

# Hardin County Board of Adjustment 9 May 2024

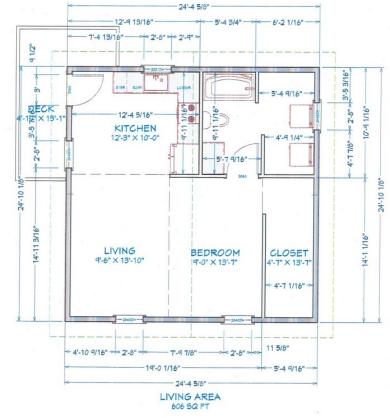
County Government Center Second Floor Meeting Room



#### **Case Summary**

- Request for a Conditional Use Permit for a Permanent Accessory Dwelling to allow for a 606 S.F. apartment within an existing detached garage.
- Owner: Shelby Blanton
- Applicant: Karen Kinney (daughter)
- Location: A 0.57-acre site located at 3995
  Bardstown Road, Elizabethtown, KY,
  known as Lot 8 of Hillsdale Estates
  Subdivision.
- Zoned: R-1 (Urban Residential)





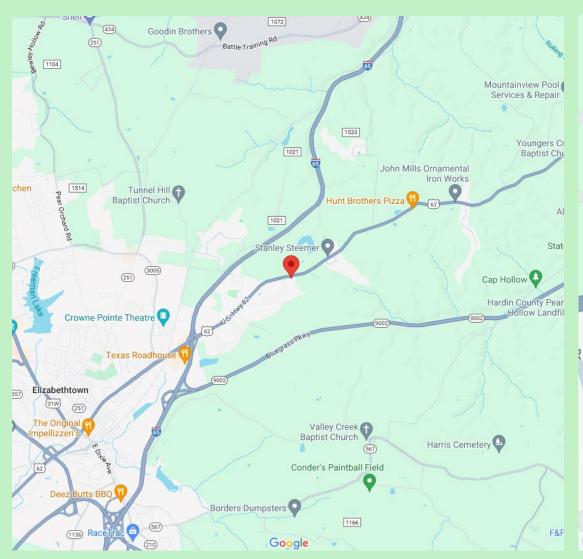
## 3995 Bardstown Road, Elizabethtown, KY Conditional Use Permit Summary Report

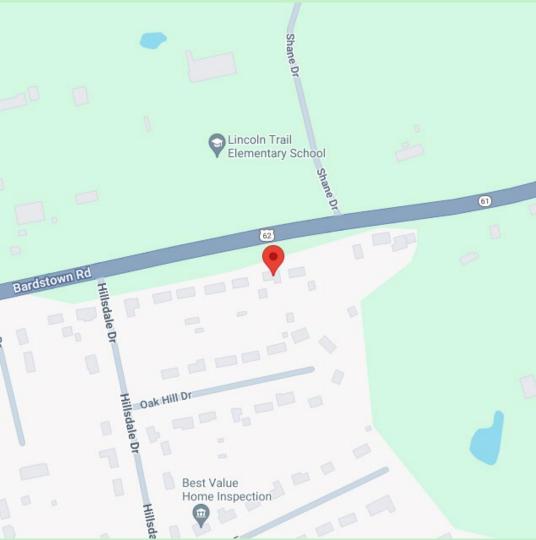
- A. Vicinity Map
- B. Zoning Map
- C. Aerial Photo
- D. Record Plat of Hillsdale Estates Section 1 (1974)
- E. Existing Conditions
- F. House Plans/Schematics
- G. Photos of the Site
- H. Surrounding Area
- I. Analysis of Other CUPS for Permanent Accessory Dwellings within the R-1 Urban Residential Zone
- J. Standards for Issuance
- K. General Conditions
- L. \*Comprehensive Development Guide
- M. \*Development Guidance System Ordinance



<sup>\*</sup> Not Provided in PowerPoint

### **Vicinity Map**







### **Zoning Map**





### **Aerial Photo**





#### **Aerial Photo**

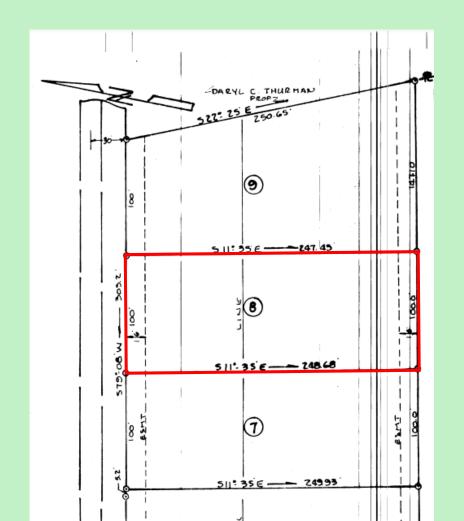
Conditional Use Permit for a Permanent Accessory Dwelling for a proposed 606 S.F. apartment within a detached garage.

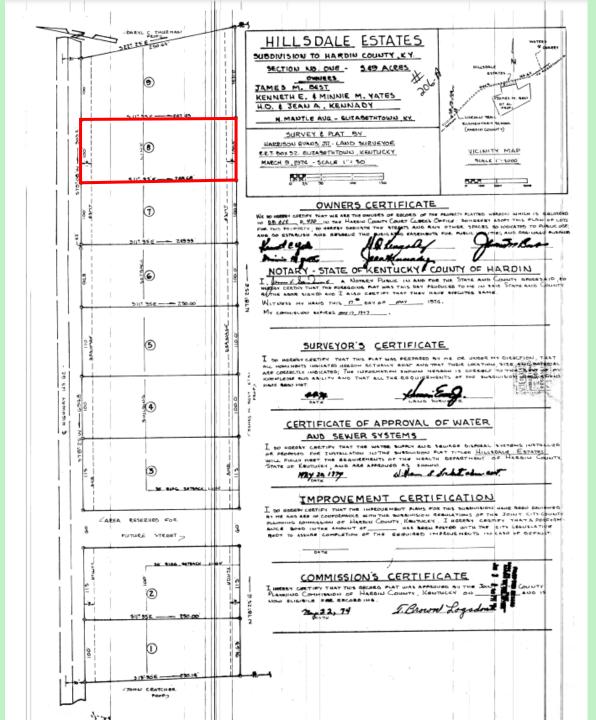
Karen Kinney 3995 Bardstown Road Elizabethtown, KY 42701





#### Hillsdale Estates Subdivision Sec. 1 (1974)







### **Existing Conditions**





### **Existing Conditions**



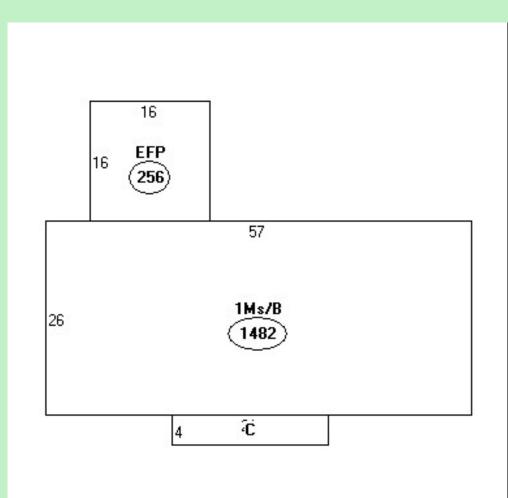








#### **House Plans/Schematics**

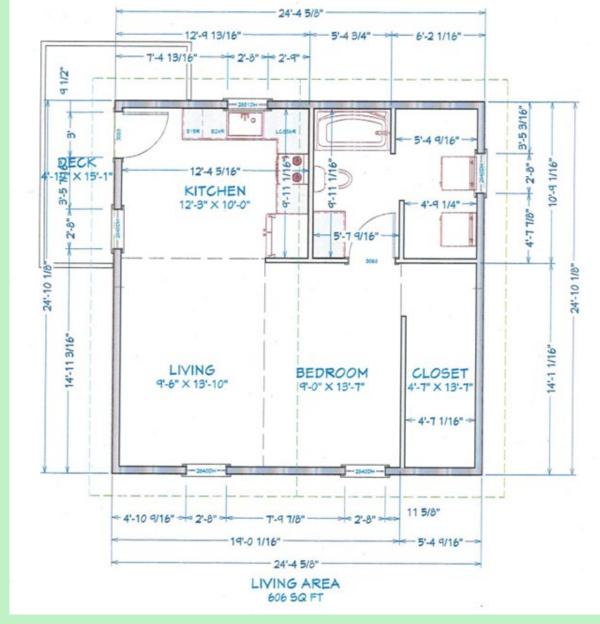


#### Descriptor/Area

A:1Ms/B 1482 sqft

B:EFP 256 sqft

C: OFP 84 sqft







### Conditional Use Permits for Permanent Accessory Dwellings in the R-1 (Urban Residential) Zone 30 Total Cases, 25 Approved (1 Denial)

					so lotal C	ases, 25	Approved (1 De	enial)			
Permit Date	Parcel	Owner	Type 💠	Zone ‡	Proposed Zoning (Map Amendments)	Listed Use (Dvpl, Cup, Var, Maps)	Project / Subdivision Name	Request ‡	Site Address	Acres (All Permits)	Status
04/03/2024	243-00-01- 008	KINNEY, KAREN	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	KINNEY PERMANENT ACCESSORY DWELLING	TO ALLOW FOR A 606 SQ. FT. GARAGE APARTMENT ADDITION AS A PERMANENT ACCESSORY DWELLING IN ADDITION TO THE 1,482 SQ. FT. MAIN DWELLING	3995 BARDSTOWN ROAD	.570	PENDING
03/14/2024	143-00-01- 008	WISE DAVID H	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	DAVID'S WAY ESTATES, LOT 5A - PERMANENT ACCESSORY DWELLING	TO ALLOW FOR A 864 SQ. FT. PERMANENT ACCESSORY DWELLING IN ADDITTION TO THE 2,220 SQ. FT. PRINCIPLE DWELLING	2766 RINEYVILLE BIG SPRINGS ROAD	1.097	PENDING
03/07/2024	218-00-00- 014	HOOD JACOB & KELSEY L	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	HOOD PERMANENT ACCESSORY DWELLING	TO ALLOW FOR A PERMANENET ACCESSORY DWELLING ON SITE	1909 PEAR ORCHARD	1.021	PENDING
11/07/2023	162-00-05- 011	SPALDING DAVID G & JUANITA R	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING	TO ALLOW FOR THE CONSTRUCTION OF A 624 SQ. FT. HOME IN ADDITION TO THE CURRENT 1,440 SQ. FT. HOME ON SITE	3243 DECKARD SCHOOL ROAD, RADCLIFF, KY 40160	1.076	APPROVED

DWELLING; PERMANENT

DWELLING; PERMANENT

DWELLING: PERMANENT

DWELLING; PERMANENT

DWELLING; PERMANENT

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CONDITIONAL USE

PERMIT

120-00-01

243-00-00-

143-00-01-

234-00-0B-

235-00-00-

162-00-01-

023.02

143-00-01

MEDICK BART & SONYA

**EDLIN PHILLIP PAUL** 

CRAWFORD JANICE & JOHN

**KEELING ROXANNES &** 

**BRACKETT MARK THOMAS** 

SAN NICOLAS SHERLENE K

PALM ADAM M & CAROLYN

WALKER ROBERT FRANCIS

REED LAURA M & DANIEL

& PATRICIA LYNN

WISE DAVID

DONALD R

ROBINSON

04/11/2023

03/09/2023

02/28/2023

01/12/2023

08/25/2022

06/21/2022

05/24/2021

02/17/2021

R-1 - URBAN

RESIDENTIAL ZONE

SHANNONDOAH ESTATES SUBDIVISION.

EDLIN PERMANENT ACCESSORY DWELLING

DAVIDS WAY ESTATES, LOT 1 - PERMANENT

CRAWFORD PERMANENT ACCESSORY

27A CONCORD HEIGHTS SUBDIVISION

BRACKETT PERMANENT ACCESSORY

BENS ACRES, LOT 20 - PERMANENT

SENTA HILL SUBDIVISION, LOT 1 - PALM

PERMANENT ACCESSORY DWELLING

WALKER - PERMANENT ACCESSORY

LINKER GARAGE APARTMENT

ACCESSORY DWELLING

SECTION 3, LOT 18A - PERMANENT

ACCESSORY DWELLING

ACCESSORY DWELLING

**DWELLING** 

**DWELLING** 

DWELLING

TO ALLOW FOR THE CONSTRUCTION OF A

TO THE 2951 SQ FT HOME ON SITE

TO ALLOW FOR THE CONSTRUCTION OF A

5800 SQ FT EXISTING HOUSE/BARN TO ALLOW FOR THE 1428 SQ FT GARAGE ON

HOME ON SITE.

LIVING AREA

DETACHED GARAGE

FT SECOND HOUSE

900 SQ FT SECOND DWELLING IN ADDITION

1308 SQ FT COTTAGE IN ADDITION TO THE

SITE TO BE CONVERTED INTO A HOUSE IN

PERMANENT ACCESSORY DWELLING, PRE-

STORAGE TO BE CONVERTED BACK INTO

PERMANENT ACCESSORY DWELLING - TO

SO FT APARTMENT ABOVE THE EXISTING

PERMANENT ACCESSORY DWELLING, TO ALLOW FOR THE CONSTRUCTION OF A NEW

HOME (2506 SQ FT LIVING SPACE) AND THE

EXISTING GARAGE WITH APARTMENT (576 SQ FT LIVING SPACE) TO REMAIN ON SITE

PERMANENT ACCESSORY DWELLING BEHIND

PERMANENT ACCESSORY DWELLING 1,031 SQ 232 BITTERSWEET DRIVE,

THE EXISTING 1,064 SQ. FT. HOME

AN ACCESSORY APARTMENT

PERMANENT ACCESSORY DWELLING TO

ALLOW FOR A PROPOSED DETACHED GARAGE

WITH A 1150 SQ. FT. APARTMENT ABOVE IT

TO ALLOW FOR A PROPOSED GARAGE WITH

ALLOW FOR THE CONSTRUCTION OF A 1280

EXISTING 940 SQ FT HOME ON SITE USED AS

ADDITION TO THE PRE-EXISTING 1824 SQ FT

246 HUNTINGTON LANE,

835 EDLIN LANE, ELIZABETHTOWN,

182 VERSAILLES DRIVE & 2836

RINEYVILLE BIG SPRINGS ROAD.

RINEYVILLE, KY 40162

RINEYVILLE, KY 40162

350 NANCY DRIVE

91 ROUNDTOP ROAD.

ELIZABETHTOWN, KY 42701

629 HOMESTEAD AVENUE,

ELIZABETHTOWN, KY 42701

360 RINEYVILLE SCHOOL ROAD.

147 E MAIN ST GLENDALE, KY

RADCLIFF, KY 40160

RINEYVILLE, KY

1965 LOCUST GROVE ROAD,

ELIZABETHTOWN, KY 42701

KY 42701

1.519

282,000

2.470

4.974

.995

65.145

2.333

8.057

1,490

APPROVED

APPROVED

DENIED

**APPROVED** 

APPROVED

APPROVED

APPROVED

APPROVED

APPROVED

APPROVED

### Conditional Use Permits for Permanent Accessory Dwellings in the R-1 (Urban Residential) Zone

	30 Iotal Cases, 25 Approved (1 Denial)												
Permit Date	Parcel	Owner	Type <b>≑</b>	Zone ‡	Proposed Zoning (Map Amendments)	Listed Use (Dvpl, Cup, Var, Maps) \$	Project / Subdivision Name	Request	Site Address	Acres (All Permits)	Status		
02/17/2021	190-30-02- 027	REED LAURA M & DANIEL LINKER	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	LINKER GARAGE APARTMENT	TO ALLOW FOR A PROPOSED GARAGE WITH AN ACCESSORY APARTMENT	147 E MAIN ST GLENDALE, KY	.550	APPROVED		
01/07/2021	165-00-00- 024.12	PIRTLE JON W JR & BRENDA	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	DEER FIELD ESTATES, SECT. 4, LOT 10B - PIRTLE PERMANENT ACCESSORY DWELLING	TO ALLOW FOR THE CONSTRUCTION OF A DWELLING IN ADDITION TO THE APARTMENT WITHIN THE BARN	123 TWELVE POINT BUCK BLVD., ELIZABETHTOWN KY	2.074	APPROVED		
01/07/2020	143-00-01- 045	HOLLOMAN, BRAD	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	WISE BERRY ESTATES, LOT 11, #2	TO ALLOW FOR A PERMANENT ACCESSORY DWELLING (800 SQ FT GUEST HOUSE)	3345 FRED BURNS RD	.799	APPROVED		
08/01/2018	217-00-00- 023	TURNER SAMUEL C & MAGGIE B	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING	TO ALLOW FOR A PERMANENT ACCESSORY DWELLING	236 BITTERSWEET DRIVE	19.460	APPROVED		
05/04/2018	243-00-00- 041	EDLIN MICHAEL TODD & TERESA L	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	EASTWOOD ESTATES LOT 10 SECTION 3	TO ALLOW FOR PERMANENT ACCESSORY DWELLING	185 EDLIN LANE	22.182	APPROVED		
00/25/2017	120-00-00-	DENINETT DATEV	CONDITIONAL USE	R-1 - URBAN		DWELLING; PERMANENT		TO ALLOW FOR PERMANENT ACCESSORY	216 DENINETT DD	26 800	APPROVED		

BENGTSSON ACRES SUBDIVISION, LOT 1

Permanent Accessory Dwelling /

FONTAINE ESTATES

DWELLING /

PERMANENT ACCESSORY DWELLING /

WALLACE PERMANENT ACCESSORY

PERMENANT ACCESSORY DWELLING /

EASTWOOD ESTATES, SECTION 2, LOT 4

PERMANENT ACCESSORY DWELLING /

CLOVER MEADOW SUBDIVISION

**CLEMMINTON ESTATES, LOT 2** 

ACCESSORY DWELLING / LEWIS PROPERTY

216 BENNETT RD

CALICO SPRINGS RD

235 FONTAINE DRIVE

RINEYVILLE ROAD

4273 S WILSON ROAD

6960 S WILSON ROAD

45 MILIMISH LANE

189 ADAMS LANE

835 EDLIN LANE

1794 THOMAS ROAD

BARDSTOWN ROAD (US 62)

224 Stith Lane

TO ALLOW FOR THE CONSTRUCTION OF A

FT GARAGE APARTMENT) ON THE PROPERTY TO ALLOW FOR THE EXISTING CABIN TO

REMAIN ON SITE AND TO ALLOW FOR THE

to properly care for relative with arising

ADDITION (49 SQ FT) TO AN EXISTING

ACCESSORY DWELLING (500 SQ FT) TO CONSTRUCT A PERMANENT ACCESSORY

**DWELLING PRIOR TO THE PRIMARY** 

CONDITIONAL USE PERMIT FOR A

DWELLING FOR PUBLIC RENTAL

WITH LIVING QUARTERS (38' X 24') PERMANENT ACCESSORY DWELLING - POLE

PERMANENT ACCESSORY DWELLING

**ACCESSORY DWELLING** 

PERMANENT ACCESSORY DWELLING CONVERT PART OF THE EXISTING

RECREATION BUILDING INTO A PERMENANT

TO ALLOW FOR A PERMANENT ACCESSORY

PERMANENT ACESSORY DWELLING (2052 SQ

PERMANENT ACCESSORY DWELLING - POOL

(40' X 100') WITH LIVING QUARTERS (25' X 40')

CONSTRUCTION OF A NEW HOME Permament Accessory Dwelling on property

health issues.

DWELLING

HOUSE

PERMANENT ACCESSORY DWELLING (1000 SQ 1440 SPORTSMAN LAKE ROAD

26.800

7.510

50.000

8.040

.700

4.379

.574

1.430

.620

7.380

49.786

282.000

2.260

APPROVED

**APPROVED** 

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09/25/2017

06/01/2017

12/29/2014

10/17/2013

09/25/2013

10/30/2012

01/30/2012

10/20/201

06/01/2011

06/29/2010

03/04/2010

10/29/2009

235-00-00-

184-00-02-

182-10-00-

243-00-00-

183-40-01

142-00-00-

243-00-00-

144-00-00-

041.10

BENNETT PATSY

DANT JAMES R & CANDICE

PEPPER DARYL & LEE ANN

Stephanie Meredith

**BARRY & KAREN** 

BIRDWHISTELL

DARNELL

NORDYKE

PHILLIP EDLIN

SHIRLEY M

DOROTHY WALLACE

MATTIAS LAMBERT

DAVID AND DIANA

DAVID & KELLI SCHULTZ

SINGER ANTHONY K &

**ROBERT & CONSTANCE** 

**GARY & TERESA GRIFFIN** 

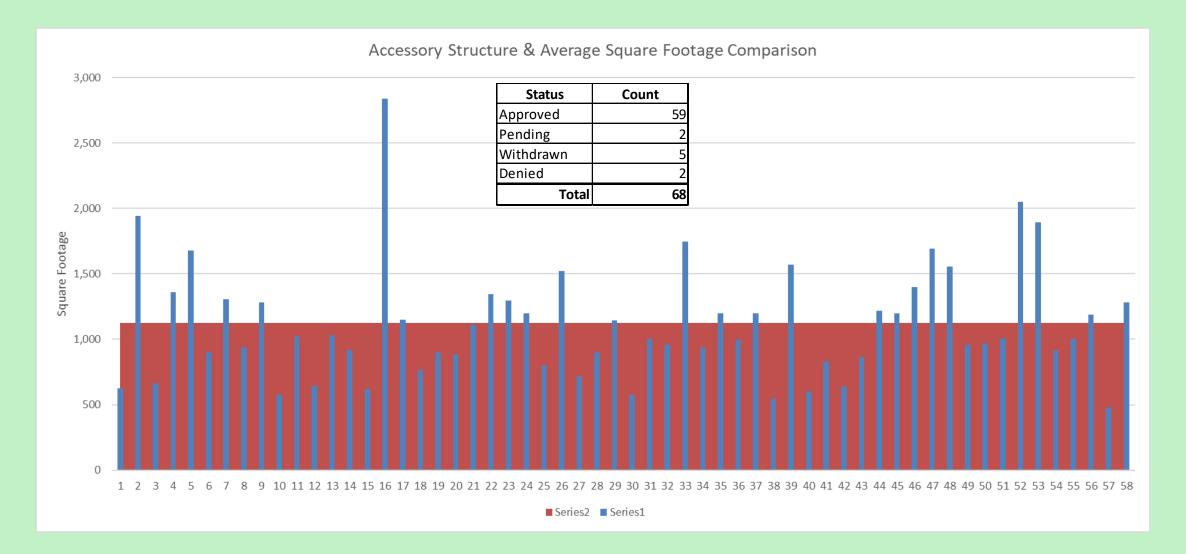
PERMIT

CONDITIONAL USE

CONDITIONAL USE R-1 - URBAN

RESIDENTIAL ZONE

R-1 - URBAN





#### 16-3 Standards for Issuance

The Board of Adjustments shall issue a CUP only after all of the following standards satisfy the language of the Ordinance:

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



#### **16-4 General Conditions**

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

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



#### 16-22(A) Permanent Accessory Dwellings

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

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



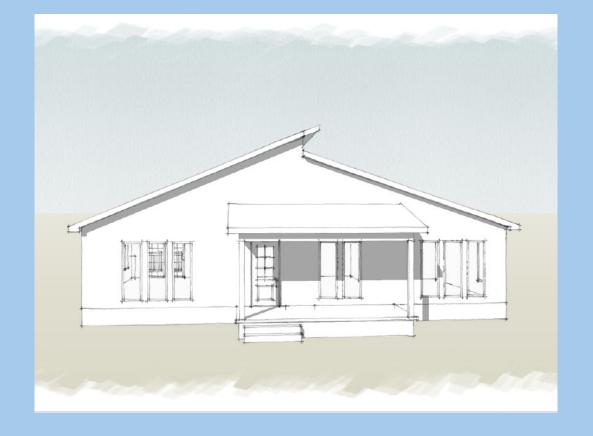
#### Conditions may include, but are not limited to the following: DGS [5-3(A)]

I make a Motion to Approve the Conditional Use Permit with the Following Conditions: Based on the Staff Presentation and the Testimony presented in the Public Hearing and that it satisfies the Standards for Issuance outlined in the Development Guidance System, Zoning Ordinance 16-3.

- 1. This Conditional Use Permit for a Permanent Accessory Dwelling will allow for a 606 S.F. apartment above a detached garage (permanent accessory dwelling) to be constructed in addition to the 1,482 S.F. home (principal dwelling) on site.
- 2. The property owner, Shelby Blanton, must occupy either the principal dwelling or the permanent accessory dwelling as the principal residence, and at no time receive rent for the owner-occupied unit. (Owner's residence must be proven by driver's license address)
- 3. Adequate on-site parking must be designated on an approved site plan.
- 4. The existing driveway entrance from Bardstown Road (US 62) will be shared by both dwellings.
- 5. The Permanent Accessory Dwelling is the proposed 606 S.F. apartment above the detached garage, and the preexisting 1,482 S.F. house is the Principal Dwelling.
- 6. Both dwellings shall have septic systems approved by the Environmental Services Office of the Health Department.
- 7. This Permit is not transferable, and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
- 8. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
- 9. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.



Owners: Lucky Acquisitions, LLC



**Location** A 0.978 acre site located at 80 Stovall Road, Elizabethtown, KY

**Zoned** Rural Residential Zone (R-2)

Requesting a Variance from the front and side building setback lines to allow for the construction of a proposed single family dwelling.

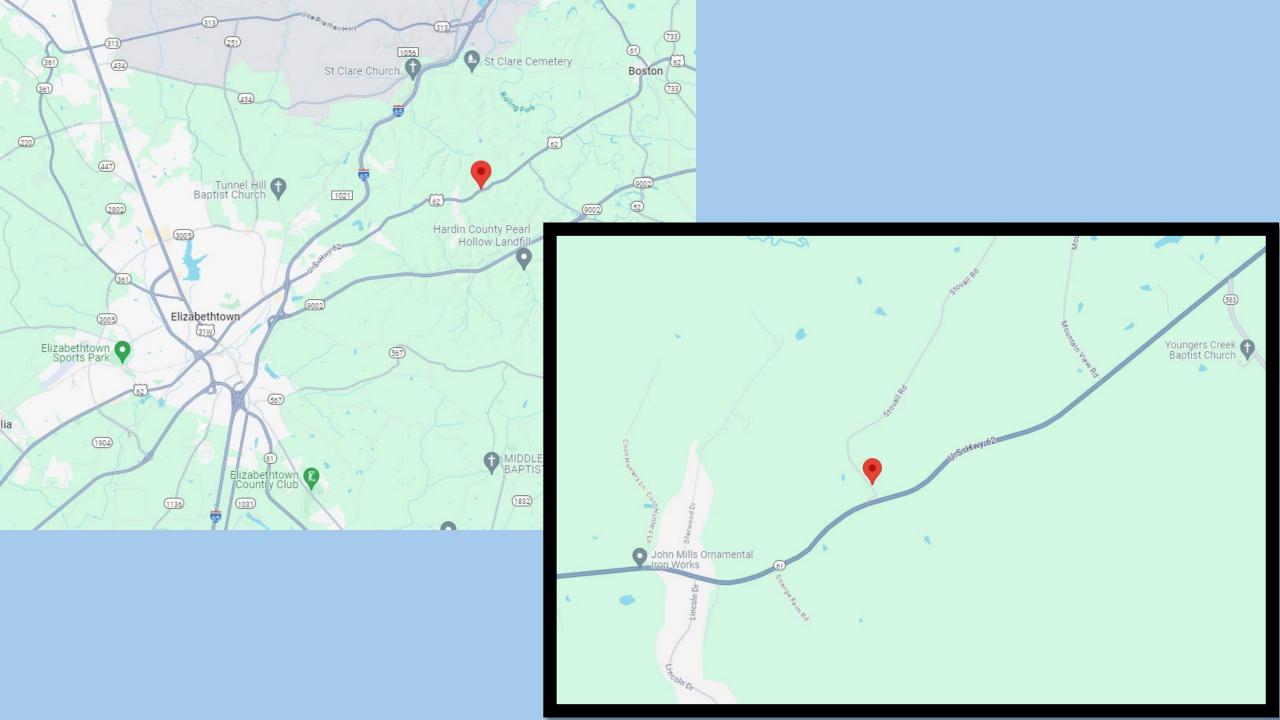
#### 80 Stovall Road Variance SUMMARY REPORT

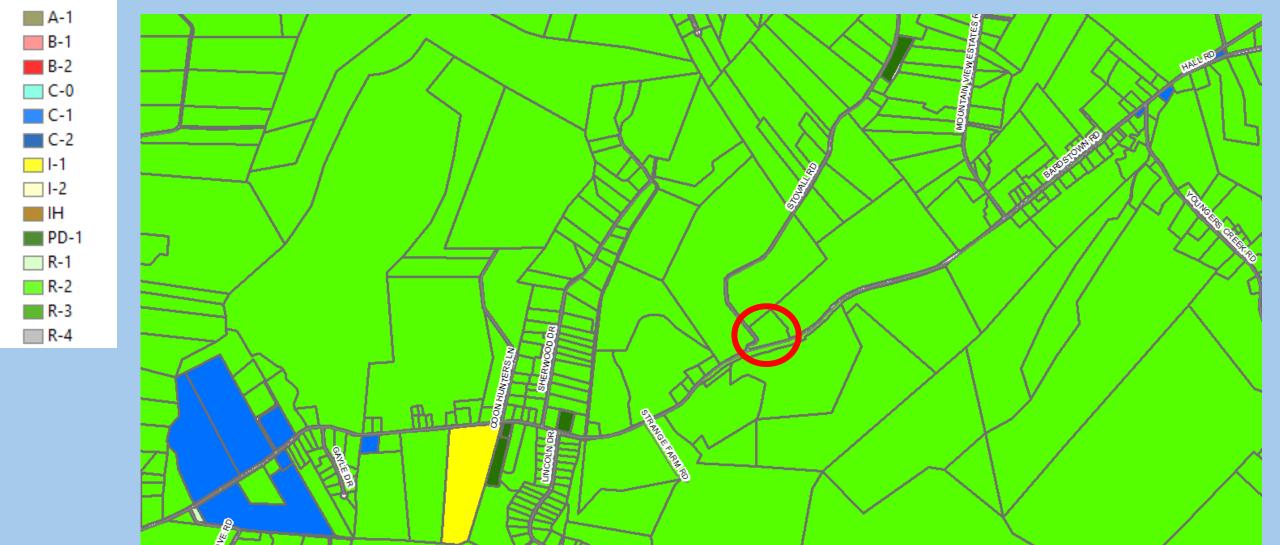
#### **LISTING OF EXHIBITS**

- A. Vicinity Map
- B. Zoning Map
- C. Aerial Photos
- D. Character of the Site
- E. Site Plan
- F. Topography of the Site
- G. Photos of the Site
- H. Proposed House (floorplan & renderings)
- I. Character of the Area Analysis
- J. Analysis of Variances in the East Hardin Area
- K. \*Comprehensive Development Guide
- L. \*Development Guidance System Ordinance

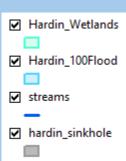


<sup>\*</sup> Not Provided in PowerPoint



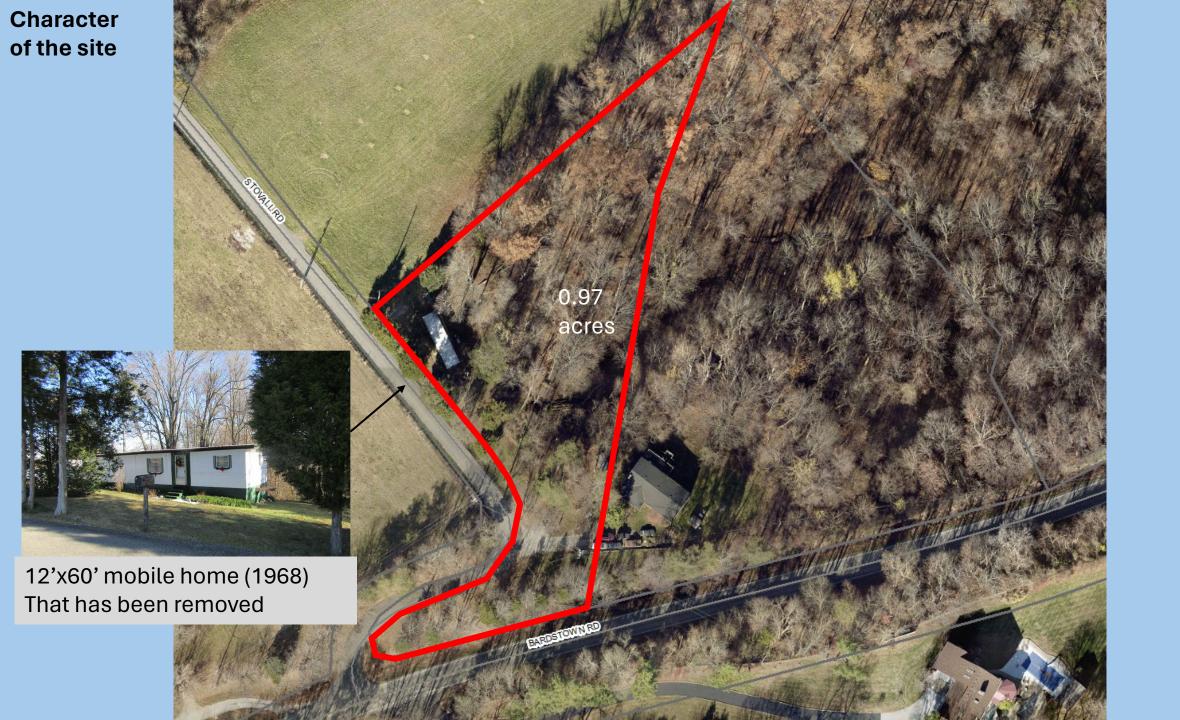


















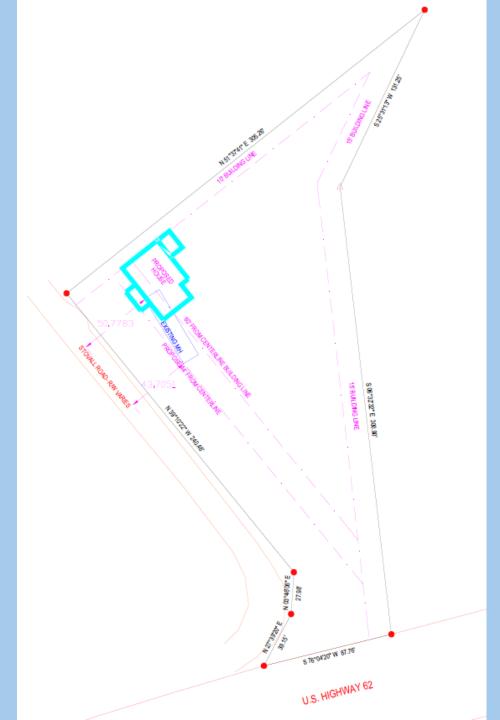
#### VARIANCE REQUEST

the road

Right of way Varies (20' to C/L)
40' Setback in R-2
= 60' from the centerline of

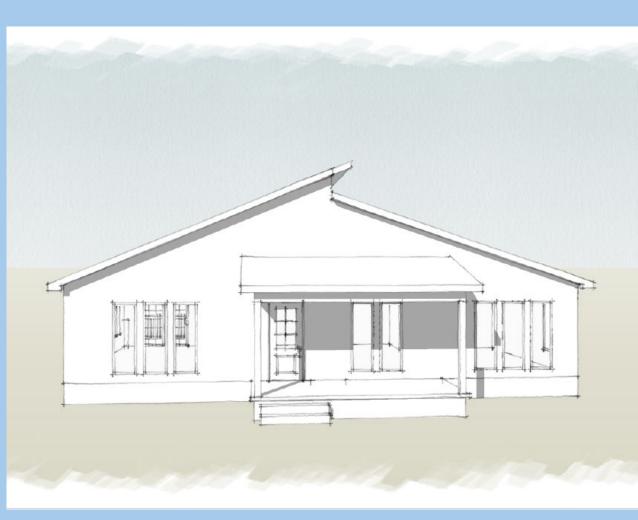
Request is 44' to C/L (no closer than the previous mobile home) = 16' Variance

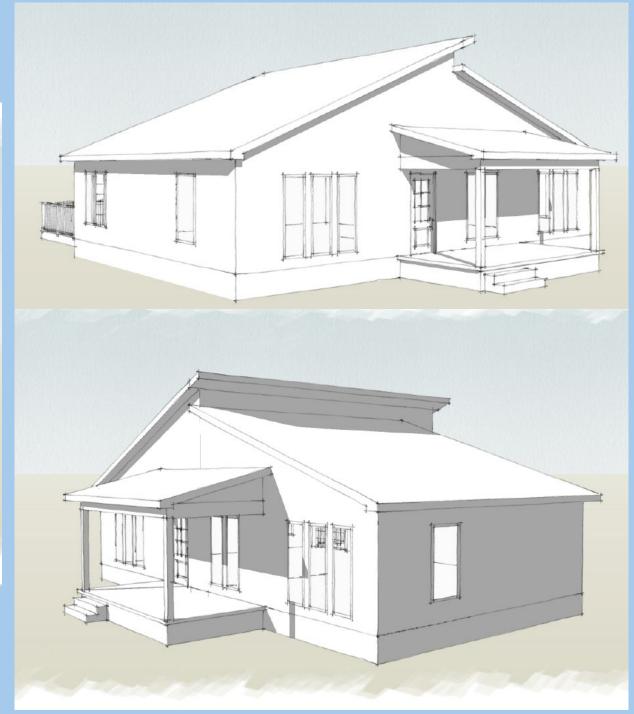
Also requesting to be 6' from the side property line instead of the required 10' = 4' Variance

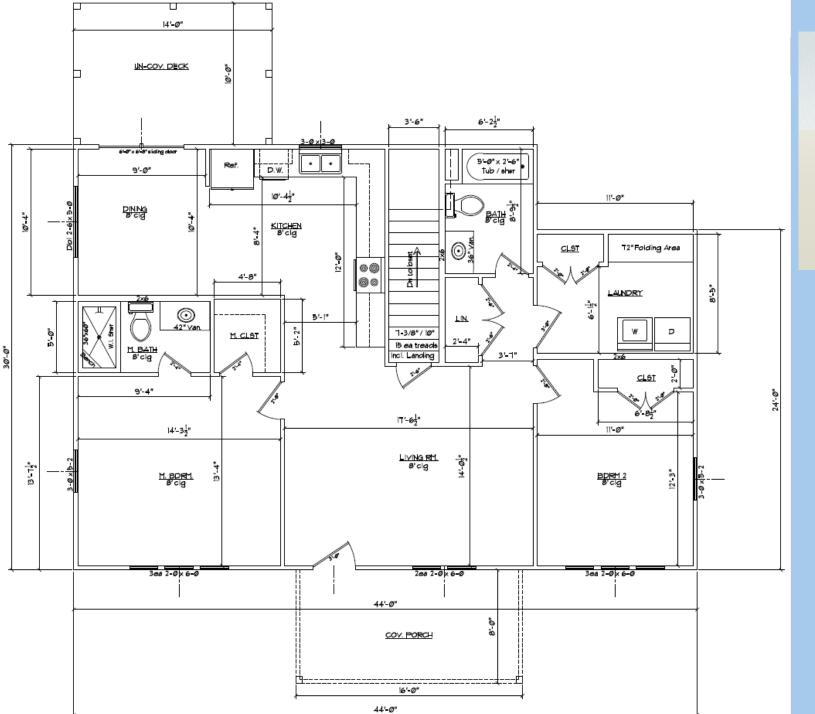


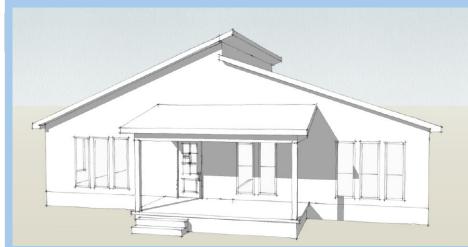






































Right of way Varies (20' to C/L)
40' Setback in R-2
= 60' from the centerline of

Request is 44' to C/L (no closer than the previous mobile home) = 16' Variance

the road

Also requesting to be 6' from the side property line instead of the required 10' = 4' Variance



Permit Date	Owner	PVA Map Number	Type	Zone ‡	Project / Subdivision Name	Request	Site Address	Acres (All Permits)	Status
04/16/2024	LUCKY ACQUISITIONS, LLC	262-00-00-071	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	GOFF VARIANCE	TO ALLOW FOR A 17.30' FRONT YARD SETBACK VARIANCE, AND A 4' SIDEYARD SETBACK VARIANCE.	80 STOVALL ROAD, ELIZABETHTOWN, KY	.978	PENDING
10/27/2020	SHOWERS CURTIS G & CLAUDIA	265-00-01-001, 002 & 003	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	LONGFIELD ESTATES, LOTS 1,2 & 3, SECTION 1	FRONT THE FRONT BUILDING SETBACK TO ALLOW FOR THE CONSTRUCTION OF A POLE BARN	310 ASH LANE ELIZABETHTOWN, KY	12.701	APPROVED
01/22/2020	SWENSON, MERRYE	262-00-01-001	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	1 & 2 ROBIN WOOD MANOR	TO ALLOW FOR VARIANCE FROM THE FRONT BUILDING SETBACK ALONG COON HUNTERS LANE & THE REAR BUILDING SETBACK FOR A PROPOSED SHED	6810 BARDSTOWN ROAD	.930	APPROVED
03/12/2018	METCALF FLOYD STANLEY JR	270-00-00-001.01; 270-10- 00-035	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	"PROPERTY BY METCALF"	FROM THE MINIMUM ROAD FRONTAGE AND THE 1:3 LOT WIDTH-TO-LENGTH RATIO TO ALLOW FOR THE CREATION OF A 2 LOT SUBDIVISION	YOUNGERS CREEK ROAD	24.989	APPROVED
05/23/2017	MCGUFFIN CHAD L	257-00-00-017.01	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	NOEL ESTATES LOT 1	VARIANCE TO EXCEED 1:3 RATIO TO OBTAIN ACREAGE BEHIND HIS LOT # 1 FROM LOT # 3	3421 MIDDLE CREEK RD	7.500	APPROVED
05/04/2017	LEE SHANE E & MELISSA G	242-00-02-044	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	FRONT SETBACK LINE / SANTA FE SUBDIVISION LOT 44	RELIEF FROM THE 45' FRONT BUILDING SETBACK LINES	GRAND CANYON DRIVE	.000	APPROVED
02/13/2017	CARTER WILLIAM T & RHONDA D	261-00-02-002.01	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE		RELIEF FROM THE 70' FRONT BUILDING SETBACK LINE TO ACCOMMODATE A PROPOSED 42'X60' BARN TO REPLACE THE BARN THAT BURNT DOWN	95 BILL COURT	.000	APPROVED
05/09/2016	COLLINS SARA R & BRANDON M	262-00-01-004	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	4 ROBIN WOOD	TO ALLOW FOR A 12'X 28' SHED TO REMAIN ON THE PROPERTY.	6832 BARDSTOWN RD	.460	APPROVED
04/11/2016	GRUSY RODNEY D & ELIZABETH A	253-00-00-059.01	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	GREEN RIDGE TREE FARM, SECTION 2	FROM THE REQUIRED 1:3 RATIO AND MINIMUM ROAD FRONTAGE TO ALLOW FOR A 7 ACRE LOT AROUND THE EXISTING HOUSE	6105 BARDSTOWN RD	13.000	APPROVED
08/26/2014	CHARLES & SHERYL PHILLIPS	273-00-01-009.01	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	GOVERNMENT MAINTAINED ROAD FRONTAGE	RELIEF FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE REQUIREMENT. COMBINE 4 TRACTS INTO 1.	DEVERS RD	25.600	APPROVED
05/07/2014	MORNING MYST, LLC C/O ROBERT BROWN	260-00-009.01	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	ROAD FRONTAGE / BRITTWILL FARM	RELIEF FROM THE REQUIRED ROAD FRONTAGE	2260 LOWER COLESBURG ROAD	3.025	APPROVED
01/04/2011	JAMES & DONNA HAND	260-00-00-004.04	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	ROAD FRONTAGE AND 1:3 WIDTH TO LENGTH RATIO / AQUAVIEW SUBDIVISION SECTION 2, LOT 4D	RELIEF FROM THE 70' FRONT SETBACK FOR EXISTING 40' X 30' POLE BARN	2890 LOWER COLESBURG ROAD	12.122	APPROVED
11/02/2010	JAMES & INEZ CREPPS	261-00-00-046	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	ROAD FRONTAGE AND 1:3 WIDTH TO LENGTH RATIO / MOUNTAIN VIEW ESTATES SUBDIVISION	RELIEF FROM THE REQUIRED MINIMUM ROAD FRONTAGE AND THE 1:3 WIDTH TO LENGTH RATIO	1590 STOVALL ROAD	14.620	APPROVED
07/21/2010	TIM AULBACH	242-00-02-037; 047; 048; 053; 061; 062; 069; 101; 102; 105; 120; 121; 122; 143; 144	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	FRONT SETBACK / SANTA FE SUBDIVISION, LOTS 37, 47, 48, 53, 61, 62, 69, 101, 102, 105, 120, 121, 122, 143 & 144	RELIEF FROM THE REQUIRED 70' FRONT SETBACK TO 45' AS SHOWN ON THE PLAT DUE TO TOPOGRAPHY AND STREET LAYOUT	UPPER COLESBURG ROAD	.000	APPROVED
07/17/2008	MELINDA BENNINGFIELD	262-00-00-004	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	FRONT SETBACK LINE / BECKNER SUBDIVISION SECTION 2, LOT 3	TO REDUCE THE FRONT SETBACK LINE TO ACCOMMODATE AN EXISTING MANUFACTURED HOME AND GARAGE	0 STOVALL ROAD	3.001	APPROVED
					Records 1 to 15 (of 15)				

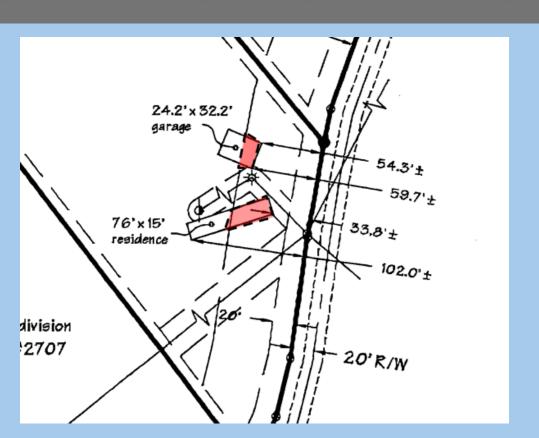
Variances in the East Hardin Area since 2008



#### Other Variances on Stovall Road

Permit Date	Owner ÷	PVA Map Number	Type <b>‡</b>	Zone \$	Project / Subdivision Name	Request <del>‡</del>	Site Address	Acres (All Permits)	Status
04/16/2024	LUCKY ACQUISITIONS, LLC	262-00-00-071	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	GOFF VARIANCE	TO ALLOW FOR A 17.30' FRONT YARD SETBACK VARIANCE, AND A 4' SIDEYARD SETBACK VARIANCE.	80 STOVALL ROAD, ELIZABETHTOWN, KY	.978	PENDING
11/02/2010	JAMES & INEZ CREPPS	261-00-00-046	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	ROAD FRONTAGE AND 1:3 WIDTH TO LENGTH RATIO / MOUNTAIN VIEW ESTATES SUBDIVISION	RELIEF FROM THE REQUIRED MINIMUM ROAD FRONTAGE AND THE 1:3 WIDTH TO LENGTH RATIO	1590 STOVALL ROAD	14.620	APPROVED
07/17/2008	MELINDA BENNINGFIELD	262-00-00-004	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	FRONT SETBACK LINE / BECKNER SUBDIVISION SECTION 2, LOT 3	TO REDUCE THE FRONT SETBACK LINE TO ACCOMMODATE AN EXISTING MANUFACTURED HOME AND GARAGE	0 STOVALL ROAD	3.001	APPROVED
02/24/1999	MELINDA PENDLETON	262-00-00-004	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	FRONT SETBACK LINE /		757 STOVALL ROAD	13.000	DENIED

#### Records 1 to 4 (of 4)





#### Findings necessary for Granting Variances

KRS 100.243 and DGS 5-3(B)

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



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

- (A) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity;
- (B) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
- (C)The circumstances are the result of actions of the applicant taken subsequent to the adoption of this regulation from which relief is sought.

#### Motion to Approve the proposed Variance:

- 1. To allow for a Variance from the front building setback to allow for the proposed dwelling to be no closer than 44' from the centerline of Stovall Road and a Variance from the side building setback line to allow for the dwelling to be no closer than 6' to the side line.
- 2. The existing mature trees along Stovall Road must be maintained.
- 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.

OR

