

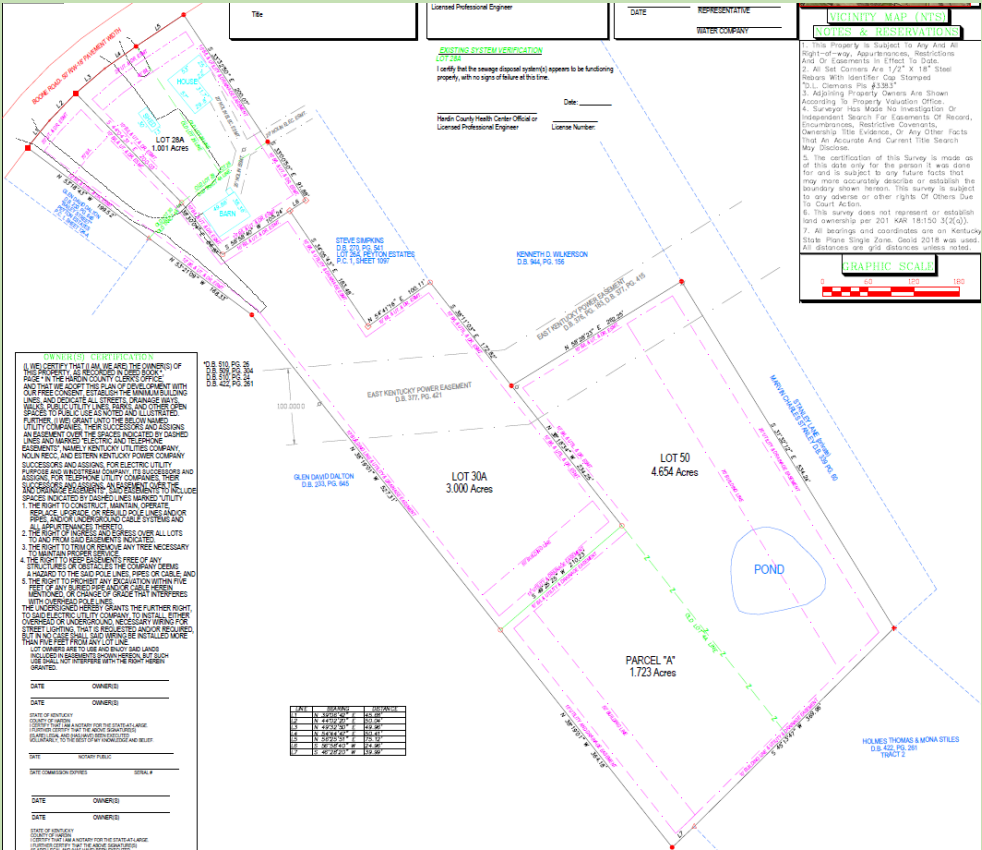


Hardin County Board of Adjustment

16 October 2025

**County Government Center
Second Floor Meeting Room**

Owners: Arthur Miller and Mona & Holmes Stiles



Location: 3 proposed lots totaling 8.655 acres located adjacent to 345 Boone Road, Rineyville, KY

Zoned: Urban Residential (R-1)

Requesting a **Variance** from the 1:4 lot width-to-length ratio and from the government maintained road frontage to allow for the property to be reconfigured

345 Boone Road, Rineyville, KY

Variance

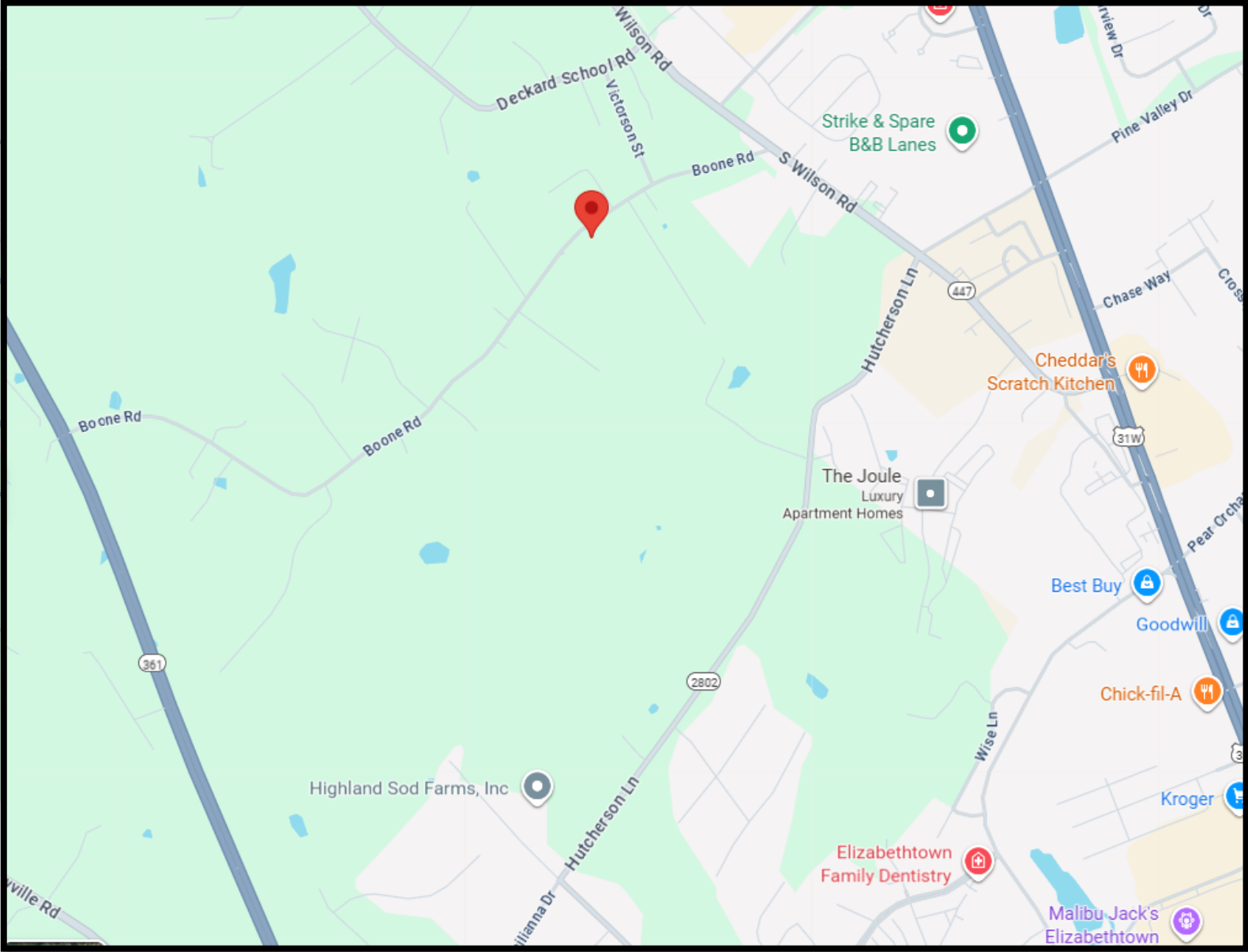
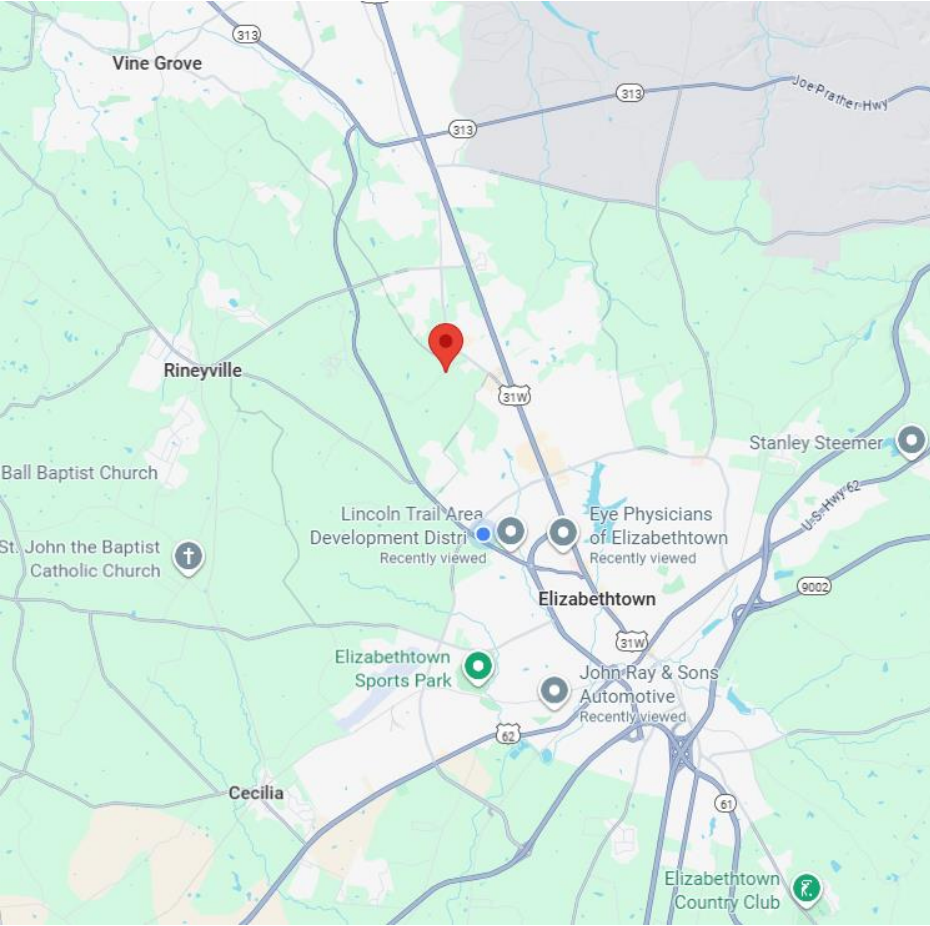
Summary Report

LISTING OF EXHIBITS

- A. Vicinity Map
- B. Zoning Map
- C. Aerial Photos
- D. Record Plat of Peyton Estates (1969)
- E. Amended Record Plat of Peyton Estates (1990)
- F. Proposed three lot Subdivision Plat
- G. Site visit Photos
- H. Analysis of other Variances from 1:4 ratio
- I. Analysis of other Variances from government maintained road frontage
- J. *Comprehensive Development Guide
- K. *Development Guidance System Ordinance

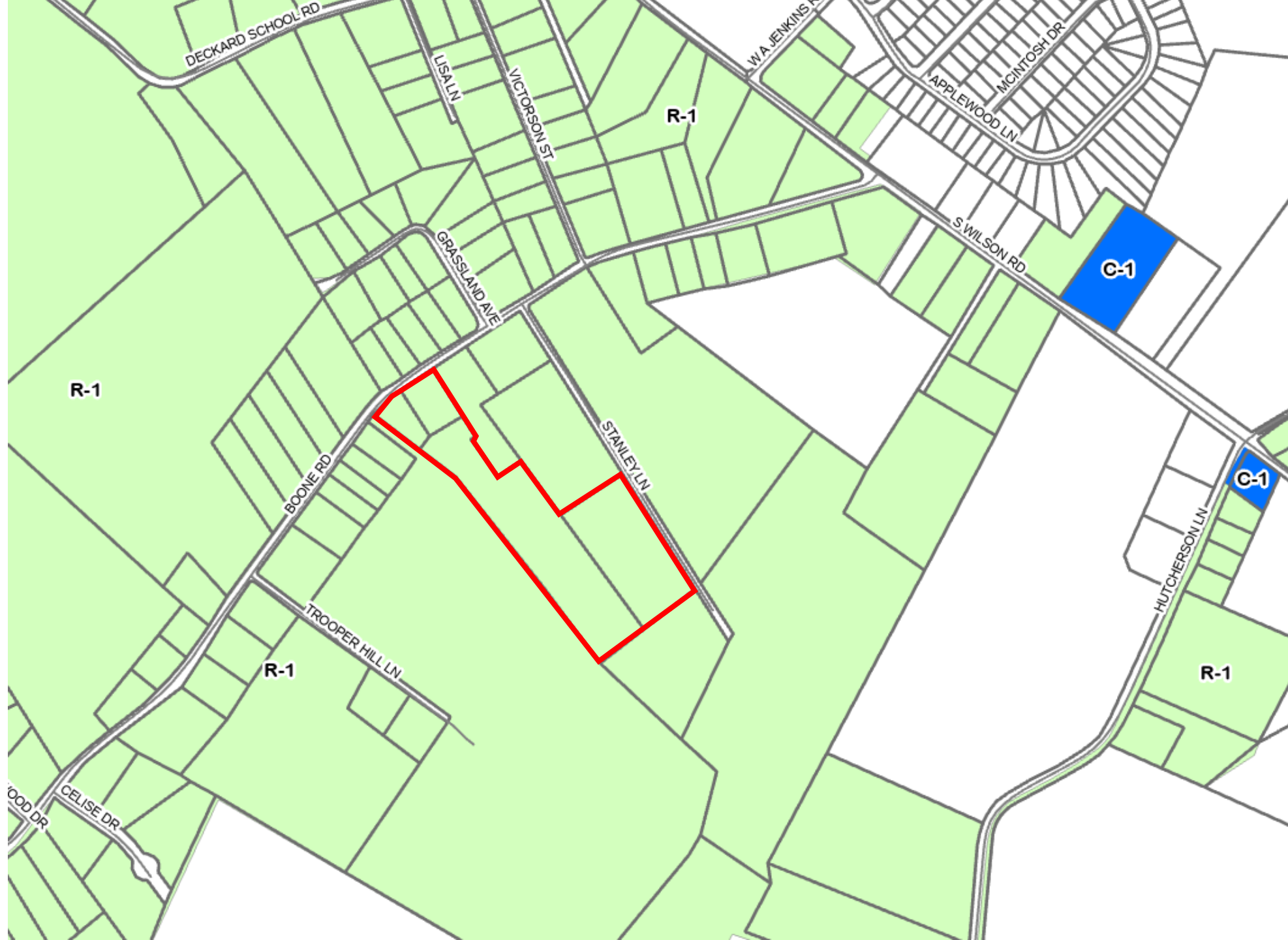
* Not Provided in PowerPoint

Vicinity Maps



DISTRICT

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



- ☒ Hardin_Wetlands
- ☒ Hardin_100Flood
- ☒ Streams 2023
- ☒ hardin_sinkhole



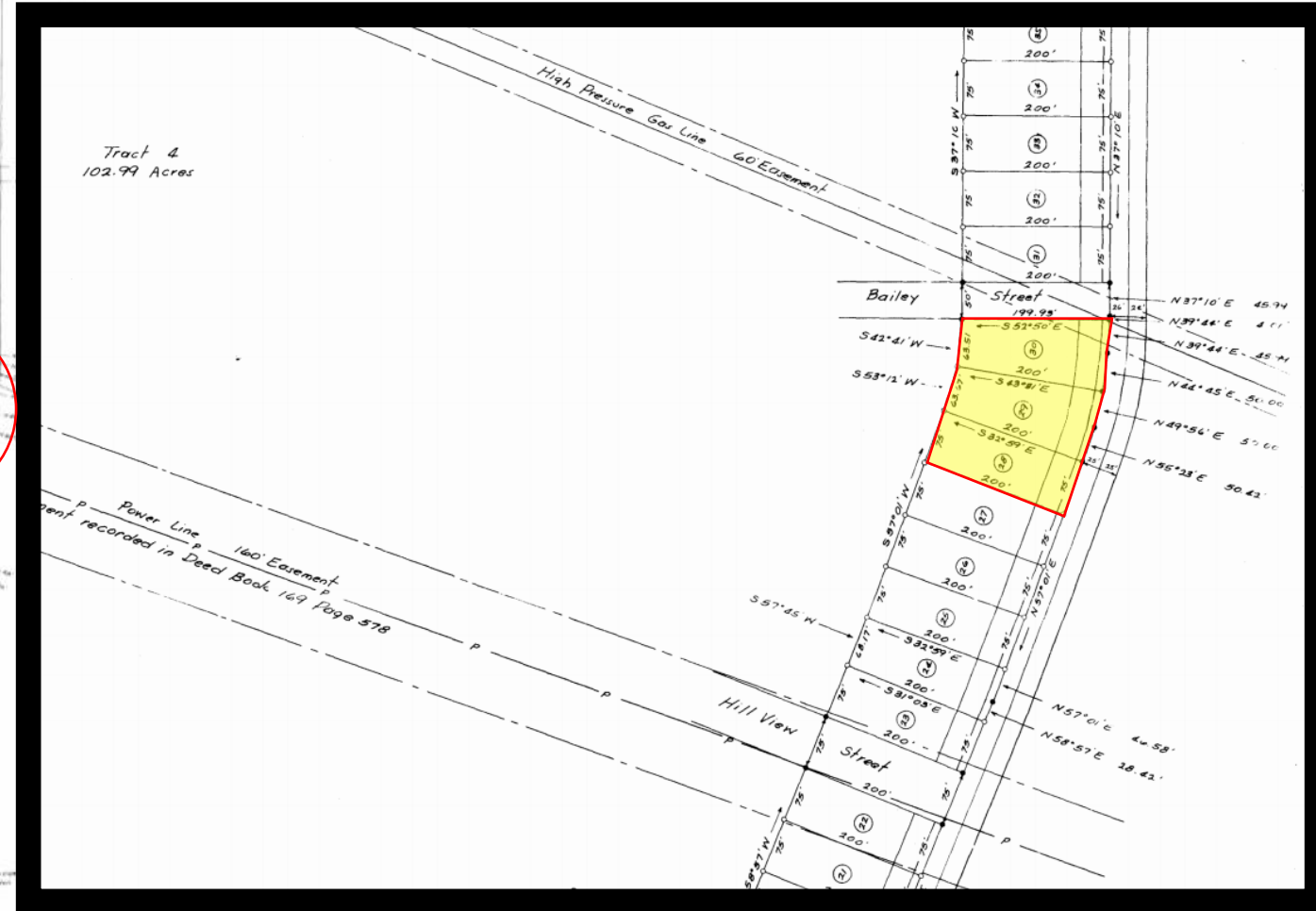
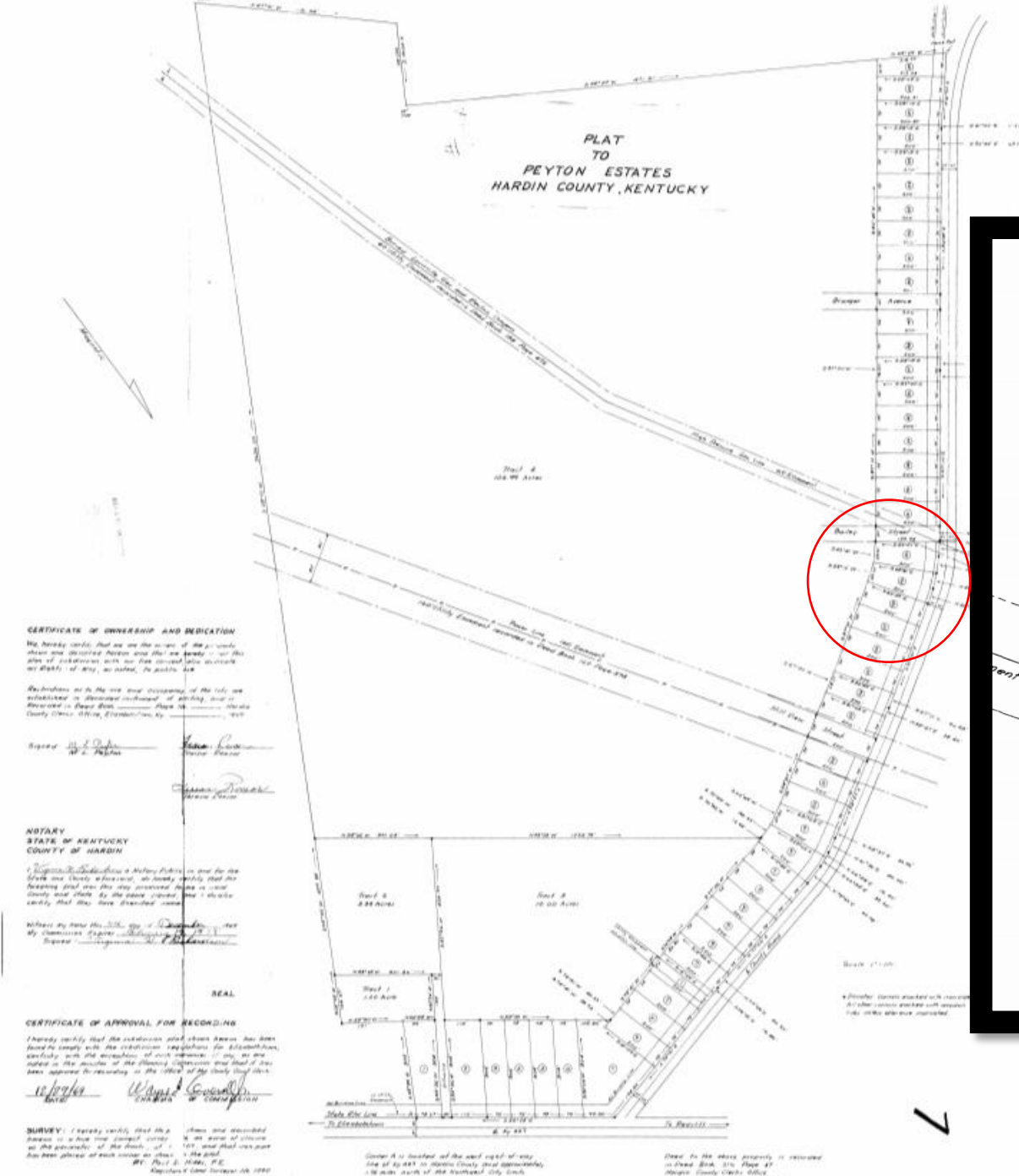
EXISTING

3 lots

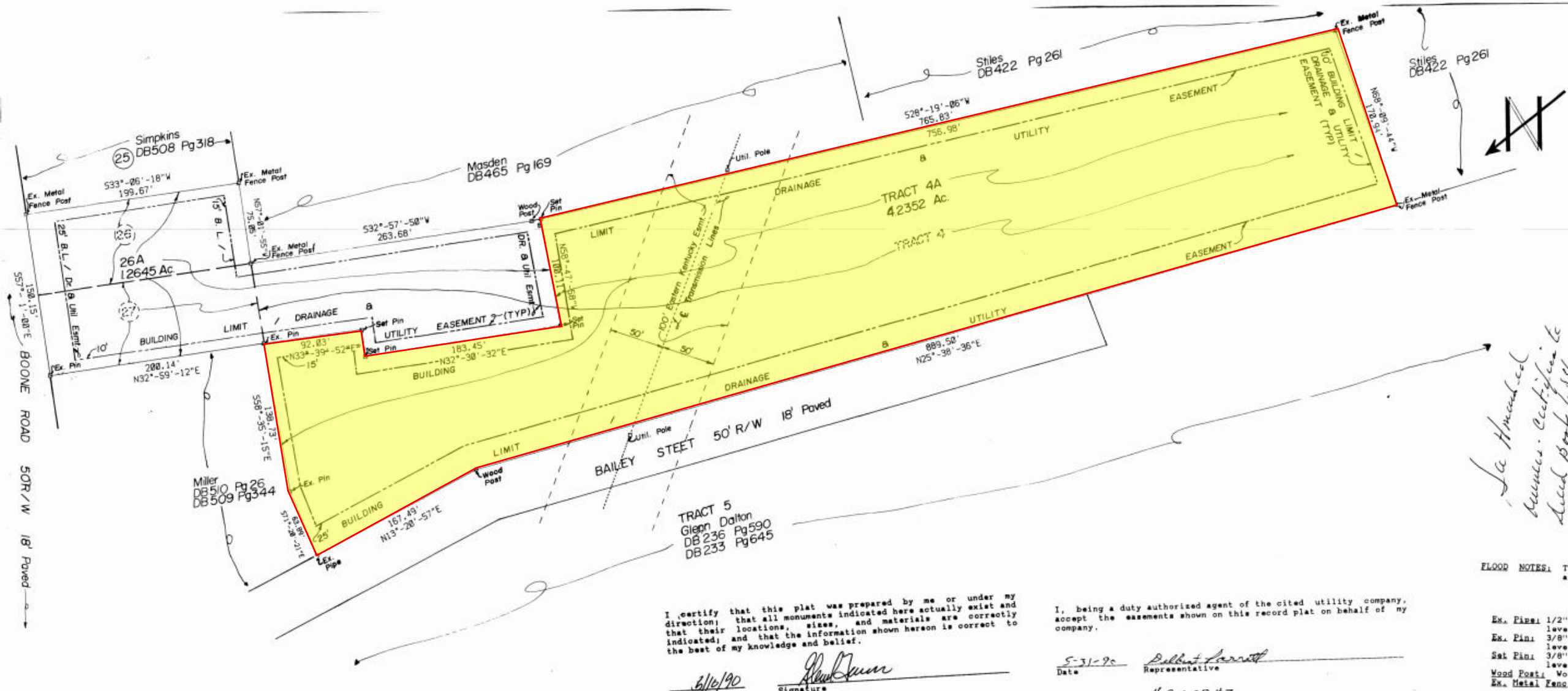
2 tracts



3 lots – Peyton Estates (1969)



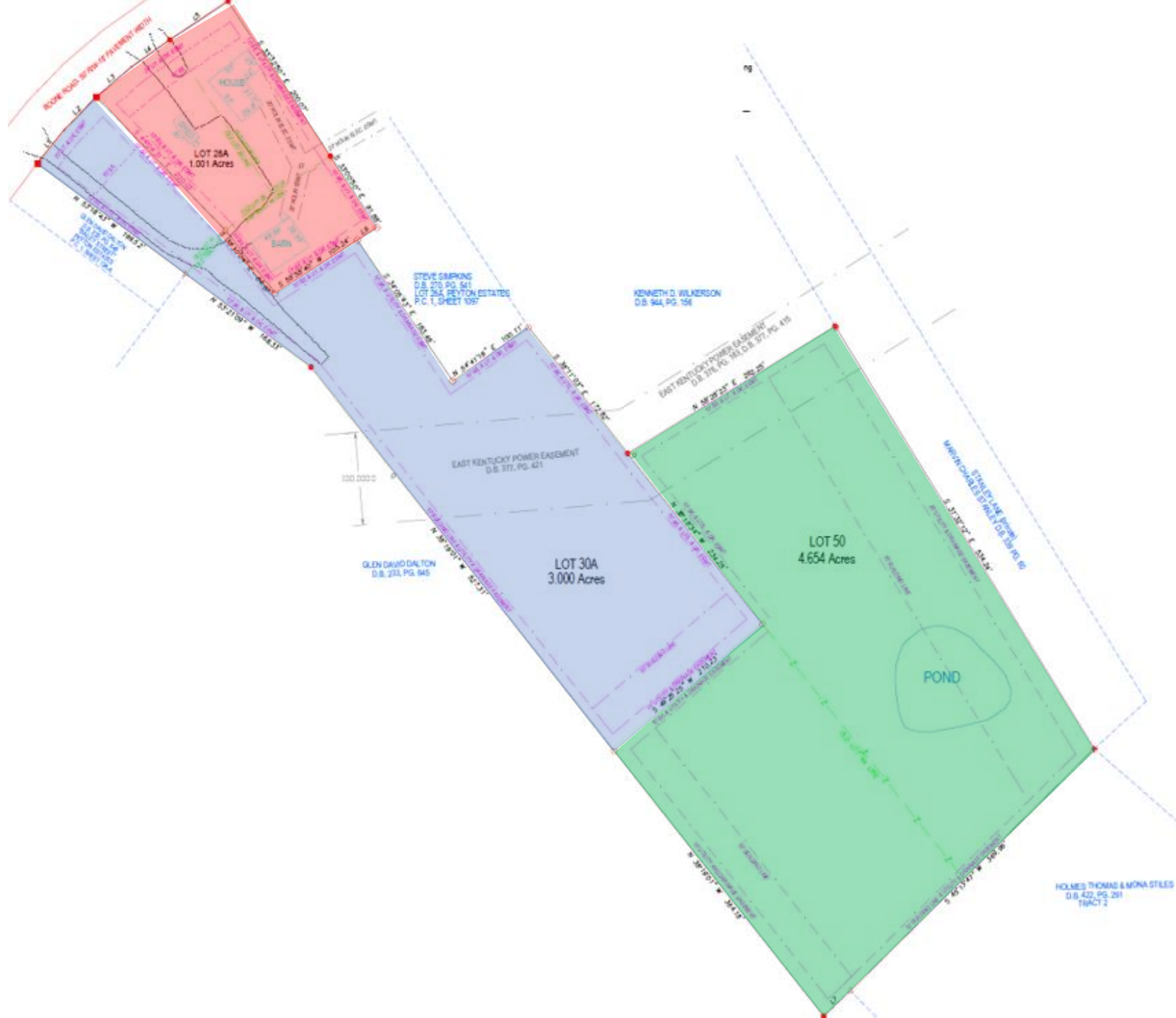
1 tract – Peyton Estates (1990)



Existing 2.9 acre tract from 1979



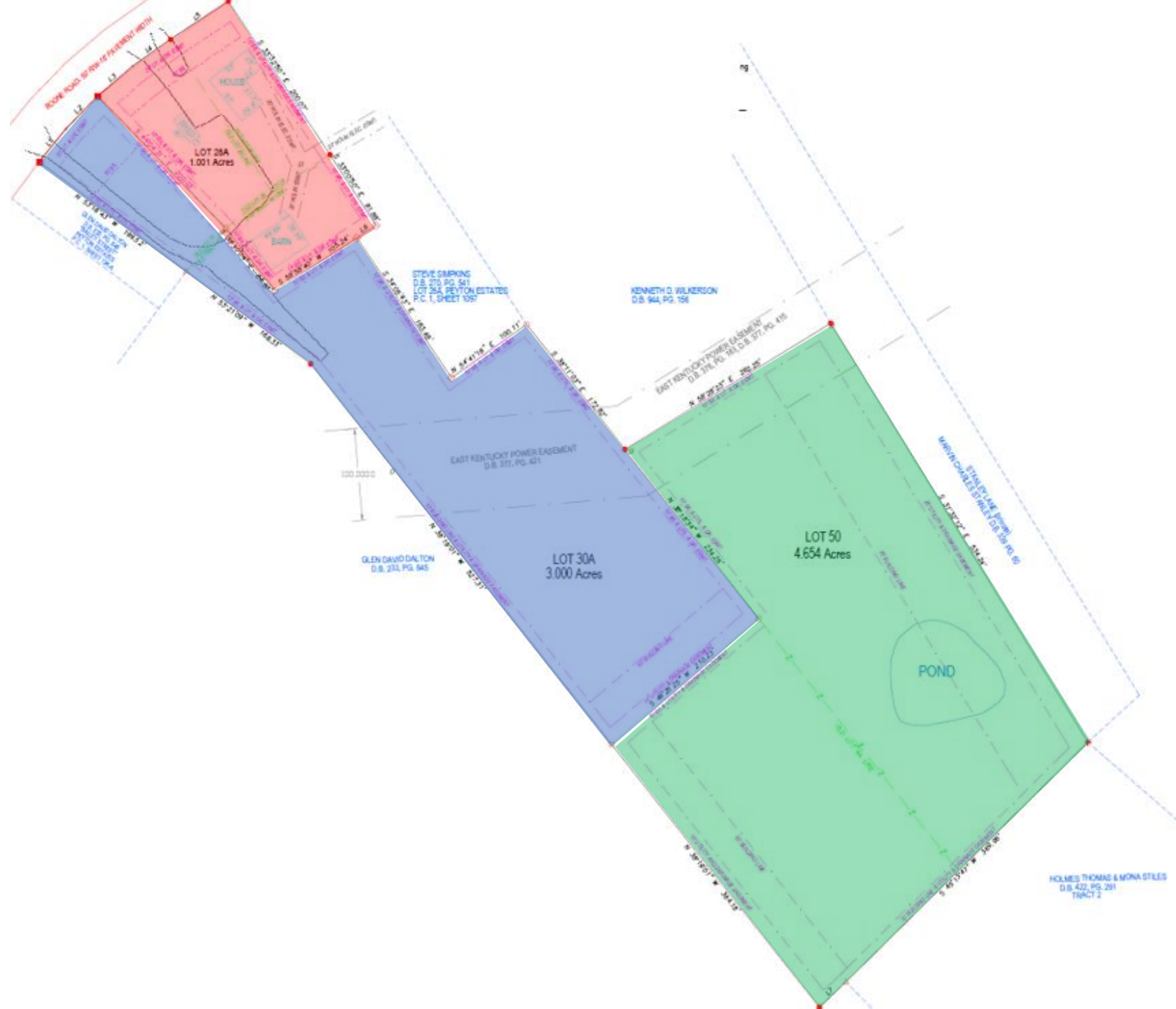
PROPOSED
3 lots



VARIANCE REQUESTS

* Lot 30A (Miller)
needs a Variance from
the 1:4 ratio (95.72' of
road frontage and
95.16' depth)

*Lot 50 (Stiles) needs
a Variance from
government
maintained road
frontage (Stanley Lane
is an existing private
road)















Other Variances from the government maintained road frontage requirement

Permit Date ↕	Owner ↕	PVA Map Number ↕	Type ↕	Zone ↕	Project / Subdivision Name ↕	Request ↕	Site Address ↕	Status ↕	Final Date ↕
08/15/2025	MILLER ARTHUR D	183-40-00-001: 002; 007 and 009	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	PEYTON ESTATES, LOTS 28-30	VARIANCE FROM THE 1:4 LOT WIDTH-TO-LENGTH RATIO AND FROM GOVERNMENT MAINTAINED ROAD FRONTAGE	345 BOONE ROAD	PENDING	
02/07/2025	KENNETH ROBERTS	073-00-00-027	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	ROBERTS TWO LOT SUBDIVISION	VARIANCE FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE TO ALLOW FOR A TWO LOT SUBDIVISION	686 SUMMIT ROAD, EASTVIEW, KY	APPROVED	03/20/2025
11/20/2024	GOODIN BARRY E	243-00-00-001.01 & 230-00-00-033	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	PENNY LANE SUBDIVISION, LOT 1 : VARIANCE FROM GOVERNMENT MAINTANED ROAD FRONTAGE	VARIANCE FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE REQUIREMENT	218 ARBOR LANE, ELIZABETHTOWN, KY	APPROVED	12/19/2024
07/19/2024	PENDLETON, MICHAEL ANTHONY	241-00-00-032.03	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	PENDLETON LANE VARIANCE	TO ALLOW FOR A VARIANCE FROM GOVERNMENT MAINTAINED ROAD FRONTAGE FOR AN ILLEGALLY CREATED LOT	PENDLETON LANE	WITHDRAWN	07/31/2024
05/02/2024	JOHN & KRISTINA TAPIO	065-00-00-001.03	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	AMENDED DEL MORAL SUBDIVISION, LOT 3A	FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE REQUIREMENT TO ALLOW FOR THE PROPERTY TO BE FURTHER SUBDIVIDED	4497 SALT RIVER ROAD, RINEYVILLE, KY	APPROVED	05/23/2024
11/15/2022	BENNIES BARN LLC	190-30-00-020.01	VARIANCE	PD-1 - PLANNED UNIT DEVELOPMENT	WILLIAMS CORNER SUBDIVISION, LOT 2 - BENNIES BARN VARIANCE	VARIANCE FROM GOVERNMENT MAINTAINED ROAD FRONTAGE FOR LOT 2B AND THE MINIMUM ROAD FRONTAGE FOR LOT 2A	434 E MAIN STREET, GLENDALE, KY 42740	DENIED	01/05/2023
10/07/2022	MOUSER KAITLYN & BAILEY HALL	164-00-01-015	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	VARIANCE FROM GOVERNMENT MAINTAINED ROAD FRONTAGE	VARIANCE FROM GOVERNMENT MAINTAINED ROAD FRONTAGE TO ALLOW FOR THE PROPERTY TO BE RECONFIGURED	294 PIERCE LANE, ELIZABETHTOWN, KY 42701	APPROVED	11/03/2022
08/04/2022	OWSLEY B G & MARTHA J	147-30-01-001; 147-30-01-007	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	RATIO & GOVERNMENT MAINTAINED ROAD FRONTAGE VARIANCES	FROM THE 1:4 LOT WIDTH-TO-LENGTH RATIO FOR LOT 1. VARIANCE FROM GOVERNMENT MAINTAINED ROAD FRONTAGE FOR LOT 2.	WEST MAIN STREET/PARK LANE	APPROVED	09/08/2022
04/28/2021	BEARD RONALD C & TAMBERLEY	083-00-00-013 & 083-00-00-045	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	BEARD SUBDIVISION, SECTION 3	TO ALLOW FOR TWO EXISTING TRACTS TO BE RECONFIGURED AND PLATTED AS TWO LOTS - VARIANCE FROM GOVERNMENT MAINTAINED ROAD FRONTAGE	10032 ST. JOHN ROAD, CECILIA, KY	APPROVED	05/20/2021
11/05/2019	IRWIN DALE	198-00-00-029 & 029.01	VARIANCE	R-3 - RESIDENTIAL ESTATE ZONE	IRWIN SUBDIVISION, LOT 1, #1	FROM THE MINIMUM ROAD FRONTAGE AND GOVERNMENT MAINTAINED ROAD FRONTAGE TO ALLOW FOR THE PROPERTIES TO BE FURTHER SUBDIVIDED	459 LINCOLN ROAD & 1614 BATTLE TRAINING ROAD	APPROVED	12/05/2019
09/24/2019	COTTRELL STEPHANIE & KEVIN	235-10-01-031 THRU 035	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	LYNNWOOD SUBDIVISION, # 3, LOTS 18-22	TO ALLOW FOR A VARIANCE FROM FRONTAGE ON A GOVERNMENT MAINTAINED ROAD	ECHO LN	APPROVED	10/17/2019
03/15/2018	SPRINGER KARL L & ROBIN S	206-00-00-038	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	SPRINGER PROPERTY	FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE REQUIREMENT TO ALLOW FOR ADDITIONAL ACREAGE TO BE MERGED TO AN EXISTING TRACT	996 MUD SPLASH RD	APPROVED	04/19/2018
12/28/2016	WARREN GENEVA F REVOCABLE LIVING	223-00-00-002.01	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE		FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE TO ALLOW FOR FOUR EXISTING TRACTS OFF OVERALL PHILLIPS ROAD IN ELIZABETHTOWN, KY TO BE MERGED TOGETHER AND PLATTED AS A SINGLE LOT	OVERALL PHILLIPS RD	APPROVED	01/19/2017
04/08/2015	ASASKAS GLENN E	088-00-00-012	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE		RELIEF FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE TO ALLOW FOR ADDITIONAL ACREAGE TO BE MERGED TO LOT 1 OF ARCHER HOLLOW.	100 EASTVIEW ROAD	APPROVED	05/11/2015
08/26/2014	CHARLES & SHERYL PHILLIPS	273-00-01-009.01	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	GOVERNMENT MAINTAINED ROAD FRONTAGE	RELIEF FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE REQUIREMENT. COMBINE 4 TRACTS INTO 1.	DEVERS RD	APPROVED	
04/17/2014	FRANK HOBBS	165-00-00-050	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE		RELIEF FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE	WALNUT CREEK ROAD	APPROVED	
04/14/2014	ASASKAS GLENN E	088-00-00-008; 088-00-00-012	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	GOVERNMENT MAINTAINED ROAD FRONTAGE	RELIEF FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE	1106 EASTVIEW ROAD	APPROVED	
08/28/2012	JUNKO COSBY	231-10-00-023	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	GOVERNMENT MAINTAINED ROAD FRONTAGE	VARIANCE FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE TO RESHAPE THE EXISTING TRACTS	1707 TUNNEL HILL ROAD	APPROVED	
10/06/2011	ERIC M PEAKE	147-40-00-046; 147-40-00-046.01	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	GOVERNMENT MAINTAINED ROAD FRONTAGE / DR AUDS FIRST ADDITION, LOTS 23A & 26A	RELIEF FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE	MAIN STREET	APPROVED	
04/11/2011	GARY S. COOPER, SR.	040-00-00-010.04	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	GOVERNMENT MAINTAINED ROAD FRONTAGE	RELIEF FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE	85 TURKEY ROOST LANE	DENIED	

Variance from the 1:4 ratio in the R-1 Zone

Permit Date	Owner Name	Site Address	Project / Subdivision Name	Acres (All Permits)	Frontage (VAR)	Depth (VAR)	Status	RATIO
12/16/2015	FRALEY GARY	SOUTH OF BRIDLE DRIVE AND NORTH OF KRAFT RD	MINIARD ACRES, SECTION 1, LOT 4	6.760	146.00	1,000.00	APPROVED	7
11/25/2015	SULLIVAN STUART	995 RED MILL RD		0.000	61.42	1,508.69	APPROVED	25
2/18/2015	KRIEGER ROBERT E & DEBRA	1330 Berrytown Road	/ Krieger Estates	0.000	232.22	1,531.59	APPROVED	7
5/29/2014	PATRICK & LYNNE HOGAN	RINEYVILLE BIG SPRINGS RD	1:4 WIDTH-TO-LENGTH RATIO / MAYFAIR PLACE SUBDIVISION, SECTION 1	3.780	148.00	853.65	WITHDRAWN	6
4/15/2014	HOUSER AARON & ANDREA	306 CRUME ROAD (KY 391)	1:4 WIDTH-TO-LENGTH RATIO / AMENDED RECORD PLAT OF CLARK ESTATE, LOT 1 AND RECORD PLAT CLARK ESTATE, SECTION 2	3.960	80.00	550.00	APPROVED	7
2/26/2014	JEFF & AMY VO	1102 THOMAS ROAD	WIDTH TO LENGTH RATIO / OXFORD ESTATES	8.640	250.00	1,525.00	APPROVED	6
7/29/2013	GERALD & IRIS HODGE	4335 SOUTH WILSON ROAD	WIDTH TO LENGTH RATIO / LONGVIEW PROPERTY OF MISS EVA BARNES SUBDIVISION, LOT Y	41.000	60.00	963.19	WITHDRAWN	16
1/23/2013	RICHARDSON, RODNEY & NANCY	269 FALLING SPRINGS ROAD	WIDTH TO DEPTH RATIO / SPECKLES PLACE, LOT 2	3.750	214.98	1,451.09	APPROVED	7
1/27/2012	WILLIE & SOMI NEAL	SPORTSMAN LAKE RD	ROAD FRONTAGE AND 1:4 WIDTH-T0-LENGTH RATIO / ROYAL ACRES ESTATES	43.580	60.30	787.68	APPROVED	13
1/18/2012	JOSEPH PRATHER	WEXFORD DRIVE	ROAD FRONTAGE AND 1:4 WIDTH TO LENGTH / WEXFORD PLACE LOT 22	0.930	51.00	1,138.00	WITHDRAWN	22
1/17/2012	WILLIAM BURNETT	ST JOHN ROAD	1:4 WIDTH-T0-LENGTH RATIO / BURNETT ESTATES	22.170	240.00	2,000.00	WITHDRAWN	8
7/7/2010	DEBRA RAMBO	230 WISE LANE	ROAD FRONTAGE REQUIREMENT AND 1:3 RATIO / CARMAN SUBDIVISION, LOT 1A	12.670	50.00	1,420.44	APPROVED	28
6/16/2009	WILLIAM L. AND MARIE A. BROWN	169 BARDSTOWN ROAD (US 62)	LOT WIDTH TO LENGTH RATIO (1:3) / LINCOLN TRAIL SUBDIVISION, LOT 5	3.000	98.05	595.17	APPROVED	6
5/26/2009	CREAGOR WILSON	0 MAIN STREET (KY 86)	LOT WIDTH TO LENGTH RATIO (1:3) / LAKEWOOD SUBDIVISION SECTION 7, LOT 710	3.170	160.20	834.69	DENIED	5
4/17/2009	BEN PARTIN, III	DOGWOOD DRIVE	LOT WIDTH TO LENGTH RATIO (1:3) / TWIN OAKS, LOTS 72 & 73	0.520	75.00	477.80	APPROVED	6
6/16/1996	JOZWIAK STANLEY D	DECKARD SCHOOL ROAD	QUIET WOOD ESTATES	0.000	240.61	1,845.44	APPROVED	8

🗺️ Zone: R-1 - URBAN RESIDENTIAL ZONE								
8/15/2025	MILLER ARTHUR D	345 BOONE ROAD	PEYTON ESTATES, LOTS 28-30	0.000	95.72	895.16	PENDING	9
7/11/2025	WORTHAM BARRY S	2304 HODGENVILLE ROAD, ELIZABETHTOWN, KY 42701	AMENDED MAURICE'S ACRES SUBDIVISION, LOT 2A AND RECORD PLAT OF MAURICE'S ACRE SUBDIVISION SECTION 2 - VARIANCE FROM 1:4 LOT WIDTH-TO-LENGTH RATIO	5.540	150.00	854.50	APPROVED	6
4/29/2025	TURNER GLENN S & SANDRA G	SHANNON RUN LN	THE SHIRE SUBDIVISION, LOT 2	2.920	50.32	507.41	APPROVED	10
4/7/2025	HALL CHARLES E JR & TAMARA K		PITZ HALL ACRES	23.460	208.00	1,067.00	APPROVED	5
3/10/2025	ASHLEY HENSLEY	1738 VALLEY CREEK ROAD, ELIZABETHTOWN, KY	A HENSLEY ACRES	11.220	58.95	1,034.87	APPROVED	18
1/24/2025	GLENDALE CHRISTIAN CHURCH	219 S BEECH STREET, GLENDALE, KY	SANDRAS ACRES	1.130	20.00	473.31	APPROVED	24
8/21/2024	MARTHA & TERRY SKAGGS	THOMPSON ROAD, RINEYVILLE, KY	AMENDED LOT 8 OF LEASOR'S LANDING & AMENDED LOT 40 OF COTTONWOOD ESTATES, SECTION 1	11.250	206.89	1,228.76	APPROVED	6
5/16/2024	BLAIR LIVING TRUST	237 BROCK RD	MACCALLIE MANOR, SECTION 2	10.960	239.34	1,105.66	APPROVED	5
4/17/2024	NELSON DAVION	TRINITY DR	COTTONWOOD EST LOT 35	2.220	80.00	532.46	APPROVED	7
10/13/2023	HARROD SALLY	3664 RINEYVILLE ROAD, ELIZABETHTOWN, KY 42701	SALLY HARROD SUBDIVISION	3.270	100.03	748.32	APPROVED	7
2/22/2023	HINOTE WALTER S & UTE	223 BOONE ROAD, RINEYVILLE, KY 40162	PEYTON ESTATES, LOTS 20-22	10.600	100.00	1,170.00	APPROVED	12
8/4/2022	OWSLEY B G & MARTHA J	WEST MAIN STREET/PARK LANE	RATIO & GOVERNMENT MAINTAINED ROAD FRONTAGE VARIANCES	16.030	131.00	971.00	APPROVED	7
3/29/2022	RIGGS BEN S & CATHY L	195 & 271 FERNWOOD BOULEVARD, ELIZABETHTOWN, KY 42701	FERNWOOD, SECTION 2, LOT 31 & FERNWOOD, SECTION 4, LOT 65	12.500	245.78	1,099.00	APPROVED	4
9/28/2021	DAUNIS GERTRUDE	825 KRAFT ROAD, RINEYVILLE KY 40162	GERTRUDE DAUNIS SUBDIVISION	17.050	87.00	1,106.00	APPROVED	13
5/10/2021	THOMAS DONALD RAY & SHARON	5095 & 5111 SAINT JOHN ROAD, ELIZABETHTOWN, KY	THOMAS PROPERTY PROJECT	3.080	78.00	517.48	APPROVED	7
2/9/2021	ASBELL DAVID L & DEBBIE L	1382 BERRYTOWN ROAD	ASBELL ZONE CHANGE - PROPOSED TWO LOTS	11.000	233.97	1,457.75	APPROVED	6
7/22/2020	POWELL DOROTHY	HODGENVILLE RD		8.770	165.00	806.00	APPROVED	5
7/29/2019	DEBBIE COX	2499 KNOX AVE	ROSCOE & HELENS ROOST, LOT 2	9.770	163.27	1,009.42	APPROVED	6
4/13/2018	WADDELL LARRY & RHONDALYN	MIDDLE CREEK RD	EDWARDS SUBDIVISION LOT 3A AND COLE CREEK ESTATES SECTION 1	61.390	100.00	856.75	APPROVED	9
4/13/2017	MCGUFFIN VERNIE JOE & PHYLLIS JEAN	1054 THOMAS ROAD	OXFORD ESTATES	0.000	167.00	800.00	APPROVED	5
10/5/2016	MCCOMBS GEORGE W & SUSAN	1809 KNOX AVENUE		1.880	42.00	745.00	APPROVED	18
5/17/2016	HINTON MARK & PAMELA L	1245 W BRYAN RD		14.500	119.26	2,234.88	APPROVED	19

Findings necessary for Granting Variances

KRS 100.243 and DGS 5-3(B)

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

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

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

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

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

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

Motion to Approve the proposed Variance :

1. **To allow for a Variance from the 1:4 ratio and the government maintained road frontage requirement to allow for the three existing lots and two existing tracts to be platted as 3 lots.**
2. **An Amended Record Plat prepared by a licensed surveyor shall be required.**
3. **A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.**

OR

Motion to Deny

Owner: Brian & Terra Marshall



Location A 5.713 acre site located at 88 French Lane, Elizabethtown, KY,
known as Lot 7 of LA French Estates

Zoned Rural Residential (R-2)

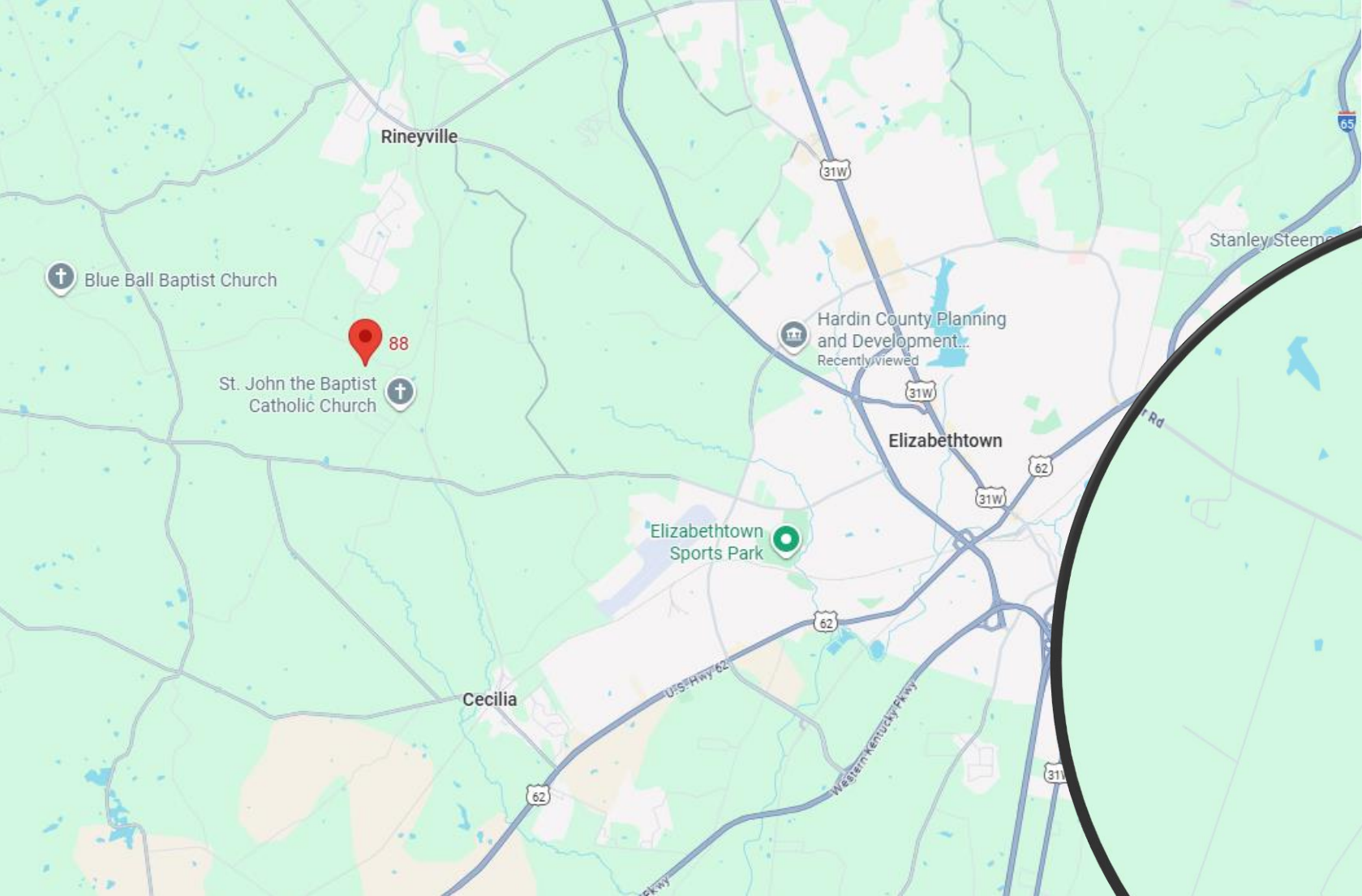
Request for a Conditional Use Permit to allow for a 1,008 sq. ft. Permanent Accessory Dwelling on site.

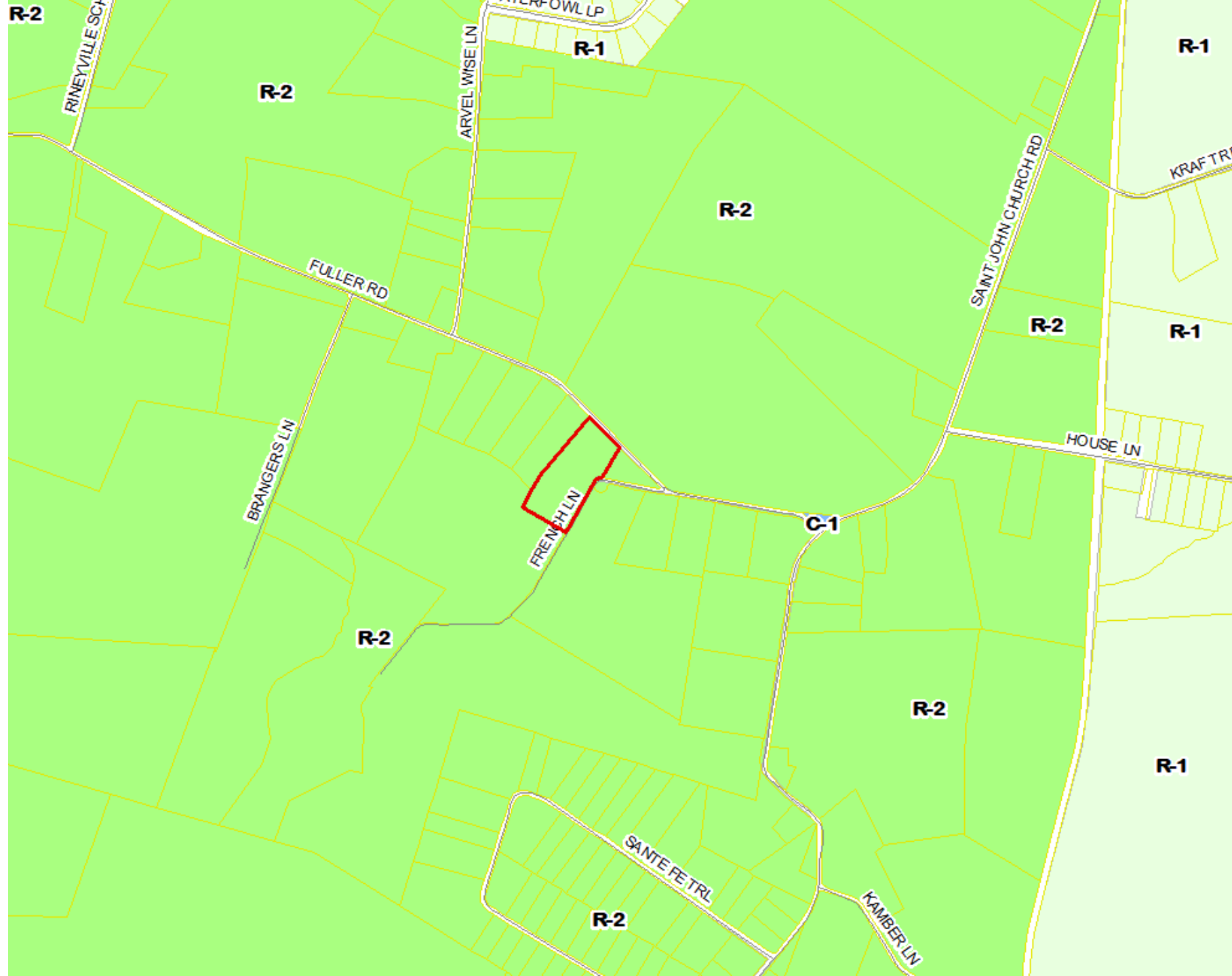
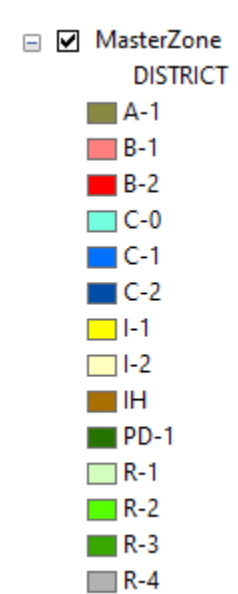
88 French Lane
Conditional Use Permit
SUMMARY REPORT

LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Environmental Features**
- D. Record Plat of LA French Estates**
- E. Character of the Site Analysis**
- F. Site Plan**
- G. House Plans/Renderings**
- H. Photos of the Site**
- I. Analysis of other Conditional Use Permits for Permanent Accessory Dwellings**
- J. Character of the Area Analysis**
- K. *Comprehensive Development Guide**
- L. *Development Guidance System Ordinance**

* Not Provided in PowerPoint





- ☒ Streams 2023
- ☒ Hardin_Wetlands
- ☒ Hardin_100Flood
- ☒ hardin_sinkhole



Brian & Terra Marshall
88 French Lane, Elizabethtown, KY
2,608 sq. ft. House (1945)



1600 sq. ft. garage (2018)



896 sq. ft. Barn (1960)



Site Plan

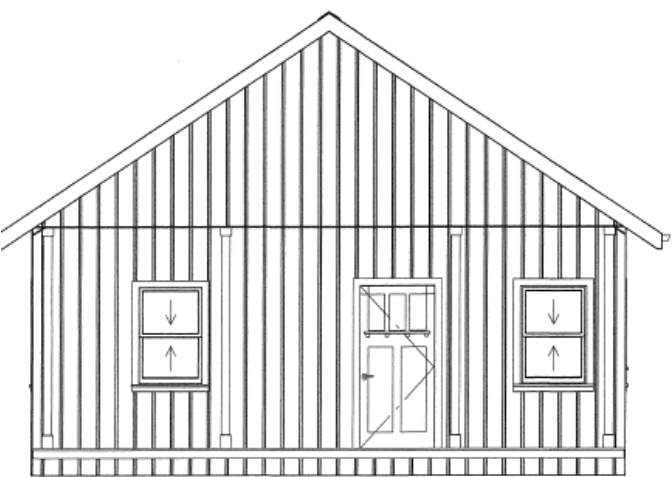
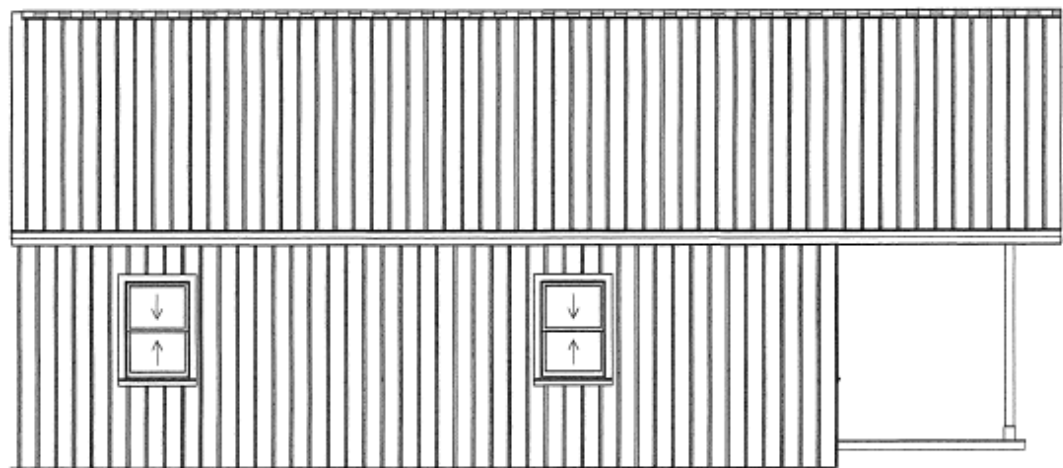
Proposed 1,008 sq. ft.
Permanent Accessory
Dwelling

Existing House

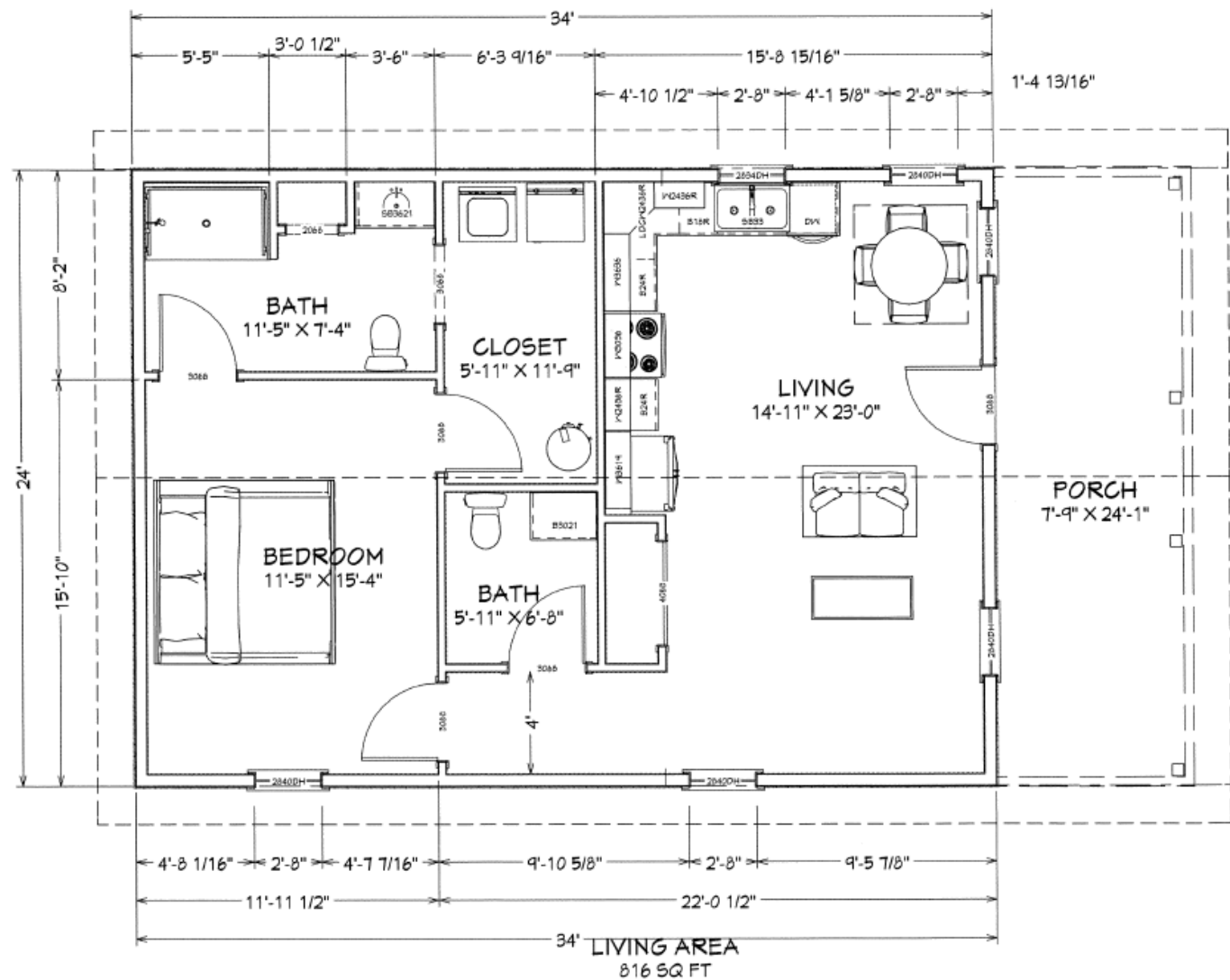
FULLER RD



1,008 sq. ft. House
1 Bed 2 Bath
White metal siding & black metal roof to match
existing garage that it will be attached to

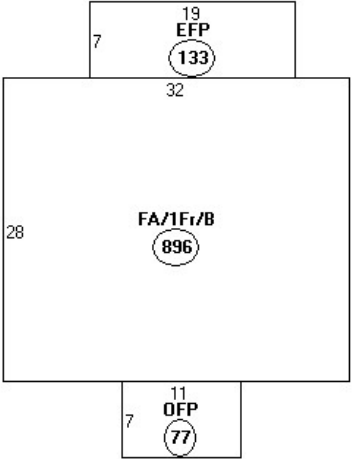


Elevation 2





2,608 Total Sq. Ft.

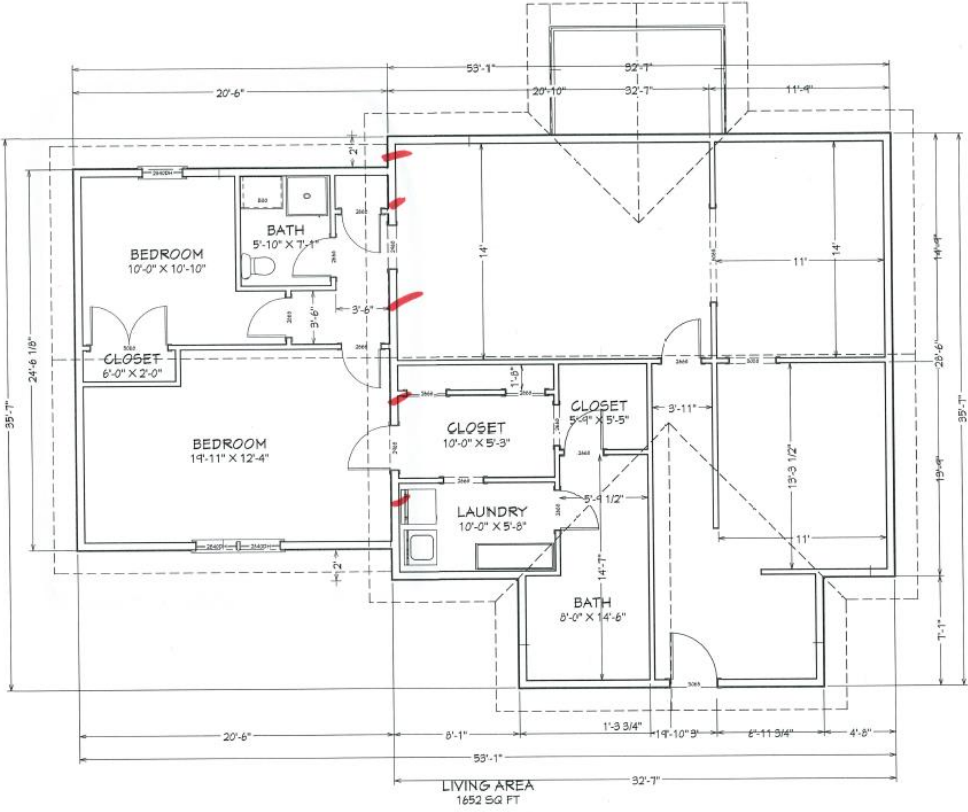


Descriptor/Area

- A: FA/1Fr/B
896 sqft
- B: EFP
133 sqft
- C: OFP
77 sqft

Open building permit for addition

Description	LA FRENCH EST LT 7	Finished Basement %	0
Type of Residence	CAPE COD 1.5	Bedrooms	2
Year Built	1945	Full Baths	1
Num Stories	1	Half Baths	0
Above Ground Sqft	1389	Exterior	ASBESTOS
Total Living Area	1389	Heat	ELECTRIC
Basement	FULL	Air Condition	BASIC
Basement Sqft	896	Fireplace	0
Basement Sqft Finish	0		



Photos





Proposed location of permanent
accessory dwelling addition to garage

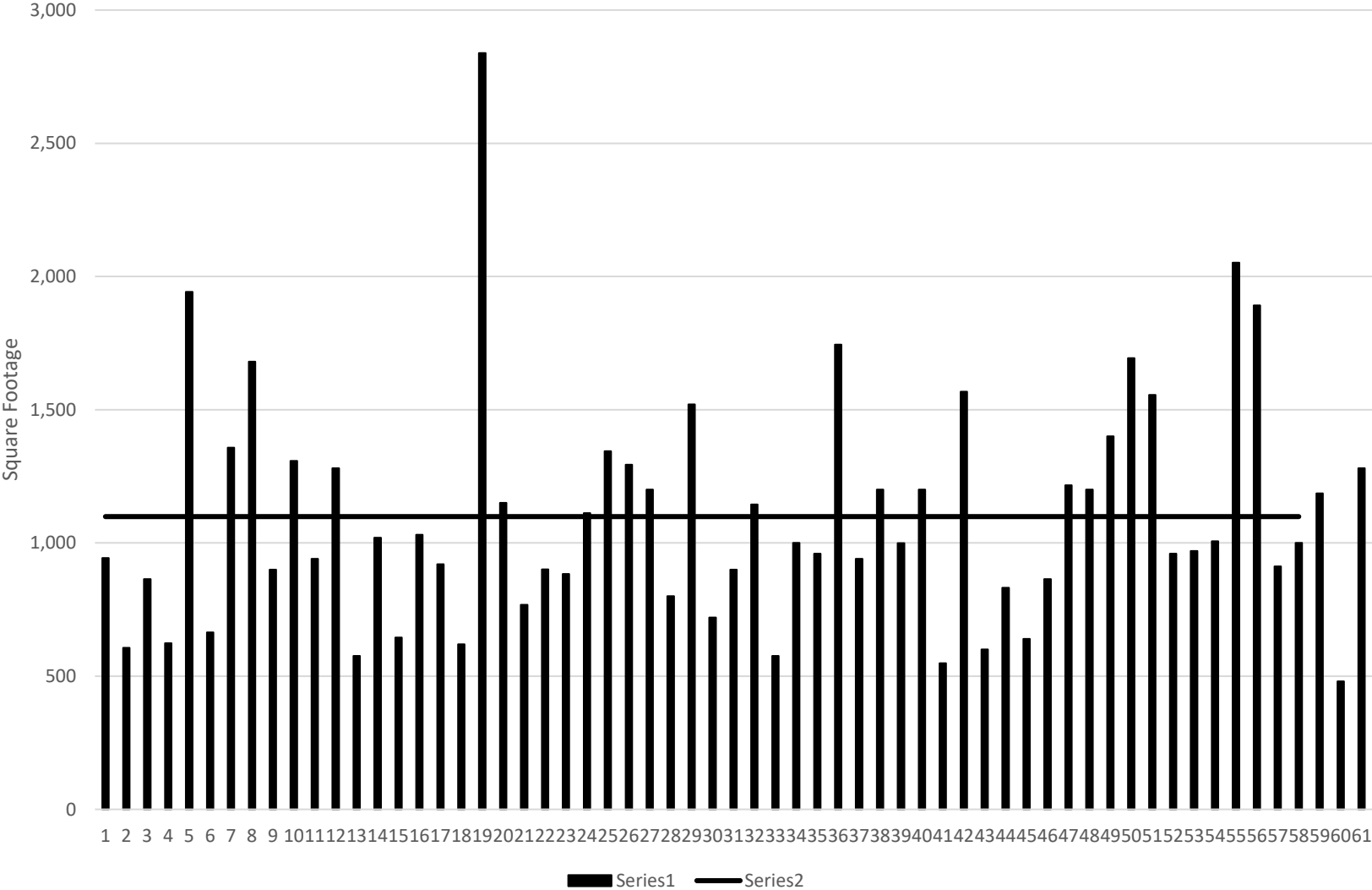








Accessory Structure & Average Square Footage Comparison



Average of 1,099 S.F.

Status	Count
Approved	68
Pending	2
Withdrawn	6
Denied	3
Total	79

Character of the Area



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

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

16-22(A) Permanent Accessory Dwellings

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

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

**Conditions may include, but are not limited to the following:
DGS [5-3(A)]**

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

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

1. This Conditional Use Permit for a Permanent Accessory Dwelling to allow for a proposed 1,008 sq. ft. Permanent Accessory Dwelling on site in addition to the 2,608 sq. ft. home (Principal Dwelling) on site.
2. The property owners, Brian & Terra Marshall, must occupy either the principal dwelling or the permanent accessory dwelling as the principal residence, and at no time receive rent for the owner-occupied unit (Owner's residence must be proven by driver's license - address).
3. Adequate on-site parking must be designated on an approved site plan.
4. The exterior finishes of the Permanent Accessory Dwelling shall be white/black metal siding with a black metal roof to match the existing dwelling & garage.
5. The existing driveway entrance to Fuller Road shall be a shared driveway for both dwellings.
6. The Permanent Accessory Dwelling is the proposed 1,008 sq. ft. living space addition to the existing garage, and the pre-existing 2,608 sq. ft. house is the Principal Dwelling.
7. The proposed permanent accessory dwelling will be located behind of the principal dwelling.
8. Both dwellings shall have on-site septic systems approved by the Health Department.
9. Additional landscaping or screening shall not be required.
10. This Permit is not transferable, and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
11. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Owner:

Riverview Contracting LLC



Location A 1.5 acre site located at 1652 Webb Mill Road, Eastview, KY.

Zoned Rural Residential (R-2)

Request for an Amended Conditional Use Permit to allow for an accessory structure (24'x40' barn) to remain on the property without a dwelling on site.

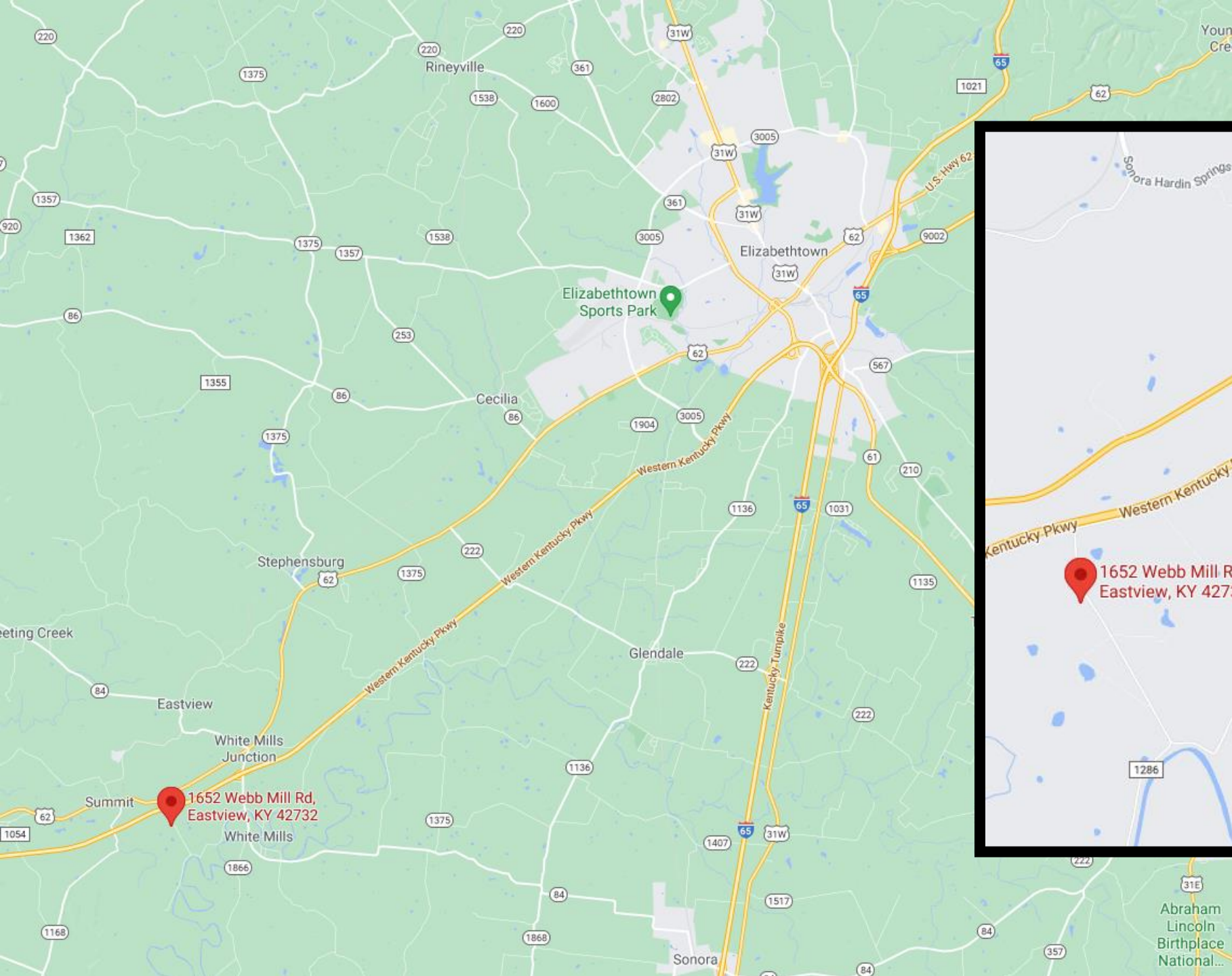
Initial CUP: July 2021 (4 years)

1652 Webb Mill Road
Amended Conditional Use Permit
SUMMARY REPORT

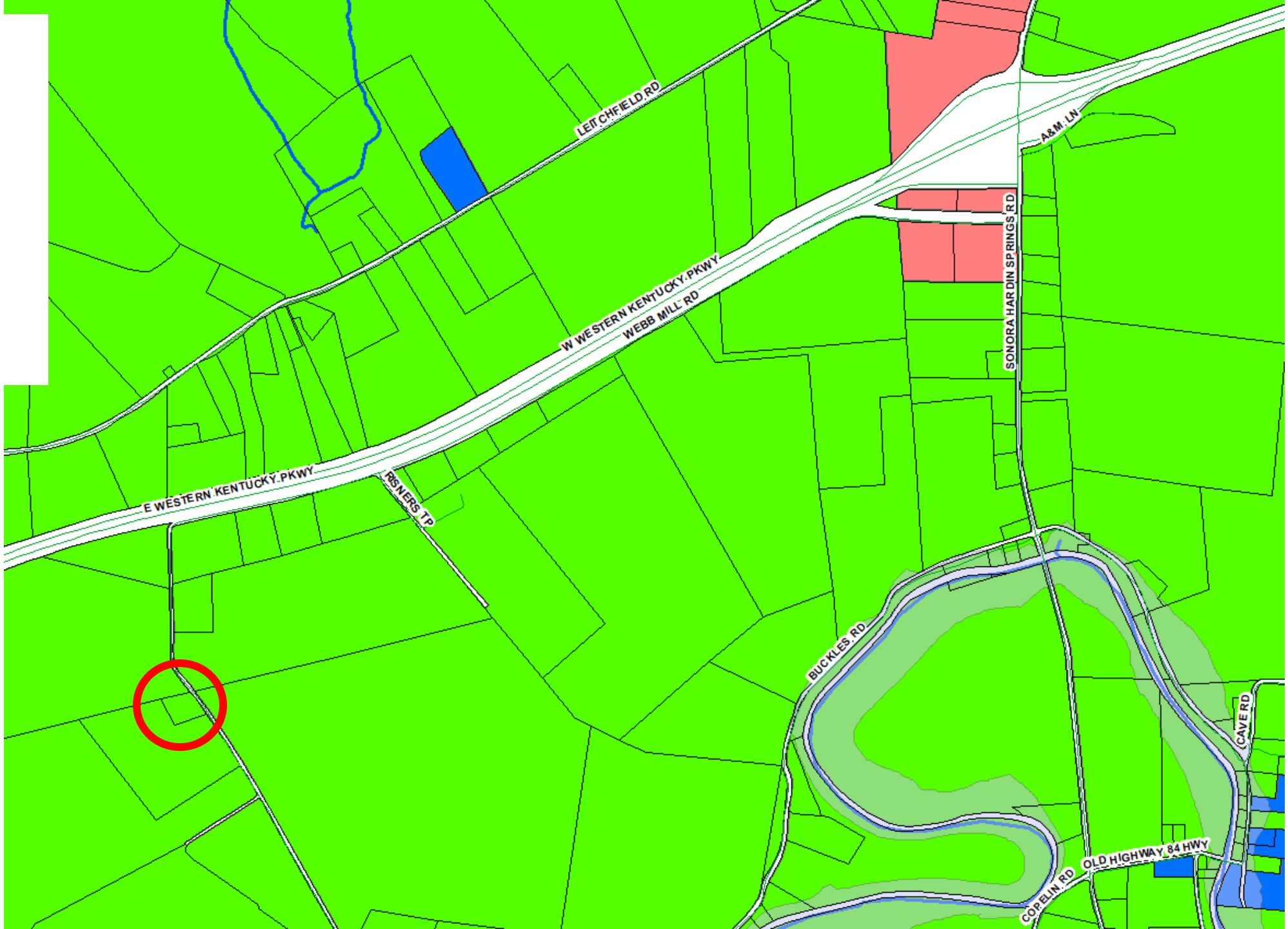
LISTING OF EXHIBITS

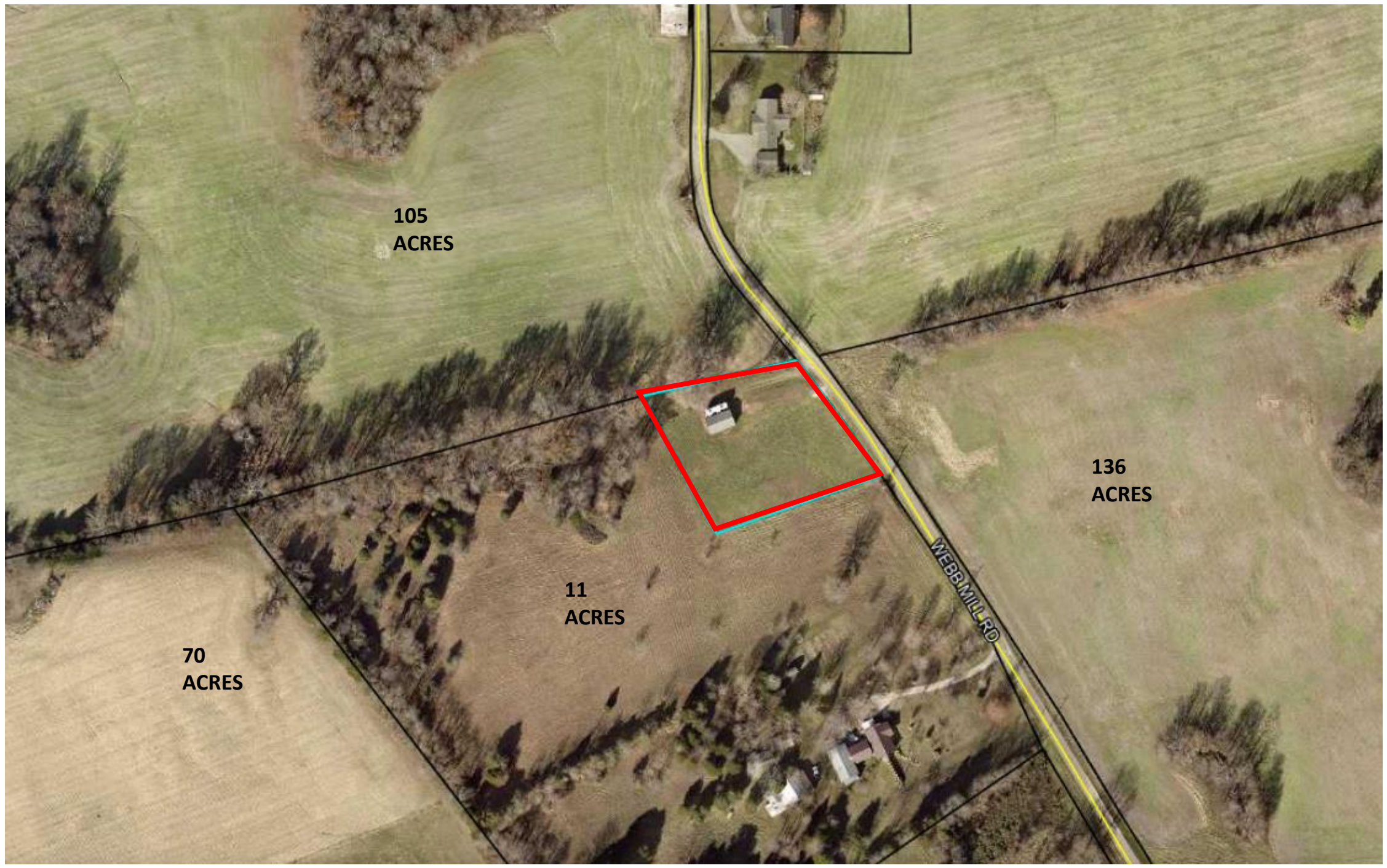
- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photo**
- D. Site Plan from 2021**
- E. Photos of the Site (2021 & 2025)**
- F. Analysis of other Conditional Use Permits for Accessory Structures on Vacant Lots**
- G. Character of the Area Analysis**
- H. *Comprehensive Development Guide**
- I. *Development Guidance System Ordinance**

* Not Provided in PowerPoint



- ☐ ☒ MasterZone
- DISTRICT
- A-1
 - B-1
 - B-2
 - C-0
 - C-1
 - C-2
 - I-1
 - I-2
 - IH
 - PD-1
 - R-1
 - R-2
 - R-3
 - R-4





105
ACRES

136
ACRES

11
ACRES

70
ACRES

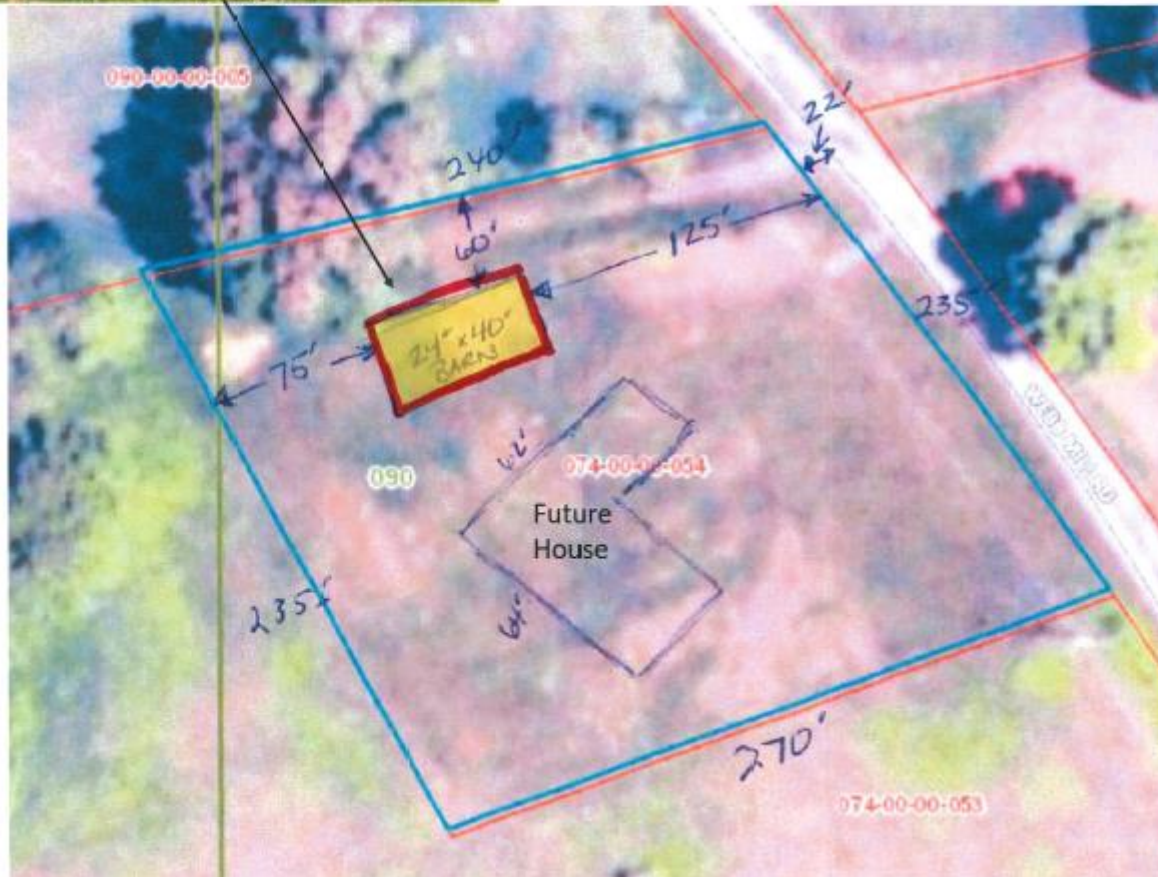
WEBB MILL RD



1.5 ACRES



Riverview Contracting LLC
24'X40' garage
1652 Webb Mill Road, White Mills, KY



SITE PLAN

SITE PLAN FOR: PVA MAP NUMBER: 074-00-00-054
James a Kimberly McComb - Conditional Use Permit
 Site Address: Welds Hill Road, Eastview, KY
 Developer Name: James McComb
 Address: Welds Hill Road, Eastview, KY
 Plan Preparer: James McComb
 Scale: One Inch Equals X Feet
 Total Acreage: 1.5 Deed Book 1497 Page 331
0 X
Zone: R-2

OWNER CERTIFICATION
 I (we) do hereby certify that I am (we are) the only owner(s) of the property shown herein, do adopt this as my (our) Site Plan for the property and agree to complete all site improvements shown herein in their entirety prior to receiving a Certificate of Occupancy to use and occupy the building(s) and property. I (we) further assure and warrant that the building and premises, including all landscape materials shall be maintained in proper manner.
 Owner signature: [Signature] Date: 7-23-21
 Owner signature: _____ Date: _____

NOTARY CERTIFICATION
 COMMONWEALTH OF KENTUCKY
 COUNTY OF HARDIN
 I, the undersigned Notary Public, do hereby certify that the foregoing instrument was delivered and acknowledged before me in Hardin County, Kentucky. I further certify that the above signature(s) (is, are) legal and (has, have) been executed voluntarily on this date, to the best of my knowledge and belief.
 Witness my hand this 23 day of July MONTH, 2021 (YR)
 Notary Public: [Signature] Commission Expires: April 23, 2022

PREPARER'S CERTIFICATION
 I certify that this Plan was prepared by me and is a true and correct representation of the indicated land.
 Preparer signature: [Signature] Date: 7-23-21

KENTUCKY DEPARTMENT OF HIGHWAYS CERTIFICATION
 I certify that the site shown has (a legal and adequate entrance onto the indicated road or has received an Encroachment Permit for access onto the indicated road) as shown:
Not Required
 Official: _____ Title: _____ Date: _____

HARDIN COUNTY ENCROACHMENT PERMIT CERTIFICATION
 I certify that the site shown has (a legal and adequate entrance onto the indicated road or has received an Encroachment Permit for access onto the indicated road) as shown:
Not Required
 Official: _____ Title: _____ Date: _____

WASTEWATER CERTIFICATION
 I certify that the wastewater disposal system(s) installed or proposed for installation in this development fully meet the requirements of this jurisdiction and are approved or that the existing system appears to be functioning with no signs of failure at this time.
Not Required
 Official: _____ Title: _____ Date: _____

COMMISSION CERTIFICATION
 I do hereby certify that this Plan has been approved in accordance with the regulations administered by the Hardin County Planning and Development Commission.
 Commission Signature: [Signature] Date: 7/26/2021

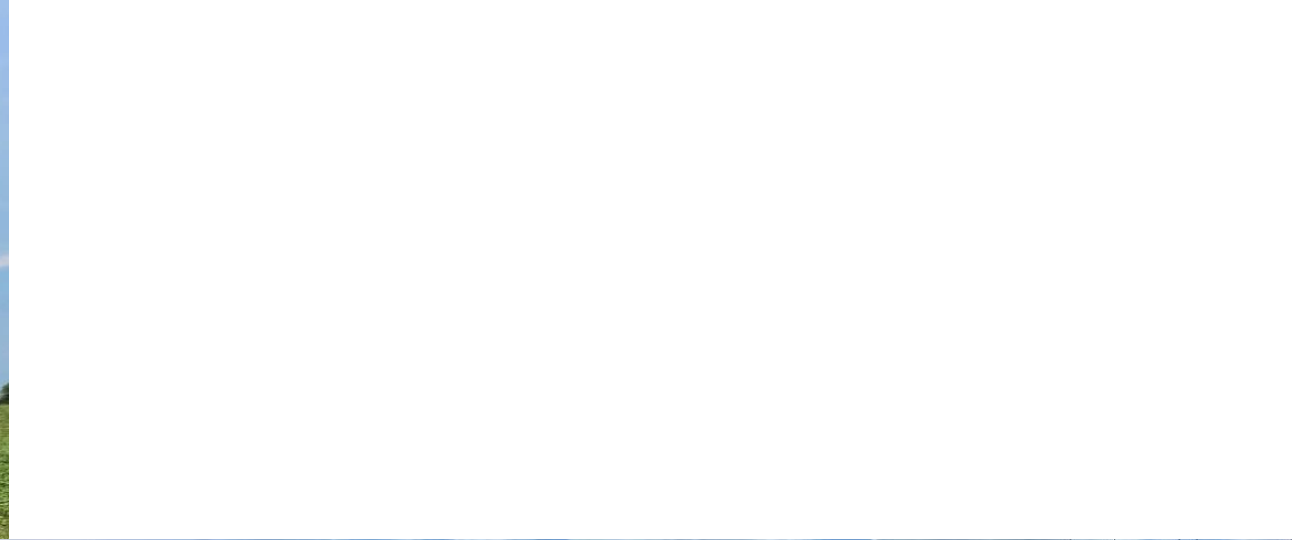
HARDIN COUNTY PLANNING AND DEVELOPMENT COMMISSION



2025 photos















Other Conditional Use Permits for Accessory Structures on Vacant Lots (keyword search – “vacant” – in request)

Permit Date ⬆	Owner ⬆	PVA Map Number ⬆	Type ⬆	Zone ⬆	Project / Subdivision Name ⬆	Request ⬆	Site Address ⬆	Status ⬆	Final Date ⬆
08/25/2025	NEWMAN HAROLD & SHIRLEY	232-20-00-025.03	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	NEWMAN ACCESSORY STRUCTURE ON A VACANT LOT	TO ALLOW FOR A 40' X 80' GARAGE ON A VACANT LOT	1905 SPRINGFIELD RD	PENDING	
08/19/2025	RIVERVIEW CONTRACTING LLC	074-00-00-054	CONDITIONAL USE PERMIT (AMENDED)	R-2 - RURAL RESIDENTIAL ZONE	CUMMINGS - ACCESSORY STRUCTURE ON A VACANT LOT	TO CONTINUE TO ALLOW FOR AN ACCESSORY STRUCTURE ON A VACANT LOT	1652 WEBB MILL RD	PENDING	
05/01/2025	TYLER WEBB	229-00-00-059	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	WEBB CUP FOR ACCESSORY STRUCTURE ON A VACANT LOT	TO ALLOW FOR A 33' X 40' CARPORT WITH A GARAGE ON A LOT PRIOR TO BUILDING A HOUSE (ACCESSORY STRUCTURE ON A VACANT LOT)	1850 WOOLDRIDGE FERRY ROAD	APPROVED	06/12/2025
03/10/2025	ASHLEY HENSLEY	233-00-00-038	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	A HENSLEY ACRES, LOT 1	ACCESSORY STRUCTURE ON A VACANT LOT	1738 VALLEY CREEK ROAD, ELIZABETHTOWN, KY	APPROVED	04/17/2025
11/22/2024	EMMERLING, MICHELLE & JEFFREY	129-00-00-002.05	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	EMMERLING CUP	TO ALLOW FOR A CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE ON A VACANT LOT FOR A 14' X 40' SHED TO SERVE AS FISHING AND KAYAK STORAGE	W WHITE MILLS GLENDALE ROAD, GLENDALE, KY	APPROVED	12/19/2024
08/01/2024	ROGERS RONNIE & MICHELE LEE	123-00-0A-062	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	WINGATE WEST, LOT 63 - ROGERS SHED ON VACANT LOT	TO ALLOW FOR A SHED ON A VACANT LOT	393 SANTA FE TRAIL	APPROVED	09/05/2024
05/20/2024	GIELOW THOMAS E & LINDA J	142-00-04-008 & 008.01	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	GIELOW ACCESSORY STRUCTURE	TO ALLOW FOR A SHED ON A VACANT LOT	BURNS RD	APPROVED	07/18/2024
09/28/2023	STEPHENS, CAROL & FLOYD	143-00-03-014	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	OAKWOOD FARMS, LOT 1A	TO ALLOW FOR AN 18'X40' CARPORT ON A VACANT LOT	OAKWOOD COURT, RINEYVILLE, KY	APPROVED	11/09/2023
05/10/2023	HARRISON JOANNE	116-00-00-020.02	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	SAFARI TRAIL SUBDIVISION, LOT 1B - AG BARN ON VACANT LOT	TO ALLOW FOR A PREXISTING 32'x45' AG BARN TO BE ON A VACANT LOT	350 SOLDIER COURT, VINE GROVE, KY 40175	APPROVED	06/22/2023
06/22/2022	SISCO, WILBURN & KATHY	180-10-03-032	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	TWIN OAKS SUBDIVISION, LOTS 32 & 33 AND TRACT 11 #1	TO ALLOW FOR A 32' X 60' HOOP BARN ON A VACANT LOT FOR HAY STORAGE	778 OAK DRIVE	WITHDRAWN	07/08/2022
07/22/2020	MAIN, JACK W III & MERIAH B	163-00-02-035	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	LITTLE IRELAND 35 #4	FOR A 30'X30' ACCESSORY STRUCTURE TO BE BUILT ON A VACANT LOT	JIMMY CT., RADCLIFF, KY	APPROVED	09/17/2020
06/25/2020	RIGGS TERRY & KATHY	224-00-00-080	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		TO ALLOW FOR AN ACCESSORY STRUCTURE (46'x48' POLE BARN) TO BE BUILT ON A VACANT LOT	OFF SPORTSMAN LAKE RD	APPROVED	08/06/2020
03/05/2020	SULLIVAN, JOSEPH R JR & DEBRA L	242-00-02-145	CONDITIONAL USE PERMIT (AMENDED)	R-2 - RURAL RESIDENTIAL ZONE	SANTA FE SUBDIVISION, LOT 145, SECTION 1	TO ALLOW FOR A 12' X 20' GARDEN STORAGE SHED TO REMAIN ON A VACANT LOT	ROSWELL DRIVE, ELIZABETHTOWN, KY	APPROVED	07/23/2020
03/13/2018	BELL, KIMBERLY	223-00-0D-012	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	SPORTSMAN LAKE 1A #2	TO ALLOW FOR AN ACCESSORY BUILDING ON A VACANT LOT	200 WOODS RD	APPROVED	04/19/2018
02/27/2018	SULLIVAN JOSEPH R JR & DEBRA L	242-00-02-145	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	SANTA FE SUBDIVISION, LOT 145, SECTION 1	TO ALLOW FOR 12 X 20 GARDEN STORAGE SHED ON A VACANT LOT	ROSWELL DR	APPROVED	04/12/2018
01/05/2018	HAMBLÉN BRAD	132-00-00-016	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	HAMBLÉN ACCESSORY STRUCTURE	TO ALLOW FOR 24' x 24' POLE BARN WITH A 10' x 24' LEAN-TO ON A VACANT LOT	2998 MELROSE RD	APPROVED	02/08/2018
08/04/2017	BRUINGTON, COLLEEN & ROBERT	105-00-00-054	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		TO ALLOW FOR THE CONSTRUCTION OF A 30'X30' CARPORT ON A VACANT LOT	LEITCHFIELD RD	APPROVED	09/07/2017
07/11/2017	COTTRELL, FARRAH	046-00-00-016	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		TO ALLOW FOR THE RECONSTRUCTION OF A 24'X20' BARN ON VACANT PROPERTY	821 NATHANS LN	APPROVED	08/03/2017
03/28/2017	MCCOY LAVONE	039-00-00-028	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	WIREMAN FARM TR 21	TO ALLOW FOR THE EXISTING 36' x 60' BARN TO BE LOCATED ON A VACANT 3 ACRE LOT	1233 LONG HOLLOW ROAD	APPROVED	04/20/2017
03/02/2011	ROBERT AMMERMAN	273-00-00-015	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY STRUCTURE	TO ALLOW AN EXISTING ACCESSORY STRUCTURE (STOAGE SHED 21' X 21') TO REMAIN ON A VACANT PARCEL	VALLEY CREEK ROAD (KY 567)	APPROVED	
11/15/2010	CAROLYN KELLER	241-00-03-038	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY STRUCTURE1 / STONERIDGE SUBDIVISION	TO ALLOW AN EXISTING ACCESSORY STRUCTURE (GARAGE 25' X 40') TO REMAIN ON A VACANT PARCEL	FEATHERSTONE COURT	APPROVED	
08/08/2010	TOMMY & MAUDINA THURMAN	053-00-00-028	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY STRUCTURE	TO ALLOW A PROPOSED ACCESSORY STRUCTURE (GARAGE 24' X 60') ON A VACANT PARCEL	SALT RIVER ROAD (KY 920)	APPROVED	

Other Conditional Use Permits for Accessory Structures on Vacant Lots (keyword search – “without” in request)

Permit Date ⬆	Owner ⬆	PVA Map Number ⬆	Type ⬆	Zone ⬆	Project / Subdivision Name ⬆	Request ⬆	Site Address ⬆	Status ⬆	Final Date ⬆
02/13/2023	KINDERVATER BRAD	224-00-00-060.02	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	SPLIT RAIL SUBDIVISION, LOT 2 - KINDERVATER ACCESSORY STRUCTURE	TO ALLOW FOR A 36'X56' SHOP BUILDING AND A 22'X32' GREENHOUSE TO BE CONSTRUCTED WITHOUT A DWELLING ON SITE	SPORTSMAN LAKE ROAD, ELIZABETHTOWN, KY, 42701	APPROVED	03/23/2023
11/01/2022	STURGEON PAUL D & SHARON P	063-00-00-012	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	KENNETH GOFF SUBDIVISION, SECTION 1, LOT 4 - STURGEON ACCESSORY STRUCTURE WITHOUT A DWELLING	TO ALLOW FOR A 12'X52' EQUIPMENT SHED ACCESSORY STRUCTURE TO BE CONSTRUCTED WITHOUT A DWELLING ON SITE	1741 SALT RIVER ROAD, RINEYVILLE, KY 40162	APPROVED	12/08/2022
10/14/2022	MORGAN PATRICK WAYNE & MELISSA	141-00-02-006	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	HICKORY HEIGHTS, SECTION 1, LOT 7 - ACCESSORY STRUCTURE ON LOT WITHOUT A DWELLING	TO ALLOW FOR A 40'X48' METAL (OLYMPIC STEEL) BUILDING ACCESSORY STRUCTURE TO BE CONSTRUCTED WITHOUT A DWELLING ON SITE	921 HICKORY DRIVE, VINE GROVE, KY 40175	APPROVED	11/17/2022
06/18/2021	MCCOMB JAMES L & KIMBERLY M	074-00-00-054	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	MCCOMB ACCESSORY STRUCTURE	TO ALLOW FOR AN ACCESSORY STRUCTURE WITHOUT A DWELLING ON SITE	WEBB MILL ROAD, EASTVIEW, KY	APPROVED	
04/28/2021	MILBY GREGORY & JENNIFER	128-00-00-043.02	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	MILBY ACCESSORY STRUCTURE / WILDCAT RUN SUBDIVISION LOT 1 #1	TO ALLOW FOR 2 ACCESSORY STRUCTURES WITHOUT A DWELLING ON SITE	S LONG GROVE RD. GLENDALE, KY	APPROVED	05/20/2021
01/13/2020	PUCKETT BEVERLY	122-00-01-026.01	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	LA VISTA, SECTION 2, LOT 88B	TO ALLOW FOR A 16'X24' ADDITION TO AN EXISTING ACCESSORY STRUCTURE (30'X24' POLE BARN) WITHOUT A DWELLING ON SITE	1296 RINEYVILLE SCHOOL ROAD, RINEYVILLE, KY	APPROVED	02/06/2020
06/01/2017	KELLY, SUE & GREG	259-00-01-036	CONDITIONAL USE PERMIT	R-3 - RESIDENTIAL ESTATE ZONE	CARTWRIGHT ESTATES	TO ALLOW FOR THE CONSTRUCTION OF A 16'X36' ACCESSORY STRUCTURE WITHOUT A DWELLING ON SITE	520 CARTWRIGHT ESTATES ROAD	APPROVED	06/22/2017
09/19/2016	BIGLER, STEVEN	165-00-00-011	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		TO ALLOW FOR AN ACCESSORY STRUCTURE TO REMAIN ON THE PROPERTY FOR RESIDENTIAL USE WITHOUT A DWELLING ON SITE	3750 RINEYVILLE RD	APPROVED	10/20/2016
12/30/2014	Juergen Schwan	230-00-00-042	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	/ Eden Falls Subdivision, Lot 2	to obtain approval to allow the two existing outbuildings to exist on Lot 2 as shown without a residence. (A residence may be constructed in the future for Juergen Schwan.)	379 Adams Lane	WITHDRAWN	
12/21/2009	CHARLES AND MARY ARMSTRONG	139-10-01-005	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	ACCESSORY STRUCTURE	AN ACCESSORY BUILDING (30' X 40') WITHOUT A DWELLING ON THE PROPERTY	RED HILL ROAD	APPROVED	

Other Accessory Structure in the Area



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

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

16-5 ACCESSORY STRUCTURES

An accessory structure is a structure or use customarily incidental and subordinate to the principal structure and located on the same parcel with such principal structure. These standards apply when the accessory structure is developed prior to the start of construction of the principal structure on the property. This regulation does not apply to agricultural uses and related accessory structures.

1. Location. An accessory structure is part of the principal structure when it is attached to the principal structure by a breezeway and shall comply with the applicable setbacks of the zone in which it is located.
2. Agriculture. Accessory structures for agricultural uses shall comply with the building setback requirements for the principal structures of the zone in which it is located.
3. Distance. The minimum distance between buildings shall be five (5) feet.
4. Size. All accessory structures shall be subordinate in scale to the principal structure.

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

DGS [5-3(A)]

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

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

- 1.This Conditional Use Permit shall allow for the proposed 24'x40' barn on a vacant tract without a dwelling on site.**
- 2.The proposed structure is for residential / agricultural storage and shall not be occupied or used as a dwelling.**
- 3.Additional landscaping and/or screening shall not be required.**
- 4.A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.**
- ~~5.Building and Electrical permits must be secured thru 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.**
- 7.A Building Permit for a Single Family Dwelling must be applied for within 4 years (7-22-2025).**

Owner: Harold & Shirley Newman
Applicant: Mark Newman



Location A 4.79 acre site located at 1905 Springfield Road, Elizabethtown, KY
Zoned Rural Residential (R-2)

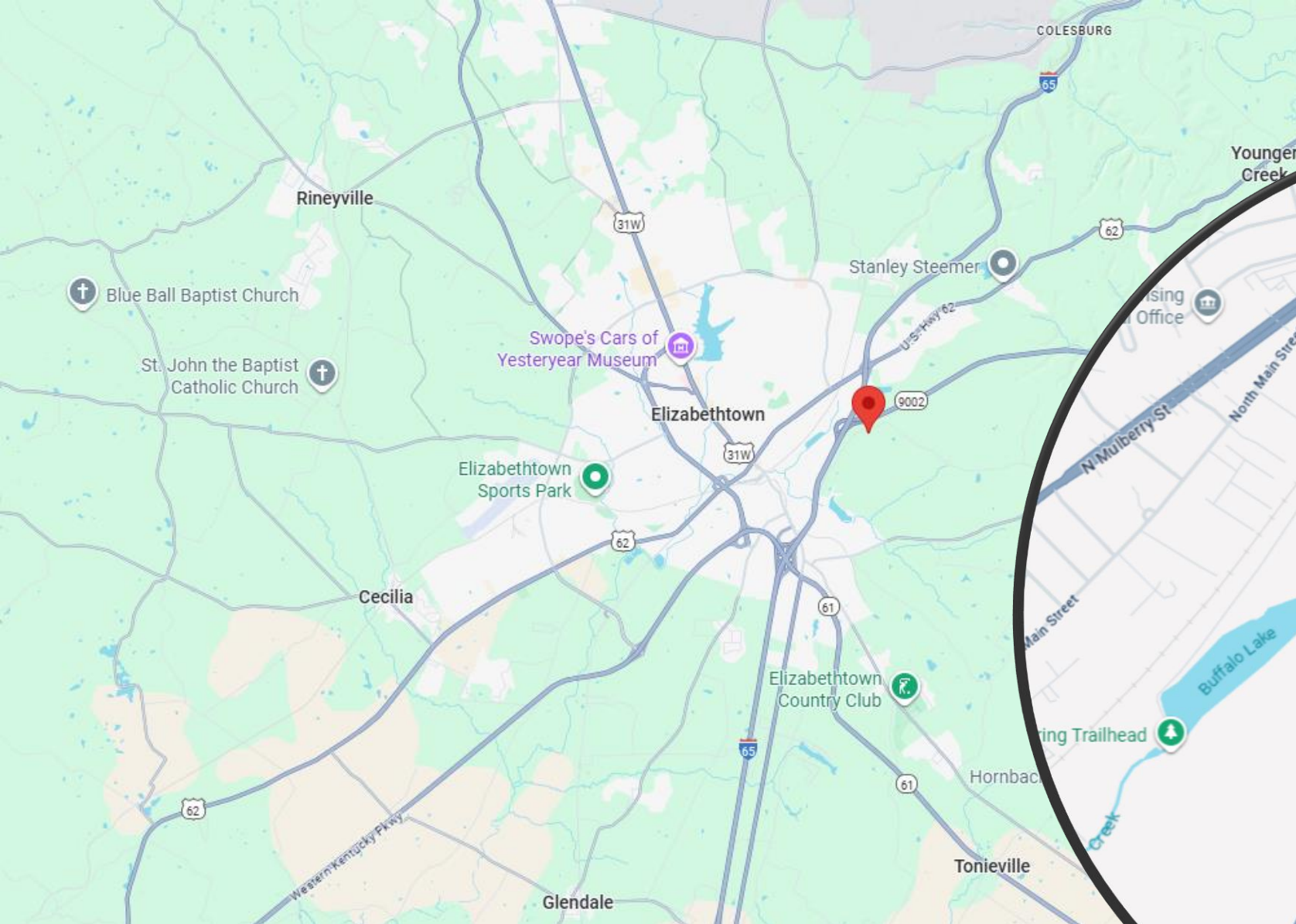
Request for a **Conditional Use Permit to allow for an accessory structure (40' x 80' pole barn) on a vacant lot.**

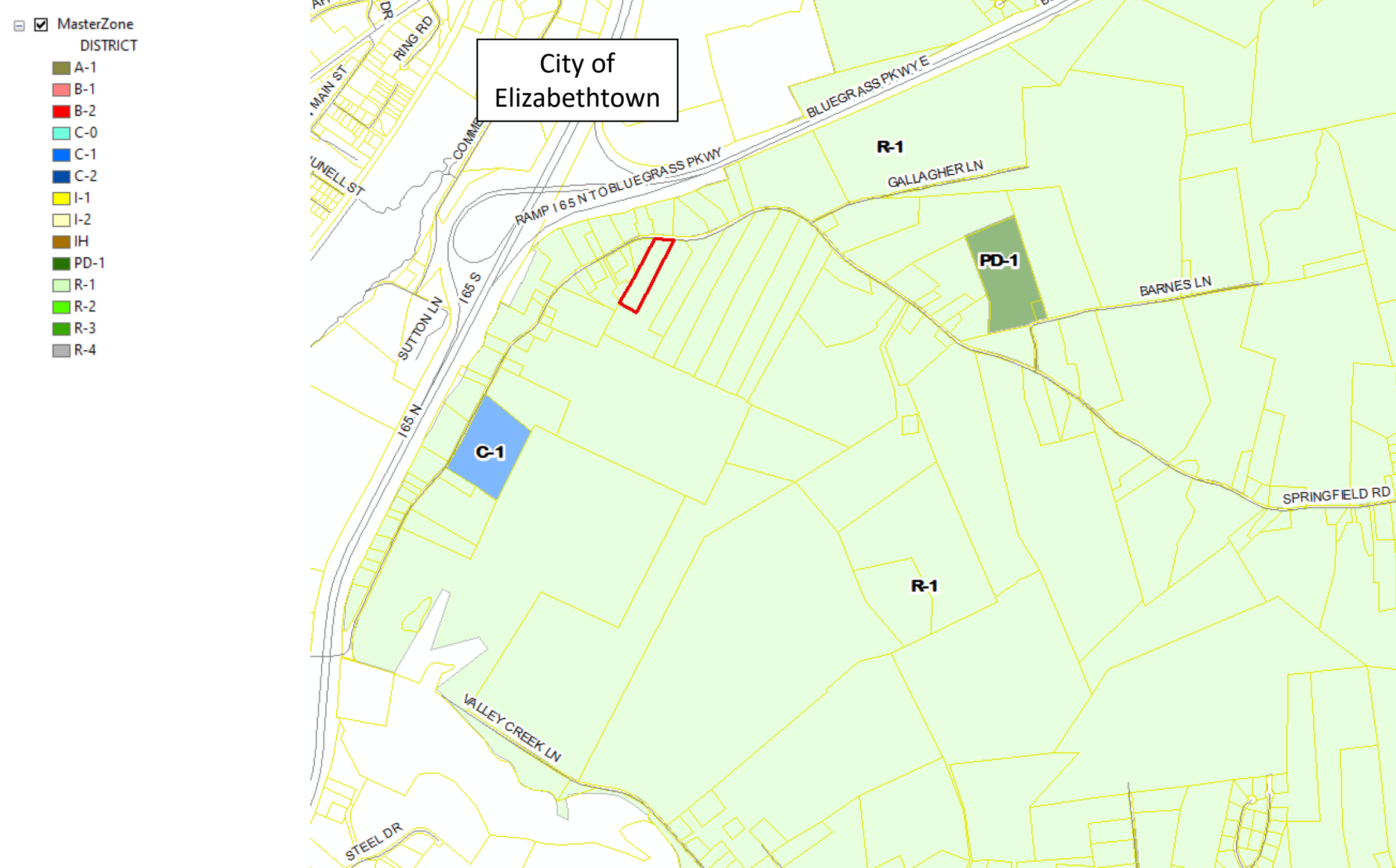
1905 Springfield Road
Conditional Use Permit
SUMMARY REPORT

LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Environmental Features**
- D. Character of the Site Analysis**
- E. Site Plan**
- F. Photos of the Site**
- G. Analysis of other Conditional Use Permits for Accessory Structures on Vacant Lots**
- H. Character of the Area Analysis**
- I. *Comprehensive Development Guide**
- J. *Development Guidance System Ordinance**

* Not Provided in PowerPoint





- ☒ Streams 2023
- ☒ Hardin_Wetlands
- ☒ Hardin_100Flood
- ☒ hardin_sinkhole



Harold & Shirley Newman
576 sq. ft. & 864 sq. ft. Garages (1980)
400 sq. ft. Shed (1990)
1905 Springfield Road, Elizabethtown, KY – 4.79 Acres

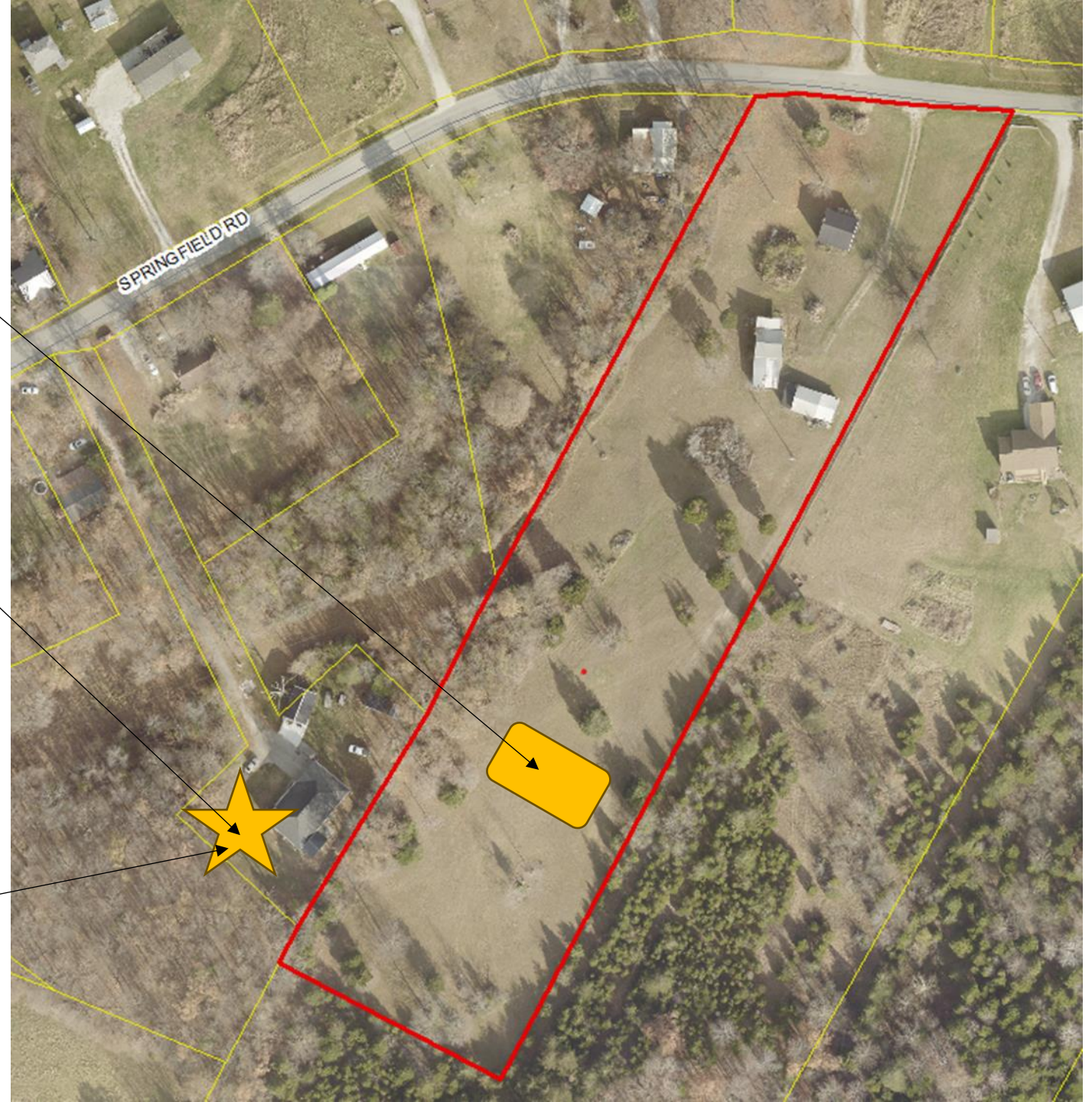


Site Plan

Proposed Location
of 40' x 80' Pole
Barn

Applicants House
(Mark Newman,
Owners Son)

1745 Springfield Road, Elizabethtown, KY



Photos




Springfield Road

Proposed Garage Location

Applicants House





Looking back towards Springfield
Road – trees to remain

Northeast corner of garage

East Property Line



West property line



Applicants House







Other Conditional Use Permits for Accessory Structures on Vacant Lots (keyword search – “vacant” – in request)

Permit Date ⬆	Owner ⬆	PVA Map Number ⬆	Type ⬆	Zone ⬆	Project / Subdivision Name ⬆	Request ⬆	Site Address ⬆	Status ⬆	Final Date ⬆
08/25/2025	NEWMAN HAROLD & SHIRLEY	232-20-00-025.03	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	NEWMAN ACCESSORY STRUCTURE ON A VACANT LOT	TO ALLOW FOR A 40' X 80' GARAGE ON A VACANT LOT	1905 SPRINGFIELD RD	PENDING	
08/19/2025	RIVERVIEW CONTRACTING LLC	074-00-00-054	CONDITIONAL USE PERMIT (AMENDED)	R-2 - RURAL RESIDENTIAL ZONE	CUMMINGS - ACCESSORY STRUCTURE ON A VACANT LOT	TO CONTINUE TO ALLOW FOR AN ACCESSORY STRUCTURE ON A VACANT LOT	1652 WEBB MILL RD	PENDING	
05/01/2025	TYLER WEBB	229-00-00-059	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	WEBB CUP FOR ACCESSORY STRUCTURE ON A VACANT LOT	TO ALLOW FOR A 33' X 40' CARPORT WITH A GARAGE ON A LOT PRIOR TO BUILDING A HOUSE (ACCESSORY STRUCTURE ON A VACANT LOT)	1850 WOOLDRIDGE FERRY ROAD	APPROVED	06/12/2025
03/10/2025	ASHLEY HENSLEY	233-00-00-038	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	A HENSLEY ACRES, LOT 1	ACCESSORY STRUCTURE ON A VACANT LOT	1738 VALLEY CREEK ROAD, ELIZABETHTOWN, KY	APPROVED	04/17/2025
11/22/2024	EMMERLING, MICHELLE & JEFFREY	129-00-00-002.05	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	EMMERLING CUP	TO ALLOW FOR A CONDITIONAL USE PERMIT FOR AN ACCESSORY STRUCTURE ON A VACANT LOT FOR A 14' X 40' SHED TO SERVE AS FISHING AND KAYAK STORAGE	W WHITE MILLS GLENDALE ROAD, GLENDALE, KY	APPROVED	12/19/2024
08/01/2024	ROGERS RONNIE & MICHELE LEE	123-00-0A-062	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	WINGATE WEST, LOT 63 - ROGERS SHED ON VACANT LOT	TO ALLOW FOR A SHED ON A VACANT LOT	393 SANTA FE TRAIL	APPROVED	09/05/2024
05/20/2024	GIELOW THOMAS E & LINDA J	142-00-04-008 & 008.01	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	GIELOW ACCESSORY STRUCTURE	TO ALLOW FOR A SHED ON A VACANT LOT	BURNS RD	APPROVED	07/18/2024
09/28/2023	STEPHENS, CAROL & FLOYD	143-00-03-014	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	OAKWOOD FARMS, LOT 1A	TO ALLOW FOR AN 18'X40' CARPORT ON A VACANT LOT	OAKWOOD COURT, RINEYVILLE, KY	APPROVED	11/09/2023
05/10/2023	HARRISON JOANNE	116-00-00-020.02	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	SAFARI TRAIL SUBDIVISION, LOT 1B - AG BARN ON VACANT LOT	TO ALLOW FOR A PREXISTING 32'x45' AG BARN TO BE ON A VACANT LOT	350 SOLDIER COURT, VINE GROVE, KY 40175	APPROVED	06/22/2023
06/22/2022	SISCO, WILBURN & KATHY	180-10-03-032	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	TWIN OAKS SUBDIVISION, LOTS 32 & 33 AND TRACT 11 #1	TO ALLOW FOR A 32' X 60' HOOP BARN ON A VACANT LOT FOR HAY STORAGE	778 OAK DRIVE	WITHDRAWN	07/08/2022
07/22/2020	MAIN, JACK W III & MERIAH B	163-00-02-035	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	LITTLE IRELAND 35 #4	FOR A 30'X30' ACCESSORY STRUCTURE TO BE BUILT ON A VACANT LOT	JIMMY CT., RADCLIFF, KY	APPROVED	09/17/2020
06/25/2020	RIGGS TERRY & KATHY	224-00-00-080	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		TO ALLOW FOR AN ACCESSORY STRUCTURE (46'x48' POLE BARN) TO BE BUILT ON A VACANT LOT	OFF SPORTSMAN LAKE RD	APPROVED	08/06/2020
03/05/2020	SULLIVAN, JOSEPH R JR & DEBRA L	242-00-02-145	CONDITIONAL USE PERMIT (AMENDED)	R-2 - RURAL RESIDENTIAL ZONE	SANTA FE SUBDIVISION, LOT 145, SECTION 1	TO ALLOW FOR A 12' X 20' GARDEN STORAGE SHED TO REMAIN ON A VACANT LOT	ROSWELL DRIVE, ELIZABETHTOWN, KY	APPROVED	07/23/2020
03/13/2018	BELL, KIMBERLY	223-00-0D-012	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	SPORTSMAN LAKE 1A #2	TO ALLOW FOR AN ACCESSORY BUILDING ON A VACANT LOT	200 WOODS RD	APPROVED	04/19/2018
02/27/2018	SULLIVAN JOSEPH R JR & DEBRA L	242-00-02-145	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	SANTA FE SUBDIVISION, LOT 145, SECTION 1	TO ALLOW FOR 12 X 20 GARDEN STORAGE SHED ON A VACANT LOT	ROSWELL DR	APPROVED	04/12/2018
01/05/2018	HAMBLÉN BRAD	132-00-00-016	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	HAMBLÉN ACCESSORY STRUCTURE	TO ALLOW FOR 24' x 24' POLE BARN WITH A 10' x 24' LEAN-TO ON A VACANT LOT	2998 MELROSE RD	APPROVED	02/08/2018
08/04/2017	BRUINGTON, COLLEEN & ROBERT	105-00-00-054	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		TO ALLOW FOR THE CONSTRUCTION OF A 30'X30' CARPORT ON A VACANT LOT	LEITCHFIELD RD	APPROVED	09/07/2017
07/11/2017	COTTRELL, FARRAH	046-00-00-016	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		TO ALLOW FOR THE RECONSTRUCTION OF A 24'X20' BARN ON VACANT PROPERTY	821 NATHANS LN	APPROVED	08/03/2017
03/28/2017	MCCOY LAVONE	039-00-00-028	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	WIREMAN FARM TR 21	TO ALLOW FOR THE EXISTING 36' x 60' BARN TO BE LOCATED ON A VACANT 3 ACRE LOT	1233 LONG HOLLOW ROAD	APPROVED	04/20/2017
03/02/2011	ROBERT AMMERMAN	273-00-00-015	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY STRUCTURE	TO ALLOW AN EXISTING ACCESSORY STRUCTURE (STOAGE SHED 21' X 21') TO REMAIN ON A VACANT PARCEL	VALLEY CREEK ROAD (KY 567)	APPROVED	
11/15/2010	CAROLYN KELLER	241-00-03-038	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY STRUCTURE1 / STONERIDGE SUBDIVISION	TO ALLOW AN EXISTING ACCESSORY STRUCTURE (GARAGE 25' X 40') TO REMAIN ON A VACANT PARCEL	FEATHERSTONE COURT	APPROVED	
08/08/2010	TOMMY & MAUDINA THURMAN	053-00-00-028	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY STRUCTURE	TO ALLOW A PROPOSED ACCESSORY STRUCTURE (GARAGE 24' X 60') ON A VACANT PARCEL	SALT RIVER ROAD (KY 920)	APPROVED	

22 Total
19 Approved
1 Withdrawn
2 Pending

Other Conditional Use Permits for Accessory Structures on Vacant Lots (keyword search – “without” in request)

Permit Date ⬆	Owner ⬆	PVA Map Number ⬆	Type ⬆	Zone ⬆	Project / Subdivision Name ⬆	Request ⬆	Site Address ⬆	Status ⬆	Final Date ⬆
02/13/2023	KINDERVATER BRAD	224-00-00-060.02	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	SPLIT RAIL SUBDIVISION, LOT 2 - KINDERVATER ACCESSORY STRUCTURE	TO ALLOW FOR A 36'X56' SHOP BUILDING AND A 22'X32' GREENHOUSE TO BE CONSTRUCTED WITHOUT A DWELLING ON SITE	SPORTSMAN LAKE ROAD, ELIZABETHTOWN, KY, 42701	APPROVED	03/23/2023
11/01/2022	STURGEON PAUL D & SHARON P	063-00-00-012	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	KENNETH GOFF SUBDIVISION, SECTION 1, LOT 4 - STURGEON ACCESSORY STRUCTURE WITHOUT A DWELLING	TO ALLOW FOR A 12'x52' EQUIPMENT SHED ACCESSORY STRUCTURE TO BE CONSTRUCTED WITHOUT A DWELLING ON SITE	1741 SALT RIVER ROAD, RINEYVILLE, KY 40162	APPROVED	12/08/2022
10/14/2022	MORGAN PATRICK WAYNE & MELISSA	141-00-02-006	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	HICKORY HEIGHTS, SECTION 1, LOT 7 - ACCESSORY STRUCTURE ON LOT WITHOUT A DWELLING	TO ALLOW FOR A 40'x48' METAL (OLYMPIC STEEL) BUILDING ACCESSORY STRUCTURE TO BE CONSTRUCTED WITHOUT A DWELLING ON SITE	921 HICKORY DRIVE, VINE GROVE, KY 40175	APPROVED	11/17/2022
06/18/2021	MCCOMB JAMES L & KIMBERLY M	074-00-00-054	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	MCCOMB ACCESSORY STRUCTURE	TO ALLOW FOR AN ACCESSORY STRUCTURE WITHOUT A DWELLING ON SITE	WEBB MILL ROAD, EASTVIEW, KY	APPROVED	
04/28/2021	MILBY GREGORY & JENNIFER	128-00-00-043.02	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	MILBY ACCESSORY STRUCTURE / WILDCAT RUN SUBDIVISION LOT 1 #1	TO ALLOW FOR 2 ACCESSORY STRUCTURES WITHOUT A DWELLING ON SITE	S LONG GROVE RD. GLENDALE, KY	APPROVED	05/20/2021
01/13/2020	PUCKETT BEVERLY	122-00-01-026.01	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	LA VISTA, SECTION 2, LOT 88B	TO ALLOW FOR A 16'X24' ADDITION TO AN EXISTING ACCESSORY STRUCTURE (30'X24' POLE BARN) WITHOUT A DWELLING ON SITE	1296 RINEYVILLE SCHOOL ROAD, RINEYVILLE, KY	APPROVED	02/06/2020
06/01/2017	KELLY, SUE & GREG	259-00-01-036	CONDITIONAL USE PERMIT	R-3 - RESIDENTIAL ESTATE ZONE	CARTWRIGHT ESTATES	TO ALLOW FOR THE CONSTRUCTION OF A 16'X36' ACCESSORY STRUCTURE WITHOUT A DWELLING ON SITE	520 CARTWRIGHT ESTATES ROAD	APPROVED	06/22/2017
09/19/2016	BIGLER, STEVEN	165-00-00-011	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		TO ALLOW FOR AN ACCESSORY STRUCTURE TO REMAIN ON THE PROPERTY FOR RESIDENTIAL USE WITHOUT A DWELLING ON SITE	3750 RINEYVILLE RD	APPROVED	10/20/2016
12/30/2014	Juergen Schwan	230-00-00-042	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	/ Eden Falls Subdivision, Lot 2	to obtain approval to allow the two existing outbuildings to exist on Lot 2 as shown without a residence. (A residence may be constructed in the future for Juergen Schwan.)	379 Adams Lane	WITHDRAWN	
12/21/2009	CHARLES AND MARY ARMSTRONG	139-10-01-005	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	ACCESSORY STRUCTURE	AN ACCESSORY BUILDING (30' X 40') WITHOUT A DWELLING ON THE PROPERTY	RED HILL ROAD	APPROVED	
Records 1 to 10 (of 10)									

10 Total
9 Approved
1 Withdrawn

Other Accessory Structures in the Area



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

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

16-5 ACCESSORY STRUCTURES

An accessory structure is a structure or use customarily incidental and subordinate to the principal structure and located on the same parcel with such principal structure. These standards apply when the accessory structure is developed prior to the start of construction of the principal structure on the property. This regulation does not apply to agricultural uses and related accessory structures.

1. Location. An accessory structure is part of the principal structure when it is attached to the principal structure by a breezeway and shall comply with the applicable setbacks of the zone in which it is located.
2. Agriculture. Accessory structures for agricultural uses shall comply with the building setback requirements for the principal structures of the zone in which it is located.
3. Distance. The minimum distance between buildings shall be five (5) feet.
4. Size. All accessory structures shall be subordinate in scale to the principal structure.

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

DGS [5-3(A)]

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

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

- 1.This Conditional Use Permit shall allow for the proposed 40' x 80' barn on a vacant tract without a dwelling on site.**
- 2.The proposed structure is for residential / agricultural storage and shall not be occupied or used as a dwelling.**
- 3.Additional landscaping and/or screening shall not be required.**
- 4.A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.**
- 5.Building and Electrical permits must be secured thru 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.**

Owner: James & Wendy Pence



Location A 2.69 acre site located at 4936 South Dixie Highway, Glendale, KY

Zoned Rural Residential (R-2)

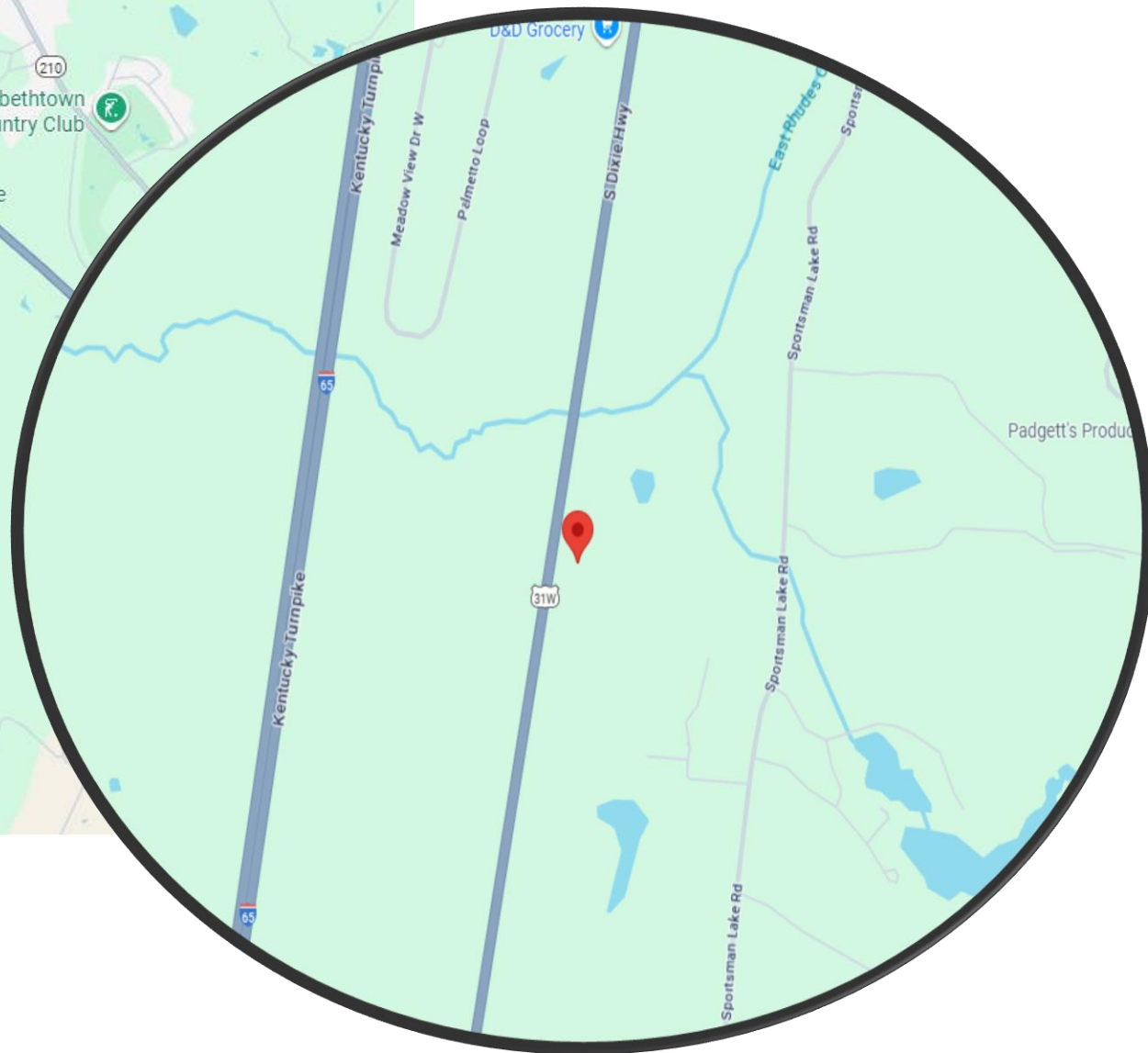
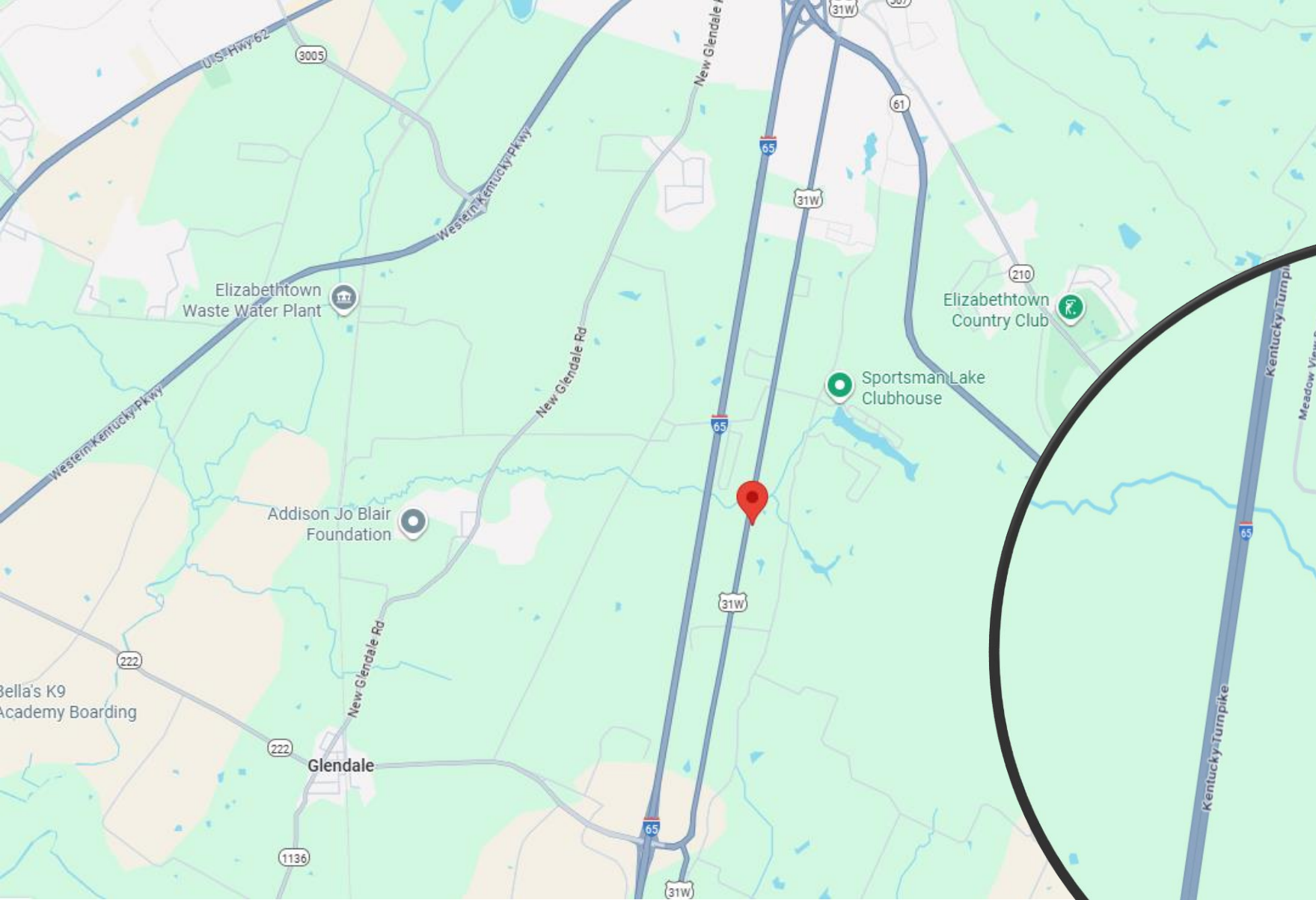
Request for a Conditional Use Permit to allow for a 1,003 sq. ft. Permanent Accessory Dwelling on site.

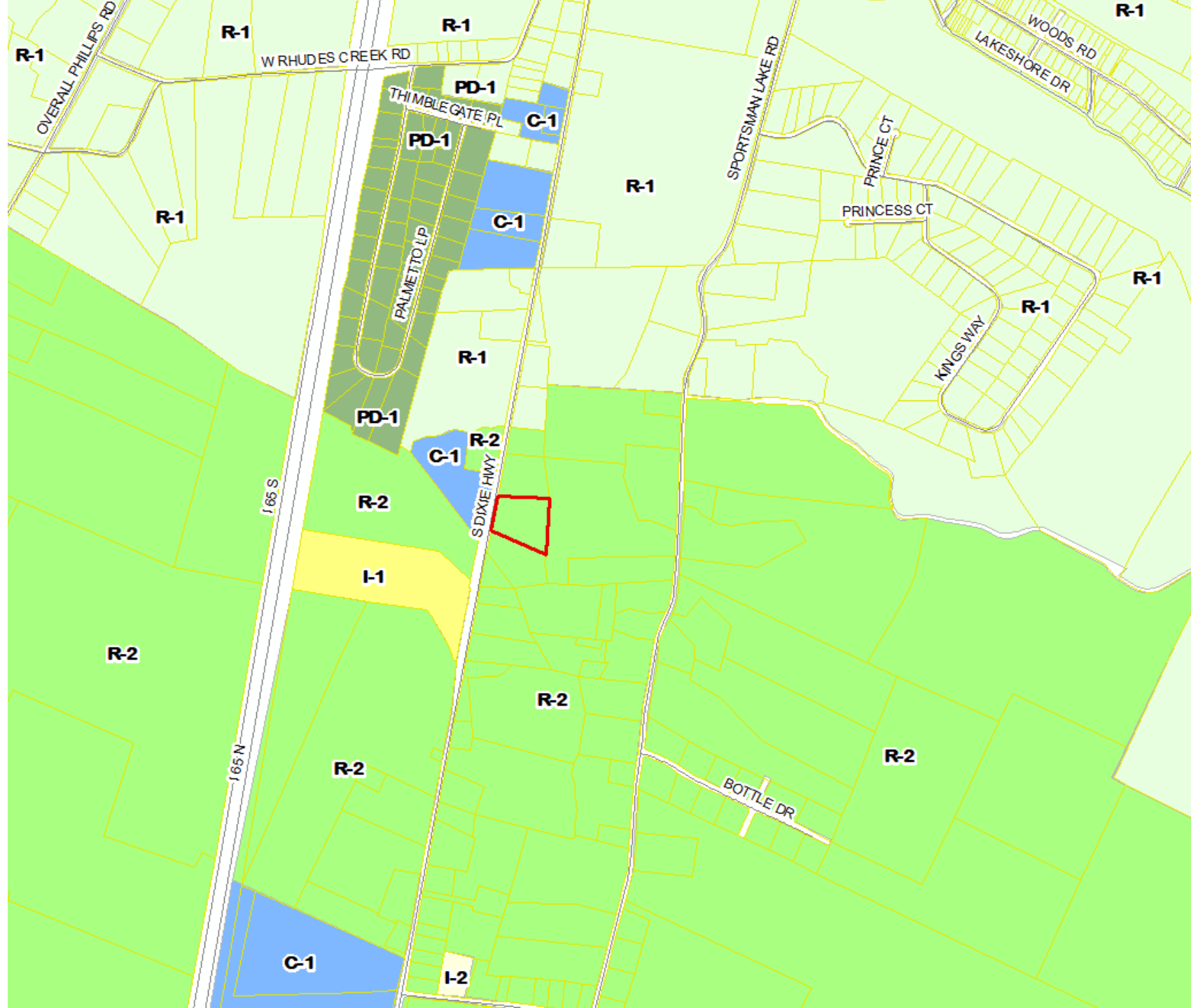
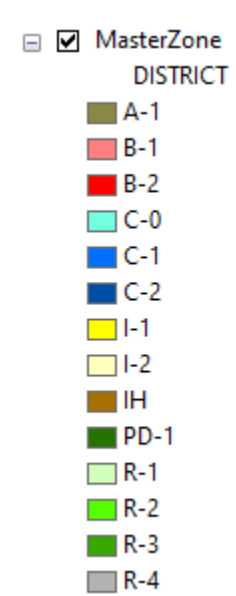
4936 South Dixie Highway
Conditional Use Permit
SUMMARY REPORT

LISTING OF EXHIBITS

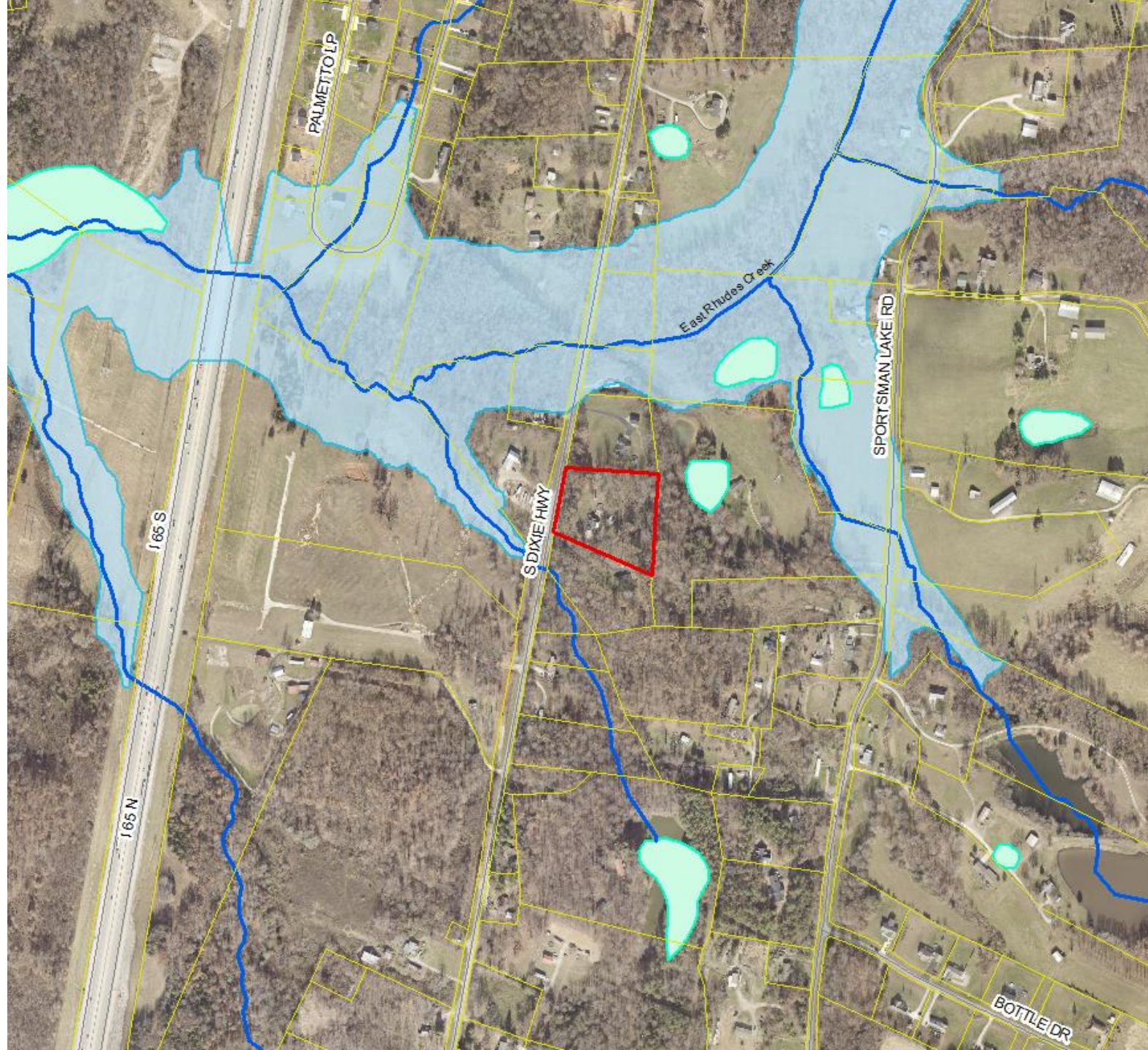
- A. Vicinity Map**
- B. Zoning Map**
- C. Environmental Features**
- D. Character of the Site Analysis**
- E. Site Plan**
- F. House Plans/Renderings**
- G. Photos of the Site**
- H. Analysis of other Conditional Use Permits for Permanent Accessory Dwellings**
- I. Character of the Area Analysis**
- J. *Comprehensive Development Guide**
- K. *Development Guidance System Ordinance**

* Not Provided in PowerPoint

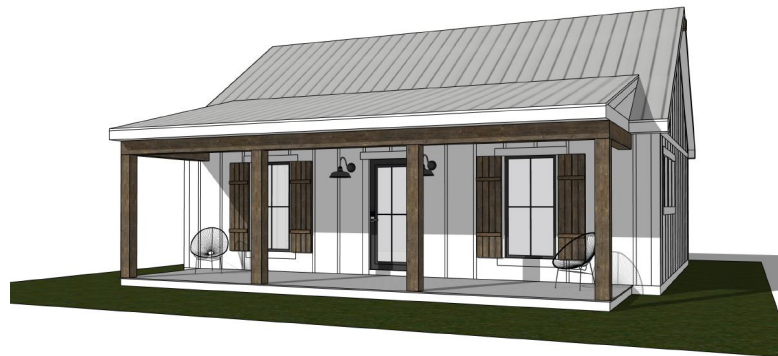




- ☒ Streams 2023
- ☒ Hardin_Wetlands
- ☒ Hardin_100Flood
- ☒ hardin_sinkhole



James & Wendy Pence
4936 S Dixie Highway, Glendale, KY
3,414 sq. ft. House (2012)



❖ SPECIFICATIONS			❖ KEY FEATURES		
800 SF	25'-0"	32'-0"	0	1	1
<small>SQ. FT.</small>	<small>WIDTH</small>	<small>DEPTH</small>	<small>GARAGE</small>	<small>BEDROOM</small>	<small>BATHROOM</small>



Site Plan

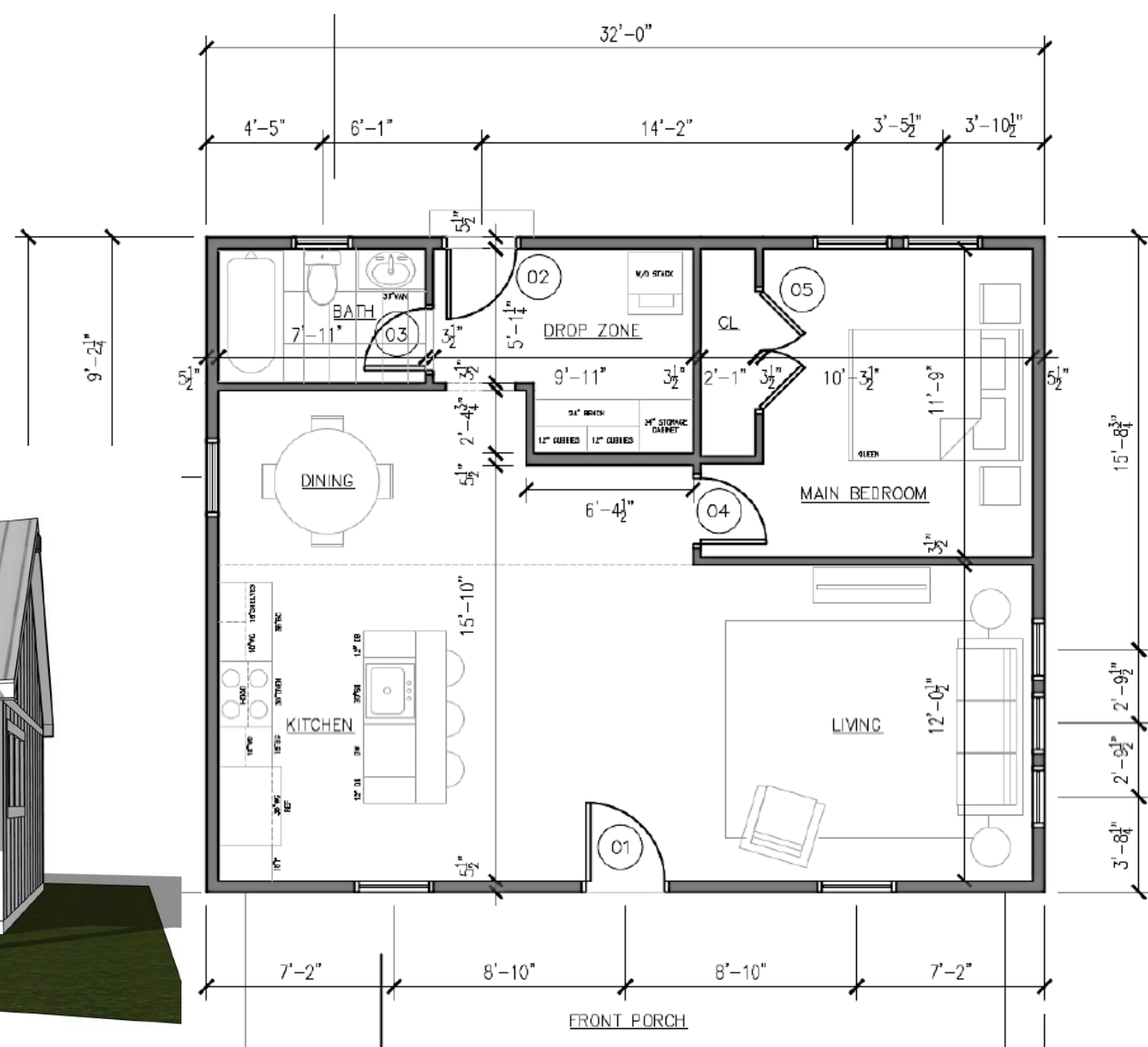


Permanent Accessory Dwelling

1,003 sq. ft. House

1 Bed 1 Bath

White vinyl siding & black shingle roof
to match existing home on property



❖ SPECIFICATIONS

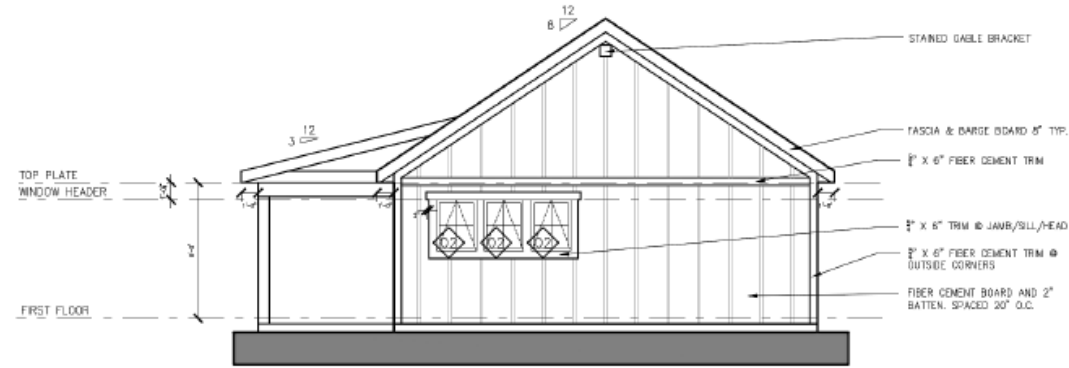
800 SF
SQ FT

25'-0"
WIDTH

32'-0"
DEPTH

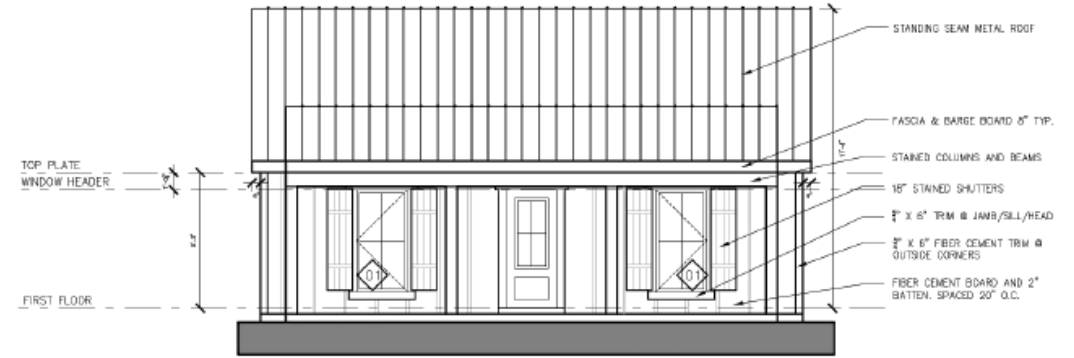
❖ KEY FEATURES

0 **1** **1**
GARAGE BEDROOM BATHROOM



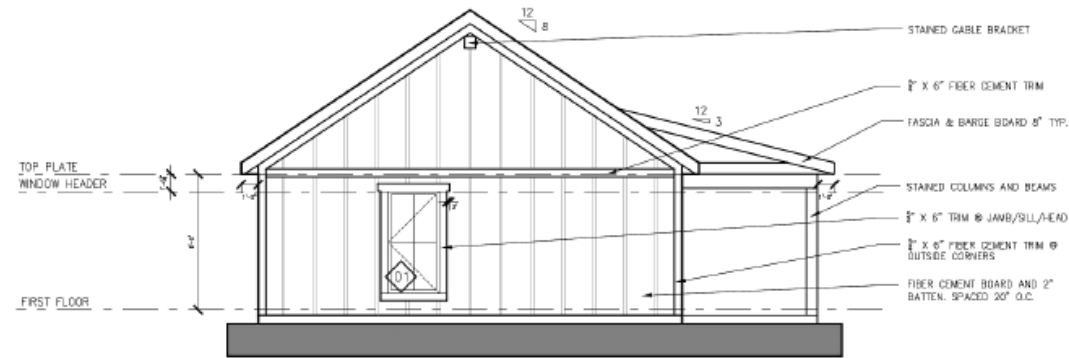
3 - SIDE ELEVATION

1/4" = 1'-0"



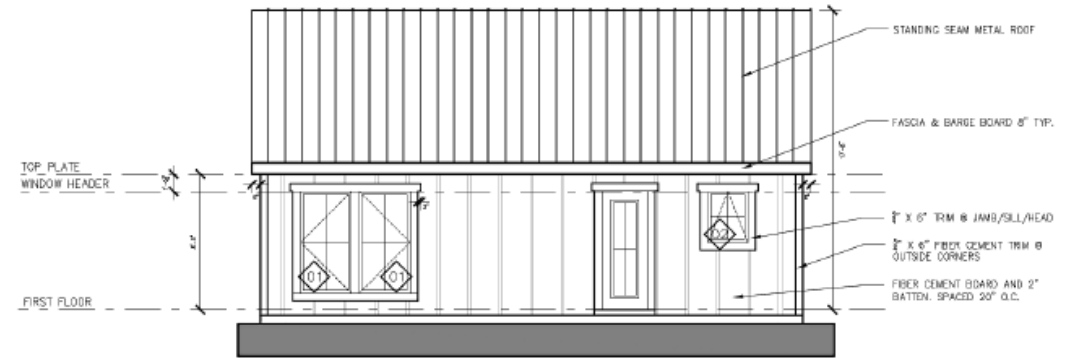
1 - FRONT ELEVATION

1/4" = 1'-0"



4 - SIDE ELEVATION

1/4" = 1'-0"

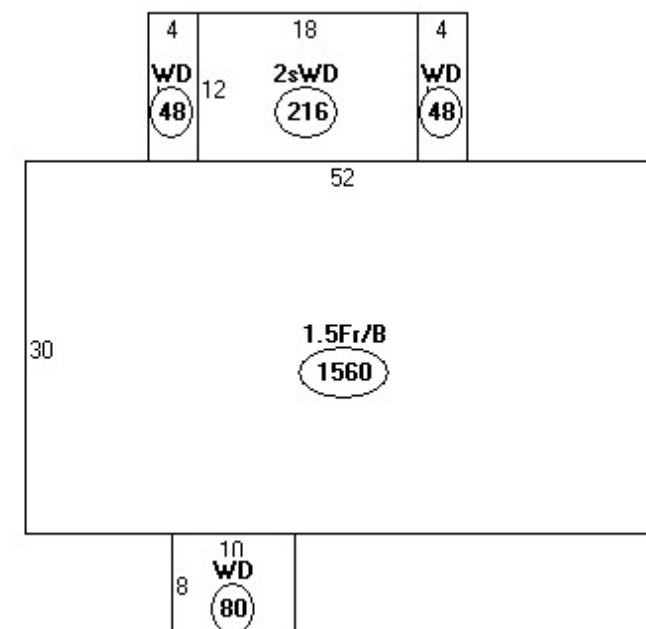


2 - REAR ELEVATION

1/4" = 1'-0"



PRINCIPAL DWELLING



Descriptor/Area

A: 1.5Fr/B
1560 sqft

B: WD
80 sqft

C: WD
48 sqft

D: 2sWD
216 sqft

E: WD
48 sqft

Description
Type of Residence CAPE COD 1.5
Year Built 2012
Num Stories 1.5
Above Ground Sqft 2574
Total Living Area 3414
Basement FULL
Basement Sqft 1560
Basement Sqft Finish 840

Finished Basement % 53
Bedrooms 4
Full Baths 3
Half Baths 0
Exterior ALUM/VINYL
Heat ELECTRIC
Air Condition CENTRAL/AC
Fireplace 1





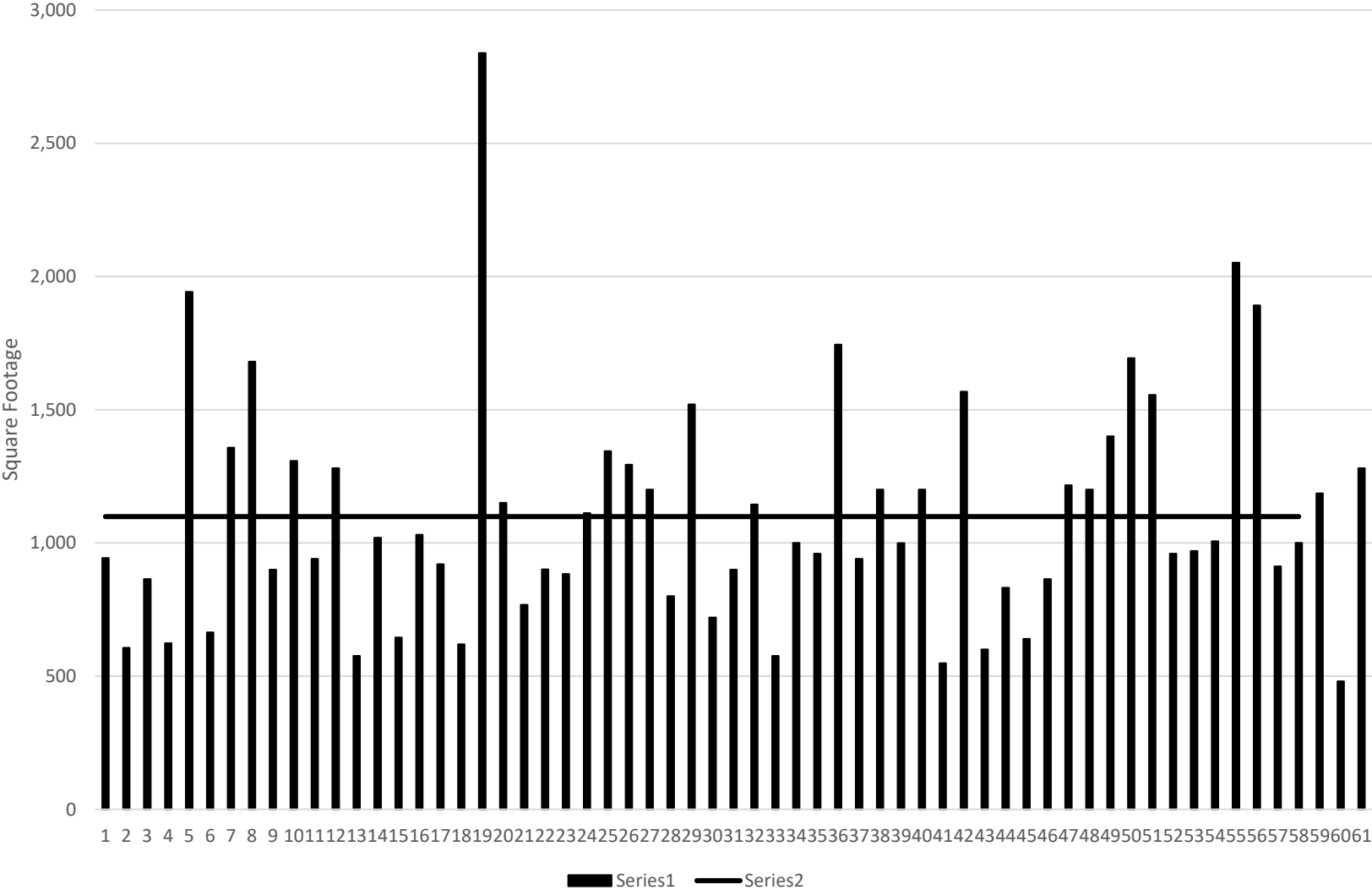
Proposed Dwelling
Location







Accessory Structure & Average Square Footage Comparison



Average of 1,099 S.F.

Status	Count
Approved	68
Pending	2
Withdrawn	6
Denied	3
Total	79

Character of the Area



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

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

16-22(A) Permanent Accessory Dwellings

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

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

**Conditions may include, but are not limited to the following:
DGS [5-3(A)]**

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

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

1. This Conditional Use Permit for a Permanent Accessory Dwelling to allow for a proposed 1,003 sq. ft. Permanent Accessory Dwelling on site in addition to the 3,414 sq. ft. home (Principal Dwelling) on site.
2. The property owners, James & Wendy Pence, must occupy either the principal dwelling or the permanent accessory dwelling as the principal residence, and at no time receive rent for the owner-occupied unit (Owner's residence must be proven by driver's license - address).
3. Adequate on-site parking must be designated on an approved site plan.
4. The exterior finishes of the Permanent Accessory Dwelling shall be white vinyl siding with a black shingle roof to match the existing dwelling.
5. The existing driveway entrance to US 31W shall be a shared driveway for both dwellings.
6. The Permanent Accessory Dwelling is the proposed 1,003 sq. ft. home, and the pre-existing 3,414 sq. ft. house is the Principal Dwelling.
7. The proposed permanent accessory dwelling will be located behind the principal dwelling.
8. Both dwellings shall have on-site septic systems approved by the Health Department.
9. Additional landscaping or screening shall not be required.
10. This Permit is not transferable, and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
11. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.