



Hardin County Board of Adjustment 23 May 2024

County Government Center
Second Floor Meeting Room

Owner: Davion Nelson

Location: A 2.218-acre site on Trinity Drive, Rineyville, KY known as Lot 35 of Cottonwood Estates.

Zoned: Urban Residential (R-1)

Request for a Variance to allow less than the minimum road frontage requirement and the 1:4 lot width to length ratio.



Lot 35 of Cottonwood Estates

Variance

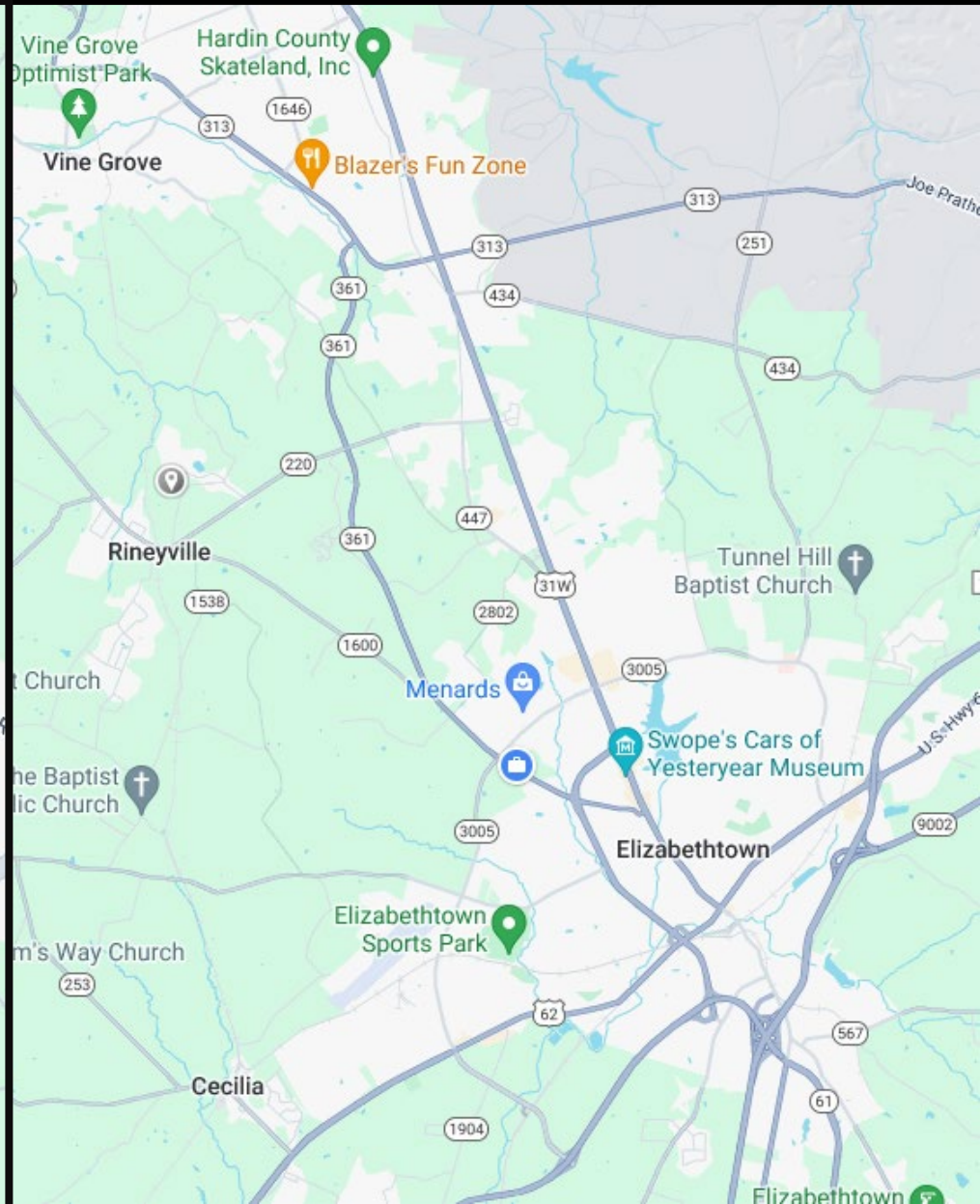
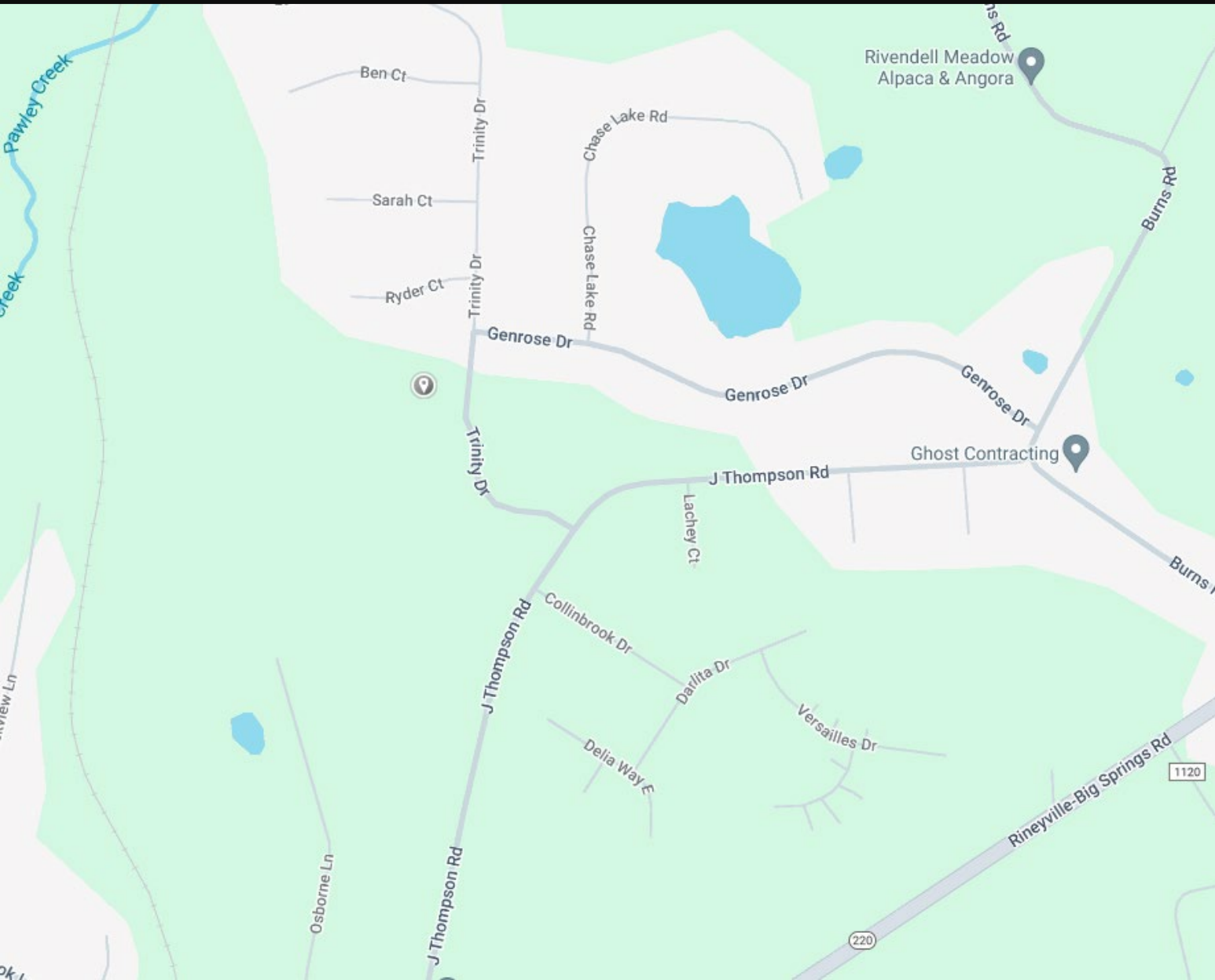
SUMMARY REPORT

LISTING OF EXHIBITS















- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photo (2024)**
- D. Record Plat of Cottonwood Estates Section 1 (2005)**
- E. Proposed Amended Plat of Cottonwood Estates, Lot 35**
- F. Photographs of the Site**
- G. Character of the Area**
- H. Analysis of Variances to allow less than the required road frontage**
- I. Analysis of Variances to allow lot width to length ratio greater than 1:4**
- J. *Comprehensive Development Guide**
- K. *Development Guidance System Ordinance**

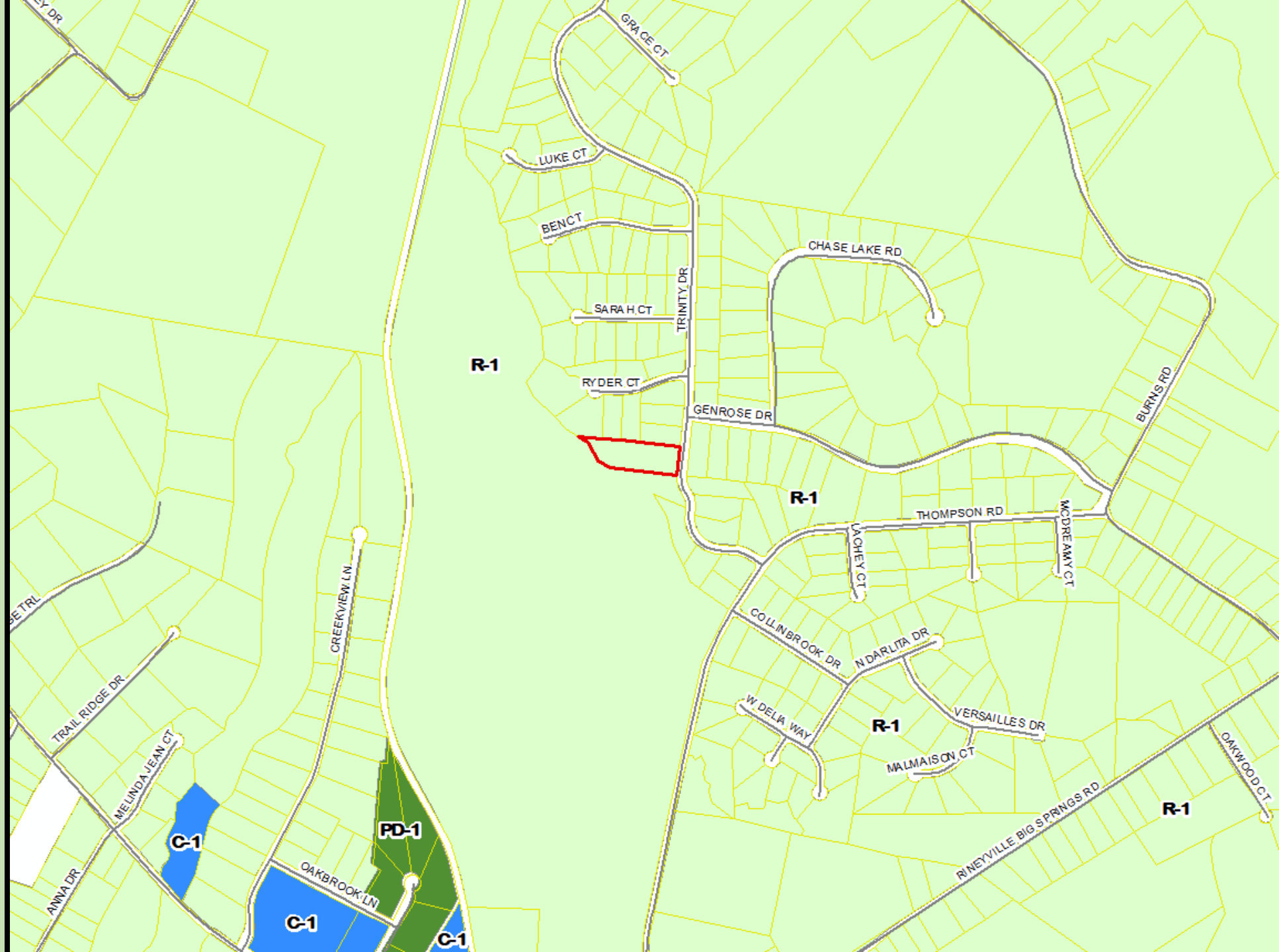
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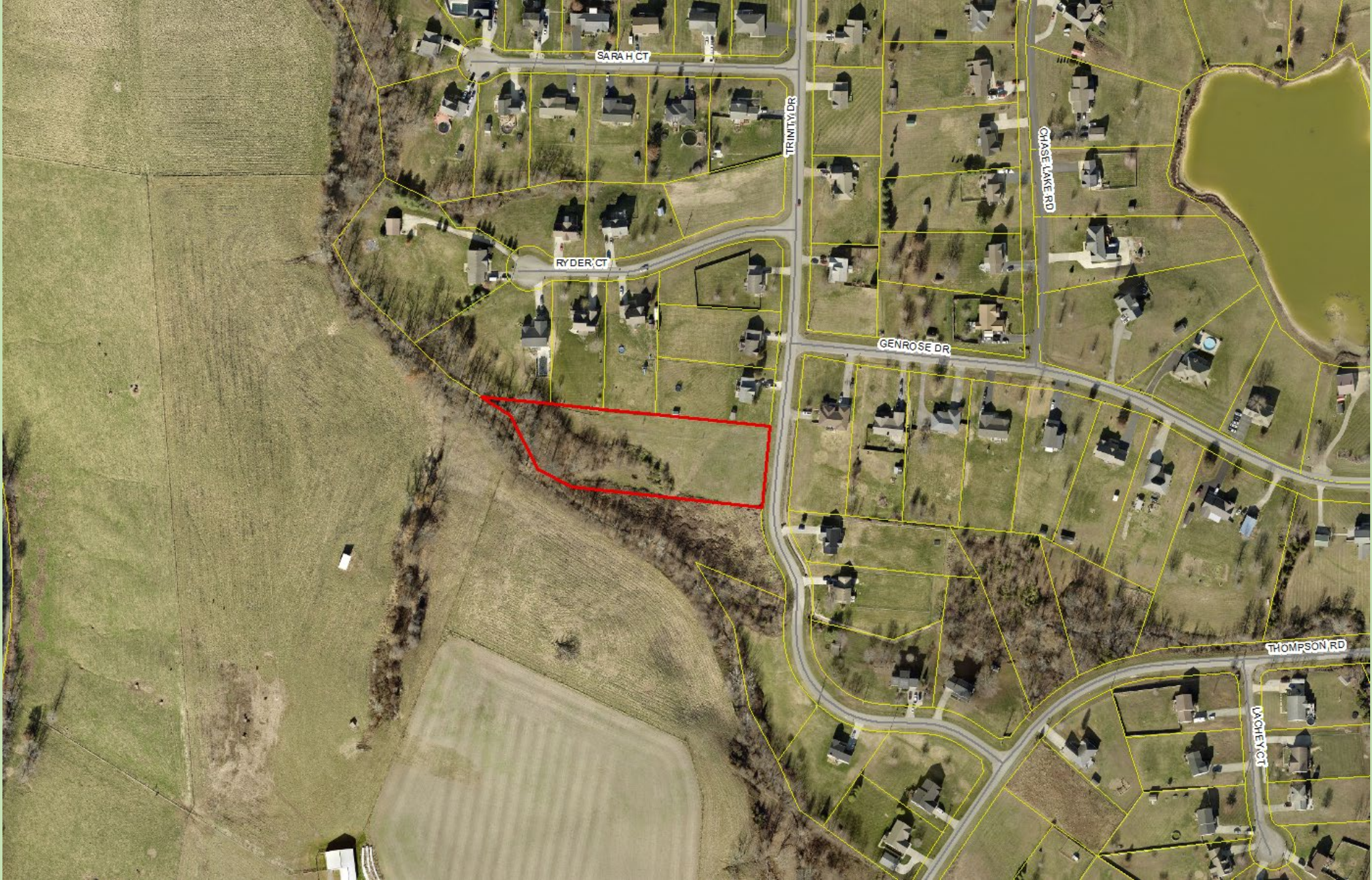
Vicinity Maps



Zoning Map

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





SARA H CT

TRINITY DR

CHASE LAKE RD

RYDER CT

GENROSE DR

THOMPSON RD

MOHEV CT



SARA H CT

TRINITY DR

CHASE LAKE RD

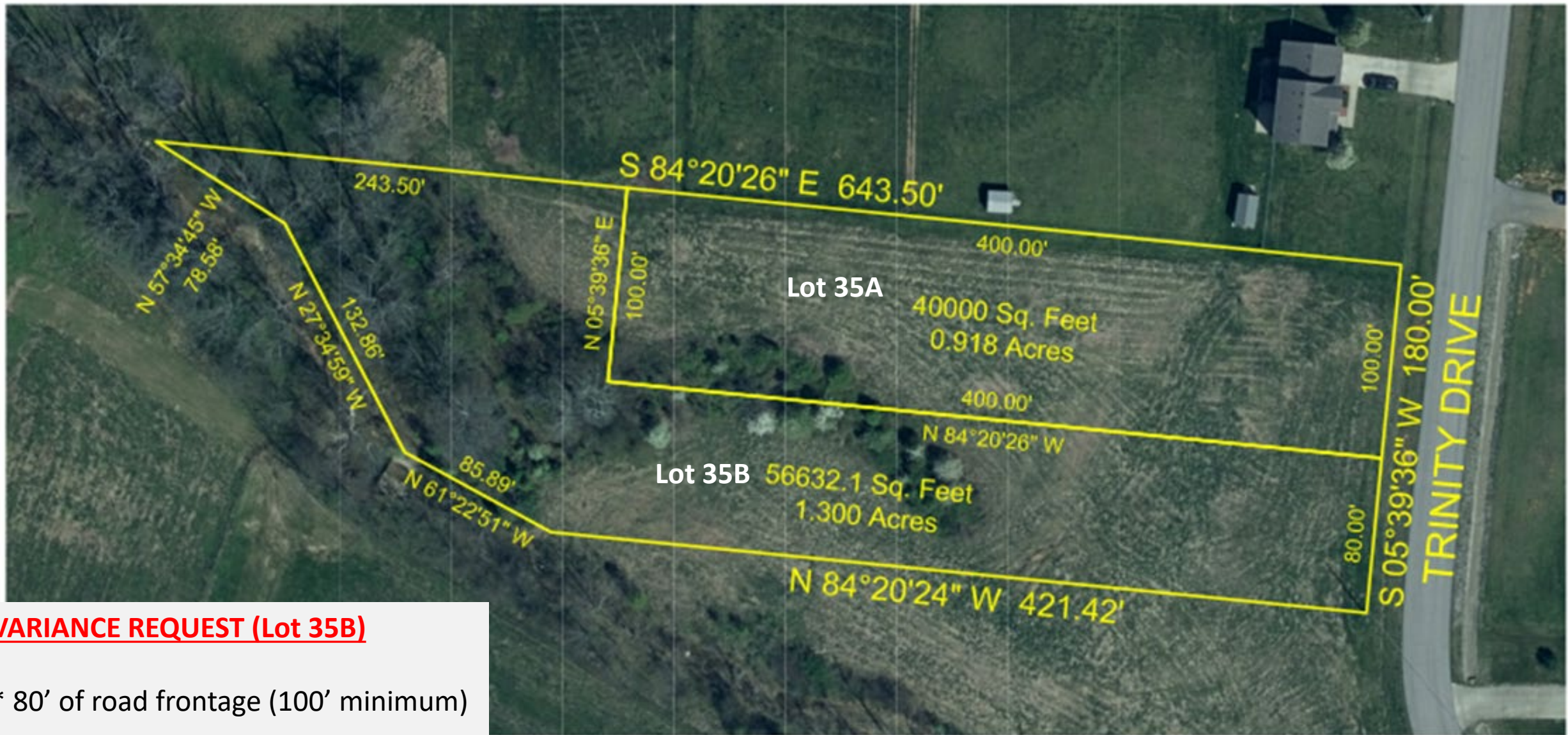
RYDER CT

GENROSE DR

THOMPSON RD

MOHER CT

Proposed Amended Plat of Cottonwood Estates, Lot 35



VARIANCE REQUEST (Lot 35B)

* 80' of road frontage (100' minimum)

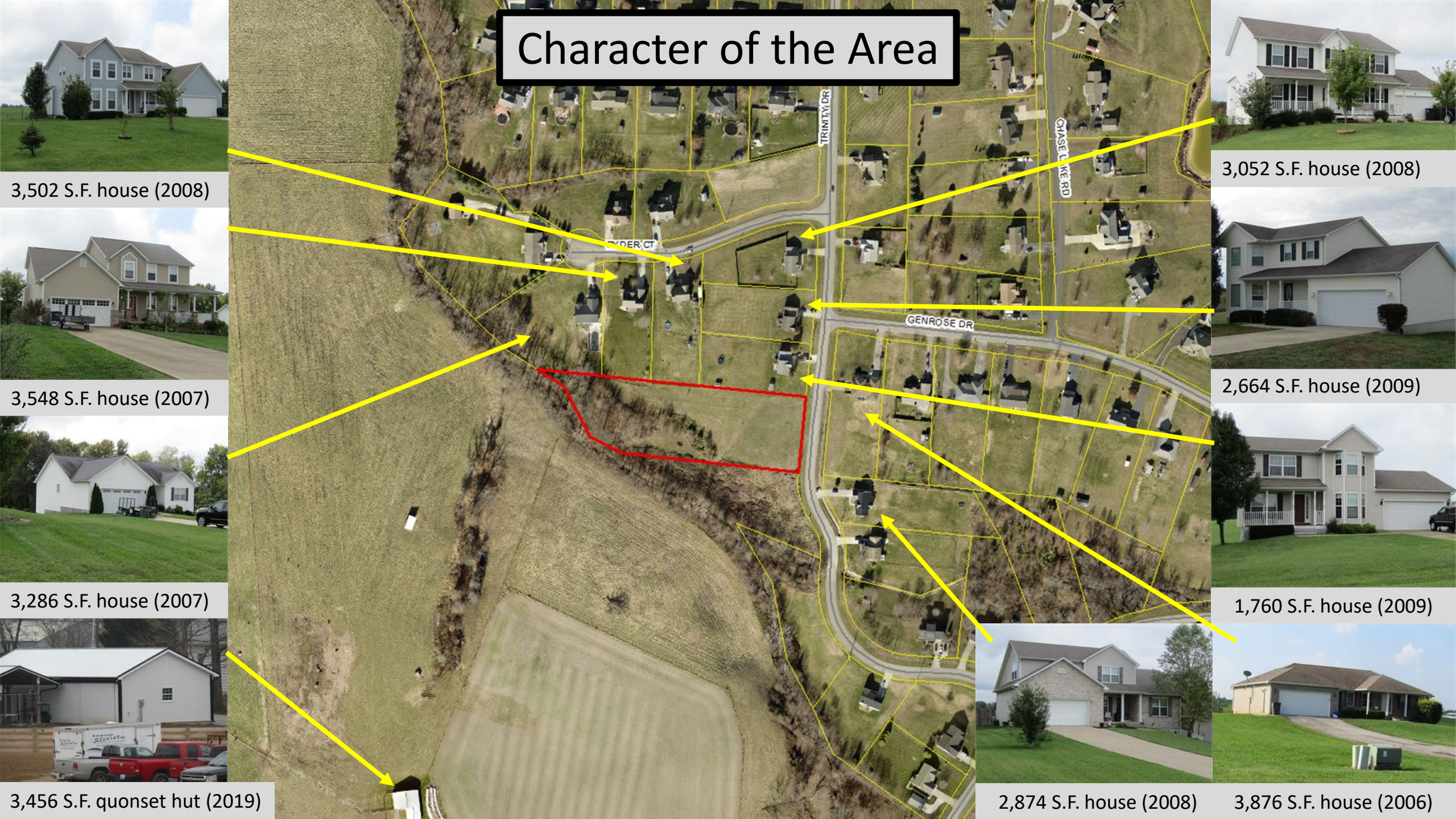
* 1:6.6 ratio (exceeds 1:4 ratio)

80' x 532.46' (average depth)

Photographs of the Site



Character of the Area



3,502 S.F. house (2008)



3,052 S.F. house (2008)



3,548 S.F. house (2007)



2,664 S.F. house (2009)



3,286 S.F. house (2007)



1,760 S.F. house (2009)



3,456 S.F. quonset hut (2019)



2,874 S.F. house (2008)



3,876 S.F. house (2006)

Variances to allow less than the required road frontage in the Urban Residential (R-1) Zone 12 Total (7 Approved, 2 Denied, 2 Withdrawn, 1 Pending)

Selected	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	Edit/View
<input type="checkbox"/>	04/17/2024	142-00-06-035	NELSON DAVION	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE		RESIDENTIAL	COTTONWOOD EST LOT 35	TO ALLOW FOR A VARIANCE FROM THE MINIMUM ROAD FRONTAGE REQUIREMENT AND THE 1:4 LOT WIDTH TO LENGTH RATIO	TRINITY DR	2.218	PENDING	
<input type="checkbox"/>	09/28/2021	144-00-00-026	DAUNIS GERTRUDE	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE		RESIDENTIAL	GERTRUDE DAUNIS SUBDIVISION	DAUNIS - VARIANCE FROM THE MINIMUM ROAD FRONTAGE REQUIREMENT AND THE 1:4 LOT WIDTH-TO-LENGTH RATIO, TO ALLOW FOUR EXISTING TRACTS TO BE PLATTED AS A FIVE LOT SUBDIVISION.	825 KRAFT ROAD, RINEYVILLE KY 40162	17.050	APPROVED	
<input type="checkbox"/>	05/10/2021	146-00-00-010	THOMAS DONALD RAY & SHARON	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE		RESIDENTIAL	THOMAS PROPERTY PROJECT	TO ALLOW FOR TWO EXISTING TRACTS TO BE RECONFIGURED AND PLATTED AS TWO LOTS - VARIANCE FOR LOT 2 FROM 100' MINIMUM ROAD FRONTAGE AND THE 1:4 LOT WIDTH-TO-LENGTH RATIO	5095 & 5111 SAINT JOHN ROAD, ELIZABETHTOWN, KY	3.082	APPROVED	
<input type="checkbox"/>	10/05/2016	117-00-00-032	MCCOMBS GEORGE W & SUSAN	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE				RELIEF FROM THE MINIMUM ROAD FRONTAGE AND THE 1:4 LOT WIDTH-TO-LENGTH RATIO TO ALLOW FOR ADDITIONAL ACREAGE TO BE MERGED TO THE EXISTING 1.877 ACRES	1809 KNOX AVENUE	1.877	APPROVED	
<input type="checkbox"/>	11/25/2015	247-00-00-017	SULLIVAN STUART	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE		RESIDENTIAL		FROM THE MINIMUM ROAD FRONTAGE AND THE 1:4 LOT WIDTH TO LENGTH RATIO TO ALLOW FOR THE PROPERTY TO BE FURTHER SUBDIVIDED	995 RED MILL RD	.000	APPROVED	
<input type="checkbox"/>	05/14/2014	187-30-00-	SHANNON & FAYE DEWEESE	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE			ROAD FRONTAGE / MOCKINGBIRD HEIGHTS, LOT 77A	RELIEF FROM THE MINIMUM ROAD FRONTAGE	LEITCHFIELD ROAD	1.176	APPROVED	
<input type="checkbox"/>	01/27/2012	224-00-00-082	WILLIE & SOMI NEAL	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE			ROAD FRONTAGE AND 1:4 WIDTH-TO-LENGTH RATIO / ROYAL ACRES ESTATES	RELIEF FOR THE MINIMUM ROAD FRONTAGE AND THE 1:4 WIDTH-TO-LENGTH RATIO	SPORTSMAN LAKE RD	43.578	APPROVED	
<input type="checkbox"/>	01/18/2012	230-00-03-022	JOSEPH PRATHER	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE			ROAD FRONTAGE AND 1:4 WIDTH TO LENGTH / WEXFORD PLACE LOT 22	RELIEF FROM THE MINIMUM ROAD FRONTAGE AND THE 1:4 WIDTH TO LENGTH RATIO	WEXFORD DRIVE	.925	WITHDRAWN	
<input type="checkbox"/>	10/07/2011	142-00-00-044.01; 142-00-00-044	ANTHONY HARDIN, II	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE			ROAD FRONTAGE AND 1:3 WIDTH TO LENGTH / TANBARK ESTATES SECTION 1, LOTS 1 & 3	RELIEF FOR THE MINIMUM ROAD FRONTAGE AND THE 1:3 WIDTH TO LENGTH	BURNS ROAD	.000	WITHDRAWN	
<input type="checkbox"/>	04/13/2011	142-00-00-002	DAVID AND DIANA NORDYKE	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE			ROAD FRONTAGE / CLEMMINTON ESTATES, LOT 2	RELIEF FROM THE MINIMUM ROAD FRONTAGE REQUIREMENT	45 MILIMISH LANE	7.380	DENIED	
<input type="checkbox"/>	07/07/2010	163-00-00-091.01	DEBRA RAMBO	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE			ROAD FRONTAGE REQUIREMENT AND 1:3 RATIO / CARMAN SUBDIVISION, LOT 1A	RELIEF FROM THE MINIMUM ROAD FRONTAGE REQUIREMENT AND 1:3 RATIO FOR PROPOSED LOT 1D OF CARMAN SUBDIVISION	230 WISE LANE	12.674	APPROVED	
<input type="checkbox"/>	05/26/2009	168-00-01-086	CREAGOR WILSON	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE			LOT WIDTH TO LENGTH RATIO (1:3) / LAKEWOOD SUBDIVISION SECTION 7, LOT 710	RELIEF FROM THE 1:3 WIDTH TO LENGTH RATIO AND MINIMUM ROAD FRONTAGE REQUIREMENT	0 MAIN STREET (KY 86)	3.169	DENIED	

Variances to allow a lot length to width ratio greater than 1:4 in the Urban Residential (R-1) Zone
28 Total (22 Approved, 4 Withdrawn, 1 Denied, 1 Pending)

7/7/2010	DEBRA RAMBO	230 WISE LANE	ROAD FRONTAGE REQUIREMENT AND 1:3 RATIO / CARMAN SUBDIVISION, LOT 1A	12.674	50.00	1,420.44	APPROVED	28.41
11/25/2015	SULLIVAN STUART	995 RED MILL RD		0.000	61.42	1,508.69	APPROVED	24.56
1/18/2012	JOSEPH PRATHER	WEXFORD DRIVE	ROAD FRONTAGE AND 1:4 WIDTH TO LENGTH / WEXFORD PLACE LOT 22	0.925	51.00	1,138.00	WITHDRAWN	22.31
5/17/2016	HINTON MARK & PAMELA L	1245 W BRYAN RD		14.500	119.26	2,234.88	APPROVED	18.74
10/5/2016	MCCOMBS GEORGE W & SUSAN	1809 KNOX AVENUE		1.877	42.00	745.00	APPROVED	17.74
7/29/2013	GERALD & IRIS HODGE	4335 SOUTH WILSON ROAD	WIDTH TO LENGTH RATIO / LONGVIEW PROPERTY OF MISS EVA BARNES SUBDIVISION, LOT Y	41.000	60.00	963.19	WITHDRAWN	16.05
1/27/2012	WILLIE & SOMI NEAL	SPORTSMAN LAKE RD	ROAD FRONTAGE AND 1:4 WIDTH-TO-LENGTH RATIO / ROYAL ACRES ESTATES	43.578	60.30	787.68	APPROVED	13.06
9/28/2021	DAUNIS GERTRUDE	825 KRAFT ROAD, RINEYVILLE KY 40162	GERTRUDE DAUNIS SUBDIVISION	17.050	87.00	1,106.00	APPROVED	12.71
2/22/2023	HINOTE WALTER S & UTE	223 BOONE ROAD, RINEYVILLE, KY 40162	PEYTON ESTATES, LOTS 20-22	10.600	100.00	1,170.00	APPROVED	11.70
4/13/2018	WADDELL LARRY & RHONDALYN	MIDDLE CREEK RD	EDWARDS SUBDIVISION LOT 3A AND COLE CREEK ESTATES SECTION 1	61.391	100.00	856.75	APPROVED	8.57

1/17/2012	WILLIAM BURNETT	ST JOHN ROAD	1:4 WIDTH-TO-LENGTH RATIO / BURNETT ESTATES	22.171	240.00	2,000.00	WITHDRAWN	8.33
6/16/1996	JOZWIAK STANLEY D	DECKARD SCHOOL ROAD	QUIET WOOD ESTATES	0.000	240.61	1,845.44	APPROVED	7.67
10/13/2023	HARROD SALLY	3664 RINEYVILLE ROAD, ELIZABETHTOWN, KY 42701	SALLY HARROD SUBDIVISION	3.266	100.03	748.32	APPROVED	7.48
8/4/2022	OWSLEY B G & MARTHA J	WEST MAIN STREET/PARK LANE	RATIO & GOVERNMENT MAINTAINED ROAD FRONTAGE VARIANCES	16.030	131.00	971.00	APPROVED	7.41
4/15/2014	HOUSER AARON & ANDREA	306 CRUME ROAD (KY 391)	1:4 WIDTH-TO-LENGTH RATIO / AMENDED RECORD PLAT OF CLARK ESTATE, LOT 1 AND RECORD PLAT CLARK ESTATE, SECTION 2	3.964	80.00	550.00	APPROVED	6.88
12/16/2015	FRALEY GARY	SOUTH OF BRIDLE DRIVE AND NORTH OF KRAFT RD	MINIARD ACRES, SECTION 1, LOT 4	6.762	146.00	1,000.00	APPROVED	6.85
1/23/2013	RICHARDSON, RODNEY & NANCY	269 FALLING SPRINGS ROAD	WIDTH TO DEPTH RATIO / SPECKLES PLACE, LOT 2	3.753	214.98	1,451.09	APPROVED	6.75
4/17/2024	NELSON DAVION	TRINITY DR	COTTONWOOD EST LOT 35	2.218	80.00	532.46	PENDING	6.66
5/10/2021	THOMAS DONALD RAY & SHARON	5095 & 5111 SAINT JOHN ROAD, ELIZABETHTOWN, KY	THOMAS PROPERTY PROJECT	3.082	78.00	517.48	APPROVED	6.63
2/18/2015	KRIEGER ROBERT E & DEBRA	1330 Berrytown Road	/ Krieger Estates	0.000	232.22	1,531.59	APPROVED	6.60
4/17/2009	BEN PARTIN, III	DOGWOOD DRIVE	LOT WIDTH TO LENGTH RATIO (1:3) / TWIN OAKS, LOTS 72 & 73	0.520	75.00	477.80	APPROVED	6.37

Variances to allow a lot length to width ratio greater than 1:4 in the Urban Residential (R-1) Zone
28 Total (22 Approved, 4 Withdrawn, 1 Denied, 1 Pending)

2/9/2021	ASBELL DAVID L & DEBBIE L	1382 BERRYTOWN ROAD	ASBELL ZONE CHANGE - PROPOSED TWO LOTS	11.000	233.97	1,457.75	APPROVED	6.23
7/29/2019	DEBBIE COX	2499 KNOX AVE	ROSCOE & HELENS ROOST, LOT 2	9.770	163.27	1,009.42	APPROVED	6.18
2/26/2014	JEFF & AMY VO	1102 THOMAS ROAD	WIDTH TO LENGTH RATIO / OXFORD ESTATES	8.637	250.00	1,525.00	APPROVED	6.10
6/16/2009	WILLIAM L. AND MARIE A. BROWN	169 BARDSTOWN ROAD (US 62)	LOT WIDTH TO LENGTH RATIO (1:3) / LINCOLN TRAIL SUBDIVISION, LOT 5	3.000	98.05	595.17	APPROVED	6.07
5/29/2014	PATRICK & LYNNE HOGAN	RINEYVILLE BIG SPRINGS RD	1:4 WIDTH-TO- LENGTH RATIO / MAYFAIR PLACE SUBDIVISION, SECTION 1	3.776	148.00	853.65	WITHDRAWN	5.77
5/26/2009	CREAGOR WILSON	0 MAIN STREET (KY 86)	LOT WIDTH TO LENGTH RATIO (1:3) / LAKEWOOD SUBDIVISION SECTION 7, LOT 710	3.169	160.20	834.69	DENIED	5.21
7/22/2020	POWELL DOROTHY	HODGENVILLE RD		8.771	165.00	806.00	APPROVED	4.88

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 minimum road frontage requirement and the 1:4 lot width-to-length ratio to allow for the property to be further subdivided into two lots.**
- 2. An Amended Plat shall substitute for the Site Plan.**
- 3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.**

OR

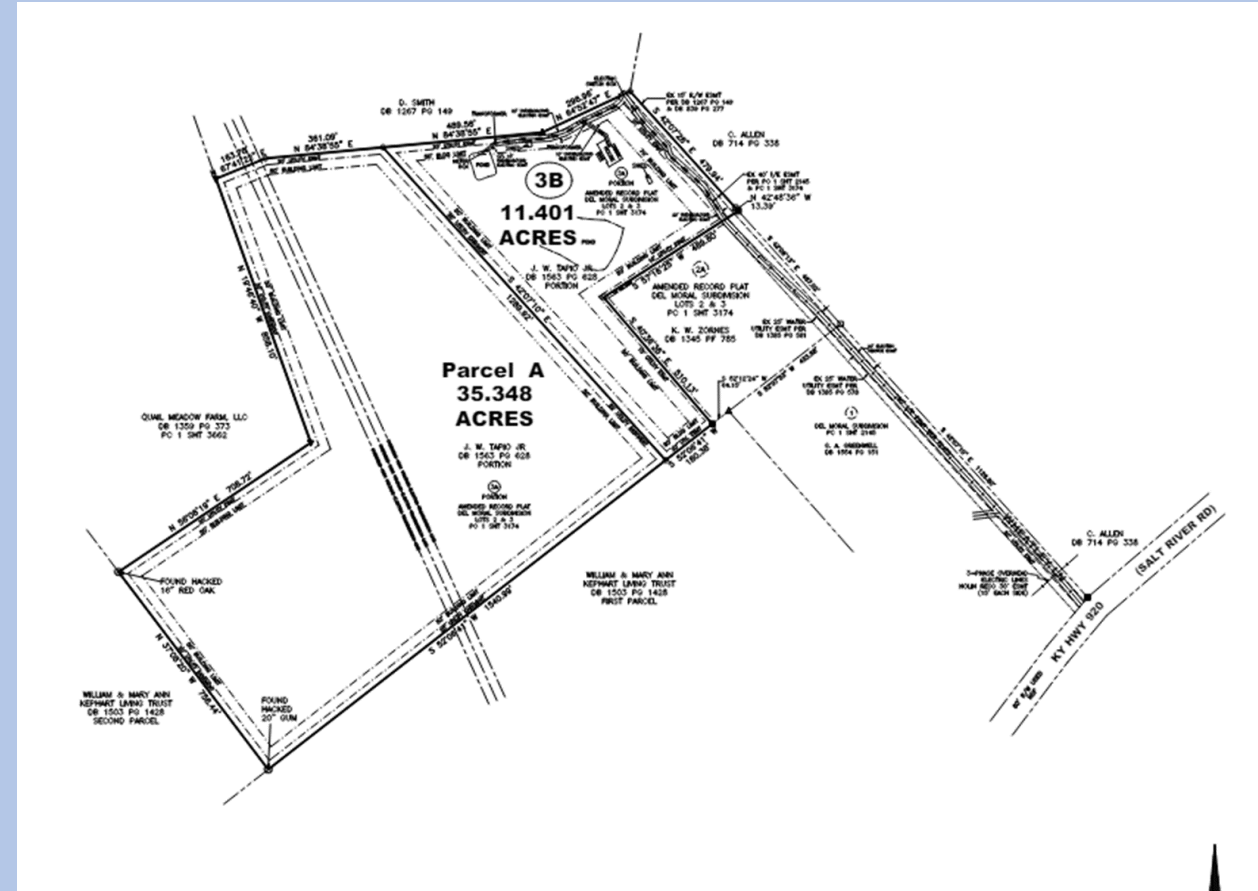
Motion to Deny

Owners: John & Kristina Tapio

Location: A 46.758-acre site located at 4497 Salt River Road, Rineyville, KY, known as Lot 3A of Del Moral Subdivision

Zoned: Rural Residential (R-2)

Request for a Variance from the government-maintained road frontage requirement to allow for the property to be further subdivided.



4497 Salt River Road

Variance

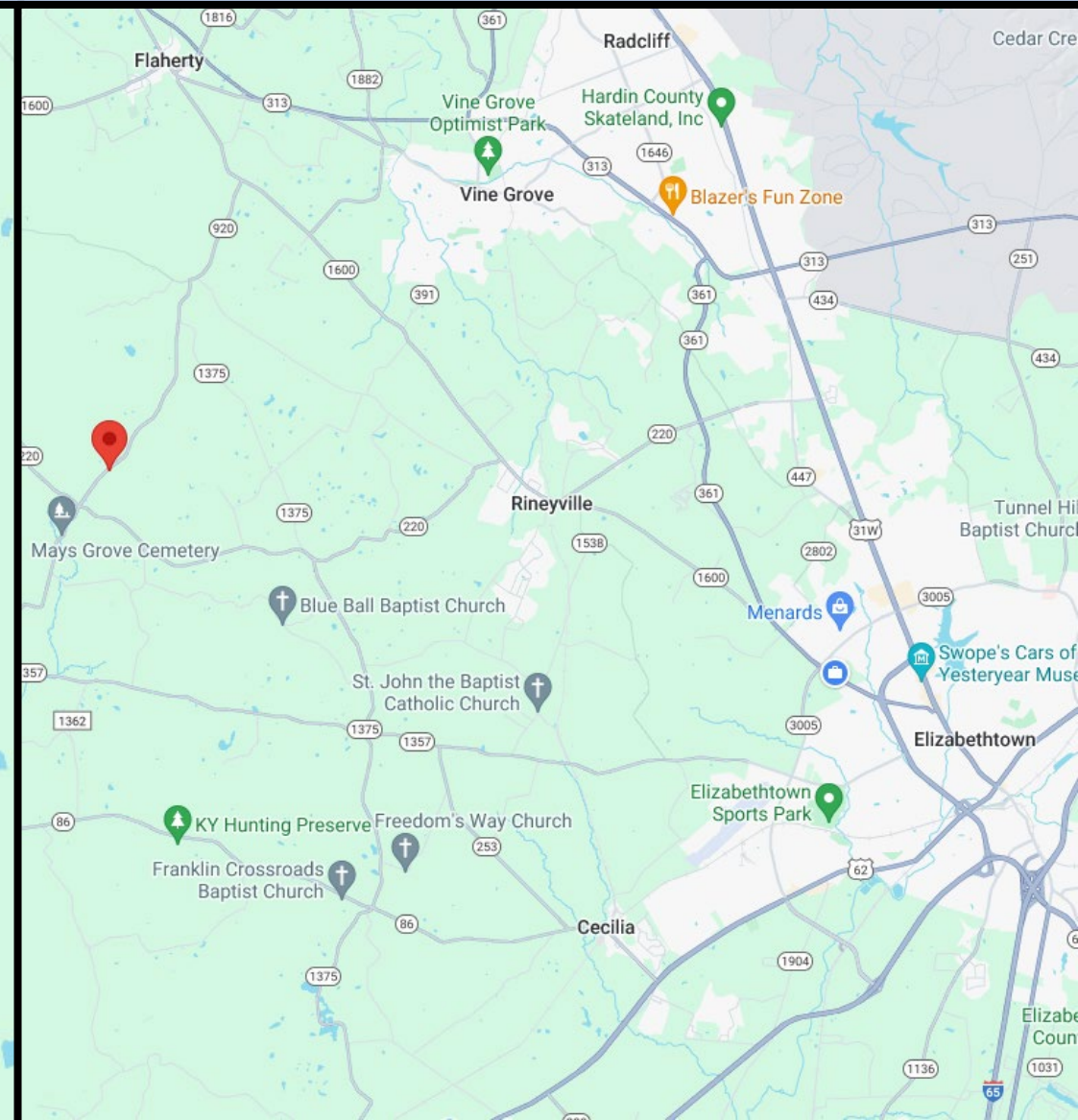
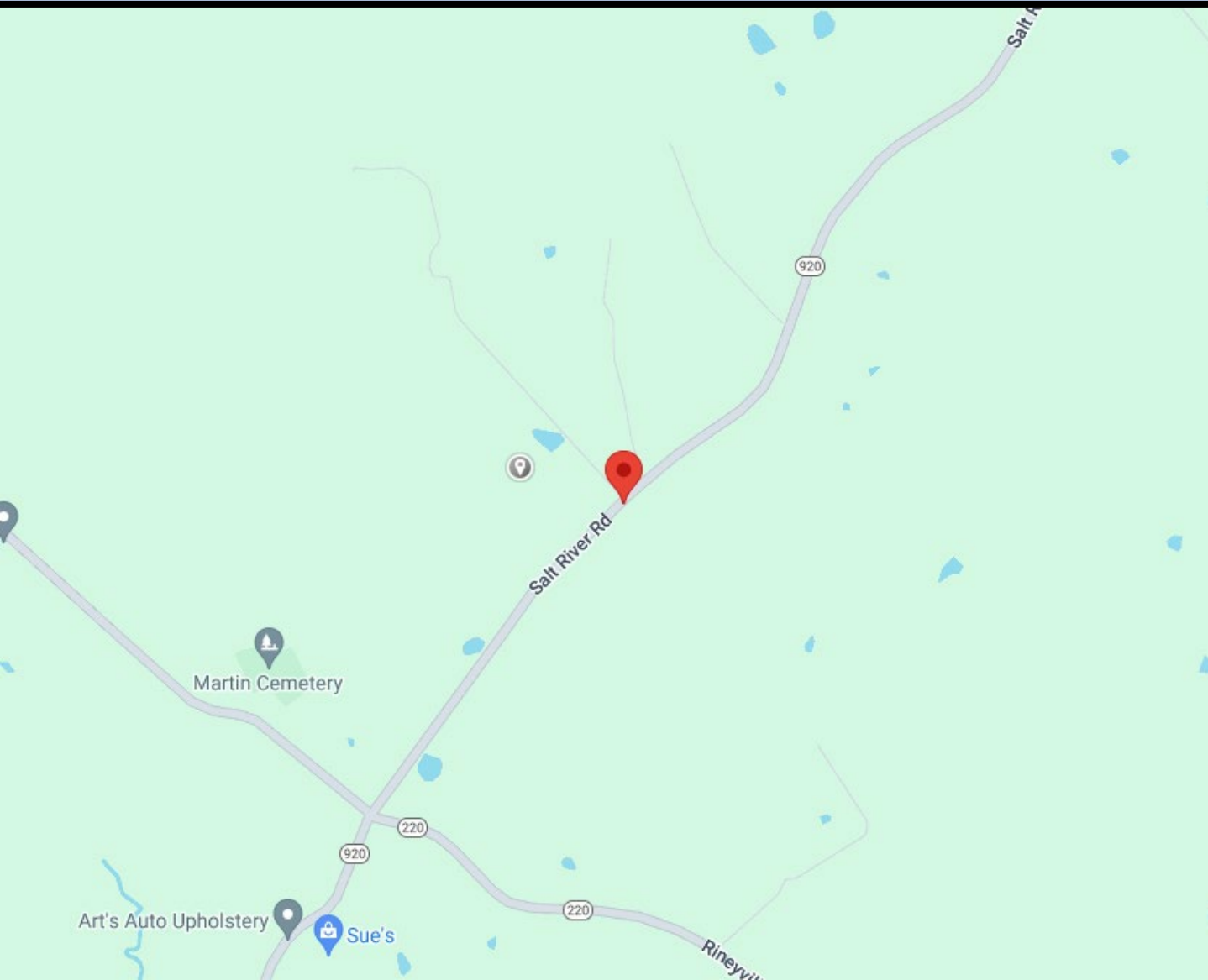
SUMMARY REPORT

LISTING OF EXHIBITS

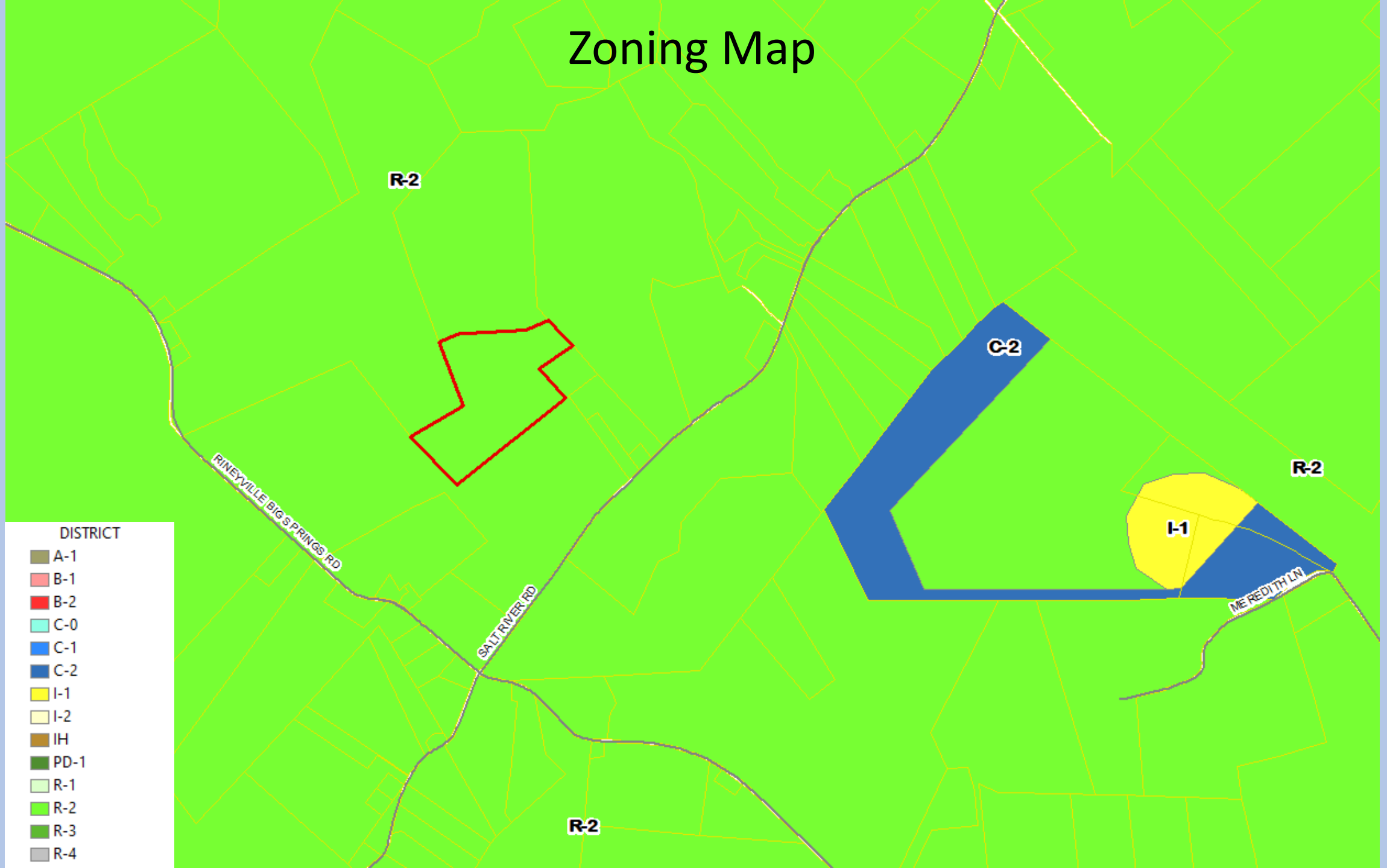
- A. Vicinity Map
- B. Zoning Map
- C. Aerial Photo (2024)
- D. Aerial Photo w/ Natural Features
- E. Record Plat of Del Moral Subdivision (1998)
- F. Amended Record Plat of Del Moral Subdivision, Lots 2 & 3 (2002)
- G. Proposed Amended Record Plat of Del Moral Subdivision, Lot 3A
- H. Boundary Survey of Lizzie Mae Bewley (2004)
- I. Amended Boundary Survey of Lizzie Mae Bewley
- J. Analysis of Variances from the Government-Maintained Road Frontage Requirement
- K. *Comprehensive Development Guide
- L. *Development Guidance System Ordinance

* Not Provided in PowerPoint

Vicinity Maps



Zoning Map



DISTRICT

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



Quail Meadow Farm, LLC
Rineyville Big Springs Rd
196.967 Acres

David & Sharon Smith
4491 Salt River Rd
98.515 Acres

Chris Allen
4453 Salt River Rd
122.000 Acres

Kim Zornes
4493 Salt River Rd
5.500 Acres

William & Mary Ann Kephart
Living Trust
4705 Salt River Rd
203.000 Acres

Garrett Greenwell
4489 Salt River Rd
9.470 Acres

RINEYVILLE BIG SPRINGS RD

SALT RIVER RD



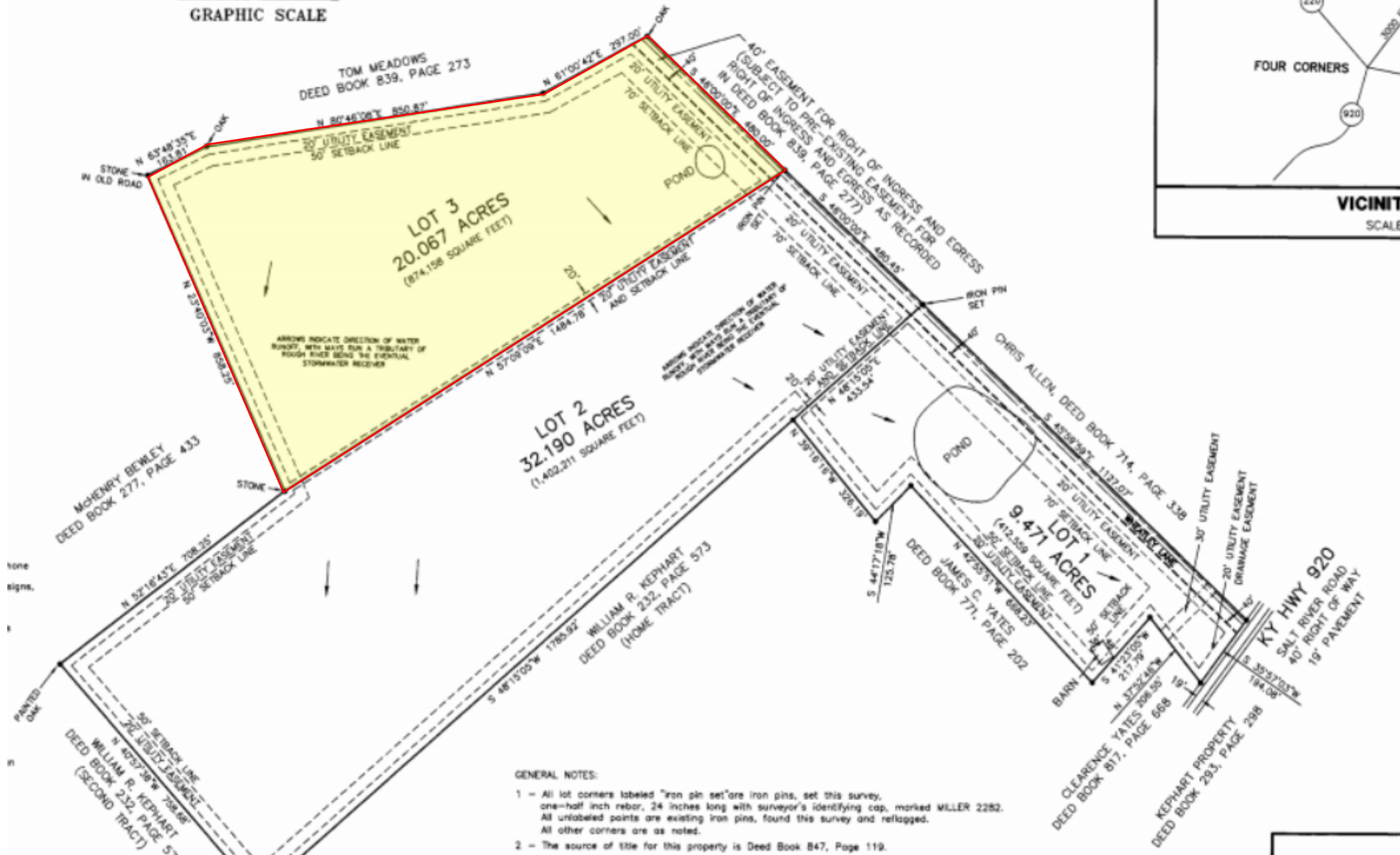
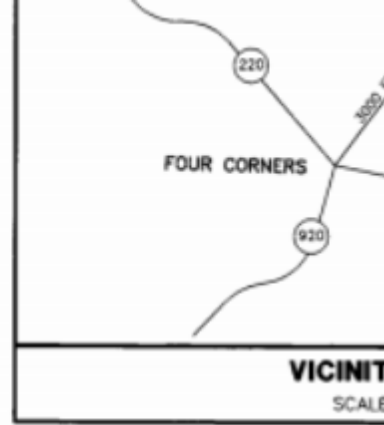
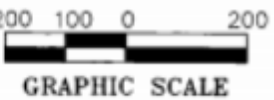


4,608 sq. ft. barn (2014)



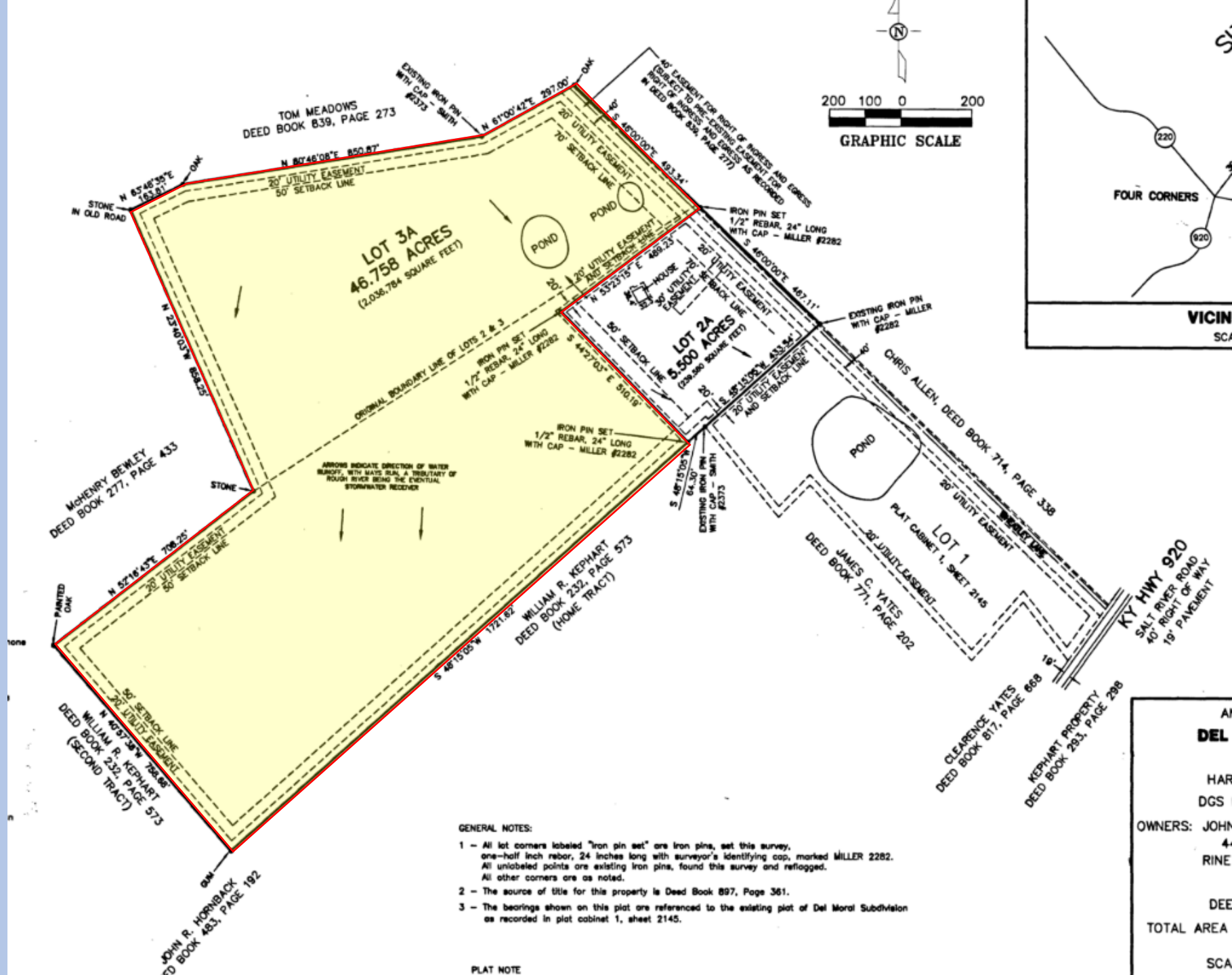
1,911 sq. ft. house (2013)





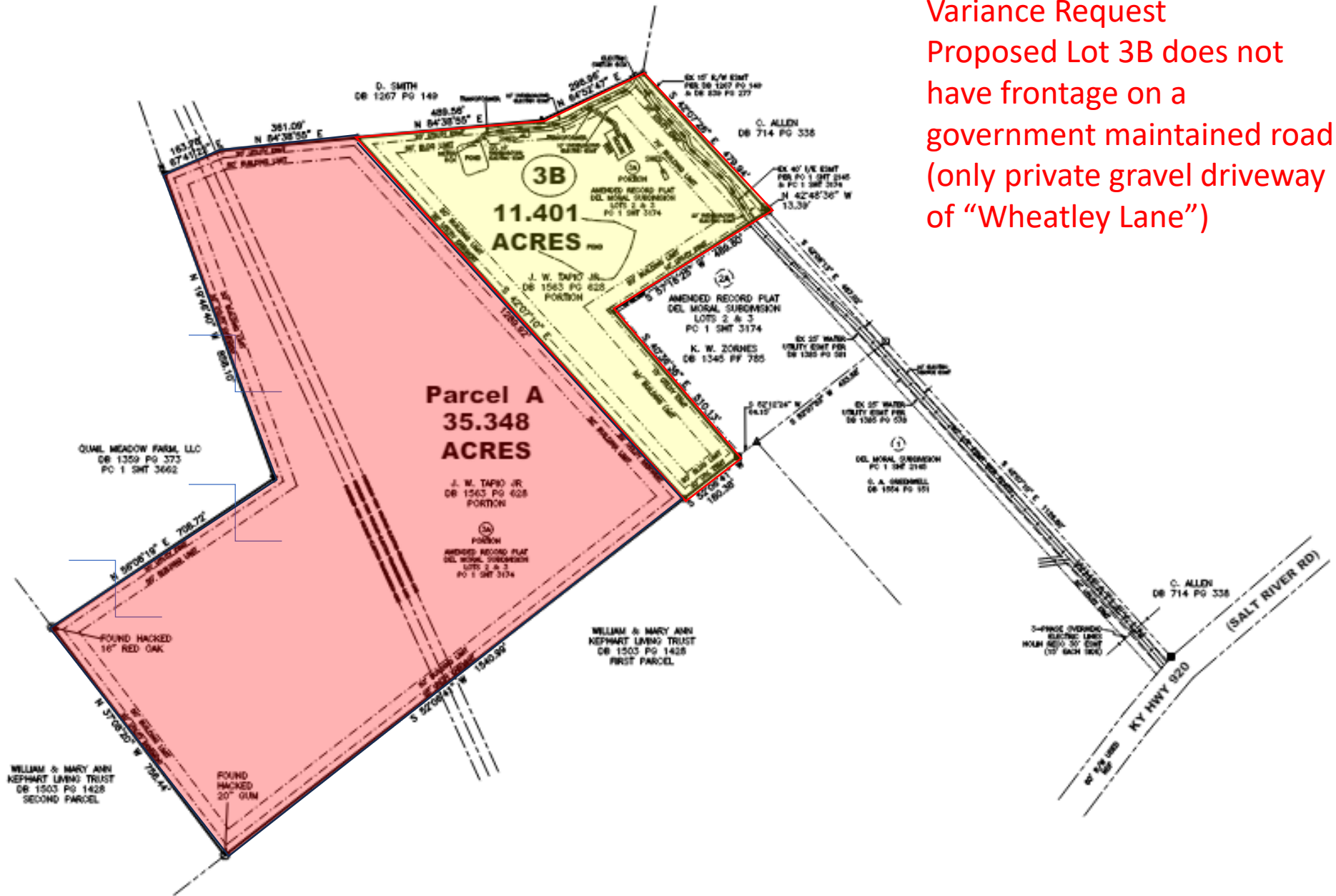
- GENERAL NOTES:
- 1 - All lot corners labeled "iron pin set" are iron pins, set this survey, one-half inch rebar, 24 inches long with surveyor's identifying cap, marked MILLER 2282. All unlabeled points are existing iron pins, found this survey and reflagged. All other corners are as noted.
 - 2 - The source of title for this property is Deed Book 847, Page 119.
 - 3 - The bearings shown on this plat are referenced to the existing deed as recorded in deed book 847, page 119.
 - 4 - This survey was performed by the method of random traverse and the unadjusted mathematical error of closure ratio of the random traverse exceeds

Amended Record Plat of Del Moral Subdivision, Lots 2 & 3

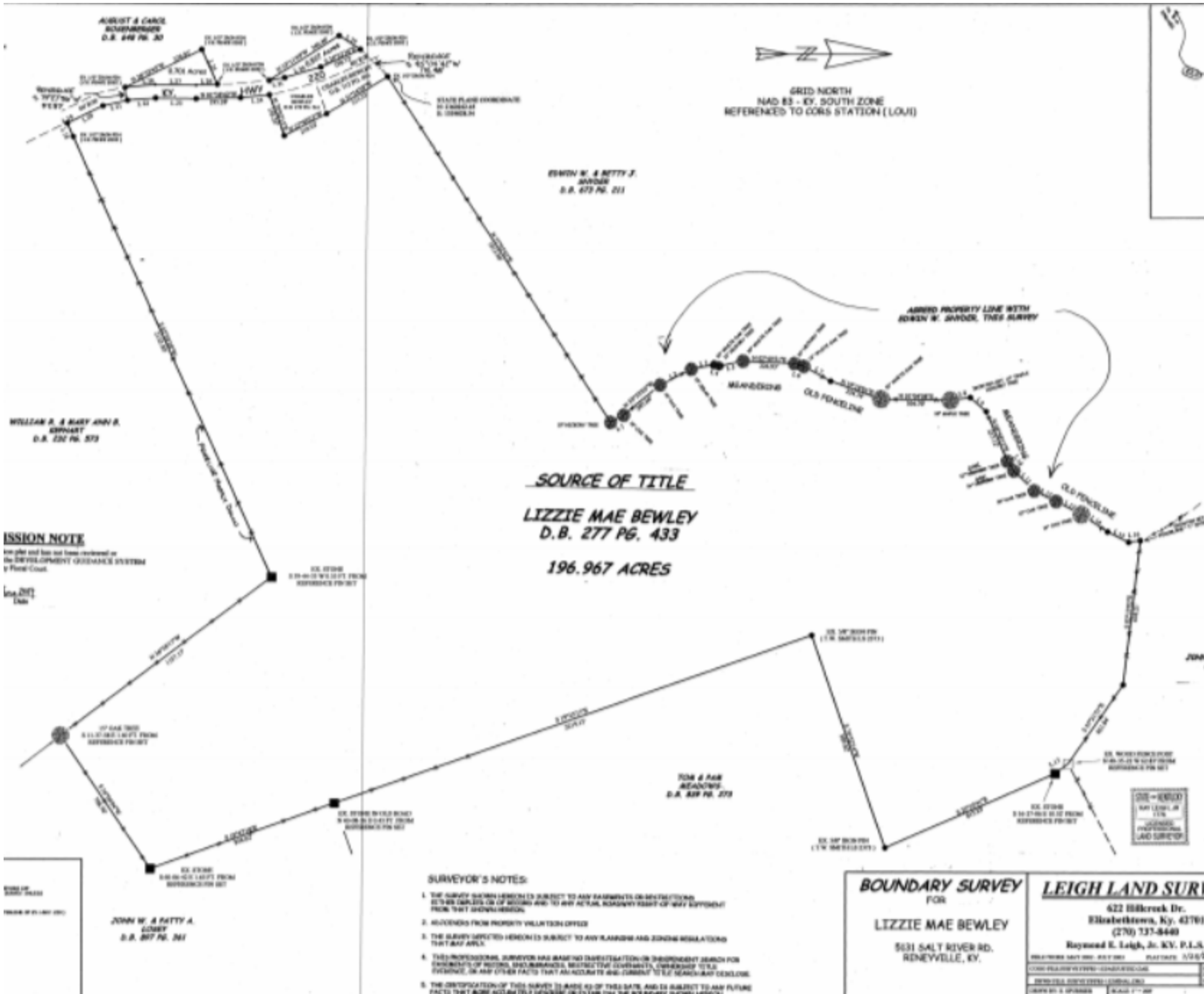


Proposed Amended Plat of Del Moral Subdivision, Lot 3A

(Parcel A to be merged with the adjoining farm)



Variance Request
Proposed Lot 3B does not have frontage on a government maintained road (only private gravel driveway of "Wheatley Lane")



MISSION NOTE
 This plot and base line were prepared on the DEVELOPMENT GUIDANCE SYSTEM by Plan-CAD.

1/24/2011
 LMS

SOURCE OF TITLE
LIZZIE MAE BEWLEY
 D.B. 277 PG. 433
 196.967 ACRES

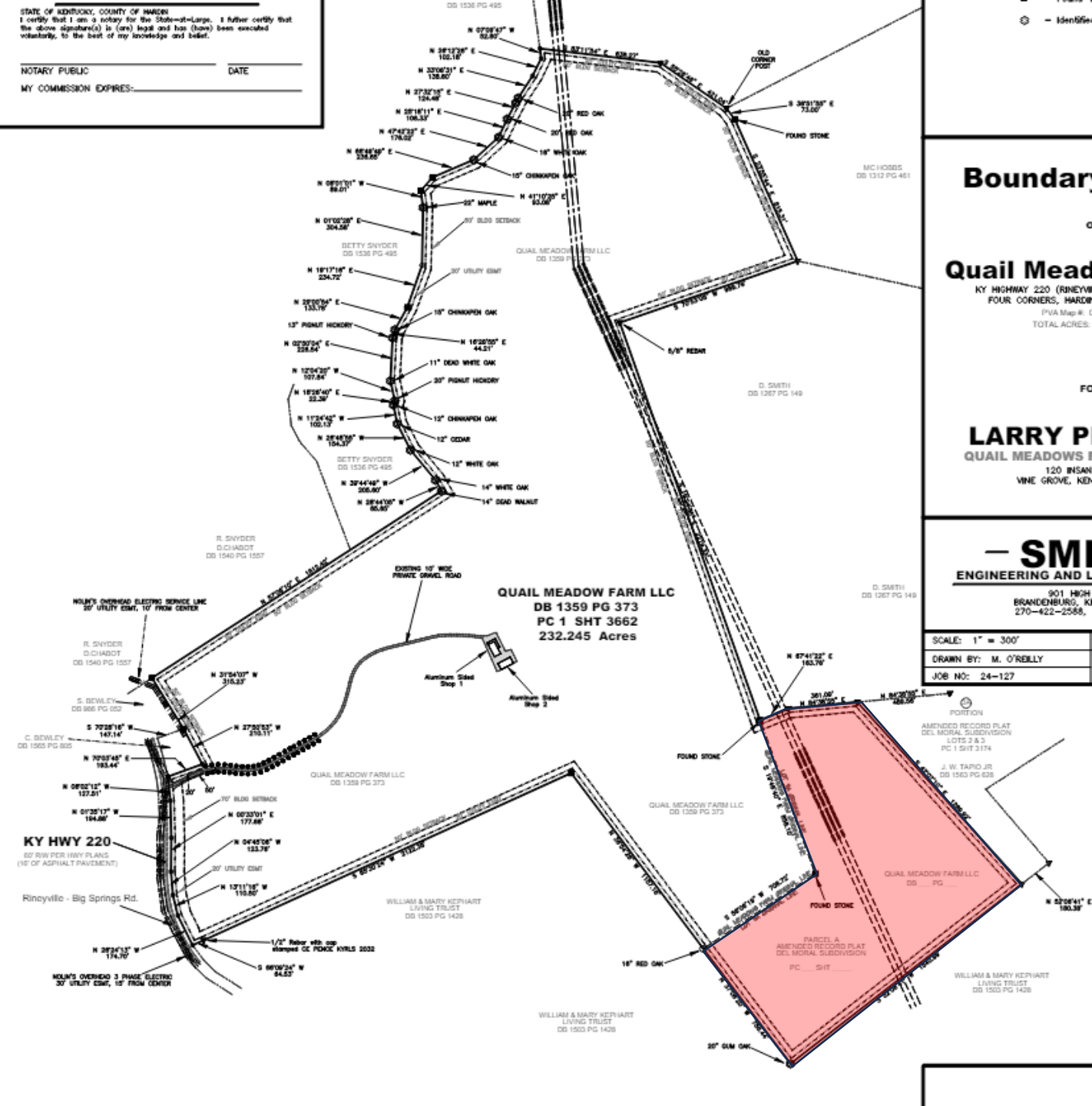
- SURVEYOR'S NOTES:**
1. THE SURVEY SHOWN HEREON IS SUBJECT TO ANY EASEMENTS OR RESTRICTIONS SET FORTH IN ANY DEEDS OF RECORD AND TO ANY ACTUAL ACQUISITION OF ANY EASEMENT FROM THAT ACQUISITION.
 2. EASEMENTS FROM PROPERTY VILLAGE TOWN OFFICE.
 3. THIS SURVEY IS SUBJECT TO ANY EASEMENTS AND ZONING REGULATIONS THAT MAY APPLY.
 4. THIS PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR DISSEMINATED SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, EASEMENTS, EASEMENTS OF TITLE, EASEMENTS, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE MANDATORY DECLARATION.
 5. THE ACCURACY OF THIS SURVEY IS GUARANTEED AS OF THE DATE AND IS SUBJECT TO ANY FUTURE FACTS THAT WOULD AFFECT THE ACCURACY OF THIS SURVEY.

BOUNDARY SURVEY
 FOR
LIZZIE MAE BEWLEY
 5631 SALT RIVER RD.
 RENEVILLE, KY.

LEIGH LAND SURVEY
 622 Hillbrook Dr.
 Elizabethtown, Ky. 42701
 (270) 737-8440
 Raymond E. Leigh, Jr., P.L.S.
 LICENSE NO. 1417-000-001-0001 EXPIRES 03/31/19
 STATE OF KENTUCKY
 PROFESSIONAL LAND SURVEYOR
 JOHN W. & BETTY A. CORNSANT
 1/24/2011

Amended Boundary Survey of Lizzie Mae Bewley

(Parcel A is red to be merged into the adjoining farm)



Variances from the Government-Maintained Frontage Requirement

16 Total (13 Approved, 2 Denied, 1 Pending)

Selected	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	Edit/View
<input type="checkbox"/>	05/02/2024	065-00-00-001.03	JOHN & KRISTINA TAPIO	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; SINGLE FAMILY	AMENDED DEL MORAL SUBDIVISION, LOT 3A	FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE REQUIREMENT TO ALLOW FOR THE PROPERTY TO BE FURTHER SUBDIVIDED	4497 SALT RIVER ROAD, RINEYVILLE, KY	46.758	PENDING	
<input type="checkbox"/>	11/15/2022	190-30-00-020.01	BENNIES BARN LLC	VARIANCE	PD-1 - PLANNED UNIT DEVELOPMENT		ANTIQUA, GIFT & CRAFT SHOP	WILLIAMS CORNER SUBDIVISION, LOT 2 - BENNIES BARN VARIANCE	VARIANCE FROM GOVERNMENT MAINTAINED ROAD FRONTAGE FOR LOT 2B AND THE MINIMUM ROAD FRONTAGE FOR LOT 2A	434 E MAIN STREET, GLENDALE, KY 42740	1.703	DENIED	
<input type="checkbox"/>	10/07/2022	164-00-01-015	MOUSER KAITLYN & BAILEY HALL	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE		RESIDENTIAL	VARIANCE FROM GOVERNMENT MAINTAINED ROAD FRONTAGE	VARIANCE FROM GOVERNMENT MAINTAINED ROAD FRONTAGE TO ALLOW FOR THE PROPERTY TO BE RECONFIGURED	294 PIERCE LANE, ELIZABETHTOWN, KY 42701	.000	APPROVED	
<input type="checkbox"/>	08/04/2022	147-30-01-001	OWSLEY B G & MARTHA J	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE		RESIDENTIAL	RATIO & GOVERNMENT MAINTAINED ROAD FRONTAGE VARIANCES	FROM THE 1:4 LOT WIDTH-TO-LENGTH RATIO FOR LOT 1. VARIANCE FROM GOVERNMENT MAINTAINED ROAD FRONTAGE FOR LOT 2.	WEST MAIN STREET/PARK LANE	16.030	APPROVED	
<input type="checkbox"/>	04/28/2021	083-00-00-045	BEARD RONALD C & TAMBERLEY	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE		RESIDENTIAL	BEARD SUBDIVISION, SECTION 3	TO ALLOW FOR TWO EXISTING TRACTS TO BE RECONFIGURED AND PLATTED AS TWO LOTS - VARIANCE FROM GOVERNMENT MAINTAINED ROAD FRONTAGE	10032 ST. JOHN ROAD, CECILIA, KY	12.705	APPROVED	
<input type="checkbox"/>	11/05/2019	198-00-00-029.01	IRWIN DALE	VARIANCE	R-3 - RESIDENTIAL ESTATE ZONE			IRWIN SUBDIVISION, LOT 1, #1	FROM THE MINIMUM ROAD FRONTAGE AND GOVERNMENT MAINTAINED ROAD FRONTAGE TO ALLOW FOR THE PROPERTIES TO BE FURTHER SUBDIVIDED	459 LINCOLN ROAD & 1614 BATTLE TRAINING ROAD	10.000	APPROVED	
<input type="checkbox"/>	09/24/2019	235-10-01-031	COTTRELL STEPHANIE & KEVIN	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE			LYNNWOOD SUBDIVISION, # 3, LOTS 18-22	TO ALLOW FOR A VARIANCE FROM FRONTAGE ON A GOVERNMENT MAINTAINED ROAD	ECHO LN	3.443	APPROVED	
<input type="checkbox"/>	03/15/2018	206-00-00-038	SPRINGER KARL L & ROBIN S	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; SINGLE FAMILY	SPRINGER PROPERTY	FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE REQUIREMENT TO ALLOW FOR ADDITIONAL ACREAGE TO BE MERGED TO AN EXISTING TRACT	996 MUD SPLASH RD	3.940	APPROVED	
<input type="checkbox"/>	12/28/2016	223-00-00-002.01	WARREN GENEVA F REVOCABLE LIVING	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE				FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE TO ALLOW FOR FOUR EXISTING TRACTS OFF OVERALL PHILLIPS ROAD IN ELIZABETHTOWN, KY TO BE MERGED TOGETHER AND PLATTED AS A SINGLE LOT	OVERALL PHILLIPS RD	4.826	APPROVED	
<input type="checkbox"/>	04/08/2015	088-00-00-012	ASASKAS GLENN E	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE				RELIEF FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE TO ALLOW FOR ADDITIONAL ACREAGE TO BE MERGED TO LOT 1 OF ARCHER HOLLOW.	100 EASTVIEW ROAD	11.230	APPROVED	
<input type="checkbox"/>	08/26/2014	273-00-01-009.01	CHARLES & SHERYL PHILLIPS	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	
<input type="checkbox"/>	04/17/2014	165-00-00-050	FRANK HOBBS	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE				RELIEF FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE	WALNUT CREEK ROAD	7.415	APPROVED	
<input type="checkbox"/>	04/14/2014	088-00-00-012	ASASKAS GLENN E	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE			GOVERNMENT MAINTAINED ROAD FRONTAGE	RELIEF FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE	1106 EASTVIEW ROAD	2.070	APPROVED	
<input type="checkbox"/>	08/28/2012	231-10-00-023	JUNKO COSBY	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE			GOVERNMENT MAINTAINED ROAD FRONTAGE	VARIANCE FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE TO RESHAPE THE EXISTING TRACTS	1707 TUNNEL HILL ROAD	9.500	APPROVED	
<input type="checkbox"/>	10/06/2011	147-40-00-046; 147-40-00-046.01	ERIC M PEAKE	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE			GOVERNMENT MAINTAINED ROAD FRONTAGE / DR AUDS FIRST ADDITION, LOTS 23A & 26A	RELIEF FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE	MAIN STREET	3.990	APPROVED	
<input type="checkbox"/>	04/11/2011	040-00-00-010.04	GARY S. COOPER, SR.	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE			GOVERNMENT MAINTAINED ROAD FRONTAGE	RELIEF FROM THE GOVERNMENT MAINTAINED ROAD FRONTAGE	85 TURKEY ROOST LANE	10.115	DENIED	

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 government maintained road frontage requirement to allow for Lot 3A of Del Moral Subdivision to be further subdivided.**
- 2. The Amended Plat and Boundary Survey shall substitute for the Site Plan.**
- 3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.**

OR

Motion to Deny