

## Hardin County Board of Adjustment

Minutes: 19 December 2019

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Chairman Bob Krausman called to order the four hundred and eighteenth meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 19 December 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Chris Butz, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Secretary Steve Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:03 p.m. Hearing Officer Steck announced the first item on the agenda is a request for a Conditional Use Permit to allow for the construction of a 50'x110' quonset hut style barn that would exceed the size of the dwelling on site. The property is a 4.167 acre site located at 10457 Hardinsburg Road, Cecilia, KY, known as Lot 3 of Effie's Acres within West Hardin Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 042-00-00-036. The property is owned by the **GORDON & BERNETT BOARD ESTATE** and the applicant is **TIM LEONARD**. Director King reviewed the application, the plans for the property and presented the exhibits into the record. Tim Leonard, of 10457 Hardinsburg Road, Cecilia, KY, (the applicant) provided testimony and answered questions from the board members and staff. He explained the purpose of the 50'x110' barn was to work with horses year round. The building would need to be large enough to house an indoor riding arena, stables, and food storage. Mr. Leonard went on to describe the work he does with the "Mustang Heritage Foundation", rescuing wild horses and preparing them for adoption. Leonard explained that the barn could be built in a variety of sizes and also a more traditional style if the proposed "Quonset hut style" was out of character with the area. Acknowledging the fact that his original requested dimensions of 50'x110' were far greater than most permits granted by the Board, Mr. Leonard conceded that a 40'x60' traditional style barn could be enough room for an arena and stables, while the food storage could be kept in the existing barn on site. Mr. Leonard went on to say that the barn would hold around 4 horses at a time, with each horse needing its own a 20'x20' area and that eventually there will be a fenced in pasture area to the rear of the property.

Leeland Stokes of 323 Country Lane spoke in favor of the proposal. Mr. Stokes told the Board that he had no problem with the barn, and that he thought what Mr. Leonard was doing was a great thing for the community.

Chairman Krausman called Mr. Leonard back to the podium to confirm a new size for the barn. Mr. Leonard reiterated that a 40'x60' traditional style barn would be enough space. No one spoke in opposition. Chairman Krausman closed the hearing at 5:25 p.m.

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Secretary Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. This Conditional Use Permit shall allow for the construction of a 2,400 sq. ft. conventional style barn in white or green color scheme that exceeds the size of the dwelling on site.
2. The proposed structure is for residential storage & agricultural uses and shall not be occupied or used for any commercial activity.
3. No additional landscaping will be required if a conventional style barn is constructed opposed to a quonset hut style.
4. A site plan shall be submitted and approved in accordance with the Development Guidance System, Section 7.
5. Building and electrical permits must be secured through the KBC Building Program of our office.
6. A Certification of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

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At 5:35 p.m. Hearing Officer Steck announced the second item on the agenda is a request for a Conditional Use Permit for an Expanded Home Occupation to allow for music lessons within a 12'x20' detached accessory building. The property is a 1 acre site located at 80 Bottle Drive, Elizabethtown, KY known as Lot 12 of Ripple Ridge Subdivision within the Valley Creek Urban Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 224-00-03-012 and the property is owned by **TERRY & ANDREA STRANGE**. Planner Chris Butz reviewed the application, the history of the property and presented exhibits into the record. Terry and Andrea Strange, of 80 Bottle Drive, Elizabethtown, KY provided testimony and answered questions from the board members and staff. Mr. Strange informed the board that he is a part time music teacher and has taught music since 1978. He built the accessory structure in 2019 with the appropriate permits but was unaware of the required Conditional Use Permit. Mr. Strange added that his lessons are by appointment only, 30 minutes long, and his hours of operation are between 8am and 6pm Monday through Thursday. On average he has about 25 lessons a week. Chairman Krausman asked if the driveway could be widened or expanded to allow for more parking and a place to turn around. Mr. Strange said it could be a possibility. Mrs. Strange commented that she would prefer gravel over a more permanent material because they are in the process of switching to online classes. She added, over the past 2 months they have added 6 online students and hope to be 100% online lessons within 18 months. Chairman Krausman asked about the noise of the lessons and Mr. Strange said the structure was triple insulated which absorbs all of the sound.

Todd Pulaski, of 77 Bottle Drive, Elizabethtown, KY spoke in opposition to the proposal. Mr. Pulaski stated his main concern was students parking on the street due to inadequate parking in the driveway. He indicated that they moved to Bottle Drive due to it being a dead end road with minimal traffic. Mr. Pulaski indicated he has placed a chain across his driveway entrance to keep people from using it to turn around. Mr. Pulaski then entered Exhibit K into the record, a packet of photos showing students of Mr. Strange parked on the street. He added that someone backing out of Mr. Strange's driveway had hit and damaged a sign he had placed in the right-of-way directly across the street from the Strange's driveway entrance.

Terry Strange added that he had damaged the Pulaski's sign by backing into it but paid him to replace it. Mr. Strange also has informed his students via email to not park in the street. No one else spoke in favor or opposition to the proposal. Chairman Krausman closed the hearing at 6:00 p.m.

Vice Charman Youngblood stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. This Conditional Use Permit for an expanded home occupation shall allow music lessons within the detached accessory structure on site.
2. Business Hours of Operation shall be from 8am to 6pm Monday through Thursday.
3. There shall be a designated parking area with a 3 point turn-around provided on site so that no vehicles back out onto Bottle Drive.
4. There shall be no employees of the business who do not reside on the premises.
5. The property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
6. A single sign no larger than 6 square feet shall be permitted.
7. Additional screening or landscaping shall not be required.
8. A site plan in compliance with Section 7 of the Zoning Ordinance shall be required.
9. This Conditional Use Permit shall be issued to the current property owners, Andrea and Terry Strange, and is not transferable.
10. This Conditional Use Permit shall be for a period of 2 years and expire on 19 December 2021.

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11.A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Secretary Steck provided the second. Motion passed unanimously.

At 6:12 p.m. Hearing Officer Steck announced the final item on the agenda is a request for an Amended Conditional Use Permit to continue to allow for an Expanded Home Occupation, "Grass is Greener" lawn & landscape business to remain on the property. The property is a 3.5-acre site located at 320 Country Lane, Radcliff, KY known as Lot 19A of Country Way Estates within the North Urban Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 162-00-02-019 and the property is owned by **JASON & DEBORAH THOMPSON**. At 6:15 p.m. after introducing the agenda item, Secretary Steck left the meeting due to a previously scheduled engagement. Director King AICP, then reviewed the application, the history of the property and presented exhibits into the record including Exhibit L, which was an email in opposition from Lora Sanders that had been received the day of the hearing after the packets had already been printed.

Jason Thompson, of 320 Country Lane, Radcliff, KY provided testimony and answered questions from the board members and staff. Mr. Thompson said they had been working hard to follow the conditions of the previous Conditional Use Permit. They are keeping the tree line trimmed along the driveway entrance. They had also downsized since 2017 by selling all but one trailer and gone to flatbed trucks to transport the mowers. He indicated that the red truck is only used for plowing snow and that the F550 truck is used once every 7 weeks for weed control applications. Mr. Thompson mentioned that the first attempt to grow bamboo in 2018 along the eastern property line failed however the most recent attempt this year is coming in well. The bamboo is already 4 feet tall and should be 10 feet tall by the coming spring. He also addressed the complaints of burning material in the backyard. He stated the burnings were not related to the business and that the material was not from the commercial business but rather from the brush he cleared around the pond to give his children a place to play near the 3 acres of woods on site. Mr. Thompson acknowledged one instance when the Vine Grove Fire Department was called to check on an explosion sound that came from a burn because he had added fuel to the fire. However, he indicated the situation was under control and fire extinguishers were on site. He also indicated that the firewood seen in the photos is because he has two wood burning fire places in his home. Finally, Mr. Thompson mentioned that he will put his snow plowing truck in the driveway in front of his house on evenings when snow is predicted. This is about 6-7 times a winter and usually only one truck but if the snow is really bad it will be two trucks.

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Leeland Stokes, of 323 Country Lane, spoke in favor of the proposal. He brought up how Mr. Thompson had cleaned up the ditch line which was required in the original permit and Mr. Thompson voluntarily plows the entire length of Country Lane for the neighbors when it snows.

Becky Schroeder, of 312 Country Lane, started by saying the Thompsons are a great family. She asked whom to contact if there are any issues. She stated that most of her concerns i.e. the bamboo fence, the backyard burnings, were answered in Mr. Thompson's testimony. Her primary concern now was the occasional speeding by Grass is Greener employees on Country Lane. She also indicated she is appreciative of him plowing snow for the street.

John Sanders, of 322 Country Lane, entered Exhibit M, a packet of photos illustrating violations of the original Conditional Use Permit, into the record. Mr. Sanders indicated that he is a retired disabled veteran and that his home is his biggest investment. Mr. Sanders stated his mortgage company told him the value of his home had dropped 13,000 dollars due to "changes in the neighborhood". Chairman Krausman asked if it was the mortgage companies assertion that this loss in value was due to Grass is Greener and Mr. Sanders said they would only say "changes in the neighborhood". Mr. Sanders mentioned the private subdivision restrictions for Country Way Estates for "residential purposes only" and Director King explained that those are private restrictions that are not enforced by the County. However, any of the parties to those restrictions could do a civil lawsuit for a violation of them. Mr. Sanders explained that he does not feel the previous conditions have been complied with and that the Conditional Use Permit should not be renewed. If renewed though, he asked for conditions on the snow removal and suggested language about parking trucks out front be, "contingent on inclement weather". He also wanted more specifics in the permit about exactly what could be parked out front.

Jason Thompson elaborated on the red Ford F-150 that was mentioned in letters against his application and stated that his brother is not an employee but works full time at Metalsa. He wears the business hats and shirts as a sign of support and to feel like part of the team.

Deborah Thomspson, of 320 Country Lane also added that the brother is not an employee.

Chairman Krausman closed the hearing at 7:02 p.m.

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Vice Charman Youngblood stated the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. This Amended Conditional Use Permit for “Grass is Greener Lawn & Landscaping” shall allow for an activity that exceeds the definition of a Home Occupation. The business shall be permitted 5 employees, 4 trucks (not including the owner’s personal vehicles) and 2 trailers. All lawn mowers and equipment are to be stored in the garage.
2. The existing trees along the side property lines shall be preserved. Additionally, clumping bamboo shall be planted continuously along the side property lines from the detached garage forward to the home.
3. The Hours of Operation shall be M-F 7:00 AM to dusk, Saturday 9:00 AM to dusk, Sunday 10:00 AM to dusk.
4. No Signage shall be permitted.
5. All outdoor lighting must be pointed down and not spill onto the adjoining properties.
6. A Site Plan in compliance with section 7 of the Zoning Ordinance shall be required illustrating the parking, driveway, required landscaping etc.

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7. Employees' vehicles will be parked behind the home in the rear yard along with the trailers and trucks associated with the business. (The owner's personal vehicles may be parked in front of the home).
8. Work vehicles shall turn around in the existing driveway and not make use of the residential turn around at the end of Country Lane.
9. The existing brush in the blind spot at the bend of Country Lane shall be trimmed by the applicant.
10. The Amended Conditional Use Permit is valid for 3 years with an expiration date of 12/19/2022. After which time, a renewal hearing must be held before the Board of Adjustment.
11. This Conditional Use Permit is issued to the owners, Jason & Deborah Thompson, it is not transferable and shall expire if the property is transferred.
12. There shall be no burning of outside commercial waste associated with the business and the owners must adhere to all applicable laws regarding outdoor burning.
13. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
14. For the purpose of snow removal, contingent upon inclement weather, exceptions to the hours of operation restrictions shall be permitted. Additionally, two trucks with snow plows may be parked in front of the home due to the topography of the site to access the rear yard.

Chairman Krausman provided the second. Motion passed unanimously.

At 7:07 p.m. Chairman Krausman called for consideration and action on the minutes from the 5 December 2019 meeting of the Board of Adjustment. Vice Chairman Youngblood made a motion to approve the minutes as presented. Chairman Krausman provided the second. The motion passed unanimously.

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

**APA-KY Executive Board Meeting** Adam attended a meeting of the APA-KY Executive Board at Makers Mark Distillery in Loretto, KY on Friday, December 13, 2019.

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, January 16, 2020 at 5:00 p.m. and the meeting was adjourned at 7:10 p.m.

**ADOPTED AND APPROVED THIS 16th DAY OF JANUARY 2020 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**



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Chairman Krausman called to order the four hundred and seventeenth meeting of the Hardin County Board of Adjustment at 5:02 p.m. on Thursday, 5 December 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Member in attendance was Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Chris Butz, Planning Assistant Julia McBeth and the individuals listed on the attached sign-in sheet. Vice Chairman Greg Youngblood was not in attendance. Chairman Krausman appointed Secretary Steve Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:03 p.m. Hearing Officer Steck announced the first item on the agenda is a request for a Variance from the front building setback along Salem School Road to allow for an addition to the rear of the home. The property is a 3.03 acre site located at 2210 Salt River Road, Rineyville, KY, known as Lot 1 of EF Lucas Estate within the Natural Resource Area and is zoned Rural Residential (R-2). The PVA Map number is 063-00-00-017 and the property is owned by **JANET LACROIX**. Planner Chris Butz reviewed the application, the plans for the property and presented exhibits. James Kabelin, of 25 Owsley Road, Rineyville, KY, (the contractor) provided testimony and answered questions from the board members and staff on behalf of Ms. Lacroix who was not in attendance. He explained the purpose of the addition was to increase the size of the master bedroom, add a bathroom, and convert the kitchen to an open space concept. Mr. Kabelin reiterated that the addition would be no closer to the road than the existing house. He also informed the board that the dimensions for the addition had recently been changed from 12' X 40' to 16' X 40'. However, this would not bring the addition any closer to the road. Chairman Krausman asked what the speed limit was for Salem School Road. Mr. Kabelin responded 35 MPH and with the stop sign at the intersection of Salem Church Road and Salt River Road cars would not be traveling at high speeds. Chairman Krausman suggested landscaping to be planted as a buffer but Director King did not think that would be necessary given the decreasing speed of traffic and the slight increase in topography between the house and the road. No one spoke in opposition. Chairman Krausman closed the hearing at 5:16 p.m.

Secretary Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He noted the increase in topography of the home from the road and that the addition would be no closer to the street than the existing house built in 1974. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The Variance was granted with the noted conditions:

1. To allow for a Variance from the 70' front building setback along Salem School Road to allow for the proposed addition to be no closer than the existing home (51.9' from the front property line).
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. Building & Electrical permits must be obtained from the KBC Program of our office.
4. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:17 p.m. Hearing Officer Steck announced the second item on the agenda is a request for a Variance from government maintained road frontage and the minimum road frontage to allow for the property to be further subdivided. The properties are a 10 acre site and a 159.6 acre site located at 459 Lincoln Road & 1614 Battle Training Road, Elizabethtown, KY within the KY 313 Corridor and zoned Residential Estate (R-3). The PVA Map numbers are 198-00-00-029 & 198-00-00-029.01 and the properties are owned by **DALE IRWIN**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. He explained the existing lot was created as a private roadway development in 1997. He also noted that with the new Zoning Ordinance in 2009, that property in the KY 313 Corridor zoned R-3 now had the flexibility to be 10 acres in size or average 10 acres per lot in the "development" using Open Space Design. Currently there is an existing lot and a farm and the result of the variance would still just be two tracts but both would be platted lots to use Open Space Design. Dale Irwin, of 459 Lincoln Rd., Elizabethtown, KY provided testimony and answered questions from the board members and staff. Mr. Irwin informed the board that he owns the 10 acre lot and the farm. His plans are to take 8 acres from the lot and add them back to the original farm with an Amended two lot subdivision plat. He intends to sell his house and 2 acres. Mr. Irwin added that he will be moving into the house on the farm, where he was born and raised. No one spoke in opposition. Chairman Krausman closed the hearing at 5:34 p.m. Secretary Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a

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

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the minimum road frontage (Proposed Lot 2) and the government maintained road frontage (Proposed Lot 1A) to allow for a portion of Lot 1 of Irwin Subdivision to be merged with the adjoining farm using Open Space Design as a 2 lot subdivision.
2. An Amended Record Plat & Record Plat shall be required and shall substitute for the required Site Plan.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 5:40 p.m. Chairman Krausman called for consideration and action on the minutes from 7 November 2019 meeting of the Board of Adjustment. Secretary Steck made a motion to approve the minutes as presented. Chairman Krausman provided the second. The motion passed unanimously.

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

**6 Months of Service** Planner, Chris Butz completed his six-month provisional employment period on 8 November 2019.

**KY League of Cities Training** Planning Commission Members Mark Hinton, Larry Jagers II and staff members Chris and Julia attended a House Bill 55 Planning & Zoning Training at the Pritchard Community Center in Elizabethtown, KY on 13 November 2019.

**Western Kentucky Regional APA-KY Conference** Adam attended a one-day Conference at the Green River Area Development District in Owensboro, KY on 25 November 2019.

**NOVEMBER 2019 REPORT**

<b>Plats Recorded:</b> <ul style="list-style-type: none"> <li>• 7 Subdivision plats were approved for the month</li> <li>• 87 Subdivision plats were approved for the year</li> </ul>	<b>New Lots Created:</b> <ul style="list-style-type: none"> <li>• 25 New lots approved for the month</li> <li>• 86 Net lots approved for the year</li> </ul>
<b>Building Permits:</b> <ul style="list-style-type: none"> <li>• 9 SFD Permits for the month</li> <li>• 135 SFD Permits for the year</li> <li>• 102 Total Building Inspections for the month</li> <li>• 1185 Total Building Inspections for the year</li> <li>• 458 Total Building Permits for the year</li> </ul>	<b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"> <li>• 91 Total Permits for the month</li> <li>• 1046 Total Permits for the year</li> <li>• 165 Total Electrical Inspections for the month</li> <li>• 1872 Total Electrical Inspections for the year</li> </ul>

**SUBDIVISION PLATS RECORDED IN NOVEMBER 2019**

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
AMENDED RECORD PLAT OF RESERVATION FARM, LOT 4 & RECORD PLAT OF RESERVATION FARM, SECTION 3	6042 WOOLDRIDGE FERRY ROAD.	2	14.6000	6/24/2019	11/1/2019
BRAGG ACRES SUBDIVISION	3184 BACON CREEK RD.	1	3.0220	8/27/2019	11/6/2019
AMENDED RECORD PLAT OF HINTON FARM DIVISION, TRACTS 9 & 10, RECORD PLAT OF MAGGIE'S ACRES SUBDIVISION AND BOUNDARY SURVEY OF THOMAS FARM	1892 W. RHUDES CREEK RD	13	50.3210	10/7/2019	11/6/2019
GROEPE SUBDIVISION SEC. 2 LOT 11	RINEYVILLE BIG SPRINGS ROAD	1	0.0000	8/30/2019	11/7/2019
DAVIS MILLS LANE SUBDIVISION	406 DAVIS MILL LANE	1	5.0730	7/3/2019	11/7/2019
AMENDED RECORD PLAT OF TAM SUBDIVISION, RECORD PLAT OF DEER RIDGE FARM SUBDIVISION & BOUNDARY SURVEY OF JAMES & ALICE CHARBONNEAU FARM	14734 & 15552 SALT RIVER RD	3	10.9400	11/8/2019	11/15/2019
RECORD PLAT OF FARRIS ESTATE	STAR MILLS EASTVIEW RD	4	46.9050	11/1/2019	11/25/2019
		<b>25</b>	<b>130.8610</b>		

**Total Records: 7**

**11/29/2019**

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Chairman Krausman announced that the next scheduled meeting will be held on Thursday, December 19, 2019 at 5:00 p.m. and the meeting was adjourned at 5:45 p.m.

**ADOPTED AND APPROVED THIS 19th DAY OF DECEMBER 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

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Chairman Krausman called to order the four hundred and sixteenth meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 7 November 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Chris Butz, Planning Assistant Julia McBeth and the individuals listed on the attached sign-in sheet. Assistant Hardin County Attorney Shelt Michael Lewis and Administrative Assistant Susan Bowen were not in attendance. Chairman Krausman appointed Secretary Steve Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced the first item on the agenda is a request for an Amended Conditional Use Permit to continue to allow for a wedding and event venue - "The Cecilian Chapel" on site. The property is 1.119 acre site located at 353 Methodist Street, Cecilia, KY, within the Cecilia Rural Village Area and is zoned Urban Residential (R-1). The PVA Map number is 147-30-01-036 and the property is owned by **ANNA & MARK AKINS**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Anna Akins, of 237 Thomas Road, Elizabethtown, KY, provided testimony and answered questions from the board members and staff. She explained their business has been opened to the public for a few months, they held an open house in September, have hosted a wedding and wedding shower. Additionally, they have multiple events scheduled starting this coming weekend with a class reunion and Christmas parties in December. Mrs. Akins further explained she expects it to take a couple of years for their business to "get up and going" and she discussed the adjoining properties that they have purchased. Joyce Aldridge, of 156 Sycamore St. Cecilia, KY, said she appreciates the work the Akins have done as she feels their business has brought a new life to Cecilia. No one spoke in opposition. Chairman Krausman closed the hearing at 5:16 p.m. Vice Charman Youngblood stated the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

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

1. This Amended Conditional Use Permit for, "The Cecilian Chapel" shall allow for the former Cecilia Methodist Church to be used as a wedding & event venue.
2. The existing tree line along the rear property line shall be preserved.
3. Only 50 large events per year shall be permitted with greater than 50 people and unlimited number of events per year with less than 50 people.
4. The Hours of Operation shall be 10 a.m. – 10 p.m. Monday - Thursday and 10 a.m. -12 a.m. on Friday & Saturday and 12 p.m. – 8 p.m. Sunday.
5. Music shall not exceed a decibel level of 95db as measured by DJ. There shall be no amplified music outdoors. This restriction shall be written into the contract for parties renting the facility.
6. A single sign, 32 square feet and no taller than 8' in height shall be permitted. The signage may be externally lit.
7. All outdoor lighting must be pointed down and not spill onto adjoining properties.
8. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required illustrating the parking areas, driving lanes, etc.
9. The Amended Conditional Use Permit is valid for 4 years (Expires on 11-9-2023). After which time, a Renewal Hearing must be held before the Board of Adjustment.
10. The proposed Wedding & Event Venue shall require building & electrical permits thru the KBC Program of our office.
11. This Amended Conditional Use Permit is issued to current owners, Mark & Anna Akins, it is not transferable, and shall expire if the property is transferred.
12. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Secretary Steck provided the second. Motion passed unanimously.

## Hardin County Board of Adjustment

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At 5:21 p.m. Hearing Officer Steck announced the second item on the agenda is a request for a Variance from the minimum road frontage to allow for the property to be further subdivided. The property is a 9.233 acre site located at 2125 Gilead Church Road, Glendale, KY and known as Lot 20 of G. Children's Home Subdivision, Section 4 within the Glendale Industrial Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 191-00-00-003 and the property is owned by **NEW LIFE PROPERTIES, LLC** and the applicant is Shawn Frye. Planner Chris Butz, reviewed the application, the history of the property and presented exhibits. Shawn Frye, of 237 Harrison Court, Mount Washington, KY provided testimony and answered questions from the board members and staff. Mr. Frye advised they want to subdivide the lot at the driveway to sell off the house and keep the driveway with the campus. He explained they've had to secure the property as they've dealt with vandalism numerous times, currently they aren't sure what they want to do with the rest of the campus, but they would like to turn the gymnasium into a church. Donald Wink, of 5434 Sonora Hardin Springs Road, Sonora, KY stated he owns the property behind the campus, he has always allowed other farmers to use the paved road that comes off of Gilead Church Road and goes around the campus to access their farmland vs. going through the fields. He's in favor of the applicant as he wants to support Mr. Frye and he would like to see someone living in the home to cut down on vandalism as they've had at least 8 reported instances of arson. Chairman Krausman stated that the driveway was a logical place to subdivide the property. No one spoke in opposition. Chairman Krausman closed the hearing at 5:41 p.m. Secretary Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 200' road frontage requirement to allow for the property to be further subdivided.
2. An Amended Subdivision Plat shall be required and substitute for the Site Plan.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.



## Hardin County Board of Adjustment

Minutes: 7 November 2019

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Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:45 p.m. Chairman Krausman called for consideration and action on the minutes from 17 October 2019 meeting of the Board of Adjustment. Secretary Steck made a motion to approve the minutes as presented. Vice Chairman Youngblood provided the second. The motion passed unanimously.

At 5:46 p.m. Chairman Krausman called for consideration and action on the 2020 Meeting Schedule. Secretary Steck made a motion to approve the schedule as presented. Vice Chairman Youngblood provided the second. The motion passed unanimously.

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

### **APA-KY Fall Conference**

Adam & Chris attended a one day Fall Conference at the Barrel House in Lexington, KY on 25 October 2019.

### **2 Years of Service**

Julia McBeth celebrated 2 years of service with the Planning Commission on 31 October 2019.

### **6 Years of Service**

Susan Bowen celebrated 6 years of service with the Planning Commission on 1 November 2019.

### **27 Years of Service**

Madeline Hornback celebrated 27 years of service with the Planning Commission on 2 November 2019.

### **SUBDIVISION PLATS RECORDED IN OCTOBER 2019**

<b>Project / Subdivision Name</b>	<b>Site Address</b>	<b>Lots +/- (Plats Final)</b>	<b>Acres (All Permits)</b>	<b>Completed Date</b>	<b>Final Date</b>
COLLINBROOK SUBDIVISION, SECTION 2, LOTS 71 & 72	49 MALMAISON CT	-1	0.0000	9/25/2019	10/1/2019
RECORD PLAT OF GLORIA'S HIDEAWAY	2119 MIDDLE CREEK RD	2	6.5650	1/1/1900	10/4/2019
DUNRAVEN PLACE, SECTION 1, LOT 1B	BOONE ROAD	0	0.0000	9/17/2019	10/4/2019

**Hardin County Board of Adjustment**  
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AMENDED RECORD PLAT OF NEWTON ACRES SECTION 1, LOT 1 AND RECORD PLAT OF NEWTON ACRES SECTION 2	1010 Jenkins Road	2	31.8120	7/16/2019	10/7/2019
DAISY ACRES LOT 2	112 KRAFT RD	1	0.0000	9/24/2019	10/18/2019
RECORD PLAT OF PROFFITT ACRES	8697 NEW GLENDALE ROAD, GLENDALE, KY	1	3.4860	10/21/2019	10/28/2019
AMENDED RECORD PLAT OF TROTTERS RIDGE SUBDIVISION, SECTION 2, LOTS 98 & 99	DOWNNS LOOP	0	0.0000	10/23/2019	10/30/2019
		<b>5</b>	<b>41.8630</b>		

**Total Records: 7**

**11/1/2019**

**OCTOBER 2019 REPORT**

<p><b>Plats Recorded:</b></p> <ul style="list-style-type: none"> <li>• 7 Subdivision plats were approved for the month</li> <li>• 80 Subdivision plats were approved for the year</li> </ul>	<p><b>New Lots Created:</b></p> <ul style="list-style-type: none"> <li>• 6 New lots approved for the month</li> <li>• 61 Net lots approved for the year</li> </ul>
<p><b>Building Permits:</b></p> <ul style="list-style-type: none"> <li>• 10 SFD Permits for the month</li> <li>• 136 SFD Permits for the year</li> <li>• 120 Total Building Inspections for the month</li> <li>• 1083 Total Building Inspections for the year</li> <li>• 430 Total Building Permits for the year</li> </ul>	<p><b>Electrical Permits (6 Jurisdictions):</b></p> <ul style="list-style-type: none"> <li>• 111 Total Permits for the month</li> <li>• 955 Total Permits for the year</li> <li>• 190 Total Electrical Inspections for the month</li> <li>• 1708 Total Electrical Inspections for the year</li> </ul>

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, December 5, 2019 at 5:00 p.m. and the meeting was adjourned at 5:50 p.m.

**ADOPTED AND APPROVED THIS 5th DAY OF DECEMBER 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 17 October 2019

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Chairman Krausman called to order the four hundred and fifteenth meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 17 October 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Member in attendance was Vice Chairman Greg Youngblood. Also, in attendance were Director Adam King, AICP, Planner Chris Butz, Planning Assistant Julia McBeth and the individuals listed on the attached sign-in sheet. Assistant Hardin County Attorney Shelt Michael Lewis, Secretary Steve Steck, and Administrative Assistant Susan Bowen were not in attendance. Chairman Krausman appointed Vice Chairman Youngblood to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Youngblood announced the first item on the agenda is a request for an Amended Conditional Use Permit to allow for a Temporary Accessory Dwelling (14' X 66' manufactured home) to remain on the property. The property is a 5.86 acre site located at 1747 Nolin Road, Sonora, KY and known as Lot 1A of Horse Lovers Delight, within the Natural Resource Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 192-00-00-005.06 and the property is owned by **JONATHAN & TARA UPTON**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Tara Upton, of 1747 Upton Road, Sonora, KY, provided testimony and answered questions from the board members and staff. She explained that her daughter and son-in-law live there, they've had major health concerns that required multiple surgeries, they do not have an exit strategy in place at this time, and she and her husband help take care of their grandchildren. Tara Upton asked what could be done so that the manufactured home could remain on the property permanently. Director King discussed options for a permanent accessory dwelling if both homes are site built construction and also went over a potential option to subdivide if additional acreage was obtained that would also require a Variance from road frontage. Pam Upton, of 8070 Upton Road, Sonora, KY, also asked what can be done to allow for the manufactured home to become permanent. Director King reiterated the potential options. Jonathan Upton, of 1747 Upton Road, Sonora, KY, advised they are trying to help their daughter and son-in-law as they have no money to move the trailer, they have no options, and her Grandfather had purchased the trailer for them years ago and placed it on the property without contacting our office to obtain a building permit. Linda Upton, of 2008 Nolin Road, Sonora, KY, stated they are trying to help their family, five years ago her granddaughter had 1 child, now she has 3 children, one who is special needs, her granddaughter's husband works out of town, and none of their neighbors have complained. No one spoke in opposition. Chairman Krausman closed the hearing at 6:01p.m. Vice Chairman Youngblood stated that there have been no complaints from neighbors, the property is being maintained, there are extenuating circumstances of a child with special needs, and that both homes are not visible from the road. Vice Chairman Youngblood further

stated the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3)

## **Hardin County Board of Adjustment**

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### Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. The temporary accessory dwelling shall continue to be a temporary use for no longer than 5 years from 17 October 2019 and expire on 17 October 2024.
2. The temporary accessory dwelling shall contain a minimum of 1120 square feet of living space which is less than the Local Average Square Foot Standard of 1242 square feet as calculated in 2014.
3. The temporary accessory dwelling is for a family need situation and shall only be occupied by Daniel Upton's daughter and her immediate family.
4. The temporary accessory dwelling shall not be available for the public for rent.
5. Upon the vacancy of the temporary accessory dwelling, it must be removed from the property within six (6) months.

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6. This temporary accessory dwelling shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
7. The temporary accessory dwelling shall be placed on the property as illustrated on the proposed Site Plan.
8. This Conditional Use Permit shall be issued to the current property owner, Daniel & Tara Upton, and shall expire when the property is transferred and not be transferable to another property owner.
9. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
10. The skirting on the manufactured home must be maintained.
11. All construction activities on this site shall conform to the provisions of the Kentucky Building Code.

Chairman Krausman provided the second. Motion passed unanimously.

At 6:04 p.m. Hearing Officer Youngblood announced the second item on the agenda is a request for a Variance from the 1:3 lot width-to-length ratio to allow for the property to be further subdivided. The property is a 41 acre site located at 3903 Salt River Road, Rineyville, KY and known as Rebecca Rose Farm, Lot 1B within the Natural Resource Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 064-00-00-019.03 and the property is owned by **KERRY & REBECCA MILLER**. Planner Chris Butz, reviewed the application, the history of the property and presented exhibits. Kerry Miller, of 3903 Salt River Road, Rineyville, KY provided testimony and answered questions from the board members and staff. Kerry Miller advised he has 41 acres, he wants to create a lot for his son to build a house on, and he has a special needs daughter that after he and his wife pass away, his son and daughter-in-law will take care of her. Mr. Miller further advised that the private gravel road is just to be used for agricultural access. Becky Yates, of 3927 Salt River Road, Rineyville, KY, stated she doesn't mind one additional house being built. Justin Disselkamp, of 4105 Salt River Road, Rineyville, KY, said he doesn't oppose the variance as long as the Miller's aren't trying to use the gravel road for the proposed home. Jason Miller, of 263 Community Park, Vine Grove, KY, said they will use his dad's driveway and not the gravel road as access to the proposed home. James McCoy, of 4101 Salt River Road, Rineyville, KY, advised he and Mr. Miller traded ground and he presented Exhibit J which is a notarized letter from William and Susan Steeger regarding ingress and egress on the private gravel road. Justin Disselkamp presented Exhibit K which is a right of way deed from Clarence Yates and Ben Yates to Mr. & Mrs. Steeger regarding ingress and egress on the private gravel road. No one spoke in opposition. Chairman Krausman closed the hearing at 6:30p.m. Vice Chairman Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He

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

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 1:3 lot width-to-length ratio to allow for Lot 1B of Rebecca Rose Farm to be further subdivided.
2. An Amended Subdivision Plat shall be required and substitute for the Site Plan.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 6:32 p.m. Hearing Officer Youngblood announced the third item on the agenda is a request for a Variance from the required road frontage on a government maintained road to allow for 5 pre-existing lots to be merged into a single lot. The property is a 3.443 acre site located on Echo Lane and being Lots 18-22 of Lynnwood Subdivision, Section 3, in Elizabethtown, KY, within the Valley Creek Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 235-10-01-031 thru 035 and the property is owned by **STEPHANIE & KEVIN COTTRELL** and the applicant is **MICHAEL MCWHORTER**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Shawn Sizemore, of 611 Hickory Lane, Elizabethtown, KY, provided testimony and answered questions from the board members and staff. He advised he wants to purchase the property from Mr. and Mrs. Cottrell and intends to merge the lots together because the proposed house location is across the current lot lines. Stephanie Cottrell, of 572 Fernwood Boulevard, Elizabethtown, KY, stated she previously lived on Echo Lane, her family still lives out there, and she believes it's a great idea to merge the lots together. No one spoke in opposition. Chairman Krausman closed the hearing at 6:45 p.m. Vice Chairman Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing because it will limit development on a private road. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will

## **Hardin County Board of Adjustment**

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

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the government maintained road frontage requirement to allow for 5 pre-existing lots to be merged together on Echo Lane.
2. An Amended Subdivision Plat shall be required and substitute for the Site Plan.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Chairman Krausman provided the second. Motion passed unanimously.

At 6:50 p.m. Chairman Krausman called for consideration and action on the minutes from 19 September 2019 meeting of the Board of Adjustment. Vice Chairman Youngblood made a motion to approve the minutes as presented. Chairman Krausman provided the second. The motion passed unanimously.

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

### **Fort Knox Compatible Use Plan (CUP) Launch Meeting**

Adam attended a meeting on September 20, 2019 at the Colvin Community Center in Radcliff hosted by the Lincoln Trail ADD featuring Major General John R. Evans Jr. for a briefing on Fort Knox. Adam has been assigned to the Technical Advisory Committee (TAC) to develop a Compatible Use Plan (previously known as a Joint Land Use Study (JLUS) to promote compatible civilian development surrounding Fort Knox).

### **Hardin Counts! 2020 Census Meeting**

Adam attended a meeting on September 25, 2019 at the County Government Center of the Census Complete Count Committee regarding preparations for the 2020 Census and focusing on outreach for areas with low response rates.

**SEPTEMBER 2019 REPORT**

<b>Plats Recorded:</b> <ul style="list-style-type: none"><li>• 8 Subdivision plats were approved for the month</li><li>• 73 Subdivision plats were approved for the year</li></ul>	<b>New Lots Created:</b> <ul style="list-style-type: none"><li>• 6 New lots approved for the month</li><li>• 56 Net lots approved for the year</li></ul>
<b>Building Permits:</b> <ul style="list-style-type: none"><li>• 10 SFD Permits for the month</li><li>• 126 SFD Permits for the year</li><li>• 140 Total Building Inspections for the month</li><li>• 963 Total Building Inspections for the year</li><li>• 396 Total Building Permits for the year</li></ul>	<b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"><li>• 98 Total Permits for the month</li><li>• 844 Total Permits for the year</li><li>• 214 Total Electrical Inspections for the month</li><li>• 1517 Total Electrical Inspections for the year</li></ul>

Chairman Krauman announced that the next scheduled meeting will be held on Thursday, November 7, 2019 at 5:00 p.m. and the meeting was adjourned at 6:55 p.m.

**ADOPTED AND APPROVED THIS 7th DAY OF NOVEMBER 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**



## Hardin County Board of Adjustment

Minutes: 19 September 2019

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Vice Chairman Greg Youngblood called to order the four hundred and fourteenth meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 19 September 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Member in attendance was Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Chris Butz, Administrative Assistant, Susan Bowen and the individuals listed on the attached sign-in sheet. Chairman Bob Krausman, Assistant Hardin County Attorney Shelt Michael Lewis and Planning Assistant Julia McBeth were not in attendance. Vice Chairman Youngblood appointed Secretary Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced the first item on the agenda is a request for an Amended Conditional Use Permit for a Bed & Breakfast. The property is a 146.2 acre site located at 66 Osborne Lane, Rineyville, KY within the Rineyville Rural Village Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 143-00-01-006 and the property is owned by **GOSSET FAMILY PARTNERSHIP AND DOUG & SHONDA LEASOR**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Shonda Leasor, of 231 Thompson Road, Rineyville, KY provided testimony and answered questions from the board members and staff. She explained that the business had been open since October of 2017, they did have to close due to their daughter's illness for 6 months, but since that time, there have been people from all states stay. It's been noted as a "Hidden Gem". She did request that the Conditional Use Permit be extended for a period longer than 3 years.

No one spoke in opposition. Vice Chairman Youngblood closed the hearing at 5:11 p.m. Secretary Steck stated the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

## **Hardin County Board of Adjustment**

Minutes: 19 September 2019

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- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

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

1. This Conditional Use Permit shall allow for the existing residence to be converted to a bed & breakfast (Change of Use Building Permit) and for the property to be used as a wedding/event venue.
2. Osborne Lane (county maintained road) shall serve as the principal entrance for the bed & breakfast with the gravel driveway onto Thompson Road used for large events.
3. This Permit is issued to current owners, Gossett Family Partnership, and operator, Shonda Leasor, and shall expire if the property is transferred.
4. The owners/operators must maintain a guest log with names, dates of stay, permanent addresses and motor vehicle license numbers.
5. The bed & breakfast shall have a maximum of 5 guest rooms/suites available for rent (Maximum overnight guest load of 10) for no longer than 7 consecutive days.
6. Only 30 large events (over 100 guests with a maximum of 200 guests) shall be permitted per year. Outdoor events will conclude by midnight on the weekends and holidays and by 10 pm throughout the week.
7. Temporary tents may be used for outdoor events but the agricultural barns on site may not be used for events without change of use building permits and inspections.
8. A Site Plan shall be required illustrating the proposal and compliance with the Development Guidance System as follows:
  - a. The parking area must be designated and at no time shall parking be permitted on Osborne Lane, which would impede traffic flow to the other two existing dwellings,
  - b. A single sign no greater than 6SF in area and no taller than 8' in height shall be permitted.
  - c. All outdoor lighting must be pointed down and not spill onto adjoining properties.

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- d. Any dumpster unit shall be screened from view via solid wood fence.
  - e. If more an acre or more of ground is disturbed a Stormwater/Drainage Plan shall be required.
  - f. Health Department approval shall be required for the bed & breakfast and the event venue to include food preparation and septic systems (902 KAR 45:006).
9. The Conditional Use Permit is valid for five (5) years. The Conditional Use Permit expires 11/17/2024. After which time, a Renewal Hearing must be held before the Board of Adjustment.
  10. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:15 p.m. Hearing Officer Steck announced the second item on the agenda is a request for a Variance from the 1:3 lot width-to-length ratio to allow for the property to be further subdivided. The property is a 6.463 acre site located on the north side of Rineyville Big Springs Road, Rineyville, KY and being Lot 11 of Groeppe Subdivision within the Natural Resource Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 099-00-01-011 and the property is owned by **NATHAN & PATTY SMALLWOOD**. Planner Chris Butz, reviewed the application, the history of the property and presented exhibits. Nathan Smallwood, of 7777 Rineyville Road, Rineyville, KY provided testimony and answered questions from the board members and staff. He explained that his son wants to build a house on Lot 11B and he will build on Lot 11A. He also indicated that the state highway will determine the location of the driveway and that a shared driveway may be required. His daughter lives next door. No one spoke in favor or opposition.

Vice Chairman Youngblood closed the hearing at 5:25 p.m. Secretary Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

## Hardin County Board of Adjustment

Minutes: 19 September 2019

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 1:3 lot width-to-length ratio to allow for Lot 11 of Groepe Subdivision, Section 2 to be further subdivided.
2. An Amended Subdivision Plat shall be required and substitute for the Site Plan.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:27 p.m. Hearing Officer Steck announced the third item on the agenda is a request for a Variance from the minimum 200' of required road frontage and the 1:3 lot width-to-length ratio to allow for the property to be further subdivided. The property is a 44.4 acre site located at 8697 New Glendale Road, Glendale, KY, within the Natural Resource Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 172-00-00-012 and the property is owned by **MARY & JEFF KEY**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Jeff Key, of 576 White Mills Road, Glendale, KY provided testimony and answered questions from the board members and staff. He explained that the long driveway was deeded with the farm when he purchased the property 24 years ago. The home was built circa 1866 and is on the National Register of Historic Places. His niece and her husband have been renting the home on the property and they want to buy the home to raise their family there. He has grown up in Glendale, as well as all his family, and he just wants to keep the property in the family. Afton Proffitt, of 8697 New Glendale Road, Glendale, KY presented before & after photos of their renovations to the home, she explained she had been renting for a year that she teaches at East Hardin Middle School and considers Glendale her home. No one spoke in opposition.

Vice Chairman Youngblood closed the hearing at 5:45 p.m. Secretary Steck made a motion to grant a variance based on the staff presentation and testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the require-

## **Hardin County Board of Adjustment**

Minutes: 19 September 2019

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ments of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 200' minimum road frontage requirement and the 1:3 lot width-to-length ratio to allow for the creation of a 3 acre lot around the existing house (circa 1866) using just the existing 14' wide access driveway from New Glendale Road (KY 1868).
2. A Record Plat shall be required and shall substitute for the Site Plan.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
4. Unique circumstances include that the home is from circa 1866 and is on the National Register of Historic Places and that the existing 44 acre farm only has 14' of road frontage.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:50 p.m. Vice Chairman called for consideration and action on the minutes from 5 September 2019 meeting of the Board of Adjustment. Secretary Steck made a motion to approve the minutes as presented. Vice Chairman Youngblood provided the second. The motion passed unanimously.

The following item is for information purposes only and do not require action:

### **Radcliff/Elizabethtown MPO Technical Advisory Committee Meeting**

Adam attended a meeting on September 13, 2019 at the Lincoln Trail Area Development District to score potential projects for the 2045 MPO Transportation Plan.

Vice Chairman Youngblood announced that the next scheduled meeting will be held on Thursday, October 17, 2019 at 5:00 p.m. and the meeting was adjourned at 5:55 p.m.

**Hardin County Board of Adjustment**

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

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**Robert Krausman, Chairman**

## Hardin County Board of Adjustment

Minutes: 5 September 2019

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Chairman Krausman called to order the four hundred and thirteenth meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 5 September 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planning Assistant Julia McBeth and the individuals listed on the attached sign-in sheet. Assistant Hardin County Attorney Shelt Michael Lewis, Planner Chris Butz, and Administrative Assistant Susan Bowen were not in attendance. Chairman Krausman appointed Secretary Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced the first item on the agenda is a request for a Variance from the front building setback to allow for the construction of a 7'x18' covered front porch. The property is a 0.66 acre site located at 67 Whirlaway Court, Elizabethtown, KY and known as Lot 14 of Farmgate Estates, Section 2 within the North Urban Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 231-10-01-014 and the property is owned by **KATHRYN NOEL**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Kyle Quiggins dba Quiggins Construction, LLC of 831 Eastview Road, Cecilia, KY, provided testimony and answered questions from the board members and staff. He explained he's building a 7'x18' front porch with front steps, he will re-shingle the entire house, he's using aluminum posts, and will re-pour the sidewalk in front of the house. No one else spoke in favor or opposition.

Chairman Krausman closed the hearing at 5:14 p.m. Vice Chairman Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. His motion was based on it not being out of character for the neighborhood, 3 other houses on the cul-de-sac have covered front porches, it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback to allow for the construction of the proposed 7'x18' covered front porch to be closer than 77' from the center of the cul-de-sac. The porch may be covered but shall not be enclosed.

## Hardin County Board of Adjustment

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

Secretary Steck provided the second. Motion passed unanimously.

At 5:10 p.m. Chairman Krausman called for consideration and action on the minutes from 22 August 2019 meeting of the Board of Adjustment. Secretary Steck made a motion to approve the minutes as presented. Vice Chairman Youngblood provided the second. The motion passed unanimously.

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

### **KY Farm Bureau Ham Breakfast**

Adam, Ed, & Chris attended the 56th annual KY Farm Bureau County Ham Breakfast at the KY Fair & Expo Center in Louisville on August 22, 2019 as guests of Planning Commission Secretary and Hardin County Farm Bureau President, Larry Jagers, II.

### **Future City Project**

Adam spoke to a 6-8<sup>th</sup> grade STEM class at the Boston School regarding Planning & Zoning on August 23, 2019 as part of their Future City Project.

### **Glendale Post Office**

Adam attended a meeting on August 29, 2019 at the Glendale Christian Church regarding the relocation of the Glendale Post Office.

### **SUBDIVISION PLATS RECORDED IN AUGUST 2019**

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
NELLIS PHILLIPS SUBDIVISION; LOTS 4C & 4D	1192 OVERALL PHILLIPS RD.	0	0.0000	7/18/2019	8/1/2019
KASEY ACRES	NEW SALEM CH RD	2	28.2020	7/26/2019	8/12/2019
Hendricks Hills Subd. Lots 5 & 6	SHADY BOWER LANE	-1	0.0000	8/8/2019	8/13/2019



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SOLWAY ESTATES LOT 1	1100 SOLWAY MEETING CREEK RD	1	0.2400	1/15/2019	8/14/2019
RECORD PLAT OF TROOPER CAMERON'S ESTATES	2893 BLUEBALL RD.	3	10.0610	5/21/2019	8/19/2019
RECORD PLAT OF BLOOD HOUND HOLLER	3366 MEETING CREEK ROAD	2	22.1370	7/24/2019	8/29/2019
ASHBY ACRES	CENTERPOINT RD	3	12.2400	8/1/2019	8/29/2019
AMENDED RECORD PLAT OF CROSS COUNTRY FARMS, LOT 1A	NOLIN RD.	1	0.0000	8/21/2019	8/30/2019
RECORD PLAT OF HAUN ACRES SUBDIVISION	JACK DEVINE ST.	4	36.5970	8/21/2019	8/30/2019
		<b>15</b>	<b>109.4770</b>		

**Total Records: 9**

**9/3/2019**

**AUGUST 2019 REPORT**

<p><b>Plats Recorded:</b></p> <ul style="list-style-type: none"> <li>• 9 Subdivision plats were approved for the month</li> <li>• 65 Subdivision plats were approved for the year</li> </ul>	<p><b>New Lots Created:</b></p> <ul style="list-style-type: none"> <li>• 16 New lots approved for the month</li> <li>• 15 Net lots approved for the year</li> </ul>
<p><b>Building Permits:</b></p> <ul style="list-style-type: none"> <li>• 18 SFD Permits for the month</li> <li>• 116 SFD Permits for the year</li> <li>• 132 Total Building Inspections for the month</li> <li>• 819 Total Building Inspections for the year</li> <li>• 346 Total Building Permits for the year</li> </ul>	<p><b>Electrical Permits (6 Jurisdictions):</b></p> <ul style="list-style-type: none"> <li>• 122 Total Permits for the month</li> <li>• 747 Total Permits for the year</li> <li>• 169 Total Electrical Inspections for the month</li> <li>• 1302 Total Electrical Inspections for the year</li> </ul>

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, September 19, 2019 at 5:00 p.m. and the meeting was adjourned at 5:16 p.m.

**ADOPTED AND APPROVED THIS 19th DAY OF SEPTEMBER 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 22 August 2019

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Chairman Krausman called to order the four hundred and twelfth meeting of the Hardin County Board of Adjustment at 5:02 p.m. on Thursday, 22 August 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Chris Butz, Planning Assistant Julia McBeth and the individuals listed on the attached sign-in sheet. Assistant Hardin County Attorney Shelt Michael Lewis and Administrative Assistant Susan Bowen were not in attendance. Chairman Krausman appointed Secretary Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:03 p.m. Hearing Officer Steck announced the first item on the agenda is a request for a Conditional Use Permit for an expanded home occupation to allow for meat processing in a detached garage known as "McCain's Wil Game Meat Services". The property is a 2.870 acre site located at 220 Burns Road, Vine Grove, KY within the North Urban Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 141-00-00-034 and the property is owned by **STEVEN MCCAIN**. Planner Chris Butz, reviewed the application, the history of the property and presented exhibits. Steven McCain, of 220 Burns Road, Vine Grove, KY provided testimony and answered questions from the board members and staff. Mr. McCain stated he retired from the military in 2014, he started Hero's Haven for hunting trips, he donates the extra meat to the American Red Cross on Fort Knox, and he has a contract with Hunters for the Hungry. He further explained he's a full time chef at Fort Knox, he'll have a freezer and walk-in cooler within the detached garage, he only works with wild game turning the meat into summer sausages, bacon, or jerkies, and the waste will be disposed of in a Red River dumpster. Steven McCain also mentioned his hours of operation will be 8 a.m. – 9 p.m., there could be approximately a dozen cars a week visiting his business, he'll have a small sign in his front yard, and he is trying to help out as many people as he can. Bobby Lynch, of 342 Burns Road, Vine Grove, KY stated he owns the 2 adjoining properties, he's in favor of the proposal, and he sees no issues with it. No one else spoke in favor or in opposition.

Chairman Krausman closed the hearing at 5:27 p.m. Vice Charman Youngblood stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

## Hardin County Board of Adjustment

Minutes: 22 August 2019

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

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

7. This Conditional Use Permit for an expanded Home Occupation to allow for meat processing within the detached garage on site.
8. Business Hours of Operation shall be from 9 a.m. – 8 p.m.
9. There shall be a designated parking area with adequate room for vehicles to turn around on site so that no vehicles back out onto Burns Road.
10. There shall be no employees of the business who do not reside on the premises.
11. This property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
12. A single sign no larger than 6 square feet shall be permitted.
13. Additional screening or landscaping shall not be required.
14. Any proposed dumpster shall be screened from view of the right-of-way and adjoining properties.
15. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
16. This Conditional Use Permit shall be issued to the current property owner, Steven McCain and is not transferable.
17. This Conditional Use Permit shall be for a period of 3 years and expire on 22 August 2022.
18. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Secretary Steck provided the second. Motion passed unanimously.

## Hardin County Board of Adjustment

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At 5:28 p.m. Hearing Officer Steck announced the second item on the agenda is a request for a Variance from the 1:4 lot width-to-length ratio to allow for property to be further subdivided. The property is a 9.77 acre site located at 2499 Knox Avenue, Vine Grove, KY and known as Lot 2 of Roscoe & Helen's Roost within the West Urban Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 117-00-00-006 and the property is owned by **DEBBIE COX**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Jamie Henderson, of 2499 Knox Avenue, Vine Grove, KY provided testimony and answered questions from the board members and staff. He explained that they want to sell a half acre off of Lot 2 to Debbie's sister next door that she currently mows and maintains as her yard. No one else spoke in favor or in opposition.

Chairman Krausman closed the hearing at 5:46 p.m. Secretary Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the 1:4 lot width-to-length ratio to allow for Lot 2 of Roscoe & Helens Roost to be further subdivided and reduced to 163.27' of road frontage.
2. An Amended Subdivision Plat shall be required and shall substitute for the Site Plan.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:47 p.m. Hearing Officer Steck announced the third item on the agenda is a request for a Variance from the front building setback along North Ridge Road for a 40'x16' storage shed and a request for a Conditional Use Permit to allow for an Accessory Structure prior to the construction of a dwelling on site. The property is a 2.1 acre site located at 15 North Ridge Road, Elizabethtown, KY and being Lot 8 of Quail Hollow Ridge Subdivision within the Kentucky 313 Corridor Planning Area and is zoned Residential Estate (R-3). The PVA Map number is 228-00-01-008 and the property is owned by **GARY PADGETT**. Director Adam King, AICP, reviewed the application, the

## Hardin County Board of Adjustment

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history of the property and presented exhibits. Gary Padgett, of 15 North Ridge Road, Elizabethtown, KY provided testimony and answered questions from the board members and staff. He stated the storage shed is already on the property, he plans on eventually finishing the house that was originally started in 2009 (currently consisting of basement walls only), he'll store materials needed to finish the house within the shed, and will have electricity in the shed as well. Gail Benningfield, of 102 Melton Avenue, Elizabethtown, KY explained the work on the home stopped abruptly due to Mr. Padgett being in a car wreck and then sustaining 2 heart attacks. She advised she would like the house to be completed within 18 months, however that time frame could change due to Mr. Padgett's upcoming surgery. No one else spoke in favor or in opposition.

Chairman Krausman closed the hearing at 6:05 p.m. Vice Chairman Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. His motion was based on the steep topography, the road has a 25 mile per hour speed limit, and it was not out of character for the neighborhood. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback to allow for the 40'x16' storage shed to be no closer than 54' from the centerline of North Ridge Road.
2. Building & electrical permits shall be required.
3. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
4. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Vice Charman Youngblood stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

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

1. This Conditional Use shall allow for a proposed 40'x16' storage shed prior to the completion of the dwelling on site.
2. The proposed shed is for residential storage and shall not be occupied or used for any Commercial Activity.
3. The 40'x16' storage has gray siding with a metal roof.
4. Additional landscaping and/or screening shall not be required.
5. Only one inoperable or non-licensed & registered vehicle shall be permitted on site. The property shall have 6 months to come into compliance.
6. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
7. Building and Electrical permits must be secured through the KBC Building Program of our office.
8. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
9. The Conditional Use Permit is valid for 2 years and expires on 8/22/2021 at which time, the building permit for the single family dwelling on site must be reopened with progress made towards a framing and final inspection.

Secretary Steck provided the second. Motion passed unanimously.

At 6:08 p.m. Chairman Krausman called for consideration and action on the minutes from 8 August 2019 meeting of the Board of Adjustment. Secretary Steck made a

**Hardin County Board of Adjustment**

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motion to approve the minutes as presented. Vice Chairman Youngblood provided the second. The motion passed unanimously. Chairman Krausman announced that the next scheduled meeting will be held on Thursday, September 5, 2019 at 5:00 p.m. and the meeting was adjourned at 6:10 p.m.

**ADOPTED AND APPROVED THIS 5th DAY OF SEPTEMBER 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 8 August 2019

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Vice Chairman Youngblood called to order the four hundred and eleventh meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 8 August 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Member in attendance was Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Chris Butz, Planning Assistant Julia McBeth and the individuals listed on the attached sign-in sheet. Chairman Bob Krausman, Assistant Hardin County Attorney Shelt Michael Lewis, and Administrative Assistant Susan Bowen were not in attendance. Vice Chairman Youngblood appointed Secretary Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:00 p.m. Hearing Officer Steck announced the first item on the agenda is a Conditional Use Permit for a Permanent Accessory Dwelling to allow for the construction of a second home on the property. The property is a 51.1 acre located at 11608 Salt River Road, Cecilia, KY within the West Hardin Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 043-00-00-001 and the property is owned by **CARL & PATRICIA THOMAS**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Edmond Ray Thomas, of 3514 Laurel Ridge Road, Eastview, KY, and father of Carl Thomas, provided testimony and answered questions from the board members and staff. Mr. Thomas mentioned he has lived on the property for 45 years. His son, who is retiring from the military, would like to make this site his "forever home" and build a 1855 sq. ft. brick home beside the existing home. Secretary Steck asked when construction would begin. Mr. Thomas replied "within a month". Secretary Steck then asked if the house would be made of brick on all sides. Mr. Thomas replied that it would. Director King assured Secretary Steck that although the standards for a permanent accessory dwelling call for all exterior finish material to be the same or visually match in type as the exterior of the house, the board reserves the right to allow exceptions. No others spoke in favor or opposition.

Vice Chairman Youngblood closed the meeting at 5:10 p.m. Secretary Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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



## Hardin County Board of Adjustment

Minutes: 8 August 2019

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

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

1. This Conditional Use Permit for a Permanent Accessory Dwelling will allow for the construction of a second home on the 51.1 acres.
2. The property owners, Carl & Patricia Thomas, must occupy either the principal dwelling unit or the accessory dwelling as their principal residence, and at no time receive rent for the owner-occupied unit.
3. Adequate on site parking must be designated on an approved site plan.
4. The Permanent Accessory Dwelling shall utilize and share the existing driveway from Salt River Road (KY 920).
5. The Permanent Accessory Dwelling is the existing 1520 sq. ft. house located on site and the Principal Dwelling is the proposed 1855 sq. ft. home.
6. The Permanent Accessory Dwelling shall be located in the rear yard and shall be located as illustrated on the approved Site Plan and in accordance with building setback lines.
7. The exterior finish materials of the Permanent Accessory Dwelling shall be white vinyl siding with a gray shingle roof and the Principal dwelling shall be red brick with a gray shingle roof.
8. Both dwellings shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
9. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
10. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
11. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously 2-0.

## Hardin County Board of Adjustment

Minutes: 8 August 2019

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At 5:15 p.m. Hearing Officer Steck announced the second item on the agenda is a request for a Variance from the front building setback to allow for a 10' x 16' covered porch. The property is a 0.34 acre site located at 119 Third Street, Elizabethtown, KY within the North Urban Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 199-20-01-031 and the property is owned by **ROSS & JUANITA CORBETT**. Planner Chris Butz reviewed the application, the history of the property and presented exhibits. Ross Corbett, of 119 Third Street, Elizabethtown, KY provided testimony and answered questions from the board members and staff. He explained that he and Mrs. Corbett had moved to the property in 2005. While it wasn't their first choice, they are preparing to make improvements to the property so they may remain there indefinitely. Mrs. Corbett has wanted a porch for some time and it is at the top of their list of home improvements along with a concrete driveway and wooden deck. Mr. Corbett also clarified that the PVA construction dates in the presentation concerning the house and 16'x16' shed were inaccurate.

Director King suggested adding a provision that the porch shall not be enclosed to prevent allowing living space so close to a government maintained road.

No one spoke in opposition. Board Member Steck closed the hearing at 5:30 p.m. Board Member Steck made a motion to grant the variance citing that given the nature of the subdivision, with most houses situated as close or closer to the street than that of the applicant, the variance would not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243.and DGS 5-3(B) (1) Findings necessary for granting variances) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback to allow for the construction of the proposed covered porch to be no closer than 30' from the centerline of Third Street.
2. Building & electrical permits shall be required.
3. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
4. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
5. The porch may be covered but shall not be enclosed.

## Hardin County Board of Adjustment

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Vice Chairman Youngblood provided the second. The motion passed unanimously 2-0.

At 5:35 p.m. Hearing Officer Steck announced the third item on the agenda is a request for an Amended Conditional Use Permit for a dog kennel to be transferred to a new owner. The property is an 11 acre site located at 840 Jenkins Road, Rineyville, KY within the West Urban Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 099-00-00-009 and the property is owned by **MARK & PAM ADAMS**. Director Adam King reviewed the application, the history of the property and presented exhibits. Mark Adams, of 840 Jenkins Road, Rineyville, KY provided testimony and answered questions from the board members and staff. He explained that he and Mrs. Adams were retiring and selling their house and kennel business to the applicants, Jamie and Andrea Roberts. Jamie Roberts, of 174 Labrador Way, Rineyville, KY explained that he and his wife were comfortable with the existing conditions.

No one spoke in opposition. Vice Chairman Youngblood closed the meeting at 5:48 p.m. Secretary Steck stated the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. Hours of Operation shall be from 6:00 A.M. to 6:00 P.M., seven days a week.

## **Hardin County Board of Adjustment**

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2. The maximum number of animals on site shall be 45 and no more than 15 dogs will be allowed outdoors at one time.
3. No outdoor boarding of animals shall be permitted. All boarding facilities shall be indoors with dogs taken outdoors for exercise and “potty” breaks.
4. The facility shall obtain and maintain a valid Kennel License from Hardin County Animal Control and comply with Ordinance Number 249, Series 2007 “An ordinance relating to Animal Control and Welfare”. Annual inspections are to be conducted by Hardin County Animal Control to check health and welfare of animals on site and verify clean and sanitary conditions of the facility. Please contact Hardin County Animal Control (POC Mike McNutt 270-763-2205).
5. All dogs on site must have a valid license and Rabies vaccinations.
6. This property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
7. The kennels shall be screened from view of the adjoining properties with a solid wood privacy fence.
8. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
9. This Conditional Use Permit shall be issued to the proposed property owners, Jamie & Andrea Roberts, and is transferable to a new owner after a hearing before the Board of Adjustment.
10. The original Conditional Use Permit was issued for a period of two years and expired on 3 March 2013.
11. The amended Conditional Use Permit was issued for a period of 5 years and expired on 7 February 2018.
12. The current Amended Conditional Use Permit is good for a period of 5 years to expire on 22 February 2023 (current terms of the Adams approval).
13. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. Motion passed unanimously 2-0.

At 5:52 p.m. Vice Chairman Youngblood called for consideration and action on the minutes from 18 July 2019 meeting of the Board of Adjustment. Secretary Steck made a motion to approve the minutes as presented. Vice Chairman Youngblood provided the second. The motion passed unanimously. Vice Chairman Youngblood announced that the next scheduled meeting will be held on Thursday, August 22, 2019 at 5:00 p.m. and the meeting was adjourned at 6 p.m.

**ADOPTED AND APPROVED THIS 22nd DAY OF AUGUST 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 18 July 2019

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Chairman Krausman called to order the four hundred and tenth meeting of the Hardin County Board of Adjustment at 5:06 p.m. on Thursday, 18 July 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Chris Butz, Planning Assistant Julia McBeth and the individuals listed on the attached sign-in sheet. Assistant Hardin County Attorney Shelt Michael Lewis and Administrative Assistant Susan Bowen were not in attendance. Chairman Krausman appointed Secretary Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:07 p.m. Hearing Officer Steck announced the first item on the agenda is a continuation from a hearing held on 20 June 2019, a request for a Conditional Use Permit to allow for a "Motorcycle Repair Business" within a detached garage. The property is a 2.28 acre site known as Lot 1 of Loving Subdivision and is located at 1790 Glendale Hodgenville Road West, Glendale, KY within the Glendale Rural Village Area and is zoned Rural Residential (R-2). The PVA Map number is 190-30-00-022 and the property is owned by **TODD MCGUFFIN**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits and he also announced that all Board members in attendance had completed a site visit to the property. Todd McGuffin, of 1790 Glendale Hodgenville Road West, Glendale, KY presented Exhibit O which is a letter in support from Jennifer Clark, he's had his business at this location for 6 years, he's not received a complaint from a neighbor in that time, his business is open during the week 6 p.m. – 8 p.m., Saturdays 10 a.m. – 3 p.m., closed on Sundays, and he works full time as a shipping coordinator. He advised there isn't a lot of noise, he performs oil changes, repairs, he typically has 6 motorcycles there per week, and 2 on the weekends as his garage is only so big. George Dawson, of 1615 Glendale Hodgenville Road West, Glendale, KY presented Exhibit P which is a petition in opposition that consists of 17 signatures with specific reasons explaining why they are against the application and he presented Exhibit Q which is a listing of motorcycle shops within 5 miles. Mr. Dawson explained noise has gotten worse in the last year, he's called the KY State Police numerous times due to the noise, and there is a 60' burn out in the road in front of his driveway. Tina Hardy, of 1826 Glendale Hodgenville Road West, Glendale, KY advised her sister had spoken to Todd McGuffin informing him they weren't happy with the motorcycle shop and they thought it was a hobby, not an actual business. David Hill, of 1595 Glendale Hodgenville Road West, Glendale, KY stated he has nothing against Mr. McGuffin trying to make an honest living, but his issues are regarding Mr. McGuffin's clients frequently not being respectful of the area, they're shifting to higher gears, speeding, and doing burn outs. He voiced concerns regarding contamination from oils, grease and gases, he requested that his customers not speed on KY 222, and keep the noise down. George Dawson, of 1615 Glendale Hodgenville Road West, Glendale, KY said he is also concerned with their property values and he's

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being harassed by Todd McGuffin's customers. Todd McGuffin advised he doesn't know anything about people harassing Mr. Dawson and he has no control over other people's actions once they are off of his property. Jessica Kaminski (Todd McGuffin's wife), of 1790 Glendale Hodgenville Road West, Glendale, KY said there are Dodge Hellcats and other bikes doing burnouts in the road that are not affiliated with their business and not all of the bikes sitting on their property belong to customers, some are owned by their family members and friends. Tina Hardy, of 1826 Glendale Hodgenville Road West, Glendale, KY asked how many people on the petition or those that were notified are in favor of the request and how many are in opposition.

Director King advised that the Zoning Ordinance requires our office to notify all adjoining properties and all properties within 1,200 feet of road frontage, but we don't know if those individuals are for or against the request.

Tina Hardy, of 1826 Glendale Hodgenville Road West, Glendale, KY asked how many of the Board Members had conducted a site visit. Chairman Krausman answered that all of the Board Members in attendance had visited the site.

Chairman Krausman closed the hearing at 5:36 p.m. Vice Chairman Youngblood stated he appreciates everyone's concerns, that a small business is trying to make a living, and that the business owner should be policing the burnouts and speed of his customers. Chairman Krausman stated he appreciated the public's concerns over noise & speed and stated a business owner can have some influence over their customers.

Secretary Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. This Conditional Use Permit shall allow for an expanded Home Occupation of a motorcycle repair shop within the detached garage on site.
2. Business Hours of Operation shall be from 6 P.M. to 8 P.M. Monday – Friday and 10 A.M. to 3 P.M. Saturday.
3. There shall be no customer vehicles or motorcycle parts parked or stored outside.
4. There shall be no employees of the business who do not reside on the premises.
5. This property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
6. The existing sign on the garage and 2'x2' sign on the mailbox shall be permitted to remain.
7. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
8. This Conditional Use Permit shall be issued to the current property owner, Todd McGuffin and is not transferable.
9. This Conditional Use Permit shall be for a period of 1 year and expire on 18 July 2020.
10. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
11. An emergency response & spill prevention plan shall be required.

Vice Chairman Youngblood provided the second. Motion passed 2-1 with Chairman Krausman voting against.

At 5:52 p.m. Hearing Officer Steck announced the second item on the agenda is a request for a Conditional Use Permit to allow for an “automotive repair business” within a detached garage in the R-2 Zone. The property is 5.020 acre site located at 20567 Sonora Hardin Springs Road, Eastview, KY being known as Lot 3 Faith Meadows Subdivision within the West Hardin Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 021-00-01-003 and the property is owned by **ROBERT & CORTNEY DAVIS**. Planner Chris Butz reviewed the application, the history of the property and presented exhibits. Robert Davis, of 20567 Sonora Hardin Springs Road, Eastview, KY provided testimony and answered questions from the board members and staff. He explained he is requesting to run his automotive repair shop out of the detached 24' x 56' garage on site, he's been in business for 4 years, he's planning on building a 6' tall wooden privacy fence with a gate, he wouldn't have more than 5-6 customers a day as he has no employees and his shop is open 10 am -7 pm Monday

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through Saturday. Jim Castle, of 20526 Sonora Hardin Springs Road, Eastview, KY stated he's Mr. Davis's neighbor, due to Mr. Davis being at his residence all the time, no one is stealing anymore, he's cleaned up the property, and is doing a "community service" for the area. No one spoke in opposition. Chairman Krausman closed the hearing at 6:21 p.m. Vice Chairman Youngblood stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. This Conditional Use Permit shall allow for an automotive repair business to be operated from the 24'x56' detached garage on site.
2. This Conditional Use Permit is issued to the current owners, Robert & Cortney Davis and is not transferable; the Conditional Use Permit is good for 3 years and shall expire on 7/18/2022. After which time it shall require a renewal hearing before the Board of Adjustment.
3. The hours of operation shall be 10 a.m. – 7 p.m. Monday thru Saturday.
4. There shall be no employees who do not reside in the dwelling on site.
5. A single, 2'x4' sign shall be permitted advertising the business and shall not be lit.
6. There shall be no more than 20 vehicles parked outdoors and all customer vehicles must be parked behind the fence.



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7. Additional landscaping and/or screening in the form of a 6' tall solid wood privacy fence shall be required between the parking area and Sonora Hardin Springs Road (KY 84).
8. If a dumpster is located on site, it must be screened from view of the right-of-way and all adjoining properties.
9. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
10. Building and electrical permits must be secured through the KBC Building Program of our office for the addition to the garage.
11. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.
12. An Emergency Response & Spill Prevention Plan shall be required.

Secretary Steck provided the second. Motion passed unanimously.

At 6:25 p.m. Chairman Krausman called for consideration and action on the minutes from 20 June 2019 meeting of the Board of Adjustment. Secretary Steck made a motion to approve the minutes as presented. Vice Chairman Youngblood provided the second. The motion passed unanimously.

At 6:26 p.m. Chairman Krausman called for consideration and action on the Annual Nomination and Election of Officers. Secretary Steck made a motion for the current Officers to maintain their designated offices. Vice Chairman Youngblood provided the second. Motion passed unanimously.

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

### **KY 361 PLANNING AREA STAKEHOLDER MEETING**

We had 8 planners & engineers in attendance for a stakeholder meeting on the KY 361 Corridor Planning Area at the Hardin County Government Building on Friday June 21st. The cities of Elizabethtown, Radcliff, and Vine Grove were invited to participate along with the KY Transportation Cabinet and Lincoln Trail Area Development District.

### **MEETING WITH LINCOLN TRAIL DISTRICT HEALTH DEPARTMENT**

Adam & Chris met with Sara Jo Best and Bryan Carroll from the Health Department to review the certifications that the Health Department signs on subdivision plats and to discuss the applications and forms our office receives for septic systems during the building permit process.

**JUNE 2019 REPORT**

<b>Plats Recorded:</b> <ul style="list-style-type: none"> <li>• 18 Subdivision plats were approved for the month</li> <li>• 50 Subdivision plats were approved for the year</li> </ul>	<b>New Lots Created:</b> <ul style="list-style-type: none"> <li>• 28 New lots approved for the month</li> <li>• 32 Net lots approved for the year</li> </ul>
<b>Building Permits:</b> <ul style="list-style-type: none"> <li>• 6 SFD Permits for the month</li> <li>• 81 SFD Permits for the year</li> <li>• 87 Total Building Inspections for the month</li> <li>• 567 Total Building Inspections for the year</li> <li>• 235 Total Building Permits for the year</li> </ul>	<b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"> <li>• 86 Total Permits for the month</li> <li>• 513 Total Permits for the year</li> <li>• 171 Total Electrical Inspections for the month</li> <li>• 942 Total Electrical Inspections for the year</li> </ul>

**SUBDIVISION PLATS RECORDED IN JUNE 2019**

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
RECORD PLAT OF CHIEF'S WAY SUBDIVISION	CECILIA SMITH MILL ROAD.	2	2.1880	5/7/2019	6/3/2019
MYRTLEWOOD SUBDIVISION AND BOUNDARY SURVEY OF HARRY FRANKLIN FARM	3544 NEW GLENDALE ROAD	10	11.9790	5/16/2019	6/4/2019
AMENDED RECORD PLAT OF DIPIETRO ESTATES, LOTS 1 & 2	1666 CECILIA SMITH MILL RD.	0	0.0000	5/20/2019	6/5/2019
AMENDED RECORD PLAT OF UNIVERSITY ESTATES, SECTION 3, LOTS 24 & 25	411 & 409 GEORGETOWN RD.	0	0.0000	5/28/2019	6/5/2019
AMENDED RECORD PLAT OF G. CHILDREN'S HOME SUBDIVISION, LOT 1 & BOUNDARY SURVEY OF TRACT 1A OF CALEB & MIKKI BLAND PROPERTY	GILEAD CHURCH RD	0	3.6810	4/24/2019	6/5/2019
RECORD PLAT OF LAFOLLETTE SUBDIVISION	1286 LAFOLLETTE ROAD.	2	10.9990	6/6/2019	6/17/2019
PROVIDENCE PLACE, LOT 8A	BIG BLUE COURT	0	0.0000	7/18/2018	6/17/2019
AMENDED RECORD PLAT OF FOREST SPRINGS SUBD. LOTS 1A & 2C	BATES RD	0	0.0000	4/30/2019	6/18/2019

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### SUBDIVISION PLATS RECORDED IN JUNE 2019

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
AMENDED RECORD PLAT OF QUIET WOOD ESTATES, LOTS 1A, 2A & 3-9	14 QUIET WOOD LN	-2	0.0000	4/15/2019	6/19/2019
HARDIN COUNTY SPORTSMAN LAKE BLOCK 3, LOTS 15-17	LAKESHORE DR	-2	0.0000	5/16/2019	6/19/2019
LELIA AND LOETTA SUBD, SECTION 2	ST JOHN RD	5	21.9580	4/17/2019	6/20/2019
JOHNNY'S PLACE SUBDIVISION	233 DECKARD SCHOOL ROAD	2	6.6920	6/6/2019	6/20/2019

RECORD PLAT OF SKAGGS LANE SUBDIVISION & BOUNDARY SURVEY OF THE REMAINDER OF THE STEVE AULBACH FARM	765 SKAGGS LN.	4	38.7000	6/17/2019	6/24/2019
AMENDED RECORD PLAT OF PFEIFFER ESTATES SECTION 2, LOTS 37,38,39, 41A & 42	22 BIG WHEEL DR & THERESA RD.	-3	0.0000	5/20/2019	6/26/2019
RECORD PLAT OF WESLEY ESTATES	CASH RD	2	25.2650	5/2/2019	6/27/2019
AMENDED RECORD PLAT OF GLENDOWER SUBDIVISION, SECTION 1, LOT 35A	470 GLENDOWER DR.	0	0.6890	6/19/2019	6/27/2019
SADDLE ESTATES LOTS 1D & 1E	470 KRAFT RD	-1	0.0000	6/17/2019	6/27/2019
JERRY WALKER ESTATES	584 SMITH MILL ROAD	1	2.9760	6/17/2019	6/27/2019
		<b>20</b>	<b>125.1270</b>		

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, August 8, 2019 at 5:00 p.m. and the meeting was adjourned at 6:30 p.m.

**ADOPTED AND APPROVED THIS 8th DAY OF AUGUST 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 20 June 2019

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Chairman Krausman called to order the four hundred and ninth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 20 June 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood and Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Chris Butz, Planning Assistant Julia McBeth and the individuals listed on the attached sign-in sheet. Assistant Hardin County Attorney Shelt Michael Lewis and Administrative Assistant Susan Bowen were not in attendance. Chairman Krausman appointed Secretary Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced the first item on the agenda is a request for a Conditional Use Permit to allow for a "Motorcycle Repair Business" within a detached garage. The property is a 2.28 acre site known as Lot 1 of Loving Subdivision and is located at 1790 Glendale Hodgenville Road West, Glendale, KY within the Glendale Rural Village Area and is zoned Rural Residential (R-2). The PVA Map number is 190-30-00-022 and the property is owned by **TODD MCGUFFIN**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Jessica Kaminski (Todd McGuffin's wife), of 1790 Glendale Hodgenville Road West, Glendale, KY stated they have a motorcycle shop, it's open during the week 6 p.m. – 8 p.m., open Saturdays 10 a.m. – 3 p.m., closed on Sundays, and they both work full time outside of the home. She explained there's already traffic on KY 222, they have 1 or 2 customers per day, and when motorcycles are dropped off to be repaired, they routinely stay there for a week, and are stored in their garage. She further advised during summertime, the garage doors might stay open a little longer, they've been in business a few years, and they also work on their own motorcycles after business hours. Suzanna Oldham of 1774 Glendale Hodgenville Road West, Glendale, KY spoke in favor of the request stating she lives next door, her small children have never been woken up by any motorcycle noises, her house was built in 1949 and has old windows, and that there is always traffic noise but the motorcycle business doesn't affect their quality of life. George Dawson, of 1615 Glendale Hodgenville Road West, Glendale, KY presented Exhibit M which is a petition opposing the request that consists of 18 signatures from neighbors who live on Glendale Hodgenville Road West and Main Street whose main concerns are noise and safety. He stated he doesn't have a problem with people earning a living in their garage, he's had a motorcycle license since the law required a license back in the early 1970's, he's raced motorcycles for 20 years and the driveway in front of Todd McGuffin's house has at least 20 peel-out marks on it. Mr. Dawson advised he's spoken to the State Police three times in the last month regarding people on motorcycles pulling out of the driveway as the bikes are hitting 6<sup>TH</sup> gear and are driving too fast. Tina Hardy, of 1826 Glendale Hodgenville Road West, Glendale, KY spoke explaining her family has owned the property next door for 40 years, she lives there part time, she presented Exhibit N consisting of 2 photographs of the property, and stated it's not an appropriate place for a motorcycle business as the area will no

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longer be appealing due to motorcycle engines being revved up. She further mentioned possible noise pollution & environmental concerns. George Dawson, of 1615 Glendale Hodgenville Road West Glendale, KY asked if Todd McGuffin is granted a Conditional Use Permit, could he come in later for a Zone Change request because he's already had his "foot in the door" and operated his business for 5 years. Director King explained he would have to go in front of the Planning Commission, which is a separate process. Janet Hardy, of 1826 Glendale Hodgenville Road West, Glendale, KY explained their home is a family home, their disabled sister stays there once a month, which requires help from 2-3 family members to care for her, the biggest issue is noise pollution and when people are hanging out on a weekend, they are interrupted by loud motorcycle engines being revved. She asked who monitors spills, what office enforces conditions and she advised no one lives at her family home full time. Director King explained the EPA would be in charge of monitoring environmental contamination and that if the Board approved the request and the conditions weren't being adhered to by the applicant, our office has enforcement remedies that can be taken. Ms. Hardy mentioned she is glad the Board Members will be making a site visit to the property, she initially thought that a berm would be a good way, but realized there isn't space for a berm to be built. Tina Hardy, of 1826 Glendale Hodgenville Road West, Glendale, KY is concerned that if granted, what is someone going to try to get approved next. Member Steck made a motion to table the hearing at 5:56 p.m. to allow the Board Members the opportunity to make a site visit to the property. The Hearing will be continued to Thursday, July 18, 2019 at 5:00 PM and will remain open for additional testimony. Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 5:58 p.m. Hearing Officer Steck announced the second item on the agenda is a request for a Conditional Use Permit to allow for the construction of a 48' x 60' garage that will exceed the size of the dwelling on site and a Conditional Use Permit for an expanded home occupation to all for a window tinting business in the proposed detached garage. The property is a 1.014 acre site located at 1635 Locust Grove Road, Elizabethtown, KY and being Lot 4A of Concord Heights Subdivision, within the Valley Creek Urban Area and is zoned Urban Residential (R-1). The PVA Map number is 234-00-0B-004 and the property is owned by **ROGER EWING** and the applicant is **HILBERT POWERS**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Hilbert Powers, of 1635 Locust Grove Road, Elizabethtown, KY provided testimony and answered questions from the board members and staff. He advised he's been running the business since April 9, 2015, it's as quiet when he works as when he's sleeping, he plans to purchase all three lots from Roger Ewing totaling 1.5 acres, and he presented Exhibit M, which are proposed renderings of the detached garage. Mr. Powers stated he currently could have 4-5 cars sitting outside, with the proposed garage, he wouldn't have any vehicles sitting outside, he's had as many as 8-9 at a time, and 2-3 vehicles sitting outside overnight if customers dropped them off when he's asleep. Tracy Bush, of 1522 Locust Grove Road, Elizabethtown, KY advised she has no problem with the request, there are no

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noise issues, no extra traffic and she has 3 large buildings on her property. Hilbert Powers, of 1635 Locust Grove Road, Elizabethtown, KY further explained his hours are 8:30 a.m. – 5:30 p.m. Monday – Friday, 8:30 a.m. – 12:00 p.m. Saturday and is closed on Sundays. No one spoke in opposition. Chairman Krausman closed the hearing at 6:30 p.m. Vice Chairman Youngblood stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. This Conditional Use Permit shall allow for the construction of a 48'x60' garage that will exceed the size of the dwelling on site.
2. The detached garage shall be constructed of gray metal with a maroon roof and 3 overhead doors.
3. This Conditional Use Permit will also allow for an "expanded home occupation" of a Window Tinting Business to be operated from the proposed detached garage.
4. The hours of operation shall be 8:30 – 5:30 Monday thru Friday and 8:30 – 12:00 on Saturday.
5. There shall be no employees who do not reside in the dwelling on site.
6. A single, 4'x6' sign shall be permitted advertising the business and shall not be lit.
7. There shall be no more than 3 customer vehicles parked outside at one time.

## Hardin County Board of Adjustment

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8. Additional landscaping and/or screening in the form of foundation plantings (shrubs or bushes) shall be required along the east side of the building.
9. If a dumpster is located on site, it must be screened from view of the right-of-way and all adjoining properties.
10. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
11. Building and electrical permits must be secured through the KBC Building Program of our office.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.
13. 3 parking spaces shall be provided on site along with a turn around so that no cars have to be backed out onto Locust Grove Road.
14. This Conditional Use Permit is good for 3 years with an expiration date of 6/20/2022.

Secretary Steck provided the second. Motion passed unanimously.

At 6:34 p.m. Hearing Officer Steck announced the third item on the agenda is a request for a Variance from the Front Building Setback along Church Avenue to allow for the construction of a 32' x 50' detached garage. The property is a 0.459 acre site located at 204 St. Ambrose Church Lane, Cecilia, KY within the Cecilia Rural Village Area and is zoned Urban Residential (R-1). The PVA Map number is 147-40-00-019 and the property is owned by **SONNY ASHLOCK** and the applicant is **MICHAEL HOBBS**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Sonny Ashlock, of 355 St. Ambrose Church Lane, Cecilia, KY spoke advising he owns the property, Mr. Hobbs is his tenant, he plans to build a garage for cars, a boat, he's 22' off of the septic line and he has to stay 20' off of it. Michael Hobbs Jr., of 204 St. Ambrose Church Lane, Cecilia, KY explained he wants to build the 32' x 50' garage because his last house had a 30' x 40' garage, he could park 2 vehicles, a boat with an attached trailer, but he had to step over the trailer tongue which didn't leave room for his lawn mower. He said he likes to keep the property neat and he would have room to store his cars, boat with trailer, kids' bicycles and mower in the proposed detached garage. No one spoke in opposition. Chairman Krausman closed the hearing at 6:45 p.m. Vice Chairman Youngblood made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He cited that is in character with Church Avenue and is on a pre-existing lot from 1914. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

## **Hardin County Board of Adjustment**

Minutes: 20 June 2019

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback to allow for the construction of the proposed 32' x 50' garage to be no closer than 28' from the center line of Church Avenue.
2. Building & electrical permits shall be required.
3. An Amended Subdivision Plat shall be required merging the lots together and shall substitute for the required Site Plan.
4. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk

Secretary Steck provided the second. Motion passed unanimously.

At 6:46 p.m. Chairman Krausman called for consideration and action on the minutes from 6 June 2019 meeting of the Board of Adjustment. Secretary Steck made a motion to approve the minutes as presented. Vice Chairman Youngblood provided the second. The motion passed unanimously.

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, July 18, 2019 at 5:00 p.m. and the meeting was adjourned at 6:48 p.m.

**ADOPTED AND APPROVED THIS 18th DAY OF JULY 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**



## Hardin County Board of Adjustment

Minutes: 6 June 2019

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Chairman Krausman called to order the four hundred and eighth meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 6 June 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Member in attendance was Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Chris Butz, and the individuals listed on the attached sign-in sheet. Vice Chairman Greg Youngblood, Assistant Hardin County Attorney Shelt Michael Lewis and Planning Assistant Julia McBeth were not in attendance. Chairman Krausman appointed Secretary Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced the first item on the agenda is a continuation from a hearing held on 23 May 2019, a variance from the Front Building Setback along Unbridled Court to allow for the construction of a detached garage. The property is a 0.852 acre site located at 211 Beckley Woods Drive, Elizabethtown, KY within the North Glendale Urban Area and is zoned Planned Unit Development (PD-1). The PVA Map number is 206-00-05-014 and the property is owned by **JAMES & SOPHIA BOLLI**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits, he also announced that both Board members in attendance had completed a site visit to see the proposed staked location of the garage. No one spoke in favor or in opposition. Board Member Steck closed the hearing at 5:05 p.m. Board Member Steck made a motion to grant the variance citing that there are no safety concerns, the property is on a corner lot with an extremely short cul-de-sac and won't block the neighbors line of sight. He based his motion on the staff presentation, the testimony provided in the public hearing, it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243.and DGS 5-3(B) (1) Findings necessary for granting variances) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback to allow for the construction of the proposed garage to be no closer than 25' from the front property line.
2. Building & electrical permits shall be required.
3. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.

## Hardin County Board of Adjustment

Minutes: 6 June 2019

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4. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Chairman Krausman provided the second. The motion passed unanimously.

At 5:07 p.m. Hearing Officer Steck announced that the second item on the agenda is a Variance from the front building setback along South Dixie Highway(US 31W) to allow for the construction of a 24' x 40' detached garage. The property is a 0.564 acre site located at 5212 South Dixie Highway, Glendale, KY within the South Dixie Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 224-00-00-032 and the property is owned by **CATRINA PENDLETON**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Jeff Mitchell, of 5212 South Dixie Highway, Glendale, KY indicated there is a utility pole on the property that prohibits the garage to be any further back. The garage will be behind the tree line and he will not remove the trees. He also noted that the property sits about 8' higher in elevation than the pavement of US 31W. No one spoke in opposition. Board Member Steck closed the hearing at 5:20 p.m. Board Member Steck cited that the proposal is not out of character with that portion of US 31W, that the property has a unique shape, is also limited due to the overhead electric lines and that the topography with the property sitting over 10' above US 31W does not create a safety concern. He made a motion to grant the variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and it satisfies the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (1) Findings necessary for granting variance) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback to allow for the construction of a 24'x40' garage to be no closer than 7 foot from the front property line.
2. Building & electrical permits shall be required.

## Hardin County Board of Adjustment

Minutes: 6 June 2019

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3. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
4. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
5. The existing tree line between the proposed structure and the US 31W right-of-way shall be preserved.

Chairman Krausman provided the second. The motion passed unanimously.

At 5:27 p.m. Hearing Officer Steck announced that the third item on the agenda is a Variance from the front building setback along Cedar Hill Drive to extend the covered front porch on the home. The property is a 0.476 acre site located at 203 Cedar Hill Drive, Elizabethtown, KY within the North Urban Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 182-40-02-019 and the property is owned by **SUSANNE LEBLANC**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Susanne LeBlanc, of 203 Cedar Hill Drive, Elizabethtown, KY provided testimony and answered questions from the board members and staff. Ms. LeBlanc stated she is getting a new roof and would like to extend the porch. She also indicated she has lived here for 20 years and understands that she is a corner lot but that, "Walnut Street" is only a private driveway. No one spoke in opposition. Board Member Steck closed the hearing at 5:35 p.m. Board Member Steck cited that the owner has a unique corner lot on an undeveloped street that just serves as a private driveway to one home. He made a motion to grant the variance based on the staff presentation and the testimony provided in the public hearing. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback lines to allow for the existing covered front porch to be extended out 4.7' to match the roof line of the house and for the porch to be extended over the existing concrete pad.
2. The porch may be covered but shall not be enclosed.
3. Building & electrical permits shall be required.

## Hardin County Board of Adjustment

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

Chairman Krausman provided the second. The motion passed unanimously.

At 5:38 Hearing Officer Steck announced that the fourth item on the agenda is a request for a Conditional Use Permit to allow for automotive sales. The property is a 10.327 acre site located at 12208 Sonora Hardin Springs Road, Eastview, KY within the West Hardin Area and is zoned Convenience Commercial (C-1). The PVA Map number is 089-00-00-006 and the property is owned by **WENDELL BROWN of KY 84 AUTO RECYCLING**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Wendell Brown, of 246 Centerpoint Road, White Mills, KY provided testimony and answered questions from the board members and staff. Mr. Brown indicated he had been at this location since 1990, he wants to add a used auto sales operation to the parking area in front of his auto recycling business. No one spoke in opposition. Board Member Steck closed the hearing at 5:48 p.m. Secretary Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

## Hardin County Board of Adjustment

Minutes: 6 June 2019

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with the following conditions:

1. Business Hours of Operation shall be from 9AM – 5:30PM Monday – Friday and 9AM – 3PM on Saturday.
2. There shall be no more than 12 vehicles advertised for sale at a time.
3. Vehicles for sale shall be displayed in the parking area between the existing buildings and KY 84.
4. There shall be no vehicles parked in the right-of-way of KY 84.
5. This Conditional Use Permit shall allow for Automotive Sales.
6. This property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
7. A Development Plan in compliance with Section 6 of the Zoning Ordinance shall be required.
8. This Conditional Use Permit shall be issued to the current property owners, Wendell & Bobby Brown, and is transferable after an additional hearing before the Board of Adjustment.
9. All building activities shall conform to provisions of the Kentucky Building Code.
10. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Chairman Krausman provided the second. The motion passed unanimously.

At 5:56 p.m. Chairman Krausman called for consideration and action on the minutes from 23 May 2019 meeting of the Board of Adjustment. Secretary Steck made a motion to approve the minutes as presented. Chairman Krausman provided the second. The motion passed unanimously.

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

### MAY 2019 REPORT

<b>Plats Recorded:</b> <ul style="list-style-type: none"><li>• 8 Subdivision plats were approved for the month</li><li>• 32 Subdivision plats were approved for the year</li></ul>	<b>New Lots Created:</b> <ul style="list-style-type: none"><li>• 6 New lots approved for the month</li><li>• 12 Net lots approved for the year</li></ul>
<b>Building Permits:</b> <ul style="list-style-type: none"><li>• 16 SFD Permits for the month</li><li>• 75 SFD Permits for the year</li><li>• 104 Total Building Inspections for the month</li><li>• 481 Total Building Inspections for the year</li><li>• 198 Total Building Permits for the year</li></ul>	<b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"><li>• 104 Total Permits for the month</li><li>• 427 Total Permits for the year</li><li>• 201 Total Electrical Inspections for the month</li><li>• 772 Total Electrical Inspections for the year</li></ul>

**Hardin County Board of Adjustment**

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Chairman Krausman announced that the next scheduled meeting will be held on Thursday, June 20, 2019 at 5:00 p.m. and the meeting was adjourned at 5:59 p.m.

**SUBDIVISION PLATS RECORDED IN MAY 2019**

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
TROTTERS RIDGE LOTS 25 & 26	BLANKET COURT	2	0.0000	4/5/2019	5/1/2019
RECORD PLAT OF NICELEY'S CORNER SUBD., SECTION 2	GAITHER STATION RD.	1	11.0060	4/30/2019	5/2/2019
RECORD PLAT OF HART HILL	1511 TABBS HOLLOW RD	1	3.5100	4/25/2019	5/6/2019
AMENDED RECORD PLAT OF MEMORY LANE SUBD, SECTION 1, LOTS 3A & 4A	SLAUGHTER RD	1	10.8640	1/1/1900	5/10/2019
CARMAN SUBDIVISION, LOT 2	16 EARL WISE LN	1	0.0000	5/2/2019	5/10/2019
OAK RIDGE MANOR; SECTION 1, LOT 7 & OAK RIDGE MANOR SECTION 2, LOT 12	WOOLDRIDGE FERRY RD (OFF)	-1	0.0000	1/24/2019	5/20/2019
SPORTSMAN LAKE SUBDIVISION, BLOCK 4, LOTS 28-30	207 WOODS RD.	-2	0.0000	12/18/2018	5/22/2019
THOROUGHBRED ESTATES SECTION 5, LOTS 65 & 66	SEA HERO DRIVE	-1	0.0000	5/15/2019	5/28/2019
		<b>2</b>	<b>25.3800</b>		

**Total Records: 8**

**5/31/2019**

**ADOPTED AND APPROVED THIS 20th DAY OF JUNE 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 23 May 2019

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Chairman Krausman called to order the four hundred and seventh meeting of the Hardin County Board of Adjustment at 5:02 p.m. on Thursday, 23 May 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Chris Butz, Planning Assistant Julia McBeth and the individuals listed on the attached sign-in sheet. Assistant Hardin County Attorney Shelt Michael Lewis was not in attendance. Chairman Krausman appointed Secretary Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:03 p.m. Hearing Officer Steck announced the first item on the agenda is a request for a Conditional Use Permit to allow for a temporary accessory dwelling (14' x 70' manufactured home) to remain on the property until it is sold. The property is a 11.2 acre site located at 6069 Battle Training Road, Elizabethtown, KY within the Colesburg Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 241-00-00-021 and the property is owned by **SHAYNE & CHRISTINE FERGUSON**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Shayne Ferguson, of 6069 Battle Training Road, Elizabethtown, KY provided testimony and answered questions from the board members and staff. Mr. Ferguson stated he wants to sell the manufactured home as soon as possible and that it's currently being advertised for sale on craigslist. He explained that he has a potential buyer working on financing and a second couple looked at the manufactured home this week. Director King explained to the Board that the proposed application is not in agreement with the specifics for a Temporary Accessory Dwelling as outlined in the Zoning Ordinance. No one spoke in favor or in opposition. Chairman Krausman closed the hearing at 5:18 p.m. Vice Chairman Youngblood stated the request for the Conditional Use Permit does not satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

## Hardin County Board of Adjustment

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- The use shall not be detrimental to the public welfare or injurious to property or improvements in the vicinity; and,
- The use shall be in accordance with the purposes of the Zoning Ordinance and the Comprehensive Plan.

According to provisions of the Kentucky Revised Statutes, the Hardin County Development Guidance System Zoning Ordinance, and the proceedings before the Board of Adjustment (the staff presentation and the testimony presented in the Public Hearing); Vice Chairman Youngblood made the motion to deny the Conditional Use Permit (CUP) because it does not comply with the specifics for a Temporary Accessory Dwelling as outlined in DGS 16-22(B). He also included in his motion that the Board grant the applicant four months for the manufactured home to be removed from the property with a deadline of 23 September 2019 for removal. Secretary Steck provided the second and the motion passed unanimously.

At 5:19 p.m. Hearing Officer Steck advised the second item on the agenda is a request for a Variance from the front building setback line along Unbridled Court to allow for the construction of a detached garage. The property is a 0.852 acre site located at 211 Beckley Woods Drive, Elizabethtown, KY within the North Glendale Urban Area and is zoned Planned Unit Development (PD-1). The PVA Map number is 206-00-05-014 and the property is owned by **JAMES & SOPHIA BOLLI**. Director King reviewed the application, the history of the property, and presented exhibits. James Bolli, of 211 Beckley Woods Drive, Elizabethtown, KY provided testimony and answered questions from the board members and staff. Mr. Bolli stated per the Hardin County Environmental Office that the proposed location is the only area available for the garage and even then, their curtain drain will need to be moved. He intends for the exterior of the proposed garage to match their house with brick and stone. He further explained they would like to have the garage built to house their 3 vehicles that currently are stored outside and have room for their son's hobby of restoring old cars within the garage.

The Board Members discussed conducting a site visit to the property. James Riles, of 211 Beckley Woods Drive, Elizabethtown, KY stated they initially wanted the garage on the other side of the house along Beckley Woods Drive, that the garage would be in line with the house and that he would like to have room to weld and to disassemble cars. Sophia Bolli, of 211 Beckley Woods Drive, Elizabethtown, KY advised the garage doors would be facing the side of the house and their Builder, Paul Brantingham, has spoken to the subdivision Developer, Tim Aulbach who was ok with the design of the garage. No one spoke in opposition. Hearing Officer Steck made a motion to table the hearing at 5:49 p.m. to allow for the Board Members the opportunity to make a site visit to the property. The Hearing will be continued to Thursday June 6, 2019 at 5:00 p.m. and will remain open for additional testimony. Vice Chairman Youngblood provided the second. Motion passed unanimously.



## Hardin County Board of Adjustment

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At 5:51 p.m. Hearing Officer Steck advised the third item on the agenda is a request for an Amended Conditional Use Permit to allow for the wedding & event venue, Glendale Gardens to remain on the property. The property is a 5 acre site located at 2638 Glendale Hodgenville Road West, Glendale, KY within the Natural Resource Area and is zoned Rural Residential (R-2). The PVA Map number is 190-10-00-008 and the property is owned by **CARL & WANDA EDWARDS**. Director King reviewed the application, the history of the property, and presented exhibits. Wanda Edwards, of 6370 Hardinsburg Road, Cecilia, KY provided testimony and answered questions from the board members and staff. Wanda Edwards advised they've had 5 weddings since they have opened for business, they would like to request more time, and would like to have the number of events per year to be increased. No one spoke in favor or in opposition. Chairman Krausman closed the hearing at 6:00 p.m. Secretary Steck stated the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. This Conditional Use Permit shall allow for the existing pavilion to be used as a wedding and event space in addition to the area behind the house & barn to be used for outdoor weddings & events. The use of any additional structures (house and/or barns) shall require approval from KBC Program for compliance with the KY Building Code and require an Amended Conditional Use Permit.
2. The existing tree line along the side and rear property lines shall be preserved.

## Hardin County Board of Adjustment

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3. Only 50 events per year shall be permitted.
  4. The Hours of Operation shall be 10 a.m. – 10 p.m. Monday – Thursday and 10 a.m. -12 a.m. on Friday & Saturday and 12 p.m. – 8 p.m. Sunday.
  5. Music shall not exceed a decibel level of 95db as measured by DJ. This restriction shall be written into the contract for parties renting the facility.
  6. A single sign 3'x2' no taller than 8' in height shall be permitted.
  7. All outdoor lighting must be pointed down and not spill onto adjoining properties.
  8. The existing paved entrances shall obtain an existing encroachment permit from the KYTC. One driveway shall serve as an entrance and the other as the exit.
  9. Outdoor activities shall be restricted to the area behind the house and barn.
  10. The proposed parking layout must comply with the parking standards as outlined in Section 8 of the Zoning Ordinance.
  11. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required illustrating the parking areas, driving lanes, etc.
  12. The Conditional Use Permit is valid for 4 years and shall expire 23 May 2023. After which time, a Renewal Hearing must be held before the Board of Adjustment
  13. This Conditional Use Permit is issued to current owners, Carl & Wanda Edwards and Alan Ash, it is not transferable, and shall expire if the property is transferred.
  14. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
- Vice Chairman Youngblood provided the second. Motion passed unanimously.

At 6:03 p.m. Chairman Krausman called for consideration and action on the minutes from 18 April 2019 meeting of the Board of Adjustment. Secretary Steck made a motion to approve the minutes as presented, Vice Chairman Youngblood provided the second. The motion passed unanimously.

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

### **APA-KY SPRING CONFERENCE**

Adam attended the annual meeting and conference May 8-10 at Lake Cumberland to obtain his continuing education hours.

### **LOCAL PLANNING COMMITTEE OF HARDIN COUNTY SCHOOL BOARD**

On 24 April 2019, Adam attended the Local Planning Committee meeting at New Highland Elementary School for the vote on the District's Facilities Plan. On a 10-8 vote, the Local Planning Committee voted to add on to Cecilia Valley to make it a K-8 school to replace West Hardin Middle.

## Hardin County Board of Adjustment

Minutes: 23 May 2019

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### PLANNER HIRED

On 22 April 2019, Chris Butz became our newest employee. Chris has a Bachelor's Degree from Western Kentucky University and is currently pursuing his Masters of Urban Planning Degree at the University of Louisville.

### APRIL 2019 REPORT

<b>Plats Recorded:</b> <ul style="list-style-type: none"> <li>• 7 Subdivision plats were approved for the month</li> <li>• 24 Subdivision plats were approved for the year</li> </ul>	<b>New Lots Created:</b> <ul style="list-style-type: none"> <li>• 3 New lots approved for the month</li> <li>• 10 Net lots approved for the year</li> </ul>
<b>Building Permits:</b> <ul style="list-style-type: none"> <li>• 17 SFD Permits for the month</li> <li>• 59 SFD Permits for the year</li> <li>• 115 Total Building Inspections for the month</li> <li>• 375 Total Building Inspections for the year</li> <li>• 154 Total Building Permits for the year</li> </ul>	<b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"> <li>• 90 Total Permits for the month</li> <li>• 323 Total Permits for the year</li> <li>• 147 Total Electrical Inspections for the month</li> <li>• 572 Total Electrical Inspections for the year</li> </ul>

### SUBDIVISION PLATS RECORDED IN APRIL 2019

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
FRAGRANT ACRES, LOT 2A & LOT 3	HOWEVALLEY RD	2	0.0000	3/19/2019	4/4/2019
DEER FIELD EST LOT 10A AND 11 #4	123 TWELVE POINT BUCK BLVD	0	0.0000	2/12/2019	4/9/2019
SUNNY SLOPE ACRES LOTS 1 & 2	LEWIS LANE	-1	0.0000	3/25/2019	4/11/2019
BYRE KNOLL SUBDIVISION, LOTS 1 & 2	255 & 207 WATSON LN	0	0.0000	4/15/2019	4/23/2019
MAXIE PLAZA SUBDIVISION	GLENDALE HODGENVILLE RD W	-2	0.0000	11/20/2018	4/24/2019
KENWOOD ACRES, 1A	YOUNGERS CREEK RD	0	1.8300	4/16/2019	4/25/2019
RECORD PLAT OF BEAUCHAMP ACRES	22978 SONORA HARDIN SPRINGS RD	1	9.8830	4/26/2019	4/30/2019
		<b>0</b>	<b>11.7130</b>		

**Hardin County Board of Adjustment**

Minutes: 23 May 2019

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Chairman Krausman announced that the next scheduled meeting will be held on Thursday, June 6, 2019 at 5:00 p.m. and the meeting was adjourned at 6:15 p.m.

**ADOPTED AND APPROVED THIS 6th DAY OF JUNE 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## County Board of Adjustment

Minutes: 18 April 2019

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Chairman Krausman called to order the four hundred and sixth meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 18 April 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planning Assistant Julia McBeth and the individuals listed on the attached sign-in sheet. Assistant Hardin County Attorney Shelt Michael Lewis was not in attendance. Chairman Krausman appointed Secretary Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced the first item on the agenda is a request for a Conditional Use Permit to allow for Retail Sales of Merchandise within an accessory structure in the R-2 Zone. The property is a 5 acre site located at 639 Stovall Road, Elizabethtown, KY within the East Hardin Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 262-00-00-007 and the property is owned by **JOSHUA HELSEL**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Joshua Helsel, of 639 Stovall Road, Elizabethtown, KY provided testimony and answered questions from the board members and staff. Mr. Helsel stated they were initially going to build a barn to store and sell their merchandise from, but have since decided against building a barn, they will sell "vintage materials" to include antiques and barn wood out of their 18' x 26' existing detached building that has an attached lean-to for storage. He mentioned they received a complaint from a neighbor due to a stuck truck that held up traffic, they have tried to correct all other complaints and will attempt to correct future complaints as they arise. Pieyin Zhou, also of 639 Stovall Road, Elizabethtown, KY advised they typically have 2-4 customers per day, with their store hours being 8 a.m. to 6 p.m. Monday through Sunday. She explained they advertise on Facebook, receive referrals from other customers via word of mouth and have had many out of state customers interested in purchasing their barn wood. Garrett Dougan, of 713 Stovall Road, Elizabethtown, KY was not in attendance, but he submitted an email to Director King expressing his opposition to the proposed business as it would adversely affect the residential atmosphere of the area, the business has already brought an excessive amount of people to Stovall Road and due to strangers coming to his front door trying to locate the applicants' proposed business, he questioned the security of his property. Chairman Krausman closed the hearing at 5:43 p.m. Hearing Officer Steck stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

## Hardin County Board of Adjustment

Minutes: 18 April 2019

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

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

1. This Conditional Use Permit shall allow for retail sales in the R-2 Zone within the detached structure on site.
2. The hours of operation shall be 8 a.m. to 6 p.m., 7 days a week.
3. There shall be no employees who do not reside on site.
4. Additional Screening or landscaping shall not be required.
5. All materials must be stored within the existing detached structure or attached lean-to with no items stored or displayed in the yard.
6. A single 6 sq. ft. sign shall be permitted.
7. Adequate parking must be provided on site with a turnaround provided adjacent to the detached structure so that no cars back out onto Stovall Road.
8. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
9. This Conditional Use Permit is being issued to the current owner, Joshua Helsel and is not transferable. Any new owners or proposals shall come back before the Board of Adjustment for approval.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.
11. This Conditional Use Permit is for 2 years and shall expire on 18 April 2021. After which time it shall require a renewal hearing before the Board of Adjustment.
12. The secondary driveway entrance on Stovall Road must either be permitted thru the County Road Department or removed.
13. The existing tree line along the driveway on the southwest side of the property shall be preserved.

## Hardin County Board of Adjustment

Minutes: 18 April 2019

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Vice Chairman Youngblood provided the second. The motion passed unanimously.

At 5:45 p.m. Hearing Officer Steck announced the second item on the agenda is a request for an Amended Conditional Use Permit to continue to allow for an Automotive Repair Business to remain on the property. The property is a 3 acre site located at 1600 Harris School Road, Rineyville, KY within the Natural Resource Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 066-00-00-018.02 and the property is owned by **FRANK ANGLIN JR.** Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits. Frank Anglin Jr., of 1600 Harris School Road, Rineyville, KY spoke stating he typically works on 1 or 2 vehicles at a time, he owns all of the vehicles on site and has no employees. No one else spoke on behalf of the applicant's request or in opposition. Chairman Krausman closed the hearing at 5:58 p.m. Hearing Officer Steck stated the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. Business Hours of Operation shall be from 8 a.m. and 8 p.m. Monday - Friday
2. Only five (5) customer vehicles shall be parked outdoors on site at one time.

## **Hardin County Board of Adjustment**

Minutes: 18 April 2019

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3. Fifteen (15) vehicles may be stored on site and shall be completely screened from view of the right-of-way and adjoining properties in the two designated areas. The areas shall be 40' x 50' in size with gravel parking surface and a minimum of 100' off the property lines. Five (5) of these vehicles may be non-operational and/or non-licensed and registered.
4. The two manufactured homes on site being used for storage must be removed from the property within 60 days.
5. All of the building materials, debris, flat bed trailers and the camper trailer must be moved, to not be visible from the right-of-way and adjoining properties within 60 days.
6. There shall be no employees of the business who do not reside on the premises.
7. This Conditional Use Permit shall allow for general Auto Repair with Paint & Auto Body work not being permitted.
8. This property shall have a sewerage system (septic tank and lateral lines) approved by the Hardin County Health Center.
9. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
10. This Conditional Use Permit shall be issued to the current property owner, Frank Anglin Jr., and is not transferable.
11. All building activities shall conform to provisions of the Kentucky Building Code.
12. This Conditional Use Permit shall be for a period of 5 years and expire on 18 April 2024.
13. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Secretary Steck provided the second. Motion passed unanimously.

At 6:05 p.m. Chairman Krausman called for consideration and action on the minutes from 28 March 2019 meeting of the Board of Adjustment. Vice Chairman Youngblood made a motion to approve the minutes as presented, Secretary Steck provided the second. The motion passed unanimously.

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

### **WEST POINT REVITALIZATION COMMITTEE**

On 28 March 2019, Adam attended a second meeting in West Point to discuss trail planning. The meeting was facilitated by the National Park Service and attended by several planners, government officials and West Point residents.



## Hardin County Board of Adjustment

Minutes: 18 April 2019

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### METROPOLITAN PLANNING ORGANIZATION

On 10 April 2019, Adam attended a meeting of the Elizabethtown/Radcliff MPO Technical Advisory Committee to review the proposed 2019 Pedestrian Plan.

### MARCH 2019 REPORT

<b>Plats Recorded:</b> <ul style="list-style-type: none"> <li>• 10 Subdivision plats were approved for the month</li> <li>• 17 Subdivision plats were approved for the year</li> </ul>	<b>New Lots Created:</b> <ul style="list-style-type: none"> <li>• 8 New lot approved for the month</li> <li>• 10 Net lot approved for the year</li> </ul>
<b>Building Permits:</b> <ul style="list-style-type: none"> <li>• 15 SFD Permits for the month</li> <li>• 42 SFD Permits for the year</li> <li>• 93 Total Building Inspections for the month</li> <li>• 260 Total Building Inspections for the year</li> <li>• 104 Total Building Permits for the year</li> </ul>	<b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"> <li>• 96 Total Permits for the month</li> <li>• 233 Total Permits for the year</li> <li>• 175 Total Electrical Inspections for the month</li> <li>• 425 Total Electrical Inspections for the year</li> </ul>

### SUBDIVISION PLATS RECORDED IN MARCH 2019

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
AMENDED RECORD PLAT OF BROOMSAGE HOLLOW SUBDIVISION, LOT 4, SECTION 1 & RECORD PLAT OF BROOMSAGE HOLLOW SUBDIVISION SECTION 3, LOT 6	3029 CENTERPOINT RD	1	27.7500	2/14/2019	3/1/2019
MONROE SUBDIVISION; 7A & 7F	863 BOONE RD	0	0.0000	12/28/2018	3/7/2019
CUTTS PLACE, LOT 1A & AMENDED RECORD PLAT OF KENWOOD ACRES, LOT 1	556 YOUNGERS CREEK RD (KY 583)	0	0.0000	1/23/2019	3/15/2019
31 & 28 WOODHAVEN EST	MAPLE DR.	-1	0.0000	2/13/2019	3/19/2019
NICELEY'S CORNER	GAITHER STATION RD	1	4.6950	3/11/2019	3/20/2019
AMENDED RECORD PLAT OF BLACKBURN ESTATES, SECTION 2, LOTS 126 & 127	380 CARROLL AVE	-1	0.0000	3/8/2019	3/25/2019
TOM-DON ACRES	4065 FLINT HILL RD	5	25.0650	3/18/2019	3/26/2019
CORBIT SUBDIVISION, LOT 2 & RECORD PLAT OF ROBERTS SUBDIVISION	106 FRANKLIN LN	1	3.0210	3/21/2019	3/27/2019
ESSEX PLACE, LOTS 4 & 5	5698 FLINT HILL RD	-1	9.0300	3/15/2019	3/28/2019
WISE BERRY ESTATES; SECTION 3, LOT 13 AND AMENDED RECORD PLAT OF WISE BERRY ESTATES, LOTS 12B AND 12C AND AMENDED RECORD PLAT OF DAVID WAYS ESTATES ANGIE & MALCOMS VIEW, LOT 5	2724 RINEYVILLE BIG SPRINGS RD	0	0.0000	2/1/2019	3/28/2019
		<b>5</b>	<b>69.5610</b>		

Total Records: 10

4/1/2019

**Hardin County Board of Adjustment**

Minutes: 18 April 2019

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Chairman Krausman announced that the next scheduled meeting will be held on Thursday, May 23, 2019 at 5:00 p.m. and the meeting was adjourned at 6:10 p.m.

**ADOPTED AND APPROVED THIS 23<sup>rd</sup> DAY OF MAY 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 21 March 2019

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Chairman Krausman called to order the four hundred and fifth meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 21 March 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planning Assistant Julia McBeth and the individuals listed on the attached sign-in sheet. Assistant Hardin County Attorney Shelt Michael Lewis was not in attendance. Chairman Krausman appointed Secretary Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced the first item on the agenda is the request for a Variance from the rear building setback to allow for the construction of a 32'x60' pole barn to be 15' off the rear property line. The property is a 3 acre site located at 883 Howard Lane, Big Clifty, KY within the West Hardin Planning Area and zoned Rural Residential (R-2). The PVA Map number is 023-00-00-011.02 and the property is owned by **TRAVIS PETERS**. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Travis Peters, of 883 Howard Lane, Big Clifty, KY provided testimony and answered questions from the board members and staff. Mr. Peters advised he can have the pole barn completed by the end of May and will start building his proposed 2160 sq. ft. house with a covered front and rear porch shortly afterwards. He indicated that the variance was necessary due to the topography of the property. Wendell Brown, of 12208 Sonora Hardin Springs Rd. Eastview, KY spoke in support of the request. No one spoke in opposition. Chairman Krausman closed the hearing at 5:15 p.m. Secretary Steck made a motion to grant the variance based on the staff presentation and the testimony provided in the public hearing. He referenced the topography of the site and that it's on a dead end road with a low speed limit as justifications for his motion. He stated it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which are as follows:

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

The variance was granted with the noted conditions:

1. To allow for a Variance from the rear building setback to allow for the construction of a 32'x60' pole barn to be no closer than 15' from the rear property line.

## Hardin County Board of Adjustment

Minutes: 21 March 2019

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2. The building permit for the proposed house (which must equal or exceed the size of the proposed barn) must be issued before or in collaboration with the proposed pole barn.
3. Building & electrical permits shall be required.
4. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
5. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Vice Chairman Youngblood provided the second. The motion passed unanimously.

At 5:19 p.m. Hearing Officer Steck announced the second item on the agenda is an Administrative Review. Hearing Officer Steck called for consideration and action on the Administrative Review on the interpretation of the zoning boundaries for "84 Auto Recycling" owned and operated by **WENDELL BROWN** continuously since 1991 and being 10.327 acres located at 12208 Sonora Hardin Springs Road (KY 84) Eastview, KY as per KRS 100.257. (Staff Report & Resolution 2019-005 attached). The PVA Map number is 089-00-00-006 and the property has been zoned Rural Residential (R-2) in on the Official Zoning Map since July of 1995. Director Adam King, AICP, reviewed the history of the property and presented exhibits including historical records that proved 84 Auto Recycling has been in continuous operation since at least 1991 and predates the adoption of Zoning in July of 1995. Wendell Brown, owner, of 12208 Sonora Hardin Springs Road, Eastview, KY explained that he has owned and operated the business there since 1991 and has had a Recycler's Permit from the KY Transportation Cabinet at that location since 1991. He was unsure of why they had not been zoned Commercial in 1995. Director King explained that in 1995, windshield surveys were done on properties that had a business name of the PVA tax roll and that it could be assumed that since the property was just in Wendell Brown's name and not the business name that it had been overlooked. Vice Chairman Youngblood made a motion to approve Resolution 2019-005 interpreting that the zoning boundaries for "84 Auto Recycling" should be zoned Convenience Commercial (C-1) rather than Rural Residential (R-2) based on the staff presentation as presented and Secretary Steck provided the second. The motion passed unanimously.

At 5:30 p.m. Chairman Krausman called for consideration and action on the minutes from 21 February 2019 meeting of the Board of Adjustment. Secretary Steck made a motion to approve the minutes as presented, Vice Chairman Youngblood provided the second. The motion passed unanimously.

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

### **FISCAL COURT REAPPOINTMENT**

On February 26, 2019 Hardin County has reappointed Steve Steck to the Planning Commission. This will be Steve's second term with the Planning Commission.

## Hardin County Board of Adjustment

Minutes: 21 March 2019

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### WEST POINT REVITALIZATION COMMITTEE

On February 28, 2019 Adam King attended a meeting in West Point to discuss trail planning in West Point. The meeting was facilitated by the National Park Service and attended by several planners, government officials and West Point residents.

### LOCAL PLANNING COMMITTEE OF HARDIN COUNTY SCHOOL BOARD

On March 4, 2019, Adam King attended the Local Planning Committee meeting at West Hardin Middle School. The meeting was an Open Forum to obtain information from the public on the District Facilities Plan and potential redistricting.

### LOCAL PLANNING COMMITTEE OF HARDIN COUNTY SCHOOL BOARD

On March 13, 2019, Adam King attended the Local Planning Committee meeting at New Highland Elementary School. The meeting was an Open Forum to obtain information from schools that are currently a part of the District's Facilities Plan.

### **FEBRUARY 2019 REPORT**

<b>Plats Recorded:</b> <ul style="list-style-type: none"><li>• 4 Subdivision plats were approved for the month</li><li>• 7 Subdivision plats were approved for the year</li></ul>	<b>New Lots Created:</b> <ul style="list-style-type: none"><li>• 6 New lot approved for the month</li><li>• 5 Net lot approved for the year</li></ul>
<b>Building Permits:</b> <ul style="list-style-type: none"><li>• 11 SFD Permits for the month</li><li>• 27 SFD Permits for the year</li><li>• 87 Total Building Inspections for the month</li><li>• 163 Total Building Inspections for the year</li><li>• 60 Total Building Permits for the year</li></ul>	<b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"><li>• 76 Total Permits for the month</li><li>• 137 Total Permits for the year</li><li>• 122 Total Electrical Inspections for the month</li><li>• 250 Total Electrical Inspections for the year</li></ul>

### **SUBDIVISION PLATS RECORDED IN FEBRUARY 2019**

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
NEW FRUIT SUBD; LOT 1	328 DUPIN LOOP RD.	2	0.0000	12/7/2018	2/4/2019
PELLMAN SUBDIVISION; SEC. 1, LOTS 19, 20, 26, & 27	RAY ST	-2	0.0000	12/18/2018	2/8/2019
TCB RINEYVILLE	6189 RINEYVILLE RD	2	6.4120	1/8/2019	2/15/2019
WASILLA RIDGE ESTATES	RINEYVILLE ROAD	2	8.3360	1/18/2019	2/15/2019
		<b>4</b>	<b>14.7480</b>		

Total Records: 4

3/1/2019

**Hardin County Board of Adjustment**

Minutes: 21 March 2019

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Chairman Krausman announced that the next scheduled meeting will be held on Thursday, April 18, 2019 at 5:00 p.m. and the meeting was adjourned at 5:40 p.m.

**ADOPTED AND APPROVED THIS 18th DAY OF APRIL 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 21 February 2019

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Chairman Krausman called to order the four hundred and fourth meeting of the Hardin County Board of Adjustment at 5:01 p.m. on Thursday, 22 February 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planning Assistant Julia McBeth and the individuals listed on the attached sign-in sheet. Assistant Hardin County Attorney Shelt Michael Lewis was not in attendance. Chairman Krausman appointed Secretary Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:01 p.m. Hearing Officer Steck announced the first item on the agenda is a request for a Conditional Use Permit to allow for a Welding & Fabrication shop within an accessory structure in the R-1 Zone. The property is a 4.080 acre site located at 4084 South Dixie Highway (US 31W), Glendale, KY within the South Dixie Corridor Planning Area and is zoned Urban Residential (R-1). The PVA Map number is 223-00-00-021 and the property is owned by **RACHEL & CHRIS HART**. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Chris Hart, the owner, of 4084 South Dixie Highway, Glendale, KY provided testimony and answered questions from the board members and staff. Mr. Hart explained he's going to perform welding and fabrication work, he's employed as a welder full time during the day and he receives business mainly from word of mouth and Facebook. He further advised he specializes in aluminum and requested to replace his existing 3' x 2' sign with a 4' x 8' sign. Doug Stinson, of 56 E Rhudes Creek Rd, Elizabethtown, KY spoke saying he was concerned with potential clutter on the property, that the value of his home could be affected due to the business, and accidents that have previously occurred at the intersection of Rhudes Creek Rd & Dixie Highway. Chairman Krausman closed the hearing at 5:43 p.m. Vice Charman Youngblood stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

## Hardin County Board of Adjustment

Minutes: 21 February 2019

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use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;

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

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

1. This Conditional Use Permit shall allow for a welding shop in the R-1 Zone within the detached garage on site.
2. The hours of operation shall be Monday thru Friday 4pm-8pm and Saturday & Sunday 8am-8pm.
3. There shall be no employees who do not reside on site.
4. Additional Screening or landscaping shall not be required.
5. A single, thirty two (32) sq. ft. sign shall be permitted. (Exceeding the typical 6 sq. ft. allowable due to it being a 4 acre lot on a state maintained highway with a 55 mph speed limit)
6. Adequate parking must be provided on site with a turnaround provided so that no cars back out onto South Dixie Highway or Rhudes Creek Road. Any outdoor work or parking must take place immediately in front of the shop and be limited to a 3 day duration.
7. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
8. This Conditional Use Permit is being issued to the current owner, Chris Hart and is not transferable. Any new owners or proposals shall come back before the Board of Adjustment for approval.
9. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.
10. There shall be no outdoor storage of any materials associated with the business.
11. This Conditional Use Permit shall be good for 4 years and expire on 21 February 2023.

Secretary Steck provided the second. The motion passed unanimously.



## **Hardin County Board of Adjustment**

Minutes: 21 February 2019

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At 5:50 p.m. Chairman Krausman called for consideration and action on the minutes from 7 February 2019 meeting of the Board of Adjustment. Secretary Steck made a motion to approve the minutes as presented, Vice Chairman Youngblood provided the second. The motion passed unanimously.

At 5:52 p.m. Director King presented the **2018 Annual Report** and then distributed copies of the report to the Board Members.

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

### **11 YEARS OF SERVICE**

Adam C. King, AICP, Director, celebrated 11 years of service with the Planning Commission on February 15.

### **PLANNER RESIGNS**

Tom McIntyre's last day with the Planning Commission was February 14. He accepted a position as a Planner with Oldham County, KY. The planner position has been advertised and initial telephone interviews are being conducted.

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, March 21, 2019 at 5:00 p.m. and the meeting was adjourned at 5:57 p.m.

**ADOPTED AND APPROVED THIS 21st DAY OF MARCH 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

Minutes: 7 February 2019

Page 1 of 4

Chairman Krausman called to order the four hundred and third meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 7 February 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Member in attendance was Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Administrative Assistant Susan Bowen, and the individuals listed on the attached sign-in sheet. Vice Chairman Greg Youngblood, Assistant Hardin County Attorney Shelt Michael Lewis, Planner Thomas McIntyre and Planning Assistant Julia McBeth were not in attendance. Chairman Krausman appointed Secretary Steck as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:02 p.m. Hearing Officer Steck announced the first item on the agenda is a request for a Variance from the front building setback to allow for the construction of an 8'X12' covered front porch on the manufactured home. The property is a 3.17 acre lot located at 2826 Melrose Road, Sonora, KY and known as Kirkstone Place, Lot 1 within the South Hardin Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 132-00-02-001 and the property is owned by **KEITH & SONDR A WATTS**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits into the record. The owner, Keith Watts of P.O. Box 103, Eastview, KY provided testimony and answered questions from the board members and staff. Mr. Watts explained that he wants to add the covered porch to match the gable of the roof to make it appear more like a site built home. No one spoke in opposition. Chairman Krausman closed the hearing at 5:13 p.m. Secretary Steck made a motion to grant a variance based on the staff presentation and the testimony provided in the public hearing. He noted that the request is not out of character for rural area and that there are no safety concerns. He explained that it is not out of character with the area and would not create a safety concern given that it would still be 62' back from the front property line. He stated that it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of this regulation and will satisfy the language of the KENTUCKY REVISED STATUTES (Section 100.243 and DGS 5-3 (B) (1) Findings necessary for granting variance) which is as follows:

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

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The variance was granted with the noted conditions:

1. To allow for a Variance from the front building setback to allow for the construction of an 8'x12' covered porch (to mimic the gable of the roof) to be no closer than 62' from the front property line. The porch may be covered but shall not be enclosed.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

Chairman Krausman provided the second. The motion passed unanimously.

At 5:16 p.m. Secretary Steck announced that the second item on the agenda is a request for an Amended Conditional Use Permit to continue to allow for a Greenhouse & Plant Nursey in the R-2 Zone to remain on the property. The property is a 15 acre site located at 13335 S. Dixie Highway, Sonora, KY within the South Hardin Planning Area and is zoned Rural Residential (R-2). The PVA Map number is 211-00-00-010 and the property is owned by **DENNIS & MICHELLE JORDAN**. Director Adam King, AICP, reviewed the application, the history of the property and presented exhibits into the record. Dennis Jordan, the owner, of 515 Briarwood Circle, Elizabethtown, KY provided testimony and answered questions from the board members and staff. No one spoke in opposition. Secretary Steck stated that the request for the Amended Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

1. This Conditional Use Permit is good for 7 additional years from 7 February 2019 to 7 February 2026.
2. Hours of Operation shall be 8am to 6pm Monday – Sunday.
3. The existing signage on site is approved but there shall be no additional signage without a Zone Change to a Commercial Zone.
4. A single, marked handicapped parking space must be provided as close as possible to the loading dock area.
5. A Site Plan in compliance with Section 7 of the Development Guidance System, Zoning Ordinance is on file with our office.
6. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.
7. This Conditional Use Permit is issued to the current owner, Dennis Jordan and shall not be transferred to another owner without approval from the Board of Adjustment.
8. Any additional commercial structures on the property shall require a Zone Change to a Commercial Zone. However, additional greenhouses shall be permitted.

Chairman Krausman provided the second. The motion passed unanimously.

At 5:35 p.m. Chairman Krausman called for consideration and action on the minutes from 17 January 2019 meeting of the Board of Adjustment. Secretary Steck made a motion to approve the minutes as presented, Chairman Krausman provided the second. The motion passed unanimously.

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

**APA KY EXECUTIVE COMMITTEE MEETING** On January 25, 2019 Adam attended the APA KY Executive Committee Meeting in Frankfort. The guest speaker was Tom Fitzgerald of KY Resource Council who discussed the current legislative session and went over several proposed bills.

**JANUARY 2019 REPORT**

<b>Plats Recorded:</b> <ul style="list-style-type: none"> <li>• 3 Subdivision plats were approved for the month</li> <li>• 3 Subdivision plats were approved for the year</li> </ul>	<b>New Lots Created:</b> <ul style="list-style-type: none"> <li>• 1 New lot approved for the month</li> <li>• 1 Net lot approved for the year</li> </ul>
<b>Building Permits:</b> <ul style="list-style-type: none"> <li>• 16 SFD Permits for the month</li> <li>• 16 SFD Permits for the year</li> <li>• 74 Total Building Inspections for the month</li> <li>• 74 Total Building Inspections for the year</li> <li>• 38 Total Building Permits for the year</li> </ul>	<b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"> <li>• 61 Total Permits for the month</li> <li>• 61 Total Permits for the year</li> <li>• 128 Total Electrical Inspections for the month</li> <li>• 128 Total Electrical Inspections for the year</li> </ul>

**SUBDIVISION PLATS RECORDED IN JANUARY 2019**

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
CARDIN SUBD; SECTION 2	1635 HORSESHOE BEND RD	1	19.0420	9/5/2018	1/14/2019
AMENDED RECORD PLAT OF REDDY ACRES, LOT 1	8631 N LONG GROVE RD	0	3.1000	10/25/2018	1/23/2019
SHARP'S FLAT'S SUBDIVISION, LOTS 1 & 2	421 & 451 EAST MAIN ST	-1	0.0000	12/3/2018	1/24/2019
		<b>0</b>	<b>22.1420</b>		

**Total Records: 3**

**2/4/2019**

Chairman Krausman announced that the next scheduled meeting will be held on Thursday, February 21, 2019 at 5:00 p.m. and the meeting was adjourned at 5:50 p.m.

**ADOPTED AND APPROVED THIS 21st DAY OF FEBRUARY 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**

## Hardin County Board of Adjustment

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Chairman Krausman called to order the four hundredth and second meeting of the Hardin County Board of Adjustment at 5:00 p.m. on Thursday, 17 January 2019, in the Hardin County Government Center, 2nd Floor Meeting Room. The other Board Members in attendance were Vice Chairman Greg Youngblood & Secretary Steve Steck. Also, in attendance were Director Adam King, AICP, Planner Thomas McIntyre, and Planning Assistant Julia McBeth, and the individuals listed on the attached sign-in sheet. Chairman Krausman appointed Board Member Steck to serve as the Hearing Officer and to conduct the swearing in ceremony for all those in attendance who planned to speak.

At 5:00 p.m. Hearing Officer Steck announced the first item on the agenda is a request for a Conditional Use Permit for a Permanent Accessory Dwelling to allow for the construction of a 2300 sq. ft. home as the principal dwelling in addition to their existing 720 sq. ft. cabin which would be the Permanent Accessory Dwelling. The tract is a 32.5 acre site located in the 4200 block of Bacon Creek Road in Elizabethtown, KY within the Natural Resource Area and is zoned Rural Residential (R-2). The PVA Map number is 170-00-00-007.01 and the property is owned by **TODD & TAMMY PERKINS**. Director Adam King, AICP, reviewed the application, the history of the property, and presented exhibits. Todd Perkins, of 68 Hollow Bridge Dr. Elizabethtown, KY provided testimony and answered questions from the board members and staff. Mr. Perkins advised he's lived in the area his entire life, through his previous discussions with both Director King and Hardin County Engineer, Vicki Meredith, it was determined he could not build his home on the back of his property due to a flood plain. Lastly, he explained the existing 720 sq. ft. cabin located at the rear of the property will be used for family gatherings and that both his sister and parents live nearby. Chairman Krausman verified with staff that due to the acreage involved and the amount of road frontage that the property could be further subdivided. The floodplain covering approximately half the site was the justification used for allowing the distance between the two dwellings. Chairman Krausman closed the hearing at 5:29 p.m. Vice Charman Youngblood stated the request for the Conditional Use Permit does satisfy the language of the Development Guidance System Ordinance (Section 16-3) Standards for Issuance of a Conditional Use Permit as follows:

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

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

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

1. The property owners, Todd & Tammy Perkins, must occupy either the principal dwelling unit or the accessory dwelling as their principal residence, and at no time receive rent for the owner-occupied unit.
2. Adequate on-site parking must be designated on an approved site plan.
3. The Permanent Accessory Dwelling shall utilize and share the existing driveway for a family members' residence located at 4232 Bacon Creek Road.
4. The Permanent Accessory Dwelling is an existing 720 sq. ft. cabin located at the rear of the property along the creek and the Principal Dwelling is the proposed 2300 sq. ft. home.
5. The Permanent Accessory Dwelling shall be located in the rear yard and shall be located as illustrated on the approved Site Plan and in accordance with building setback lines.
6. The exterior finish materials of the Permanent Accessory Dwelling shall be wood siding with a green metal roof and the Principal Dwelling shall be hardy board style siding with stone accent and a shingle roof.
7. Both dwellings shall have a sewerage system approved by the Environmental Services Office of the Hardin County Health Department.
8. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
9. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Secretary Steck provided the second. Motion passed unanimously.

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At 5:30 p.m. Chairman Krausman called for consideration and action on the minutes from 20 December 2018. Secretary Steck made a motion to approve the minutes as presented, Vice Chairman Youngblood provided the second. Motion passed unanimously.

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

**1 YEAR OF SERVICE** Tom McIntyre celebrated 1-year of service with the Planning Commission on January 2, 2019.

**CITY OF ELIZABETHTOWN BUILDING CODE CLASS** On January 15, 2019 Ed, Jimmy and Adam attended a 2018 KY Building Code class hosted by the City of Elizabethtown in regards to major changes in the new code.

**HARDIN COUNTY SCHOOL BOARD** On January 16, 2019 Adam attended a meeting of the Local Planning Committee of the Hardin County School Board to discuss re-districting. He provided maps and information on single family dwelling construction for the past 5 years.

### DECEMBER 2018 REPORT

<b>Plats Recorded:</b> <ul style="list-style-type: none"><li>• 3 Subdivision plats were approved for the month</li><li>• 105 Subdivision plats were approved for the year</li></ul>	<b>New Lots Created:</b> <ul style="list-style-type: none"><li>• 1 New lots approved for the month</li><li>• 111 New lots approved for the year</li></ul>
<b>Building Permits:</b> <ul style="list-style-type: none"><li>• 3 SFD Permits for the month</li><li>• 149 SFD Permits for the year</li><li>• 70 Total Building Inspections for the month</li><li>• 1149 Total Building Inspections for the year</li><li>• 468 Total Building Permits for the year</li></ul>	<b>Electrical Permits (6 Jurisdictions):</b> <ul style="list-style-type: none"><li>• 67 Total Permits for the month</li><li>• 1032 Total Permits for the year</li><li>• 139 Total Electrical Inspections for the month</li><li>• 1917 Total Electrical Inspections for the year</li></ul>

### SUBDIVISION PLATS RECORDED IN DECEMBER

Project / Subdivision Name	Site Address	Lots +/- (Plats Final)	Acres (All Permits)	Completed Date	Final Date
STEPHENSBURG FIRE & RESCUE SUBDIVISION	10601 LEITCHFIELD RD & 36 WONDERLAND CAVERN RD.	1	1.6170	11/15/2018	12/18/2018
ESSEX PLACE LOT 1A	MELROSE RD	0	0.0000	9/26/2018	12/20/2018
CRADDOCK'S ADDITION LOTS 56, 57, 58, 59, 60, & PART OF 55	137 W MAPLE ST.	-4	0.0000	8/7/2018	12/26/2018
		<b>-3</b>	<b>1.6170</b>		

Total Records: 3

1/8/2019



**Hardin County Board of Adjustment**

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**Chairman Krausman announced that the next scheduled meeting will be held on Thursday, 7 February 2019 at 5:00 p.m. and the meeting was adjourned at 5:45 p.m.**

**ADOPTED AND APPROVED THIS 7th DAY OF FEBRUARY 2019 BY THE HARDIN COUNTY BOARD OF ADJUSTMENT.**

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**Steve Steck, Secretary**