

Hardin County Planning & Development Commission 19 March 2024

Hardin County Government Center 2nd Floor Meeting Room

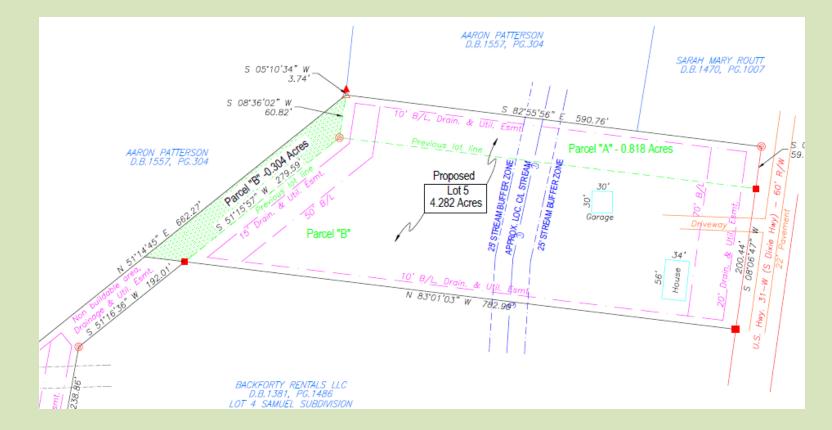
MAP AMENDMENT

Robert Detweiler
19 March 2024

Zone Map Amendment Request:

FROM: C-2 (General Commercial)

TO: R-2 (Rural Residential)



Summary: The applicant is requesting a **Zone Change** from General Commercial (C-2) to Rural Residential (R-2) with no project proposed at this time for a 0.304 acre portion of property that was rezoned to General Commercial on 6 February 2024 to correct a technical survey error.

Reasons for Granting a Map Amendment

KRS 100.213

Before any map amendment may be granted, the planning commission shall consider the evidence and testimony presented by the proponents and opponents of the proposed amendment and make findings of facts that one or more of the following apply:

- 1. The proposal is in agreement with the language of the Comprehensive Development Guide;
- 2. There have been major changes of an economic, physical, or social nature in the area involved that were not anticipated by the Comprehensive Development Guide and that have substantially altered the basic character of the area; or that,
- 3. The existing Zone assigned to the property is inappropriate and the proposed amendment is appropriate.

MAP AMENDMENT SUMMARY REPORT

- A. Meeting Notification
- B. Vicinity Map
- C. Future Land Use Map
- D. Planning Area Maps & Analysis
- E. Zoning Map
- F. Aerial Photos
- G. Record Plat of Samuel Subdivision (1997)
- H. Boundary Survey of the Akers Property (2023)
- I. Proposed Amended Record Plat of Samuel Subdivision, Lot 2 & Record Plat of Samuel Subdivision, Section 2
- J. Character of the Site Analysis
- K. Character of the Area Analysis
- L. Secretary of State City Limit Map (Sonora)
- M. Larue County Zoning Map
- N. Photos of the Site
- O. KYTC Email re: Commercial Entrance Locations
- P. Staff Report and COMPREHENSIVE PLAN ANALYSIS
- Q. *Comprehensive Development Guide
- R. *Development Guidance System Ordinance

^{*}Not provided in PowerPoint

Public Notification

LEGAL

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Hardin County Planning & Development Commission will hold a Public Hearing at 5:00 p.m. on Tuesday March 19, 2024 in the Hardin County Government Building, 150 N. Provident Way, 2nd Floor Meeting Room, Elizabethtown, KY 42701. Consideration will be given on a request to change the zoning map from the C-2 General Commercial Zone to the R-2 Rural Residential Zone for a +/- 0.354 acre portion of the site located at 11705 South Dixie Highway, Sonora, KY to correct a technical survey error.

Newspaper Ad on Sat./Sun. March 9/10 Edition



Two signs posted on site since March 1, 2024



Hardin County

Planning and Development Commission 150 N. Provident Way, Suite 225

Elizabethtawn, KY 42701

Phone: 270-769-5479 Fax: 270-769-5591



MARCH 1, 2024

NOTICE OF PUBLIC HEARING

To Surrounding Property Owners:

The purpose of this letter is to notify you of the scheduled hearing before the Hardin County Planning and Development Commission for the property located at 11705 SOUTH DIXIE HIGHWAY, SONORA, KY. The owner, ROBERT DETWEILER, is requesting a Zoning Change for A +/- 0.354 ACRE PORTION OF THE SITE TO CORRECT A TECHNICAL SURVEY ERROR. — See Enclosed Map

The hearing will be held as follows:

PLACE:

DATE: MARCH 19, 2024

TIME: 5:00 PM

Hardin County Government Building

150 N. Provident Way, 2nd Floor Meeting Room

Elizabethtown, KY 42701

EXISTING ZONE: C-2 - GENE

C-2 - GENERAL COMMERCIAL ZONE

PROPOSED ZONE:

R-2 - RURAL RESIDENTIAL ZONE

REQUEST:

TO ALLOW FOR A ZONE CHANGE FROM C-2 TO R-2 TO CORRECT A

TECHNICAL SURVEY ERROR - SEE ATTACHED MAP

The Public Hearing will be held to decide whether:

1) The proposed project is in agreement with the comprehensive plan,

 There have been major economic, physical or social changes in the area since the adoption of the comprehensive plan and / or

3) The existing zone is inappropriate.

Section 4-2 (B) of the Hardir County Development Guidance System Zoning Ordinance contains information about the public hearing process. This includes the rules that will be used during the hearing and the action that can be taken.

Please call the Planning Commission office at 270-769-5479 if you have any questions.

Adam C. King, AICP Director

Director

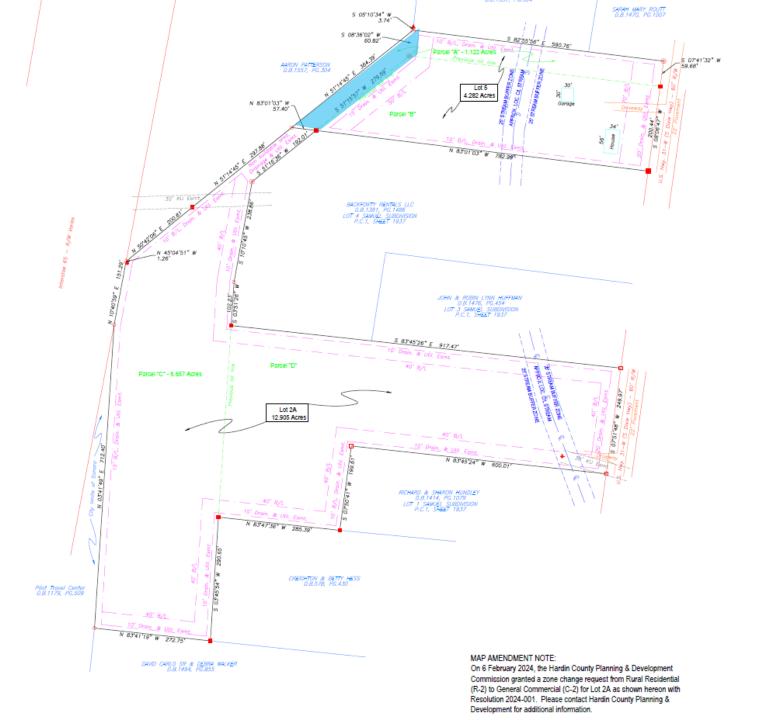
c: 6 E G THOMPSON, Magistrate

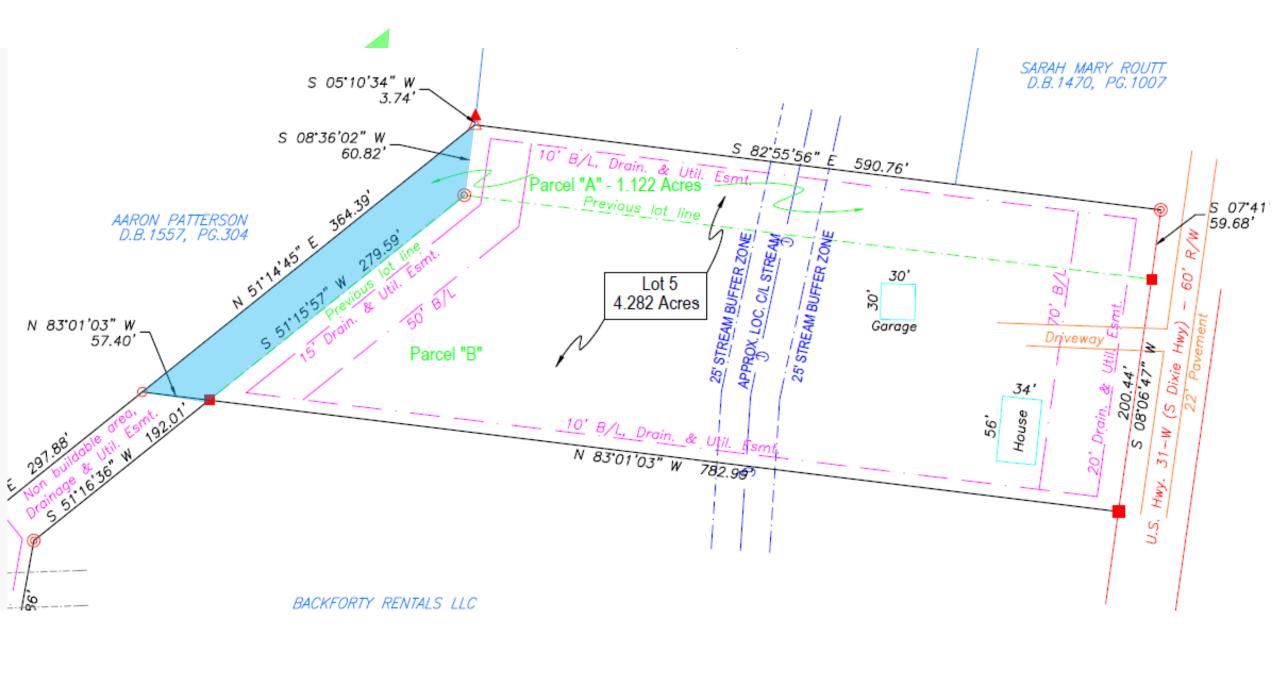
First class mailings sent to 16 owners that adjoin or are within 1200' of road frontage

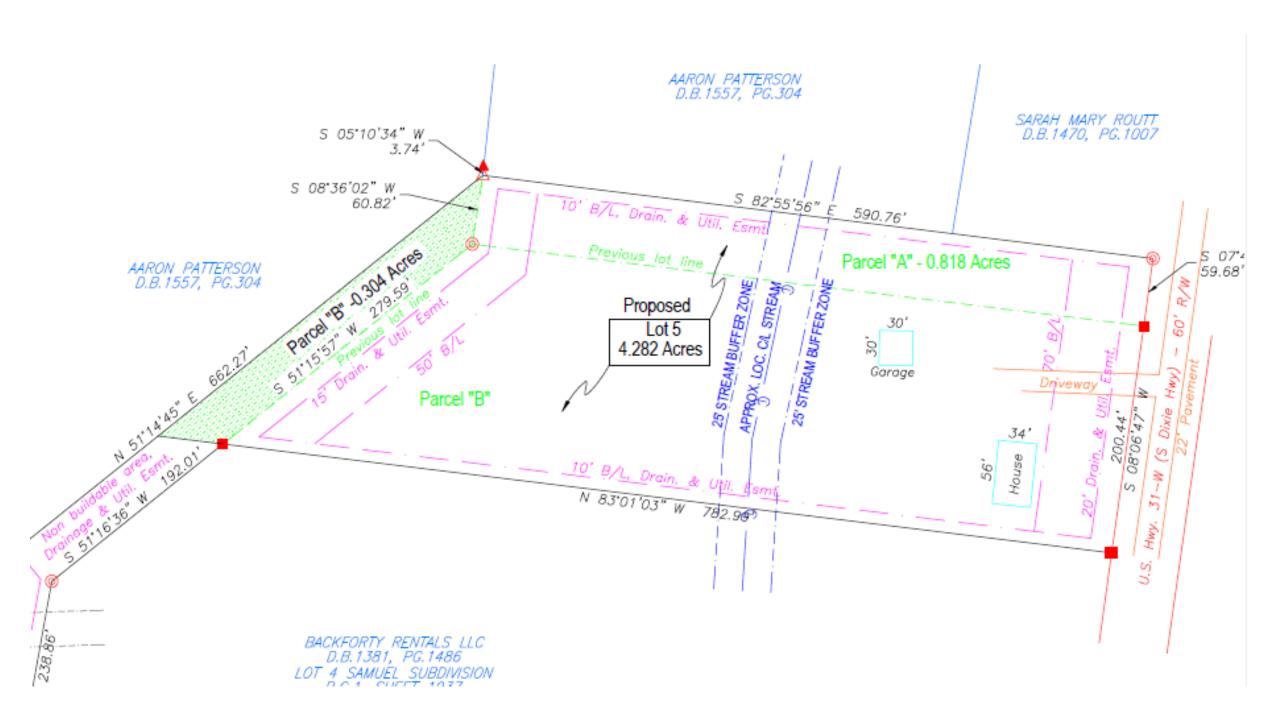
Proposed Plat correcting survey error.

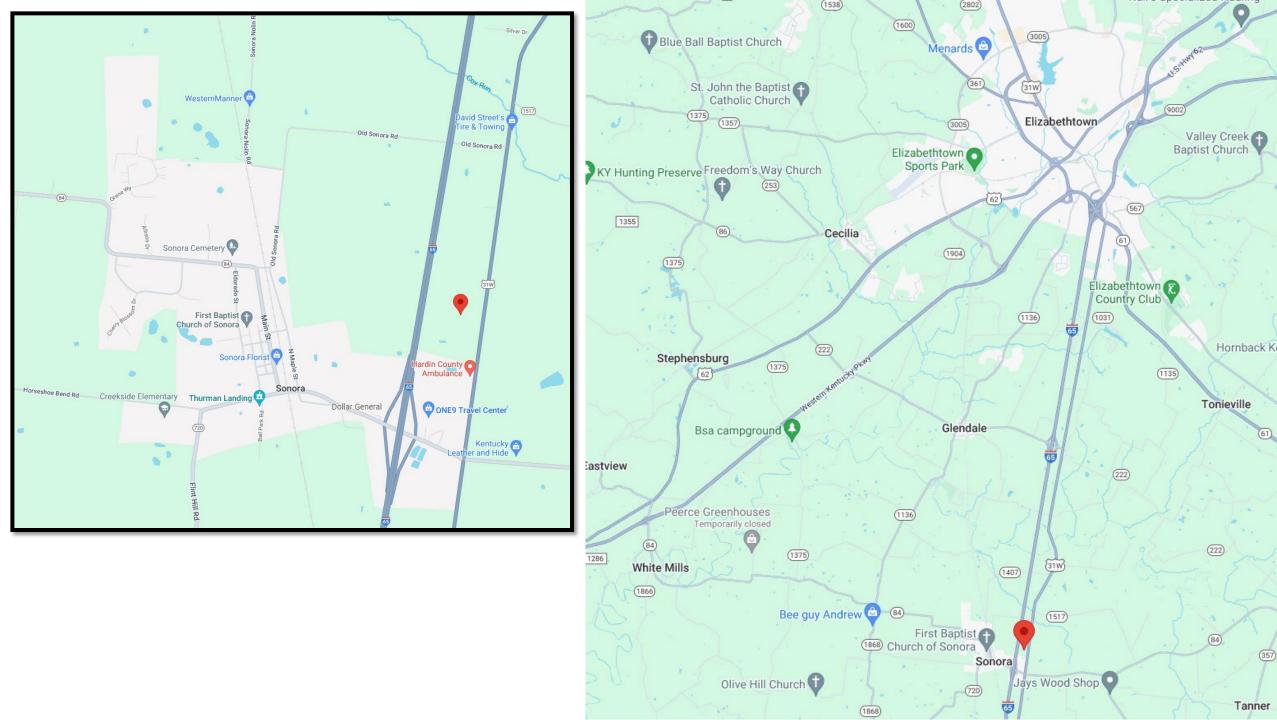
Area in blue was zoned to commercial but Detweiler and Fulkerson intended for it to also be merged with Fulkerson's existing lot.

Proposal is to rezone this 0.304 acres from the C-2 Zone it received on 6 February 2024 back to R-2 so it can be merged with Fulkerson's lot









Hardin County Future Land Use

C. Rural Areas

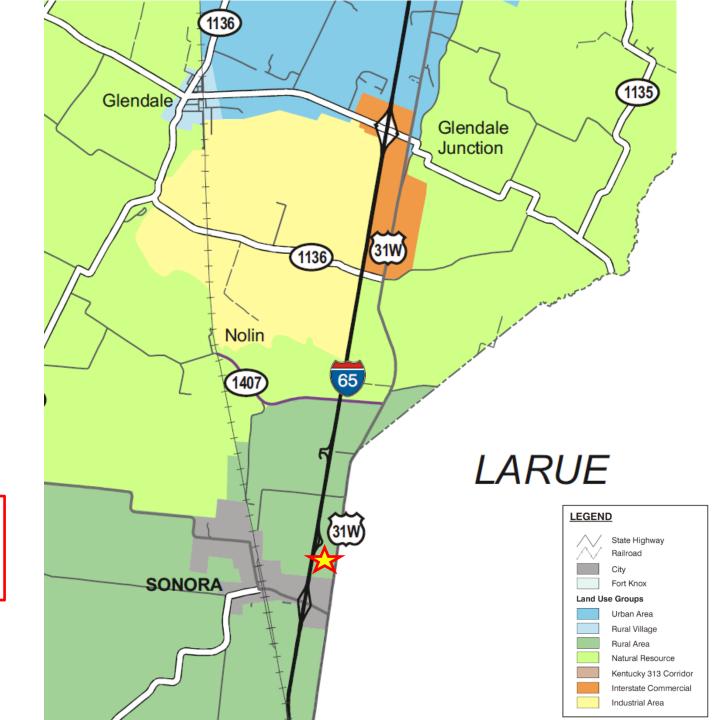
<u>Introduction:</u> Rural areas in Hardin County are located at the outer limits of the County, generally at points farthest away from the County's centers of development. Rural areas are marked by low density residential development, agricultural use and some wellhead protection areas. In general, when compared to other areas of the County, rural areas lack the infrastructure to support more intense development.

<u>Natural Features:</u> The terrain is rolling in places and flat in others with some natural limitations to development. The roadway network consists of rural local roads that, in some cases, lack sufficient pavement width to support more intense development. Soils are good for agricultural uses generally with some areas of steep slopes and wet soils and other limitations. There are also areas affected by flooding (100-year flood plain).

<u>Existing Land Use:</u> The existing land use pattern is marked by low density residential uses, farming activities and other low intensity uses. There are also sporadic community facility uses such as churches and schools.

Recommended Land Use Pattern and Development Criteria: The following are recommended land use types for rural areas generally. Also provided are general guidelines for development in rural areas.

- Residential development should be limited to rural residential and estate type development.
- Commercial and Industrial development within these areas should be limited to major crossroads that serve the local demand, not regional or area-wide demand.
- Prior to any development occurring in rural areas the roadway network serving the particular development should meet minimum roadway standards as established by local regulation.
- Community facilities are permissible based on the population and the capacity of the infrastructure to serve the particular site.
- Agricultural lands should be preserved and agricultural operations protected and encouraged by the use of various land use techniques including, but not limited to, residential clustering, conservation easements and right to farm regulations.



Planning Area Map

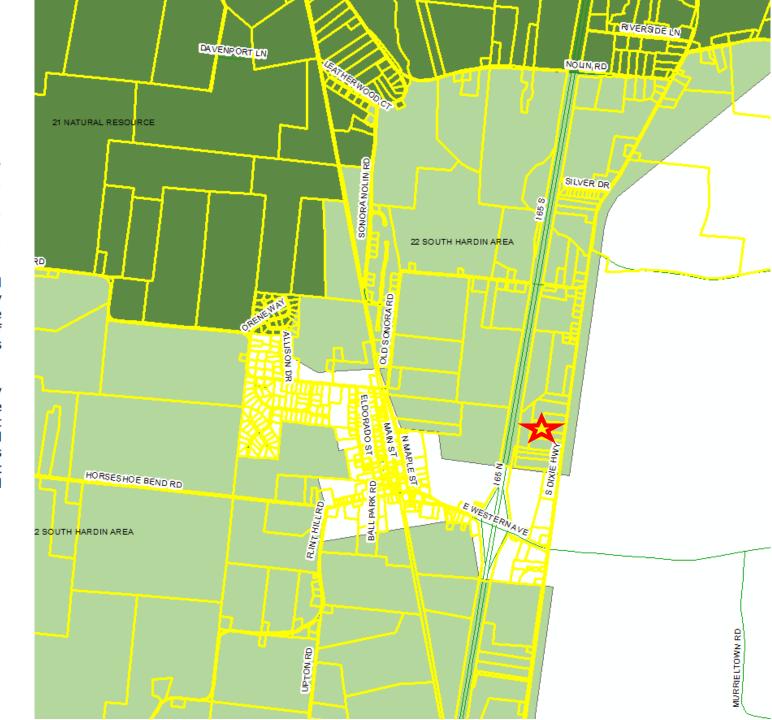
22. SOUTH HARDIN AREA

22. South Hardin Area

- <u>Introduction</u>: This large Rural Area Planning Group has a northern boundary of KY 84 and the Western Kentucky Parkway, except in the vicinity of White Mills where the northern boundary is south of KY 84 and in the vicinity of Sonora where the northern boundary extends to Nolin Road and Eagle Mills Road. The South Hardin area is adjacent to three other counties Larue, Hart and Grayson and surrounds the two cities Sonora and Upton. This area includes the rural communities of Flint Hill and Spurrier.
- <u>Existing Land Use</u>: Land use in this rural planning area is characterized by typical
 agricultural activities with an average parcel size of greater than thirty
 acres. Only sparse subdivision growth has occurred with the most active
 residential development occurring in areas annexed by the City of
 Sonora. Nonresidential land uses includes many rural churches, general stores
 and small service oriented businesses.
- Natural Features: In the South Hardin area the general topography is gently rolling. A large portion of this planning area is marked by an absence of surface streams in part due to the presence of sinkholes known as karst topography. Within the planning area, there are flood hazard areas associated with the Nolin River, the most significant surface water resource that runs through the County, and Sandy Creek, a unique surface stream that does not connect with another stream or river. There are also flood hazards associated with the Cox Run water feature.
- Recommended Land Use and Development Criteria:
 - The recommended land use pattern for the South Hardin Area is low density rural residential development.
 - All development activities should preserve and enhance the existing rural character of this area.

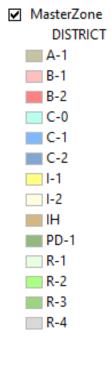
Any commercial development within the area should be limited to major crossroads in the area.

- Any commercial development in this area should be limited to that serving local demand, not regional or area-wide demand.
- Topographic and natural features, in particular flood impacted areas, should be considered during the development review process. Steep slope areas and other areas with natural limitations should be set aside from development and preserved.

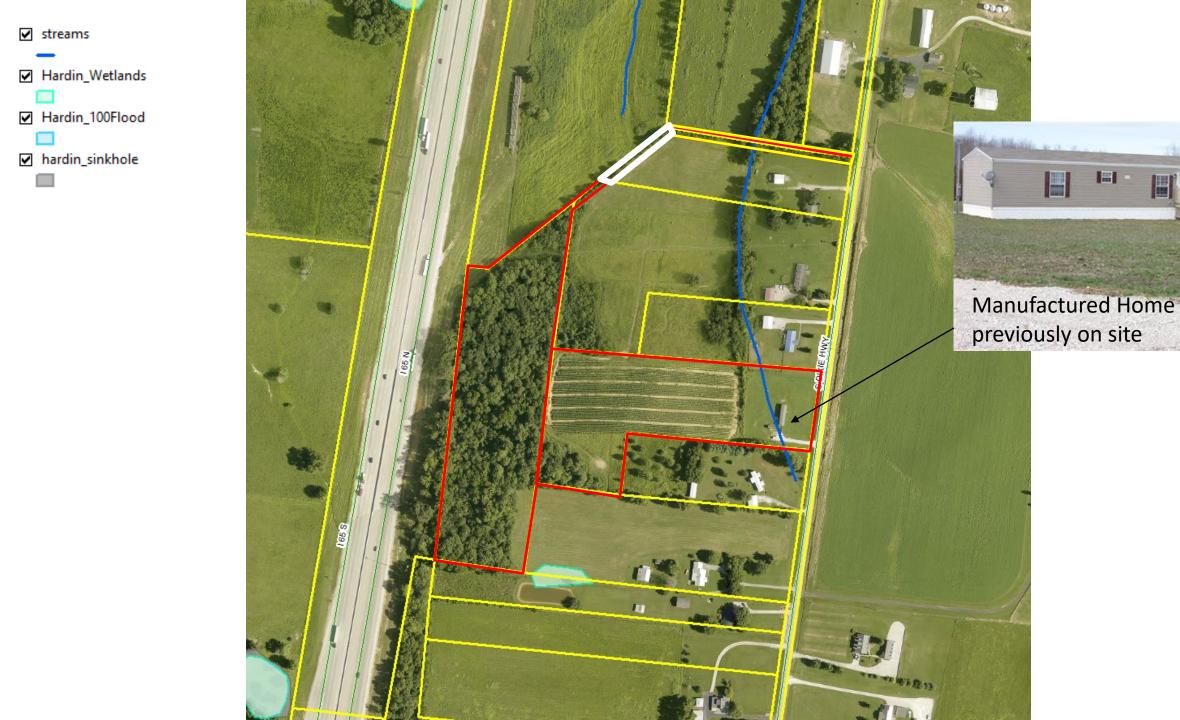


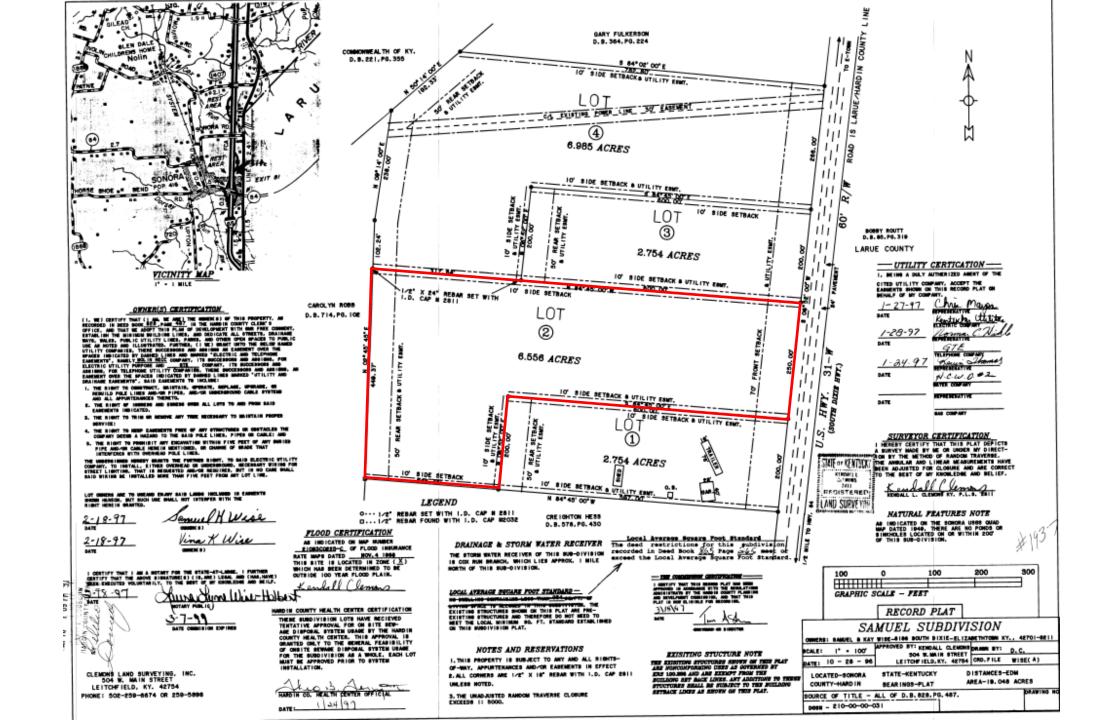


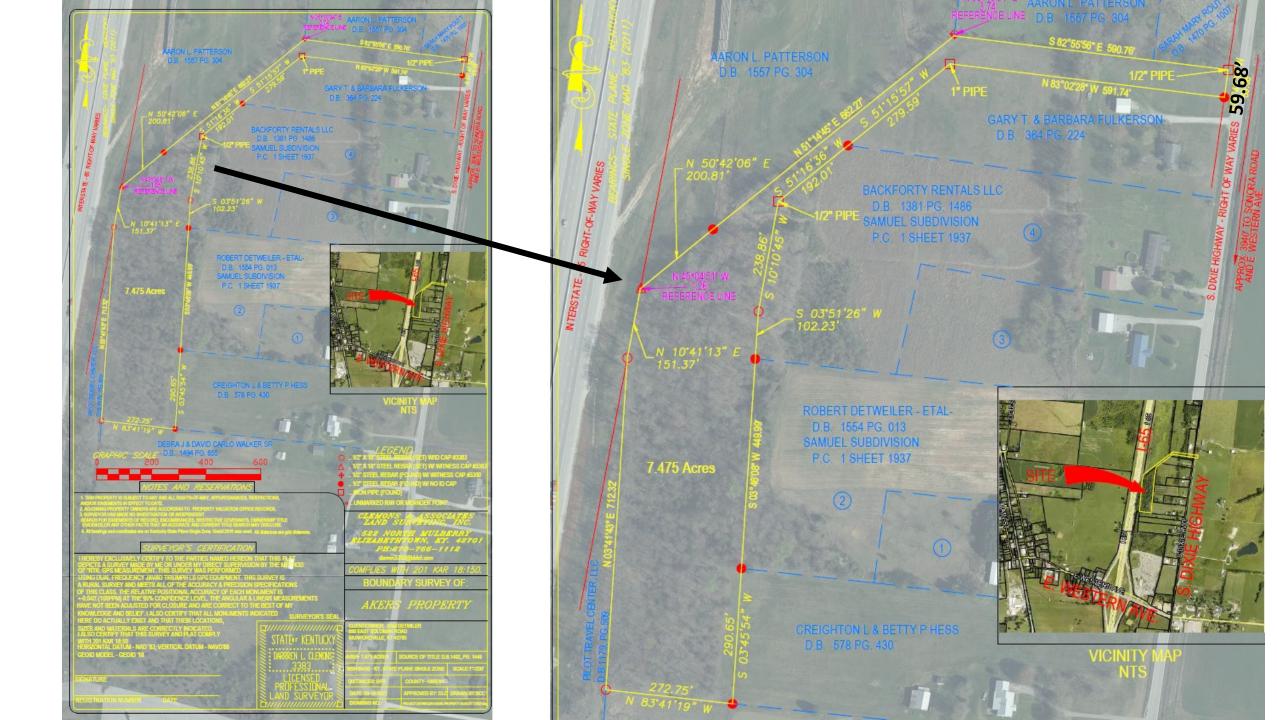




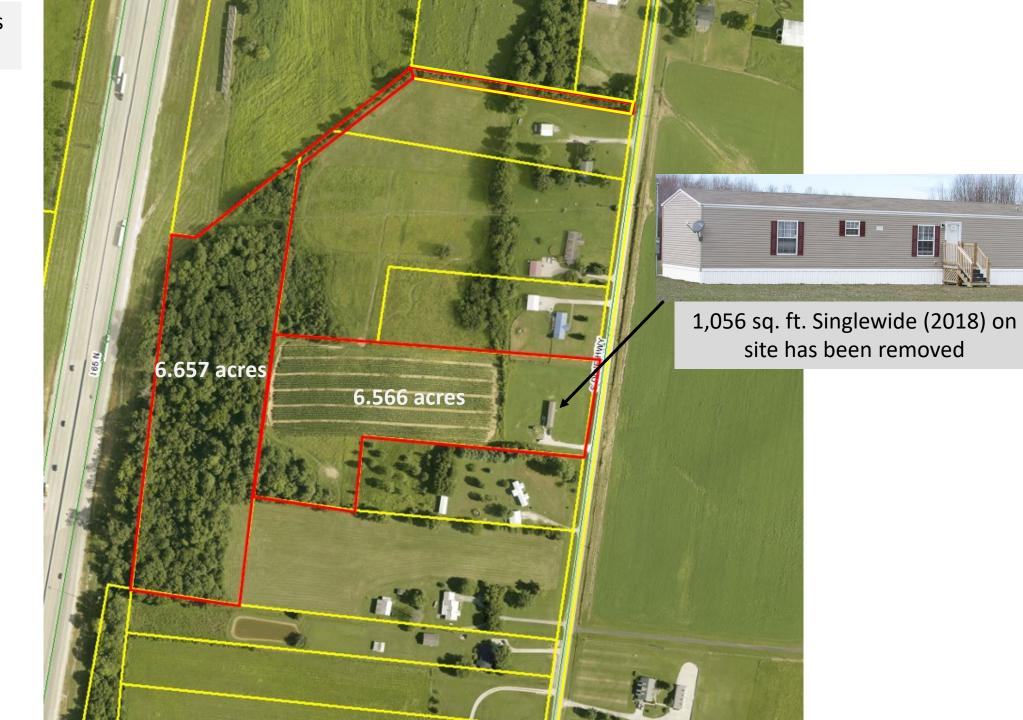








Character of the Sites + 13.194 acres



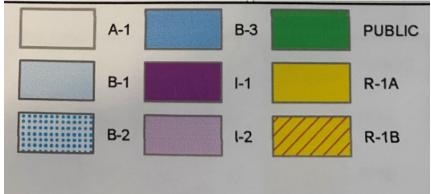




Secretary of State – City Limits of Sonora Search result □× 11705 S Dixie Hwy, Sonora, Kentucky, 42776



LARUE COUNTY, KY ZONING MAP



White = Agricultural Zone (A-1)

Yellow = Single Family Residential (R-1A)

Blue = Highway Business (Blue)



Looking north towards Glendale

Looking south towards Sonora



















Adam,

We went out and looked at these two locations for potential entrances. We could not get sight distance at the northern one, where the strip comes out. Therefore, we could only permit an entrance at the location where the manufactured home is. Since they are wanting to go commercial, we will want that entrance centered up between the adjacent entrances on each side. There is right at 600' between them so we should be able to get the 300' of spacing that we like to have. If you have any other questions, please let me know.

Thanks,

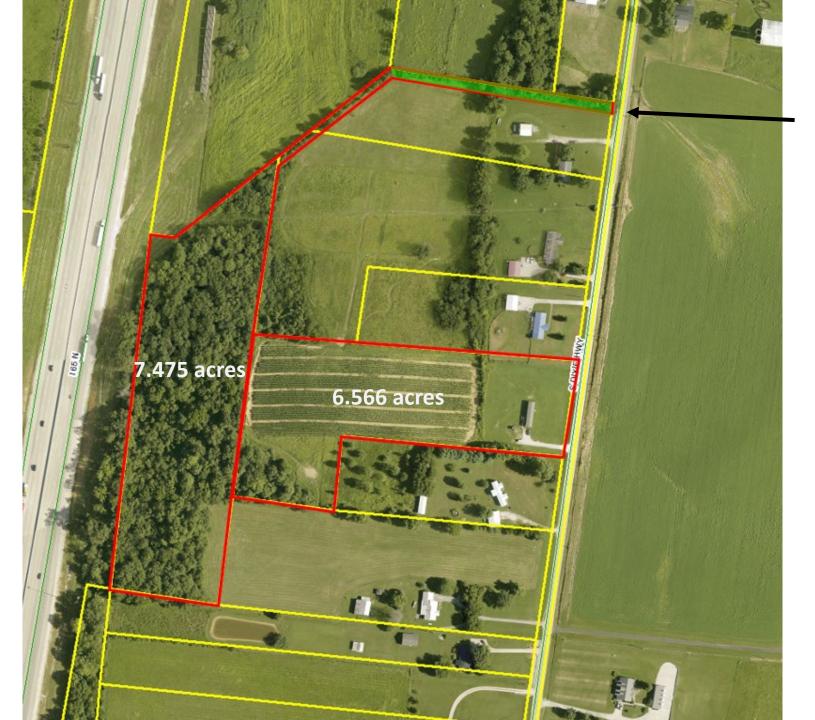
Chris

Chris Hampton, P.E.

Permits Section Supervisor
District 4 - Elizabethtown

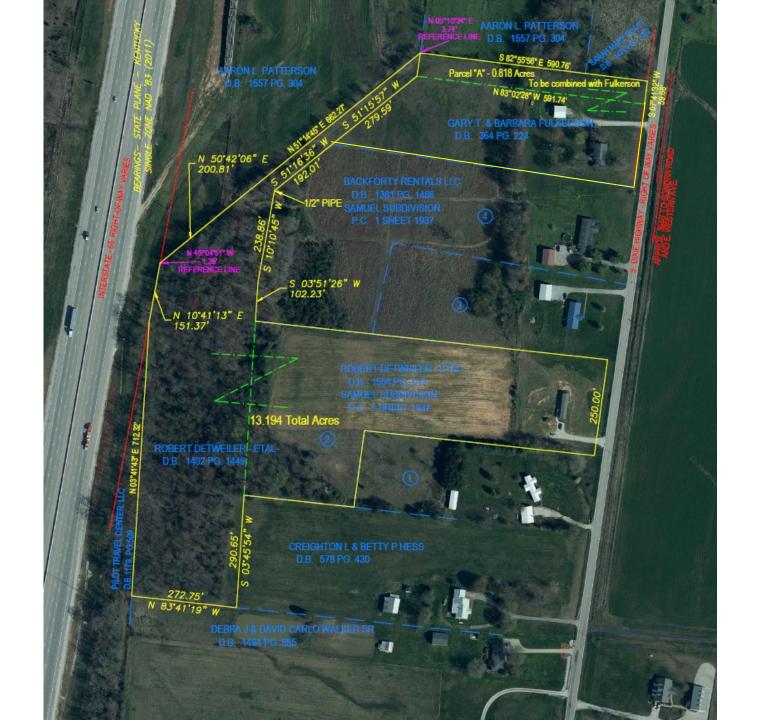


Two parcels as they currently exist



Because a commercial entrance was NOT approvable at the 60' strip to the north for the 7.4 acres to the rear, the 60' strip is NOT part of the Zone Change request and is proposed to be merged to the adjoining **Fulkerson** property

Proposed 2 Lot Plat as shown in January & February of 2024



AMENDED RECORD PLAT OF

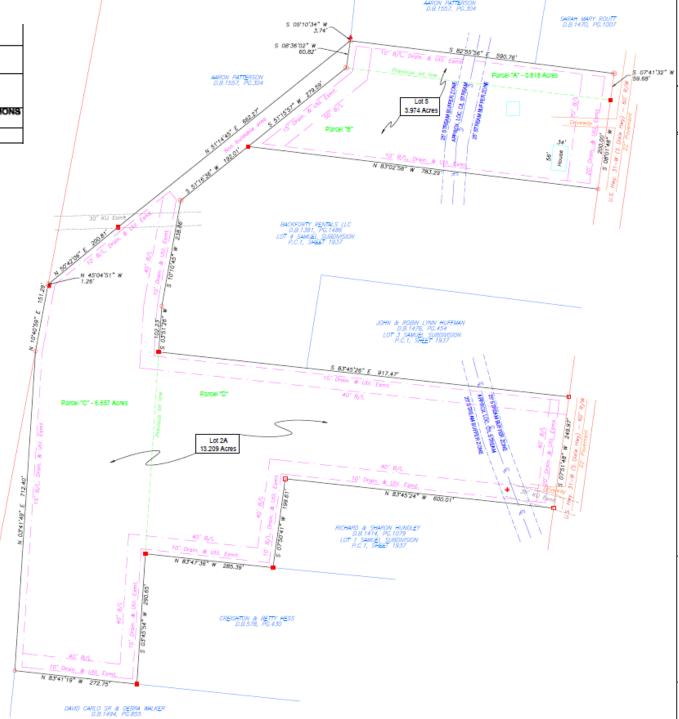
Samuel Subdivision, Sec. 1, Lot 2 AND

RECORD PLAT OF Samuel Subdivision, Sec. 2

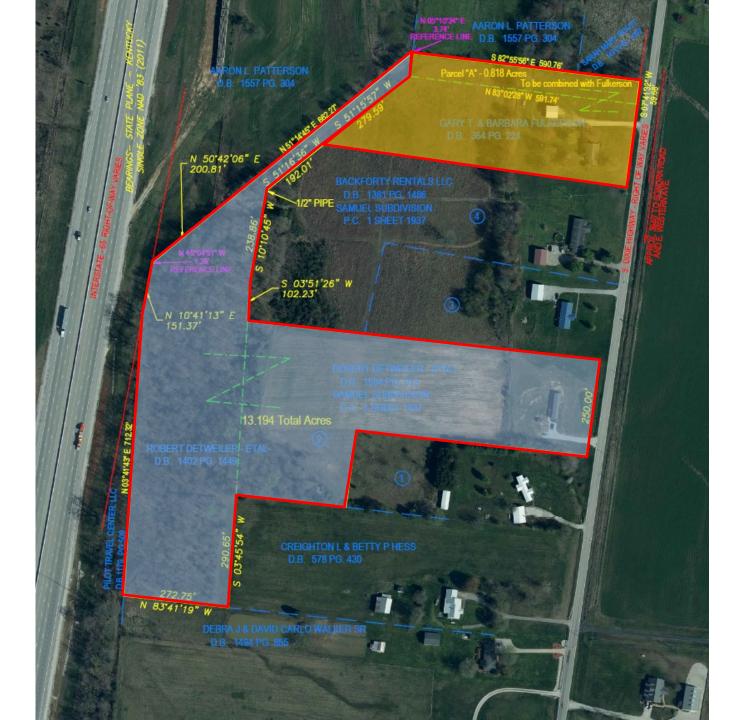
OWNER AND DEVELOPERROBERT Detweller, EtAI
6128 Pricaville Rd, Munfordville, Ky. 42765
OWNER AND DEVELOPER Gary and Barbara Fulkerson
11585 S DIXE HWY. Spongre, Ky. 42776
SURVEYED BY: CLEMONS AND ASSOCIATES - DARREN L. CLEMONS

522 NORTH MULBERRY STREET, ELIZABETHTOWN, KY. 42701

TOTAL AREA OF LOTS BEING SUBDIVIDED: 23.183 ACRES



Proposed 2 Lot Plat
(area in white
proposed for C-2 Zone,
area in orange will
remain R-2)
* As shown in January
& February of 2024



Reasons for Granting a Map Amendment

KRS 100.213

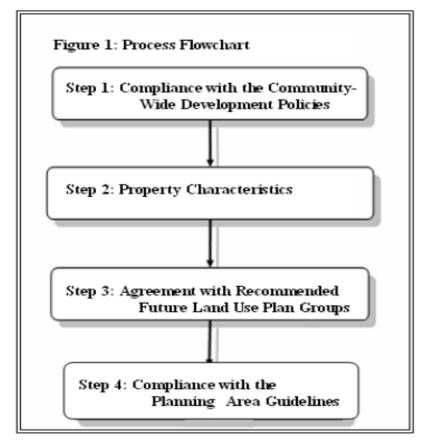
Before any map amendment may be granted, the planning commission shall consider the evidence and testimony presented by the proponents and opponents of the proposed amendment and make findings of facts that one or more of the following apply:

- 1. The proposal is in agreement with the language of the Comprehensive Development Guide;
- 2. There have been major changes of an economic, physical, or social nature in the area involved that were not anticipated by the Comprehensive Development Guide and that have substantially altered the basic character of the area; or that,
- 3. The existing Zone assigned to the property is inappropriate and the proposed amendment is appropriate.

LAND USE ELEMENT

The portion of the Comprehensive Plan used most often to assess future development is the land use element. If a proposed land use is in keeping with the criteria and guidelines as set out in the land use element then approval is more easily obtained.

This Plan provides the criteria and guidelines for development in the form of a recommended land use map and narrative development guidelines. This plan is a hybrid plan: part map; part guidelines. The Recommended Future Land Use Map is intended to give general guidance relating to the range of uses recommended, as well as the recommended densities and intensities of those uses. Additional guidance is provided in the narrative for each planning area which provides guidelines for future development within each of the distinct areas of the County.



Using this Plan

The process for determining whether a proposal is in compliance with the land use plan element involves the four steps outlined in **Figure 1**. All steps should be followed in order to completely assess compliance.

ZONE CHANGE STAFF REPORT

Hardin County Planning and Development Commission 150 N. Provident Way, Suite 225 Elizabethtown, Kentucky 42701 (270) 769-5479

Summary: The owner, Robert Detweiler is proposing to rezone a 0.304 acre portion of a site to the rear of 11585 South Dixie Highway in Sonora, KY from General Commercial (C-2) to Rural Residential (R-2) with no project proposed to correct a technical survey error from the previous zone change on February 6, 2024.

Pre-application Conference:

February 26, 2024

Public Hearing Date:

March 19, 2024

Location of Proposed Zone Change:

To the rear of 11585 South Dixie Highway in Sonora, KY

Acreage: ± 0.304 acre portion of site

PVA Parcel Number:

210-00-00-019

Flood Plain: This subject property is outside of the floodplain according to FEMA Map 21093C0455D (dated 16 August 2007).

History of the Property:

The site was purchased by Robert Detweiler on October 16, 2023.

The 7.475 acre site had previously been owned by the Akers family since 2000.

A proposed plat would merge this 0.304 acres with the Adjoining Fulkerson property to create Lot 5 of Samuels Subdivision.

Utility Services:

Electricity is provided via Kentucky Utilities (KU). Public water is provided via Hardin County Water District #2 with a 6" line on the west side of South Dixie Highway (US 31W).

Wastewater Treatment:

Sewage disposal will be accomplished by an On-Site Septic System.

Owners:

Robert Detweiler 6128 Priceville Road Munfordville, KY 42765

Zone Map Amendment Request:

FROM: C-2 (General Commercial)
TO: R-2 (Rural Residential)

Land Use Group: Rural Area

Planning Area: South Hardin Area, # 22 Existing Land Uses: Residential / Vacant

Zoning History: R-2 (Rural Residential) was the original zoning for the Subject Property since July of 1995. The property was rezoned to C-2 (General Commercial) on 6 February 2024.

Adjacent Zoning:

North – C-1, Routt (3 acres) & R-2, Patterson (8 & 19 acres), Huffman (2.8 acres), Back Forty Rentals (7 acres) South – R-2, Hundley (2.8 acres), Hess (6 acres), Walker (2.5 acres)

East - Larue County

West - R-2, Isham (75.8 acres) & Sonora City Limits

Transportation Considerations:

South Dixie Highway (US 31W) is a State Highway with a 60' dedicated right-of-way and 24' pavement in this area.

The property has approximately 864' of road frontage along Interstate 65.

RESOLUTION 2024-007 MAP AMENDMENT General Commercial (C-2) to Rural Residential (R-2)

WHEREAS the Hardin County Fiscal Court and the Hardin County Planning and Development Commission have adopted a Comprehensive Plan, Land Use Regulations, and Subdivision Regulations;

WHEREAS the above-mentioned regulations are designed to protect the public health, safety and welfare of the citizens of Hardin County;

WHEREAS the proposed site is located in the Rural Area of Hardin County and within the South Hardin Planning Area (#22);

WHEREAS this property received a Zone Change from Rural Residential (R-2) to General Commercial (C-2) on 6 February 2024 and it has now been determined that a technical survey error was made.

WHEREAS this proposal is a request to rezone a 0.304 acre portion of the site back to the 1995 designation of Rural Residential Zone (R-2) to allow it to be merged with an adjoining property.

NOW THEREFORE, BE IT RESOLVED, by the Hardin County Planning and Development Commission that a request for a Map Amendment for property owned by Robert Detweiler known as PVA #210-00-00-019 and identified as being approximately a ±0.304 acres located to the rear of 11585 South Dixie Highway (US 31W) in Sonora, Kentucky be granted a zone change from the General Commercial Zone (C-2) to the Rural Residential Zone (R-2), based on the following findings and compliance with the policies and goals of the Comprehensive Plan:

With the appropriate portions of the Development Guidance System, Zoning Ordinance and the Comprehensive Development Guide, the testimony provided by staff and those in attendance at the public hearing, the Planning Commission hereby adopts the attached Staff Report and it is determined that the proposed R-2 Zone is in agreement with the Comprehensive Plan and will correct a technical survey error that was identified from the previous zone change request approved on 6 February 2024.

Goal 5: TO ENCOURAGE THE LOCATION AND DEVELOPMENT OF DIFFERENT LAND USES IN THE MOST APPROPRIATE MANNER.

Objective: 7. Conceive the definitive areas within the county for the highest and best use as residential, commercial and industrial which will make effective use of existing and proposed services and facilities.

ADOPTED THIS NINETEENTH DAY OF MARCH 2024.

MOTIONS

I make a motion to Approve the proposed Zoning Map Amendment based upon:

- the testimony provided by Staff and those in attendance at the Public Hearing
- · I hereby adopt the Staff Report and the exhibits entered in as the Record
- To adopt Resolution 2024-007 as presented

The proposed Map Amendment from C-2 to R-2 is in Agreement with the Comprehensive Plan and the following Goal & Objective.

Goal 5: TO ENCOURAGE THE LOCATION AND DEVELOPMENT OF DIFFERENT LAND USES IN THE MOST APPROPRIATE MANNER.

Objective: 7. Conceive the definitive areas within the county for the highest and best use as residential, commercial and industrial which will make effective use of existing and proposed services and facilities.

I make a motion to Deny the proposed Zoning Map Amendment based upon:

· the testimony provided by Staff and those in attendance at the Public Hearing

The proposed Map Amendment from C-2 to R-2 is NOT in Agreement with the Comprehensive Plan.

PRELIMINARY PLAT – CONSIDERATION & ACTION

Amended Record Plat of Hagan Farm Subdivision, Lot 1A and

Record Plat of Glendale Commercial Park

Applicant: Hagan & Dobson Families

Surveyor/Engineer: Engineering Design Group – Mike Billings, PE

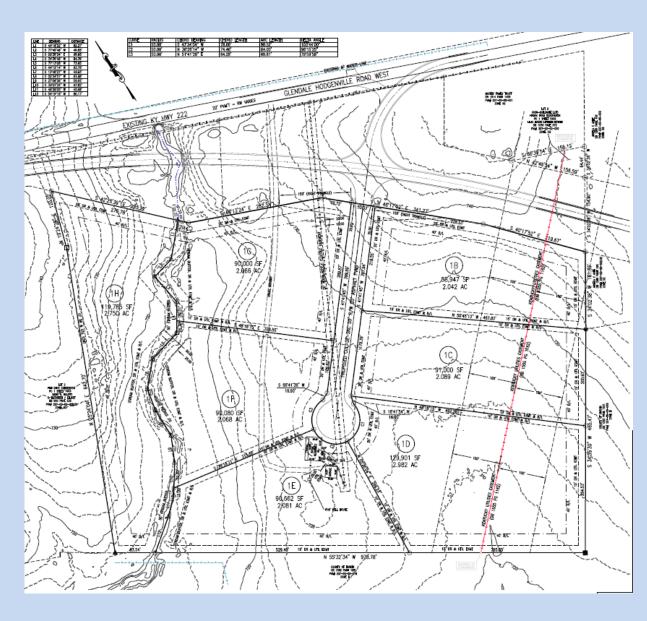
Proposal: 7 commercial lots **Site:** 16.725 acre site

Location: 1055 Glendale Hodgenville Road W, Glendale, KY

PVA: 207-00-030

Zoning: General Commercial (C-2)









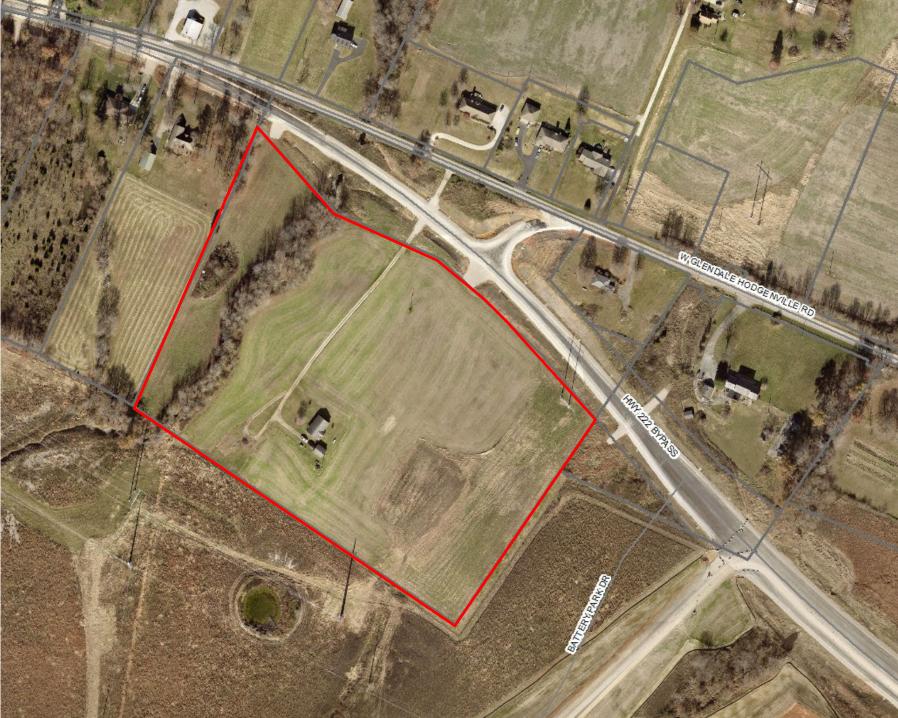




1362 sq. ft. house (1995)



576 sq. ft. garage (1995)



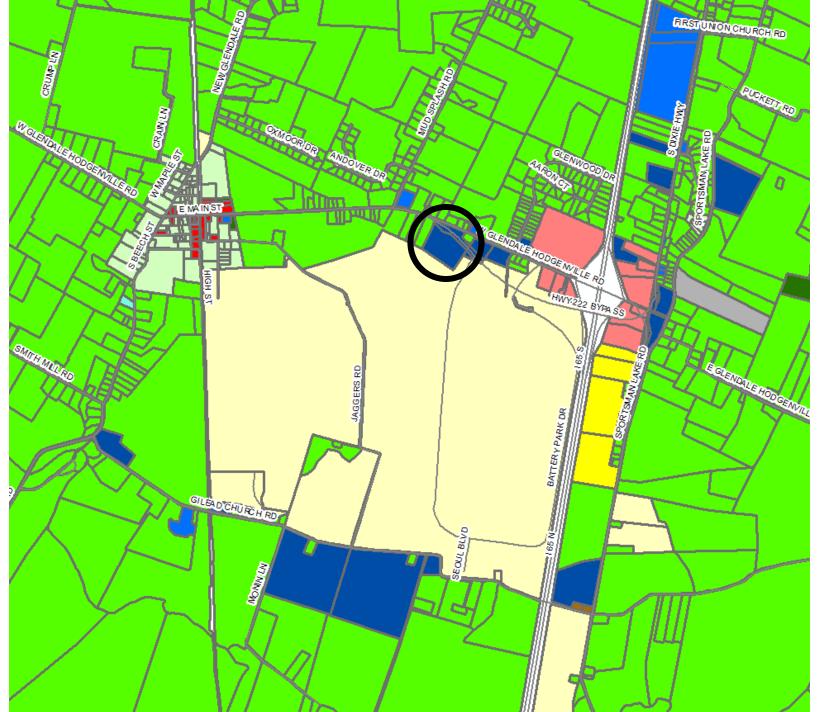


A-1

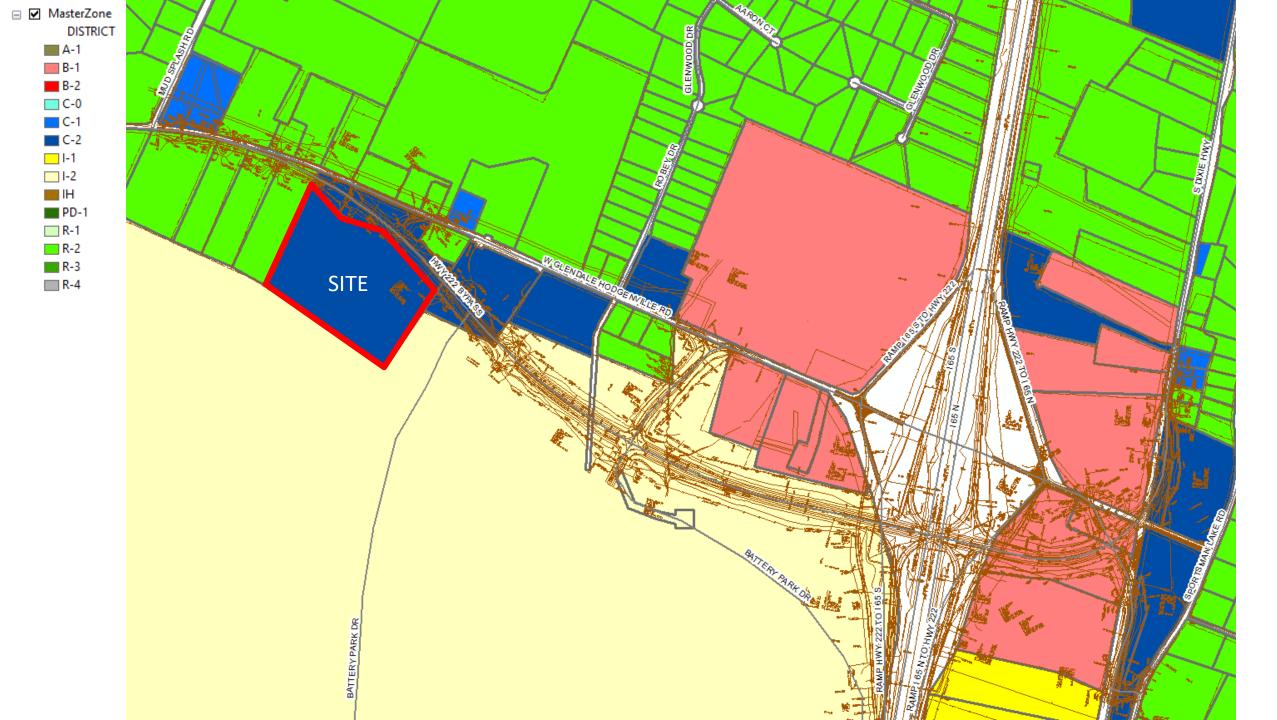
■ B-1

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

DISTRICT



Site was zoned to C-2 in June of 2013



PVA # 207-00-00-030

MBILLINGS@ENGDESGRP.COM

OWNER/DEVELOPER: WILLIAM ROBERT HAGAN et, ol. 470 WEST 24TH ST. APT, 7-F NEW YORK, NY 10011

SURVEYOR / ENGINEER:
ENGINEERING DESIGN GROUP, INC.
315 SOUTH MULBERRY ST
P.O. BOX 2464
LUZABETHTOWN, V. 42702—2484
(270) 769—1436 (270)765—9908 FAX

DB 1202 PG 031 DB 1038 PG 072 DB 1049 PG 187





-355



ON 4 JUNE 2013 THE HARDIN COUNTY PLANNING COMMISSION REZONED LOTS 1A & 2 AS SHOWN HEREON FROM RURAL RESIDENTIAL (R2) TO GENERAL COMMERCIAL (C2). PLEASE CONTACT HARDIN COUNTY PLANNING & DEVELOPMENT FOR ADDITIONAL



90,662 SF 2,081 AC

529.40' 15' OR & UTL ESMT

N 55'32'34" W 978.78

37.35/

15 OR & UTIL ESMT

SITE STATISTICS

TOTAL AREA: 16.725 AC TOTAL AREA R/W: 0.645 AC TOTAL AREA LOTS: 16.08 AC

TOTAL # LOTS: 7 CURRENT ZONE: C2



Goodmorning,

Work Cell: 270-723-7390

I am attaching a preliminary plat we received this week for a subdivision with streets off of the new KY 222 in Glendale. I wanted to verify if Lot 1H will be able to have a commercial entrance off of the new KY 222?

R/W & PL

DITCH

We intend on requiring an access restriction note for Lots 1G & 1B to only have access off of the new proposed unnamed street.

Cheers,

Haley B Goodman

Planner

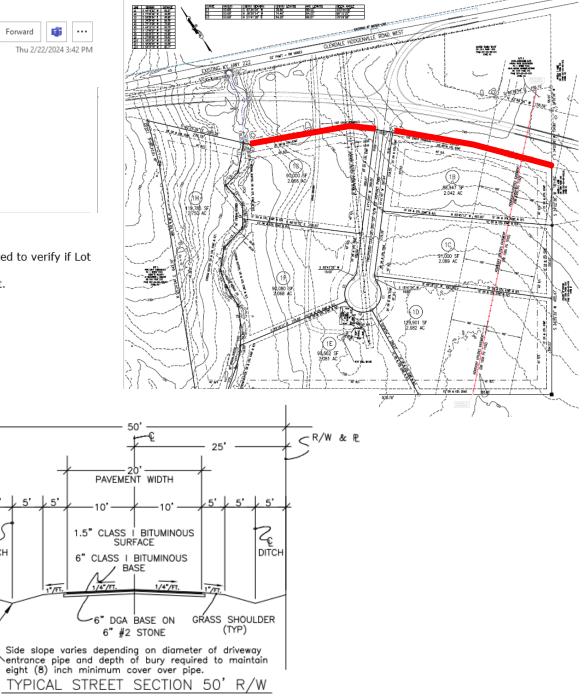
Hardin County Planning & Development Commission 150 N Provident Way, Ste 225 Elizabethtown, KY 42701

Phone: 270-769-5479 Ext 8516 / Fax: 270-769-5591

E-Mail: <u>hgoodman@hardincountyky.gov</u> Planning Website: <u>www.hcpdc.com</u>

Access Restriction Note

Lots 1B & 1G shall be restricted from access to KY 222 per the Hardin County Planning Commission approval of the Preliminary Plat.



PRELIMINARY PLAT

Staff Review Comments 2/22/2024

Subdivision Name: Hagan Farm Subdivision, Lot 1A

Owner: William Hagan, et. Al. Engineer: EDG, Mike Billings

Location: 1055 Glendale Hodgenville Road West, Glendale, KY

PVA Map Parcel Number: 207-00-00-030

Lot Design:

Total Acres: 16.725 Lot Area: 16.08

R/W Area: 0.645

Proposed Number of lots: 7

Average Lot Size: 2.297 acres [16.08 acres / 7 lots] Range of Lot Size: 2.042 acres to 2.982 acres

Land Use: Property contains a house and garage on site and being used for agricultural

activities

Zoning Sector: Urban Zoning District: C-2

Adjoining Properties:

North: Mackey Family Trust, R-2 (1.35 acres); Ashe, C-2 (4.389 acres)

South: Hardin County, I-2 (1,472 acres)

East: Hardin County, I-2 (1,472 acres); Ashe, C-2 (0.655 acres)

West: Elliot, R-2 (5 acres)

Government Services & Utilities

Access Road: Glendale Hodgenville Road West (State Maintained -R/W, pavement

____ feet)

Classification: Minor Collector Traffic Counts: 1,813

Water: Hardin County Water District #2 Electric: (Nolin RECC or Kentucky Utilities)

Schools: Elementary - Creekside; Middle School- East Hardin; High School- Central

Hardin

Fire Department: - Glendale Volunteer Fire



Hardin County Kentucky

Guide for the Design and Construction of County Roadways

Prepared by: Hardin County Engineering Department Hardin County Road Department

Ordinance No 336, Series 2023 August 29, 2023

Street Classification	Minimum Pavement Section (Compacted)
Residential	4" #2 stone, 5" DGA, 3" Asph Base, 1.5' Surface
Non-Residential	6" #2 stone, 6" DGA, 6" Asph Base, 1.5" Surface



This is only our third ever non-residential subdivision.



Sagebrush Corner (Rineyville)



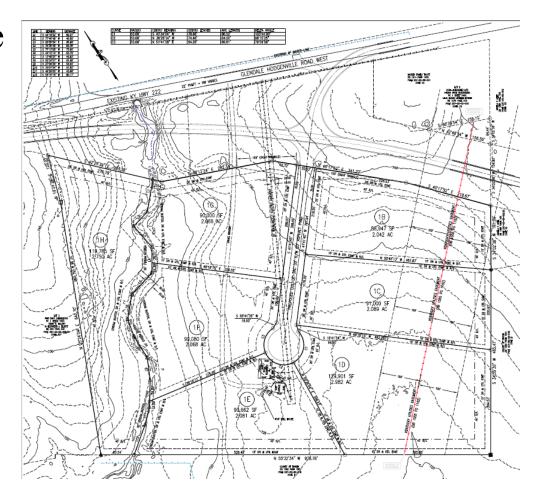
Waco Subdivision (Elizabethtown)

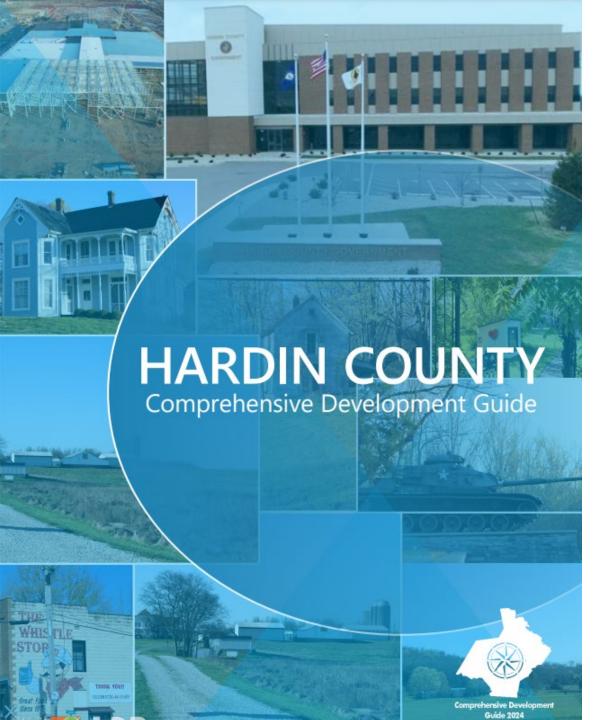


MOTION

I make a motion to **Conditionally Approve** the Preliminary Plat of Glendale Commercial Park Subdivision:

•Pending correction of the **30** items listed in the Staff Review Comments





Hardin County Fiscal Court Resolution No. 2024-054

WHEREAS, KRS 100.183 requires as part of the Comprehensive Planning Process that the local Planning Commission prepare written Goals and Objectives for the Comprehensive Plan.

WHEREAS, the Planning Commission has been working diligently and receiving public and community input into updating Hardin County's Comprehensive Plan;

WHEREAS, on March 5, 2024, the Planning Commission held a public hearing and as a result adopted recommended Goals and Objectives for the Comprehensive Plan in Resolution 2024-006;

WHEREAS, the Planning Commission having provided Hardin County Fiscal Court with its recommended Goals and Objectives of the Plan;

WHEREAS, KRS 100.193 provides for the process by which Fiscal Court may approve/adopt or reject the Planning Commission's recommended Goals and Objectives of the Comprehensive Plan:

BE IT THEREFORE RESOLVED, that the recommended Goals and Objectives of the Hardin County Planning Commission be made a part of this Resolution and be hereby adopted and approved by Hardin County Fiscal Court.

ADOPTED, by the Hardin County Fiscal Court in its regular meeting on the 12 day of March, 2024.

Keith L. Taul

Hardin County Judge/Executive

TTEST:

Brian D. Smith Hardin County Clerk

PREPARED:

Jennifer B. Oldham Hardin County Attorney