



# **Hardin County Board of Adjustment**

## **6 February 2025**

**County Government Center  
Second Floor Meeting Room**

Owner: Extreme Polishing &  
Detailing LLC  
Applicant: Nelson Rodriguez



**Location** A 6.766 acre site located at 6300 Rineyville Rd, Rineyville, KY  
known as Lot 1C of Brookside Estates, Section 1

**Zoned** Convenience Commercial (C-1)

**Requesting an **Amended Conditional Use Permit** to continue to allow for an  
automotive painting/detailing business in the C-1 Zone.**

**Previous Approval: 2023 (2 Years)**



# 6300 Rineyville Rd

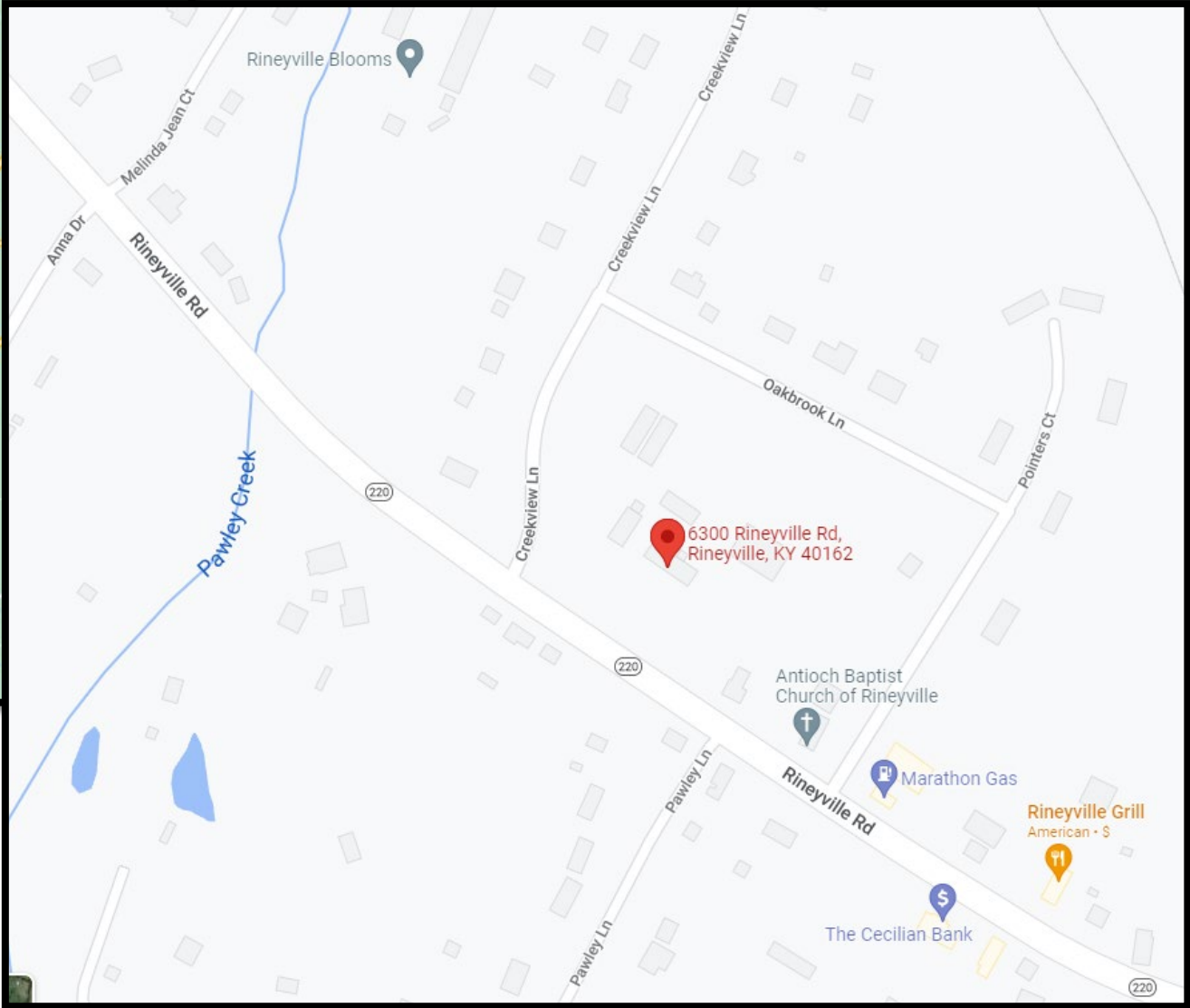
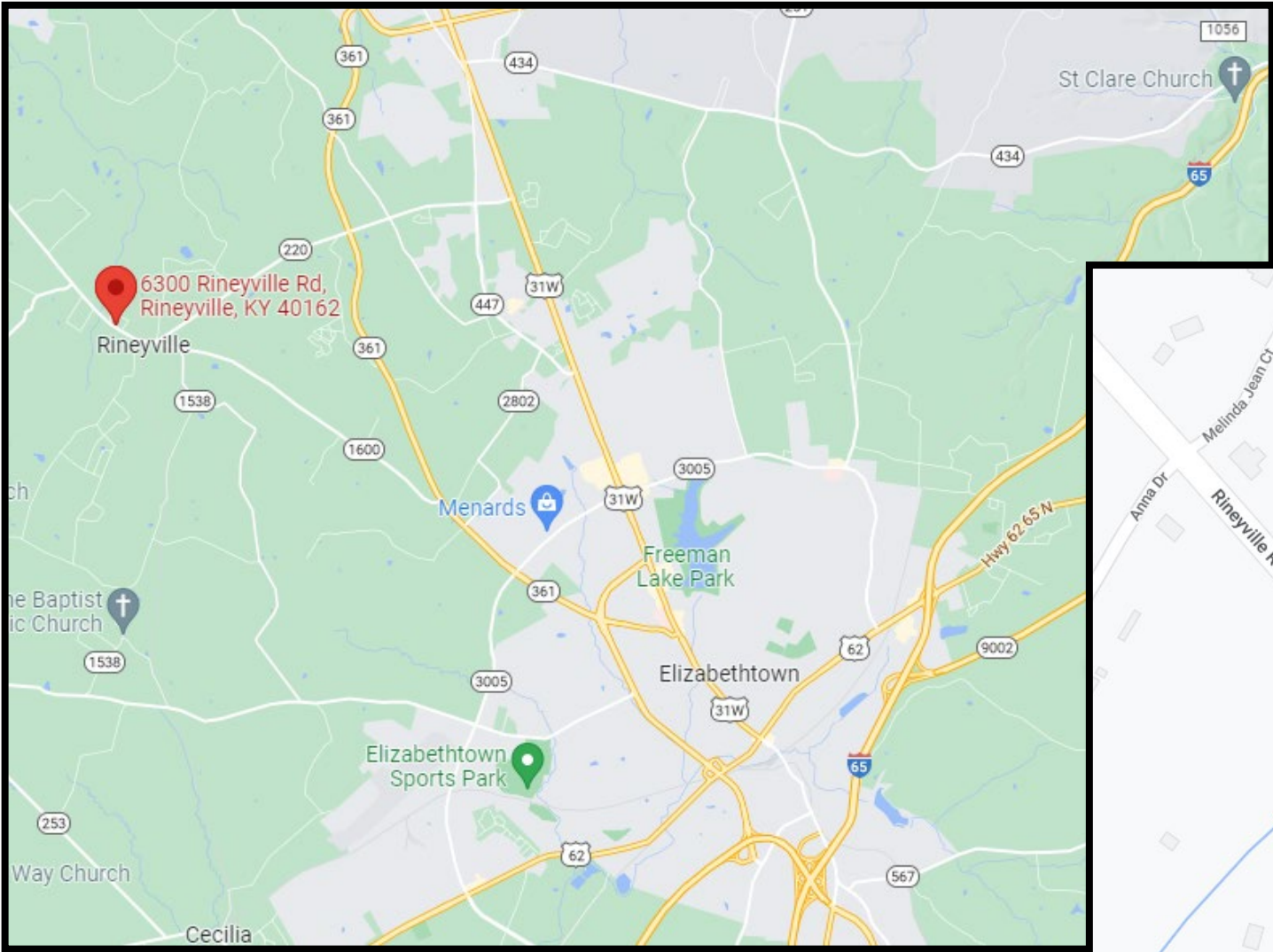
## Amended Conditional Use Permit

### SUMMARY REPORT

#### LISTING OF EXHIBITS

- A. Vicinity Map
- B. Zoning Map
- C. Aerial Photos
- D. Amended Record Plat of Brookside Estates Section 1, Lot 1B and Section 2, Lots 31A, 33A and 35A (2016)
- E. Character of the Site
- F. Amended Development Plan of Leasor Farms and Leasor Electric, INC. (2016)
- G. Site Plan
- H. Character of the Area
- I. Photographs
- J. EPA & KEMI Guidelines on Environmentally Safe Paint Booths
- K. Analysis of Other Land Use Permits for the Property
- L. Analysis of other Conditional Use Permits for Auto Repair in Commercial & Industrial Zones
- 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

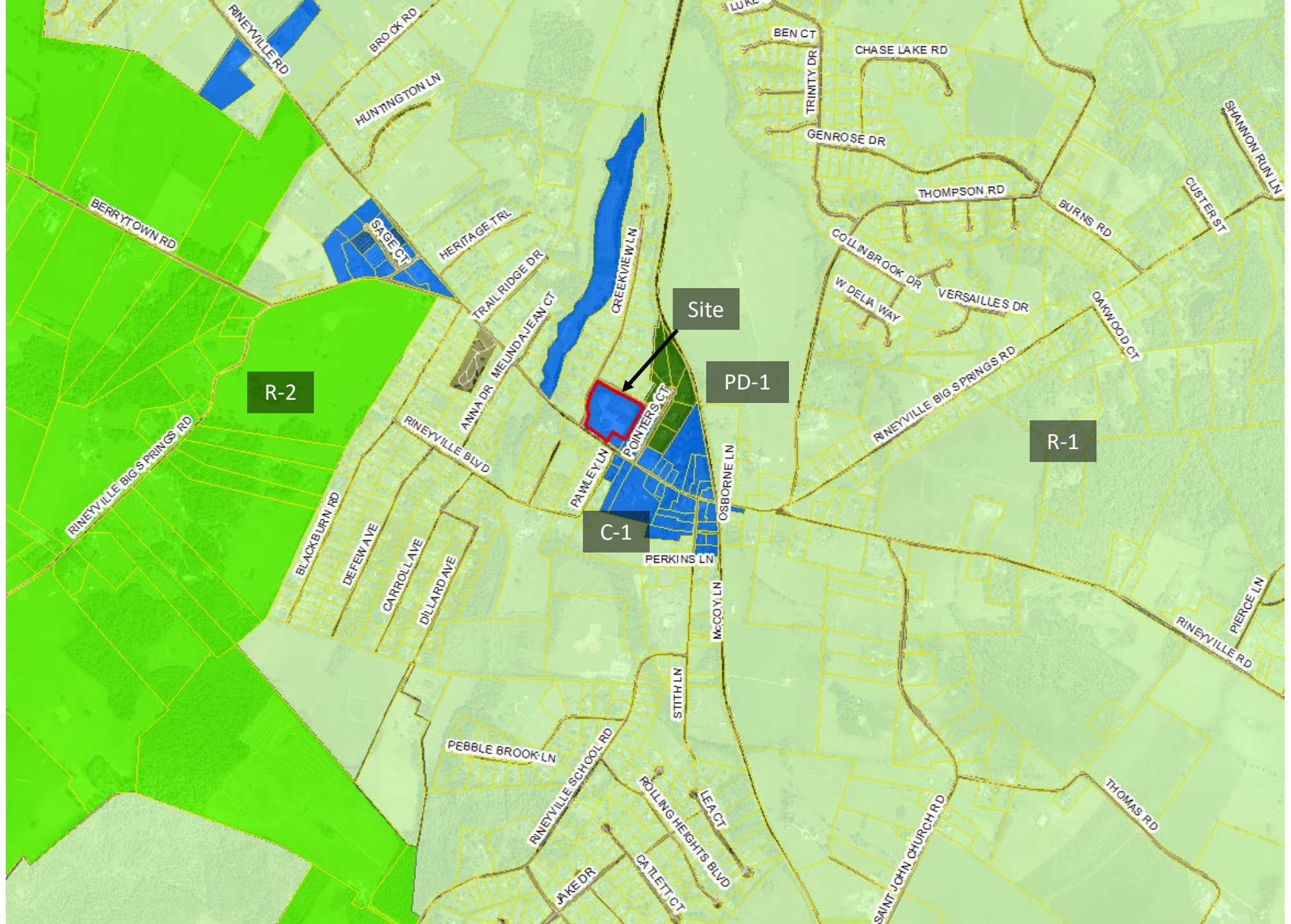
PD-1

R-1

R-2

R-3

R-4









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





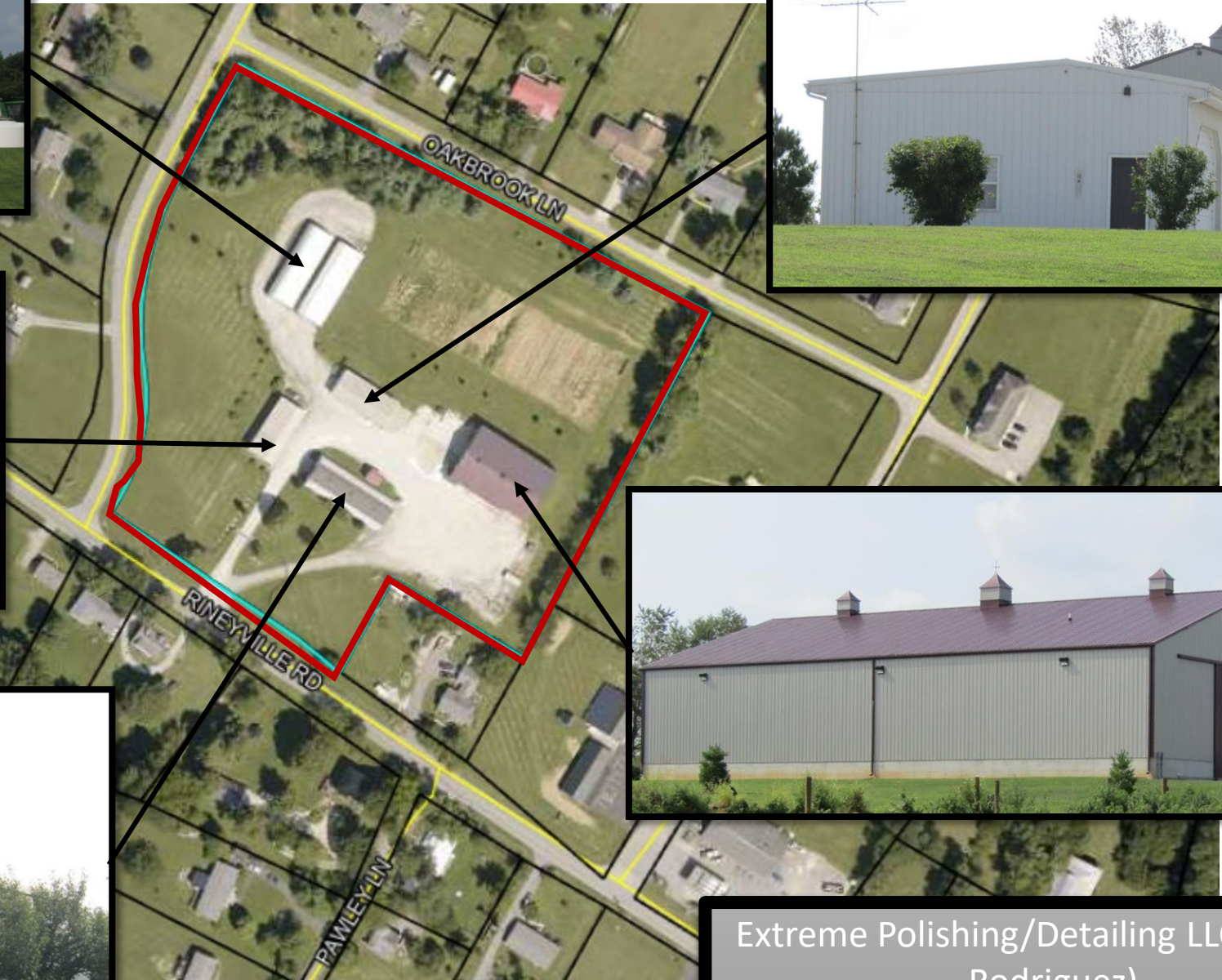






ELIZABETHTOWN, KY 42701





Extreme Polishing/Detailing LLC (Nelson Rodriguez)  
6300 Rineyville Rd, Rineyville, KY 40162





## HARDIN COUNTY'S LEADING POLISHING & SEMI COLLISION CENTER

Extreme Polishing & Detailing in Rineyville, KY is your one-stop-shop for all things polishing, detailing, tinting, and semi collision.

[LEARN MORE](#)

At Extreme Polishing & Detailing in Rineyville, our expert team is skilled in polishing, detailing, tinting, and auto body work. We can work on anything from a commercial semi-truck to farm equipment, and much more. Give us a call or fill out a contact form today to receive an estimate for your newest project!

[MORE ABOUT US](#)[CONTACT US](#)

### Our Services



Aluminum & Stainless Steel Polishing



Semi Collision Center



Body Shop



Detailing

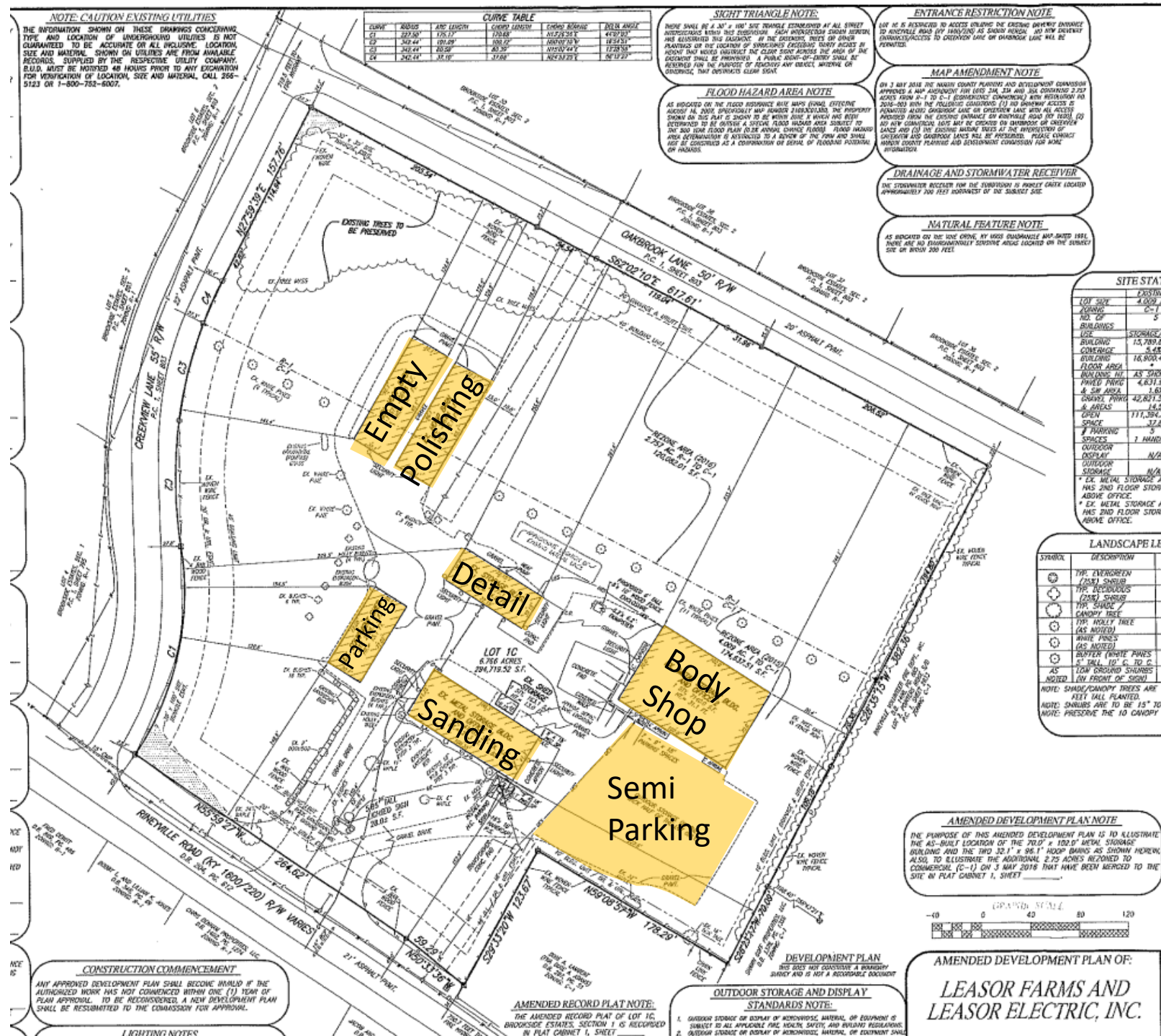


Tinting

8am – 5pm Monday – Friday  
9am – 3pm Saturday  
(Open until 8pm May-September)

No more than 18 employees

**Site Plan as Labeled by Applicant**









# Character of the Area









South along KY 1600



North along KY 1600





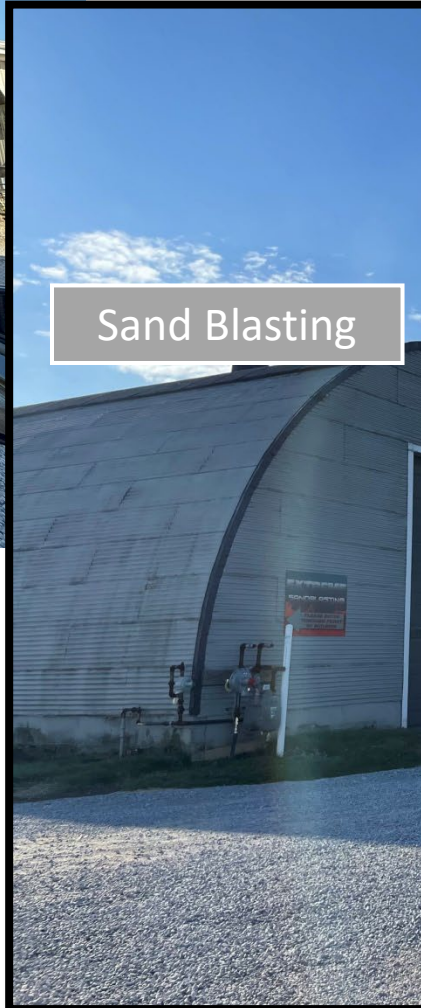




Parking



Sand Blasting



Entrance







Empty

Polishing



Polishing

Empty



2025



Sand Blasting

2025







Detailing

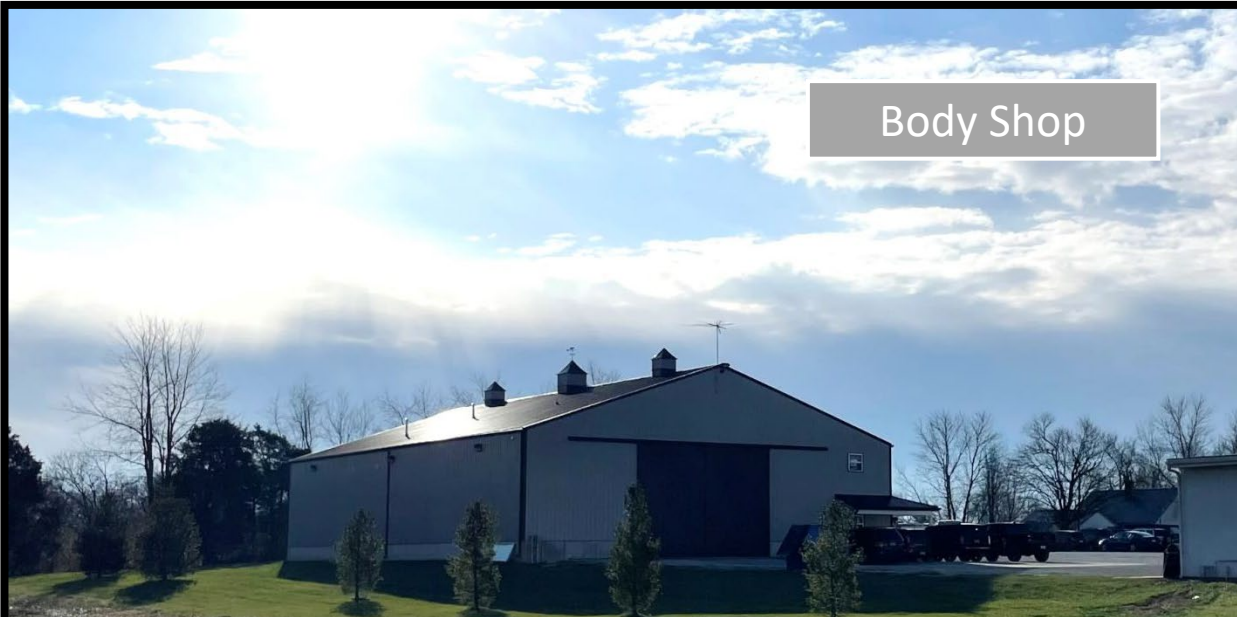


2025





Body Shop



2025





## Parking







## design FOR THE ENVIRONMENT Auto Refinishing Project

# Spray Booth Filters: The Key to Quality Jobs and Clean Emissions

### The Key to Quality Jobs and Clean Emissions

Best practices can reduce emissions of hazardous air pollutants during spraying of automotive paints. Painters should be trained in the efficient use of high volume low pressure (HVLP) or equivalent spray guns and use paints that do not contain lead or chromium pigments. All spray painting should be conducted in a well-ventilated and well-maintained spray booth. This fact sheet highlights key factors regarding the need to use and maintain paint booth filters to achieve a quality job and protect the painter, others in the shop, and the environment.

#### Alert! New EPA Regulation

A new national standard now requires all shops that spray coatings containing a targeted hazardous air pollutant (HAP) to conduct spray operations in a booth outfitted with an exhaust filter with a removal efficiency of 98% or greater. Work with your spray booth manufacturer or filter supplier to select the right filter for your shop's filtration needs.

For specific details of the regulation, visit the EPA website at <http://www.epa.gov/fedrgstr/EPA-AIR/2008/January/Day-09/a24718.htm>

### Exhaust Filters or Paint Overspray Arrestors

Booths use exhaust filters or paint overspray arrestors to decrease emissions from the shop by capturing the oversprayed coating mist and particles before that air is exhausted from the shop into the environment. These filters are located at the opposite end of the intake filters in crossdraft booths, and in or near the floor of downdraft booths.

Paint overspray arrestors come in a variety of shapes and styles, including bulk and perforated rolls, blankets, pre-cut pads, cubes and bags, self-supported panels with internal frames, baffled panels, and accordion-folded panels. Paint overspray arrestors can be constructed from various materials including fiberglass, polyester, paper, cardboard, styrene, or a combination of materials.

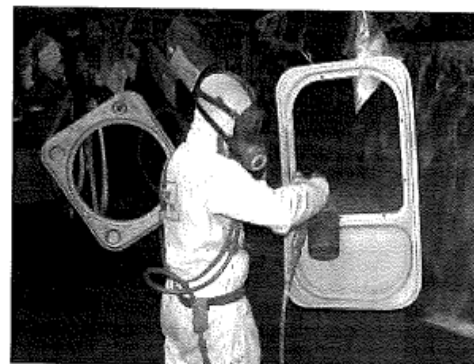
### Proper Disposal of Waste Filters

Before disposing of waste filters, you must determine whether the filters would be considered hazardous waste. Consult with your jobber, filter supplier, and local authorities for assistance in properly characterizing and handling your waste filters.

## Guidelines for Spray Booths

Print a Sign-In Sheet | Spanish Version  
Coming Soon

A spray booth, as defined by OSHA, is a "power ventilated structure provided to enclose or accommodate a spraying operation to confine and limit the escape of spray, vapor, and residue, and then safely conduct/direct them to an exhaust system." The following outlines safe measures regarding spray booths:



#### Construction

- Must be substantially constructed of steel, concrete and masonry.
- If low volume or intermittent spraying, aluminum or other substantial *noncombustible* materials may be used. (No 2x4 framed booths).

#### Design

- The booth should be designed to direct air currents toward exhaust outlets.
- Interiors should be smooth and continuous, without edges, to facilitate cleaning and prevent sprayed materials from collecting in pockets.
- Interiors can be made with combustible materials, but they must be covered with noncombustible material to help with cleaning.
- Vision panels for light fixtures or observation must be made of heat-treated glass or wired glass and must be sealed to confine vapors, mists and spray residues.
- All spray booths must have adequate mechanical ventilation. Electric fan motors cannot be located inside the booth or air duct.
- Filters should be placed so as not to reduce the effectiveness of the enclosure.

# Land Use Permits For Property

Permit Date ⬆	Owner ⬆	PVA Map Number ⬆	Type ⬆	Planning Area ⬆	Zone ⬆	Proposed Zoning (Map Amendments) ⬆	Listed Use (Dvpl, Cup, Var, Maps) ⬆	Project / Subdivision Name ⬆	Request ⬆	Site Address ⬆	Expiration Date ⬆	Status ⬆	Final Date ⬆
01/07/2025	EXTREME POLISHING & DETAILING LLC	143-10-01-001	CONDITIONAL USE PERMIT (AMENDED)	09. RINEYVILLE RURAL VILLAGE	C-1 - CONVENIENCE COMMERCIAL ZONE		AUTOMOTIVE REPAIR	EXTREME POLISHING & DETAILING	TO CONTINUE TO ALLOW FOR AN AUTOMOTIVE REPAIR BUSINESS IN THE C-1 ZONE	6300 RINEYVILLE ROAD	04/17/2025	PENDING	
12/08/2022	EXTREME POLISHING & DETAILING LLC	143-10-01-001	CONDITIONAL USE PERMIT	09. RINEYVILLE RURAL VILLAGE	C-1 - CONVENIENCE COMMERCIAL ZONE		AUTOMOTIVE REPAIR	1C BROOKSIDE ESTATES #1	EXTREME POLISHING & DETAILING - AUTOMOTIVE PAINT, DETAILING & POLISHING	6300 RINEYVILLE ROAD, RINEYVILLE, KY	01/05/2025	APPROVED	
12/02/2022	EXTREME POLISHING & DETAILING LLC	143-10-01-001	VIOLATION	09. RINEYVILLE RURAL VILLAGE	C-1 - CONVENIENCE COMMERCIAL ZONE		AUTOMOTIVE REPAIR	1C BROOKSIDE ESTATES #1		6300 RINEYVILLE RD		COMPLIANCE	12/08/2022
03/29/2016	D BOUTCHER & SONS CO INC	143-10-01-001	DEVELOPMENT PLAN (AMENDED)	09. RINEYVILLE RURAL VILLAGE	C-1 - CONVENIENCE COMMERCIAL ZONE			LEASOR FARMS / LEASOR ELECTRIC	PROPOSED LOT 1C OF BROOKSIDE ESTATES	6300 RINEYVILLE ROAD		APPROVED	06/10/2016
03/29/2016	D BOUTCHER & SONS CO INC	143-10-01-001	PLAT (AMENDED)	09. RINEYVILLE RURAL VILLAGE	R-1 - URBAN RESIDENTIAL ZONE			BROOKSIDE ESTATES, SECTION 1, LOT 1B & SECTION 2, LOTS 31A AND 33A		OAKBROOK LANE		APPROVED	06/10/2016
01/02/1991	D BOUTCHER & SONS CO INC	143-10-01-001	PLAT (AMENDED)	09. RINEYVILLE RURAL VILLAGE	I-1 - LIGHT INDUSTRY ZONE			BROOKSIDE ESTATES LOTS 1 AND 2		RINEYVILLE ROAD		APPROVED	02/03/1993
01/09/2015	LEASOR DOUG	143-10-01-001;002;003;033;034; & 035	PLAT (AMENDED)	09. RINEYVILLE RURAL VILLAGE	I-1 - LIGHT INDUSTRY ZONE			Amended Record Plat Brookside Estates, Section 1, Lots 1A,2A, & 3 and Section 2, Lots 33, 34, & 35		6300 Rineyville Road	04/27/2015	APPROVED	02/23/2015
01/08/2015	D Boutcher & Sons Co Inc	143-10-01-001; 002; 003; 033; 034; & 035	MAP AMENDMENT	09. RINEYVILLE RURAL VILLAGE	I-1 - LIGHT INDUSTRY ZONE	C-1 - CONVENIENCE COMMERCIAL ZONE	AGRICULTURAL USE	Leasor Farms and Agricultural Equipment / Brookside Estates, Lots 1,2,3,33,34,35	To down zone 2.97 acres from Light Industrial (I-1) and 1.09 acres from Residential to the Convenience Commercial (C-1) zone	6300 Rineyville Road (KY 1600)		APPROVED	
01/08/2015	D. Boutcher & Sons Co., Inc.	143-10-01-001;002; & 003; 033; 034; & 035	DEVELOPMENT PLAN	09. RINEYVILLE RURAL VILLAGE	I-1 - LIGHT INDUSTRY ZONE			Agricultural Equipment Storage, Electrician Business / Brookside Estates, Section 1, Lot 1B	to build a 70'x102' Agricultural Storage Building	Rineyville Road (KY 1600)	05/02/2015	APPROVED	
Records 1 to 9 (of 9)													

3 Plats, 2 Development Plans, 1 Map Amendment, 1 Violation (Compliance) & 2 Conditional Use Permits (1 Approved, 1 Pending)



## CUP's for Auto Repair in Commercial & Industrial Zones

Permit Date	Owner	PVA Map Number	Type	Planning Area	Zone	Proposed Zoning (Map Amendments)	Listed Use (Dvpl, Cup, Var, Maps)	Project / Subdivision Name	Request	Site Address	Expiration Date	Status	Final Date	Surveyor
01/07/2025	EXTREME POLISHING & DETAILING LLC	143-10-01-001	CONDITIONAL USE PERMIT (AMENDED)	09. RINEYVILLE RURAL VILLAGE	C-1 - CONVENIENCE COMMERCIAL ZONE		AUTOMOTIVE REPAIR	EXTREME POLISHING & DETAILING	TO CONTINUE TO ALLOW FOR AN AUTOMOTIVE REPAIR BUSINESS IN THE C-1 ZONE	6300 RINEYVILLE ROAD	04/17/2025	PENDING		
12/27/2023	STAPLES CRAIG	042-00-00-031 & 042-00-00-031.01	CONDITIONAL USE PERMIT (AMENDED)	24. WEST HARDIN AREA	C-1 - CONVENIENCE COMMERCIAL ZONE		AUTOMOTIVE REPAIR	REDNECKS DEAD CAR TOWING & RECOVERY - MASTERS FARM SUPPLY SUBDIVISION, LOTS 1 & 2	TO CONTINUE TO ALLOW FOR AUTO REPAIR OF PERSONAL DEMO DERBY CARS, HOT RODS, RAT RODS, & REDNECKS DEAD CAR RECOVERY ON SITE	10659 HARDINSBURG RD	02/22/2029	APPROVED	02/22/2024	
04/14/2023	FIELDS WILFORD R & JANICE A	243-00-07-027	CONDITIONAL USE PERMIT (AMENDED)	11. BARDSTOWN ROAD CORRIDOR	I-2 - HEAVY INDUSTRY ZONE		AUTOMOTIVE REPAIR	KY BOAT LIFE - BOAT REPAIR & STORAGE. WACO SUBDIVISION, LOT 27A	TO ALLOW FOR THE CONTINUED OPERATION OF A BOAT REPAIR & STORAGE BUSINESS IN THE I-2 ZONE	56 W QUARRY RIDGE COURT, ELIZABETHTOWN, KY 42701	09/07/2033	APPROVED	09/07/2023	
04/03/2023	CLEARY, JESS & LEAH	270-10-00-017	CONDITIONAL USE PERMIT	21. EAST HARDIN AREA	C-1 - CONVENIENCE COMMERCIAL ZONE		AUTOMOTIVE REPAIR	JESS CLEARY AUTO REPAIR	TO ALLOW FOR AN AUTOMOTIVE REPAIR BUSINESS IN THE C-1 ZONE	9221 BARDSTOWN RD		APPROVED	05/04/2023	J.G. Banks, P.L.S.
12/08/2022	EXTREME POLISHING & DETAILING LLC	143-10-01-001	CONDITIONAL USE PERMIT	09. RINEYVILLE RURAL VILLAGE	C-1 - CONVENIENCE COMMERCIAL ZONE		AUTOMOTIVE REPAIR	1C BROOKSIDE ESTATES #1	EXTREME POLISHING & DETAILING - AUTOMOTIVE PAINT, DETAILING & POLISHING	6300 RINEYVILLE ROAD, RINEYVILLE, KY	01/05/2025	APPROVED		
11/30/2021	DUSCH TROY V & DENISE P & CRAIG STAPLES	042-00-00-031 & 042-00-00-031.01	CONDITIONAL USE PERMIT	24. WEST HARDIN AREA	C-1 - CONVENIENCE COMMERCIAL ZONE		AUTOMOTIVE REPAIR	STAPLES PERSONAL AUTO REPAIR & REDNECK'S DEAD CAR RECOVERY	TO ALLOW FOR AUTOMOTIVE REPAIR OF PERSONAL DEMO DERBY CARS, HOT RODS & RAT RODS AND REDNECK'S DEAD CAR RECOVERY BUSINESS ON SITE	10659 & 10697 HARDINSBURG ROAD, CECILIA KY 42724	02/24/2024	APPROVED	02/24/2022	
06/01/2020	VERNON, CHAD FULKERSON & JAMIE MARIE BUTLER	186-40-00-031 & 032	CONDITIONAL USE PERMIT	15. LEITCHFIELD ROAD CORRIDOR	C-2 - GENERAL COMMERCIAL ZONE		AUTOMOTIVE REPAIR	CHAD'S AUTO REPAIR	TO ALLOW FOR AN AUTOMOTIVE REPAIR SHOP	2855 LEITCHFIELD ROAD, ELIZABETHTOWN, KY		APPROVED	07/23/2020	CLEMONS ENGINEERING & LAND SURVEYING
03/05/2020	ANSON, ADAM & BROOKE	107-00-00-009	CONDITIONAL USE PERMIT	22. NATURAL RESOURCE AREA	C-1 - CONVENIENCE COMMERCIAL ZONE		AUTOMOTIVE REPAIR	BROCK'S AUTO REPAIR	TO ALLOW FOR AN AUTO REPAIR BUSINESS TO OPERATE ON THE PROPERTY	13259 LEITCHFIELD ROAD, EASTVIEW, KY	06/18/2023	APPROVED	06/18/2020	
08/13/2018	WILFORD FIELDS & SON LLC	243-00-07-027	CONDITIONAL USE PERMIT	11. BARDSTOWN ROAD CORRIDOR	I-2 - HEAVY INDUSTRY ZONE		AUTOMOTIVE REPAIR	KY BOAT LIFE - BOAT REPAIR & STORAGE. WACO SUBDIVISION, LOT 27A	TO ALLOW FOR A BOAT REPAIR & STORAGE BUSINESS IN THE I-2 ZONE	56 QUARRY RIDGE COURT WEST	09/06/2023	APPROVED	09/06/2018	
09/20/2013	FRANKIE RIGGS	223-00-05-004	CONDITIONAL USE PERMIT (AMENDED)	19. SOUTH DIXIE CORRIDOR	C-2 - GENERAL COMMERCIAL ZONE		AUTOMOTIVE REPAIR	GENERAL AUTOMOTIVE REPAIR / REFFETT ESTATES, LOT4	GENERAL AUTOMOTIVE REPAIR SHOP	SOUTH DIXIE AVENUE (US-31W)	11/17/2013	APPROVED		
10/14/2010	STONE MARK ENTERPRISES LLC	182-40-02-004.01	CONDITIONAL USE PERMIT	16. NORTH DIXIE CORRIDOR	C-2 - GENERAL COMMERCIAL ZONE		AUTOMOTIVE REPAIR	AUTO REPAIRS - HARDIN COUNTY HONDA / LONGVIEW ESTATES AND HIDEAWAY MANOR, LOT 2	REQUES FOR A CONDITIONAL USE PERMIT FOR AN AUTO REPAIR SHOP	5608 WEST DIXIE AVENUE (US-31W)	12/04/2010	APPROVED		
10/30/2008	FRANKIE RIGGS	223-00-05-004	CONDITIONAL USE PERMIT	19. SOUTH DIXIE CORRIDOR	C-2 - GENERAL COMMERCIAL ZONE		AUTOMOTIVE REPAIR	GENERAL AUTOMOTIVE REPAIR / REFFETT ESTATES, LOT4	GENERAL AUTOMOTIVE REPAIR SHOP	SOUTH DIXIE AVENUE (US-31W)	11/20/2013	APPROVED		
Records 1 to 12 (of 12)														

12 total (4 Amended): 11 Approved, 1 Pending

### **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.

## 16-12 **AUTOMOTIVE REPAIR**

1. Number of Vehicles. The Board may regulate the maximum number of vehicles that shall be located on the property at one time.
2. Number of Wrecked Vehicles. The Board may regulate maximum number of wrecked vehicles that are allowed to be on the property at one time. Wrecked vehicles must be screened from view from public rights-of-way and all adjoining properties.
3. Emergency Response Plan. An emergency response/spill prevention plan shall be required.
4. Screening. Vehicles must be appropriately screened from view from public rights-of-way and all adjoining properties.
5. Location. The designated vehicles must be located on the subject property as shown on the Site/Development Plan.

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. Business Hours of Operation shall be from 8 AM to 5 PM Monday-Friday and 9AM to 3PM on Saturdays.
2. There shall be only 5 semi trucks parked outdoors.
3. The semi trucks must be parked in the area as labeled on the Site Plan.
4. The existing trees and landscaping on site shall be preserved.
5. There shall be no more than 18 employees of the business.
6. This Conditional Use Permit shall allow for general Automotive detailing, painting, and polishing.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required. The existing Development Plan on file to be modified by the applicant.
8. This Conditional Use Permit shall be issued to the current property owner, Extreme Polishing & Detailing LLC (Nelson Rodriguez), and is not transferrable.
9. All paint booths and equipment must be inspected and comply with all KY Environmental Protection Agency and KY Office of Occupational Safety and Health standards. There shall be no painting of vehicles or semi trucks outdoors.
10. Site must comply with all State & Federal regulations concerning Environmental Protection & Air Quality to include NESHAP (National Emission Standards for Hazardous Air Pollutants).
11. All wrecked vehicles must be screened from view of adjoining properties and road right-of-ways within a privacy fenced area.
12. This Conditional Use Permit shall be for a period of \_\_\_\_\_ years and expire on February 6, 20\_\_.
13. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
14. An Emergency Response and Spill Prevention Plan shall be required.
15. There shall be no driveway access to the residential streets of Creekbrook Lane & Oakbrook Lane.

**Owner:** Ashby Farms



**Location:** A 0.189 acre site located at 17 W Rhudes Creek Road, Glendale, KY

**Zoned:** Convenience Commercial (C-1)

**Requesting a **Variance** from the front building setback line to allow for a proposed covered front porch**

17 W Rhudes Creek Road, Glendale, KY

Variance

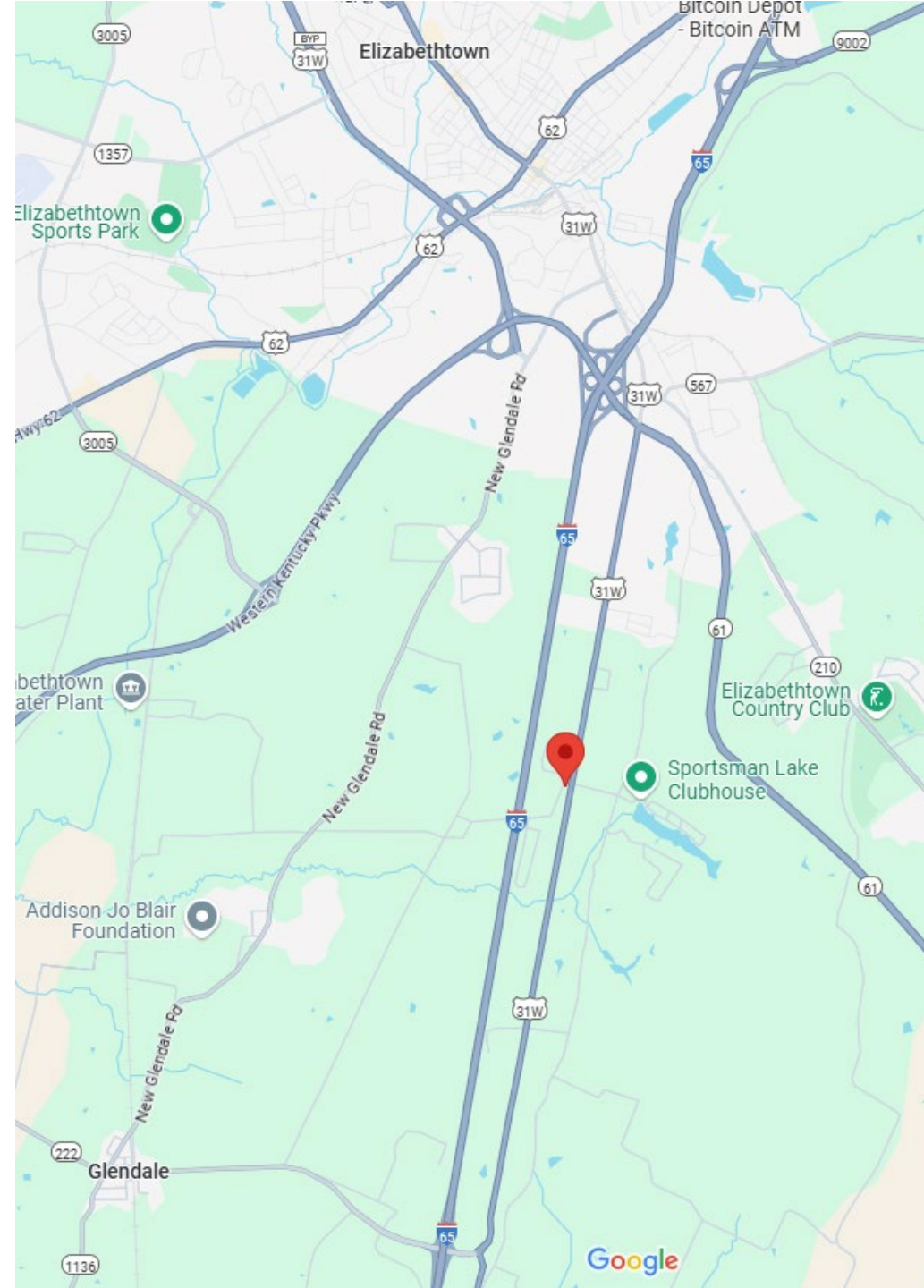
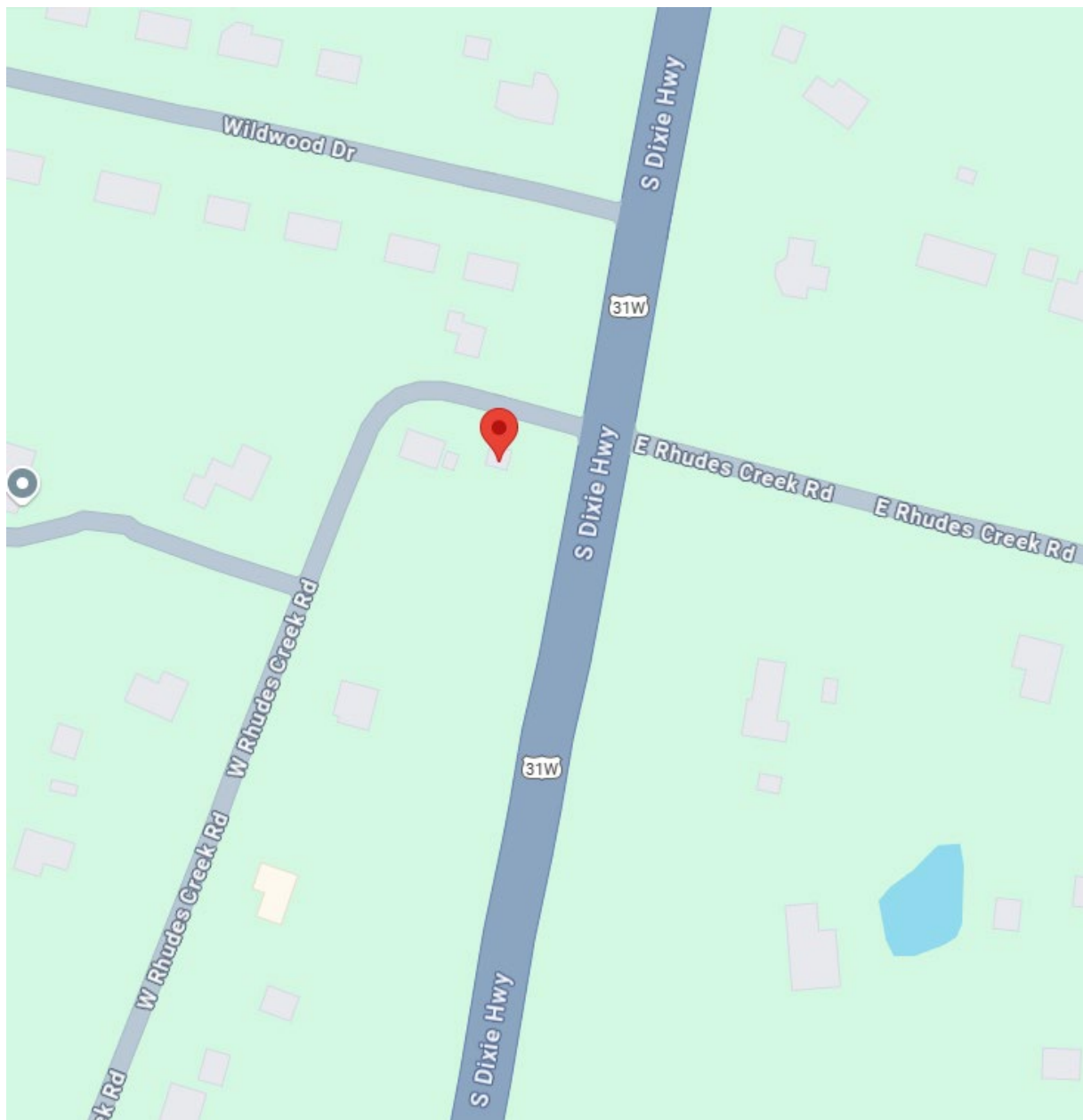
Summary Report

### LISTING OF EXHIBITS

- A. Vicinity Map
  - B. Zoning Map
  - C. Aerial Photos
  - D. Character of the Site
  - E. Photos of the Site
  - F. Survey of the Site
  - G. Analysis of Character of the Area
  - H. \*Comprehensive Development Guide
  - I. \*Development Guidance System Ordinance
- \* Not Provided in PowerPoint



# Vicinity Map

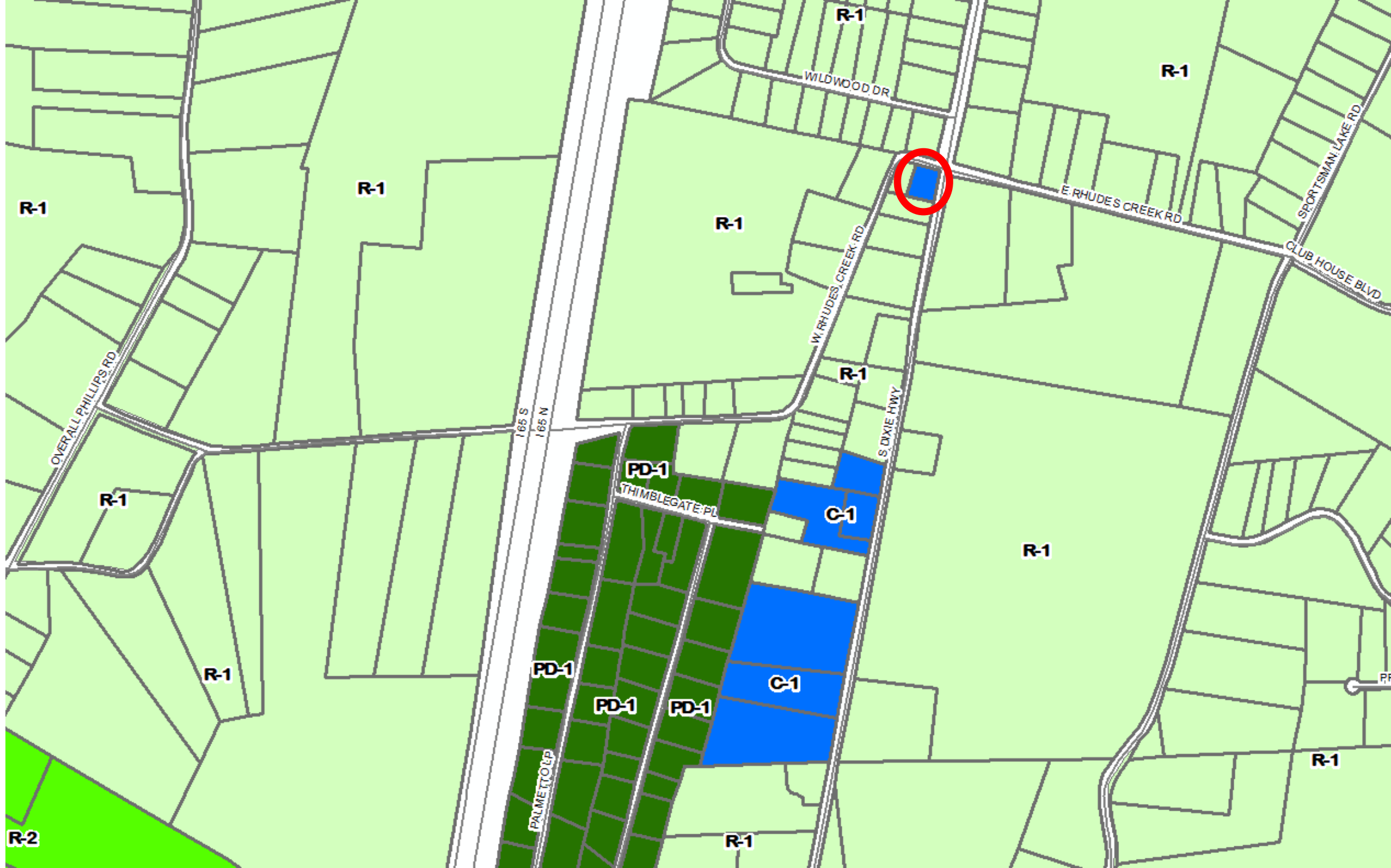




DISTRICT

- 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

C-1





- ☒ Hardin\_Wetlands
- ☒ Hardin\_100Flood
- ☒ Streams 2023
- ☒ hardin\_sinkhole







Ashby Farms  
17 W. Rhudes Creek Road, Glendale, KY

Variance from front building setbacks &  
side setback adjacent to residential zone to  
allow for a covered front porch





Front along W Rhudes Creek Rd -40'  
Front along S Dixie Hwy – 40'  
Side (adjoins Residential) – 40'  
Rear (adjoins Residential) – 40'

W. RHODES CREEK ROAD- STATUTE OF LIMITATIONS

90.000'

5.1041

6.4670

15.4246

13.5845

8.15'

6.5'

19.96'

18.30'

DECK

6.32'

N 14°51'08" E 150.16'

S 73°29'21" E 39.09'

S 10°39'57" W 150.49'

N 73°56'00" W 50.07'

U.S. HIGHWAY 31W-S. DIXIE HIGHWAY- R/W VARIES

## VARIANCE REQUEST

Variances required from:

front building setbacks along both  
W Rhudes Creek Road & S Dixie Highway

and

the side setback adjacent to residentially  
zoned property







W. RHODES CREEK ROAD- STATUTE OF LIMITATIONS

S 73°29'21" E  
39.09'

90.000'

15.4246

13.5845

8.15'

6.5'

PORCH

19.96'

18.30'

DECK

6.32'

5.1041

6.4670



## Character of the Site

Before



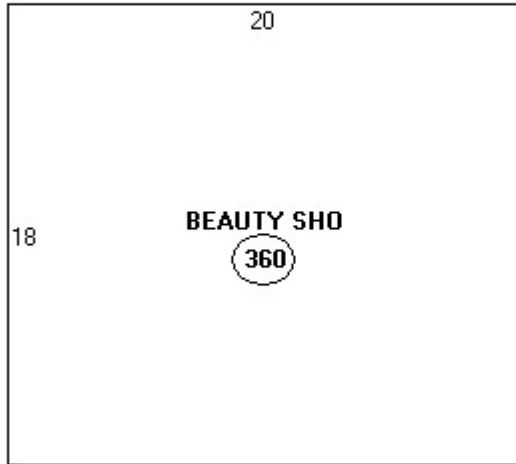
360 sq. ft. beauty shop (1981)

After



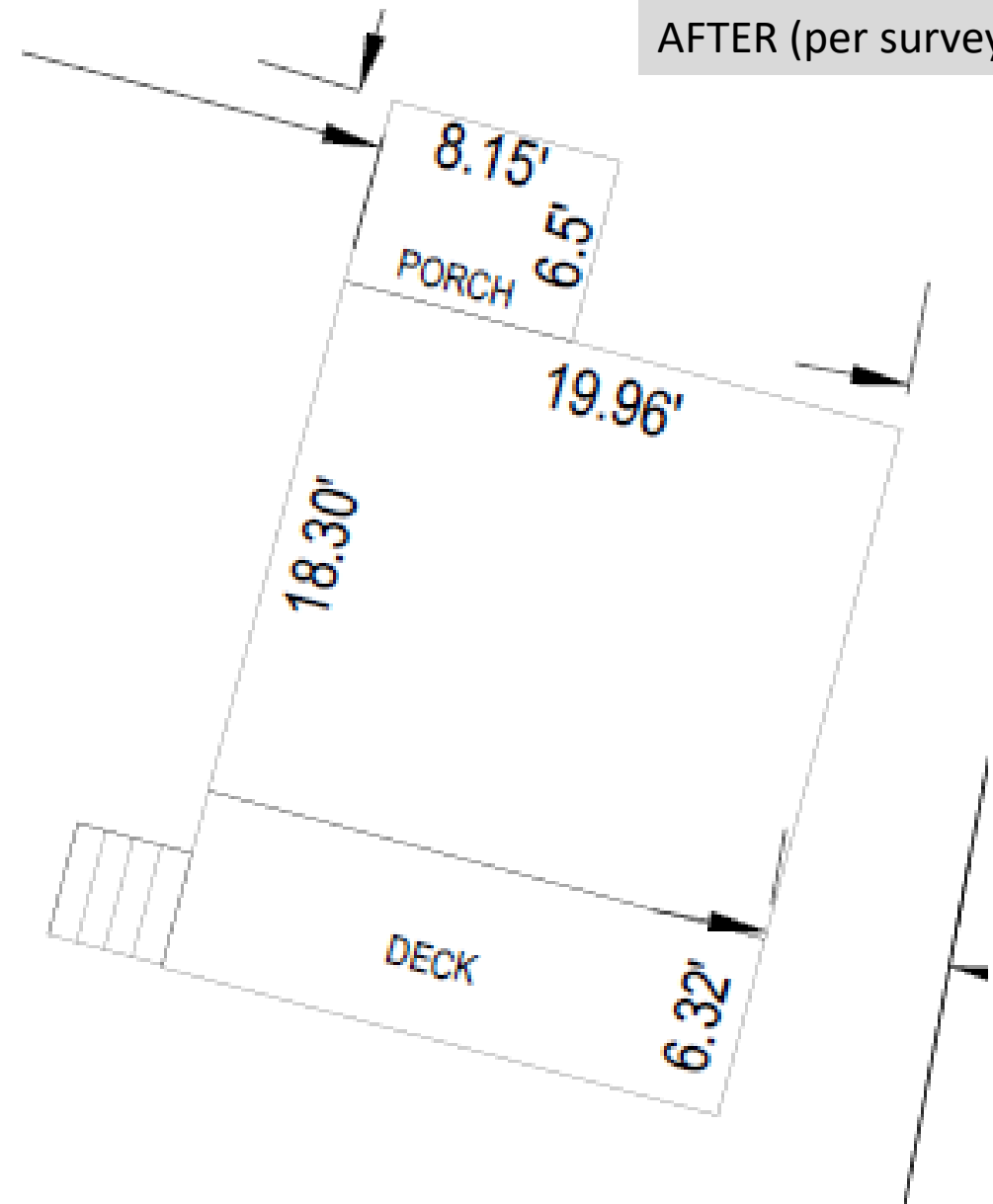


BEFORE (per PVA Records)



Descriptor/Area  
A: BEAUTY SHO  
360 sqft

AFTER (per survey)



8.15'x6.5' concrete porch has been covered







































Character of the Area (setbacks  
– measurements to C/L)  
*Other recent Variances in red*





## Findings necessary for Granting Variances

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

1. Before any variance is granted, the Board of Adjustment must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation. In making these findings, the board shall consider whether:
  - a. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity;
  - b. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
  - c. The circumstances are the result of actions of the applicant taken subsequent to the adoption of this regulation from which relief is sought.
2. The Board shall deny any request for variance arising from circumstances that are the result of willful violations of this regulation by the applicant subsequent to the adoption of this regulation.



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

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

(A) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity;

(B) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;

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

Motion to Approve the proposed Variance :

1. **To allow for a Variance from the front building setback line to allow for the existing 6.5'x8.15' concrete front porch to be covered. The porch shall not be enclosed as living space.**
2. **A Development Plan in compliance with Section 6 of the Zoning Ordinance shall be required.**
3. **Building & Electrical permits must be obtained from our office.**
4. **A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.**

OR

Motion to Deny



**Owner:** Tracy Wathen



**Location:** A 0.6 acre site located at 520 Pine Valley Drive, Elizabethtown, KY

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

**Requesting a **Conditional Use Permit** to allow for the existing living space in the detached garage to be increased from 576 sq. ft. to 1,433 sq. ft. as a Permanent Accessory Dwelling**



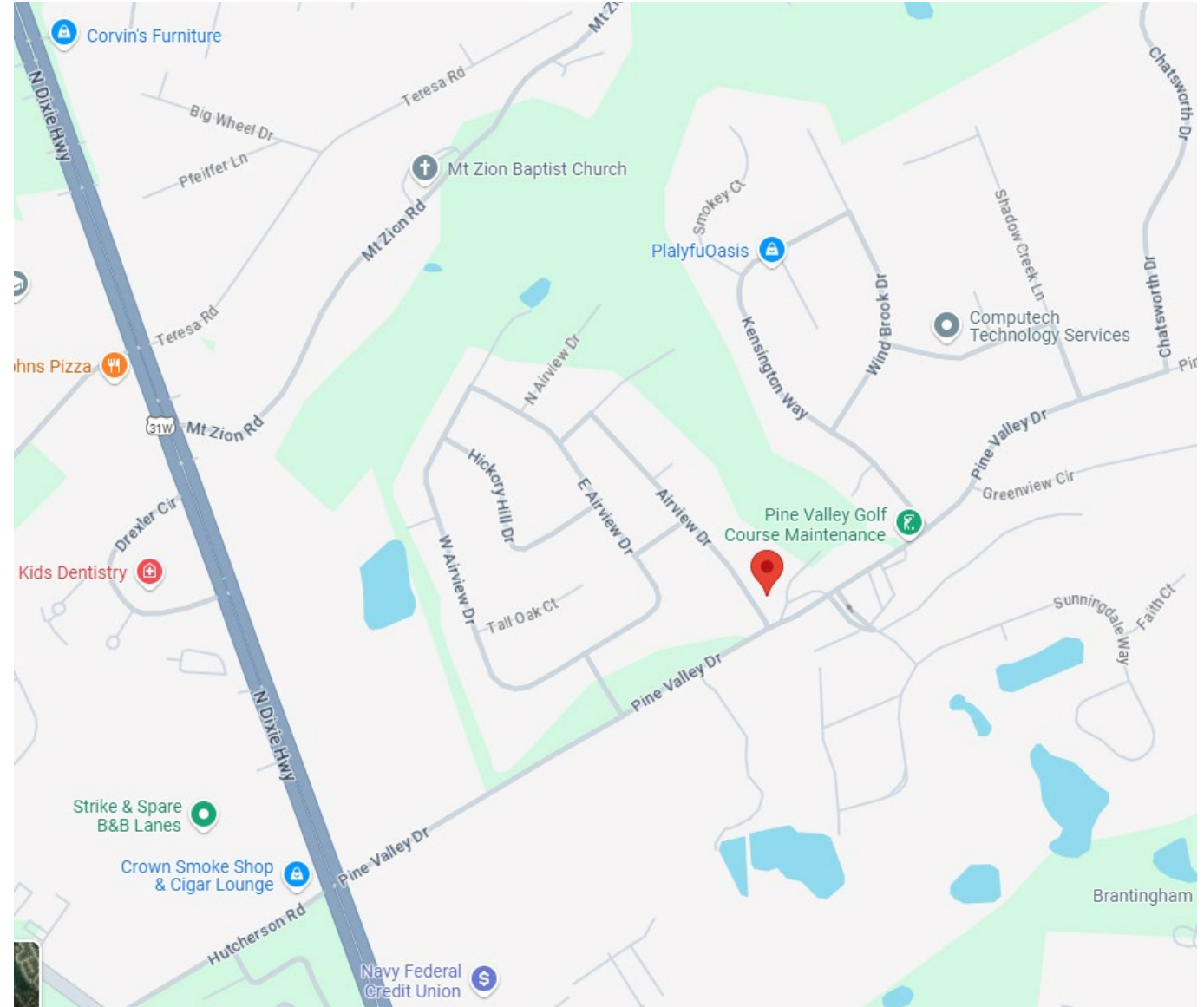
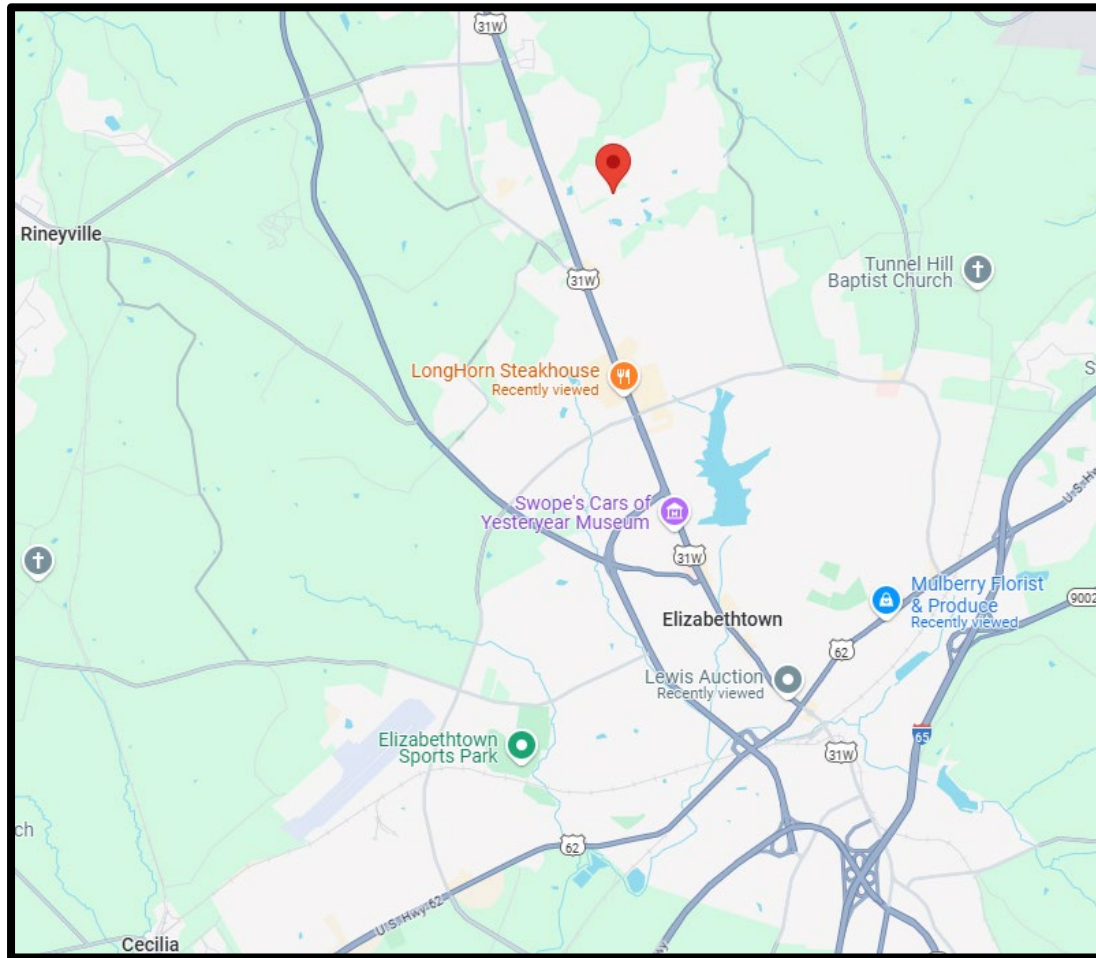
520 Pine Valley Drive  
Conditional Use Permit  
Summary Report

LISTING OF EXHIBITS

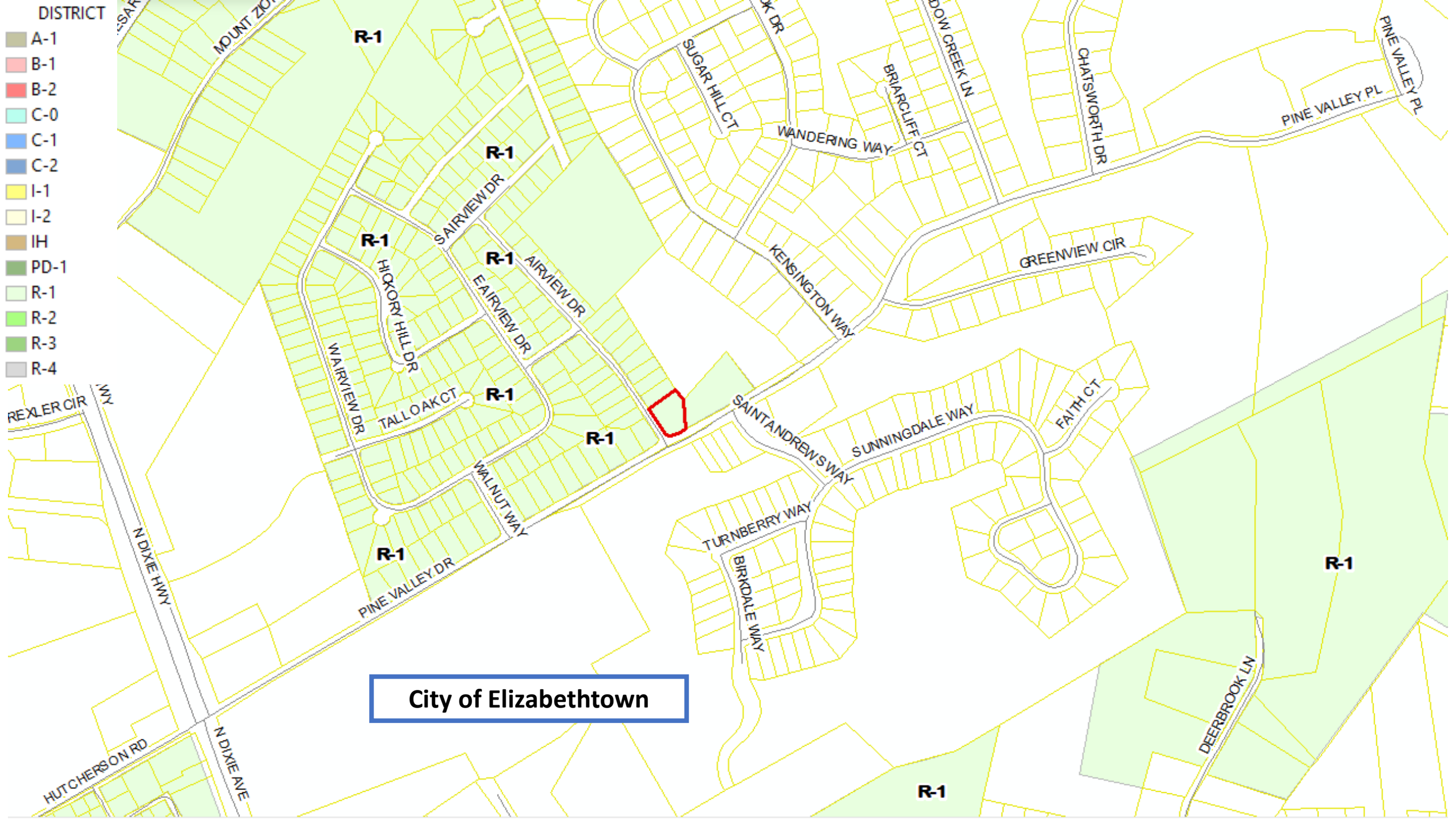
- A. Vicinity Map
  - B. Zoning Map
  - C. Natural Features
  - D. Character of the Site
  - E. Site Plan
  - F. Plans for Permanent Accessory Dwelling
  - G. Photos of the Site
  - H. Character of the Area
  - I. Approved Permanent Accessory Dwelling Size Comparison
  - J. \*Comprehensive Development Guide
  - K. \*Development Guidance System Ordinance
- \* Not Provided in PowerPoint



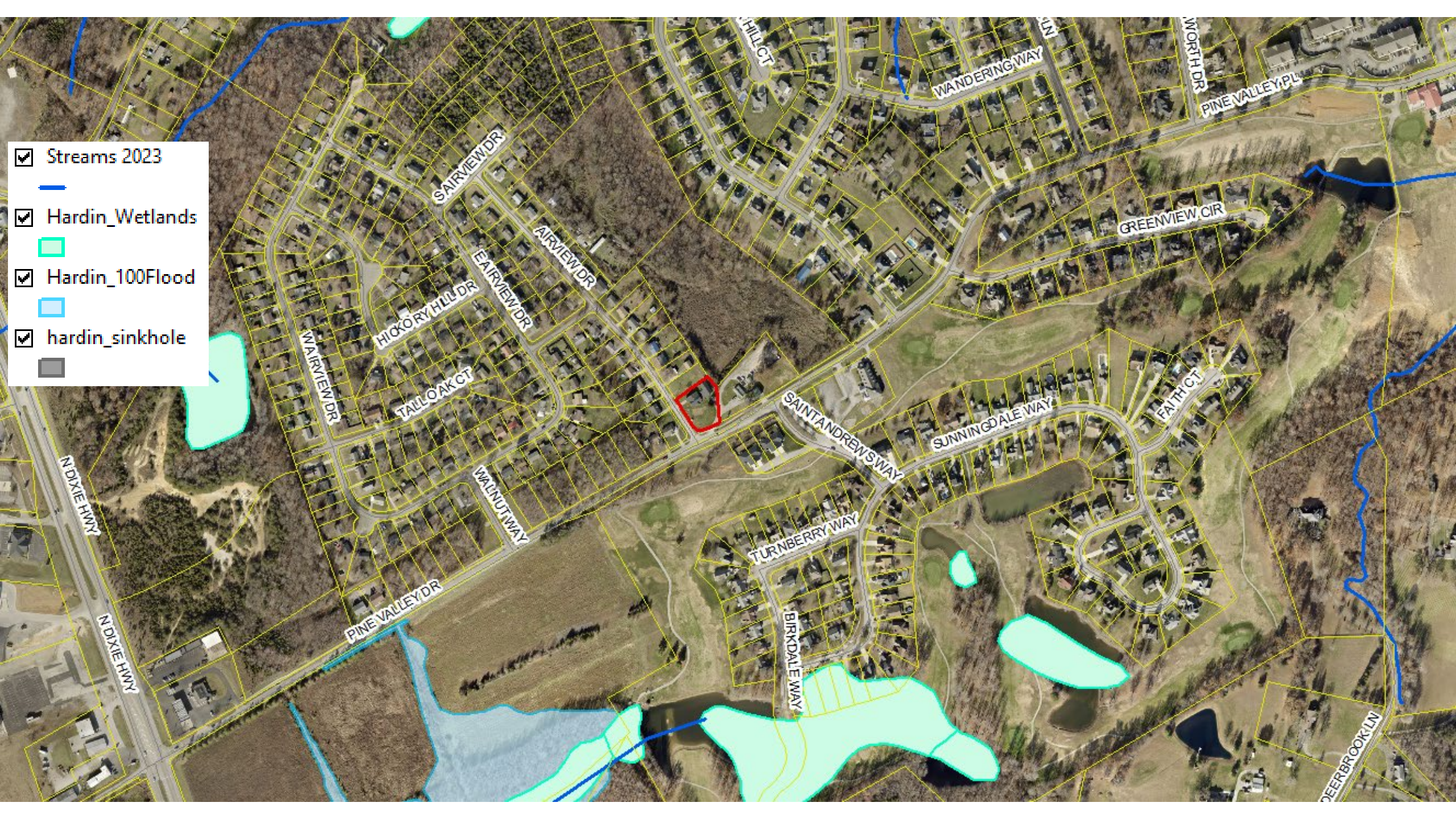
# Vicinity Map





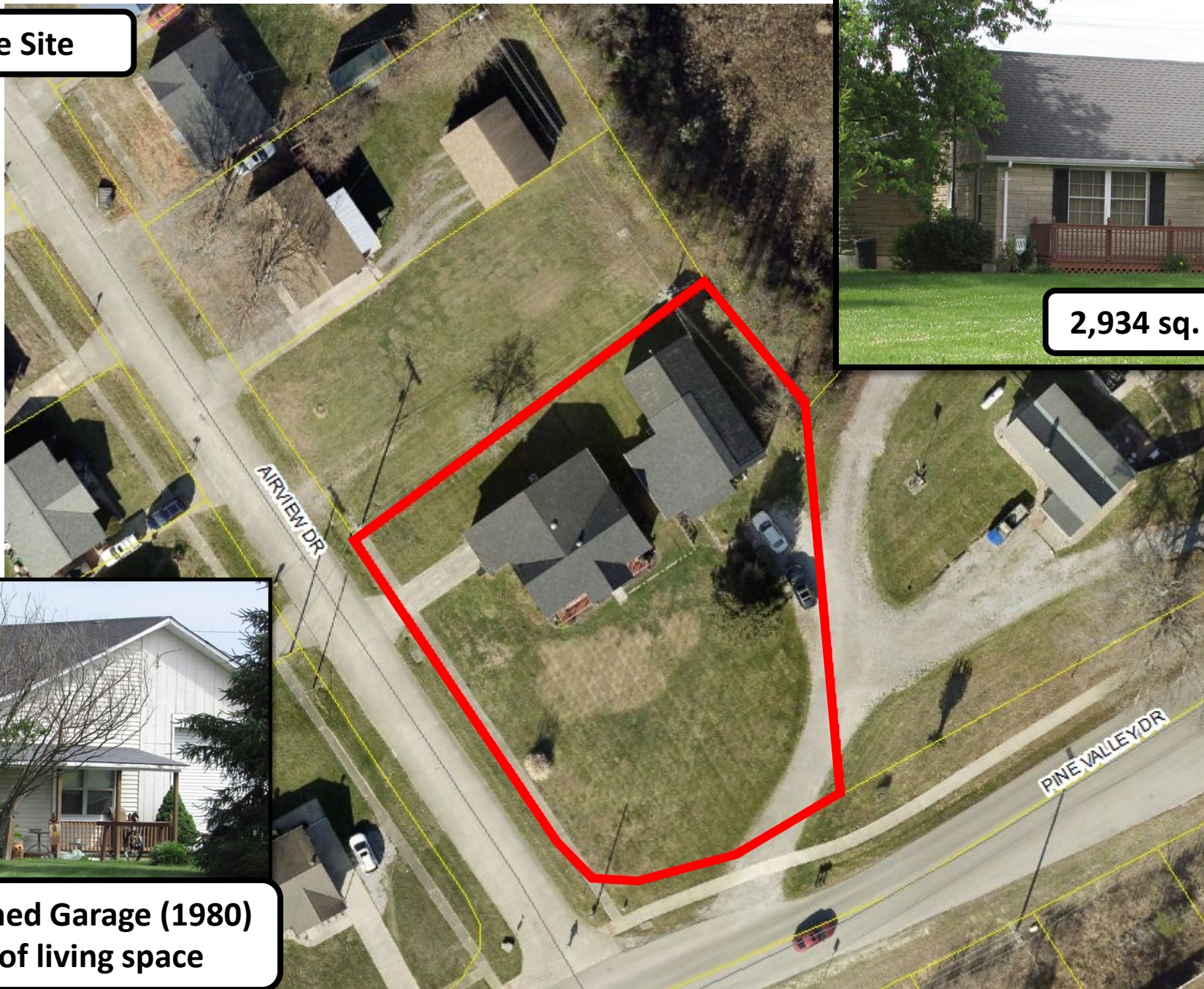








## Character of the Site



**2,934 sq. ft. Home (1978)**



**1,740 sq. ft. Detached Garage (1980)  
with 576 sq. ft. of living space**



## Site Plan

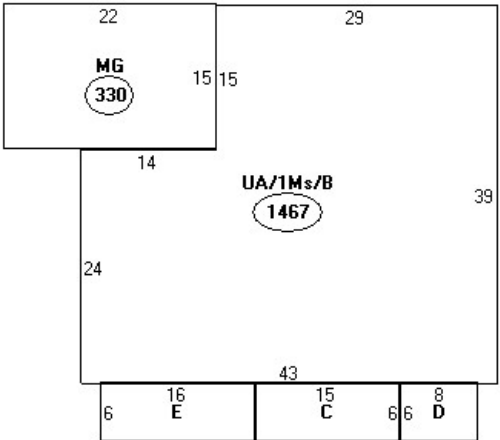
The existing detached garage already has 576 sq. ft. of living space and the applicant wants to remodel a larger portion of the garage for a total of 1,433 sq. ft. of living space







Bedford Stone Ranch (1978)  
 1,467 sq ft with a 1,467 sq ft basement



Descriptor/Area

- A: UA/1Ms/B  
1467 sqft
- B: MG  
330 sqft
- C: OFP  
90 sqft
- D: WD  
48 sqft
- E: WD  
96 sqft





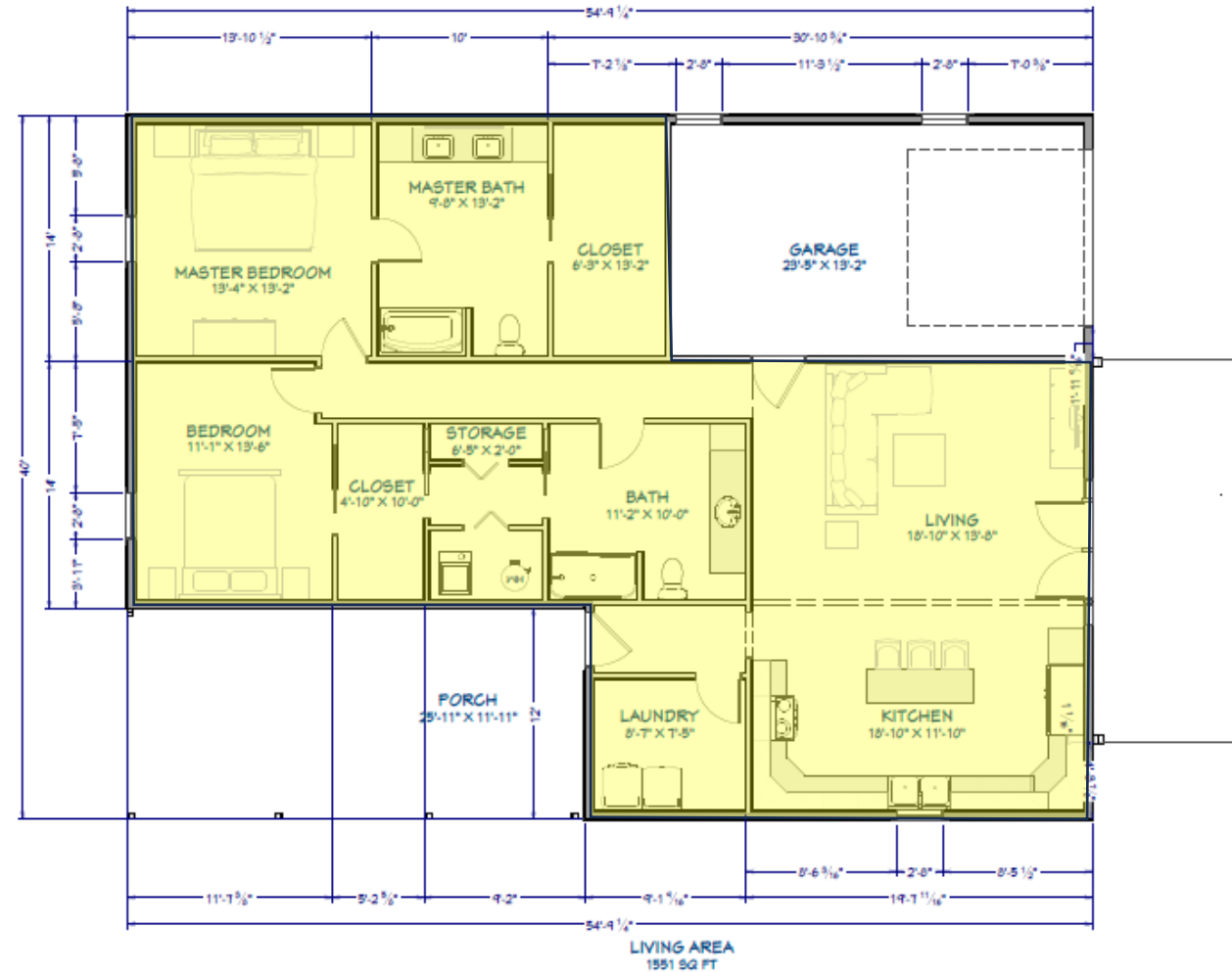
## Proposed Permanent Accessory Dwelling Floorplan/Renderings





## Proposed Permanent Accessory Dwelling Floorplan/Renderings

Proposed 1,433 sq ft. of living space (yellow)

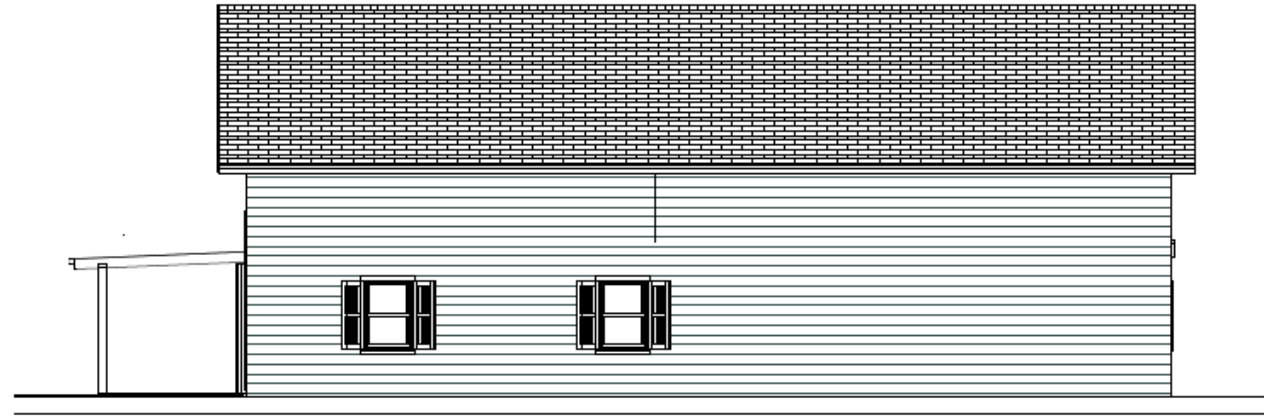


FLOOR PLAN VIEW DIMENSIONED  
1/4" = 1 FT



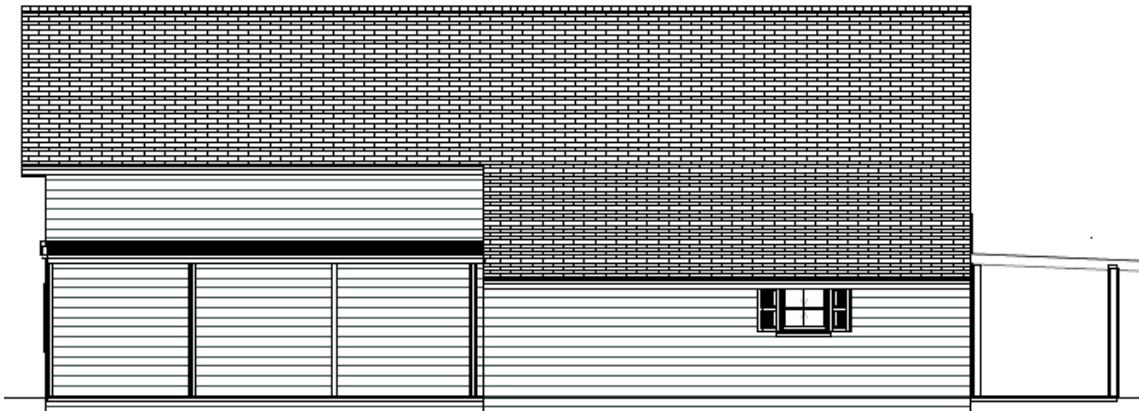


1/4 IN = 1 FT

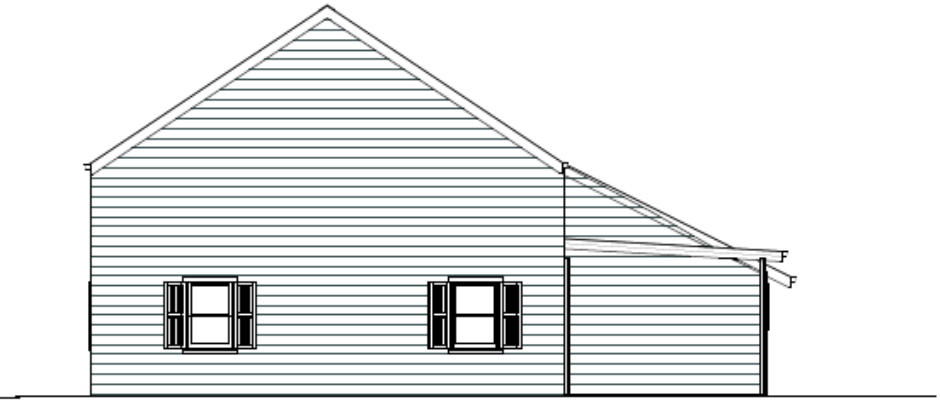


1/4 IN = 1 FT

## Proposed Permanent Accessory Dwelling Floorplan/Renderings



E5 ELEVATION 5  
1/4 IN = 1 FT



1/4 IN = 1 FT



## Proposed Permanent Accessory Dwelling Floorplan/Renderings





## Photos





























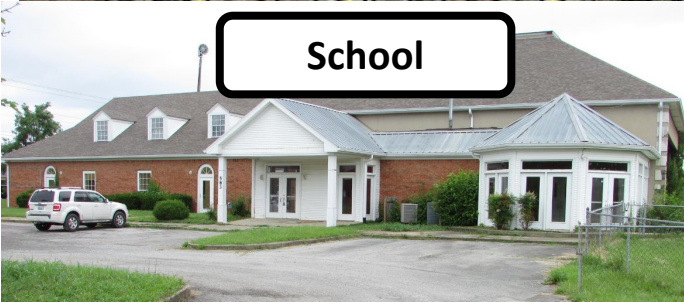




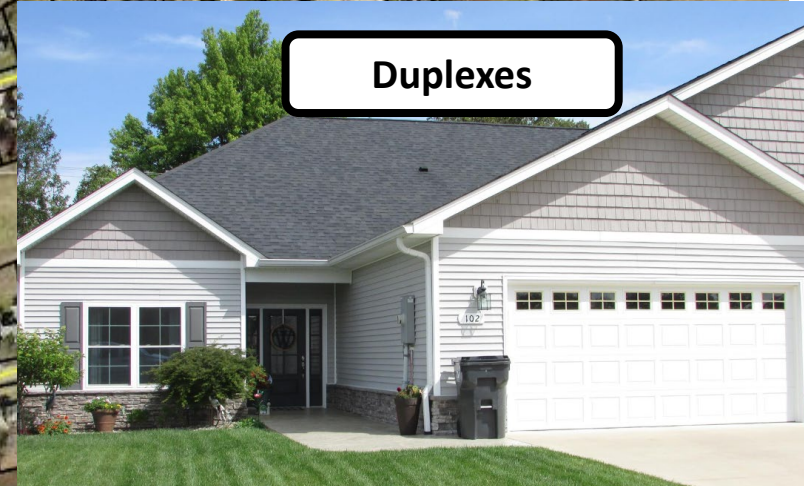
Character of the Area



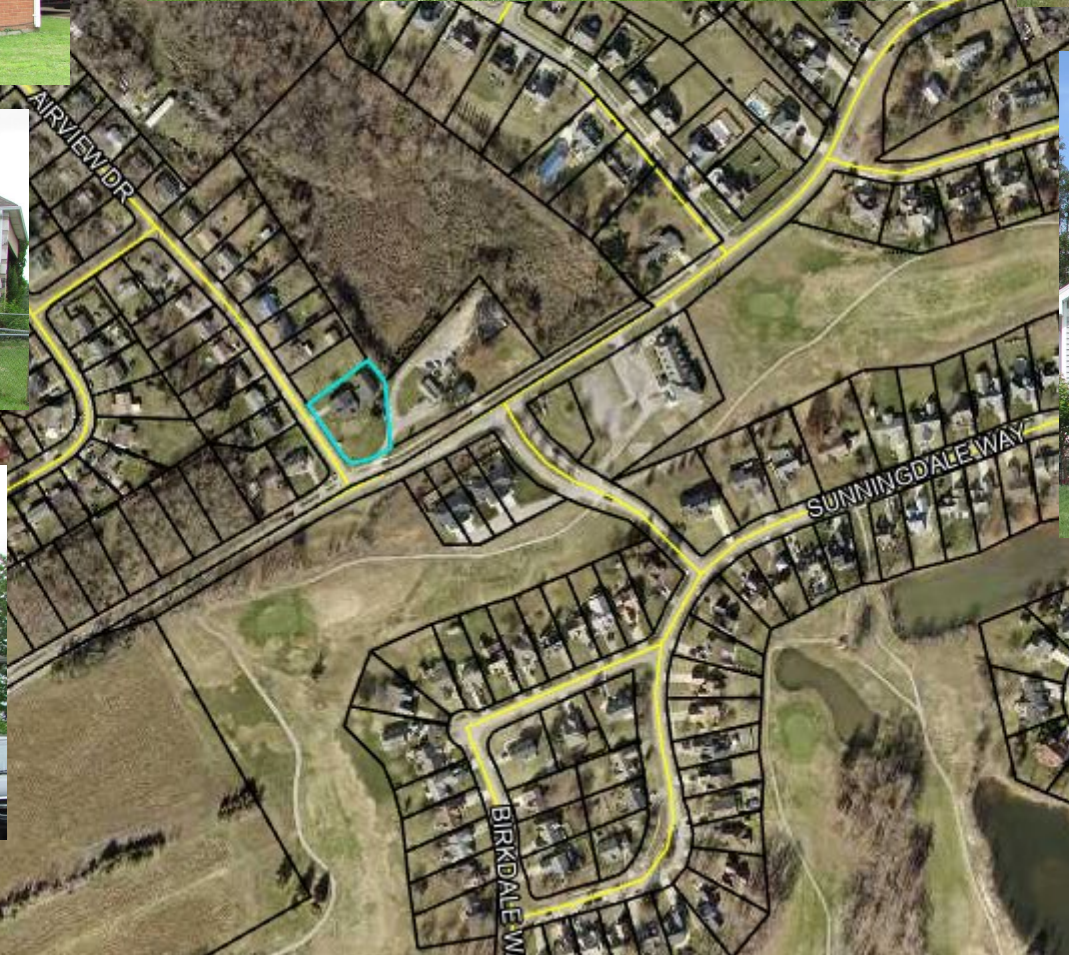
School



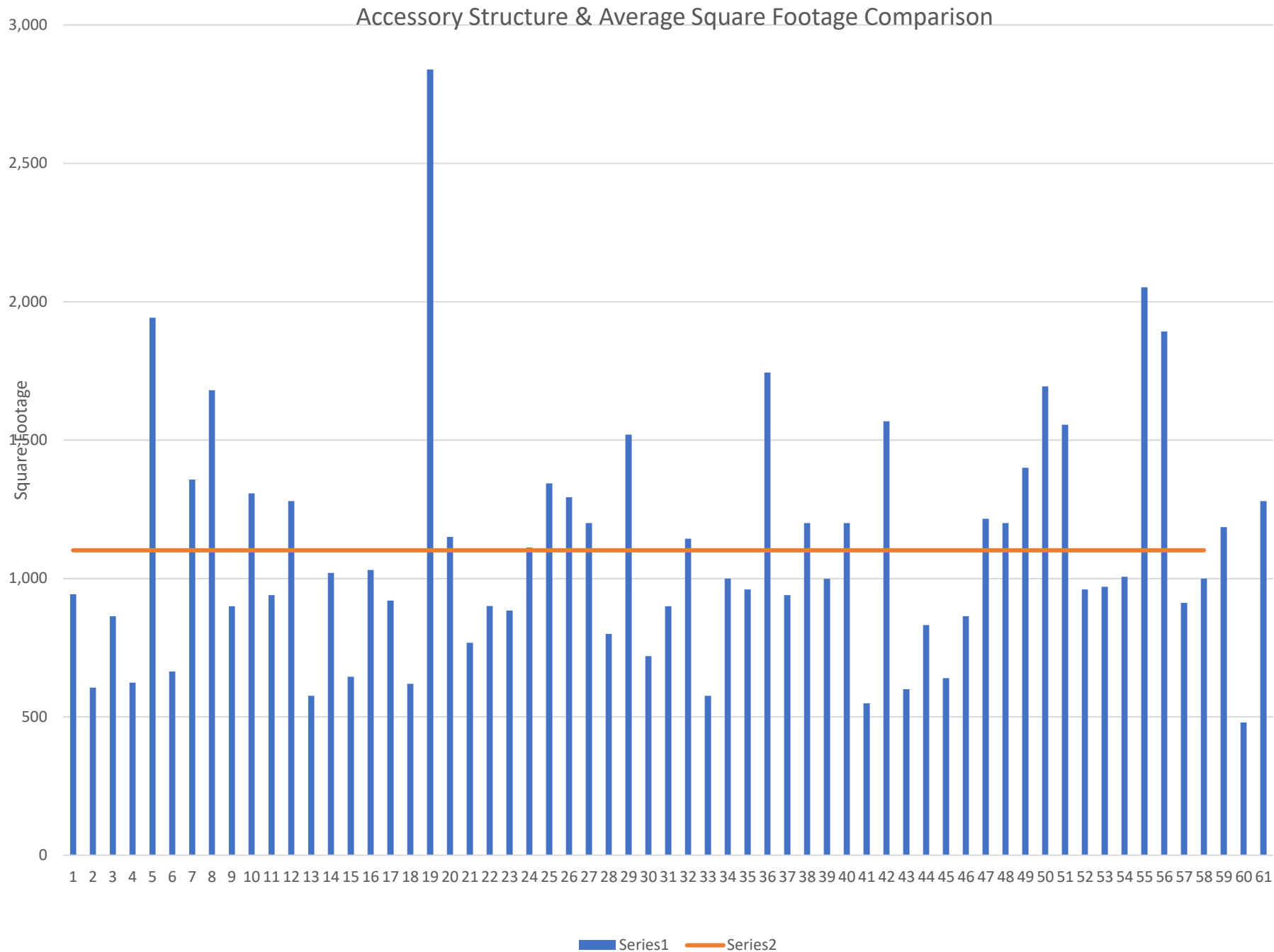
Duplexes



Golf Course







**Average of 1,102 S.F.**

Status	Count
Approved	66
Pending	2
Withdrawn	5
Denied	2
Total	75



## **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.



## 16-4 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 ensure 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.



## 16-22(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 unit 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.
10. Density. Accessory Dwelling units are not included in the minimum or maximum density calculations for a site.



**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 An existing garage to be remodeled with 1,433 sq. ft. of living space (Permanent Accessory Dwelling) in addition to the 2,934 sq. ft. home (Principal Dwelling) on site.
2. The property owner, Tracey Wathen, 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 (Owner's residence must be proven by driver's license - address).
3. Adequate on-site parking must be designated on an approved site plan.
4. The exterior finishes of the Permanent Accessory Dwelling shall remain white siding with a black shingle roof to be similar to the Principal Dwelling on the site.
5. The existing driveway entrance from Pine Valley Drive will serve the Permanent Accessory Dwelling and the existing driveway on Airview Drive will serve the Principal Dwelling.
6. The Permanent Accessory Dwelling is the proposed 1,433 S.F. garage apartment, and the pre-existing 2,934 S.F. house is the Principal Dwelling.
7. Both dwellings shall be connected to the Airview Sewer System.
8. This Permit is not transferable, and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
9. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.