

Hardin County Board of Adjustment

Minutes: 20 December 2018

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Chairman Krausman called to order the four hundredth and first meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 20 December 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Youngblood to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Youngblood announced the first item on the agenda is the request for a Variance from the front building setback to allow for the construction of a single-family dwelling. The property is a 0.227 acre site located at 207 Woods Road, Elizabethtown, KY and known as Sportsman Lake Subdivision, Block 4, Lots 28-30 within the Valley Creek Urban Area, and is zoned Urban Residential (R-1). The PVA Map number is 223-00-0D-031 and the property is owned by **MICHEAL & MYRILLIN MEYER**. Planner Thomas McIntyre reviewed the application, the history of the property, and presented exhibits. Jeremy Lynch, of Lynch Land Surveying, 457 Hayden School Rd. Elizabethtown, KY provided testimony and answered questions from the board members and staff on behalf of the applicant. Mr. Lynch explained there was no evidence of a septic lateral system and by putting the house forward they have room for a new septic system to be installed. No one spoke in opposition. Chairman Krausman closed the hearing at 5:25 p.m. Secretary Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He noted that the request is not out of character for Sportsman Lake Subdivision and that there are no safety concerns due to the narrow, one-way, dead end road with a low speed limit. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback to allow for the construction of a single-family dwelling to be no closer than 22' from the front property line. The front porch may be covered but shall not be enclosed.

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Additionally, all future structures and additions must comply with setbacks as shown on the Amended Plat.

2. An Amended Record Plat shall substitute for the required site plan.
3. A Certification of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:30 p.m. Hearing Officer Youngblood announced the second item on the agenda is a request for a Variance from the front building setback line along Demonica Street to allow for the construction of a single-family dwelling. The property is a 0.419 acre site located at the intersection of St. Ambrose Church Lane and Demonica Street, in Cecilia, KY within the Cecilia Rural Village and is zoned Urban Residential (R-1). The PVA Map number is 147-30-02-027 and the property is owned by **WILLIAM & GAIL ASHLOCK**. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. William Ashlock, of 355 St. Ambrose Church Lane Cecilia, KY provided testimony and answered questions from the board members and staff. Mr. Ashlock noted that the proposed dwelling will be no closer to Demonica Street than the existing garage. He further advised he purchased the lot 2 years ago, he had the dilapidated trailer torn down, and he will either rent or sell the home upon completion of construction. No one spoke in opposition. Chairman Krausman closed the hearing at 5:41 p.m. Vice Chairman Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He noted that the request is not out of character for the Cecilia Rural Village and that there is no safety concern on the narrow, dead end road that serves as access to only 5 properties. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback along Demonica Street to allow for the construction of a single-family dwelling no closer than 43.5' from the centerline of the road. The front porch may be covered but shall not be enclosed. All future structures and additions shall comply with building setbacks.

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

Secretary Steck provided the second. Motion passed unanimously.

At 5:45 p.m. Chairman Krausman called for consideration and action on the minutes from 8 November 2018. Secretary Steck made a motion to approve the minutes as presented, Vice Chairman Youngblood provided the second. Motion passed unanimously.

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

APA-KY CONFERENCE

Director King attended the half day Western KY Regional Planning Conference in Madisonville on November 30th. He obtained 4.5 hours of continuing education credits.

NOVEMBER 2018 REPORT

Plats Recorded: <ul style="list-style-type: none">• 9 Subdivision plats were approved for the month• 102 Subdivision plats were approved for the year	New Lots Created: <ul style="list-style-type: none">• 9 New lots approved for the month• 114 Net lots approved for the year
Building Permits: <ul style="list-style-type: none">• 13 SFD Permits for the month• 146 SFD Permits for the year• 80 Total Building Inspections for the month• 1149 Total Building Inspections for the year• 453 Total Building Permits for the year	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none">• 112 Total Permits for the month• 965 Total Permits for the year• 178 Total Electrical Inspections for the month• 1776 Total Electrical Inspections for the year

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SUBDIVISION PLATS RECORDED IN NOVEMBER

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
RALPH LEE FARM & BOUNDARY SURVEY OF GREGORY RALPH & ERIN ELIZABETH LEE PROPERTY	BACON CREEK RD	1	5.3820	9/17/2018	11/13/2018
HUFFINES SUBD.; LOT 2	3369 ST JOHN CHURCH RD	1	0.0000	8/29/2018	11/14/2018
LITTLE MEETING CREEK	18109 & 18024 SONORA HARDIN SPRINGS ROAD	3	10.2900	8/23/2018	11/14/2018
ALFALFA ACRES LOT 1	4250 N GRANDVIEW CHURCH RD.	0	1.9510	8/2/2018	11/19/2018
MEILAN MEADOWS SUBDIVISION	LIMP ROAD	2	8.0490	11/2/2018	11/20/2018
WIMP ESTATES, SECTION 3 & BOUNDARY SURVEY OF THE JOYCE WIMP FARM	309 WIMP LN.	1	2.8590	11/6/2018	11/20/2018
WINDING BROOK SUBDIVISION, LOTS 1A & 2A	BEWLEY HOLLOW ROAD	0	0.0000	11/9/2018	11/20/2018
SYCAMORE BEND, LOTS 1 & 2	SYCAMORE TRACE RD.	-1	0.0000	10/29/2018	11/21/2018
PEEBLES SUBDIVISION	3720 MILLERSTOWN RD	1	7.3950	11/6/2018	11/29/2018
Total Records: 9		8	35.9260		11/30/2018

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 17 January 2019 at 5:00 p.m. and the meeting was adjourned at 5:47 p.m.

ADOPTED AND APPROVED THIS 17th DAY OF JANUARY 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Chairman Krausman called to order the four hundredth meeting of the Hardin County Board of Adjustment at 5:03 p.m. on Thursday, 8 November 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Administrative Assistant Susan Bowen, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:05 p.m. Hearing Officer Steck announced the first item on the agenda is the request for a Conditional Use Permit to allow for the construction of a single-family dwelling in the B-2 zone and a Variance from the rear building setback line where commercial adjoins residential. The property is a 1 acre tract located at 223 High Street in Glendale, KY within the Glendale Rural Village Planning Area and is zoned Tourist/Convenience Commercial (B-2). The PVA Map number is 190-30-00-038 and the property is owned by **BRIAN & NINA CARDIN**. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Brian Cardin, of 223 High Street Glendale, KY provided testimony and answered questions from the board members and staff. Brian Cardin advised he will be building a house that resembles a barn that his family will live in and will continue to operate "Across the Tracks B&B" a bed and breakfast business in the existing home and cottage. He further advised that it's not feasible for his family and pets to live within the bed and breakfast and they will be removing 3 structures that are currently on the property. Chairman Krausman closed the hearing at 5:30 p.m. Vice Charman Youngblood stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,

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

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

1. This Conditional Use Permit shall allow for the construction of a single family dwelling in the B-2 Zone.
2. The proposed house shall be 2400 sq. ft. and constructed with wood exterior siding and a metal roof.
3. The existing 3538 sq. ft. house (circa 1910) and 480 sq. ft. cottage shall continue to be used as a Bed & Breakfast.
4. Screening in the form of landscaping or fencing shall be maintained and required along the south and west sides of the property.
5. Adequate parking for the Bed & Breakfast and single family home shall be designated on the Development Plan.
6. Heath Department approval shall be required prior to the issuance of the Certificate of Occupancy in the form of an onsite septic system or connection to the proposed HCWD #2 sewer system.
7. A Development Plan shall be submitted and approved in accordance with Development Guidance System, Section 6.
8. Building and Electrical permits must be secured through the KBC Building Program of our office.
9. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Secretary Steck provided the second. Motion passed unanimously.

At 5:33 p.m. Secretary Steck made a motion to grant a Variance from the 40' rear building setback line where commercial property adjoins residential property based on the staff presentation and the testimony provided in the public hearing. The variance to allow for a 20' rear setback is not out of character with Glendale and while the property is zoned B-2, the bed & breakfast use is residential in nature. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character

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of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

4. To allow for a Variance from the 40' rear building setback (where commercial adjoins residential) to allow for the proposed house to be 20' from the front property line.
5. A Development Plan in compliance with Section 6 of the Zoning Ordinance shall be required.
6. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:35 p.m. Chairman Krausman called for consideration and action on the minutes from 18 October 2018. Vice Chairman Youngblood made a motion to approve the minutes as presented, Secretary Steck provided the second. Motion passed unanimously.

At 5:36 p.m. Chairman Krausman called for consideration and action on the 2019 Meeting Schedule. Secretary Steck made a motion to approve the minutes as presented, Vice Chairman Youngblood provided the second. Motion passed unanimously.

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

26 YEARS OF SERVICE

Madeline Hornback celebrated 26 years of service with the Planning Commission on 2 November 2018.

5 YEARS OF SERVICE

Susan Bowen celebrated 5-years of service with the Planning Commission on 1 November 2018.

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1 YEAR OF SERVICE

Julia McBeth celebrated 1-year of service with the Planning Commission on 31 October 2018.

OCTOBER 2018 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 13 Subdivision plats were approved for the month • 93 Subdivision plats were approved for the year 	New Lots Created: <ul style="list-style-type: none"> • 18 New lots approved for the month • 106 Net lots approved for the year
Building Permits: <ul style="list-style-type: none"> • 10 SFD Permits for the month • 133 SFD Permits for the year • 137 Total Building Inspections for the month • 1069 Total Building Inspections for the year • 414 Total Building Permits for the year 	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none"> • 78 Total Permits for the month • 853 Total Permits for the year • 160 Total Electrical Inspections for the month • 1597 Total Electrical Inspections for the year

SUBDIVISION PLATS RECORDED IN OCTOBER

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
TREE TOP ESTATES; LOTS 2 & 2A	1161 & 1135 SUMMIT EASTVIEW RD	0	0	9/11/2018	10/1/2018
GARLAND HART HOME PLACE	1484 ROCK CREEK RD	2	93.276	9/14/2018	10/2/2018
AMBROOK ESTATES LOTS 43 + 44	CLYMENE RD	-1	0	8/22/2018	10/9/2018
PENDLETON SUBDIVISION; SECTION 2, LOT 2	PENDLETON LN	1	6.797	9/24/2018	10/9/2018
WALT'S HOMESTEAD	898 BURKHEAD LANE	1	7.023	9/18/2018	10/10/2018
CREWZ ACRES, LOT 2	125 EAGLE MILLS RD	1	0	1/1/1900	10/16/2018
GRIMES SUBDIVISION, SECTION 3	436 CECILIA SMITH MILL ROAD	1	1.221	10/12/2018	10/22/2018
BRUCE'S ACRES	3342 PIERCE MILL RD	1	6.005	9/27/2018	10/22/2018
TEAROSE ESTATES, LOTS 2 & 3	2267 RED MILL RD	1	0	9/28/2018	10/22/2018
SIDONIE'S ACRES	N GRANDVIEW CHURCH RD.	4	27.995	9/13/2018	10/22/2018
CASH SUBDIVISION	5056 MILLERSTOWN RD.	3	22.811	9/24/2018	10/24/2018
THE ORCHARD, LOTS 35 & 36A	205 DAMSON TRAIL	-1	0	8/24/2018	10/31/2018
COLE CREEK ESTATES; SECTION 2	1755 VALLEY CREEK RD	3	20.541	6/20/2018	10/31/2018
Total Records: 13		16	185.669	11/1/2018	

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Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 6 December 2018 at 5:00 p.m. and the meeting was adjourned at 5:40 p.m.

ADOPTED AND APPROVED THIS 20th DAY OF DECEMBER 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Chairman Krausman called to order the three hundredth and ninety ninth meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 18 October 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Member in attendance was Vice Chairman Greg Youngblood. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Secretary Steve Steck was not in attendance. Chairman Krausman appointed Board Member Youngblood to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

Director King announced in unfinished business that the application for a Conditional Use Permit to allow for a **PRIVATE CLUB-OUTDOOR GUN RANGE** by **DAC 8 INVESTMENTS** that was continued from the 6 September 2018 meeting has been withdrawn by the applicants, **JESUS & MARIA CANTU**. The site is a 28.820 acre tract located at 2199 Wonderland Cavern Rd. in Cecilia, KY within the Natural Resource Area and is zoned Heavy Industrial (I-2). The PVA Map number is 128-00-00-024.

At 5:02 p.m. Hearing Officer Youngblood announced the first item on the agenda is a request for a Variance from the Front Building Setback line to allow for the construction of a home and pole barn. The site is a 41.4 acre tract located on Beagle Club Lane in Cecilia, KY within the Natural Resource Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 082-00-00-026.04 and the property is owned by **HEATHER & DENEIL WHELAN**. Planner Thomas McIntyre reviewed the application, the history of the property, and presented exhibits. Deneil Whelan, of 6834 Rineyville Big Springs Rd. Rineyville, KY provided testimony and answered questions from the board members and staff. Deneil Whelan advised he has been a member of the Beagle Club since 1990, he doesn't want the home to be at a lower elevation than the road, the 40'x40' pole barn will have a metal exterior, and the approximately 2,000 sq ft house will have a brick exterior and a walkout basement. Mr. Whelan's request for the structures was to be 50' from the center line of Beagle Club Lane. Rachel Gati, of 360 Waterfowl Loop Rineyville, KY spoke stating she doesn't have a problem with the variance request. Renee Cox, of 11320 St. John Rd. Cecilia, KY stated it's a beautiful area and she also doesn't have an issue with the request. No one spoke in opposition. Chairman Krausman closed the hearing at 5:32 p.m. After discussion between the Board members they agreed 50' may be too close to the center line of the road despite the limited traffic on the road. They agreed 60' was more appropriate. Vice Chairman Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback line to allow for a 2,000 sq. ft. residence and 1600 sq. ft. pole barn to be no closer than 60' from the centerline of the road.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. Building & Electrical permits are required for the proposed residence and pole barn.
4. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:39 p.m. Chairman Krausman called for consideration and action on the minutes from 20 September 2018. Vice Chairman Youngblood made a motion to approve the minutes as presented, Chairman Krausman provided the second. Motion passed unanimously.

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

OKI CONFERENCE

Director King & Planner McIntyre attended the OKI Regional Planning Conference in Cincinnati on October 3-5th. They obtained over 16 hours of continuing education credits.

SEPTEMBER 2018 REPORT

Plats Recorded: <ul style="list-style-type: none">• 7 Subdivision plats were approved for the month• 80 Subdivision plats were approved for the year	New Lots Created: <ul style="list-style-type: none">• 5 New lots approved for the month• 90 Net lots approved for the year
Building Permits: <ul style="list-style-type: none">• 11 SFD Permits for the month• 123 SFD Permits for the year• 91 Total Building Inspections for the month• 930 Total Building Inspections for the year• 381 Total Building Permits for the year	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none">• 70 Total Permits for the month• 774 Total Permits for the year• 167 Total Electrical Inspections for the month• 1436 Total Electrical Inspections for the year

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SUBDIVISION PLATS RECORDED IN SEPTEMBER

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
BOXELDER HILL LOT 5 OF SECTION 2	W RHUDES CREEK ROAD	1	0.0000	9/10/2018	9/12/2018
BAMS SUBDIVISION	5629 S LONG GROVE RD	1	3.0260	6/18/2018	9/18/2018
REFFETT ESTATES SECTION 1 LOT 1C & SECTION 2 LOT 7A	3175 SOUTH DIXIE HWY	0	0.0000	4/27/2018	9/19/2018
KELANN'S CORNER	2596 RICHARDSON RD	1	3.0220	9/7/2018	9/21/2018
BRYLEIGH RIDGE	SONORA HARDIN SPRINGS RD	1	20.9700	8/16/2018	9/25/2018
RELAXING ACRES; LOTS 4 & 5	ST JOHN RD	-1	0.0000	9/12/2018	9/25/2018
BACK FORTY SUBD, SECTION 2	HORSESHOE BEND RD	1	3.0290	6/12/2018	9/25/2018
		4	30.0470		

Total Records: 7

10/4/2018

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 8 November 2018 at 5:00 p.m. and the meeting was adjourned at 5:40 p.m.

ADOPTED AND APPROVED THIS 8th DAY OF NOVEMBER 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Chairman Krausman called to order the three hundredth and ninety eighth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 20 September 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced the first item on the agenda is the request for a Conditional Use Permit to allow for an addition to an existing garage that will exceed the size of the home. The site is a 2 acre lot located at 20529 Sonora Hardin Springs Road in Eastview, KY and being Lot 4A of Faith Meadows Subdivision within the West Hardin Area and is zoned Rural Residential (R-2). The PVA Map number is 021-00-01-004.01 and the property is owned by **JAMES & ROSALEEN CASSEL**. Planner Thomas McIntyre reviewed the application, the history of the property, and presented exhibits. James Cassel, of 20529 Sonora Springs Road, provided testimony and answered questions from the board members and staff. James Cassel explained that he wants to build a lean-to on the back side of the existing garage to store a tractor, he will be using the same exterior finished materials and will be putting a cement floor in the garage. No one spoke in opposition. Chairman Krausman closed the hearing at 5:18 p.m. Secretary Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. This Conditional Use Permit shall allow for the construction of a 16'x36' addition to an existing 24'x36' garage that will exceed the size of the dwelling on site.
2. The proposed addition is for residential storage and shall not be occupied or used for any commercial activity.
3. Additional landscaping and/or screening shall not be required.
4. A Site Plan shall be submitted and approved in accordance with the Development Guidance System, Section 7.
5. Building and Electrical permits must be secured through the KBC Building Program of our office.
6. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:20 p.m. Hearing Officer Steck announced the second item on the agenda is the request for a Variance from the front building setback line to allow for the covered front porch on the home under construction. The site is a 0.695 acre lot located at 190 Beckley Woods Drive and being Lot 72 of Beckley Woods Subdivision in Elizabethtown, KY within the North Glendale Urban Area and is zoned Planned Unit Development (PD-1). The PVA Map number is 206-00-05-072, the property is owned by **WILLIAM & TERRY WILSON**, and the applicant is **PAUL BRANTINGHAM**. Planner Thomas McIntyre reviewed the application, the history of the property, and presented exhibits. Paul Brantingham, the builder, of 148 Deerbrook Lane Elizabethtown, KY provided testimony and answered questions from the board members and staff. Paul Brantingham advised that the City of Elizabethtown allows for porches to encroach into building setbacks, that he wanted to save a cherry tree that was on the lot and that dictated the home placement, and that William and Terry Wilson reduced the front porch from 7' to 5' deep so that less of a variance was required. No one spoke in opposition. Chairman Krausman closed the hearing at 5:31 p.m. Vice Chairman Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY

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REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 42.5 front setback as shown on the plat to allow for the front porch of the house to be 40.5 from the front property line.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Secretary Steck provided the second. Motion passed unanimously.

At 5:34 p.m. Hearing Officer Steck announced the third item on the agenda is the request for an Amended Conditional Use Permit to continue to allow for the storage of up to 20 vehicles on site. The site is a 3.072 acre lot located at 4399 Glendale Hodgenville Road West and being Lot 1 of Tiny J Acres in Glendale, KY located within the Natural Resource Area and is zoned Rural Residential (R-2). The PVA Map number is 170-00-00-017 and the property is owned by **AMANDA BOONE & RANDY GRAY**. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Randy Gray, of 4399 & 4431 Glendale Hodgenville Road West, Glendale, KY provided testimony and answered questions from the board members and staff. Randy Gray explained the mound is top soil and he has a backhoe on site to move dirt. Emery Martin, of 257 Airview Drive, Elizabethtown, KY spoke in favor of the request. No one spoke in opposition. Chairman Krausman closed the hearing at 5:40 p.m. Secretary Steck stated the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;

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- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. Hours of Operation shall be from 12:00 pm–9:00 pm Monday–Friday and 2:00 pm–7:00 pm on Saturday.
2. 20 vehicles may be stored on site and shall be completely screened from view of the right-of-way and adjoining properties in the designated area. The areas shall be 80'x125' gravel parking area to the west side and rear of the existing building. 10 of these vehicles may be non-operational and/or non-licensed and registered.
3. The vehicles will be screened via a 6' tall solid wood privacy fence with landscaping (5 shrubs and 2 trees) along the front side facing the road. Landscaping must be installed by May 1, 2019.
4. An inventory of vehicles on site will be conducted and maintained.
5. There shall only be no employees of the business who do not reside on the premises.
6. This Conditional Use Permit shall allow for general Auto Repair and the storage of vehicles. There shall be no retail sales of parts/vehicles.
7. This Conditional Use Permit shall be issued to the current property owners, Amanda Boone & Randall Gray and is not transferable.
8. All building activities shall conform to provisions of the Kentucky Building Code.
9. This Conditional Use Permit shall be for a period of 3 years and expire on September 20, 2021.
10. A Certificate of Land Use Restrictions shall be recorded in the Hardin County Clerk's Office.
11. An Emergency Response and Spill Prevention Plan is on file with our office and shall be required.

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Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:46 p.m. Hearing Officer Steck announced the fourth item on the agenda is the request for an Amended Conditional Use Permit to continue to allow for a junkyard to remain on the property. The site is a 3.8 acre lot located at 247 First Street in Elizabethtown, KY within the North Urban Area and is zoned Convenience Commercial (C-1). The PVA Map number is 199-20-01-001 and the property is owned by **EMERY MARTIN of Martin's Towing & Auto Storage**. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Emery Martin, of 257 Airview Drive, Elizabethtown, KY provided testimony and answered questions from the board members and staff. He advised he's requesting an extension of the Conditional Use Permit. Mr. Martin believed there to currently be 147 vehicles on site, he has two tow trucks running there a couple of times per week, and he gets along well with all of his neighbors. He further stated that he has taken fill material (from multiple torn down buildings) to the site and that he is recycling concrete and asphalt into gravel. No one spoke in opposition. Chairman Krausman closed the hearing at 6:00 p.m. Vice Charman Youngblood stated the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

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1. This property shall only be used as a Vehicle Storage Facility that is open to the public by appointment only with the sale of used auto parts permitted on Mondays and Fridays. The repair or disassembly of vehicles, crushing of vehicles shall not be permitted on the property.
2. The maximum number of vehicles permitted on site shall be 200 and shall be limited to passenger vehicle; no commercial trucks/vehicles.
3. A six-foot tall solid privacy fence, constructed of metal and wood as shown on the Development Plan, shall be installed and maintained on the property to screen vehicles from view of the right-of-way and adjoining property owners.
4. The hours of operations shall be from 8:00 am to 5:00 pm, Monday thru Saturday with no business activities on Sundays.
5. An Encroachment Permit for a Commercial Entrance shall be required from the Hardin County Road Department.
6. A "Recyclers" Permit from the KY State Transportation Cabinet shall be required as authorized by KRS 177.905 – 177.950 and 603 KAR 3:051.
7. The existing trees and vegetative screen must be maintained along the rear property line.
8. This Conditional Use Permit is temporary and shall expire 4 years from 20 September 2018 on 20 September 2022.
9. Compliance with Federal, State and Local Industrial Stormwater requirements including USEPA MSGP (Multi Sector General Permit), KDOW KPDES Permit, and all local Stormwater / Erosion Prevention and Sediment Control permits shall be required.
10. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
11. The Amended Development Plan shall be edited to illustrate a parking area for 50 additional vehicles (over the previously approved 150 spaces) behind a fence on a gravel area east of the currently approved parking area.
12. A Best Management Plan which includes an Emergency Response Plan must be prepared, submitted to the Planning Commission Staff and County Engineer for review and acceptance.
13. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
14. Fill material and debris must be removed from the entrance and be behind the fence by June 30th, 2019.
15. Vehicles outside of the fenced compound along rear property line must be moved inside of the fenced area by January 1, 2019.

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Secretary Steck provided the second. Motion passed unanimously.

At 6:15 p.m. Chairman Krausman called for consideration and action on the minutes from 6 September 2018. Vice Chairman Youngblood made a motion to approve the minutes as presented, Secretary Steck provided the second. Motion passed unanimously.

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

APA-KY EXECUTIVE COMMITTEE

Director Adam King, AICP was reelected by his professional colleagues to a 3rd term as the Secretary of the Executive Committee for APA KY. He has served on the APA KY Board since 2011.

At 6:20 p.m. Chairman Krausman called for any Unfinished Business. Director King reminded the Board Members that the previous application for a Conditional Use Permit for a Private Club – Outdoor Gun Range by DAC 8 Investments had been continued from the meeting held on 6 September 2018 to a special called meeting of the Board of Adjustment to be held on Thursday, 27 September 2018 at 5:00 p.m.

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 18 October 2018 at 5:00 p.m. and the meeting was adjourned at 6:25 p.m.

ADOPTED AND APPROVED THIS 18th DAY OF OCTOBER 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Robert Krausman, Chairman

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Chairman Krausman called to order the three hundredth and ninety seventh meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 6 September 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Member in attendance was Vice Chairman Greg Youngblood. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Youngblood to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak. Secretary Steve Steck was not in attendance.

At 5:01 p.m. Hearing Officer Youngblood announced the first item on the agenda is the request for a Conditional Use Permit to allow for a Permanent Accessory Dwelling (900 Sq. Ft. Apartment addition to existing detached garage) on the property. The site is a 19.46 acre tract located at 236 Bittersweet Dr. in Elizabethtown, KY within the North Urban Area and is zoned Urban Residential (R-1). The PVA Map number is 217-00-00-023 and the property is owned by **SAMUEL & MAGGIE TURNER**. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Samuel Turner, of 236 Bittersweet Dr. Elizabethtown, KY provided testimony and answered questions from the board members and staff. Samuel Turner advised they want to build the addition so that they can help take care of his brother-in-law, Dickie Potts, who has ALS. He further stated that the garage already has separate electric and septic in place. No one spoke in opposition. Chairman Krausman closed the hearing at 5:14 p.m. Vice Charman Youngblood stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. The property owner, Samuel & Maggie Turner, must occupy either the principal dwelling unit or the accessory dwelling as their principal residence, and at no time receive rent for the owner-occupied unit.
2. Adequate on site parking must be designated on an approved site plan.
3. A Shared driveway shall be required.
4. The Permanent Accessory Dwelling is a 900 sq. ft. proposed apartment at the rear of the existing detached garage and the Principal Dwelling is the existing 3007 sq. ft. home.
5. The Permanent Accessory Dwelling shall be located in the rear yard and shall be located as illustrated on the Approved Site Plan and in accordance with building setback lines.
6. The exterior finish materials of the Permanent Accessory Dwelling must be the same and visually match the Principal Dwelling on Site (grey vinyl siding with a shingled roof).
7. The Permanent Accessory Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
8. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
9. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:15 p.m. Hearing Officer Youngblood announced the second item on the agenda is the request for a Conditional Use Permit to allow for a Boat Repair & Storage Business in the I-2 Zone. The site is a 1.390 acre tract known as Lot 27A of Waco Subdivision and located at 56 Quarry Ridge Court West in Elizabethtown, KY within the Bardstown Road Corridor and is zoned Heavy Industrial (I-2). The PVA Map number is 243-00-07-027 and the property is owned by **WILFORD FIELDS & SONS LLC**. and the applicant is **NEIL BOWEN of KY Boat Life**. Planner Thomas McIntyre reviewed the application, the history of the property, and presented exhibits. Neil Bowen, of 207 Bowman Ct., Mt. Washington, KY provided testimony and answered questions from the board members and staff. Neil stated that he mainly repairs boats, his hours of operation are from 9 a.m.

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to 6 p.m. Monday through Friday, and 9 a.m. to 2 p.m. on Saturdays. He advised that his fiancé works with him, he will have security cameras on the building, and a single sign on the building. No one spoke in opposition. Chairman Krausman closed the hearing at 5:32 p.m. Vice Charman Youngblood stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. Business Hours of Operation shall be from 9 AM to 6 PM Monday – Friday & 9 AM to 2 PM Saturday.
2. Additional landscaping or screening shall not be required.
3. This Conditional Use Permit shall allow for Boat Repair with Paint Body work not being permitted.
4. This property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
5. An existing Development Plan is on file for the property. Any additional construction shall require an Amended Development Plan.
6. This Conditional Use Permit shall be issued to the current property owners, Wilford Fields & Sons, and applicant, Neil Bowen of KY Boat Life. It is not transferable.
7. All building activities shall conform to provisions of the Kentucky Building Code.

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8. This Conditional Use Permit be for a period of 5 years and expire on September 6, 2023.
9. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
10. An Emergency Response and Spill Prevention Plan shall be required to include the storage and containment of fluids and chemicals.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:34 p.m. Hearing Officer Youngblood announced the third item on the agenda is the request for a Conditional Use Permit to allow for a Private Club-Outdoor Gun Range on the property. The site is a 28.820 acre tract located at 2199 Wonderland Cavern Rd. in Cecilia, KY within the Natural Resource Area and is zoned Heavy Industrial (I-2). The PVA Map number is 128-00-00-024 and the property is owned by **DAC 8 INVESTMENTS, LLC.** and the applicants are **JESUS & MARIA CANTU.** Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Jesus & Maria Cantu, of 1402 Windsor Court Elizabethtown, KY provided testimony and answered questions from the board members and staff. Jesus advised that he & his wife are both retired military, they would have roughly 100-150 members, their hours of operation would be dawn to dusk, 7 days a week, and every member would have a code to the lock on the gate. They further stated they want to create an atmosphere of comradery for law enforcement officials, members of the military, and first responders. Maria Cantu mentioned there would be rules for all members, they will have a 4' X 2' sign, and a security system. Bryan Hornback, of 1585 South Long Grove Rd. Glendale, KY spoke in opposition with concerns ranging from increased noise levels, decreased property values, and the safety of his family. Cindy Pahl, of 1525 Star Mills Eastview Rd. Glendale, KY expressed her opposition due to the noise level, safety for her family due to the potential of stray bullets, and her livestock's safety. Jason Gray, of 2166 Wonderland Cavern Rd. Cecilia, KY spoke advising that he was in opposition due to congested traffic, safety, and the noise level. Brandon Pots, of 157 Star Mills Eastview Rd. Glendale, KY stated he was in opposition based on safety concerns for his neighbors, maximum flight travel of bullets, and legality of mixing explosives on site. Rita Polk, of 606 Bush Ln. Elizabethtown, KY spoke in opposition because of her safety concerns for 3 different endangered species of bats that live in Wonderland Cave and the noise level. Richard Thomas, of 1055 Star Mills Eastview Rd. Glendale, KY advised he was opposed due to the noise levels, the safety of his family, and his horses. Michael Love, of 1485 S. Long Grove Rd. Glendale, KY spoke stating he has issues with the constant sound of gunshots, his family lives close by, he believes the organization will have more than 100 members, and when you commercialize anything, it changes the atmosphere of the area. Trinity Searcy, of 445 Star Mills Eastview Rd. Glendale, KY was in opposition based on the potential for lead contamination in his drinking water, the safety of his children, and concerns with explosives being transported on Wonderland Cavern Rd.

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Wayne Napper, of 417 Wonderland Cavern Rd. Cecilia, KY advised he is the pastor of Church of God of Prophecy, he is opposed based on the safety of children playing outside of the church, increase in traffic, and noise concerns. Dean Dailey, of 279 Star Mills Eastview Rd. Glendale, KY stated he was opposed and that there is already a nice gun range at the landfill that law enforcement uses. Roger Grimes, of 1859 Star Mills Rd. Glendale, KY spoke in opposition with safety concerns when his family is hunting and the increase in noise. Vice Chairman Youngblood made a motion to table the hearing at 7:00 p.m. to allow the Board Members the opportunity to make a site visit to the property. The Hearing will be continued to Thursday, September 27, 2018 at 5:00 PM and will remain open for additional testimony. Chairman Krausman provided the second. Motion passed unanimously.

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

AUGUST 2018 REPORT

Plats Recorded: <ul style="list-style-type: none">• 9 Subdivision plats were approved for the month• 73 Subdivision plats were approved for the year	New Lots Created: <ul style="list-style-type: none">• 13 New lots approved for the month• 95 Net lots approved for the year
Building Permits: <ul style="list-style-type: none">• 15 SFD Permits for the month• 112 SFD Permits for the year• 101 Total Building Inspections for the month• 835 Total Building Inspections for the year• 337 Total Building Permits for the year	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none">• 118 Total Permits for the month• 704 Total Permits for the year• 218 Total Electrical Inspections for the month• 1267 Total Electrical Inspections for the year

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SUBDIVISION PLATS RECORDED IN AUGUST

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Complete d Date	Final Date
HINTON FARM DIVISION TRACT 6 & SETTLERS CREST SECTION 3	GRACELAND TRAIL	1	23.4570	7/19/2018	8/1/2018
MANCO SUBD.; SECTION 2	592 LEASOR LN	1	1.0000	7/9/2018	8/10/2018
BLUE BALL HILL ESTATES	8075 RINEYVILLE RD	2	6.6470	8/2/2018	8/20/2018
RICKY'S ACRES SUBDIVISION	14345 SONORA HARDIN SPRINGS RD	3	30.3940	8/17/2018	8/23/2018
CHAMBERS HILL ESTATES, SECTION 4, LOT 8	595 HALL RD	1	3.4200	8/9/2018	8/24/2018
BURCHETTE'S ACRES SUBDIVISION	1042 UPPER COLESBURG RD	1	7.8990	8/17/2018	8/27/2018
EVANS SQUARE SUBD, LOTS 4 & 5	FRANKLIN LN	0	0.0000	8/3/2018	8/28/2018
TRUBY ACRES SUBDIVISION	6532 HARDINSBURG RD	1	20.2090	8/7/2018	8/28/2018
HORSE LOVERS' DELIGHT, SECTION 2, LOT 4	1589 NOLIN RD	0	0.0000	8/21/2018	8/31/2018
		10	93.026		

Total Records: 9

9/4/2018

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 20 September 2018 at 5:00 p.m. and the meeting was adjourned at 7:21 p.m.

ADOPTED AND APPROVED THIS 20th DAY OF SEPTEMBER 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 16 August 2018

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Chairman Krausman called to order the three hundredth and ninety sixth meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 16 August 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced the first item on the agenda is the request for a Variance from the 200' minimum road frontage and the 1:3 width-to-length ratio to allow for a proposed two lot subdivision. The site is a 10.2 acre site located on the east side of Cash Road in Upton, KY within the South Hardin Area and is zoned Rural Residential (R-2). The PVA Map number is 134-00-00-027 and the property is owned by **MICHAEL & DIANE CARDIN**, and the applicant is **BRIAN DAVIS**. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Brian Davis, of 1345 Windgard Dr. Radcliff, KY provided testimony and answered questions from the board members and staff. He advised that he and his brother are going to divide the property, each build a house, and have a shared driveway. He plans to build a small home, barn, & have a garden. No one spoke in opposition. Chairman Krausman closed the hearing at 5:28 p.m. Vice Chairman Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 200' minimum road frontage requirement and from the 1:3 lot width-to-length ratio for the proposed two lot subdivision.
2. A Shared Driveway shall be required.
3. A Record Plat shall substitute for the required site plan.
4. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Hardin County Board of Adjustment

Minutes: 16 August 2018

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Secretary Steck provided the second. Motion passed unanimously.

At 5:45 p.m. Chairman Krausman called for consideration and action on the minutes from 2 August 2018. Secretary Steck made a motion to approve the minutes as presented, Vice Chairman Youngblood provided the second. Motion passed unanimously.

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

16 YEARS OF SERVICE

Ed Bryan, Building Inspector, celebrated 16-years of service with the Planning Commission on 31 July 2018.

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 6 September 2018 at 5:00 p.m. and the meeting was adjourned at 5:47 p.m.

ADOPTED AND APPROVED THIS 6th DAY OF SEPTEMBER 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Robert Krausman, Chairman

Hardin County Board of Adjustment

Minutes: 2 August 2018

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Chairman Krausman called to order the three hundredth and ninety fifth meeting of the Hardin County Board of Adjustment at 5:02 p.m. on Thursday, 2 August 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:03 p.m. Hearing Officer Steck announced the first item on the agenda is the request for an Amended Conditional Use Permit to continue to allow for a Temporary Accessory Dwelling (14' x 66' manufactured home) to remain on the property. The site is a 9.79 acre site located at 15915 & 15911 Sonora Hardin Springs Road in Eastview, KY within the West Hardin Area and is zoned Rural Residential (R-2). The PVA Map number is 058-00-00-013.01 and the property is owned by Don Becker, Lisa Domingue, & Shirley Lee Hancock. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Donald Becker, of 15915 Sonora Hardin Springs Road Eastview, KY provided testimony and answered questions from the board members and staff. Donald Becker stated his aunt was the original CUP applicant, she passed away 2 years ago, and the power to the manufactured home was turned off at that time. He further advised that his son, Donald Becker Jr., will be residing in the manufactured home, he turns 18 on September 11, 2018, and they plan to have the lot surveyed this winter so that eventually the manufactured home and house would be on separate lots. No one spoke in opposition. Chairman Krausman closed the hearing at 5:19 p.m. Secretary Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,

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

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

1. The Temporary Accessory Dwelling is the 14'x66' manufactured home on site and shall be a temporary use for no longer than 3 additional years and expire on 8/2/2021.
2. The Temporary Accessory Dwelling is for a family need situation and shall only be occupied by the owner's son, Donald Becker Jr. and his immediate family.
3. The Temporary Accessory Dwelling shall not be available to the public for rent.
4. Upon the vacancy of the Temporary Accessory Dwelling, it must be removed from the property within six (6) months.
5. The Temporary Accessory Dwelling shall have a sewerage system (septic tank and lateral lines) approved by the Environmental Services Office of the Hardin County Health Department.
6. The Temporary Accessory Dwelling shall be placed on the property as illustrated on the Site Plan.
7. This Conditional Use Permit shall be issued to the current property owners, Don Becker, Lisa Domingue and Shirlee Hancock, and shall expire when the property is transferred and not be transferable to another property owner.
8. A Site Plan in compliance with Section 7 of the Zoning Ordinance is on file with our office.
9. The skirting on the manufactured home must be maintained.
10. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
11. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:22 p.m. Chairman Krausman called for consideration and action on the minutes from 19 July 2018. Vice Chairman Youngblood made a motion to approve the minutes as presented, Secretary Steck provided the second. Motion passed unanimously.

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

APA-KY EXECUTIVE COMMITTEE MEETING

Adam hosted the Executive Committee Meeting of the KY Chapter of the American Planning Association at the Hardin County Government Building on Friday July 20th. There were planners in attendance from Owensboro, Louisville, Northern Kentucky and Elizabethtown.

CONTINUING EDUCATION

Steve Steck & Greg Youngblood attended a Planning & Zoning Training hosted by the KY League of Cities on Thursday July 26th in Cave City, KY and each obtained 8 hours of continuing education hours.

JULY 2018 REPORT

Plats Recorded: <ul style="list-style-type: none">• 6 Subdivision plats were approved for the month• 64 Subdivision plats were approved for the year	New Lots Created: <ul style="list-style-type: none">• 4 New lots approved for the month• 82 Net lots approved for the year
Building Permits: <ul style="list-style-type: none">• 21 SFD Permits for the month• 97 SFD Permits for the year• 109 Total Building Inspections for the month• 734 Total Building Inspections for the year• 297 Total Building Permits for the year	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none">• 102 Total Permits for the month• 586 Total Permits for the year• 163 Total Electrical Inspections for the month• 1047 Total Electrical Inspections for the year

SUBDIVISION PLATS RECORDED IN JULY

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
PENNY PINCH FARMS	BARDESTOWN ROAD	1	45.2800	5/30/2018	7/2/2018
LONGVIEW ESTATES, SECTION 2, LOTS 71 & 72	758 MEADOWVIEW	-1	0.0000	6/8/2018	7/10/2018
CORBIT SUBDIVISION, LOTS 3 & 4	1701 ST JOHN RD	1	0.0000	6/21/2018	7/10/2018
LORA ACRES, LOTS 9 & 10	55 IRELAND SCHOOL ROAD	-1	0.0000	6/7/2018	7/20/2018
O'BRYAN AUTO AUCTION	6915 S DIXIE HWY	1	13.5000	6/15/2018	7/25/2018
SERENE OAKS, SECTION 2, LOTS 60 & 61	134 BOGGS COURT	1	0.0000	7/13/2018	7/25/2018
		2	58.7800		

Total Records: 6

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Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 16 August 2018 at 5:00 p.m. and the meeting was adjourned at 5:27 p.m.

ADOPTED AND APPROVED THIS 16th DAY OF AUGUST 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

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Chairman Krausman called to order the three hundredth and ninety fourth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 19 July 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced the first item on the agenda is the request for a Conditional Use Permit to allow for the construction of a 48'x60' pole barn that exceeds the size of the home on site. The site is a 2.657 site located at 160 Heritage Trail and being Lot 5A of Heritage Estates in Rineyville, KY within the Rineyville Rural Village and it is zoned Urban Residential (R-1). The PVA Map number is 121-00-01-005 and the property is owned by **ROBERT & CYNTHIA MCLAIN**. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Cindy McLain, of 160 Heritage Trail Rineyville, KY provided testimony and answered questions from the board members and staff. Cindy McLain advised they want to build the pole barn to house their motor home, they currently pay to have the motor home stored, the building will be 16' tall with a concrete floor, and it will be made out of metal. Henry Drake, of 305 Heritage Trail Rineyville, KY spoke with questions regarding what color the building would be, who the contractor is, how long will it take to be built, and when will it be built. Robert McLain, of 160 Heritage Trail Rineyville, KY advised the building will match their house's brick, Kurtz Builders are their contractors, and that construction will start next month. He further advised it will take 2-3 months to build the pole barn and they will have plumbing, water, and electric. Emily Drake, of 305 Heritage Trail Rineyville, KY asked if there will be an additional driveway for the rear door of the building. Robert McLain, of 160 Heritage Trail Rineyville, KY advised their plans are not to put in an extra driveway at this time and he currently backs the motor home onto their driveway. Cindy McLain, of 160 Heritage Trail Rineyville, KY stated they have to run a generator once a month and the rear door of the pole barn will allow the exhaust to go out of the building. Chairman Krausman closed the hearing at 5:22 p.m. Secretary Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance system Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;

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- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. This Conditional Use Permit shall allow for the construction of a 48'x60' pole barn on site that exceeds the size of the dwelling.
2. The proposed structure is for residential storage and shall not be occupied or used for any Commercial Activity.
3. The garage shall be metal sided with a metal roof in a color scheme to match the house.
4. Additional landscaping and/or screening shall not be required.
5. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
6. Building and Electrical permits must be secured thru the KBC Building Program of our office.
7. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:23 p.m. Hearing Officer Steck announced the second item on the agenda is the request for a Conditional Use Permit to allow for an Automotive Repair Business on the property. The site is a 17 acre site located at 575 James Duvall Lane in Cecilia, KY within the Natural Resource Area and is zoned Rural Residential (R-2). The PVA Map number is 084-00-00-010 and the property is owned by **PHILLIP & VERONICA REESOR**. Planner Thomas McIntyre reviewed the application, the history

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of the property, and presented exhibits. Phillip Reesor, of 575 James Duvall Lane Cecilia, KY provided testimony and answered questions from the board members and staff. Phillip Reesor stated his hobby has become his full time business, he has been working hard to get things cleaned up on his property, he doesn't have any employees, and he has lived there for 31 years. He further advised that he usually has less than 20 vehicles total on site, he doesn't advertise his business, has no signage, and he has no more than 3 customers a day. John Johnson, of 742 James Duvall Lane Cecilia, KY spoke stating that he has only good things to say about Phillip Reesor, he is just trying to make a living, and that he is a good man who has always taken good care of things. Chairman Krausman closed the hearing at 5:56 p.m. Secretary Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. Business Hours of Operation shall be from 8 AM to 8 PM Monday-Saturday.
2. There shall be only 20 vehicles parked outdoors on site at any one time.
3. The staff will conduct a Site Visit in 6 months (19 January 2019) to verify compliance with the number of vehicles on site.
4. Evergreen trees (5' tall planted 10' on center spanning 120') shall be planted

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along the south side of the 50'x40' pole building to assist with screening the vehicles from view.

5. All of the auto parts must be moved to not be visible from the right-of-way and adjoining properties within 60 days.
6. There shall be no employees of the business who do not reside on the premises.
7. This Conditional Use Permit shall allow for general Auto Repair with Paint & Auto Body work not being permitted.
8. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
9. This Conditional Use Permit shall be issued to the current property owner, Phillip Reesor, and is not transferrable.
10. All building activities shall conform to provisions of the Kentucky Building Code.
11. This Conditional Use Permit shall be for a period of 3 years and expire on 7/19/2021.
12. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
13. An Emergency Response and Spill Prevention Plan shall be required.

Secretary Steck provided the second. Motion passed unanimously.

At 6:05 p.m. Chairman Krausman called for consideration and action on the minutes from 21 June 2018. Vice Chairman Youngblood made a motion to approve the minutes as presented, Secretary Steck provided the second. Motion passed unanimously.

At 6:06 p.m. Chairman Krausman called for consideration and action on the Annual Election of Officers. Secretary Steck made a motion for the current Officers to maintain their designated offices, Vice Chairman Youngblood provided the second. Motion passed unanimously.

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

6 MONTHS OF SERVICE

Planner Thomas McIntyre celebrated the successful completion of his six month probationary period with the Planning Commission.

JUNE 2018 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 13 Subdivision plats were approved for the month • 58 Subdivision plats were approved for the year 	New Lots Created: <ul style="list-style-type: none"> • 24 New lots approved for the month • 80 Net lots approved for the year
Building Permits: <ul style="list-style-type: none"> • 12 SFD Permits for the month • 76 SFD Permits for the year • 116 Total Building Inspections for the month • 619 Total Building Inspections for the year • 264 Total Building Permits for the year 	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none"> • 110 Total Permits for the month • 484 Total Permits for the year • 207 Total Electrical Inspections for the month • 884 Total Electrical Inspections for the year

SUBDIVISION PLATS RECORDED IN JUNE

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
HILLCREEK FARMS, SECTION 1, LOTS 1, 2, & 3 & RECORD PLAT OF LEIGH FAMILY CEMETERY	622 HILLCREEK DR	0	0.0000	5/17/2018	6/1/2018
TMG ACRES SUBDIVISION	4232 BACON CREEK ROAD	1	16.3500	4/9/2018	6/4/2018
BRIZENDINE SUBD; LOTS 3 & 4	TYSON LANE	-1	0.0000	5/25/2018	6/5/2018
WINK ACRES	13225 S DIXIE HWY	2	24.5000	3/26/2018	6/11/2018
PLEASANT VALLEY MANOR, SECTION 3, LOTS 36A & 38	CORVIN LANE	-1	0.0000	4/13/2018	6/11/2018
HORSE LOVERS' DELIGHT, SECTION 2	1589 NOLIN RD	2	16.8360	5/15/2018	6/12/2018
DETER ESTATES	N LONG GROVE RD	3	24.4020	5/17/2018	6/12/2018
LITTLE SPRINGS SUBDIVISION LOT 3 & WEIKEL ESTATES SECTION 1, LOT 9	3771 N GRANDVIE W CHURCH ROAD	-1	0.0000	5/14/2018	6/13/2018
SEAGRAVES FARM DIVISION, SECTION TWO	208 STARKY LANE	3	39.3600	6/5/2018	6/15/2018
KIDDER ESTATES	SALT RIVER RD	9	60.3630	6/11/2018	6/15/2018
LASTINGER ACRES	CANN SCHOOL LN	2	22.3580	4/19/2018	6/20/2018
AUDIE FLOYD RIDGE ESTATES	8601 BARDSTOW N ROAD	2	25.0000	4/27/2018	6/21/2018
DEBORAH ESTATES LOTS 39 & 40	319 GLENWOOD DR	-1	0.0000	5/9/2018	6/21/2018
		20	229.1690		

Total Records: 13

7/12/2018

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Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 2 August 2018 at 5:00 p.m. and the meeting was adjourned at 6:07 p.m.

ADOPTED AND APPROVED THIS 2nd DAY OF AUGUST 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 21 June 2018

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Chairman Krausman called to order the three hundredth and ninety third meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 21 June 2018 in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced the first item on the agenda is the request for a Variance from the 40' front building setback line to allow for a proposed 14' x 32' storage shed. The site is a 2.5 acre site located at 487 Shipley Road, in Cecilia, KY within the West Hardin Area and is zoned Rural Residential (R-2). The PVA Map number is 053-00-00-023.01 and the property is owned by **MARCUS & MEGAN BATES**. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Marcus Bates, of 487 Shipley Road Cecilia, KY provided testimony and answered questions from the board members and staff. Marcus Bates spoke advising that his mother-in-law lives with his family, there are 3 vehicles in the parking area, and the shed is for storage. He further explained that the shed isn't causing any line of sight or any drainage issues. No one spoke in opposition. Chairman Krausman closed the hearing at 5:12 p.m. Secretary Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing due to the 25 per mile speed limit, the existing mature trees between the road and the building, and due to the existing sink hole on the property. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback line to allow for the proposed 14'x32' storage shed to be no closer than 48' from the centerline of the road.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.

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5. Building & Electrical permits are required for the proposed storage shed.
6. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:15 p.m. Hearing Officer Steck announced the second item on the agenda is the request for a Variance from the front building setback to allow for a proposed 6'x12' addition to the house. The site is a 1.0 acre site located at 191 Rineyville Big Springs Road in Radcliff, KY within the North Urban Area and is zoned Urban Residential (R-1). The PVA Map number is 182-20-00-032 and the property is owned by **BRADEN & BARRY BORDERS**. Planner Thomas McIntyre reviewed the application, the history of the property, and presented exhibits. Braden Borders, of 191 Rineyville Big Springs Road Radcliff, KY provided testimony and answered questions from the board members and staff. Braden Borders advised that they purchased the home 4 months ago, the front pitch of the roof is too low resulting in water leaks, and the proposed addition would allow them to fix the roof. Bobby Skaggs, of 192 Rineyville Big Springs Road Radcliff, KY spoke in opposition due to his concerns regarding the home's septic system being non-existent or failing. Dr. Rick Borders, of 1016 Navaho Drive Elizabethtown, KY spoke advising he's in favor of the variance, he just moved back to the area, and the meeting was being held due to a variance request, not to discuss septic issues. Chairman Krausman verified that the Board had the ability to require a septic inspection from the health department and he closed the hearing at 5:43 p.m. Vice Chairman Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback line to allow for the proposed 6'x12' house addition to be no closer than 68.5' from the centerline of the road.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. Building permit is required for the proposed 6'x12' addition.

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4. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.
5. Verification of a properly functioning septic system by the Hardin County Health Department prior to the issuance of the Certificate of Occupancy for the proposed addition.

Secretary Steck provided the second. Motion passed unanimously.

At 5:45 p.m. Hearing Officer Steck announced the third item on the agenda is the request for an Amended Conditional Use Permit to allow for a Temporary Accessory Dwelling (16'x76' manufactured home) to remain on the property. The site is a 22.84 site located at 6594 North Dixie Hwy in Elizabethtown, KY within the North Dixie Corridor and is zoned General Commercial (C-2). The PVA Map number is 182-00-00-016, the property is owned by **HAROLD & BELVA MASTERS**, and the applicant is **SHELBY FIELDS**. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Shelby Fields, of 26 Masters Drive Elizabethtown, KY provided testimony and answered questions from the board members and staff. She stated that she, her husband, and two daughters live on the property, she helps take care of her grandparents, and that she doesn't want to remain there long-term as her family would eventually like to buy a home. Gary Masters, of 93 Masters Drive Elizabethtown, KY spoke stating that it is helpful that his daughter lives there as she helps to take of his aging parents. No one spoke in opposition. Chairman Krausman closed the hearing at 6:00 p.m. Secretary Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance system Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. The Temporary Accessory Dwelling is the 16'x76' manufactured home on site and shall be a temporary use for no longer than 4 additional years, and will expire on June 21, 2022.
2. The Temporary Accessory Dwelling is for a family need situation and shall only be occupied by the owner's granddaughter, Shelby Fields and her immediate family.
3. The Temporary Accessory Dwelling shall not be available to the public for rent.
4. Upon the vacancy of the Temporary Accessory Dwelling, it must be removed from the property within six (6) months.
5. The Temporary Accessory Dwelling shall have a sewerage system (septic tank and lateral lines) approved by the Environmental Services Office of the Hardin County Health Department.
6. The Temporary Accessory Dwelling shall be placed on the property as illustrated on the Site Plan.
7. This Conditional Use Permit shall be issued to the current property owners, Harold & Belva Masters, and shall expire when the property is transferred and not be transferable to another property owner.
8. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
9. The skirting on the manufactured home must be maintained.
10. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
11. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 6:02 p.m. Chairman Krausman called for consideration and action on the minutes from 7 June 2018. Vice Chairman Youngblood made a motion to approve the minutes as presented, Secretary Steck provided the second. Motion passed unanimously.

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 19 July 2018 at 5:00 p.m. and the meeting was adjourned at 6:05 p.m.

Hardin County Board of Adjustment

Minutes: 21 June 2018

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ADOPTED AND APPROVED THIS 19th DAY OF JULY 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 7 June 2018

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Chairman Krausman called to order the three hundredth and ninety second meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 7 June 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. Other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced the first item on the agenda is a continuation from a hearing held on 17 May 2018 requesting a Conditional Use Permit to allow for a Recreational Enterprise (RV Campground-19 additional spaces) on the property. The site is a 12.7 acre tract located at 4658 South Wilson Road in Elizabethtown, KY within the North Urban Area and is zoned Urban Residential (R-1). The PVA Map number is 182-10-00-017 and the property is owned by **JEFF & THERESA PRICE**. Director Adam King AICP reviewed the application, the history of the property, and presented exhibits. Jeff Price, of 60 Karmandy Lane Brandenburg, KY provided testimony and answered questions from the board members and staff. Jeff Price said that the property speaks for itself. Theresa Price, of 60 Karmandy Lane Brandenburg, KY stated she intends to put up more signs that state "Do not go beyond this point" on the property. Charles Clark, of 4747 S. Wilson Rd Elizabethtown, KY spoke in opposition advising that his property adjoins the site on the south side and he has put up a "No Trespassing" sign on his property. Judy Uhey, of 117 Calumet Loop Elizabethtown, KY spoke stating she and her husband purchased the lot next to them, they are clearing the lot along the fence row as they will be building a detached garage, they will be putting a fence along their entire property, and she is fine with a row of trees being planted along the property line. Judy Clark, of 4747 S. Wilson Rd Elizabethtown, KY spoke in opposition and stated that she and her husband will be putting up a wire fence to serve as a boundary marker. Rick Uhey, of 117 Calumet Loop Elizabethtown, KY spoke in opposition advising he's had three surveys of his land and the RV campground's fence is sitting twenty inches on his property. Chairman Krausman closed the hearing at 5:56 p.m. Secretary Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance system Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;

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- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. This Conditional Use Permit shall allow for a Recreational Enterprise (RV Campground) on site and permit up to 19 additional RV spaces.
2. The proposed RV spaces must be connected to public water and sanitary sewer.
3. A wire fence shall be required along the southern boundary line adjoining the Clark property from approximately the back corner of the existing mobile home park to the pavilion.
4. Additional landscaping and/or screening in the form of evergreen trees planted 5' tall and 10' on center shall be required approximately 10' off the rear property line adjacent to Lots 9 & 10 in the adjoining Cowley Crossing development.
5. A Development Plan shall be submitted and approved in accordance with Development Guidance System, Section 6.
6. The 6.7 acre area to the rear shall be preserved as Open Space with no recreational vehicles or mobile/manufactured homes to be located there.
7. The existing tree lines to the rear of the property and along the side property lines shall be preserved.
8. No trespassing signage shall be installed at the property boundary with 4 signs adjacent to the Clark property to the south and 2 signs in the rear adjacent to Cowley Crossing.
9. There shall be no discharging of firearms or hunting on site.
10. The lake shall be for catch & release fishing only with no swimming.
11. Fires shall be restricted to the fire rings provided and the site must

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- comply with any applicable fire bans imposed by Hardin County.
12. The site shall not be used as a live music or entertainment venue.
 13. A Lights out/quiet time shall be observed from 10 PM to 7 AM and 11 PM to 7 AM on Holidays.
 14. Garbage shall be contained at this existing dumpster area near the mobile home park.
 15. Pets shall be required to be leashed.
 16. This Conditional Use Permit is being issued to Jeff & Theresa Price (T&J Properties), it is only transferable after a Public Hearing before the Board of Adjustment with any new/prospective owner.
 17. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
 18. This property shall maintain a valid Mobile Home Park/RV Park License with the Health Department.
 19. Any expansion beyond 19 additional spaces shall require a Zone Change to Commercial.
 20. This Conditional Use Permit is good for 2 years and shall expire on June 7, 2020. It may be renewed after a Hearing before the Board of Adjustment.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:57 p.m. Vice Chairman Youngblood left the hearing.

At 5:58 p.m. Hearing Officer Steck announced the second item on the agenda is the request for a Conditional Use Permit for a Permanent Accessory Dwelling to allow for the construction of a second home on the property. The site is a 22.182 site located at 185 Edlin Lane and being known as Lot 10 of Eastwood Estates, Section 3 in Elizabethtown, KY within the East Urban Area and is zoned Urban Residential (R-1) The PVA Map number is 243-00-00-041 and the property is owned by **MICHEAL TODD & TERESA EDLIN**. Planner Thomas McIntyre reviewed the application, the history of the property, and presented exhibits. Todd Edlin, of 266 Deer Run Way Elizabethtown, KY provided testimony and answered questions from the board members and staff. Todd Edlin advised the existing home on the property will be used as a guest home and the permanent accessory dwelling they are requesting to build will serve as their primary residence. Chairman Krausman closed the hearing at 6:10 p.m. Secretary Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance system Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;

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- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. The property owners, Michael Todd & Teresa Edlin, must occupy either the principal dwelling unit or the accessory dwelling as their principal residence, and at no time receive rent for the owner-occupied unit.
2. Adequate on-site parking must be designated on an approved site plan.
3. A shared driveway shall be required.
4. The Permanent Accessory Dwelling is the 1602 sq. ft. existing house and the Principal Dwelling is the proposed 3920 sq. ft. home.
5. A Permanent Accessory Dwelling shall be located in the rear yard and shall be located as illustrated on the approved site plan and in accordance with building setback lines.
6. The exterior finish materials of the Permanent Accessory Dwelling shall be a compatible color scheme with matching roofs.
7. The Permanent Accessory Dwelling shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
8. This permit is not transferrable 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 the Development Guidance System, Section 7.
10. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

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

MAY 2018 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 14 Subdivision plats were approved for the month • 45 Subdivision plats were approved for the year 	New Lots Created: <ul style="list-style-type: none"> • 31 New lots approved for the month • 60 Net lots approved for the year
Building Permits: <ul style="list-style-type: none"> • 18 SFD Permits for the month • 64 SFD Permits for the year • 122 Total Building Inspections for the month • 503 Total Building Inspections for the year • 206 Total Building Permits for the year 	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none"> • 119 Total Permits for the month • 375 Total Permits for the year • 170 Total Electrical Inspections for the month • 676 Total Electrical Inspections for the year

MAY 2018 REPORT

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
COYNE EST LOTS 1 & 5A	983 DECKARD SCHOOL RD	0	0.0000	3/29/2018	5/4/2018
FRANCES VOWELS ESTATE SUBDIVISION	201 TAYLORS LANE	2	17.6050	4/30/2018	5/7/2018
SPROWLS EST, SECTION 2	1075 OPTIMIST RD	3	16.1000	5/8/2018	5/14/2018
AMENDED RECORD PLAT OF EDWARDS SUBDIVISION, LOT 3 AND RECORD PLAT OF WADDELL ESTATES SECTION 1	1755 VALLEY CREEK RD	1	61.3910	4/23/2018	5/14/2018
JACKSON ESTATES, SECTION 1	359 THOMAS LANE	2	16.2320	3/8/2018	5/17/2018
OLD TUNNEL HILL ESTATES	1707 TUNNEL HILL ROAD	2	9.1210	5/1/2018	5/21/2018
CECILIAN COLLEGE WAY	284 & 364 BETHLEHEM ACADEMY RD	2	4.0560	5/16/2018	5/21/2018
SPRINGER ACRES	996 MUD SPLASH RD	1	3.9400	3/21/2018	5/23/2018
EVANS SQUARE SUBDIVISION	ST JOHN RD	6	9.8770	5/21/2018	5/23/2018
AMENDED RECORD PLAT OF ALCORN HILLS; LOT 1 & RECORD PLAT OF ALCORN HILLS, SECTION 2	3385 & 3509 HORN RD	2	7.3000	5/9/2018	5/24/2018
ALDER'S HILL; SECTION 2	CANN SCHOOL LN	1	8.0860	5/22/2018	5/24/2018
CRANDALL'S SUBDIVISION, SECT 2, LOT 2	19894 SALT RIVER RD	0	0.8610	5/7/2018	5/29/2018
MAMAW & PAPA'S FARM, LOT 1 & REVISED BOUNDARY SURVEY OF BARRY & DEBBIE GOODIN FARM- TRACT A	451 MCMILLIAN LOOP	1	0.1100	5/8/2018	5/31/2018
CABIN RIDGE ESTATES	CONSTANTINE RD	8	52.0650	5/07/2018	5/31/2018
		31	206.7440		

Total Records: 14 5/31/2018

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At 6:13 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 17 May 2018 meeting. Board Member Steck made a motion to approve the minutes as presented, Chairman Krausman provided the second. Motion passed unanimously.

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 21 June 2018 at 5:00 p.m. and the meeting was adjourned at 6:15 p.m.

ADOPTED AND APPROVED THIS 21st DAY OF June 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Chairman Krausman called to order the three hundredth and ninety first meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 17 May 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Member in attendance was Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak. Vice Chairman Greg Youngblood was not in attendance.

At 5:02 p.m. Hearing Officer Steck announced the first item on the agenda is the request for a Conditional Use Permit to allow for a 50'x30' pole barn garage that exceeds the size of the home on site. The site is a 0.480 acre site known as Lot 85 of Hillside Estates, Section 4 located at 50 W. Ridgeway Drive in Elizabethtown, KY within the East Urban Area and is zoned Urban Residential (R-1). The PVA Map number is 234-00-02-085 and the property is owned by **DEDRA AKIN & DARRYL SCOTT**. Planner Thomas McIntyre reviewed the application, the history of the property, and presented exhibits. Darryl Scott, of 50 Ridgeway Dr. Elizabethtown, KY provided testimony and answered questions from the board members and staff. He advised that he wants to have all of his equipment in addition to a car inside the garage. He further stated that he wants the walls to be 10' tall, 13'-14' in height at the center of the garage, and he is planning on putting the pole barn garage at the end of the blacktop. Paul Cornett, of 17 W. Tophill Terrace Elizabethtown, KY spoke in opposition with concerns regarding the type of flooring the pole barn would have, the building would be too big for the subdivision, and the building could potentially be used for a commercial race car business. Darryl Scott spoke again stating the floor will be made from concrete and he has no interest in running a commercial business out of the garage. Chairman Krausman closed the hearing at 5:23 p.m. Secretary Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance system Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;

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- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. This Conditional Use Permit shall allow for the construction of a 30'x50' garage on site that exceeds the size of the dwelling.
2. The proposed structure is for residential storage and shall not be occupied or used for any commercial activity.
3. The garage shall be metal sided with a metal roof in a tan color scheme with a concrete floor.
4. Additional landscaping and/or screening shall not be required.
5. A Site Plan shall be submitted and approved in accordance with the Development Guidance System, Section 7.
6. Building and electrical permits must be secured through the KBC Building Program of our office.
7. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
8. There shall only be one inoperable vehicle (non-licensed, not currently registered, wrecked and/or non-operative vehicle) parked outside.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:24 p.m. Hearing Officer Steck announced the second item on the agenda is the request for a Variance from the required road frontage and the 1:3 lot width-to-length ratio to allow for the creation of a two lot subdivision. The site is a 24.9 acre site located to the rear of 8601 Bardstown Rd in Elizabethtown, KY within the East Hardin Area and is zoned Rural Residential (R-2). The PVA Map numbers are 270-00-00-001.01 and 270-10-00-035 and the property is owned by **FLOYD METCALF, JR.** Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Floyd Metcalf Jr., of 6801 Bardstown Rd. Elizabethtown, KY provided testimony and answered questions from the board members and staff. He stated that he has lived there since 1991 and wants to give his son ground to build a home. No one spoke in

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opposition. Chairman Krausman closed the hearing at 5:35 p.m. Secretary Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 200' road frontage requirement and the 1:3 lot width-to-length ratio for the proposed two lot subdivision.
2. A Record Plat shall substitute for the required site plan.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:36 p.m. Hearing Officer Steck announced the third item on the agenda is the request for a Conditional Use Permit to allow for a Recreational Enterprise (RV Campground – 19 additional spaces) on the property. The site is a 12.7 acre tract located at 4658 South Wilson Road in Elizabethtown, KY within the North Urban Area and is zoned Urban Residential (R-1). The PVA Map number is 182-10-00-017 and the property is owned by **JEFF & THERESA PRICE**. Director Adam King AICP reviewed the application, the history of the property, and presented exhibits. Jeff & Theresa Price, of 60 Karmandy Lane Brandenburg, KY provided testimony and answered questions from the board members and staff. They advised that they purchased the property 4 years ago, there is a great need for additional spaces as they receive three calls a day from prospective renters requesting to rent a space from them, they have long term renters living there, and that no tents are allowed at the campground. They further explained that they are at the campground every day, there is a dumpster in the middle of the mobile home park, there are “quiet time” hours from 10:00 p.m. thru 7:00 a.m. daily, and that all renters keep animals on leashes. Ray Henderson, of 4643 S. Wilson Rd Elizabethtown, KY advised he has lived there for twenty years, the Prices purchased the mobile home park from him, and they have cleaned up the property nicely. Paul Milligan, who is currently living in the mobile home park, stated that he disagrees with Charles Hinkley’s opposition letter that was submitted as he stated he’s never heard

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loud noises there, it's a nice place to live, and it serves a great need. Teresa Henderson, of 4643 S. Wilson Rd. Elizabethtown, KY spoke in favor of the applicant's request advising the RV park is clean, and that there aren't any traffic, noise, or trash concerns. Rick & Judy Uhey, of 117 Calumet Loop Elizabethtown, KY spoke in opposition with numerous concerns ranging from the height of the grass along their fence line, that their home's value would be depreciated because of the view of the RV Park, they mentioned potential voyeurism/vandalism opportunities for people walking too closely to their fence line, and they asked if a manager would be on site 24 hours a day to address issues that will arise in the future. The Uhey's mentioned they have seen people riding 4-wheelers at the RV park, they built their home 8 years ago to be able to enjoy nature which is now obstructed by RVs, they have concerns with the noise of the renters, and wanted clarification regarding the activities that the RV park allows regarding the lake that is located on the property. The Uhey's further explained they oppose the extension of the RV park unless there is a 7' foot tall privacy fence constructed and they requested that a 3'- 4' berm be created in addition to the existing woods being preserved. Charles Clark, of 4747 S. Wilson Road Elizabethtown, KY spoke stating that he isn't opposed to the 19 additional RV spots and he mentioned that his father has owned the land to the south of the RV park since 1951, and he has lived there since he was 3 years old. Mr. Clark requested clarification on the 10' vegetation easement, he asked if mobile homes would be allowed within the RV park, and stated that Jeff Price has done a great job cleaning up the property. Judy Clark, of 4747 S. Wilson Road Elizabethtown, KY spoke requesting that the field be mowed and the tree-line be cleaned up. Jeff and Theresa Price spoke again advising that they intentionally left the grass taller along the Uhey's fence line to act as a buffer so that people wouldn't walk up to their fence, renters are allowed to catch & release fish only, and swimming is prohibited. Jeff Price did state that although they live thirty minutes away, they will make their contact information available, Ray Henderson lives next door to the RV park, and he is willing to be an immediate contact if the need arises. Secretary Steck made a motion to table the hearing at 6:52 p.m. to allow the Board Members the opportunity to make a site visit to the RV Campground. The Hearing will be continued to June 7th and will remain open for additional testimony. Chairman Krausman provided the second. Motion passed unanimously.

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

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APA-KY SPRING CONFERENCE

Adam & Tom attended the Spring Conference at the Historic Boone Tavern Hotel in Berea, KY on May 10th & 11th and received over 10 hours of continuing education credit hours.

At 6:54 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 3 May 2018 meeting. Board Member Steck made a motion to approve the minutes as presented, Chairman Krausman provided the second. Motion passed unanimously.

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 7 June 2018 at 5:00 p.m. and the meeting was adjourned at 6:55 p.m.

ADOPTED AND APPROVED THIS 7th DAY OF June 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Chairman Krausman called to order the three hundredth and ninetieth meeting of the Hardin County Board of Adjustment at 5:02 p.m. on Thursday, 3 May 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:03 p.m. Hearing Officer Steck announced the first item on the agenda is the request for an Amended Conditional Use Permit to continue to allow for a commercial kennel on the property. The site is a 1.17 acre site located at 6280 North Dixie Highway and being known as Lot 19 of Windsor Hills, Section 2 in Elizabethtown, KY within the North Dixie Corridor and is zoned General Commercial (C-2) The PVA Map number is 182-00-01-019 and the property is owned by **SUGAR MILL PROPERTIES, LLC**. Director Adam King AICP reviewed the application, the history of the property, and presented exhibits. Corinna Shively, of 1314 Bramblett Boulevard, Radcliff, KY whose daughter Jennifer Hoffman is the owner, provided testimony and answered questions from the board members and staff. She stated that her daughter has owned the kennel for 4 years, they have between 25-30 dogs per day, more dogs during the holidays, that since they raised the privacy fence, they have not had any complaints. No one spoke in opposition. Chairman Krausman closed the hearing at 5:19 p.m. Secretary Steck stated the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance system Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. Business Hours of Operation shall be from 6 A.M. to 6 P.M., seven days a week.
2. The maximum number of animals on site shall be 65.
3. A maximum of ten (10) animals shall be permitted outdoors at one time between the hours of 6:30 A.M. to 9:00 AM, 12:30 P.M. to 2:00 PM and 4:00 P.M. to 5:00 P.M.
4. At all other times only two (2) animals shall be outdoors at one time.
5. No outdoor boarding of animals shall be permitted. All boarding facilities shall be indoors with dogs taken outdoors for exercise and "potty" breaks.
6. The facility shall obtain and maintain a valid Kennel License from Hardin County Animal Control and comply with Ordinance Number 249, Series 2007 "An ordinance relating to Animal Control and Welfare". Annual inspections to be conducted by Hardin County Animal Control to check health and welfare of animals on site and verify clean and sanitary conditions of the facility. Please contact Mike McNutt (270-763-2205) at Hardin County Animal Control.
7. All dogs on site must have a valid License and Rabies Vaccinations.
8. This property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
9. The Kennel & Outdoor Play Area shall be screened from view of the adjoining properties with a 10' tall solid fence along the north property line with Mr. Beatty for a distance from the front gate to the existing white vinyl fence panels. The fence shall be installed by 31 August 2011.
10. An Amended Development Plan shall not be required due to an existing Development Plan on file and no significant changes being made on site.
11. This Amended Conditional Use Permit shall be issued to the current property owner and applicant, Jennifer Hofmann and is not transferable.
12. All building activities shall conform to provisions of the Kentucky Building Code.
13. This Amended Conditional Use Permit shall be for a period of 5 years and expire on 3 May 2023.
14. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:21 p.m. Hearing Officer Steck announced the second item on the agenda is the request for an Amended Conditional Use Permit to continue to allow for a plumbing business in a detached structure that exceeds the definition of a home occupation. The site is a 3.2 site located at 1584 Burns Road and being Lot 24 of Boardwalk Estates in

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Radcliff, KY within the North Urban Area and is zoned Urban Residential (R-1). The PVA Map number is 142-00-02-024 and the property is owned by **RAY HEDRICK**. Planner Tom McIntyre reviewed the application, the history of the property, and presented exhibits. Ray Hedrick, of 1584 Burns Road Radcliff, KY provided testimony and answered questions from the board members and staff. Ray Hedrick advised that he has three employees; one employee who handles the office paperwork, and the other two employees that travel to different sites. No one spoke in opposition. Chairman Krausman closed the hearing at 5:32 p.m. Vice Chairman Youngblood stated the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance system Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. The Amended Conditional Use Permit to exceed the definition of a Home Occupation shall be good for five (5) years from 3 May 2018 to 3 May 2023.
2. This Amended Conditional Use Permit will allow for the Accessory Structure (40'x60' pole barn) to be used for a Home Occupation (Ray's Plumbing).
3. The hours of operation shall be from 8:00 AM to 5:00 PM Monday thru Friday.

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4. Only three (3) vehicles associated with the business activity shall be parked or kept outdoors.
5. No signage advertising the business shall be permitted.
6. There shall be no outdoor storage of equipment or materials associated with the Home Occupation (Ray's Plumbing), except for two (2) trailers and a backhoe.
7. No deliveries or semi-truck traffic shall be permitted on-site that is associated with the business.
8. This Amended Conditional Use Permit shall be issued to the current property owner, Ray Hedrick, and shall expire when the property is transferred and not be transferable to another property owner.
9. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.
10. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Secretary Steck provided the second. Motion passed unanimously.

At 5:33 p.m. Hearing Officer Steck announced the third item on the agenda is a request for a Variance from the front building setback line to allow for a proposed covered porch. The site is a 0.840 acre site located at 420 Blue Grass Road and being Lot 27 of Farmgate Estates, Section 2 in Elizabethtown, KY within the North Urban Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 231-10-01-027 and the property is owned by **DAVID WOODEN** with the applicants being **JOHN & LORA SPORLEDER**. Planner Tom McIntyre reviewed the application, the history of the property, and presented exhibits. Lora Sporleder of 55 Omaha Court in Elizabethtown, KY provided testimony and answered questions from the board members and staff. She advised her that brother, the property owner, lives out of state, her parents reside there and they are requesting the variance as her father will be in a wheelchair in the future, and wants her father to be able to access the porch in his wheelchair. No one spoke in opposition. Chairman Krausman closed the hearing at 5:44 p.m. Board Member Steck made a motion to approve the variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

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The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback line to allow for the proposed 6'x10' covered porch to be no closer than 64' from the centerline of the road. The porch may be covered but shall not be enclosed.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. Building permits are required for the proposed porch and the detached storage shed in the back yard.
4. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:48 p.m. Hearing Officer Steck announced the next item on the agenda is a request for a Variance from the 1:4 lot width-to-length ratio to allow for a proposed two lot subdivision. The site is a 62.364 acre site to be known as Lot 3A of Edwards Subdivision and Lot 1 of Waddell Estates with an address of 319 Middle Creek Road in Elizabethtown, KY within the Valley Creek Urban Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 246-00-00-001 and the property is owned by **LARRY & RHONDALYN WADDELL**. Director Adam King AICP reviewed the application, the history of the property, and presented exhibits. Michael Billings, of Engineering Design Group, 315 S. Mulberry Street Elizabethtown, KY provided testimony and answered questions from the board members and staff. Mike Billings advised that Larry & Rhondalyn Waddell recently purchased the land and want to give their daughter a building Lot. The lot needs to exceed the 1:4 width-to-length ratio because of the 150' diagonal powerline easement. Robert Disney, of 151 Rippling Creek Place, Elizabethtown, KY spoke in opposition advising that he was concerned with flooding that could be caused from additional development. Melanie Thompson, of 225 Middle Creek Rd. Elizabethtown, KY had questions regarding her pond and land. Chairman Krausman closed the hearing at 6:18 p.m. Vice Chairman Youngblood made a motion to approve a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 1:4 lot width-to-length ratio to allow for the proposed two lot subdivision.
2. An Amended Record Plat with a Variance Note shall substitute for the required Site Plan.
3. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk. The \$25 recording fee for the Certificate of Land Use Restrictions is still owed.

Board Member Steck provided the second. Motion passed unanimously.

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

6 MONTHS OF SERVICE

Julia McBeth, Planning Assistant, celebrated 6 months of service with the Planning Commission on 30 April 2018.

KY DEPT OF AGRICULTURE & AMERICAN FARMLAND TRUST EVENT

On Saturday April 21st, Adam attended a Press Conference at the Thomas Academy Farm with Commissioner Larry Jagers II regarding, "America's Threatened Farmlands". The Planning Commission had sent a letter signed by Director King and Chairman Hinton in support of Agriculture that outlined items in the Zoning Ordinance and Comprehensive Plan that support the preservation and protection of agricultural land.

APRIL 2018 REPORT

Plats Recorded: <ul style="list-style-type: none"> • 5 Subdivision plats were approved for the month • 31 Subdivision plats were approved for the year 	New Lots Created: <ul style="list-style-type: none"> • 6 New lots approved for the month • 29 Net lots approved for the year
Building Permits: <ul style="list-style-type: none"> • 24 SFD Permits for the month • 46 SFD Permits for the year • 135 Total Building Inspections for the month • 381 Total Building Inspections for the year • 152 Total Building Permits for the year 	Electrical Permits (6 Jurisdictions): <ul style="list-style-type: none"> • 79 Total Permits for the month • 256 Total Permits for the year • 137 Total Electrical Inspections for the month • 496 Total Electrical Inspections for the year

APRIL 2018 REPORT

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
ROVER'S POND	2950 MOUNT OLIVE ROAD	1	10.3500	1/2/2018	4/9/2018
KINDERVATER SUBDIVISION	5225 BARDSTOWN RD	2	12.1240	4/5/2018	4/9/2018
THOROUGHbred ESTATES SECTION 5, LOTS 61 & 62	SOUTHEAST CORNER OF SEA HERO DR & PRARIE BAYOU DR	-1	0.0000	4/10/2018	4/13/2018
STITH MEADOW AND BOUNDARY SURVEY OF JOSEPH & JOANN STITH AND RICHARD & VERONICA STITH PROPERTY	2753 BLUEBALL ROAD	2	20.4840	3/19/2018	4/16/2018
CORBIT SUBDIVISION, LOT 1	ST. JOHN RD (KY 1357) & FRANKLIN LANE	1	0.0000	4/17/2018	4/25/2018
		5	42.9580		

Total Records: 5

4/30/2018

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At 6:21 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 19 April 2018 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 17 May 2018 at 5:00 pm and the meeting was adjourned at 6:30 p.m.

ADOPTED AND APPROVED THIS 17th DAY OF MAY 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

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Minutes: 19 April 2018

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Chairman Krausman called to order the three hundredth and eighty ninth meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 19 April 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced that the first item on the agenda is a request for a Conditional Use Permit to allow for an accessory structure (11.5' X 30' storage shed) on a vacant lot. The site is a 0.408 acre site located at 200 Woods Road in Elizabethtown, KY within the Valley Creek Urban Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 223-00-0D-012 and the property is owned by **KIMBERLY BELL**. Planner Thomas McIntyre reviewed the application, the history of the property, and presented exhibits. Kimberly Bell, of 200 North Ridge Road, Elizabethtown, KY provided testimony and answered questions from the Board Members and staff. Kimberly Bell advised she had originally intended to live in the shed. However, the shed didn't meet the Kentucky Residential Building Code and her footing inspection was denied. She advised her future plans are to bring the shed up to code so that she may live in the structure sometime within the next few years and that there's a septic system that is in place from the previous home that had been on the lot. No one spoke in opposition. Chairman Krausman closed the hearing at 5:29 p.m. Board Member Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;

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Minutes: 19 April 2018

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- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. This Conditional Use Permit shall allow for a proposed 11.5' x 30' storage shed without a dwelling on the property for a period of 3 years and expire on April 19, 2021. At which time, it shall be removed from the property or be converted to a dwelling in compliance with the Kentucky Residential Building Code.
2. The proposed shed is for residential & agricultural storage and shall not be occupied or used for any commercial activity.
3. The 11.5' x 30' shed has brown wood siding with a red metal roof.
4. Additional landscaping and/or screening shall not be required.
5. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
6. Building and Electrical permits must be secured through the KBC Building Program of our office.
7. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:32 p.m. Hearing Officer Steck announced the next item on the agenda is a request for a Variance from the front building setback line to allow for an existing carport and a proposed covered deck. The site is a 0.69 acre tract located at 150 Fentress Blvd. in Elizabethtown, KY known as Lot 22 of Windsor Hills, Section 2 within the North Urban Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 182-00-01-022 and the property is owned by **KENNETH RANDALL**. Director King reviewed the application, and the history of the property, and presented exhibits. Kenneth Randall of

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150 Fentress Blvd. in Elizabethtown, KY provided testimony and answered questions from the Board Members and staff. Mr. Randall advised he purchased the carport in 2009, and was unaware a building permit was required, he was agreeable to the carport being moved, would like to cover the front deck, but not enclose it. No one spoke in opposition. Chairman Krausman and the Board Members agreed that in its current location that the carport was too close and would need to be moved. He closed the hearing at 6:00 p.m. Board Member Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback line to allow for the existing deck to be covered but not enclosed and to allow for the existing carport to remain on the property, but to be moved no closer than 55' to the centerline of the road.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. Building Permits are required for the existing carport, and to cover the existing deck, and must be pulled through the KBC Program of our office.
4. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 6:02 p.m. Hearing Officer Steck announced that the next item on the agenda is a Conditional Use Permit to allow for a mobile office trailer associated with the Glendale Sewer Project. The property is an 8.138 acre site located at 465 Glendale Hodgenville Road West in Glendale, KY known as Lot 1 of Quality Diesel Subdivision located within the Glendale Industrial Planning Area and is zoned Interstate Commercial (B-1) and also Interstate & Highway Overlay Zone (IH-O). The PVA Map number is 207-00-00-041 and the property is owned by **NEWCOMB OIL COMPANY, LLC**. Director King reviewed

Hardin County Board of Adjustment

Minutes: 19 April 2018

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the application, and the history of the property, and presented exhibits. Jesse Green, with Cumberland Pipeline LLC (the applicant), of 349 Free Union Road Columbia, KY provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 6:14 p.m. Board Member Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. The Mobile Office shall be a temporary use for no longer than one and a half years from 19 April 2018 and must be removed from the property by 19 October 2019.
2. Upon the vacancy of the Mobile Office, it must be removed from the property within six (6) months.
3. The Mobile Office shall have an approved Sanitary Waste System (port-a-pot) approved by the Environmental Services Office of the Hardin County Health Department.
4. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
5. Building & Electrical permits shall be secured through the KBC Program of our office.

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Minutes: 19 April 2018

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6. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
7. This Conditional Use Permit is issued to Cumberland Pipeline and shall not be transferable.

Board Member Youngblood provided the second. Motion passed unanimously.

At 6:15 p.m. Hearing Officer Steck announced that the next item on the agenda is a request for a Variance from the required government maintained road frontage to allow for additional acreage to be merged to an existing tract. The site is a proposed 3.9 acre tract located at 996 Mud Splash Road in Glendale, KY to be known as Lot 1 of Springer Acres, within the North Glendale Urban Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 206-00-00-038 and the property is owned by **KARL & ROBIN SPRINGER**. Planner Thomas McIntyre reviewed the application, and the history of the property, and presented exhibits. Robin Springer, of 996 Mud Splash Road, Glendale, KY provided testimony and answered questions from the Board Members and staff. Linda Buckles, of 1395 Mud Splash Road Glendale, KY spoke in support of the variance request. No one spoke in opposition. Chairman Krausman closed the hearing at 6:25 p.m. Board Member Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the government maintained road frontage requirement to allow for an additional 1.7 acres to be merged to the existing 2.2 acre tract.
2. A Record Plat shall substitute for the required site plan.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

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Minutes: 19 April 2018

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Board Member Steck provided the second. Motion passed unanimously.

At 6:30 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 12 April 2018 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 3 May 2018 at 5:00 pm and the meeting was adjourned at 6:35 p.m.

ADOPTED AND APPROVED THIS 3rd DAY OF MAY 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 12 April 2018

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Chairman Krausman called to order the three hundredth and eighty eighth meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 12 April 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced that the first item on the agenda is a request for a Variance from the front building setback line to allow for the construction of a dwelling. The site is a 0.4 acre tract at the intersection of St. Ambrose Church Lane & Demonica Street in Cecilia, KY within the Cecilia Rural Village Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 147-40-00-012 and the property is owned by **SONNY & GAIL ASHLOCK**. Director King reviewed the application, the history of the property, and presented exhibits. Sonny Ashlock, of 355 St. Ambrose Church Lane Cecilia, KY provided testimony and answered questions from the Board Members and staff. Mr. Ashlock advised he purchased the lot two years ago and he had the manufactured home that was previously on the lot torn down. Vennie Beeler, of 592 Rue La Grande, Elizabethtown, KY advised she would like to build a two bedroom home on the lot. No one spoke in opposition. Chairman Krausman closed the hearing at 5:14 p.m. Board Member Youngblood noted that this request is in the Cecilia Rural Village & on a dead end street. Board Member Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, will not allow an unreasonable circumvention of the requirements of this regulation, and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 40' front building setback line to allow for the proposed dwelling to be 34' from the front property line. The front porch may be covered but shall not be enclosed.

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Minutes: 12 April 2018

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

Board Member Steck provided the second. Motion passed unanimously.

At 5:19 p.m. Hearing Officer Steck announced that the next item on the agenda is a continuation from the 22 March 2018 hearing for a Conditional Use Permit to allow for a 12' X 20' garden shed to be placed on a vacant property. The site is a 1.246 acre tract on Roswell Drive known as Lot 145 of Santa Fe Subdivision in Elizabethtown, KY within the East Urban Planning Area and is zoned Rural Residential (R-2). The PVA Map Number is 242-00-02-145 and the property is owned by **JOSEPH & DEBRA SULLIVAN**. Director King reviewed the application, the history of the property, and presented exhibits. Joseph Sullivan, of 44 Buena Vista Court Elizabethtown, KY provided testimony and answered questions from the Board Members and staff. Joseph Sullivan further advised that he needed access to tools for the garden that will be housed within the shed, the top 1/3 of the shed would be visible from the street, he can encompass the shed with a fence, and there will be no electricity running to the shed. Paul Thomas, of 720 Roswell Dr. Elizabethtown, KY asked about size limitations of the shed and he wanted to verify that this conditional use permit would only apply to the Joseph & Debra Sullivan. No one spoke in opposition. Chairman Krausman closed the hearing at 5:40 p.m. Board Member Youngblood stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

Hardin County Board of Adjustment

Minutes: 12 April 2018

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

1. This Conditional Use Permit shall allow for a proposed 12' x 20' garden shed without a dwelling on the property.
2. The proposed shed is for residential & agricultural storage and shall not be occupied or used for any Commercial Activity.
3. The 12' x 20' shed shall be newly constructed of wood construction with a metal roof.
4. Additional landscaping and/or screening shall not be required.
5. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
6. A Building permit must be secured through the KBC Building Program of our office.
7. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
8. This Conditional Use Permit is issued to the current owners, Joseph & Debra Sullivan. It is not transferrable without an additional hearing before the Board of Adjustment.
9. The Conditional Use Permit shall be for a period of 2 years and expire on April 12, 2020.
10. The Lot must be mowed once a month from May to October.

Board Member Youngblood provided the second. Motion passed 2-1.

At 6:04 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 22 March 2018 meeting. Board Member Youngblood made a motion to approve the minutes as presented, Board Member Steck provided the second. Motion passed unanimously.

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 19 April 2018 at 5:00 p.m. and the meeting was adjourned at 6:05 p.m.

ADOPTED AND APPROVED THIS 19th DAY OF APRIL 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 22 March 2018

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Chairman Krausman called to order the three hundredth and eighty seventh meeting of the Hardin County Board of Adjustment at 5:02 p.m. on Thursday, 22 March 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Member in attendance was Secretary Steve Steck. Vice Chairman Greg Youngblood was not in attendance. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:03 p.m. Hearing Officer Steck announced that the first item on the agenda is a request for a Variance from the front building setback line for a proposed manufactured home. The property is a 1.3 acre site located on the south side of Sycamore Trace known as Lot 24 of Sycamore Bend Subdivision in Elizabethtown, KY within the KY 313 Corridor Planning Area and is zoned Residential Estate (R-3). The PVA Map number is 216-00-0A-024 and the property is owned by **DAN YARBERRY**. Planner Thomas McIntyre, reviewed the application, the history of the property, and presented exhibits. Dan Yarberry, of 6017 Mercury Dr. Louisville, KY provided testimony and answered questions from the Board Members and staff. Christine Yarberry, of 71 Sycamore Trace Elizabethtown, KY advised that the lot had been vacant for 30 years and the property is being purchased from the neighbor that lives across the street. No one spoke in opposition. Chairman Krausman closed the hearing at 5:14 p.m. Board Member Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He cited the topography of the site with over 30 of elevation drop and the low speed limit on the road. He stated it will not be out of character of the surrounding neighborhood, it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, will not allow an unreasonable circumvention of the requirements of this regulation, and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 40' front building setback line to allow for the proposed manufactured home to be no closer than 50' from the center line of Sycamore Trace Road.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.

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Minutes: 22 March 2018

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3. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:18 p.m. Hearing Officer Steck announced that the next item on the agenda is a request for a Conditional Use Permit to allow for a 12' X 20' shed to be placed on a vacant property. The site is a 1.246 acre tract on Roswell Drive known as Lot 145 of Santa Fe Subdivision in Elizabethtown, KY within the East Urban Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 242-00-02-145 and the property is owned by **JOSEPH & DEBRA SULLIVAN**. Director Adam King reviewed the application, the history of the property, and presented exhibits. Debra Sullivan, of 44 Buena Vista Court Elizabethtown, KY provided testimony and answered questions from the Board Members and staff. Mrs. Sullivan stated that the purpose of the shed was a proposed garden; the shed will be of brand new construction and will not be placed on a concrete foundation. Joseph Sullivan, of 44 Buena Vista Court Elizabethtown, KY stated that there will be no electricity to the shed and that it will have a rain barrel to collect rainwater for the garden. Carla Joseph, of 652 Roswell Drive Elizabethtown, KY spoke in opposition with concerns regarding an increase in wildlife in the area, the safety of children that currently play on the street, people parking in the area and that there would be insufficient lighting creating potential security issues. Mrs. Joseph expressed concerns regarding the devaluation of her property values and that the shed was out of character in a single family residential neighborhood. Robert Joseph, of 652 Roswell Drive Elizabethtown, KY spoke in opposition with concerns that the cul-de-sac is dimly lit, many children play in the street near the cul-de-sac, and that he had assumed it would be a single family residential area as well. Paul Thomas, of 720 Roswell Dr. Elizabethtown, KY advised he had received notice of the Board hearing, wanted to glean more information about the proposed project, and he had no issues with the shed being placed on the vacant lot. At 6:05 p.m. Board Member Steck made a motion to table the request until Thursday, 12 April 2018 at 5:00 p.m. so that the Board members could do a Site Visit. The hearing was left open so that additional testimony could be taken. Chairman Krausman provided the second and motion passed unanimously.

At 6:08 p.m. Hearing Officer Steck announced that the next item on the agenda is a request for a Variance from the 1:3 lot width-to-length ratio to allow for the property to be further subdivided. The site is an 11.8 acre tract located at 5225 Bardstown Road in Elizabethtown, KY within the Bardstown Road Corridor Planning Area and is zoned

Hardin County Board of Adjustment

Minutes: 22 March 2018

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Rural Residential (R-2). The PVA Map number is 254-00-00-002 and the property is owned by **SCOTT KINDERVATER**. Planner Thomas McIntyre, reviewed the application, the history of the property, and presented exhibits. Scott Kindervater, of 221 Cherokee Boulevard Elizabethtown, KY provided testimony and answered questions from the Board Members and staff. Donald Cooper, of 5265 Bardstown Road Elizabethtown, KY spoke in opposition regarding the proposed new driveway. Roy Masterson, of 1338 Springfield Rd Elizabethtown, KY requested that the fence line be cleaned up along the west side property line to improve sight distance. Harold Newman, of 5307 Bardstown Road Elizabethtown, KY asked questions about how the property could potentially be further subdivided but stated that he wasn't in opposition. Hearing Officer Steck closed the hearing at 6:30 p.m. Board Member Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, will not allow an unreasonable circumvention of the requirements of this regulation, and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 1:3 width-to-length ratio for the proposed lot as shown with a (1:6.45 ratio).
2. A Record Plat shall substitute for the required site plan.
3. The brush/fence row along the west side property line shall be cleaned to improve sight distance for the existing driveway.
4. A Certificate of Land Use shall be recorded in the Office of Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 6:35 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 8 March 2018 meeting. Board Member Steck made a motion to approve the minutes as presented, Chairman Krausman provided the second. Motion passed unanimously.

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Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 12 April 2018 at 5:00 p.m. and the meeting was adjourned at 6:40 p.m.

ADOPTED AND APPROVED THIS 12TH DAY OF APRIL 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

Minutes: 8 March 2018

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Chairman Krausman called to order the three hundredth and eighty sixth meeting of the Hardin County Board of Adjustment at 5:03 p.m. on Thursday, 8 March 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also in attendance were, Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:04 p.m. Hearing Officer Steck announced that the first item on the agenda is a request for a Variance from the 1:3 lot width-to-length ratio to allow for the creation of a 10 acre lot around the existing house. The property is an 10.0773 acre site located at 3672 Cash Road in Upton, KY within the South Hardin Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 135-00-00-001.03 and the property is owned by **MARTINA RENFROW**. Planner Thomas McIntyre, reviewed the application, the history of the property, and presented exhibits. Martina Renfrow, of 3672 Cash Road Upton, KY provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:12 p.m. Board Member Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, will not allow an unreasonable circumvention of the requirements of this regulation, and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 1:3 lot width-to-length ration for Proposed Lot 2 of Agnes Acres (1:4.61 ratio).
2. A Record Plat shall substitute for the required site plan.
3. A Certificate of Land Use Restrictions shall be filed in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

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At 5:14 p.m. Hearing Officer Steck announced that the next item on the agenda is a request for a Variance for relief from the front building setback line to allow for a proposed addition to the existing home. The property is an 28 acre site located at 663 Lucas Grove Road in Upton, KY within the South Hardin Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 155-00-00-020 and the property is owned by **JASON & SHEVIA DECKER**. Director King reviewed the application, the history of the property, and presented exhibits. Jason Decker, of 663 Lucas Grove Road Upton, KY provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:30 p.m. He stated that the proposal is not out of character, it is not any closer to the road than the existing home (circa 1911) and that the existing mature trees are providing a buffer. Board Member Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, will not allow an unreasonable circumvention of the requirements of this regulation, and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback line to allow for the proposed addition to be no closer to the centerline of the road than the existing home. The existing & proposed front porches may be covered but shall not be enclosed.
2. The two existing mature trees shall be preserved with a 3rd tree to be planted in front of the addition.
3. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
4. Building & Electrical Permits must be secured from the KBC Program of our office.
5. A Certificate of Land Use Restrictions shall be filed in the Office of the Hardin County Clerk.

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Board Member Youngblood provided the second. Motion passed unanimously.

At 5:32 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 8 February 2018 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday, 22 March 2018 at 5:00 p.m. and the meeting was adjourned at 5:34 p.m.

ADOPTED AND APPROVED THIS 22TH DAY OF MARCH 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

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Chairman Krausman called to order the three hundredth and eighty fifth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 22 February 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also in attendance were, Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced that the first item on the agenda is a request for a Variance for relief from the 70' front building setback line to allow for a proposed addition/remodel to the existing home. The property is an 86.00 acre site located at 11979 New Glendale Road in Sonora, KY within the South Hardin Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 174-00-00-003 and the property is owned by **ANDREW & AMANDA YODER**. Director King reviewed the application, the history of the property, and presented exhibits. Andrew Yoder, of 11979 New Glendale Road Sonora, KY provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:12 p.m. Board Member Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, will not allow an unreasonable circumvention of the requirements of this regulation, and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 70' front building setback along New Glendale Road (KY 1886) for the proposed addition/remodel to the existing home.
2. A Site Plan in Compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Building Permit must be pulled through the KBC Program of our office for the proposed addition/remodel to the existing home.
4. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Hardin County Board of Adjustment

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Board Member Youngblood provided the second. Motion passed unanimously.

At 5:15 p.m. Hearing Officer Steck announced that the next item on the agenda is an Amended Conditional Use Permit to continue to allow for the existing Dog Kennel, "Circle Top Farms to remain on the property. The property is an 11 acre site located at 840 Jenkins Road in Rineyville, KY within the West Urban Planning Area, and is zoned Rural Residential (R-2). The PVA Map number is 099-00-00-009 and the property is owned by **MARK & PAM ADAMS**. Planner Thomas McIntyre reviewed the application, the history of the property, and presented exhibits. The applicants were not in attendance. No one spoke in opposition. Chairman Krausman closed the hearing at 5:20 p.m. Board Member Youngblood stated the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. The Hours of Operation shall be from 6:00 a.m. to 6:00 p.m., seven days a week.
2. The maximum number of animals on site shall be 45 and no more than 15 dogs will be allowed outdoors at one time.
3. No outdoor boarding of animals shall be permitted. All boarding facilities shall be indoors with dogs taken outdoors for exercise and "potty" breaks.

4. The facility shall obtain and maintain a valid Kennel License from Hardin County Animal Control and comply with Ordinance Number 249, Section 2007 "An Ordinance relating to Animal Control and Welfare". Annual inspections are to be conducted by Hardin County Animal Control to check health and welfare of the animals on site and verify clean and sanitary conditions of the facility. Please contact Hardin County Animal Control (POC Mike McNutt 270-763-2205).
5. All dogs on site must have a valid license and Rabies vaccinations.
6. This property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
7. The kennels shall be screened from view of the adjoining properties with a solid wood privacy fence.
8. A Site plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
9. This Conditional Use Permit shall be issued to the current property owners Mark & Pam Adams, and is transferable to a new owner after a hearing before the Board of Adjustment.
10. The original Conditional Use Permit was issued for a period of two years and expired on 3 March 2013.
11. The amended Conditional Use Permit was issued for a period of five years and expired on 7 February 2018.
12. The Amended Conditional Use Permit shall be for a period of 5 years to expire on 22 February 2023.
13. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Steck provided the second. Motion passed unanimously.

At 5:25 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 8 February 2018 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

At 5:27 p.m. Chairman Krausman called on Director King to present the **2017 Annual Report**. Director King then presented a PowerPoint presentation.

Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 8 March at 5:00 p.m. and the meeting was adjourned at 5:30 p.m.

ADOPTED AND APPROVED THIS 8TH DAY OF MARCH 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary

Hardin County Board of Adjustment

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Chairman Krausman called to order the three hundredth and eighty fourth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 8 January 2018, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also in attendance were, Director Adam King, AICP, Planner Thomas McIntyre, Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:00 p.m. Hearing Officer Steck announced that the first item on the agenda is a Conditional Use Permit to allow for the construction of a 24'x24' pole barn with a 10'x24' lean-to on a vacant lot. The property is a 1.9 site located adjacent to 2972 Melrose Road in Sonora, KY in the South Hardin area and is zoned Rural Residential (R-2). The PVA Map number is 132-00-00-016 and the property is owned by **BRADFORD & MAUREEN HAMBLÉN**. Director King reviewed the application and the history of the property and presented exhibits. Bradford Hamblen provided testimony and answered questions from the Board Members and staff. Richard Rushing of 1302 Hansborough Road, Cecilia, KY spoke in opposition with concerns about ingress/egress on the driveway. Russell Rigdon of 2998 Melrose Rd, Sonora, KY requested verification regarding who could access the driveway. Jennifer Rushing of 3002 Melrose Road, Sonora, KY spoke of her concerns regarding the driveway and advised that she wasn't in opposition of the pole barn's construction. Chairman Krausman closed the hearing at 5:24 p.m. Board Member Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;
- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,

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

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

1. This Conditional Use Permit shall allow for a proposed 24'x24' pole barn with a 10'24' lean-to without a dwelling on the property.
2. The proposed pole barn is for residential & agricultural storage and shall not be occupied or used for any Commercial Activity.
3. The pole barn shall be constructed with tan metal walls and a black metal roof with one sliding door.
4. Additional landscaping and/or screening shall not be required.
5. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
6. Building and Electrical permits must be secured thru the KBC Building Program of our office.
7. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

At 5:26 p.m. Hearing Officer Steck announced that the next item on the agenda is a Conditional Use Permit to allow for an Automotive Sales Lot (2 employees & up to 10 vehicles). The property is a 0.999 acre site located at 23 Pointers Court in Rineyville, KY in the Rineyville Rural Village area and is zoned Convenience Commercial (C-1). The PVA Map number is 143-10-00-003.01 and the property is owned by **SHAWN GOFF PROPERTIES, LLC**. Director King reviewed the application and the history of the property and presented exhibits. Shawn Goff provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:38 p.m. Board Member Youngblood stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

- The use shall not tend to change the character and established pattern of development of the area of the proposed use;
- The use shall be in harmony with the uses permitted by right under the Zone in question and shall not affect adversely the use of neighboring properties;

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- The location and height of buildings, the location, nature, and height of walls and fences and the nature and extent of landscaping on the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
- The use shall not adversely affect the health or safety of persons residing or working in the vicinity of the proposed use;
- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. This Conditional Use Permit shall allow for an Automotive Sales Lot with 10 proposed paved parking spaces at 23 Pointers Court.
2. A maximum of ten (10) vehicles may be displayed for sale in the designated parking spaces as illustrated on the Site Plan.
3. The hours of operation shall be 9:00 a.m. to 6:00 p.m. on Monday with NO sales activities on Sundays.
4. There shall be no wrecked or inoperable vehicles parked on site.
5. There shall not be any Automotive Repair on site outside of general maintenance.
6. There shall be no parking of vehicles within the right-of-way of Pointers Court or Rineyville Road (KY 1600).
7. The landscaping illustrated on the 2013 Development Plan must be installed in the island along Pointers Court and the end of the parking lot facing KY 1600.
8. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
9. This permit is being issued to Shawn Goff Properties doing business as "Goff Auto Store, LLC", it is only transferable to a new property owner after an Amended Conditional Use Permit is granted by the Board of Adjustment.
10. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

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Board Member Steck provided the second. Motion passed unanimously.

At 5:40 p.m. Hearing Officer Steck announced that the next item on the agenda is a request for a Variance from a 40-foot front building setback line to allow for a proposed 25'x34' addition to the existing building. The site is a 1.963 acre tract located at 4430 Hardinsburg Road (KY 86) in Cecilia, KY within the Natural Resource Planning Area and is zoned Convenience Commercial (C-1). The PVA Map number is 103-00-00-005 and the property is owned by **PATRICK LOHDEN, JR.** Director King reviewed the application and the history of the property and presented exhibits. Patrick Lohden, Jr. of 564 Charlemagne Blvd Elizabethtown, KY provided testimony and answered questions from the Board Members and staff. No one spoke in opposition. Chairman Krausman closed the hearing at 5:47 p.m. Board Member Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 40' front building setback along Hardinsburg Road (KY 86) to allow for the proposed 24'x35' from the front property line.
2. A Development Plan in compliance with Section 6 of the Zoning Ordinance shall be required.
3. There shall be no parking in the right-of-way of Hardinsburg Road (KY 86).
4. Building & Electrical permits must be pulled through the KBC Program of our office for the proposed addition and a Change of Use Permit is required from Grocery store to storage for the building.
5. A Certificate of Land Use Restrictions will be recorded in the Office of the Hardin County Clerk.

Board Member Youngblood provided the second. Motion passed unanimously.

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At 5:50 p.m. Hearing Officer Steck announced that the next item on the agenda is a request for a Variance from the 1:3 lot width-to-length ratio to allow for additional acreage to be merged to Lot 8B of Andover Pointe, Section 2. The proposed site is a 7 acre tract located on the west side of Mud Splash Road in Glendale, KY within the North Glendale Urban Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 207-00-00-001.08 and the property is owned by **BRENT & SANDRA HOLSCRAW**. Director King reviewed the application, the history of the property, and presented exhibits. Brent Holsclaw of 1028 Stonehouse Ridge, Bardstown, KY provided testimony and answered questions from the Board Members and staff. Joe Prather of 1107 Cave Run Lane, Elizabethtown, KY advised he was interested in the preservation of a green space and he was in favor of the variance. Richard Gray of 1993 Mud Splash Rd, Glendale, KY spoke advising he had received the meeting notice, he wanted to glean more information regarding the meeting, and he wasn't in opposition to the variance. Chairman Krausman closed the hearing at 6:00 p.m. Board Member Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not be out of character of the surrounding neighborhood, it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 1:3 lot width/length ration for the Proposed Lot 8C of Andover Pointe, Section 2 (1: 3.74 ratio).
2. An amended record plat shall substitute for the required site plan.

Board Member Youngblood provided the second. Motion passed unanimously.

At 6:05 p.m. Chairman Krausman called for consideration and action on the **Minutes (attached)** of the 21 December 2017 meeting. Board Member Youngblood made a motion to approve the minutes. Board Member Steck provided the second. Motion passed unanimously.

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Chairman Krausman announced that the next regular scheduled meeting will be held on Thursday 22 February 2018 at 5:00 p.m. and the meeting was adjourned at 6:22 p.m.

ADOPTED AND APPROVED THIS 22nd DAY OF FEBRUARY 2018 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.

Steve Steck, Secretary