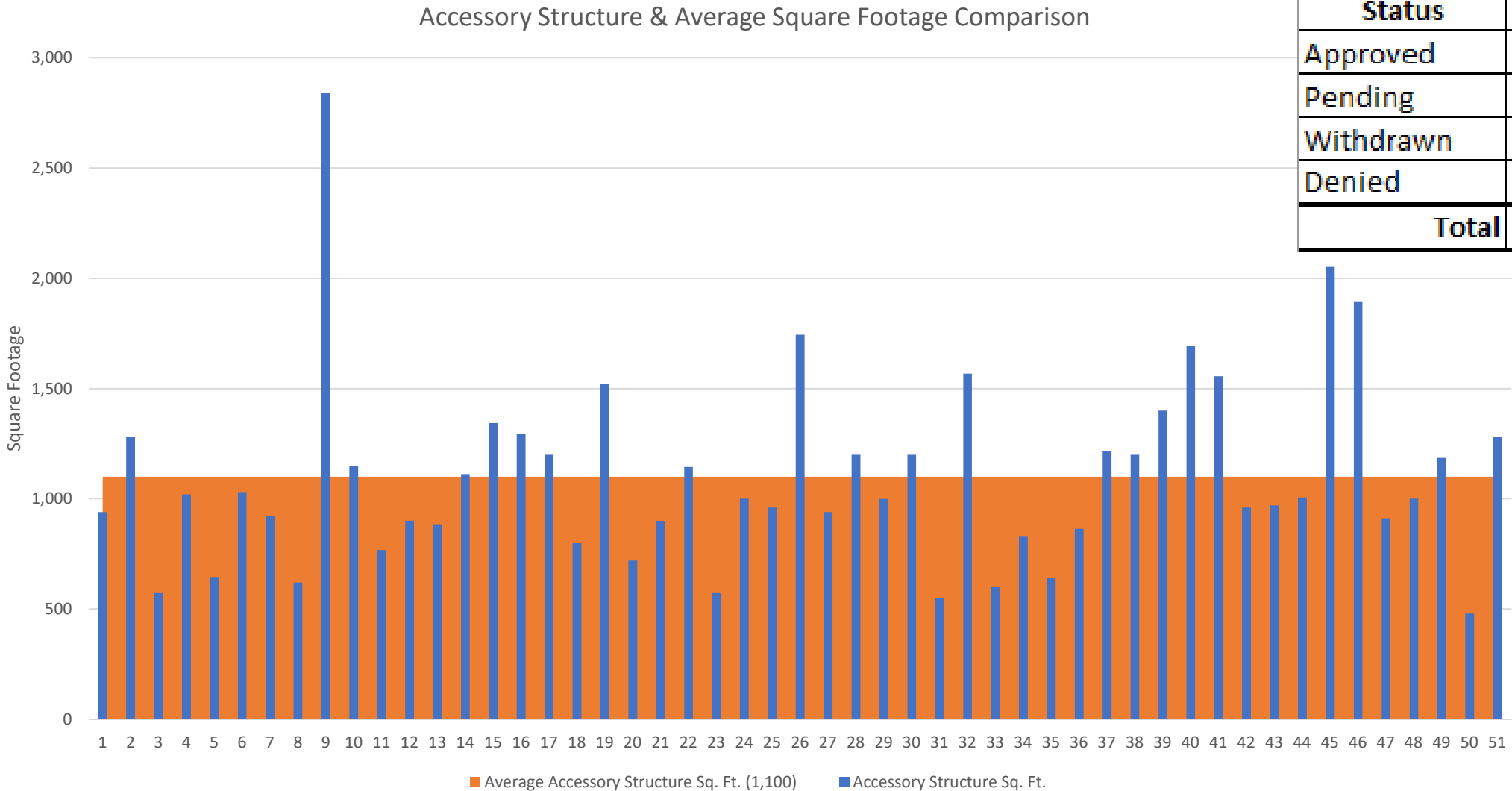
1993 Cape Cod House (1,602 sq. ft.)

Another Permanent Accessory Dwelling
on Edlin Lane
185 Edlin Lane – Michael & Teresa Edlin



Permanent Accessory Dwellings

Status	Count
Approved	51
Pending	3
Withdrawn	5
Denied	1
Total	60



There have been **51** Approved Permanent Accessory Dwellings.

The Average Square Footage of those 51 Approved is **1,100 sq. ft.**

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.

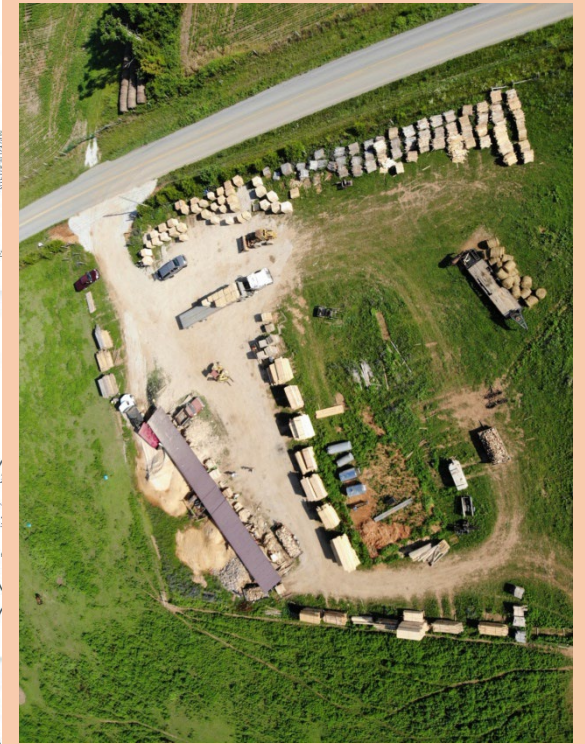
Conditions may include, but are not limited to the following:

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 the 1,308 sq. ft. cottage (permanent accessory dwelling) to be constructed in addition to the existing 5,800 sq. ft. home/barn (principal dwelling). The 820 sq. ft. house constructed in 1946 that is located on the property has historical significance. It shall not be occupied as a dwelling, but may be preserved on the site.
2. The property owner, Phillip “Pete” Edlin, must occupy either the principal dwelling or the permanent accessory dwelling as the principle residence, and at no time receive rent for the owner-occupied unit.
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 1,308 sq. ft. cottage and the 5,800 sq. ft. house/barn (2011) is the Principal Dwelling. The pre-existing 820 sq. ft. house (1946) may remain on site but shall not be occupied.
6. The Permanent Accessory Dwellings shall be connected via a breezeway.
7. The exterior finish materials of the principal dwelling is stone with metal siding and cedar trim and the permanent accessory dwelling is stone, cedar and metal to match.
8. Both dwellings shall have septic systems approved by the Environmental Services Office of the Health Department.
9. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
10. Additional landscaping or screening shall not be required.
11. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

[illegible]

Zoned Agricultural (A-1)

Request for an Amended Conditional Use Permit to continue to allow for a saw mill operation on site

Initial CUP: August 2019 (1 year)

Second CUP: September 2020 (3 year)

124 Millerstown Loop

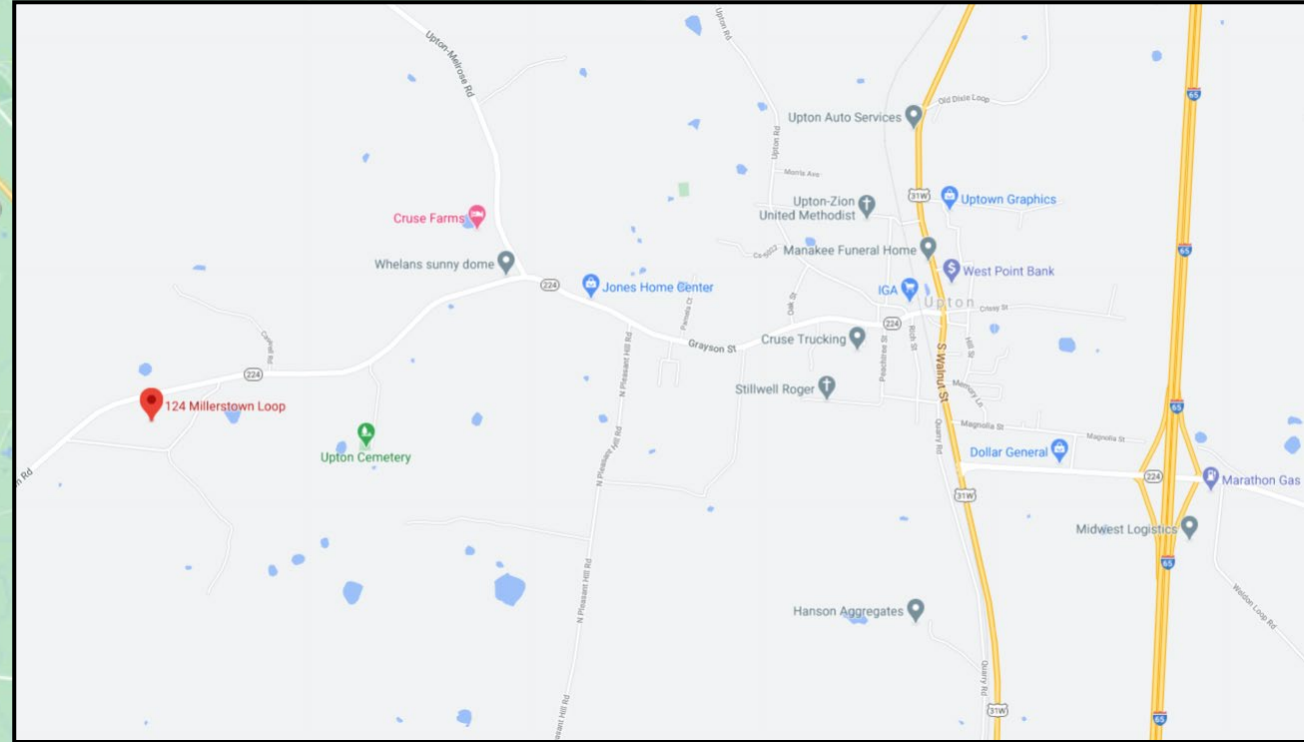
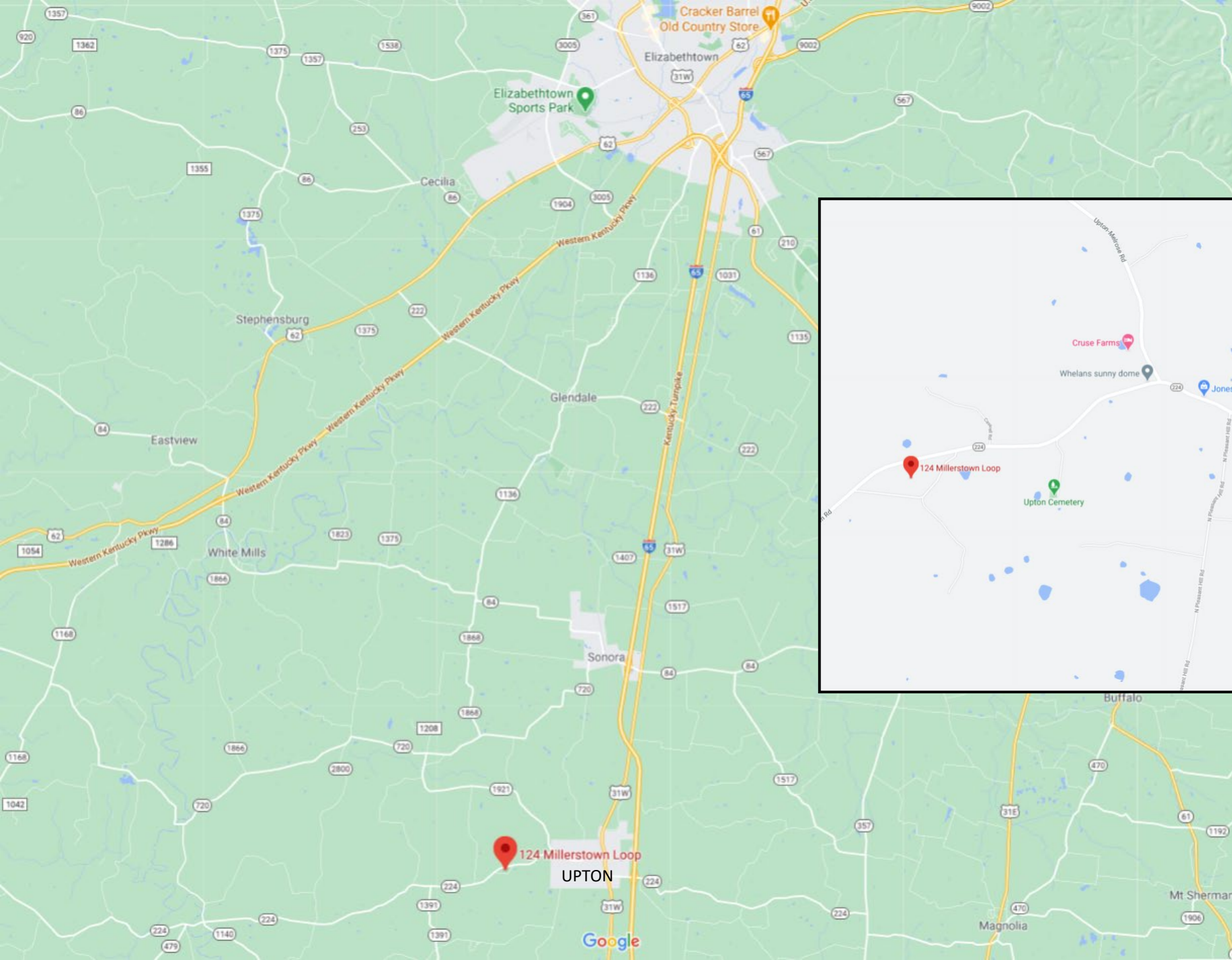
Conditional Use Permit

SUMMARY REPORT

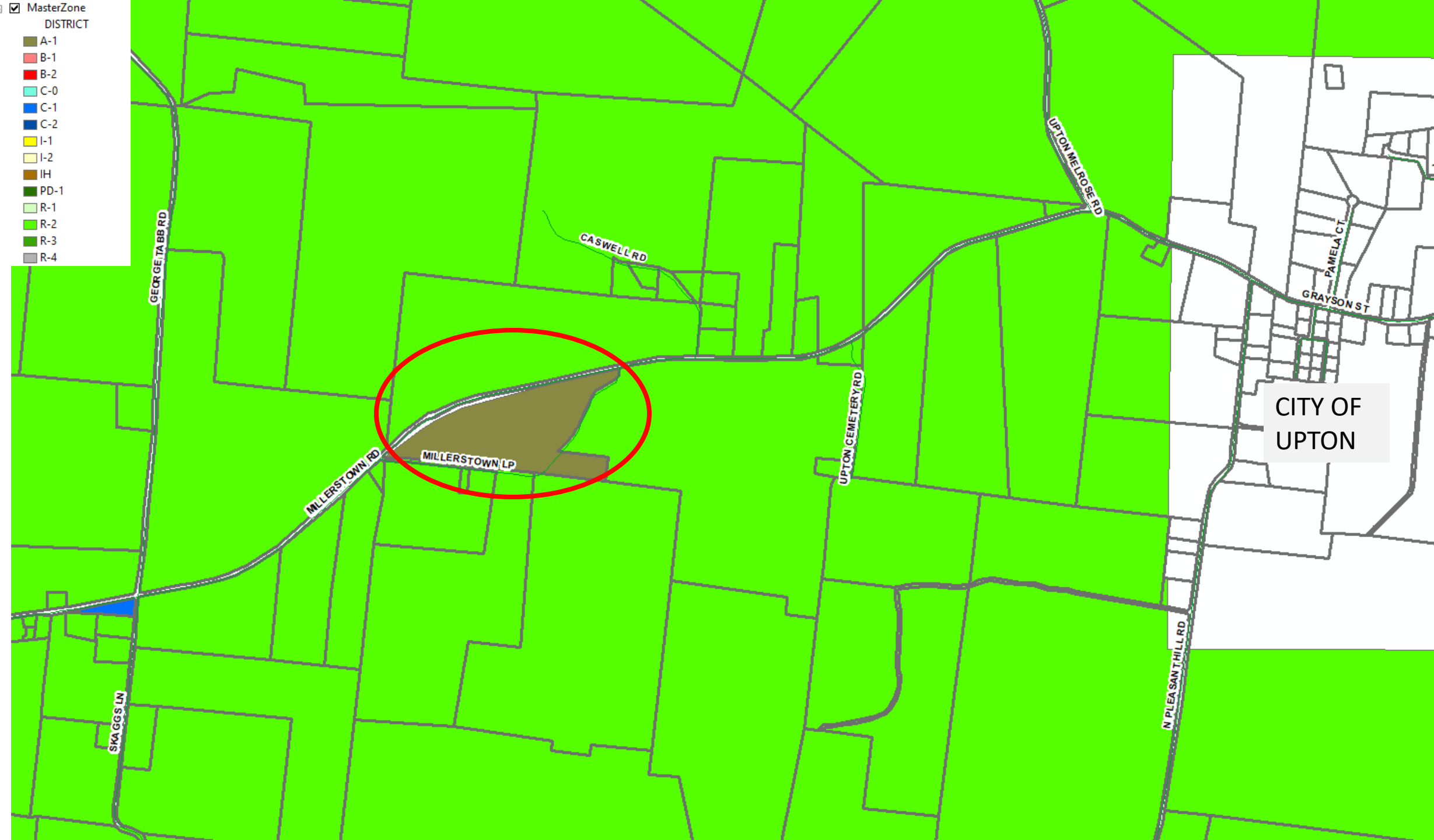
LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photo (2020)**
- D. Development Plans (2019 & 2022)**
- E. Photographs**
- F. Drone Photos from 2019 & 2021**
- G. Analysis of other Conditional Use Permits for Saw Mills**
- H. Analysis of Land Use Approvals for the Site**
- I. Staff Recommendations**
- J. *Comprehensive Development Guide**
- K. *Development Guidance System Ordinance**

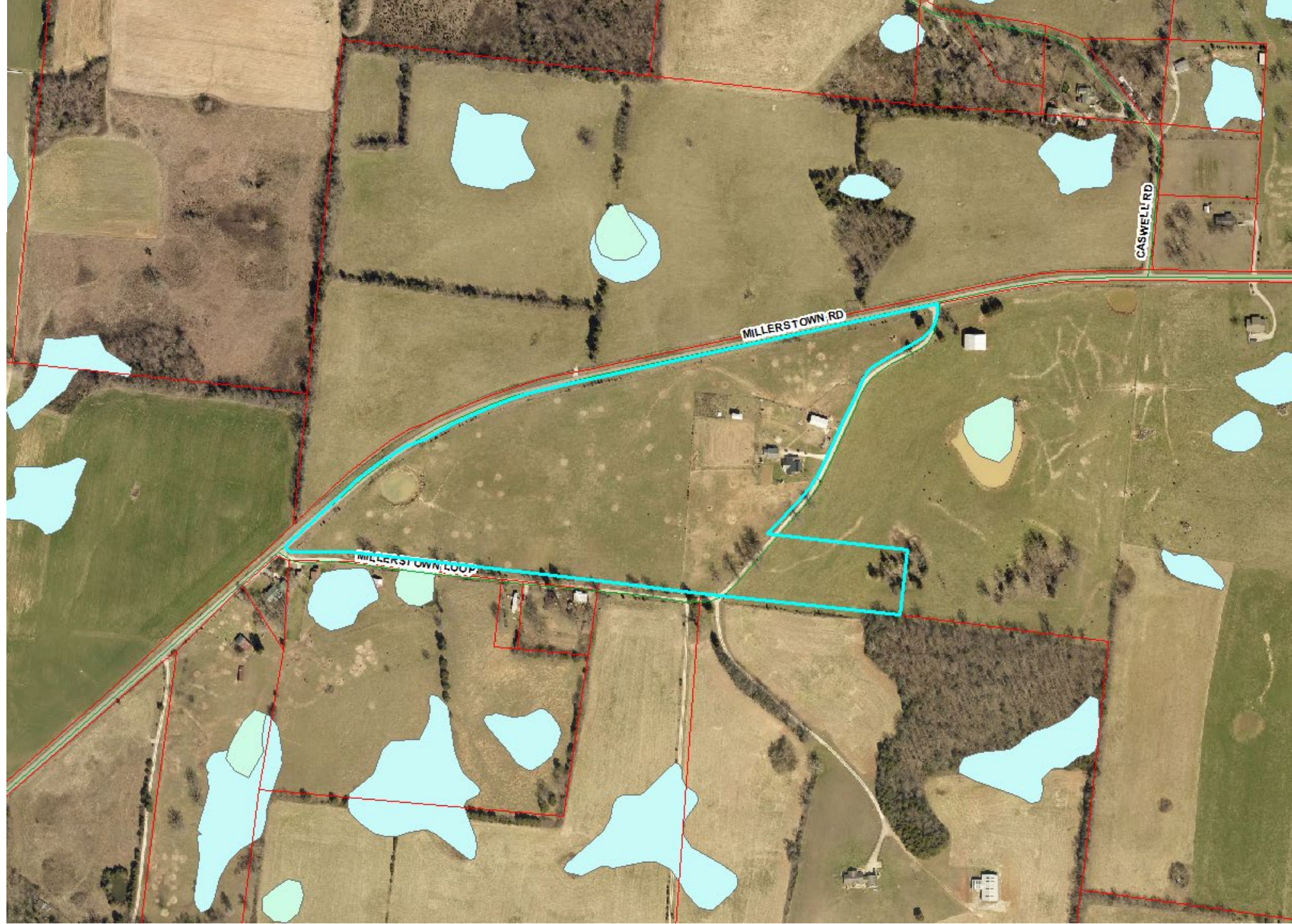
* Not Provided in PowerPoint



- ☒ 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



- ☒ Parcel2018
- ☒ Hardin_Wetlands
- ☒ Hardin_100Flood
- ☒ streams
- ☒ hardin_sinkhole

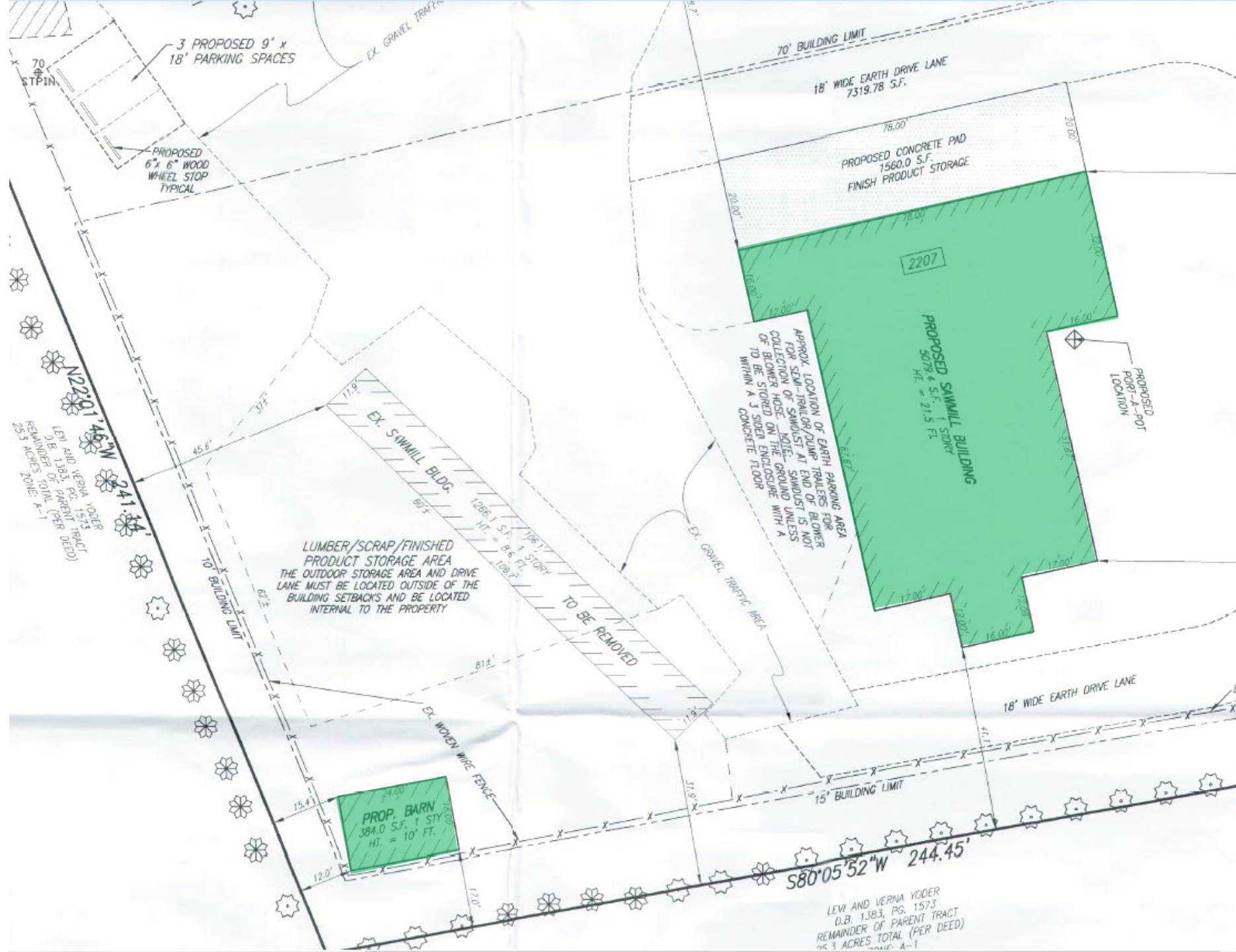






[illegible]

Proposed Sawmill & Barn



2019



2019



Start of 2021 Drone Photos



Millerstown Road (KY 224)













Concrete, commercial
entrance has been installed



Trees have been planted
around the perimeter of
the site





Temporary Entrance that
needs to be removed





Port-a-pot on Site



Camper moved to back & woven wire fencing across old entrance



Concerns with Existing Conditions

6. Evergreen trees shall be required on all 4 sides of the operation planted 5' tall and 10' on center to screen the activity.



East & West Side Trees
only a small portion
are still living

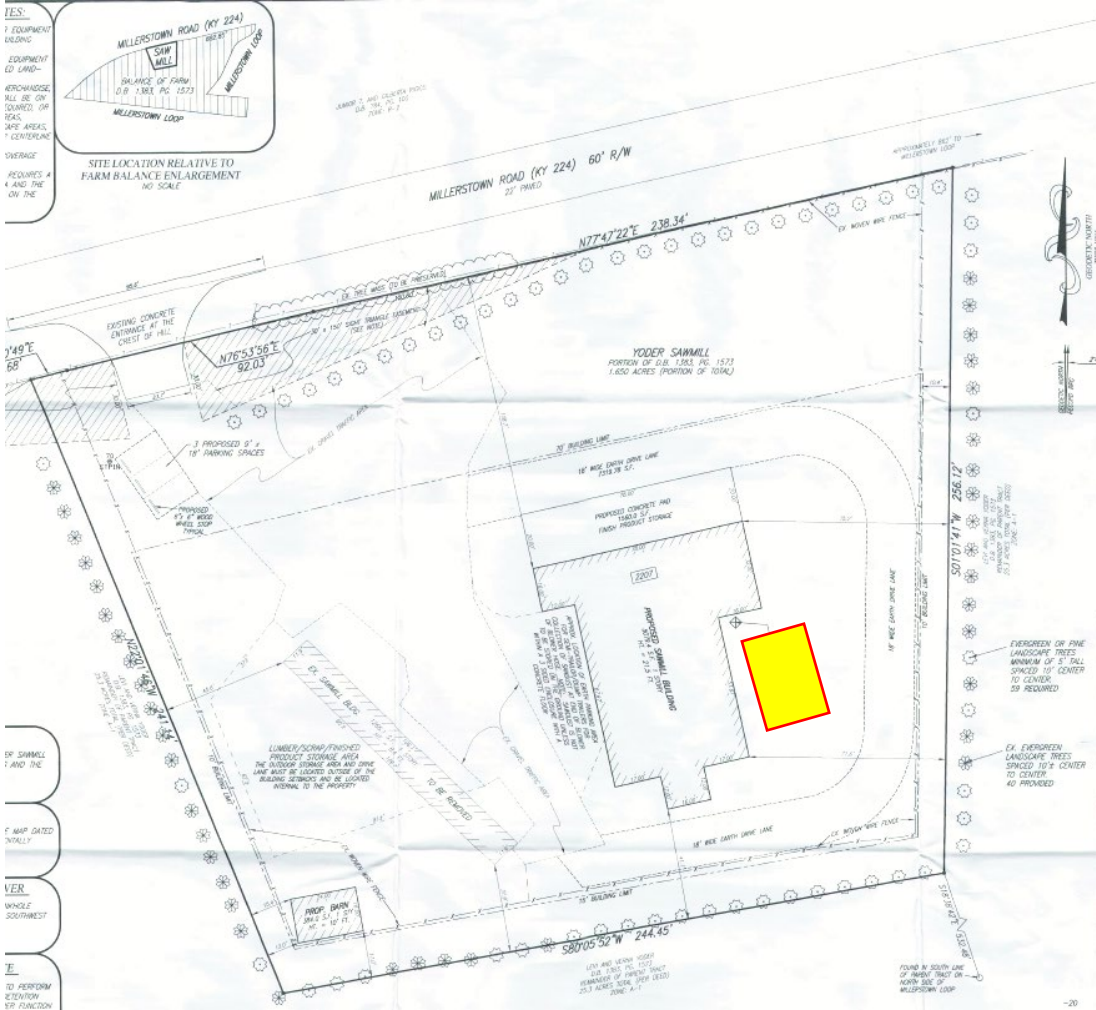


7. The applicants shall be responsible for dust control on site of the sawdust and gravel areas. The gravel areas must be watered down as needed to minimize the amount of dust. An enclosed semi-trailer shall be used for sawdust storage.



Sawdust being openly released and not contained after storm destroyed building

14. A Development Plan prepared by a Licensed Surveyor or Engineer shall be required.



PREVIOUS

Conditional Use Permit
approved by Board of
Adjustment in 2014 to
operate a Dry Goods
Store but the project
was never started



Land Use Approvals for the Site

Permit Date ⬆	Owner ⬆	PVA Map Number ⬆	Type ⬆	Project / Subdivision Name ⬆	Location ⬆	Site Address ⬆	Acres (All Permits) ⬆	Status ⬆	Final Date ⬆
03/10/2023	YODER LEVI & VERNA	177-00-00-033	CONDITIONAL USE PERMIT (AMENDED)	YODER SAW MILL	A +/- 25.36 ACRE SITE LOCATED ON THE SOUTH SIDE OF MILLERSTOWN ROAD.	2207 MILLERSTOWN RD, UPTON, KY	25.360	PENDING	
06/29/2022	YODER LEVI & VERNA	177-00-00-033	DEVELOPMENT PLAN (AMENDED)	YODER SAWMILL	A +/- 1.650 ACRE SITE LOCATED ON THE SOUTH SIDE OF MILLERSTOWN ROAD AND THE NORTH SIDE OF MILLERSTOWN LOOP.	2207 MILLERSTOWN ROAD, UPTON, KY 42784	25.360	APPROVED	07/28/2022
08/27/2020	YODER LEVI & VERNA	177-00-00-033	CONDITIONAL USE PERMIT (AMENDED)	YODER: AGRICULTURAL ZONE (SAW MILL)	A +/- 25.36 ACRE SITE LOCATED ON THE SOUTH SIDE OF MILLERSTOWN ROAD (KY 224)	124 MILLERSTOWN LOOP UPTON, KY	25.360	APPROVED	03/04/2021
06/25/2019	YODER LEVI & VERNA	177-00-00-033	DEVELOPMENT PLAN	YODER: AGRICULTURAL ZONE (SAW MILL)	A +/- 25.36 ACRE SITE LOCATED ON THE SOUTH SIDE OF MILLERSTOWN ROAD (KY 224).	124 MILLERSTOWN LOOP	25.360	APPROVED	12/06/2019
06/25/2019	YODER LEVI & VERNA	177-00-00-033	CONDITIONAL USE PERMIT	YODER: AGRICULTURAL ZONE (SAW MILL)	A +/- 25.36 ACRE SITE LOCATED ON THE SOUTH SIDE OF MILLERSTOWN ROAD (KY 224)	124 MILLERSTOWN LOOP	25.360	APPROVED	08/06/2019
06/21/2019	YODER LEVI & VERNA	177-00-00-033	MAP AMENDMENT	YODER: AGRICULTURAL ZONE (SAW MILL)	A +/- 25.36 ACRE SITE LOCATED ON THE SOUTH SIDE OF MILLERSTOWN ROAD (KY 224)	124 MILLERSTOWN LOOP	25.360	APPROVED	08/06/2019
08/25/2014	LEVI YODER	177-00-00-033	CONDITIONAL USE PERMIT	YODERS VARIETY	25.36 ACRES LOCATED WEST OF MILLERSTOWN LOOP, SOUTH WEST OF THE INTERSECTION OF MILLERSTOWN ROAD AND MILLERSTOWN LOOP WITH THE ADDRESS OF 124 MILLERSTOWN LOOP	124 MILLERSTOWN LOOP	25.360	APPROVED	10/23/2014

Records 1 to 7 (of 7)

Permit Date ⬆	Owner ⬆	PVA Map Number ⬆	Type ⬆	Project / Subdivision Name ⬆	Location ⬆	Site Address ⬆	Acres (All Permits) ⬆	Status ⬆	Final Date ⬆
03/10/2023	YODER LEVI & VERNA	177-00-00-033	CONDITIONAL USE PERMIT (AMENDED)	YODER SAW MILL	A +/- 25.36 ACRE SITE LOCATED ON THE SOUTH SIDE OF MILLERSTOWN ROAD.	2207 MILLERSTOWN RD, UPTON, KY	25.360	PENDING	
08/27/2020	YODER LEVI & VERNA	177-00-00-033	CONDITIONAL USE PERMIT (AMENDED)	YODER: AGRICULTURAL ZONE (SAW MILL)	A +/- 25.36 ACRE SITE LOCATED ON THE SOUTH SIDE OF MILLERSTOWN ROAD (KY 224)	124 MILLERSTOWN LOOP UPTON, KY	25.360	APPROVED	03/04/2021
08/27/2020	D&T LOG AND LUMBER LLC	060-00-00-006	CONDITIONAL USE PERMIT (AMENDED)	D & T LOG AND LUMBER LLC	A +/- 22.68 ACRE SITE LOCATED ON THE NORTH SIDE OF LEITCHFIELD ROAD.	16508 LEITCHFIELD RD BIG CLIFTY, KY	22.680	APPROVED	09/17/2020
06/25/2019	YODER LEVI & VERNA	177-00-00-033	CONDITIONAL USE PERMIT	YODER: AGRICULTURAL ZONE (SAW MILL)	A +/- 25.36 ACRE SITE LOCATED ON THE SOUTH SIDE OF MILLERSTOWN ROAD (KY 224)	124 MILLERSTOWN LOOP	25.360	APPROVED	08/06/2019
05/17/2017	D&T LOG AND LUMBER LLC	060-00-00-006	CONDITIONAL USE PERMIT	D & T LOG AND LUMBER LLC	A +/- 22.68 ACRE SITE LOCATED ON THE NORTH SIDE OF LEITCHFIELD ROAD.	16508 LEITCHFIELD RD	22.680	APPROVED	06/08/2017
04/22/2014	MISSOURI WALNUT C/O STAN SMITH	060-00-00-006	CONDITIONAL USE PERMIT (AMENDED)	SAW MILL EXPANSION /	A 9.637 ACRE TRACT LOCATED ADJACENT TO 16508 LEITCHFIELD ROAD	16508 LEITCHFIELD ROAD	9.637	WITHDRAWN	
11/14/2013	HONG HONG CHEN AND STAN SMITH	060-00-00-006	CONDITIONAL USE PERMIT	MISSOURI WALNUT, LLC /	A 22.68 ACRE TRACT LOCATED AT 16508 LEITCHFIELD ROAD	16508 LEITCHFIELD ROAD	12.523	APPROVED	
09/10/2013	HENRY & SUSIE MILLER	174-00-00-015.02	CONDITIONAL USE PERMIT	MILLER SAW MILL	A 42.6 TRACT LOCATED AT 11910 NEW GLENDALE ROAD	11910 NEW GLENDALE ROAD	42.600	APPROVED	11/05/2013
01/12/2010	LAHOMA & DEAN GRAY	021-00-00-004.04	CONDITIONAL USE PERMIT	J & J LUMBER, LLC - SAW MILL / HISER SUBDIVISION, LOT 1	A +26.068 TRACT LOCATED ON THE WEST SIDE OF SALT RIVER ROAD AND BEING LOT 1 OF HISER SUBDIVISION	16165 SALT RIVER ROAD (KY 920)	26.068	APPROVED	
Records 1 to 9 (of 9)									



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.

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 shall allow for a Saw Mill operation on a 1.650 acre portion of the 25.36 acre farm. Any expansion outside of the existing fenced area shall require an Amended Conditional Use Permit.
- 2.An encroachment permit for a concrete, Commercial Entrance shall be required from the KY Transportation Cabinet and is installed.
- 3.Adequate parking areas must be designated on the Development Plan along with an area provided for semi-trucks to turn around.
4. A port-a-pot must be maintained on site with a contract provided to the Planning Commission.
- 5.The lumber and finished products shall be stored in the designated area only and shall not inhibit the growth of the required screening.
- 6.Evergreen trees shall be required on all 4 sides of the operation planted 5’ tall and 10’ on center to screen the activity.
- 7.The applicants shall be responsible for dust control on site of the sawdust and gravel areas. The gravel areas must be watered down as needed to minimize the amount of dust. An enclosed semi-trailer shall be used for sawdust storage. The area directly west of the mill must be screened with a solid fence to help contain excess dust and waste.
- 8.No open fires shall be allowed on site in conjunction with the Saw Mill operation.
- 9.The Hours of Operation shall be 8AM to 5:30PM Monday – Friday, with no operations on Saturday or Sunday.
- 10.This Conditional Use Permit is issued to the current property owners, Levi & Verna Yoder and shall expire if the property is transferred.
- 11.The Conditional Use Permit is valid for ____ years. 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.
- 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. Amendment may be necessary for non-approved structure on site?
15. A Certificate of Land Use Restrictions shall be Recorded in the Office of the Hardin County Clerk.
16. Mature evergreen trees must be planted along the entire road frontage.

Owner: David Wise



Location A 2.47 acre site located at 2836 Rineyville Big Springs & 182 Versailles Drive in Rineyville, KY known as Lot 1 of David's Way Estates

Zoned Urban Residential (R-1)

Requesting a **Conditional Use Permit for a Permanent Accessory Dwelling to allow for a 1,428 sq. ft. garage on site to be converted into a dwelling.**

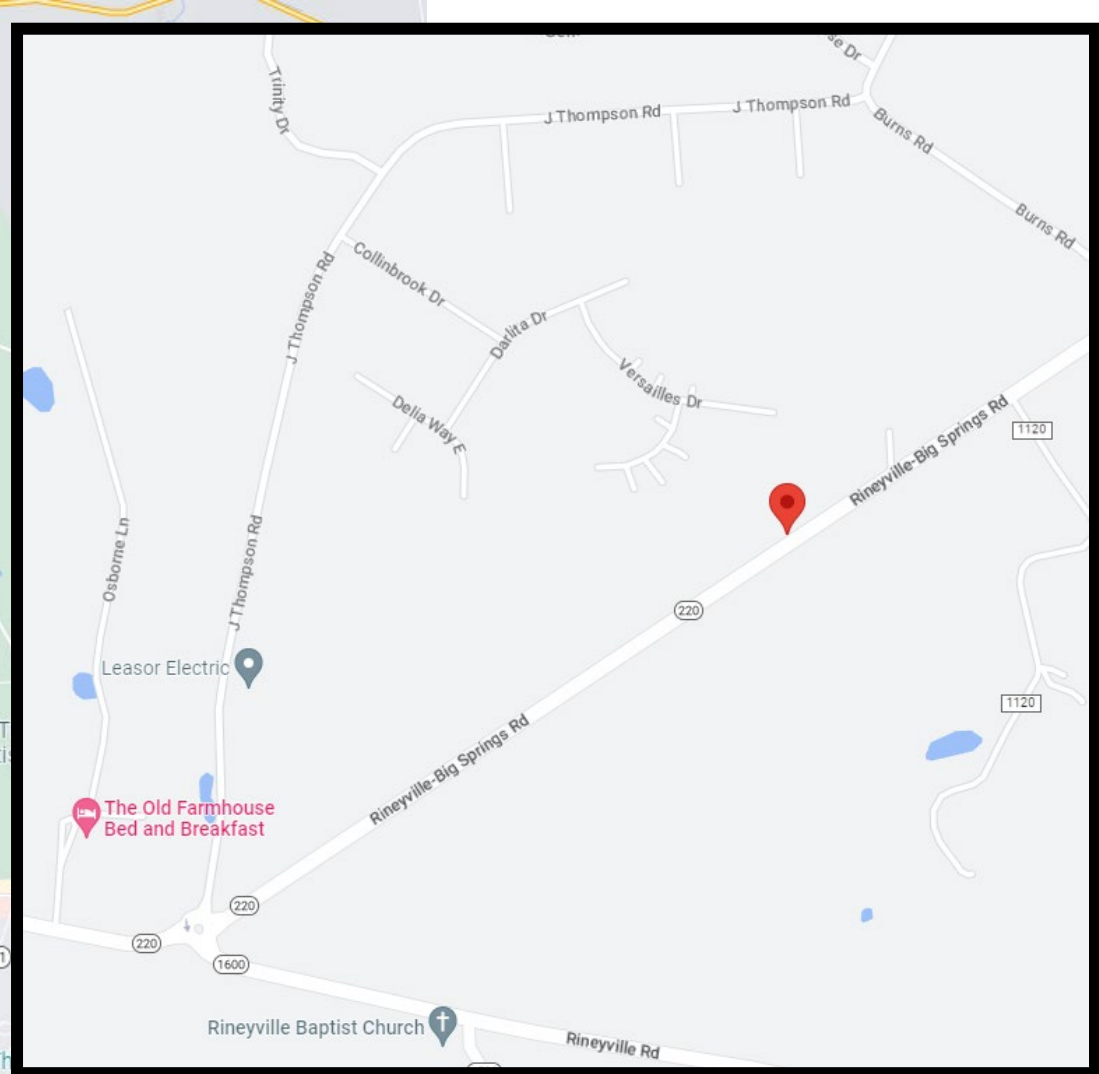
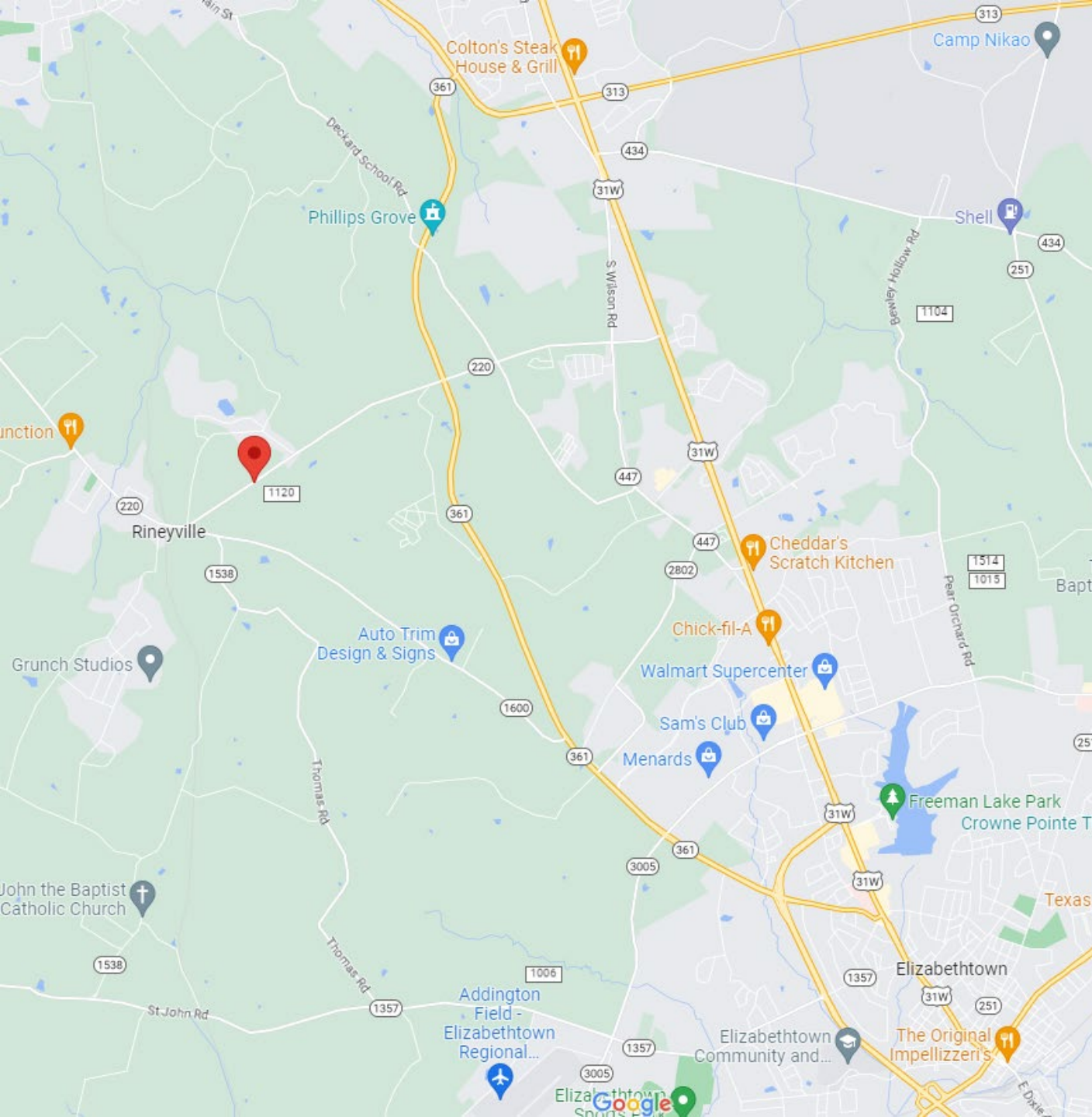
2836 Rineyville Big Springs Road & 182 Versailles Drive

Conditional Use Permit

SUMMARY REPORT

LISTING OF EXHIBITS

- A. Vicinity Map
- B. Zoning Map
- C. Aerial Photos
- D. Plat of David's Way Estates (2018)
- E. Character of the Site
- F. Character of the Area
- G. Photographs
- H. Building Permit for Garage with Bathroom
- I. Septic Approval for Garage with Bathroom
- J. Email from Health Department regarding modification of septic for a 2 bedroom house
- K. David Wise Change of Address Documentation
- L. Analysis of Conditional Use Permits for Permanent Accessory Dwellings in the Urban Residential Zone (R-1)
- M. Analysis of Conditional Use Permits for Permanent Accessory Dwellings
- N. *Comprehensive Development Guide
- O. *Development Guidance System Ordinance
- P. Letter From Neighbor
- Q. * Not Provided in PowerPoint



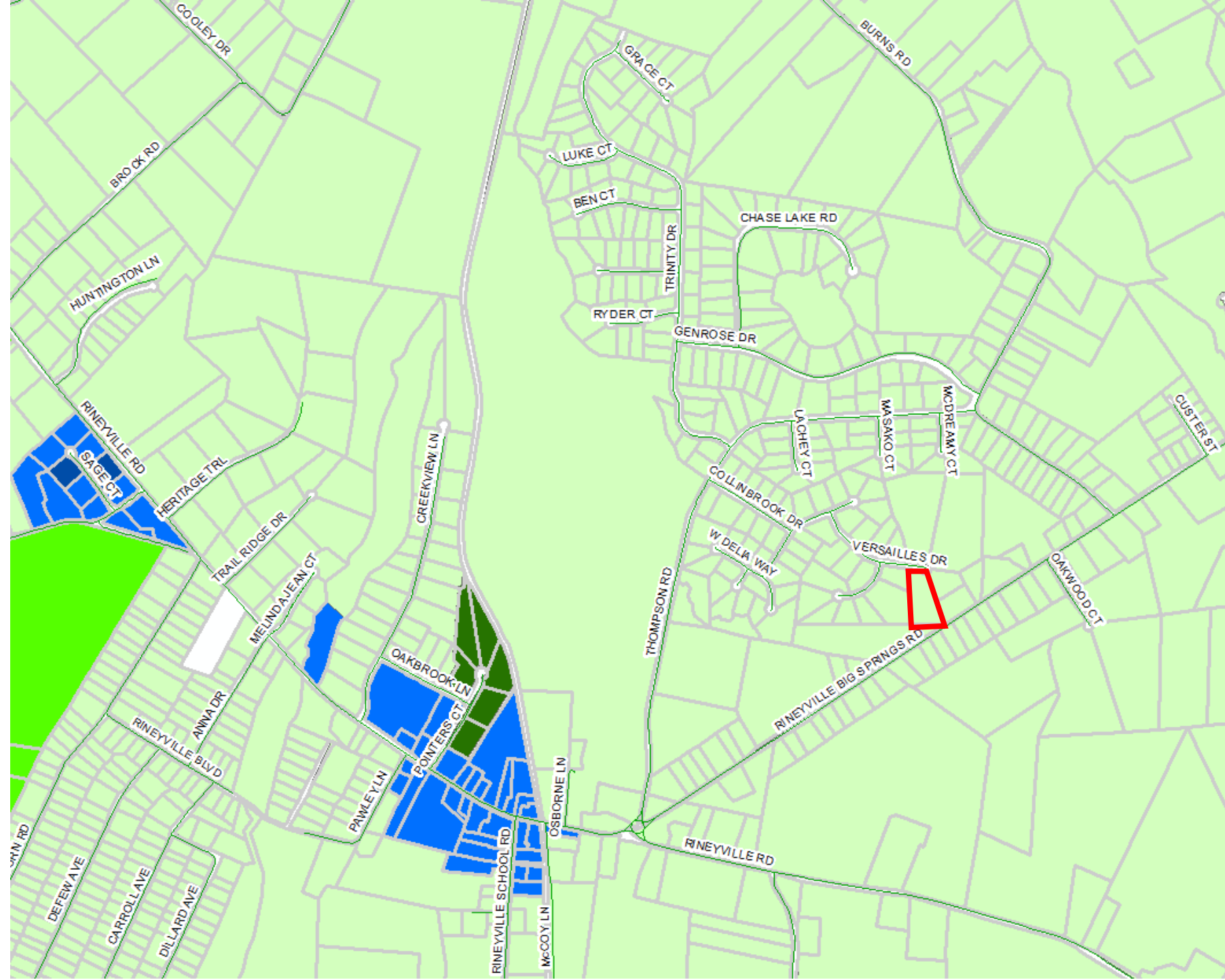
☐ MasterZone



MasterZone

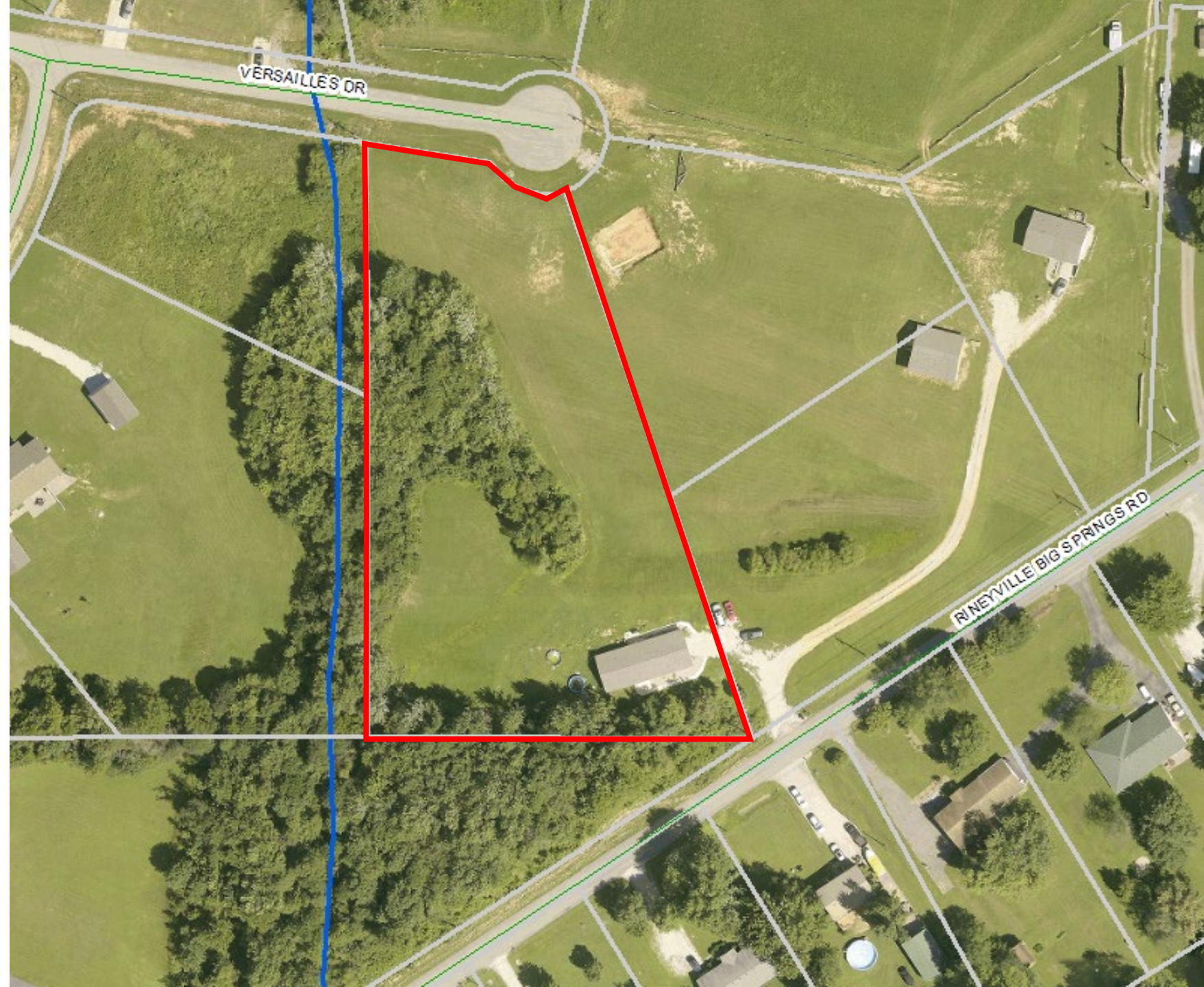
DISTRICT

- 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





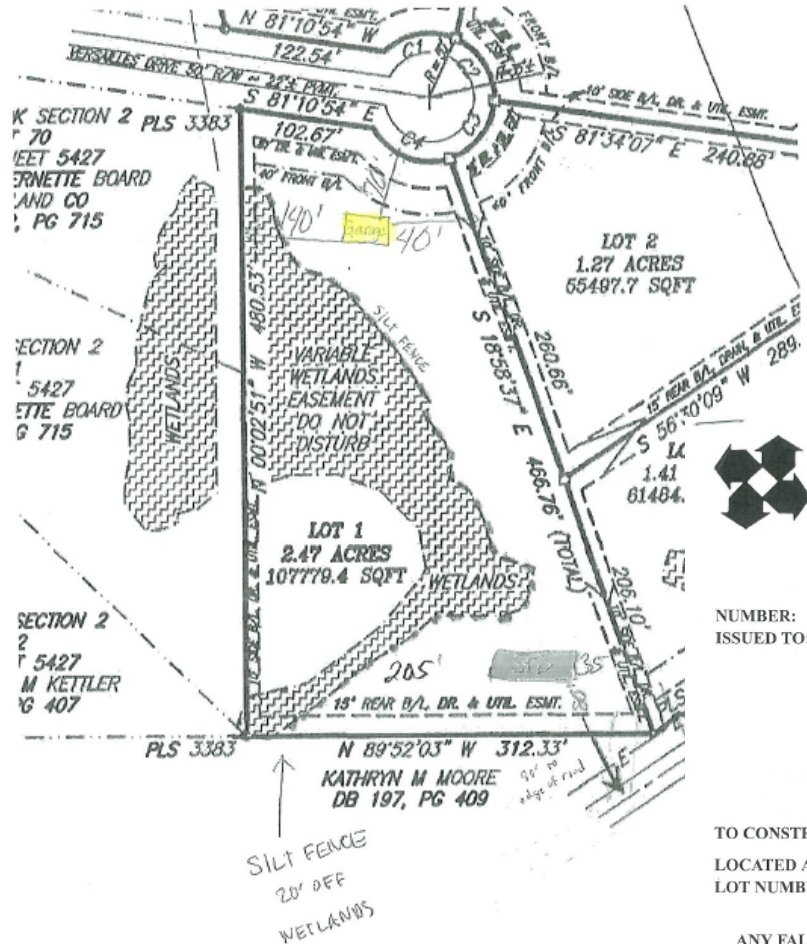
- ☒ streams
- ☒ Hardin_Wetlands
- ☒ Hardin_100Flood
- ☒ hardin_sinkhole



Character of the Site



Site Address/Street: 2836 Rineyville Big Springs Rd		City: Rineyville	
Lot Size / Acreage: 2.5		Subdivision / Lot #: 7 David's way	
Identification	Name	Address (City/State/Zip)	
Owner/ Applicant	DAVE WISE	2836 Rineyville Big Springs Rd. 270-765-6928	
Contractor / Installer	DAVE WISE		
Email Address:			
Describe Existing Use / Conditions:		Garage 28x40 residential	
Describe Proposed Work:		Garage 28x40 - storing cars	
Improvement Type: (Check <input checked="" type="checkbox"/> applicable boxes)		*The existing dwelling will be removed within 30 days of Occupancy of the proposed dwelling (Initial)	
<input checked="" type="checkbox"/> New	Single Family: () SF	Must sign owners affidavit for removal / demolition.	
Alteration	Roof Frame:	Conventional light-framed	Trussed framed
Addition	Basement:	Finished	Unfinished
Demolition	Manufactured Home: (x)	Year ()	Year post 1976
Relocation	Garage: (28x40)	Barn: (x)	Shed: (x)
Foundation	Deck (F): (x)	Covered: Y / N	Soft: Y / N
Change of Use	Deck (R): (x)	Covered: Y / N	Soft: Y / N
Duplex (2 family)	Pool: (x)	Other:	garage w/ bathroom (full)
Building Planning			
Type of Heating	Gas	Oil	Electric
Type of Water	Public	Well	Central Air
Type of Sewage	Public	Private Permit #	
# Rooms	# Bedrooms	# of Baths	Full
Encroachment Permit Number#		County/State	
new driveway 2836 Versailles Dr		Rineyville, Ky 40162	
Construction Cost \$ 25,000.00		TOTAL ROOFED AREA 1120 SF	
		PERMIT FEE \$175.00	
Code Used: 2018 Kentucky Residential Code		The owner of this building and undersigned permit applicant do hereby covenant and agree to comply with all the applicable regulations pertaining to building and buildings and to construct the proposed building or structure or make the proposed change or alteration in accordance with the plans and specifications submitted herewith, and certify that the above information and statements given on this application, drawings and specifications are to the best of their knowledge true and correct. Failure of this office to note all violation in the review of plans and specifications does not relieve the contractors of the responsibility of complying with applicable codes and regulations. The Building Official reserves the right to enter the construction premises at will during reasonable working hours.	
APPLICANT'S SIGNATURE		PRINT NAME DATE	
[Signature]		DAVE WISE 6/15/22	
ZONING APPROVAL		DATE	
[Signature]		6/15/2022	
ZONING DEPT		ENGINEERING DEPT	
R-1		Garage w/ a bathroom	
* No Living Space Permitted			



Building Permit for Garage



BUILDING PERMIT
HARDIN COUNTY

Planning & Development Commission
150 N. Provident Way, Suite 225
Elizabethtown KY 42701

NUMBER: 202201014	DATE ISSUED: 06/15/2022
ISSUED TO: WISE, DAVID	Project Name
Inspector in your area are performed on:	Monday - Northwest
Contractor	Wise David
Owner Name	Wise David

TO CONSTRUCT: ACCESSORY STRUCTURE - DETACHED GARAGE 28'x40' (W/ FULL BATHROOM)
LOCATED AT: 2836 RINEYVILLE BIG SPRINGS RD
LOT NUMBER / SUBDIVISION: 1 DAVIDS WAY

ANY FALSE INFORMATION ON APPLICATION WILL CAUSE PERMIT TO BE VOIDED
Permits shall become invalid if the authorized work is not commenced within 180 days after issuance of the building permit or if the work is suspended or abandoned for a period of 180 days after the time of commencing the work. (R105.5 2018 KBC)
Administrative Official: Adam King / JH

Owner or Contractor Required to Call for Inspections (270) 769-5479	
24 - HOUR NOTICE REQUIRED FOR INSPECTIONS Inspections Required:	INSPECTION AUTHORIZATION
Foundation: After excavations for footings are complete and any reinforcing steel is in place PRIOR to placing of concrete.	Owner/Applicant signature on the application for this building permit grants the building inspector the right of entry to enter the premises identified on the permit application and to make an inspection to enforce the provisions of the building code. The building inspector is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by the building code. The building inspector shall carry proper identification, and be prepared to present proper credentials when requested.
Framing: When the building is enclosed, structural members are still exposed, rough-in for heating, plumbing and electrical work is in place, approved and visible. PRIOR to any interior finish.	
Final: When all on-site and off-site development of the structure has been completed and the structure is ready for occupancy or its intended use. All interior finishes must be complete, exterior finish grading complete, seeding and staking of lot complete and house number installed. Final electrical, plumbing, HVAC and septic tank inspections are complete and approved. PRIOR to occupancy use.	
\$50.00 fee required for re-inspections and special requested site visits.	
POST PERMIT VISIBLE FROM THE STREET	

Septic approval is for a
“garage with bathroom”

ON-SITE SEWAGE DISPOSAL SYSTEM CONTINUOUS INSTALLATION INSPECTION			
County:	<u>HARDIN</u>	District:	<u>302</u>
File #:	<u>244127</u>	Permit #:	<u>2-0113-23</u>
Owner:	<u>DAVID WISE</u>	Installation Type:	<u>RESIDENTIAL</u>
Property Address:	<u>2836 RINEYVILLE BIG SPRINGS ROAD (GARAGE), RINEYVILLE, KY 40162</u>		
Installer:	<u>JAMES WARREN JR.</u>	Certification #:	<u></u>
			Satisfactory
Excavation installation work undisturbed, unaltered			<u>YES</u>
System properly installed as to grade, (to be checked by certified inspector with transit and leveling rod) size, type, length of laterals, curtain drains, other site modifications, etc.			<u>YES</u>
Pretreatment Tank:	<u>KYC103082 1000</u>		<u>YES</u>
Secondary Treatment Tank:	<u></u>		<u>NO</u>
Dosing/Holding Tank:	<u></u>		<u>NO</u>
Fill Soil Required:	<u>8</u> in.		<u>YES</u>
Alternating Valve:	<u></u>		<u>NO</u>
# of Distribution Boxes:	<u>1</u> Type: <u>KYCE73082</u>		<u>YES</u>
Non-Perforated Lateral Piping Width:	<u></u> Type: <u></u> Mfg.: <u></u>		<u>NO</u>
Perforated Lateral Piping Length:	<u>82</u> Type: <u>4, 16</u> Mfg.: <u>SDR 35</u>		<u>YES</u>
Fill Material Type:	<u></u> Diameter: <u>4</u>		<u>YES</u>
Trench Barrier Material:	<u></u> Thickness: <u></u>		<u>YES</u>
Pump Model:	<u></u>		<u>NO</u>
Mfg.:	<u></u>		
Curtain Drain:	<u>40</u> in.		<u>YES</u>
Filter Type:	<u></u>		<u>NO</u>
Switches & Controls Model:	<u></u>		<u>NO</u>
Mfg.:	<u></u>		
Alarm Model:	<u></u>		<u>NO</u>
Mfg.:	<u></u>		
Electrical components shall be properly grounded and otherwise designed, constructed, installed, & operated in accordance w/National Electrical Code requirements			<u>NO</u>
Other Comments: <u>GARAGE WITH BATHROOM</u>			<u>NO</u>
Deficiencies Corrected:	<u>NO</u>	Final Inspection Approved:	<u>YES 08/29/2022</u>
Installer Affidavit:	<u>YES 08/29/2022</u>		
Inspection Type:	<u>FINAL</u>	Date: <u>08/29/2022</u>	By: <u>CLEMENT CHARLOTTE</u>
Certification #:	<u>G1644</u>		
Latitude:	<u>38</u>	Longitude:	<u>-86</u>

Email from Health Department

Adam,

He currently has a 1000 gallon tank which will suffice for a 2 bedroom system.

However, he has 82ft. of 4ft. wide lateral, which is equivalent to a 1 bedroom system. He would need an additional 82ft. of 4ft. wide, or an equivalent in different dimensions, to have enough lateral footage for a 2 bedroom home/accessory dwelling.

Hope this helps. If you have questions, give me a call.

Joseph Riggs, BA, R.S.

Environmental Supervisor Hardin/Meade Counties

Hardin County Health Center

580 C Westport Road

Elizabethtown, KY 42701

270-769-0312, Ext. 7109 (Office)

270-205-1905 (Fax)

Joseph.Riggs@LTDHD.org

www.LTDHD.org

Serving Hardin, Larue, Marion, Meade, Nelson and Washington Counties

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David Wise
change of
address



Kentucky Transportation Cabinet

TEMPORARY RECEIPT DRIVER'S LICENSE



David H. Wise

DLN **W95-585-238**
WISE
DAVID HENRY
182 VERSAILLES DR
RINEYVILLE, KY 40162



DOB **10/08/1957**
EXP **03/30/2023**

SEX **M** HGT **5'-11"** EYES **GRN**
DD **2023022808432317 01111**

CLASS **D**
END **NONE**
RES **NONE**



DUP ISS **02/28/2023**

CLASS: D-Operator

ENDORSEMENTS: None

RESTRICTIONS: None

A driver **MUST** get duplicate license within 10 days of address or name change.

drive.ky.gov

- This is a temporary document which expires 30 days from the Issue Date printed above
- You should receive your permanent card at the address we have on file for you within 5-10 business days; the post office will not forward it to another address.
- If 10 business days have passed and you have not received your new credential, please contact the Transportation Cabinet at (502)564-1257 or visit us at drive.ky.gov

Account Holder Details:
DAVID HENRY WISE
Confirmation Number:
92199658

Payment Made:
2023-02-28T08:47:05

Payment Method:
Cash

Cart Item Descriptions	Price	Quantity
StandardDuplicate	15.00	1
TrustforLifeDonation	2.00	1

Sub Total:	17.00
Service Fee:	.00
Total:	17.00

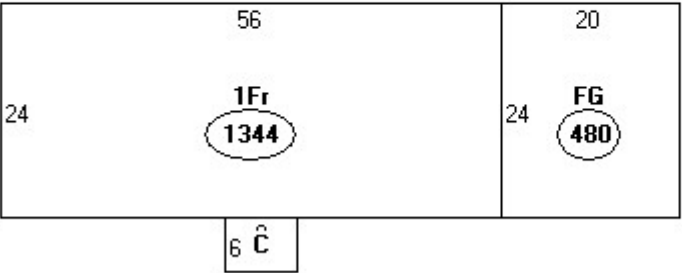
This is the Temp Document Message



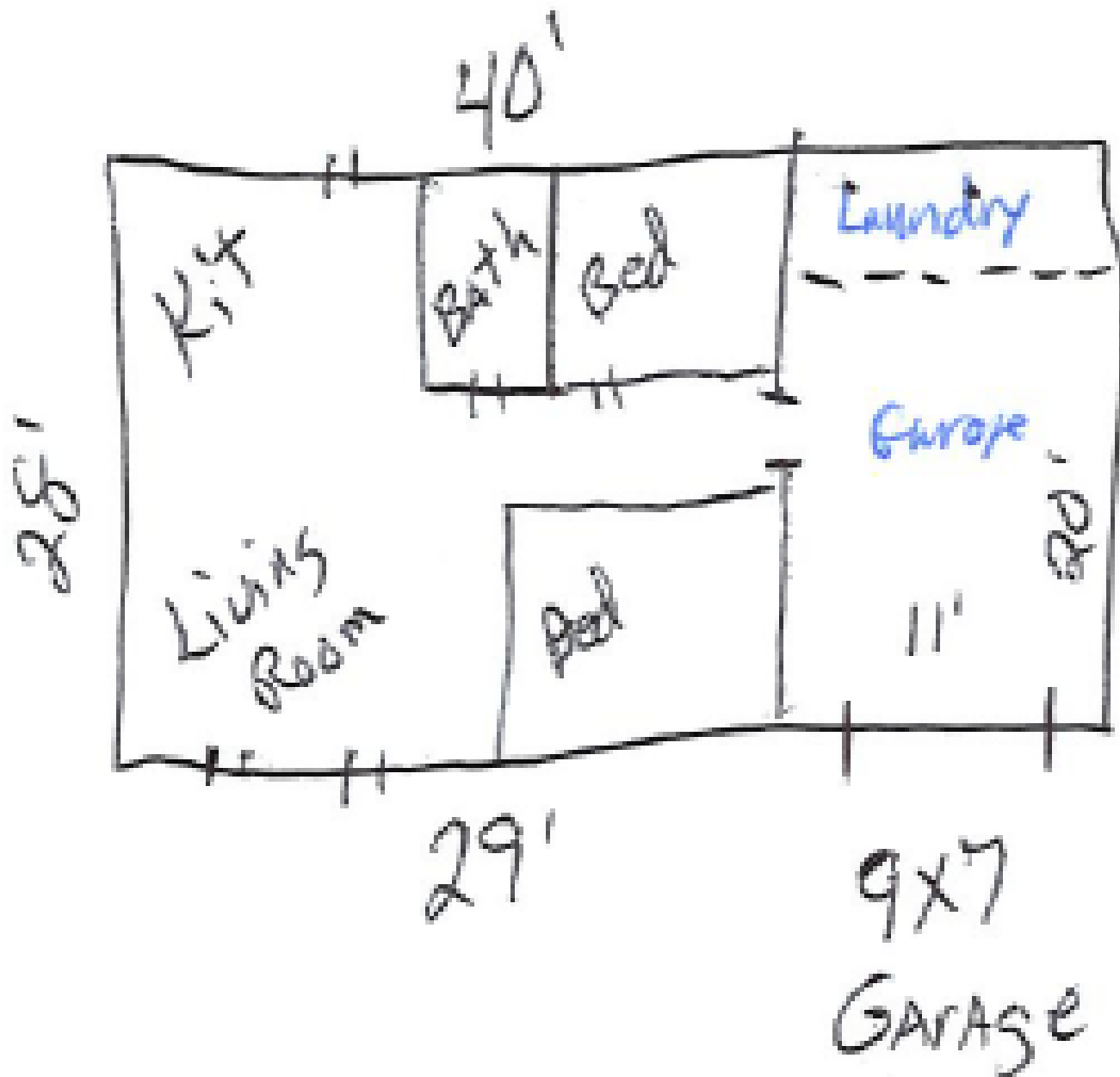


Principal Dwelling

1,344 sq. ft. living space
480 sq. ft. garage
1,824 sq. ft. under roof



Descriptor/Area
A: 1Fr
1344 sqft
B: FG
480 sqft
C: CPAT
48 sqft



Proposed Permanent Accessory Dwelling

28'x40' living space = 1,120 sq. ft.
11'x28' garage = 308 sq. ft.
1,428 sq. ft. under roof



















Character of the Area



Non-Compliance Items

- 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.
- 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.



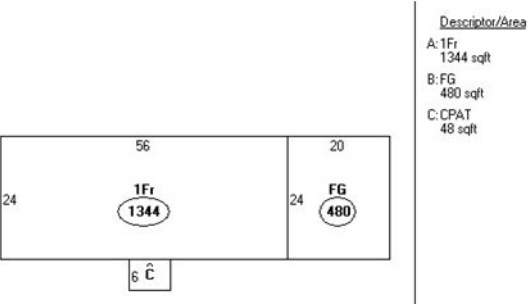
Principal Dwelling

1,344 sq. ft. living space
480 sq. ft. garage
1,824 sq. ft. under roof



Proposed Permanent Accessory Dwelling

28'x40' living space = 1,120 sq. ft.
11'x28' garage = 308 sq. ft.
1,428 sq. ft. under roof



Analysis of Permanent Accessory Dwelling Applications in the R-1 Zone

Permit Date ⬆	Owner ⬆	PVA Map Number ⬆	Type ⬆	Zone ⬆	Listed Use (Dvpl, Cup, Var, Maps) ⬆	Project / Subdivision Name ⬆	Request ⬆	Site Address ⬆	Expiration Date ⬆	Status ⬆
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	06/17/2023	PENDING
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, RINEYVILLE, KY 40162	06/08/2023	PENDING
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		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		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		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		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		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		APPROVED
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		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		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		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		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		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		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	BENGTTSSON 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		APPROVED

Analysis of Permanent Accessory Dwelling Applications in the R-1 Zone (continued)

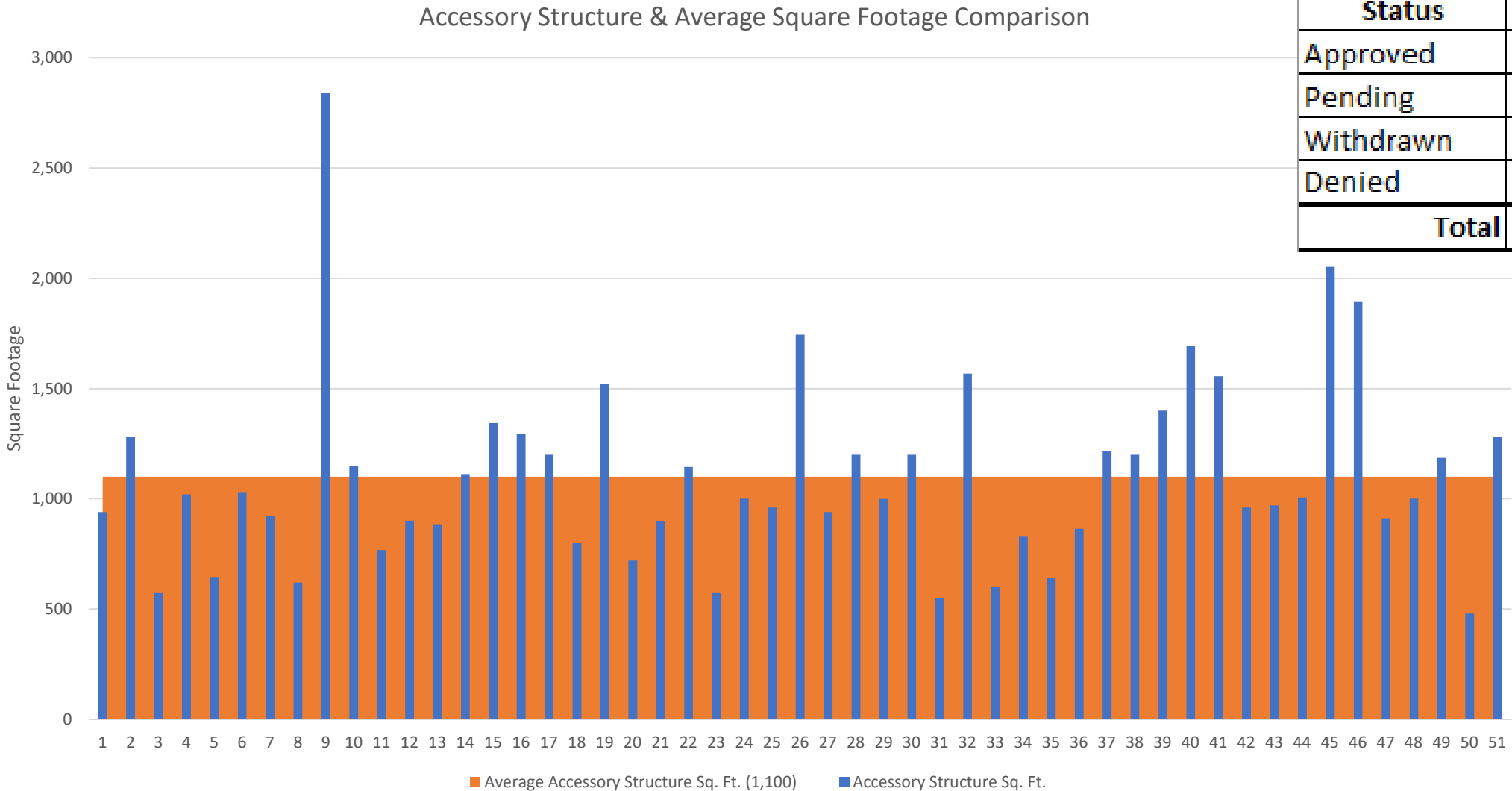
06/01/2017	PEPPER DARYL & LEE ANN	235-00-00-002	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY		TO ALLOW FOR THE EXISTING CABIN TO REMAIN ON SITE AND TO ALLOW FOR THE CONSTRUCTION OF A NEW HOME	CALICO SPRINGS RD		APPROVED
12/29/2014	Stephanie Meredith	143-00-01-005.02	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		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	12/07/2013	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		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	12/20/2012	APPROVED
01/30/2012	ROBERT & CONSTANCE DARNELL	243-00-00-041.10	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DWELLING; PERMANENT ACCESSORY	PERMENANT ACCESSORY DWELLING / EASTWOOD ESTATES, SECTION 2, LOT 4	CONVERT PART OF THE EXISTING RECREATION BUILDING INTO A PERMENANT ACCESSORY DWELLING	BARDSTOWN ROAD (US 62)		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		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	07/23/2011	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	08/22/2010	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	05/08/2010	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	12/19/2009	APPROVED

Records 1 to 26 (of 26)

26 Total: 21 Approved, 3 Withdrawn, 2 Pending

Permanent Accessory Dwellings

Status	Count
Approved	51
Pending	3
Withdrawn	5
Denied	1
Total	60



There have been **51** Approved Permanent Accessory Dwellings.

The Average Square Footage of those 51 Approved is **1,100 sq. ft.**

To Hardin Co. Planning Commission,

This is in response to the David Wise NOTICE of Public Hearing.

I live on an adjacent property to the "Garage/House" located at 182 Versailles Drive.

I have NO objection to the conditional use permit for two dwellings on a single lot, but the proposed "Garage/House" as it stands doesn't meet the following Collinbrook Subdivision Restrictions.

#15. Residence erected on said lots shall contain the following **minimum** square feet of **1485 floor space**. (square footage in basement excluded, no residence shall exceed three (3) stories.)

#16 Square footage should be measured by the exterior dimensions of the outside main walls, and shall **not include the area** of porches, **garages**, breezeways or finished basement areas. All dwelling units shall have constructed an attached garage made of the same material as the dwelling itself and have sufficient square footage to contain at least two (2) cars.

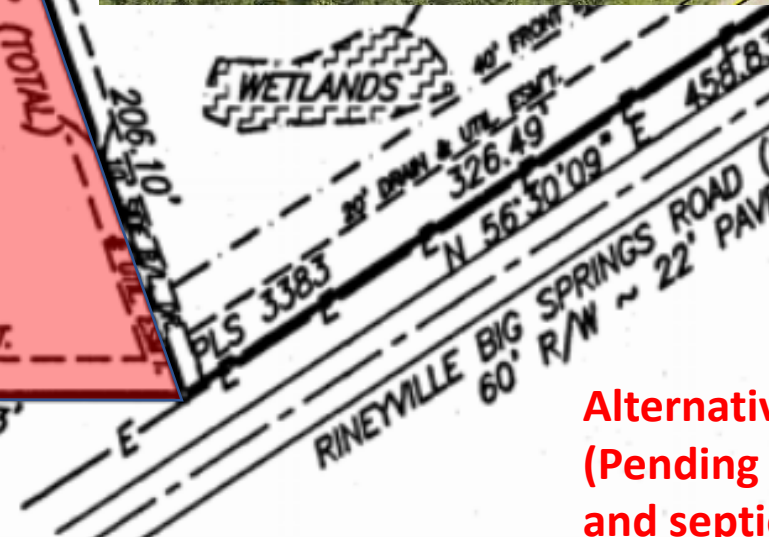
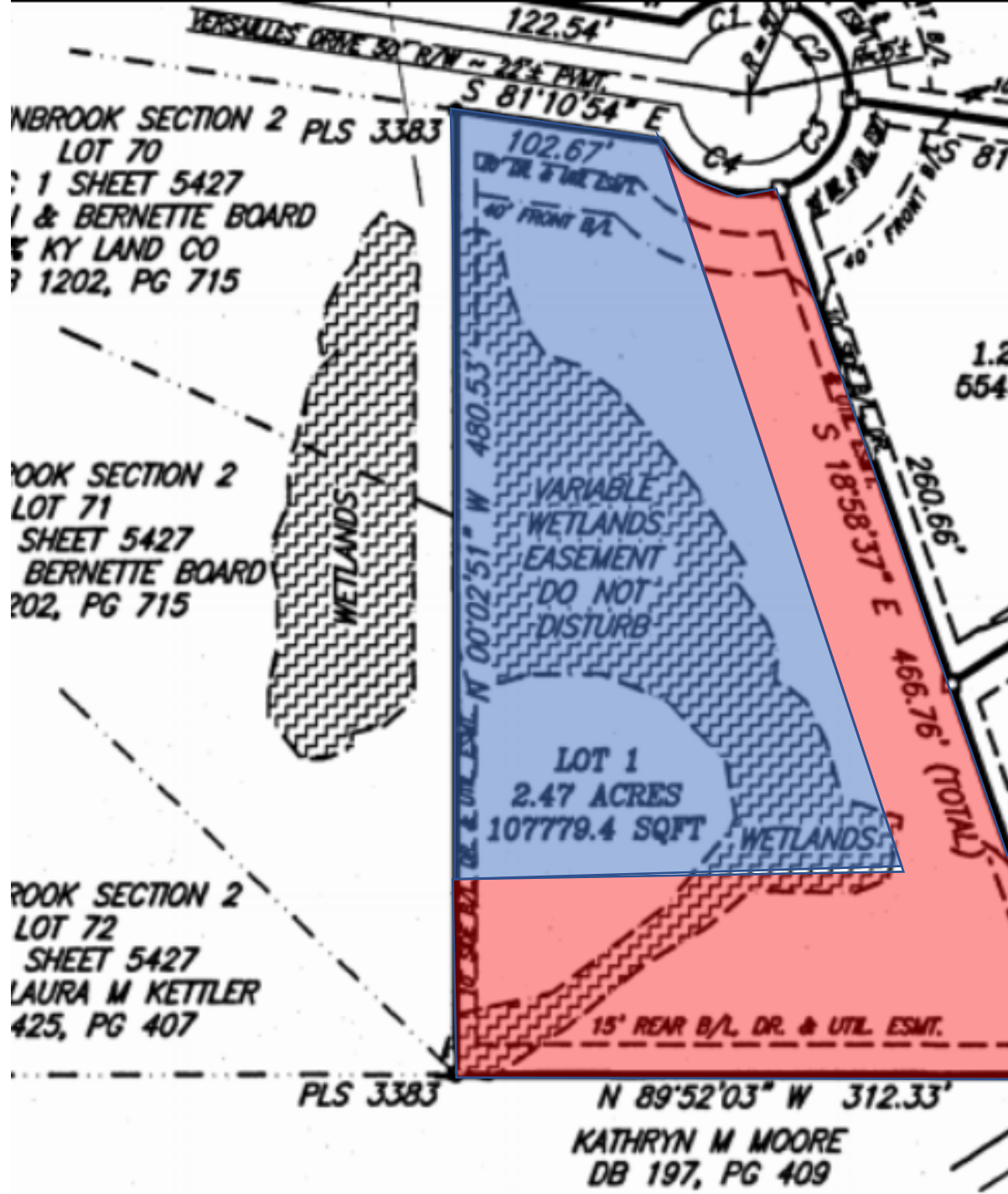
This "Garage/House" is approximately 1200 square feet **including** its one car attached garage, which is far below the minimum of 1485 square feet.

I think it is important to at least live up to the minimum guidelines.

Thank You for requesting my input.

David Kettler
49 Malmaison Ct.
Rineyville, Ky 40162

P. S. The 1428 sq.ft. stated on the HEARING NOTICE appears to be incorrect (too large).



Alternative Option to Subdivide
(Pending location of structures
and septic approval)

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 the 1,428 sq. ft. “garage” to be permitted and approved as a dwelling in addition to the existing 1,824 sq. ft. home (principal dwelling) on site.
2. The property owner, David Wise, must occupy either the principal dwelling unit or the permanent accessory dwelling as their principal residence, and at no time receive rent for the owner-occupied unit.
3. Adequate on site parking must be designated on an approved site plan.
4. A shared driveway shall not be required due to having road frontage on both Rineyville Big Springs Road (KY 220) and Versailles Court.
5. The Permanent Accessory Dwelling is the 1,428 sq. ft. dwelling that was permitted as a detached garage on site and the Principal Dwelling is the pre-existing 1,824 sq. ft. 1-Story Ranch (2019) on site.
6. The Permanent Accessory Dwelling shall be located to the rear of the Principal Dwelling as seen from Rineyville Big Springs Road (KY 220).
7. The exterior finish materials of both dwellings is white vinyl siding with a shingled roof to match.
8. Both dwellings shall have septic systems approved by the Environmental Services Office of the Health Department.
9. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
10. Additional landscaping or screening shall not be required.
11. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

OR

Motion to Deny citing that it appears to be two separate stand alone dwellings that are oriented facing separate roads, there is no shared driveway, the size of the two dwellings does not meet the requirement and an option to subdivide the property exists.