



# **Hardin County Board of Adjustment 8 August 2024**

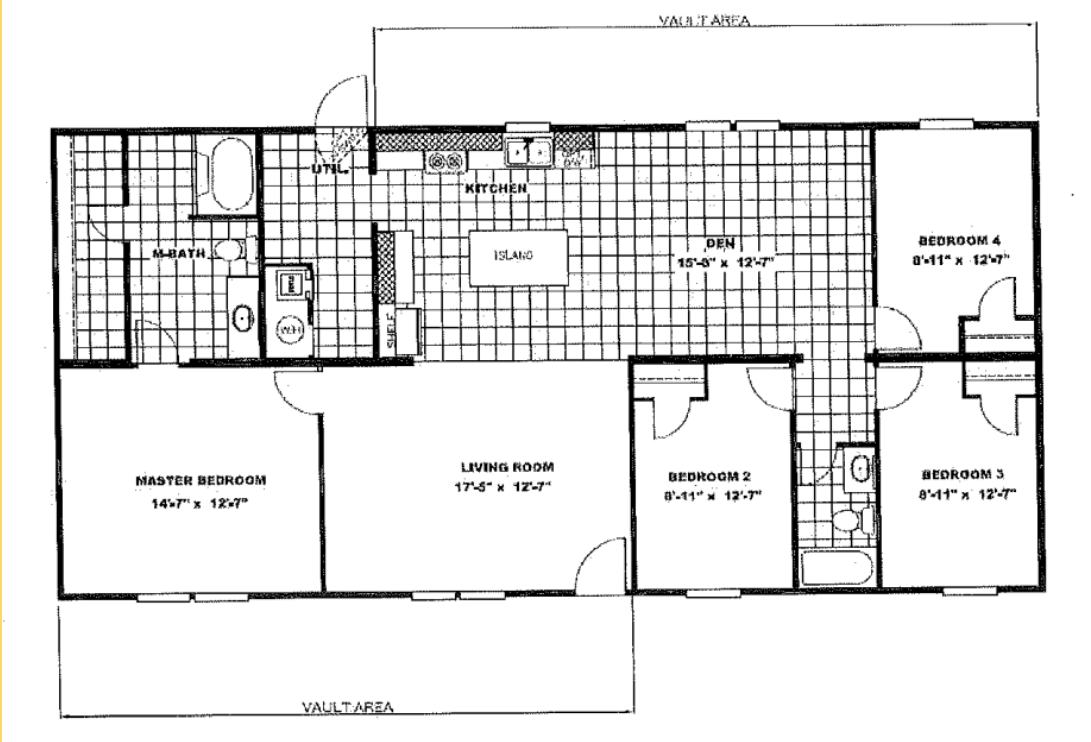
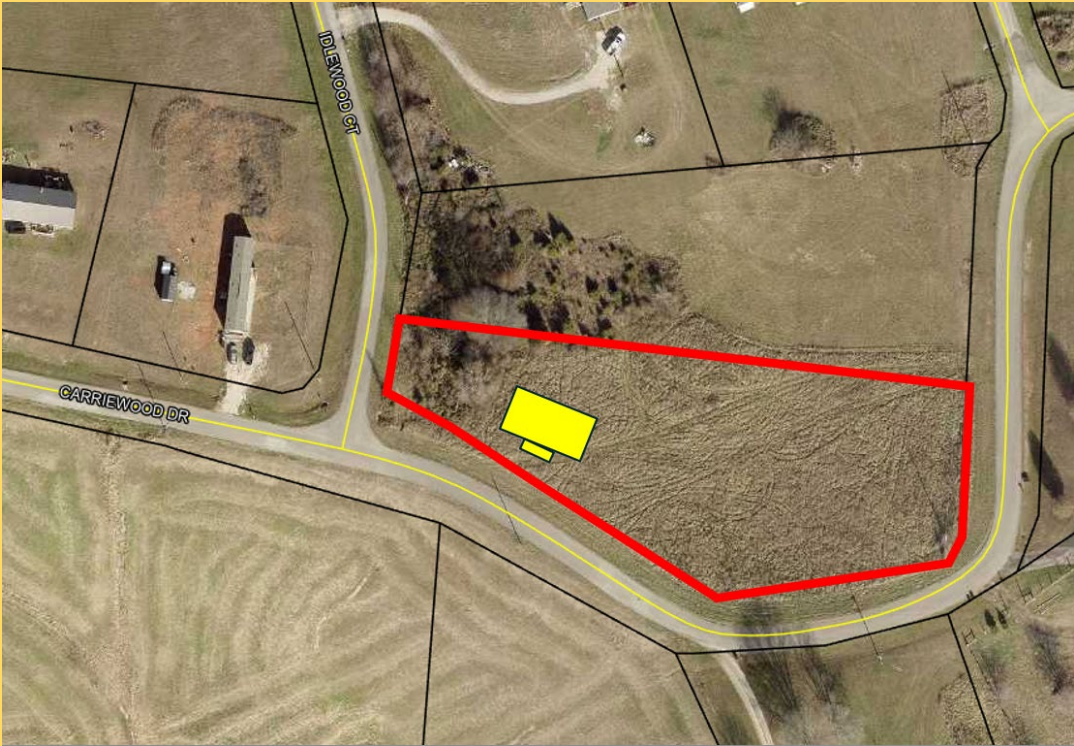
County Government Center  
Second Floor Meeting Room

**Owner:** Sheeran Enterprises, LLC

**Location:** Carriewood Estates, Section 3, Lot 21, Cecilia, KY

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

Requesting a **Variance** for a manufactured home to be placed 41' from the centerline of Carriewood Drive.





# Carriewood Estates, Section 3, Lot 21

Variance

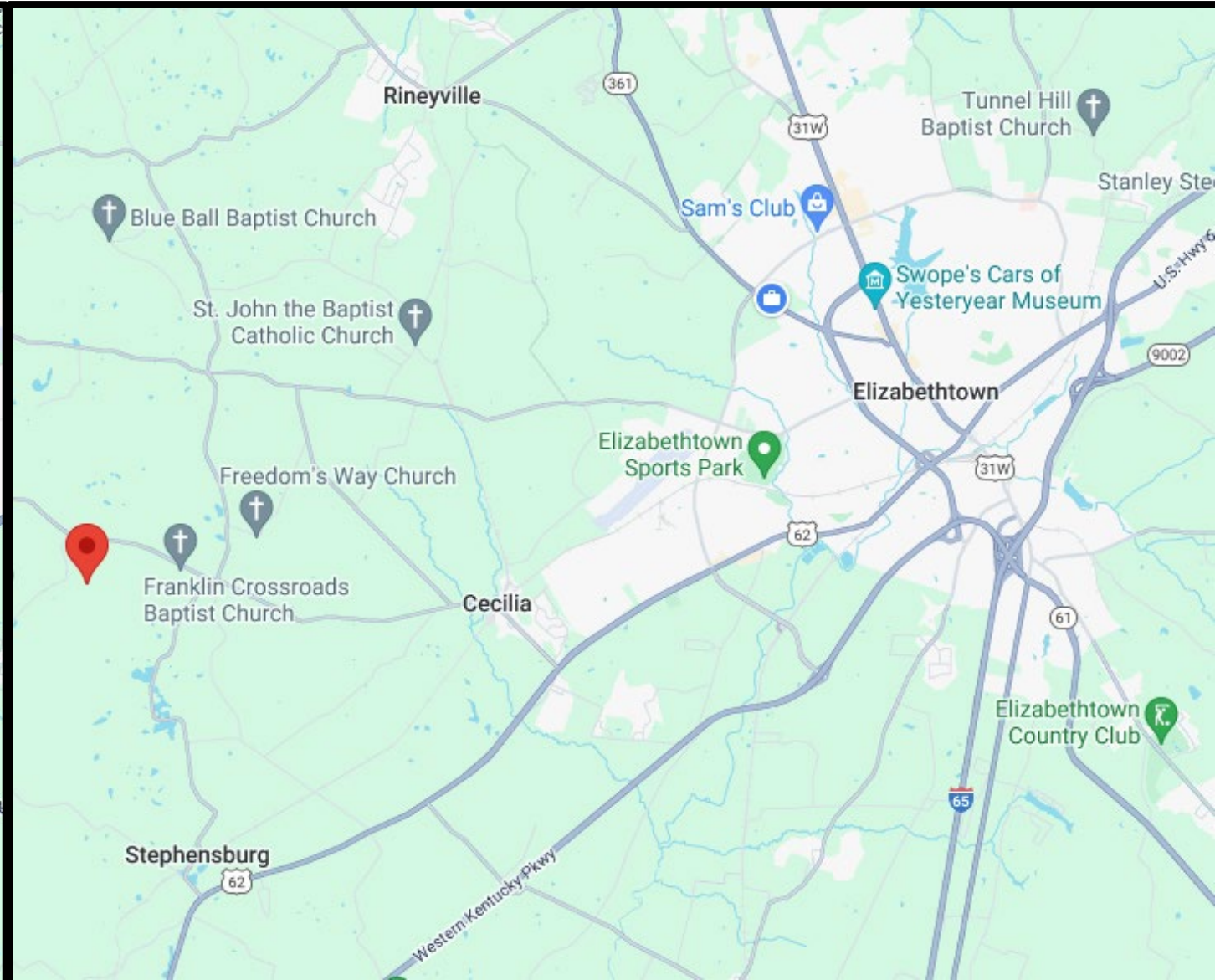
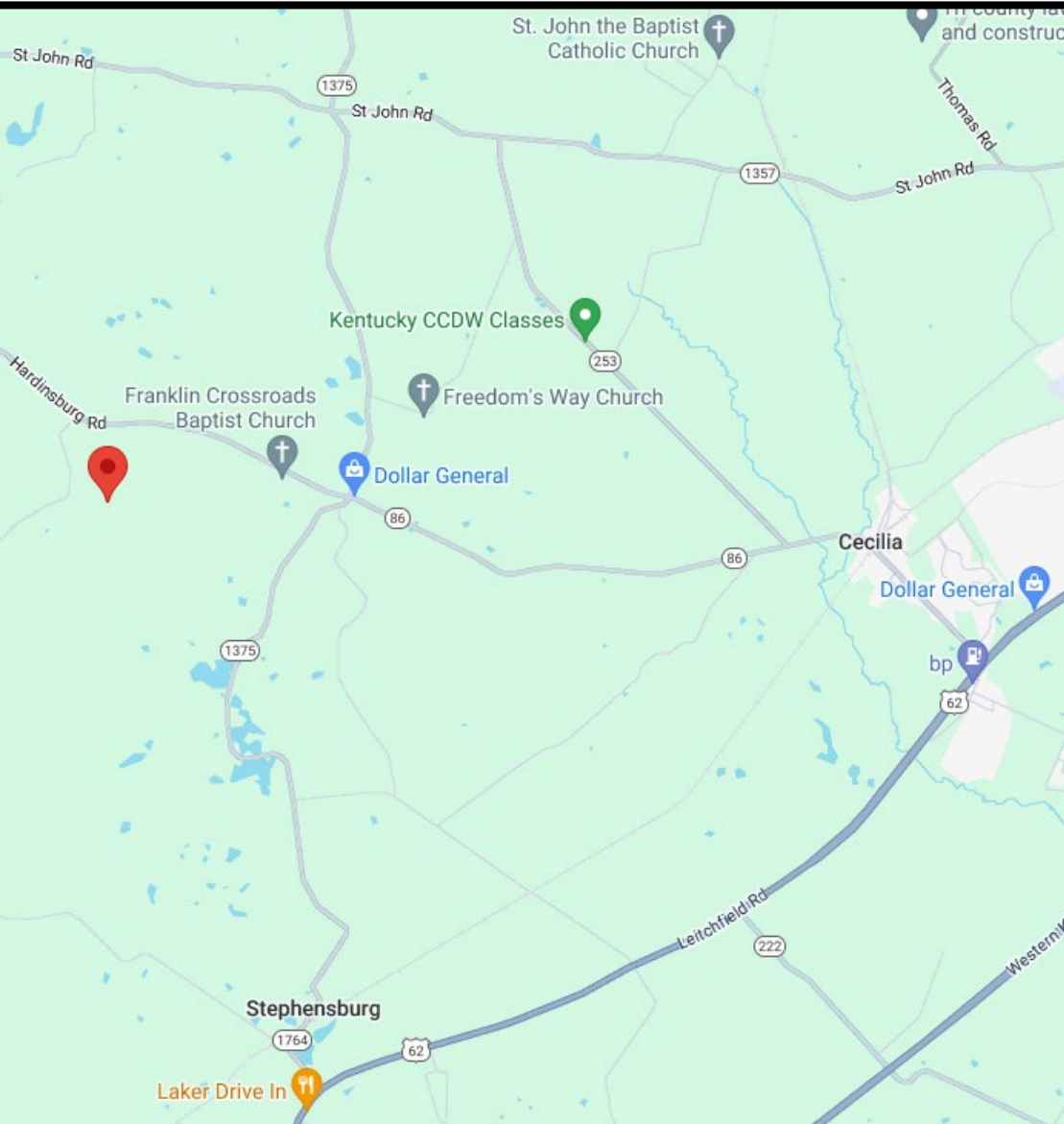
Summary Report

## LISTING OF EXHIBITS

- A. Vicinity Map
- B. Zoning Map
- C. Aerial Photos
- D. Record Plat of Carriewood Estates, Section 3 (2004)
- E. Contour Map
- F. Site Plan
- G. Photos of the Site
- H. Character of the Area
- I. Comparison of Setbacks within Carriewood Estates
- J. \*Comprehensive Development Guide
- K. \*Development Guidance System Ordinance

\* Not Provided in PowerPoint

# Vicinity Map







R-2

YATES CHAPEL RD

CARRIEWOOD DR

OLEWOOD CT

SAGEWOOD CT

R-2

DISTRICT	
[Brown Swatch]	A-1
[Pink Swatch]	B-1
[Red Swatch]	B-2
[Light Blue Swatch]	C-0
[Blue Swatch]	C-1
[Dark Blue Swatch]	C-2
[Yellow Swatch]	I-1
[Light Yellow Swatch]	I-2
[Tan Swatch]	IH
[Dark Green Swatch]	PD-1
[Light Green Swatch]	R-1
[Medium Green Swatch]	R-2
[Dark Green Swatch]	R-3
[Grey Swatch]	R-4









YATES CHAPEL RD

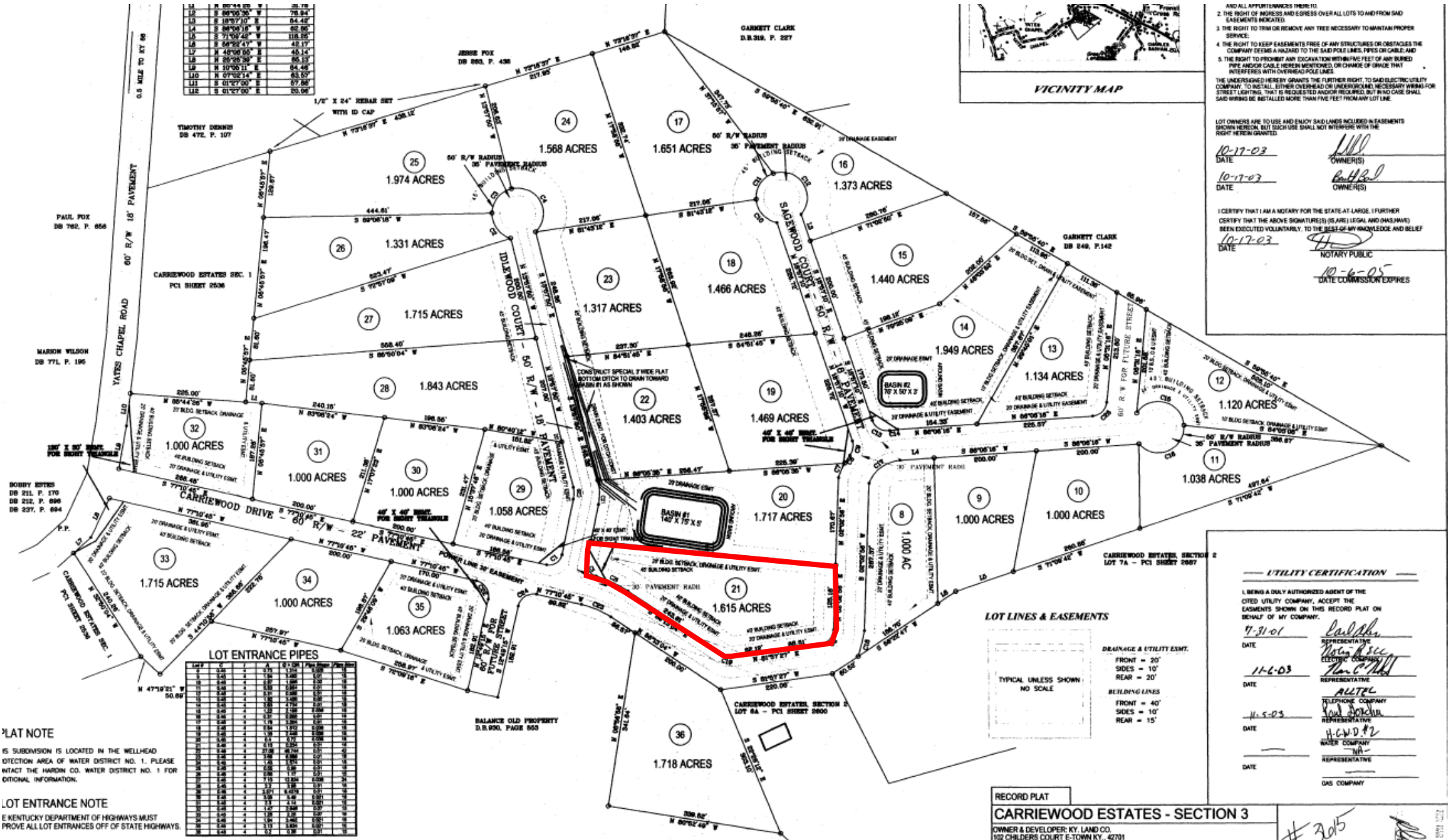
CARRIEWOOD DR

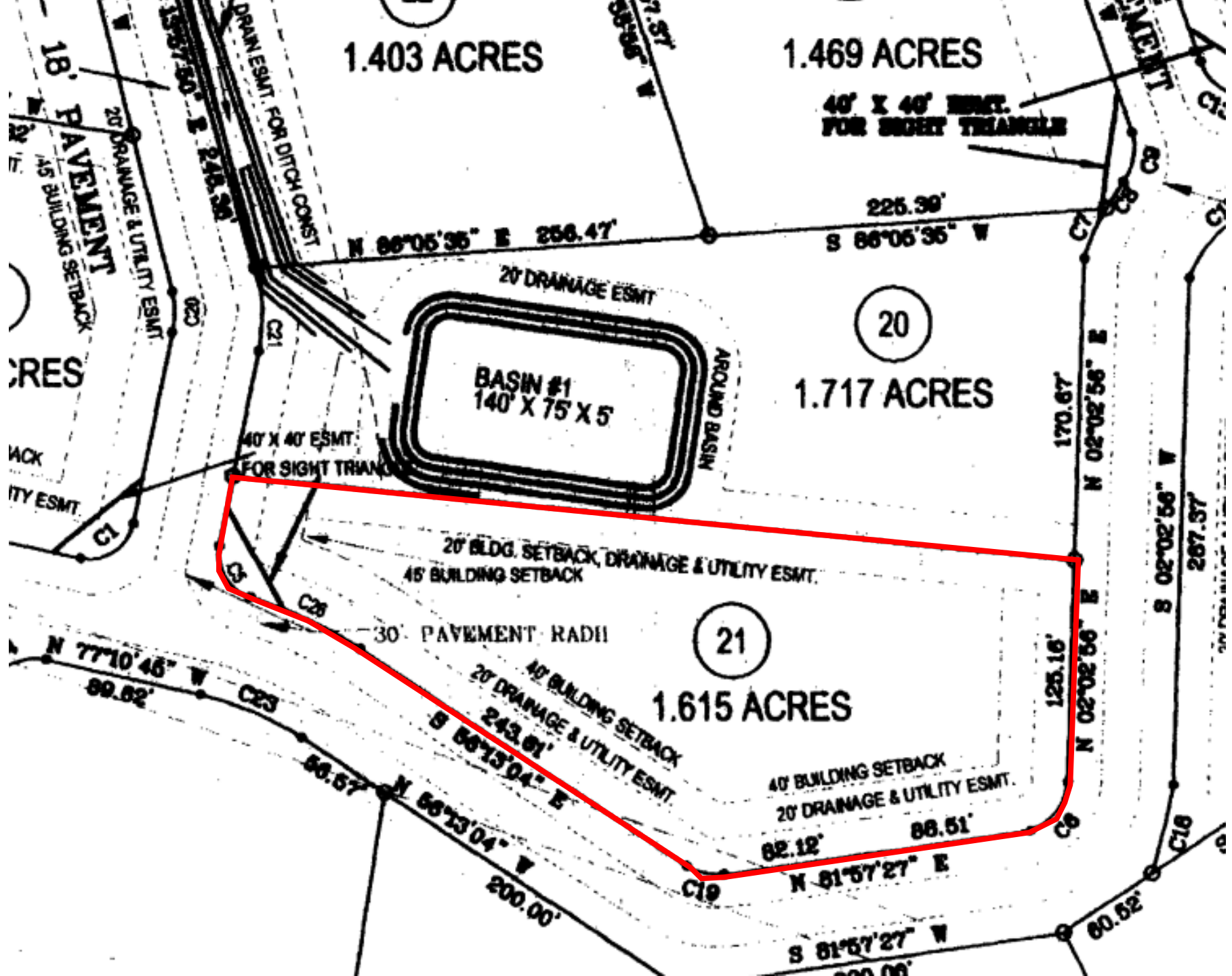
OLEWOOD CT

SAGEWOOD CT



# Record Plat of Carriewood Estates, Section 3 (2004)





1.403 ACRES

1.469 ACRES

40' X 40' ESMT.  
FOR SIGHT TRIANGLE

18' PAVEMENT  
AS BUILDING SETBACK

20' DRAINAGE & UTILITY ESMT.

N 86°05'35" E 256.47'

225.39'  
S 86°05'35" W

20

1.717 ACRES

BASIN #1  
140' X 75' X 5'

20' DRAINAGE ESMT

AROUND BASIN

40' X 40' ESMT.  
FOR SIGHT TRIANGLE

RES

ACK  
ITY ESMT

20' BLDG. SETBACK, DRAINAGE & UTILITY ESMT.  
45' BUILDING SETBACK

170.67'  
N 02°02'56" E

N 02°02'56" W  
267.57'

21

1.615 ACRES

30' PAVEMENT RADII

40' BUILDING SETBACK  
20' DRAINAGE & UTILITY ESMT.  
243.81'  
S 66°13'04" E

N 77°10'45" W  
89.82'  
C23

86.57'

N 66°13'04" W  
200.00'

40' BUILDING SETBACK  
20' DRAINAGE & UTILITY ESMT.  
82.12' 88.51'

125.16'  
N 02°02'56" E

N 61°57'27" E  
S 61°57'27" W

80.52'



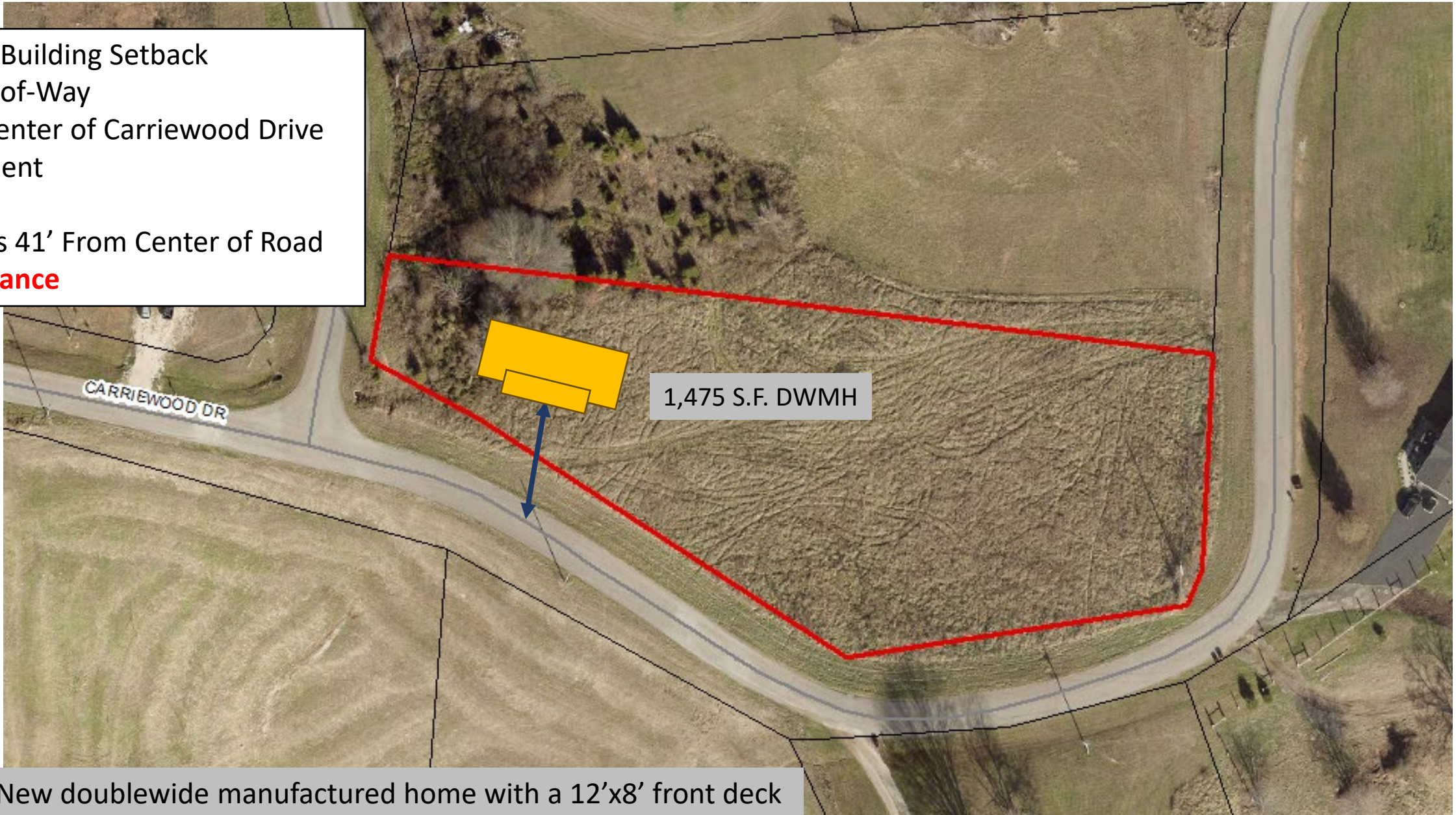
Almost 20'  
of elevation  
change from  
the front to  
the rear of  
the lot



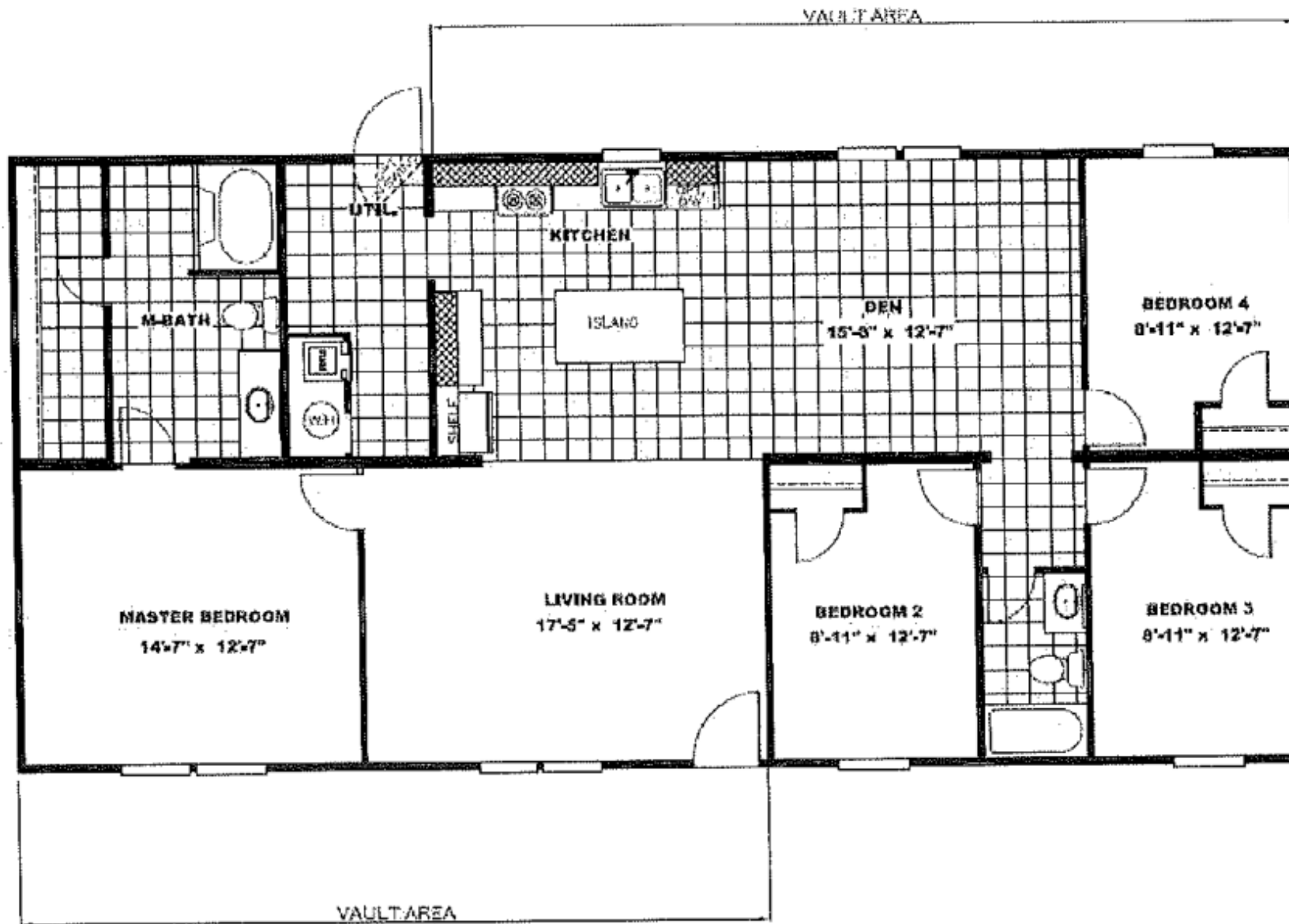


40' Front Building Setback  
60' Right-of-Way  
= 70' to center of Carriewood Drive  
Requirement

Request is 41' From Center of Road  
= **29' Variance**



28' X 56' New doublewide manufactured home with a 12'x8' front deck  
41' from centerline of Carriewood Drive



28' X 56' New doublewide manufactured home with a 12'x8' front deck  
41' from centerline of Carriewood Drive





Carriewood Drive

Proposed Home Location







Opposite side of the lot

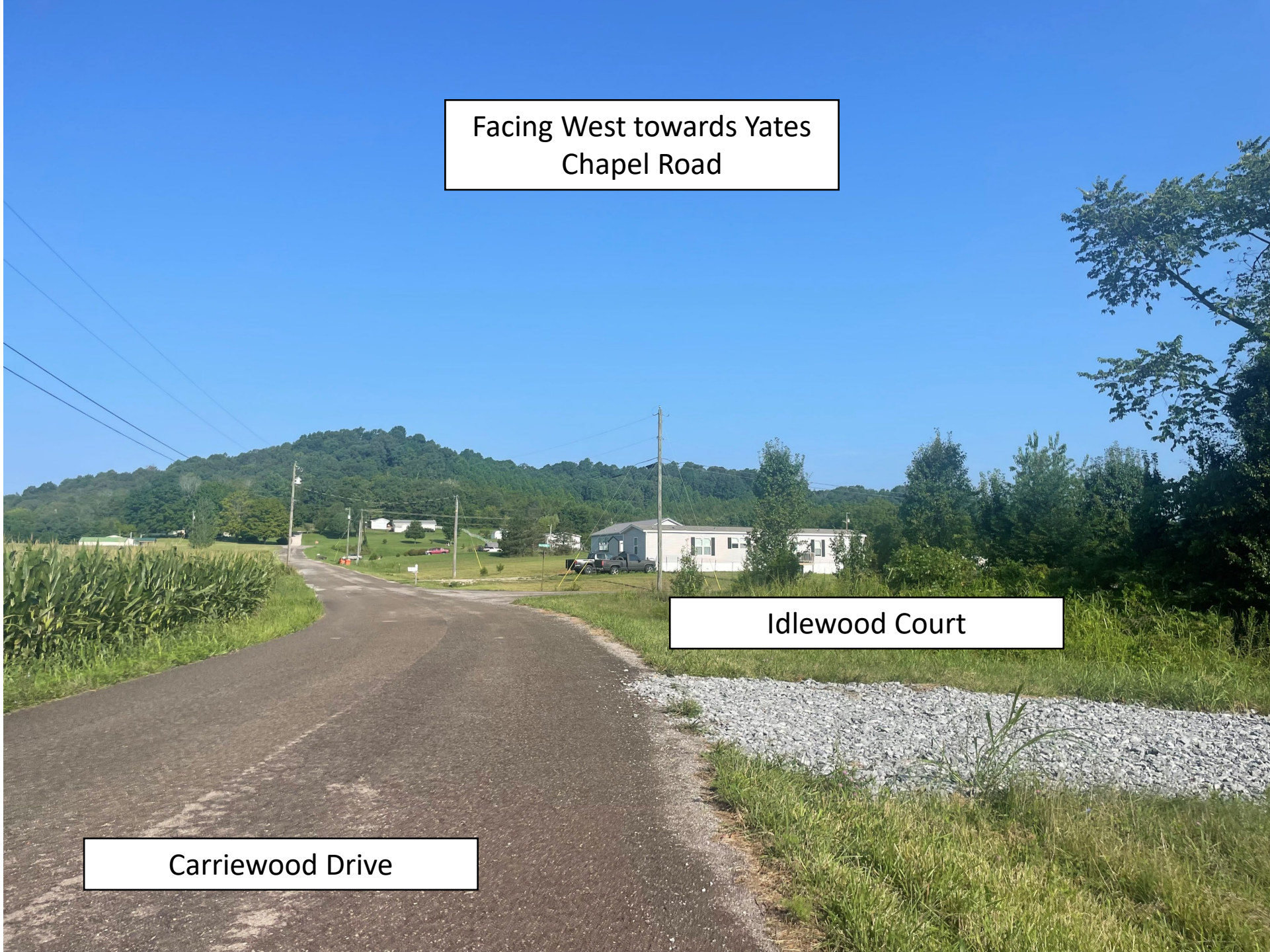




Facing West towards Yates  
Chapel Road

Idlewood Court

Carriewood Drive





Facing East Out of Driveway







1,568 S.F. DWMH (2021)



1,216 S.F. SWMH (2020)



1,360 S.F. House (1959)



1,064 S.F. SWMH (1997)

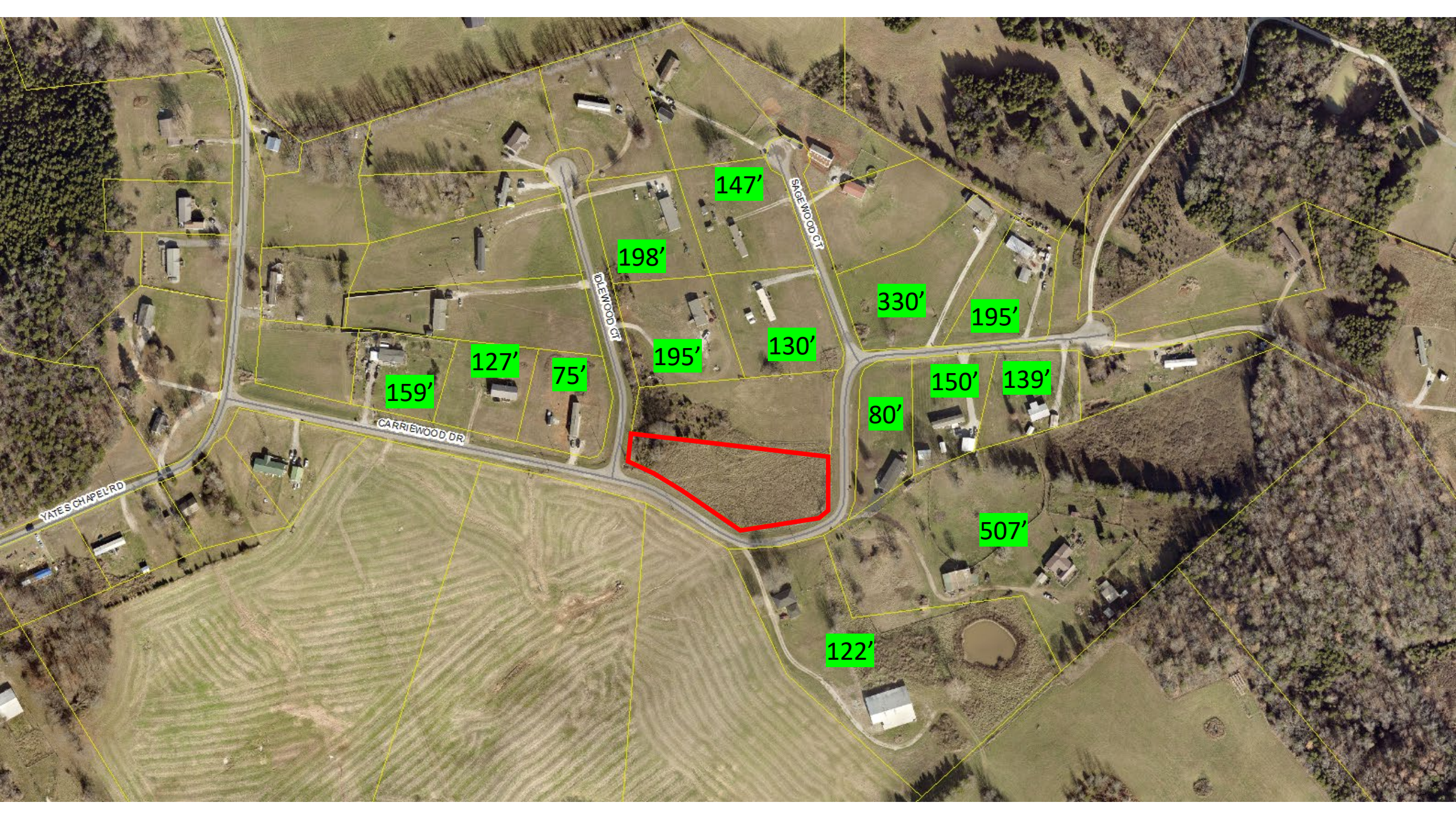


2,052 S.F. DWMH (2000)



1,716 S.F. DWMH (2000)





YATES CHAPEL RD

CARRIEWOOD DR

OLEWOOD CT

SAGEWOOD CT

159'

127'

75'

198'

195'

147'

130'

330'

195'

80'

150'

139'

507'

122'



CARRIEWOOD ESTATES, SECTION I, II, and III

- A. The Real Estate described herein shall be utilized for residential purposes only.
- B. No mobile homes shall be any older than 10 years old, unless approved by Developers with written consent and must be a minimum of 14 feet wide with minimum square footage of 1,051.
- C. No tent, shack, barn or other outbuildings erected shall be used at any time as a residence, temporarily or permanently, nor shall any structure or temporary character be used as a residence.
- D. No junk, inoperative automobiles or unlicensed automobiles shall be allowed upon the premises except in enclosed structures where the same shall not be visible to adjoining property owners or from the public right of way.
- E. No noxious or offensive trade or activity shall be carried on upon the real estate, nor shall anything be done thereon which may be or may become an annoyance to the neighborhood.
- F. The real estate shall not be used or maintained as a dumping ground for rubbish, etc. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
- G. Individual sewage disposal systems shall be located, and constructed in accordance with the requirements, standards and recommendations of the State Board of Health. Approval of such systems as installed, shall be obtained from such authority.
- H. No animals shall be kept upon the real estate except commonly accepted domestic pets. No swine or chickens shall be allowed to be kept upon the premises at any time. Horses may be permitted if land owner has acquired 2 or more acres.
- I. No business or commercial activity of any kind shall be carried out upon the premises.
- J. All lot owners are responsible for soil conservation practice, such as seed and strawing to avoid soil erosion according to the county soil and water conservation office.
- K. All lot owners must install driveway culverts, which must be a minimum of 15" in diameter and 24" in length or to County specifications.

- L. One residence per lot. Developer must approve all mobile homes for Carriewood Estates, Section I, II and III.
- M. All mobile homes will have immediate underpinning of same likeness of Home or may be brick, stone, vinyl or of that nature.
- N. Invalidation of any one of the covenants, by judgment or court order, shall in no way affect any of the other provisions, which shall remain in full force and effect. The covenants, conditions and restrictions herein contained shall run with the land and shall be binding on all owners, their heirs, executors, administrators and assigns. Enforcement shall be by proceedings at law or in equity against any persons violating or attempting to violate any covenant, either to restrain said violation or to recover damages for the violation.
- O. These covenants are to be binding upon all owners of lots in this subdivision, all restrictions will stay intact, unless a vote of the majority of the owners of the lots in this subdivision agree to change said covenants in whole or part. Each lot would have one vote, and majority would consist of 75% of lot owners

  
 \_\_\_\_\_  
 GORDON BOARD


  
 \_\_\_\_\_  
 BERNETT BOARD

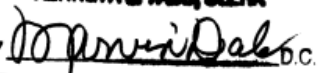
STATE OF KENTUCKY  
 COUNTY OF HARDIN

I, the undersigned, a Notary Public, in and for the State and County aforesaid, do certify that the foregoing Deed was produced to me in said State and County ad was acknowledged and delivered by Gordon Board and Bennett Board, his wife, parties thereto, to be their true act and deed. WITNESS my signature this 25<sup>th</sup> day of March 2004.

My commission expires: 10-6-05

  
 NOTARY PUBLIC

  
 Document prepared by:  
 Gordon Board  
 102 Childers Court  
 Elizabethtown, KY 42701

STATE OF KENTUCKY  
 COUNTY OF HARDIN SCT.  
 I, KENNETH L. TABB, CLERK OF SAID COUNTY COURT, HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT HAS BEEN DULY RECORDED IN BOOK 1111 PAGE 373 IN MY SAID OFFICE.  
 KENNETH L. TABB, CLERK  
 BY  D.C.

2004 APR 15 A 9:00  
 CLERK  
 900



# 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 a Variance from the front building setback for a manufactured home and front deck to be 41' from the center of Carriewood Drive.**
- 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.**

OR

**Motion to Deny**



Owners: Stacy Ann Bowling  
Applicant: Nathan Huggins



**Location** A 1.015 acre site located at 434 Brentwood Drive, Elizabethtown, KY known as Lot 10 of Sunset Subdivision, Section 4

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

**Requesting a **Conditional Use Permit** for a Permanent Accessory Dwelling to allow for a 1,475 sq. ft. apartment within an existing detached garage.**



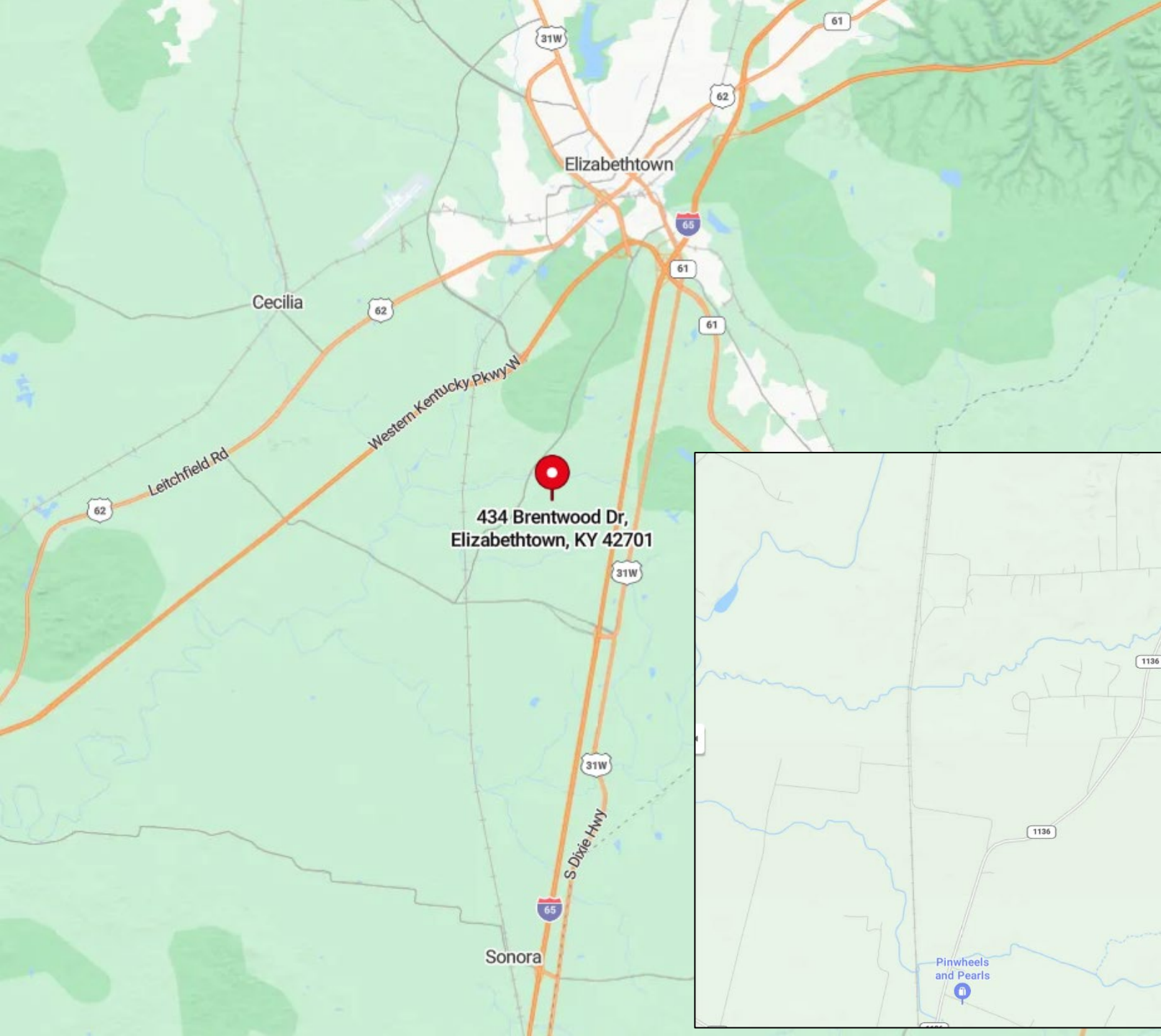
**434 Brentwood Drive**  
Conditional Use Permit  
SUMMARY REPORT

LISTING OF EXHIBITS

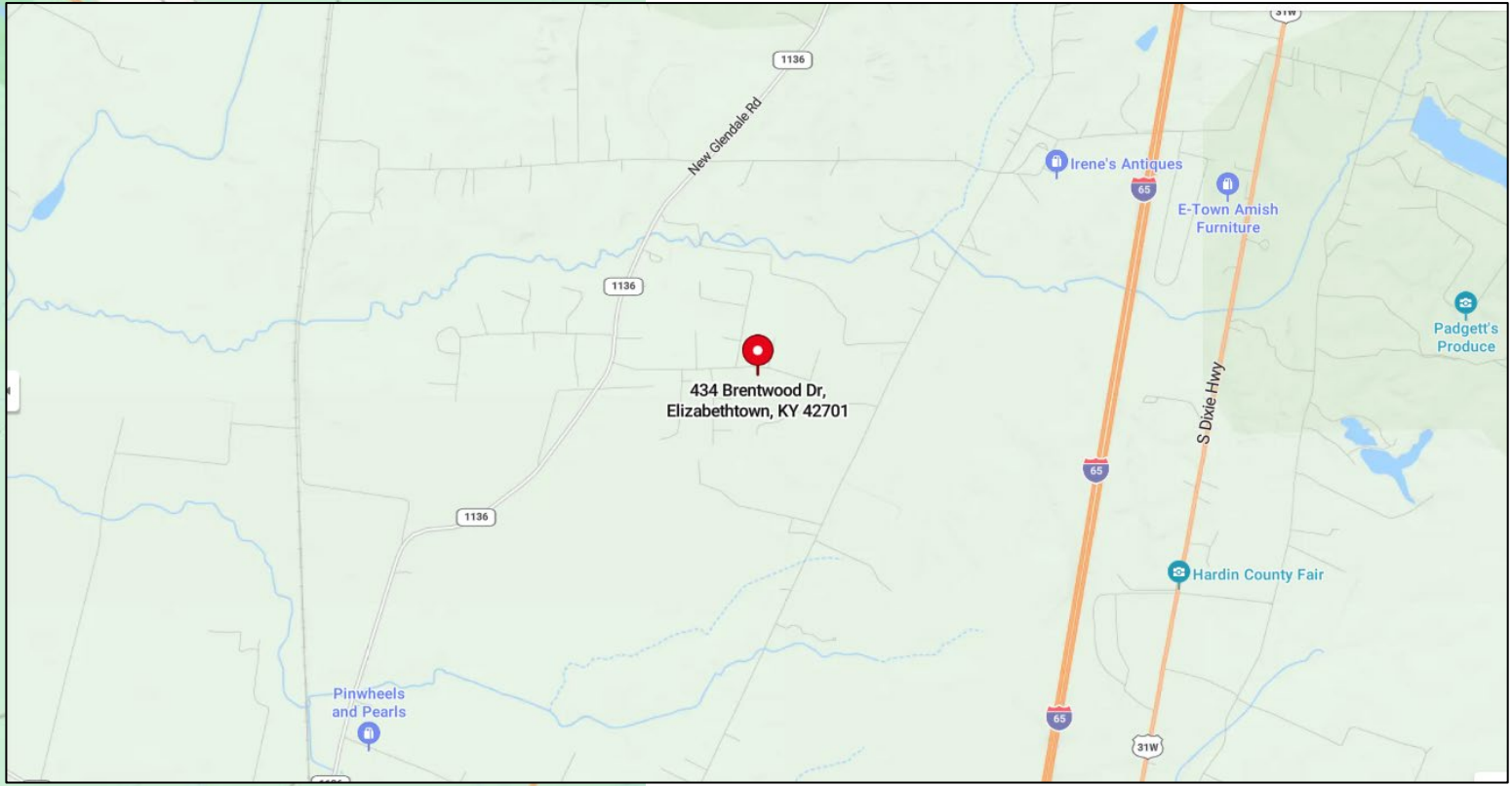
- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photos**
- D. Record Plat of Sunset Subdivision, Section 4 (2001)**
- E. Character of the Site**
- F. Site Plan**
- G. Building Plans**
- H. Photos of the Site**
- I. Analysis of other Permanent Accessory Dwellings**
- J. Applicant's Statement**
- K. \*Comprehensive Development Guide**
- L. \*Development Guidance System Ordinance**

\* Not Provided in PowerPoint





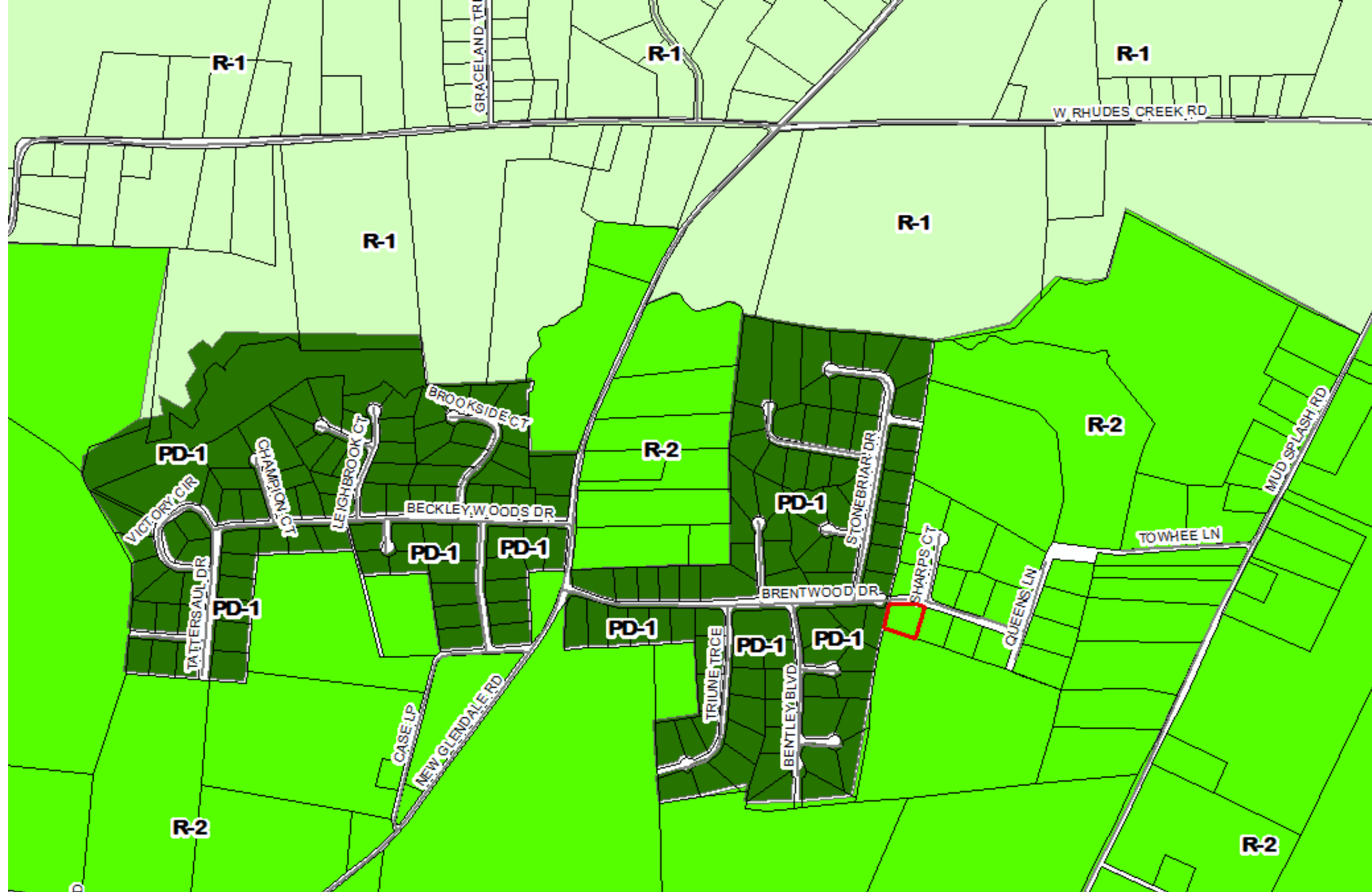
434 Brentwood Dr,  
Elizabethtown, KY 42701



434 Brentwood Dr,  
Elizabethtown, KY 42701

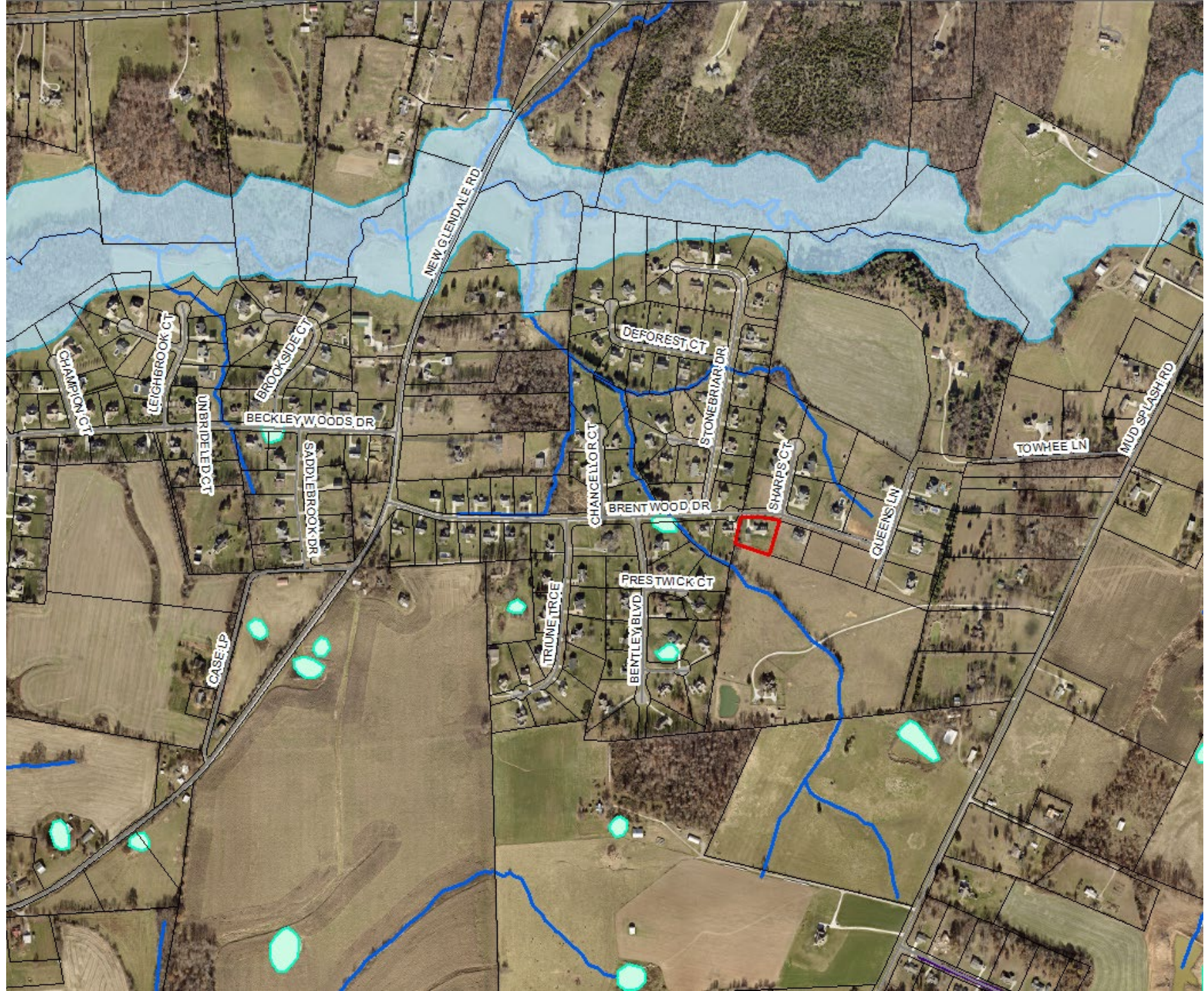


- A-1
- B-1
- B-2
- C-0
- C-1
- C-2
- I-1
- I-2
- IH
- PD-1
- R-1
- R-2
- R-3
- R-4





- Hardin\_Wetlands
- Hardin\_100Flood
- streams
- hardin\_sinkhole



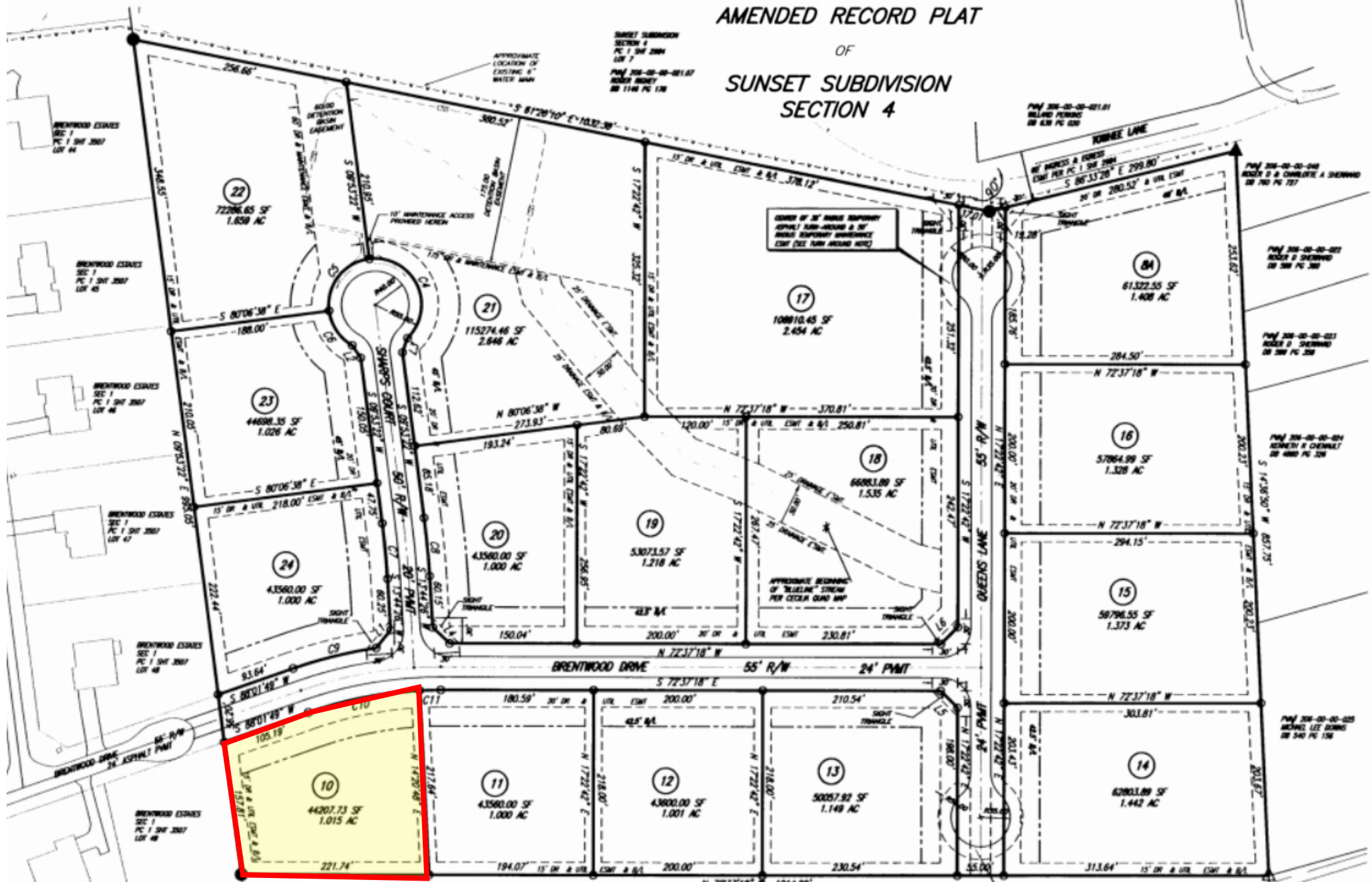






AMENDED RECORD PLAT

SUNSET SUBDIVISION SECTION 4



SUNSET SUBDIVISION  
SECTION 4  
PC 1 SH 2007  
LOT 7  
PMT 200-00-00-011-07  
RIDER BONEY  
08 1148 PG 128

PMT 200-00-00-011-01  
MILLARD PERROW  
08 628 PG 020

PMT 200-00-00-011-04  
RIDER D & COMPLETE A SHEDDING  
08 760 PG 757

PMT 200-00-00-011-07  
RIDER D SHEDDING  
08 760 PG 757

PMT 200-00-00-011-02  
RIDER D SHEDDING  
08 760 PG 757

PMT 200-00-00-011-01  
ADWETH & CHEWELT  
08 480 PG 228

PMT 200-00-00-011-02  
MICHAEL LEE BOWEN  
08 740 PG 106

PMT 200-00-00-011-03  
COW C & ANN H GARDNER  
08 740 PG 024

**COMMISSION'S CERTIFICATION**  
I CERTIFY THAT THIS RECORD PLAT HAS BEEN APPROVED IN ACCORDANCE WITH THE REGULATIONS ADMINISTERED BY THE HARDON COUNTY PLANNING AND DEVELOPMENT COMMISSION AND THAT THIS PLAT IS NOW ELIGIBLE FOR RECORDING.

SUNSET SUBDIVISION  
SECTION 4  
PC 1 SH 2007  
LOT 8  
PMT 200-00-00-011-08  
RIDER B & KELLY BOWERS  
08 1011 PG 140

COVER OF 30' BOLLARD TEMPORARILY  
APPROXIMATE BEARING  
OF "BOLLARD" STREAM  
PER CIRCLE GRAD MAP





27'x38' detached garage (2011)

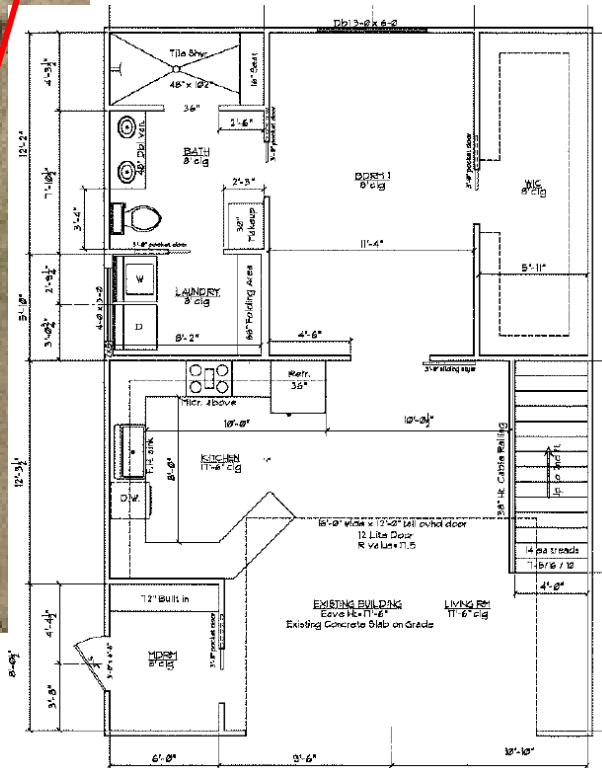
## Improvement Information

Description	SUNSET SUBD LT 10 #4	Finished Basement %	0
Type of Residence	1-STORY RANCH	Bedrooms	3
Year Built	2010	Full Baths	2
Num Stories	1	Half Baths	0
Above Ground Sqft	2197	Exterior	BRICK
Total Living Area	2197	Heat	ELECTRIC
Basement	CRAWL	Air Condition	CENTRAL/AC
Basement Sqft	0	Fireplace	0
Basement Sqft Finish	0		



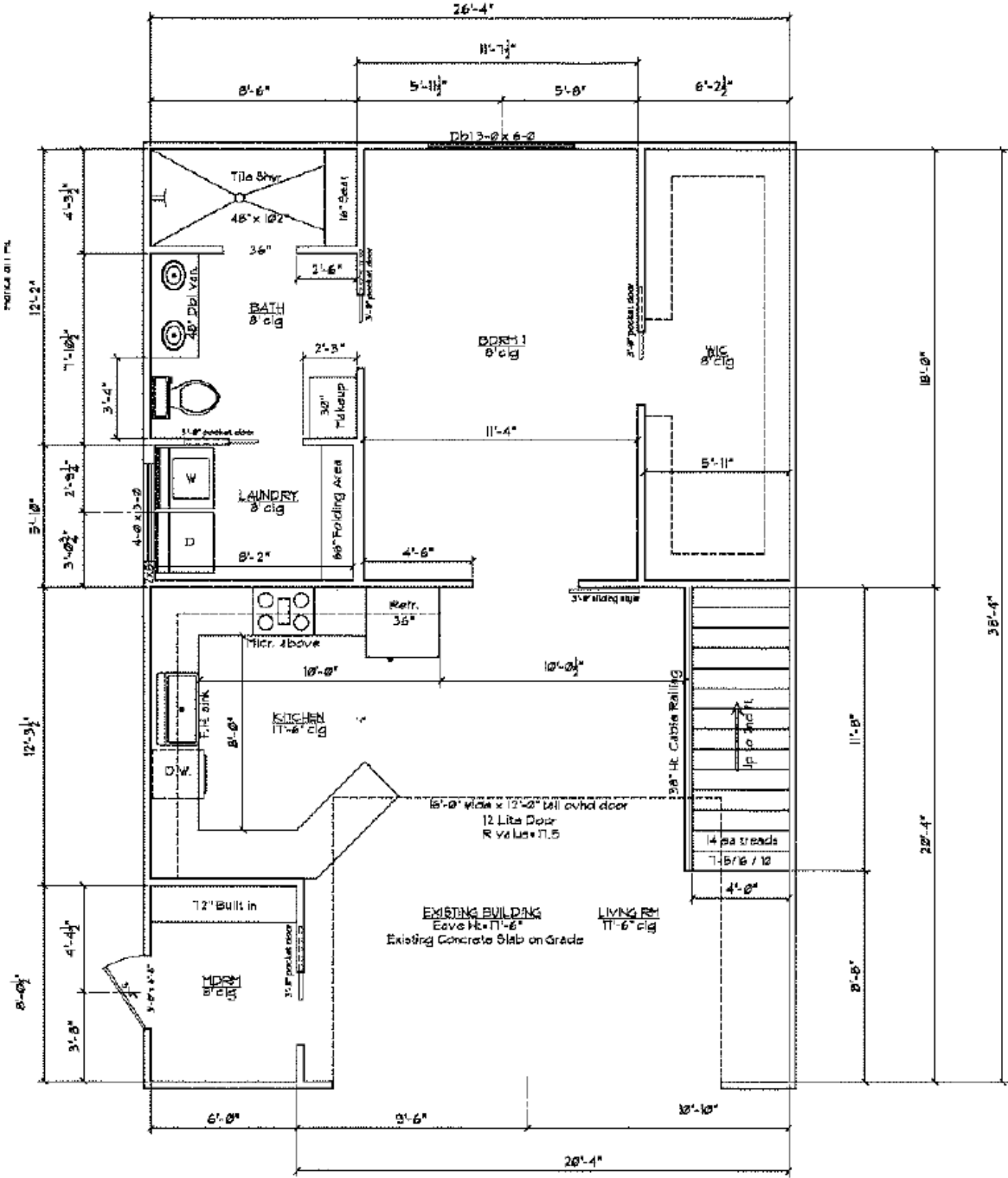


Stacy Ann Bowling & Nathan Huggins  
434 Brentwood Drive, Elizabethtown, KY



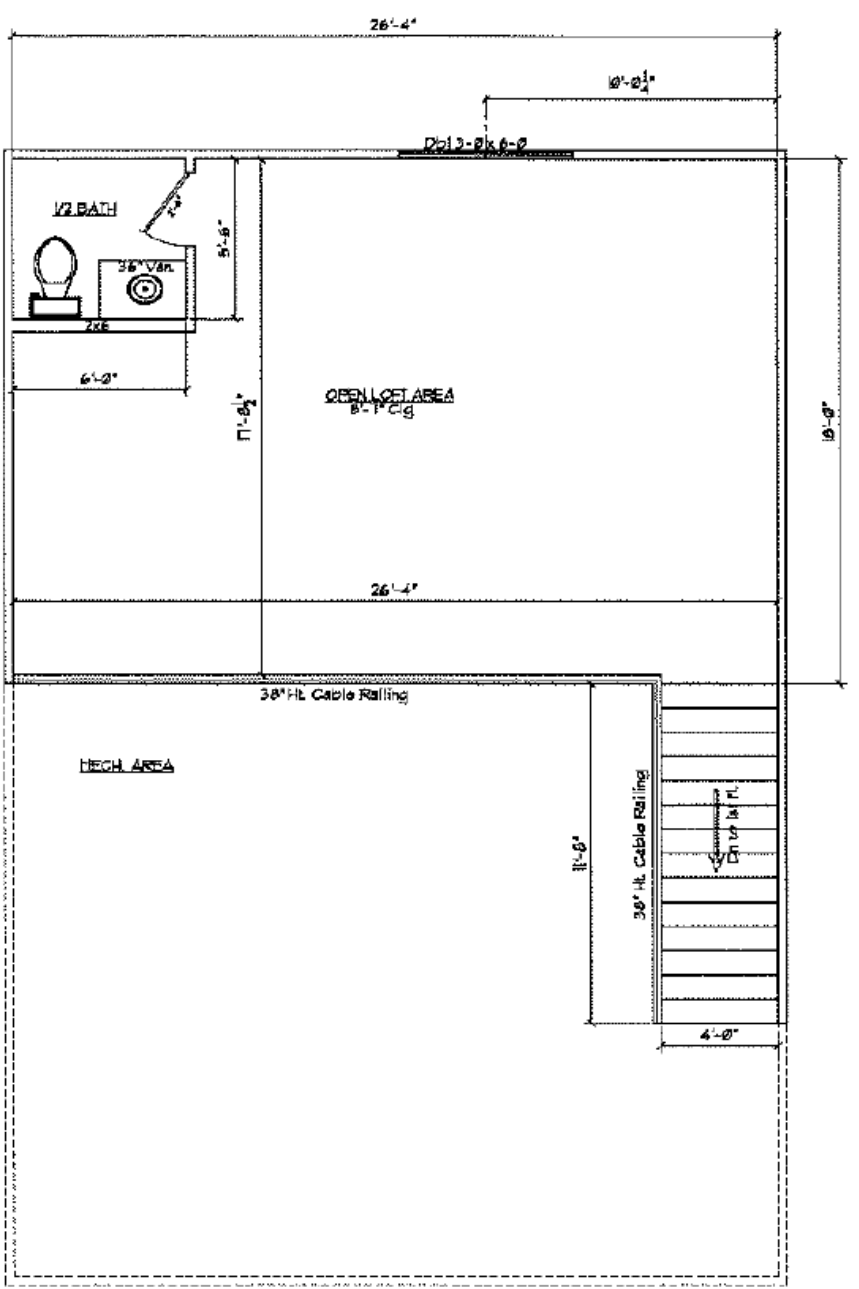
Detached garage to be converted into  
a 1,475 sq. ft. apartment





1ST FLOOR PLAN

1 Bedroom  
1.5 Bath

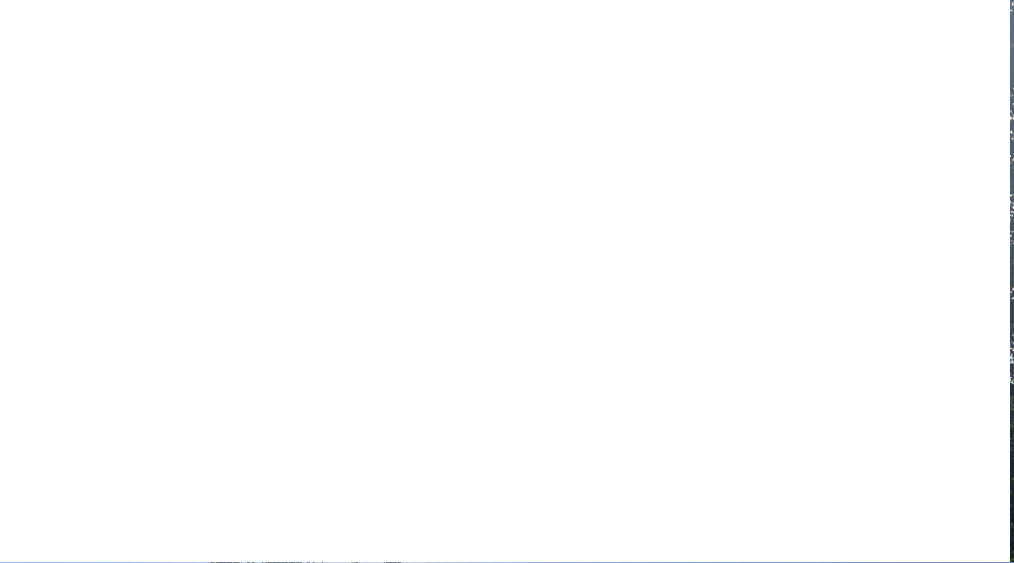


2ND FLOOR PLAN





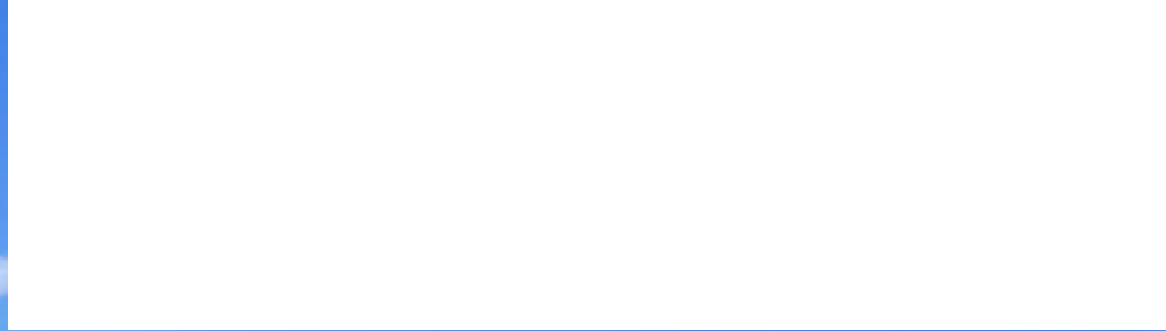














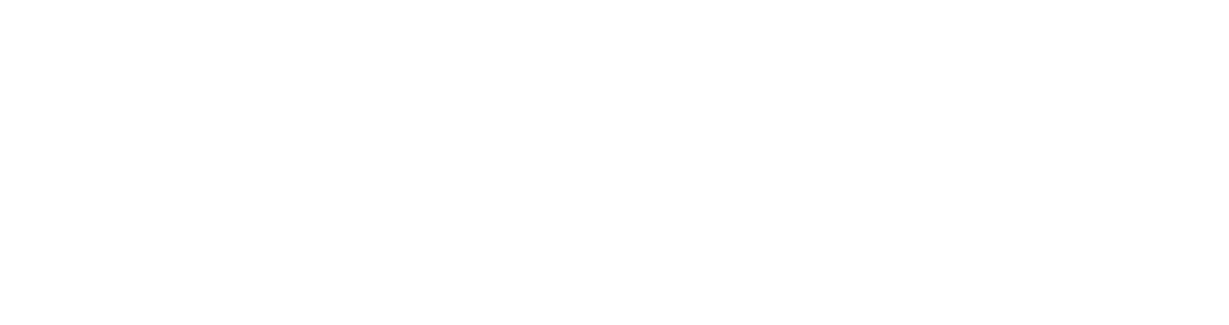
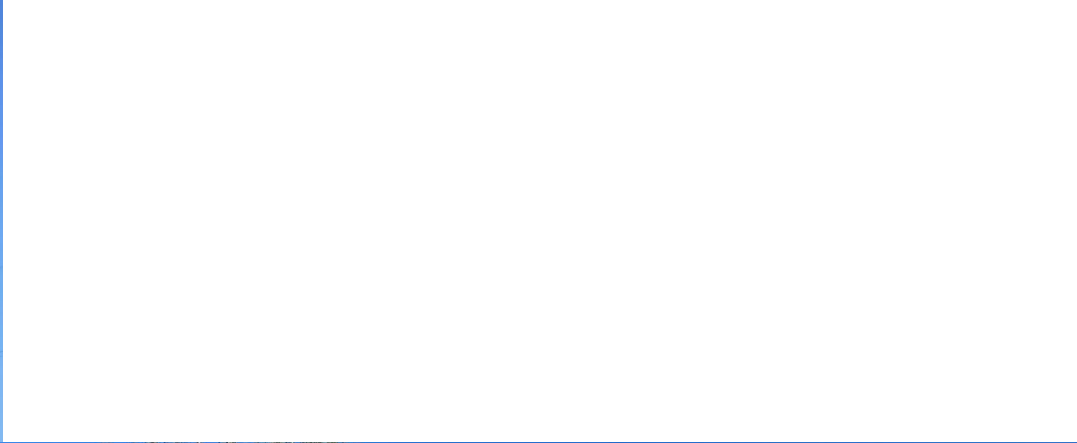
Facing West out of driveway



Facing East out of driveway

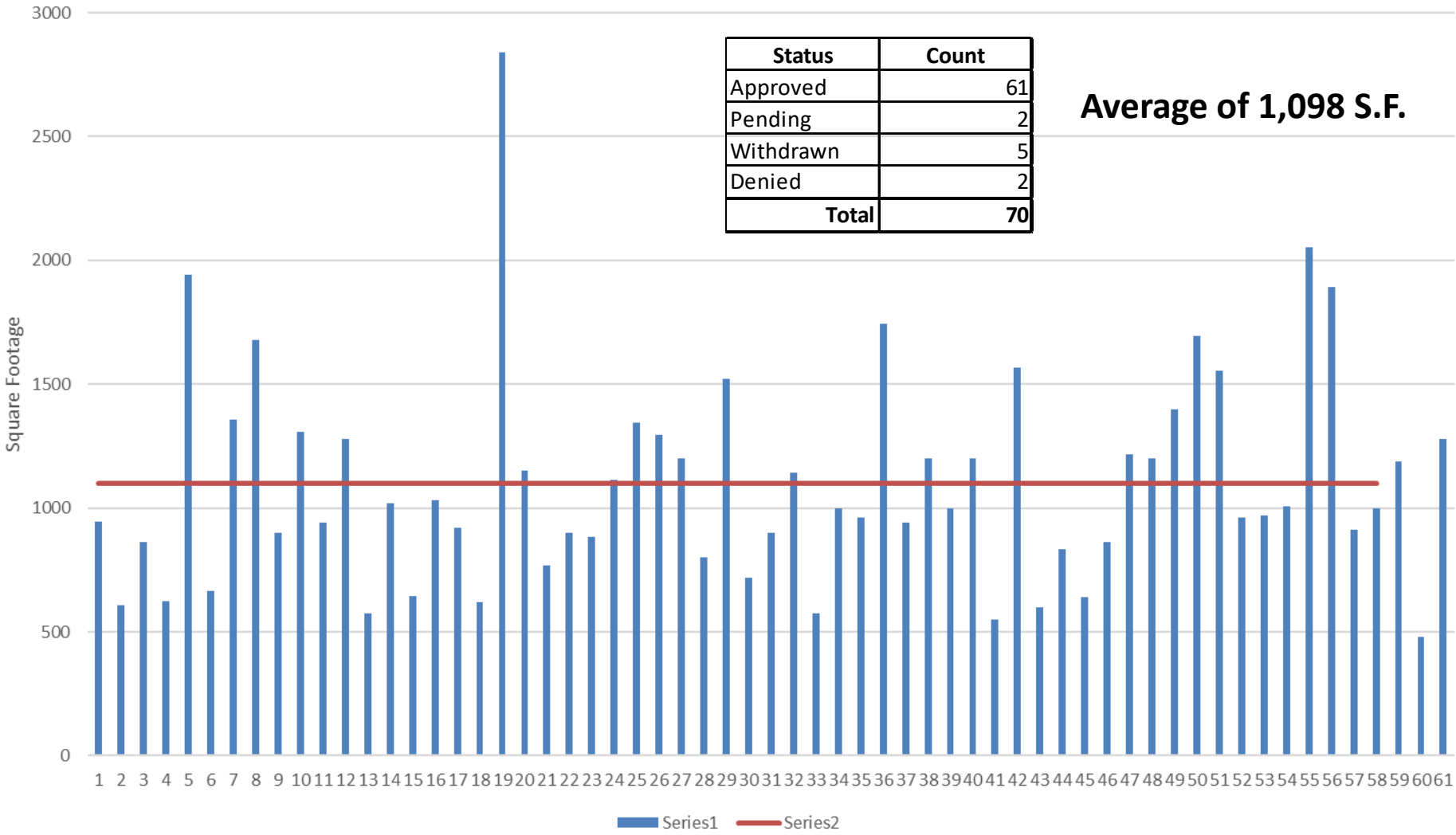








Accessory Structure & Average Square Footage Comparison



Request is for a 1,475 sq. ft. permanent accessory dwelling



## Statement from the Applicant

My father Bobby Loving passed away August 7th 2021 at Baptist Health Hardin County. On his death bed my dad asked myself and Nathan Huggins my uncle to take care of my mother Evelyn Huggins Loving. We both said yes. My uncle moved from Lake Barkley September 2021 to 434 Brentwood Drive Elizabethtown Kentucky 42701 in with Evelyn Loving to take care of her, the house and property located at 434 Bentwood Drive. Upon the advice of our attorney I completed a quick claim deed on the property located at 434 Brentwood Drive Elizabethtown Kentucky 42701 with my sister Pam Kay Hargan and Scott Michael Hargen. A few months later the deed was changed into Stacy and Paul Bowling's name only.

My husband and I own a business S&P Cleaning service that is under contract with Baptist Health to clean their buildings in Elizabethtown. I or my husband Paul Bowling currently come to Elizabethtown 4 nights a week to take care of business needs as well to check and stay with my mother Evelyn Loving. Instead of selling the house and relocating my mother we want her to live in the house that my dad built for them until she is called to her final resting place. Approving this project will provide privacy and peace of mind to both my mother and us when we are in town spending the night to check on her and our cleaning business. If additional information is required please let us know.

Stacy and Paul Bowling



## **16-3 Standards for Issuance**

The Board of Adjustment 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.



## 16-22(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 1,475 S.F. apartment within an existing detached garage (permanent accessory dwelling) to be constructed in addition to the 2,197 S.F. home (principal dwelling) on site.
2. The property owners, Stacy & Paul Bowling, 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 Brentwood Drive will be shared by both dwellings.
5. The exterior finish materials of the permanent accessory dwelling is red brick and a shingled roof to match the principal dwelling.
6. The Permanent Accessory Dwelling is the proposed 1,475 S.F. apartment within the existing detached garage, and the pre-existing 2,197 S.F. house is the Principal Dwelling.
7. Both dwellings shall have septic systems approved by the Environmental Services Office of the 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.\
11. The existing 12'x20' shed on site shall require a building permit and meet a 10' side setback or request a variance.







# 4869 Bardstown Road

## Conditional Use Permit

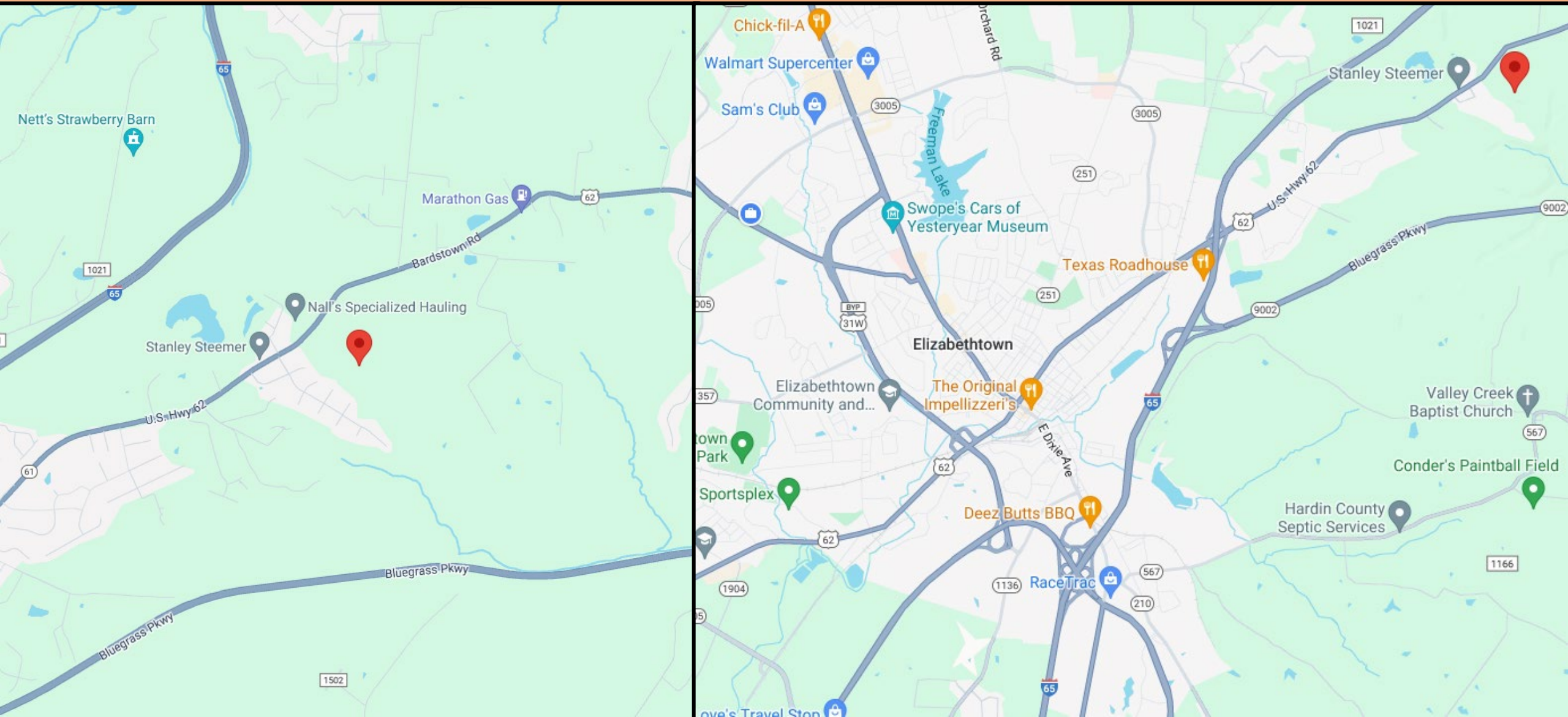
### Summary Report

#### LISTING OF EXHIBITS

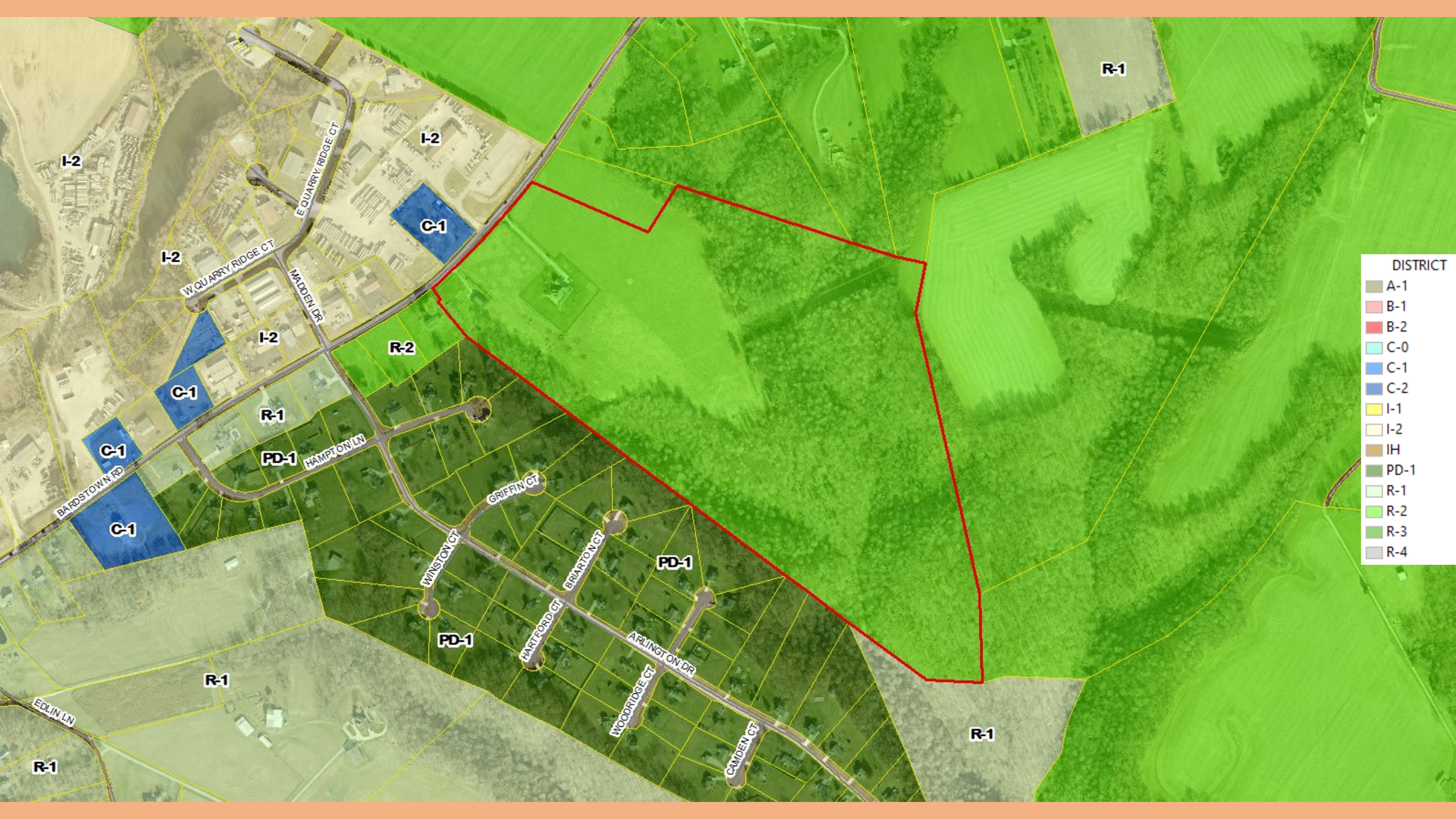
- A. Vicinity Map
  - B. Zoning Map
  - C. Aerial Photo (2024)
  - D. Natural Features
  - E. Record Plat of Dolores Acres (2011)
  - F. Site Plan
  - G. Current Structures
  - H. Photos of the Site
  - I. Plans for Permanent Accessory Dwelling
  - J. Septic Approval
  - K. Ag Affidavit
  - L. Character of the Area
  - M. Analysis of Conditional Use Permits to allow for Permanent Accessory Dwelling Units in the R-2 Rural Residential Zone
  - N. Standards for Issuance
  - O. General Conditions
  - P. \*Comprehensive Development Guide
  - Q. \*Development Guidance System Ordinance
- \* Not Provided in PowerPoint



# Vicinity 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





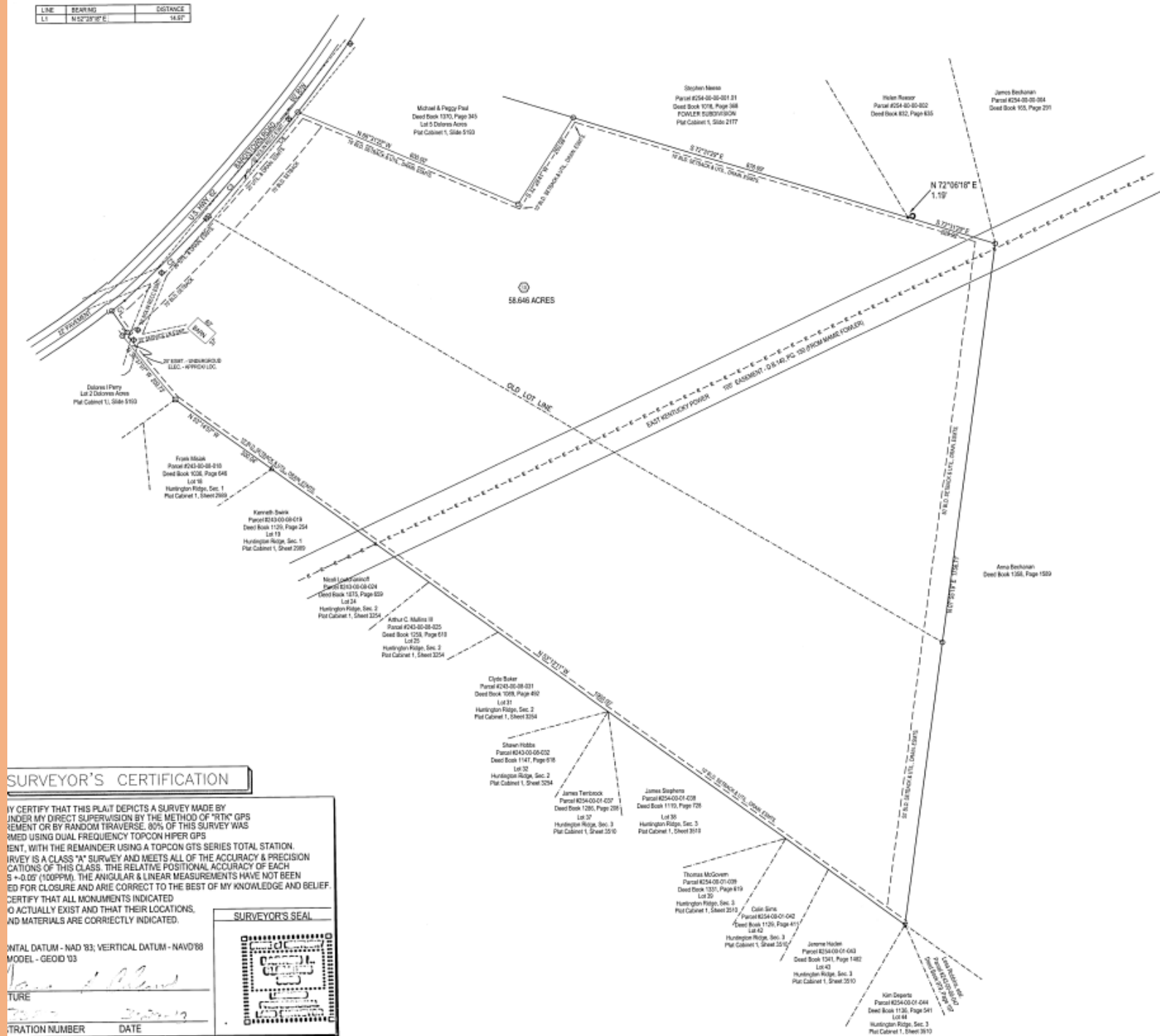




- Streams 2023
- Hardin\_Wetlands
- Hardin\_100Flood
- hardin\_sinkhole



# Amended Record Plat of Dolores Acres, Lots 3 & 4 (2013)







BARSTOWN RD







5,266 S.F. House (2013)



1,800 S.F. Barn (1970)































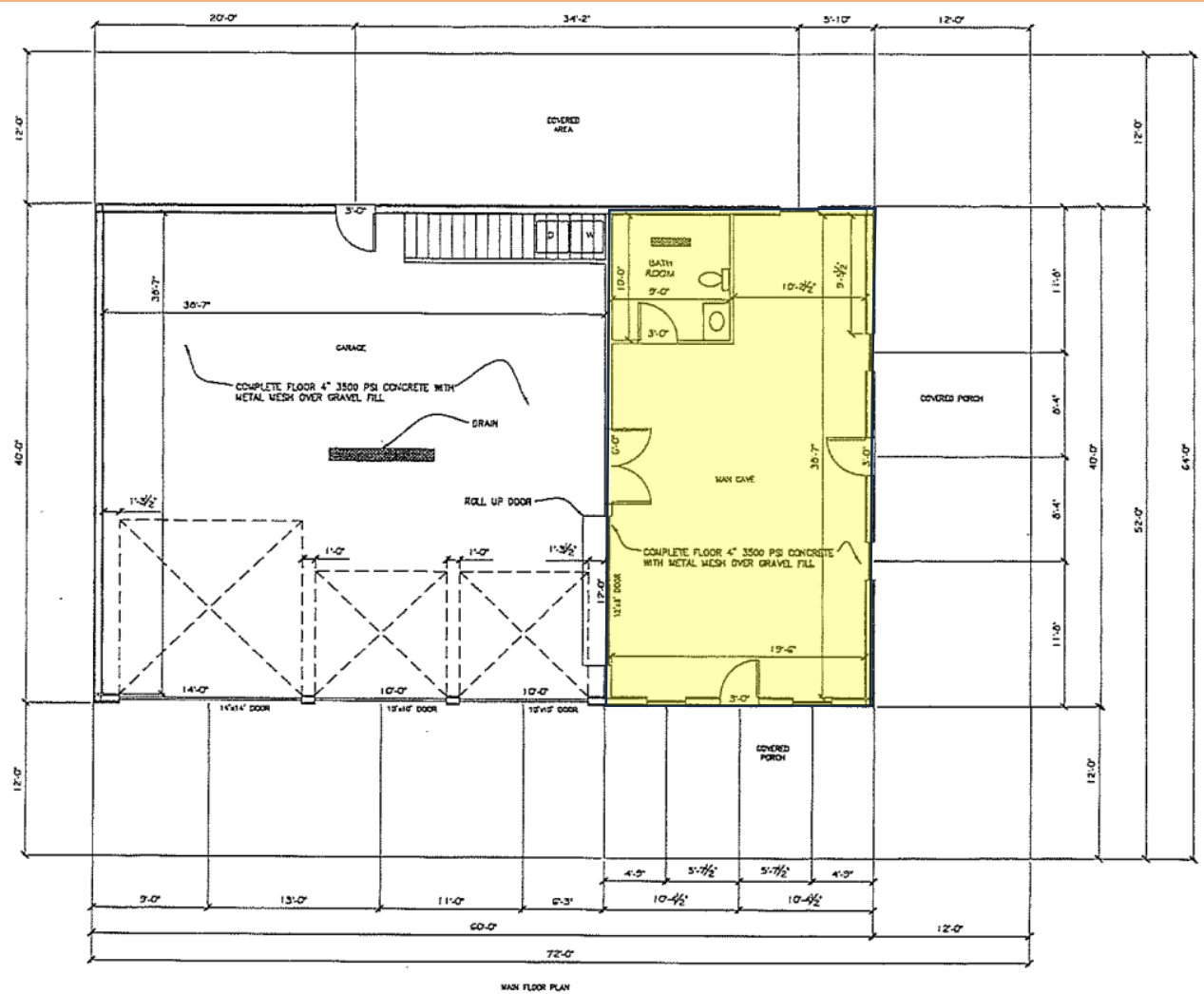




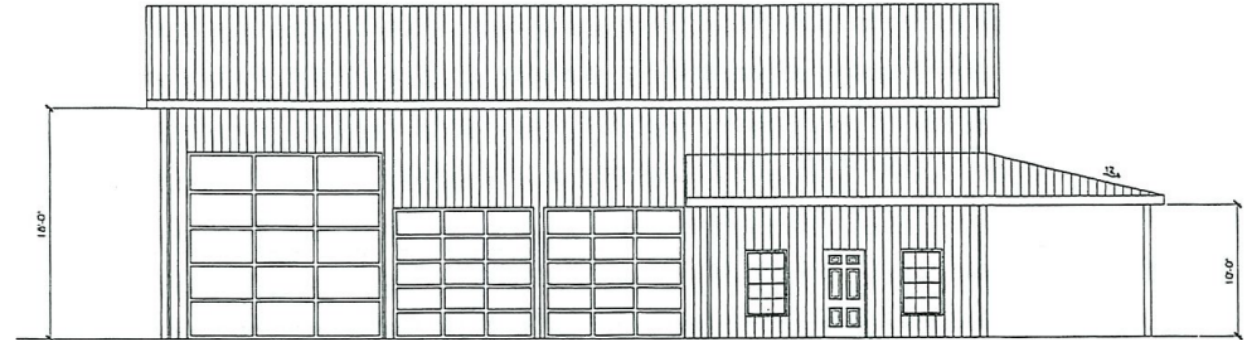




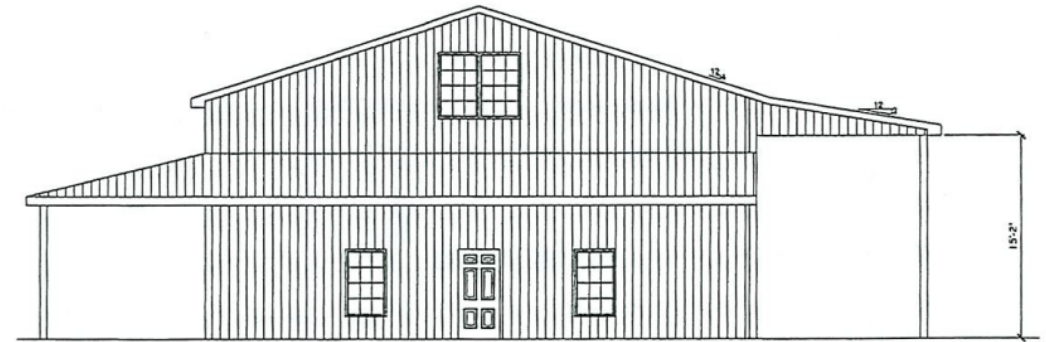
# Plans for Permanent Accessory Dwelling



752 S.F. Apartment (in yellow)



FRONT ELEVATION



RIGHT SIDE ELEVATION

2,400 S.F. Barn (total size)



ONSITE SEWAGE DISPOSAL SYSTEM  
CONTINUOUS INSTALLATION INSPECTION

County: HARDIN District: 302 File #: 264309 Permit #: 2-0002-25

Owner: MIKE PAUL Installation Type: RESIDENTIAL

Property Address: 4869 BARDSTOWN ROAD (POLE BARN), ELIZABETHTOWN, KY 42701

Installer: JONATHAN KNIGHT Certification #: \_\_\_\_\_ Satisfactory

Excavation installation work undisturbed, unaltered ..... YES

System properly installed as to grade, (to be checked by certified inspector with transit and leveling rod)  
size, type, length of laterals, curtain drains, other site modifications, etc. .... YES

Pretreatment Tank: KYC103082 1000 YES

Secondary Treatment Tank: \_\_\_\_\_ NO

Dosing/Holding Tank: \_\_\_\_\_ NO

Fill Soil Required: 0 In. \_\_\_\_\_ YES

Alternating Valve: \_\_\_\_\_ NO

# of Distribution Boxes: 1 Type: KYCH23082 YES

Non-Perforated Lateral Piping Width: \_\_\_\_\_ Type: \_\_\_\_\_ NO  
Mfg.: \_\_\_\_\_

Perforated Lateral Piping Length: 60 Type: 6, 24 YES  
Mfg.: SDR 35

Fill Material Type: \_\_\_\_\_ Diameter: 4 YES

Trench Barrier Material: \_\_\_\_\_ Thickness: \_\_\_\_\_ YES

Pump Model: \_\_\_\_\_ NO  
Mfg.: \_\_\_\_\_

Curtain Drain: \_\_\_\_\_ In. \_\_\_\_\_ NO

Filter Type: \_\_\_\_\_ NO

Switches & Controls Model: \_\_\_\_\_ NO  
Mfg.: \_\_\_\_\_

Alarm Model: \_\_\_\_\_ NO  
Mfg.: \_\_\_\_\_

Electrical components shall be properly grounded and otherwise designed, constructed, installed, &  
operated in accordance w/National Electrical Code requirements..... NO

Other Comments: POLE BARN WITH BATHROOM NO

Deficiencies Corrected: YES 07/08/2024 Final Inspection Approved: YES 07/08/2024 Installer Affidavit: YES 07/05/2024

Inspection Type: FOLLOW-UP Date: 07/08/2024 By: BARZEE, TIM Certification #: G1998

Latitude: 38 Longitude: -86



# Character of the Area



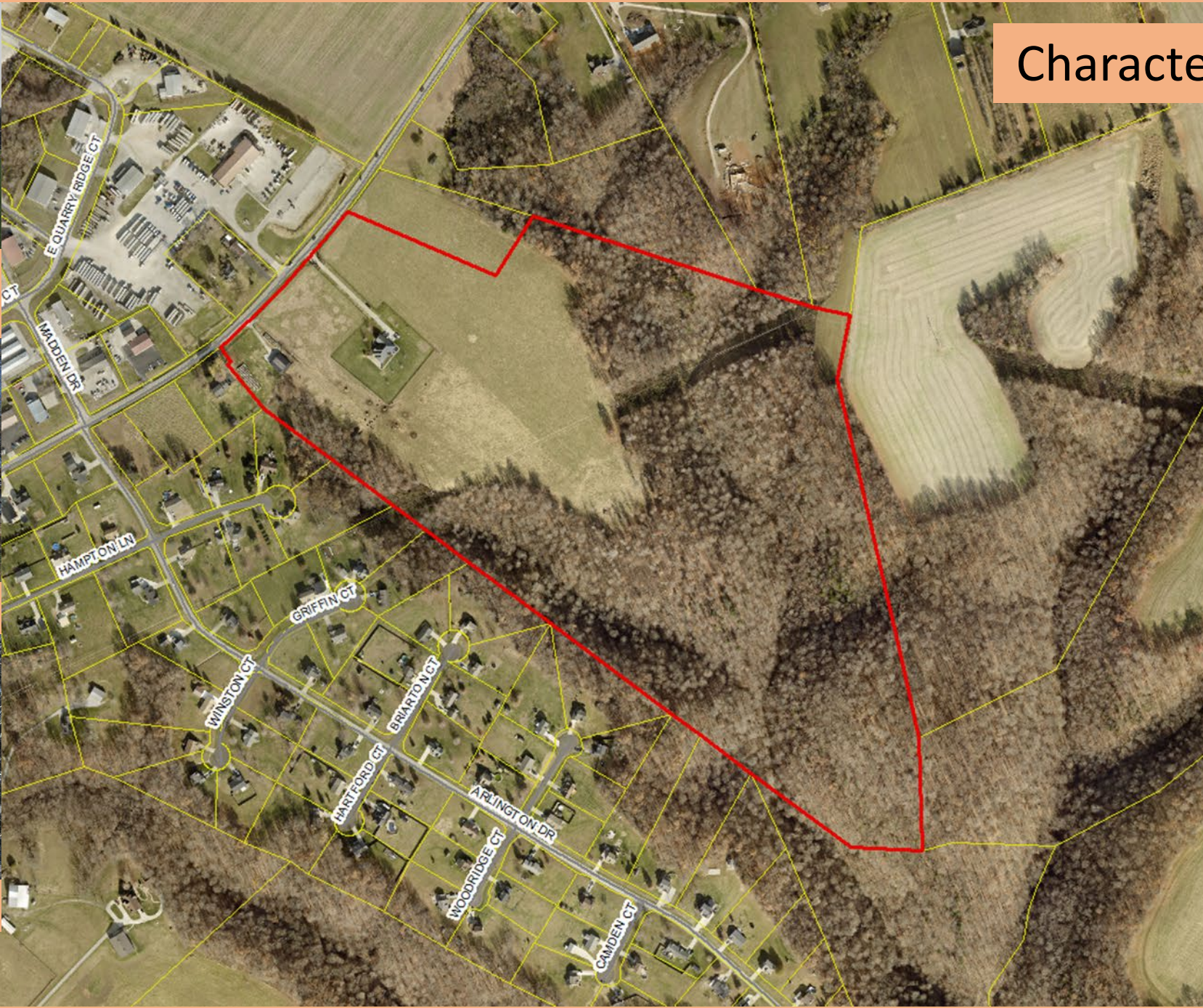
Nall's Specialized Hauling



1,910 S.F. House



2,194 S.F. House



1,748 S.F. House



2,213 S.F. House



# Analysis of Conditional Use Permits to allow for Permanent Accessory Dwelling Units in the R-2 Residential Estate Zone

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
07/12/2024	148-00-0013	CLARK, JAMES KEVIN & CHARLOTTE ANN	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	CLARK PERMANENT ACCESSORY DWELLING	872 SQ/FT SECOND HOUSE ON THE PROPERTY	7865 LEITCHFIELD RD, CECILIA	140.900	PENDING
06/17/2024	243-00-00-045.02	PAUL MICHAEL E	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	DOLORES ACRES, LOT 3A - PERMANENT ACCESSORY DWELLING	APARTMENT WITHIN BARN	4869 BARDSTOWN RD	58.646	PENDING
06/14/2024	206-00-06-010	BOWLING STACY ANN	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	SUNSET SUBDIVISION, SECTION 4, LOT 10 - BOWLING PERMANENT ACCESSORY DWELLING	FOR A 1,475 S.F. APARTMENT WITHIN AN EXISTING GARAGE	434 BRENTWOOD DR	1.015	PENDING
07/12/2023	254-00-00-002.01	HAWKINS, KARL S & JULIE A	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	KINDERVATER SUBDIVISION, LOT 2 - HAWKINS PERMANENT ACCESSORY DWELLING	TO ALLOW FOR THE CONSTRUCTION OF A 1840 SQ FT GARAGE APARTMENT IN ADDITION TO THE 3275 SQ FT HOME TO BE CONSTRUCTED ON SITE	BARDSTOWN ROAD, ELIZABETHTOWN, KY 42701	11.179	APPROVED
06/23/2023	262-00-00-067	HART BRIAN & JAMIE	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	DILLARDS HOLLOW SUBDIVISION LOT 3	TO ALLOW FOR A 30' X 50' GARAGE WITH 664 SQ. FT. OF LIVING SPACE TO BE BUILT ON SITE AS A PERMANENT ACCESSORY DWELLING	8350 BARDSTOWN RD	13.773	APPROVED
06/09/2023	002-00-00-008	GLENN & JENNIFER HELM	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	HELM PERMANENT ACCESSORY DWELLING	TO ALLOW FOR A PERMANENT ACCESSORY DWELLING ON SITE	7 RIDGE TOP LANE	73.250	APPROVED
06/08/2023	063-00-00-018.02	CHANDLER DAVID & SHERRY	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	MCCOY FARM REVISED TRACT A - PERMANENT ACCESSORY DWELLING	TO ALLOW FOR THE CONSTRUCTION OF TWO DWELLINGS ON SITE. A PROPOSED 1,680 SQ FT HOME IN ADDITION TO THE 4,349 SQ FT HOME UNDER CONSTRUCTION ON SITE.	SALT RIVER ROAD, RINEYVILLE, KY 40162	33.062	APPROVED
03/07/2022	099-00-00-007	HUTCHISON HOLDINGS LLC	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	HUTCHISON PERMANENT ACCESSORY DWELLING	PERMANENT ACCESSORY DWELLING 2,557 SQ. FT. SECOND HOUSE (1,033 SQ. FT. OF LIVING SPACE)	1099 JENKINS RD, RINEYVILLE, KY 40162	21.000	APPROVED
01/31/2022	242-00-02-148	BLEVINS RICKY G & STEPHANIE A	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	SANTA FE SUBDIVISION, SECTION 1, LOT 148 - BLEVINS GARAGE APARTMENT	TO ALLOW FOR A PERMANENT ACCESSORY DWELLING 620 SQ FT APARTMENT ABOVE THE DETACHED GARAGE.	631 ROSWELL DRIVE, ELIZABETHTOWN, KY 42701	2.096	APPROVED
11/24/2021	030-00-00-014.09	REED W DOUGLAS & DONNA K	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	WINKLE PERMANENT ACCESSORY DWELLING	TO ALLOW FOR A PERMANENT ACCESSORY DWELLING IN THE PROPOSED 6,400 SQ FT ACCESSORY STRUCTURE WITH A 1,280 SQ FT LIVING QUARTERS	2252 CONSTANTINE ROAD, CECILIA KY 42724	39.979	APPROVED
04/27/2021	206-00-00-036	HALL JOSEPH M & LISA J	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	WHISTLING OAKS, SECTION 2, LOT 8 - HALL PERMANENT ACCESSORY DWELLING	PERMANENT ACCESSORY DWELLING TO ALLOW FOR A PROPOSED BARN WITH 768 SQ. FT. OF LIVING QUARTERS IN ADDITION TO THE PROPOSED 4284 SQ. FT. SINGLE FAMILY DWELLING	WHISTLING OAKS BLVD	24.149	APPROVED
03/31/2021	091-00-00-031.01	WILCOX CASEY T & JENNIFER L	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	JEN LYN ESTATES, LOT 1 - WILCOX PERMANENT ACCESSORY DWELLING	A PERMANENT ACCESSORY DWELLING TO ALLOW FOR THE CONSTRUCTION OF A 901 SQ. FT. POOL HOUSE	367 LAMBERT LANE, WHITE MILLS, KY	3.002	APPROVED
10/27/2020	033-00-02-002	MARTIN ADAM AND ASHLEY	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	NEWMAN ESTATES, LOT 2 - PERMANENT ACCESSORY DWELLING	TO ALLOW FOR THE CONSTRUCTION OF A 2,314 SQ. FT. DWELLING ON SITE IN ADDITION TO THE 1344 SQ. FT. GARAGE APARTMENT	426 NEEDHAM ROAD, EASTVIEW, KY	17.414	APPROVED
01/30/2020	225-00-03-001	HURLEY ARTHUR R JR & LINDA	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	GLENDALE JUNCTION FARM, LOT 1A	FOR A PERMANENT ACCESSORY DWELLING; TO ALLOW FOR THE CONSTRUCTION OF A 1200 SQ FT GUEST HOUSE	6421 S DIXIE HWY, GLENDALE, KY	11.030	APPROVED
07/01/2019	043-00-00-001	THOMAS CARL & PATRICIA	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	THOMAS PERMANENT ACCESSORY DWELLING	TO ALLOW FOR THE CONSTRUCTION OF A 1855 SQ. FT. HOME ON SITE	11608 SALT RIVER ROAD	51.100	APPROVED

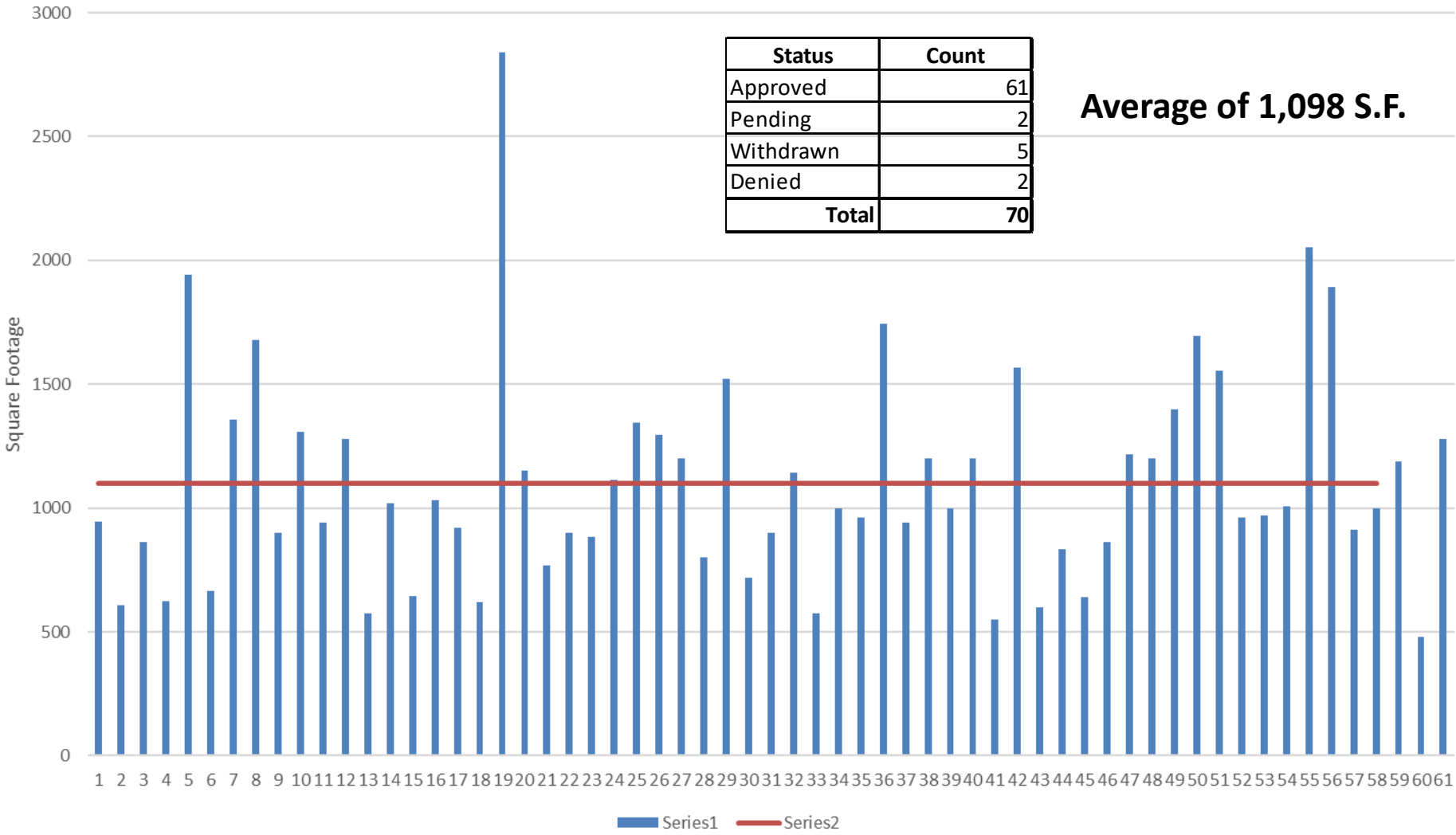


## 31 Total – 27 Approved; 3 Pending; 1 Withdrawn

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 ↕
12/17/2018	170-00-00-007.01	PERKINS TODD & TAMMY	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY		PERMANENT ACCESSORY DWELLING - TO ALLOW FOR THE CONSTRUCTION OF A PERMANENT ACCESSORY DWELLING PROPOSED 2300 SQ. FT HOME	BACON CREEK RD	32.500	APPROVED
01/31/2017	078-00-00-007	BEWLEY CHARLES DAVID & BRENDA	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	WANDERING MEADOWS SUBDIVISION, SECTION 2	FOR A PERMANENT ACCESSORY DWELLING; TO ALLOW FOR THE TWO EXISTING HOUSES TO BE PLATTED ON A SINGLE LOT. ADDITIONALLY, THEY ARE REQUESTING A VARIANCE FROM THE 1:3 LOT WIDTH-TO-LENGTH RATIO TO ALLOW FOR THE 20.185 ACRE FARM TO BE FURTHER SUBDIVIDED.	11324 RINEYVILLE ROAD (KY HWY 1600)	7.992	APPROVED
12/29/2016	211-00-00-013	DEVORE MITCHELL & TAMMY	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	DORSEY RUN ESTATES	TO ALLOW FOR THE CONSTRUCTION OF A 940 SQ FT PERMANENT ACCESSORY DWELLING (SITE BUILT HOME) ON SITE AND TO ALLOW FOR THE MANUFACTURED HOME TO REMAIN ON SITE AS A TEMPORARY ACCESSORY DWELLING AT 13039 S DIXIE HIGHWAY, SONORA, KY	13039 S DIXIE HWY	25.963	APPROVED
01/12/2016	229-00-0C-037	CHITWOOD MARK & TIPHANIE	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING	PERMANENT ACCESSORY DWELLING: TO ALLOW FOR A 1200 SQ FT APARTMENT WITHIN A PROPOSED ACCESSORY STRUCTURE	2312 WOOLDRIDGE FERRY RD	25.844	APPROVED
04/30/2014	106-00-00-081	ROBERT & JENNIFER KING	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING / BLESSED ACRES, LOT 1A	TO ALLOW FOR A PROPOSED PERMANENT ACCESSORY DWELLING (1200 SQ FT) FOR A CAREGIVER SITUATION	12564 LEITCHFIELD RD	3.082	APPROVED
02/11/2013	089-00-00-065	MARK WADDELL	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	ACCESSORY DWELLING	TO ALLOW FOR A PERMANENT ACCESSORY DWELLING TO REMAIN ON THE PROPERTY	14798 LEITCHFIELD ROAD	100.500	APPROVED
10/31/2012	082-00-00-006	JESSE BATES	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING /	PERMANENT ACCESSORY DWELLING	8075 RINEYVILLE BIG SPRINGS ROAD	58.000	APPROVED
05/25/2012	229-00-02-003	SHARON NOVAK	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING / OAK FOREST ESTATES	TO ALLOW FOR A PERMANENT ACCESSORY DWELLING ON THE PROPERTY	215 RUSTIC TRAIL BLVD	2.800	APPROVED
04/10/2012	041-00-00-002.02	WILLIAM WILLIAMS	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	PERMANENT SECOND DWELLING /	TO BUILD A PERMANENT SECOND DWELLING AS THE PRIMARY DWELLING	1212 VERTREES CHURCH LANE	43.748	APPROVED
03/01/2012	248-00-00-005.01	MICHAEL & CAROLYN SIMMONS	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING / GEHR, LOT 2C	TO ALLOW AN ACCESSORY DWELLING TO REMAIN ON THE PROPERTY	249 WILLIAMS CEMETERY ROAD	5.710	APPROVED
11/14/2011	081-00-00-024	JOSEPH LAMAR AND SUE HARDESTY	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	ACCESSORY DWELLING / FAREWELL SUBDIVISION. LOT 1	PERMANENT ACCESSORY DWELLING TO CONVERT PART OF GARAGE(48 X 20 = 960 SQ FT) FOR A CAREGIVE SITUATION	462 MARTIN ROAD	1.000	APPROVED
07/28/2011	253-00-00-041	CHERI GREEN	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	/ ENNIS SUBDIVISION, LOT 13A	RELIEF FROM THE SIDE BUILDING SETBACK LINE TO ALLOW FOR A PROPOSED ADDITION TO AN EXISTING ACCESSORY DWELLING	6650 BARDSTOWN ROAD (US 62)	.840	APPROVED
06/28/2011	124-00-00-024.06	MACK & LOLA MORGAN	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	ACCESSORY DWELLING / COWHERD ESTATES, LOT 7	REMOVE THE EXISTING MANUFACTURED HOME FROM THE PROPERTY AND CONSTRUCT A 1006 SQ FT SITE BUILT HOUSE AS A PERMANENT ACCESSORY DWELLING	BETHLEHEM ACADEMY ROAD (KY 253)	5.750	APPROVED
07/28/2010	005-00-00-004	DAVID & JANINE WASHLE	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	PERMANENT ACCESSORY DWELLING /	TO ALLOW A PERMANENT ACCESSORY DWELLING - GARAGE WITH LIVING SPACE ABOVE (1892 SF)	3720 MT OLIVE ROAD	212.000	APPROVED
09/17/2009	040-00-00-010.04	GARY COOPER	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	ACCESSORY DWELLING /	PERMANENT ACCESSORY DWELLING	SAINT JOHN CHURCH ROAD (KY 1538)	10.115	WITHDRAWN
07/31/2008	248-00-00-005.01	MICHAEL & CAROLYN SIMMONS	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		DWELLING; PERMANENT ACCESSORY	SECOND DWELLING / GEHR, LOT 2C	PERMANENT ACCESSORY DWELLING	249 WILLIAMS CEMETERY ROAD	5.710	APPROVED



### Accessory Structure & Average Square Footage Comparison





## **16-3 Standards for Issuance**

The Board of Adjustment 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;
- I. Establish limits as to the scope and intensity of activities conducted under the Conditional Use Permit;
- J. Establish time limits for the Conditional Use Permit at which time the permit shall expire or require renewal;
- K. Conditional Uses shall comply with all applicable standards of the Zoning Ordinance, including the parking, landscape, lighting and signage regulations. Additional standards may be included in the listed requirements for a particular use;
- L. All other plans, licenses, permits and documentation from/for other agencies may be required by the Board.



## 16-22(A) Permanent Accessory Dwellings

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

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



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

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

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

1. This Conditional Use Permit for a Permanent Accessory Dwelling will allow for a 752 S.F. apartment within a detached garage (permanent accessory dwelling) to be constructed in addition to the 5,266 S.F. home (principal dwelling) on site.
2. The property owner, Michael Paul, 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 proposed driveway entrance from Bardstown Road (US 62) will be shared by both dwellings.
5. The exterior finish materials of the permanent accessory dwelling is grey siding with a black metal roof and the principal dwelling is brick with a shingled roof.
6. The Permanent Accessory Dwelling is the proposed 752 S.F. apartment within the detached garage, and the pre-existing 5,266 S.F. house is the Principal Dwelling.
7. Both dwellings shall have septic systems approved by the Environmental Services Office of the 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.



**Owners:** John Pickering

**Location:** 5235 Hardinsburg Road, Cecilia, KY

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

**Requesting a Variance from the front building setback to allow a deck to be 84' from the centerline of Hardinsburg Road, a variance of 16'.**





# 5235 Hardinsburg Road

## Variance

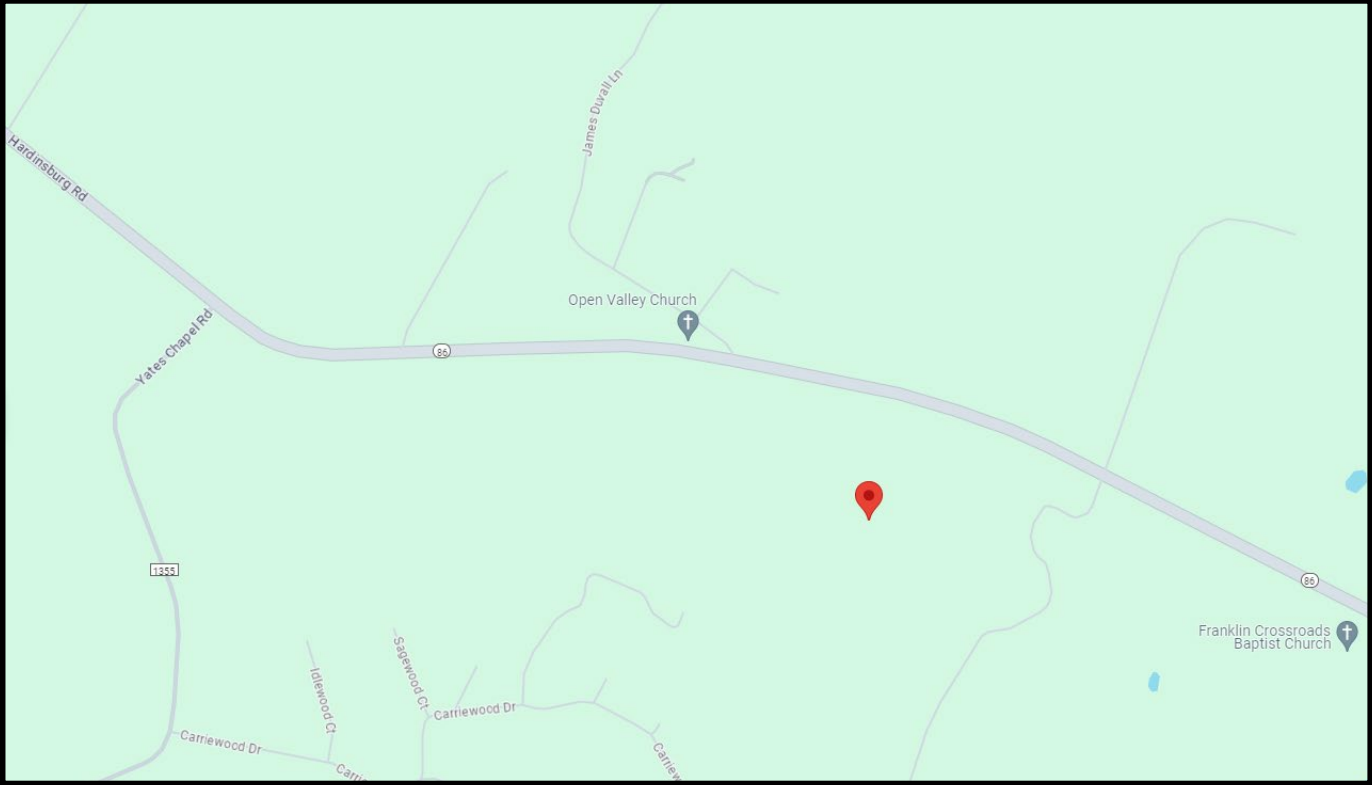
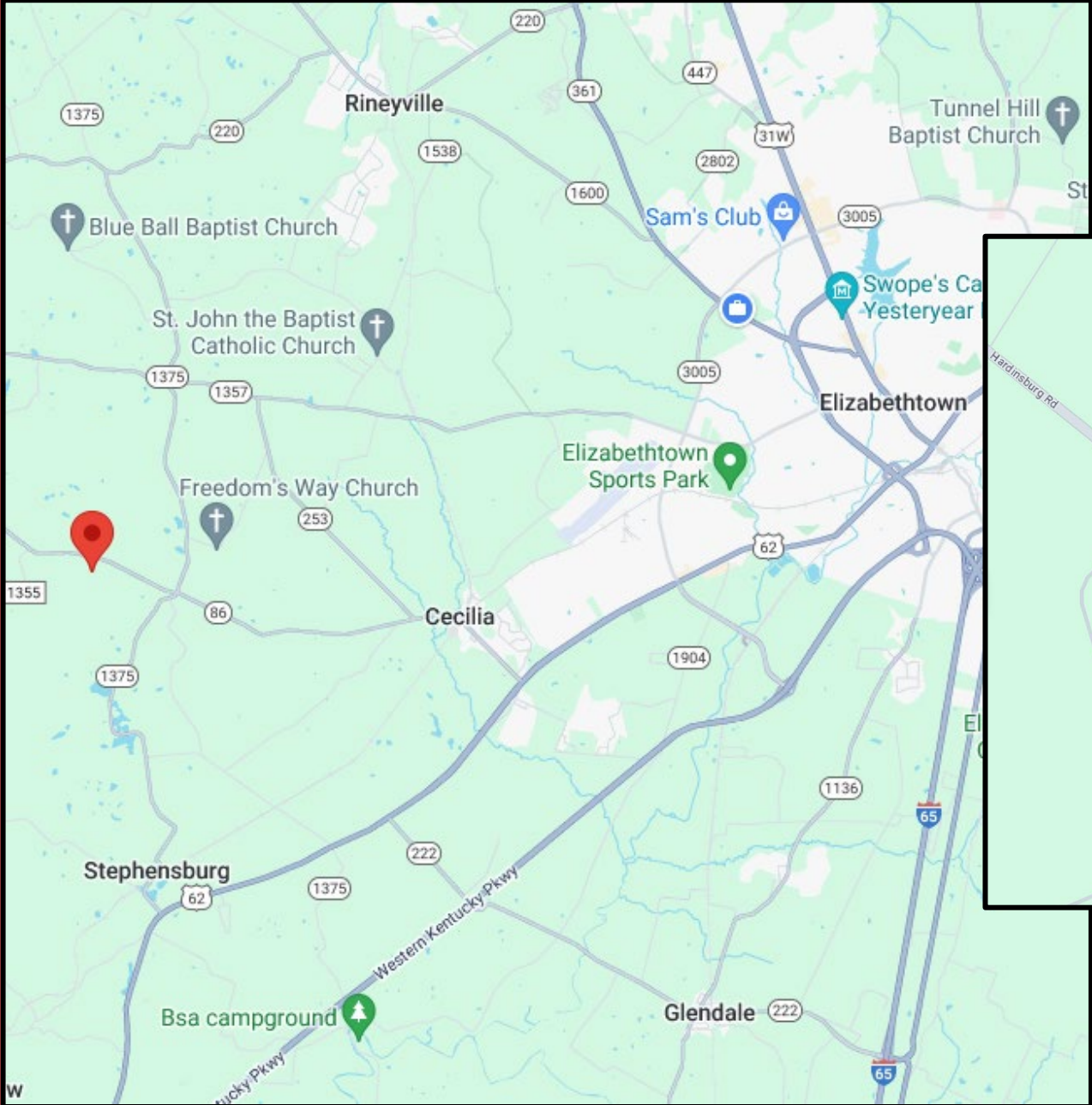
### Summary Report

#### LISTING OF EXHIBITS

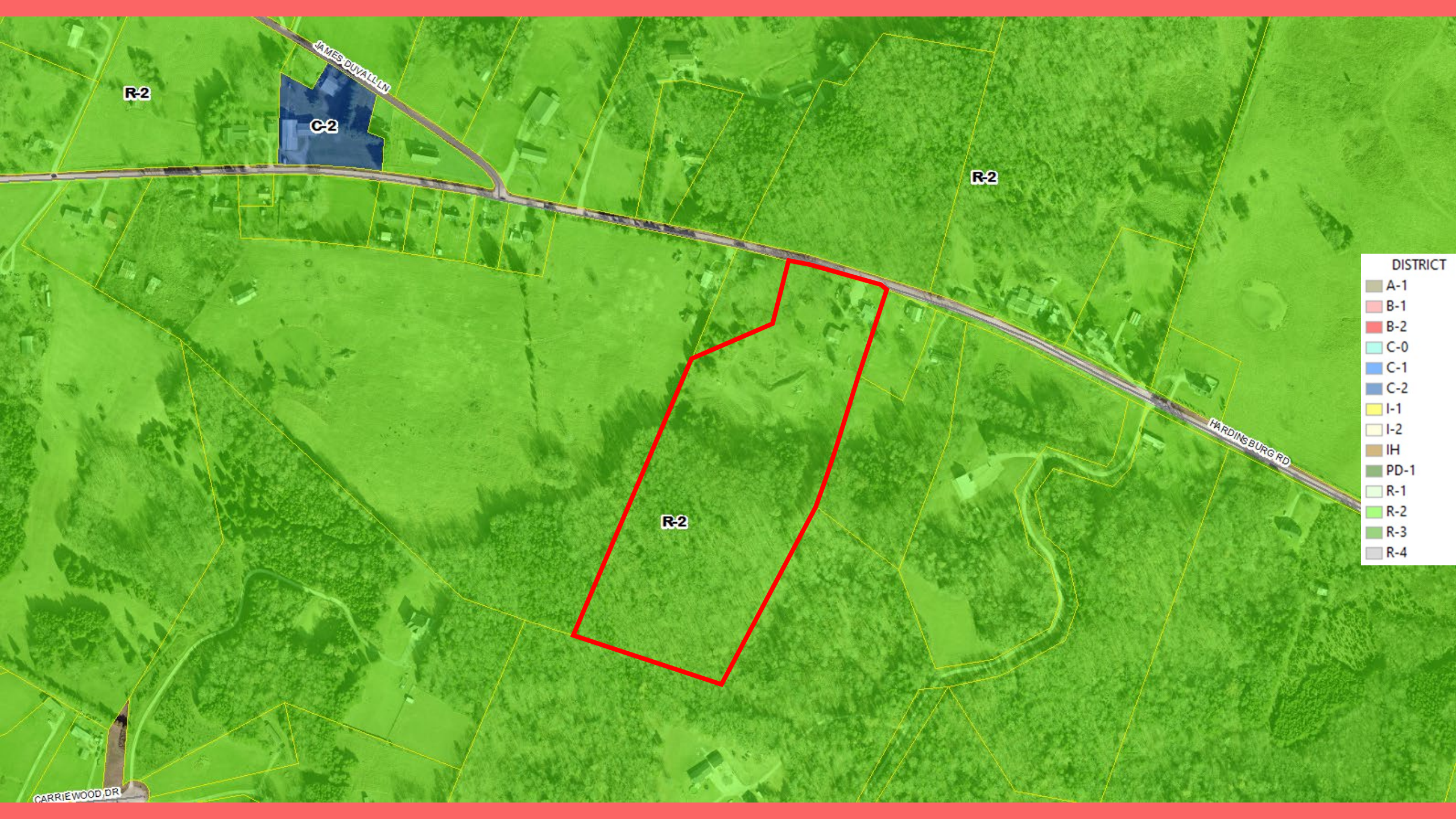
- A. Vicinity Map
  - B. Zoning Map
  - C. Aerial Photo (2024)
  - D. Natural Features
  - E. Comparison of Setbacks Along Hardinsburg Road
  - F. Aerial of the Old Deck
  - G. Site Plan
  - H. Photos of the Site
  - I. Analysis of Variances from the front setback requirement along Hardinsburg Road
  - J. \*Comprehensive Development Guide
  - K. \*Development Guidance System Ordinance
- \* Not Provided in PowerPoint

















# Vicinity 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





JAMES DUVAL LN

HARDINSBURG RD

CARRIEWOOD DR

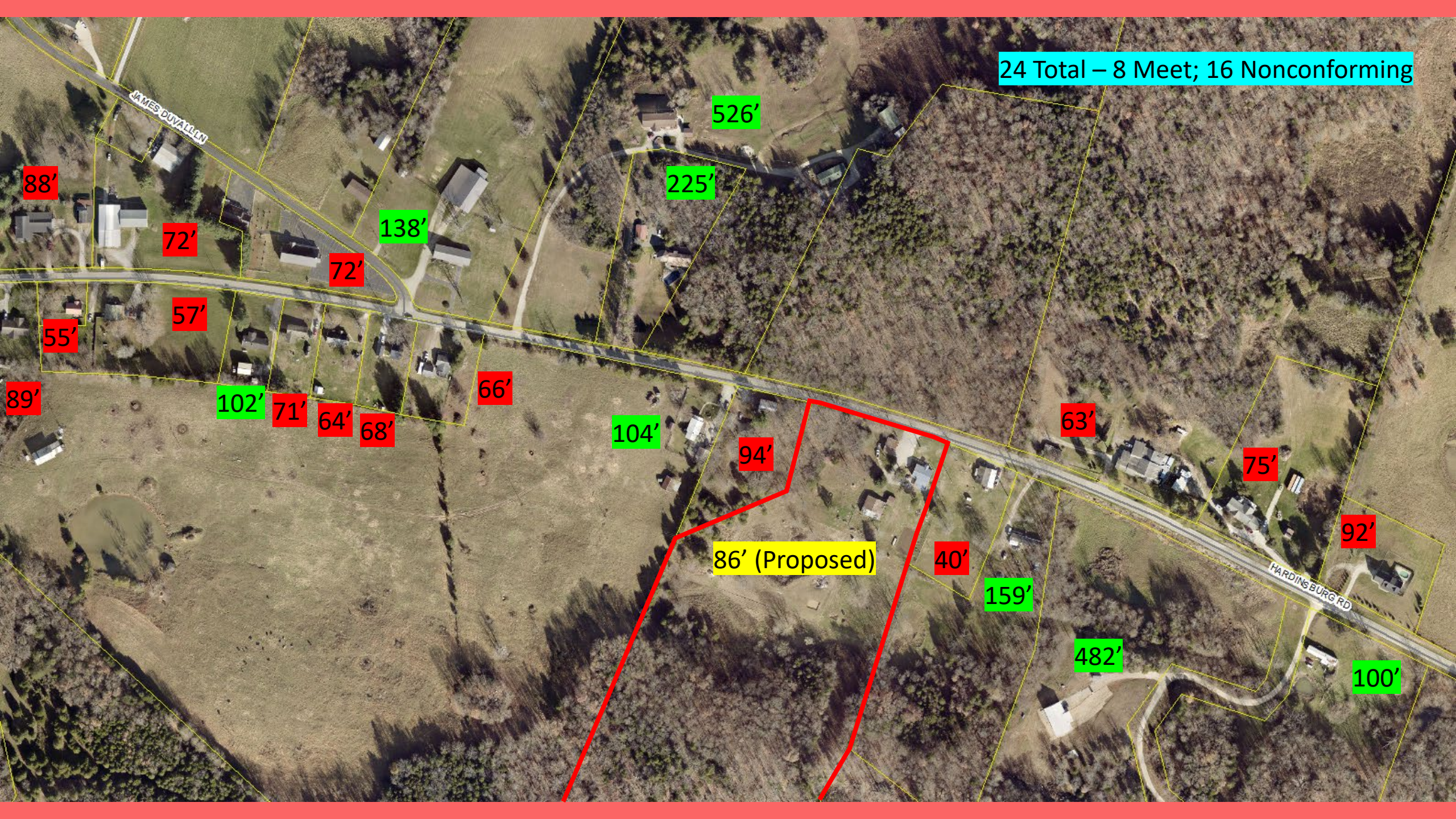




- Streams 2023
- Hardin\_Wetlands
- Hardin\_100Flood
- hardin\_sinkhole



24 Total – 8 Meet; 16 Nonconforming







1,200 S.F. House (1974)



864 S.F. Garage (1980)



960 S.F. Barn (1980)





### **VARIANCE REQUEST**

- 70' Building Setback
- + 60' R/W (30' to C/L) = 100' to C/L
- Request is 84' from Centerline
- **16' Variance**



















# Analysis of Variances front setback requirement along Hardinsburg Road

## 5 Total – 4 Approved; 1 Pending

Permit Date	Parcel	Owner	Type	Zone	Proposed Zoning (Map Amendments)	Listed Use (Dypl, Cup, Var, Maps)	Project / Subdivision Name	Request	Site Address	Acres (All Permits)	Status
07/05/2024	102-00-00-038	PICKERING JOHN W	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE			PICKERING FRONT YARD VARIANCE	TO ALLOW FOR A DECK TO BE 84' FROM CENTERLINE, A VARIANCE OF 16'	5235 HARDINSBURG RD	15.000	PENDING
06/25/2021	068-00-00-029	SPARKS CHARLES E JR & CAROLYN D	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE		ACCESSORY STRUCTURE	SPARKS VARIANCE FROM FRONT SETBACK - 28' X 35' CARPORT	FROM THE FRONT BUILDING SETBACK TO ALLOW FOR A 28' x 35' CARPORT	8010 HARDINSBURG RD. CECILIA, KY	1.190	APPROVED
01/10/2018	103-00-00-005	LOHDEN PATRICK E JR	VARIANCE	C-1 - CONVENIENCE COMMERCIAL ZONE		STORAGE	PAT'S CLASSICS	FRONT SETBACK LINE FOR A PROPOSED 25'X34' ADDITION TO THE EXISTING BUILDING ON SITE	4430 HARDINSBURG RD	1.900	APPROVED
07/19/2007	147-30-01-075.01	COX CARL W & LINDA C	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE			CUL DE SAC - FRONT SETBACK LINE / BRIANNA WAY	REDUCE THE FRONT SETBACK LINE TO ACCOMMODATE AN EXISTING GARAGE	150 HARDINSBURG ROAD (KY 86)	.839	APPROVED
03/30/2007	068-00-00-060	LLOYD & MARILYN HORNE	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE			SIDE SETBACK LINE /	TO REDUCE THE FRONT BUILDING SETBACK LINE TO ACCOMMODATE THE REPLACEMENT OF THE EXISTING MANUFACTURED HOME WITH A LARGER UNIT	7035 HARDINSBURG ROAD (KY 86)	.000	APPROVED



# 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 :**

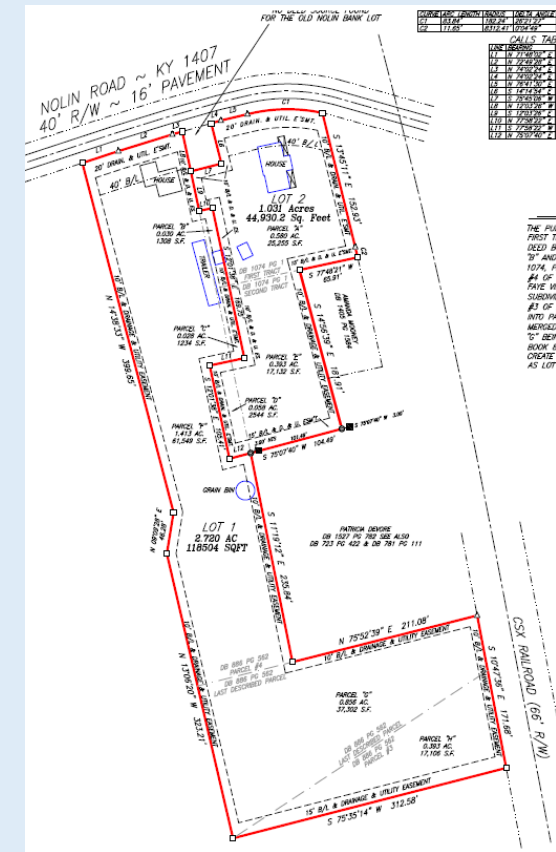
- 1. To allow a Variance from the front building setback for a deck to be 84' from the centerline of Hardinsburg Road, a variance of 16'.**
- 2. A site plan in compliance with Section 7 of the Zoning Ordinance shall be required.**
- 3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.**

OR

**Motion to Deny**



Owners: Elizabeth Vinson



**Location** Multiple tracts totaling 3.751 acres located at located at 2059 Nolin Road, Sonora, KY  
**Zoned** Rural Residential (R-2)

**Requesting a **Variance** from the minimum road frontage requirement and the 1:3 lot width-to-length ratio to allow for the property to be reconfigured**



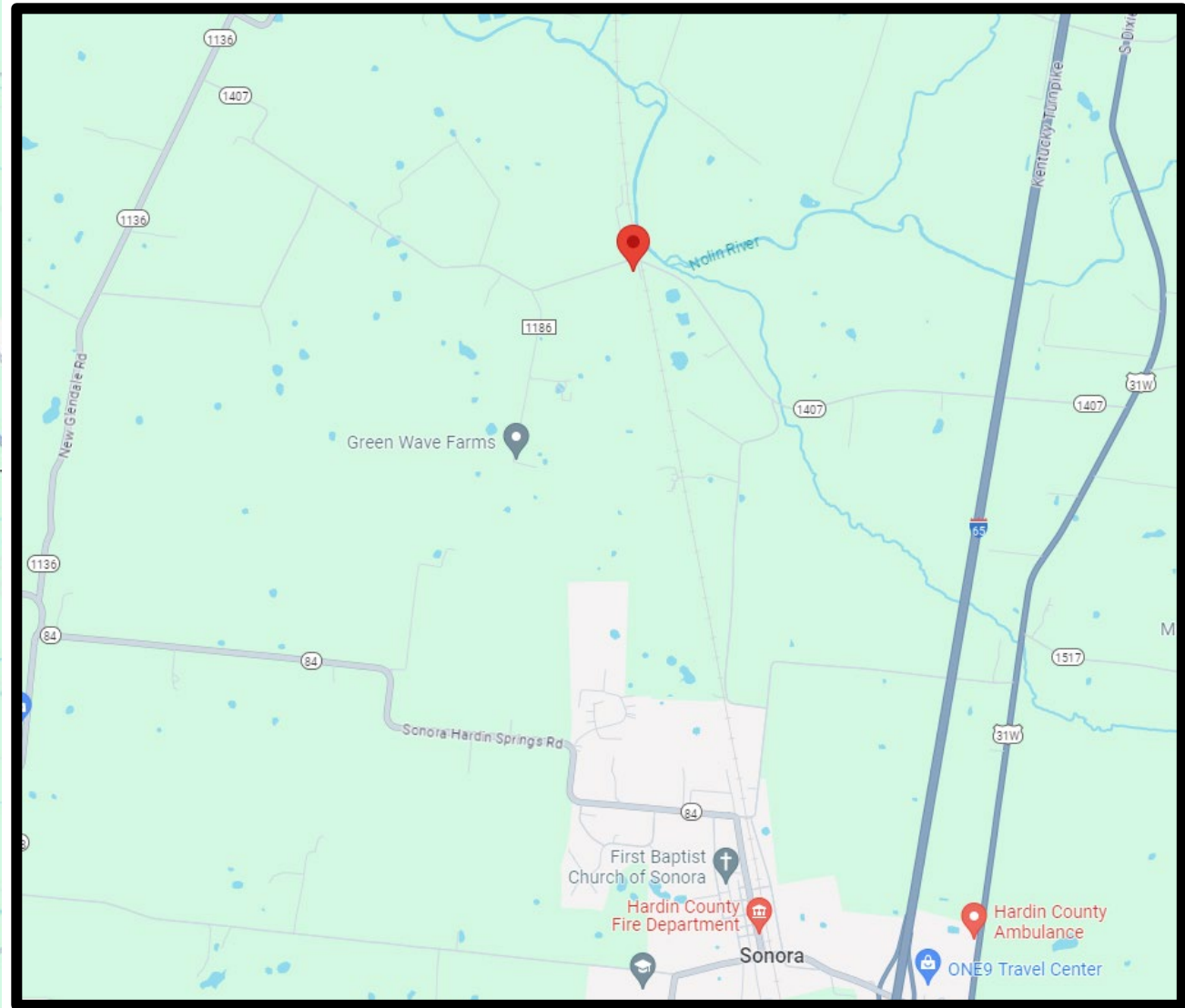
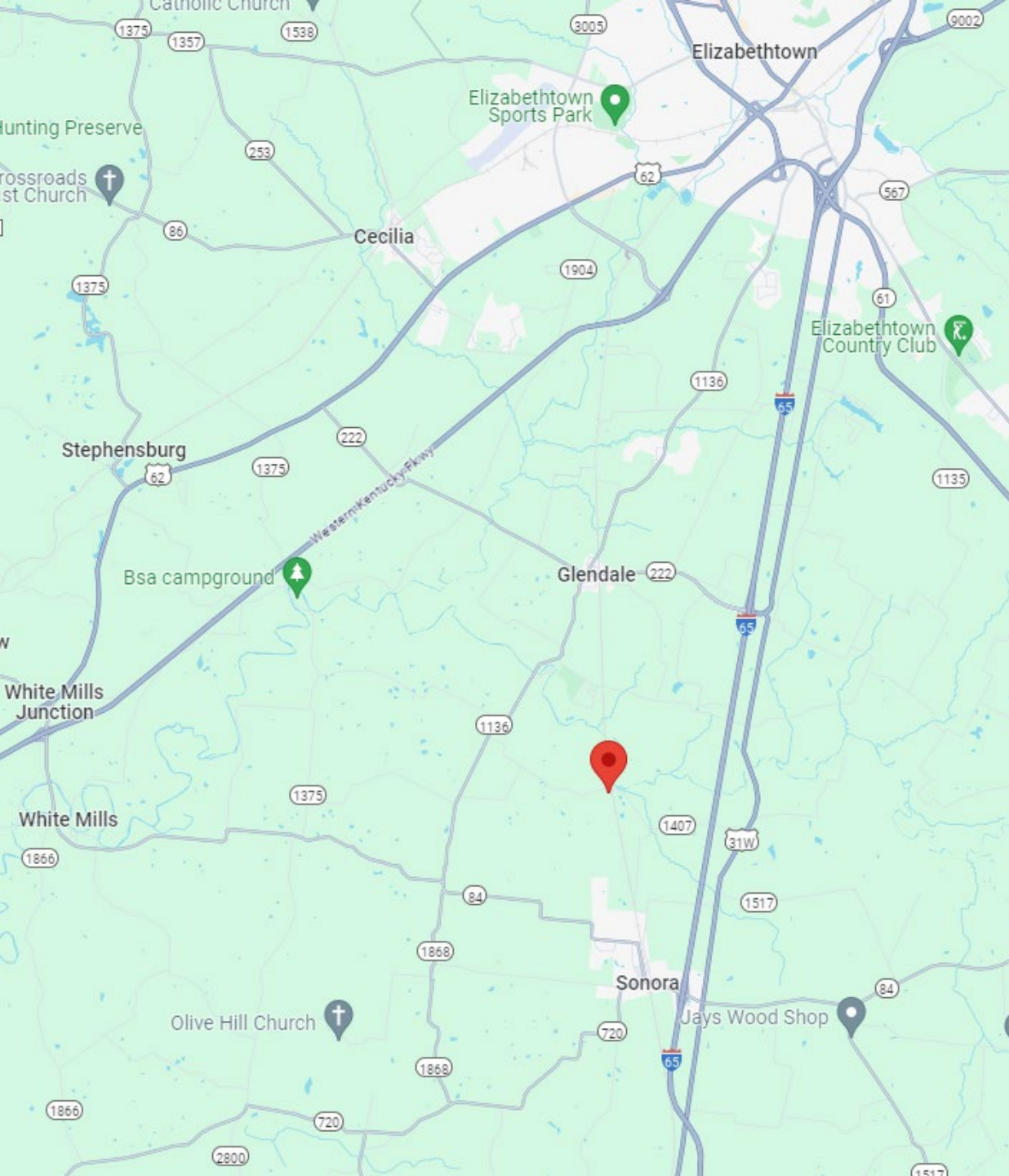
**2059 Nolin Road**  
Variance  
SUMMARY REPORT

**LISTING OF EXHIBITS**

- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photos**
- D. Character of the Site**
- E. Record Plat of Train Crossing Subdivision**
- F. Photos of the Site**
- G. Analysis of Variances from minimum road frontage**
- H. Analysis of Variances from the 1:3 ratio**
- I. \*Comprehensive Development Guide**
- J. \*Development Guidance System Ordinance**

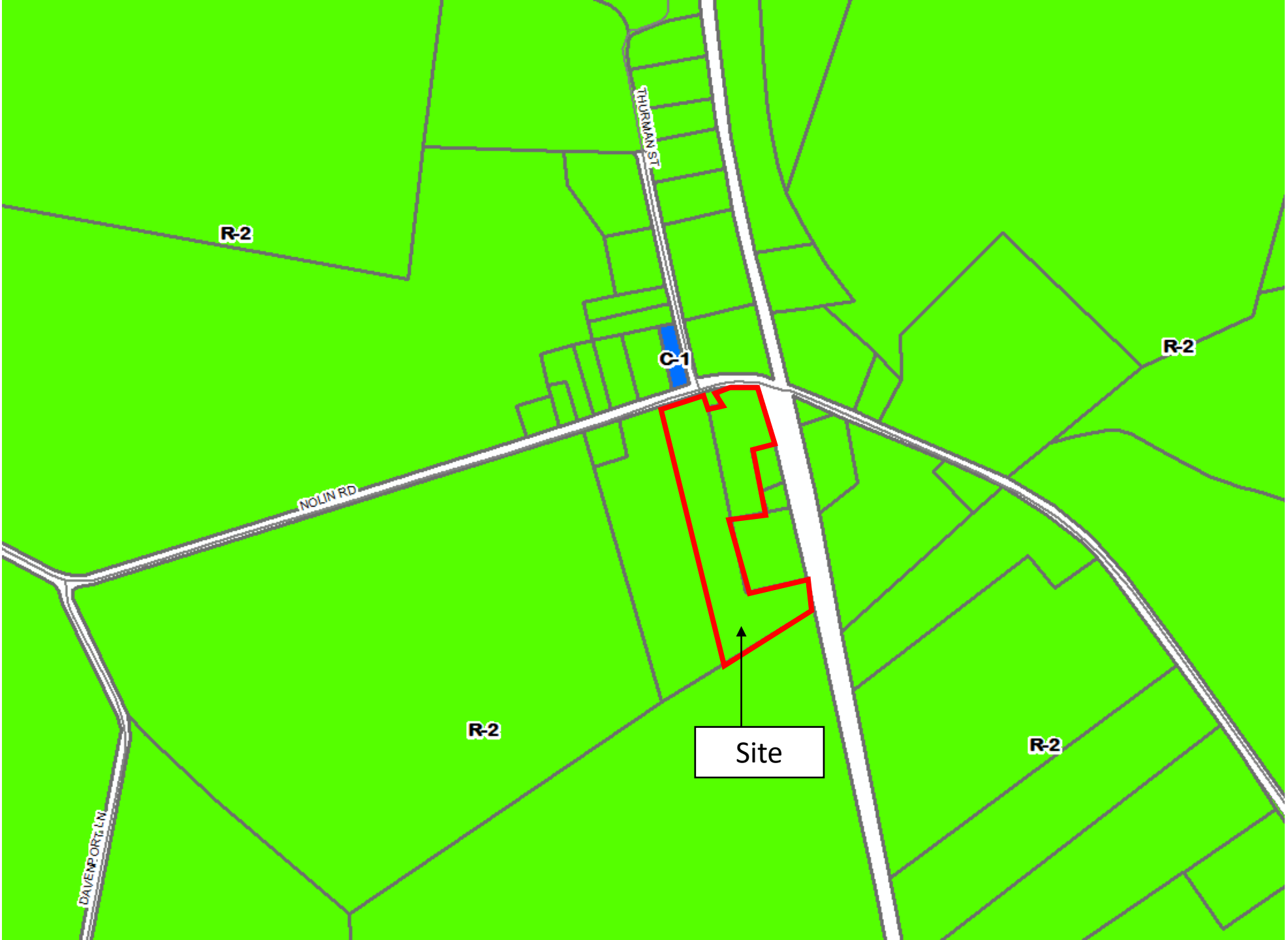
\* Not Provided in PowerPoint





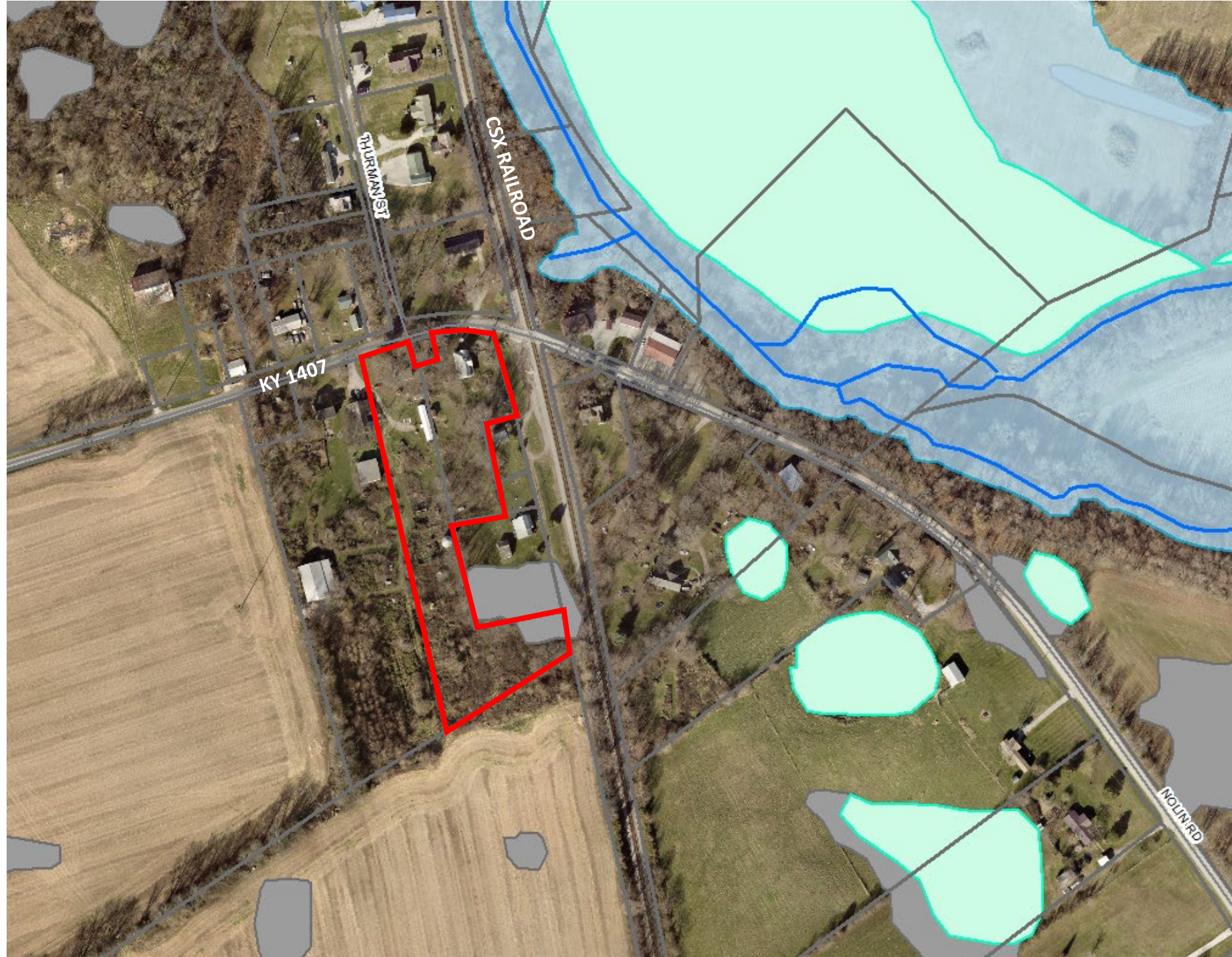


- A-1
- B-1
- B-2
- C-0
- C-1
- C-2
- I-1
- I-2
- IH
- PD-1
- R-1
- R-2
- R-3
- R-4





- Hardin\_Wetlands
- Hardin\_100Flood
- streams
- hardin\_sinkhole





# Character of the site



1650 sq. ft. house (1900)



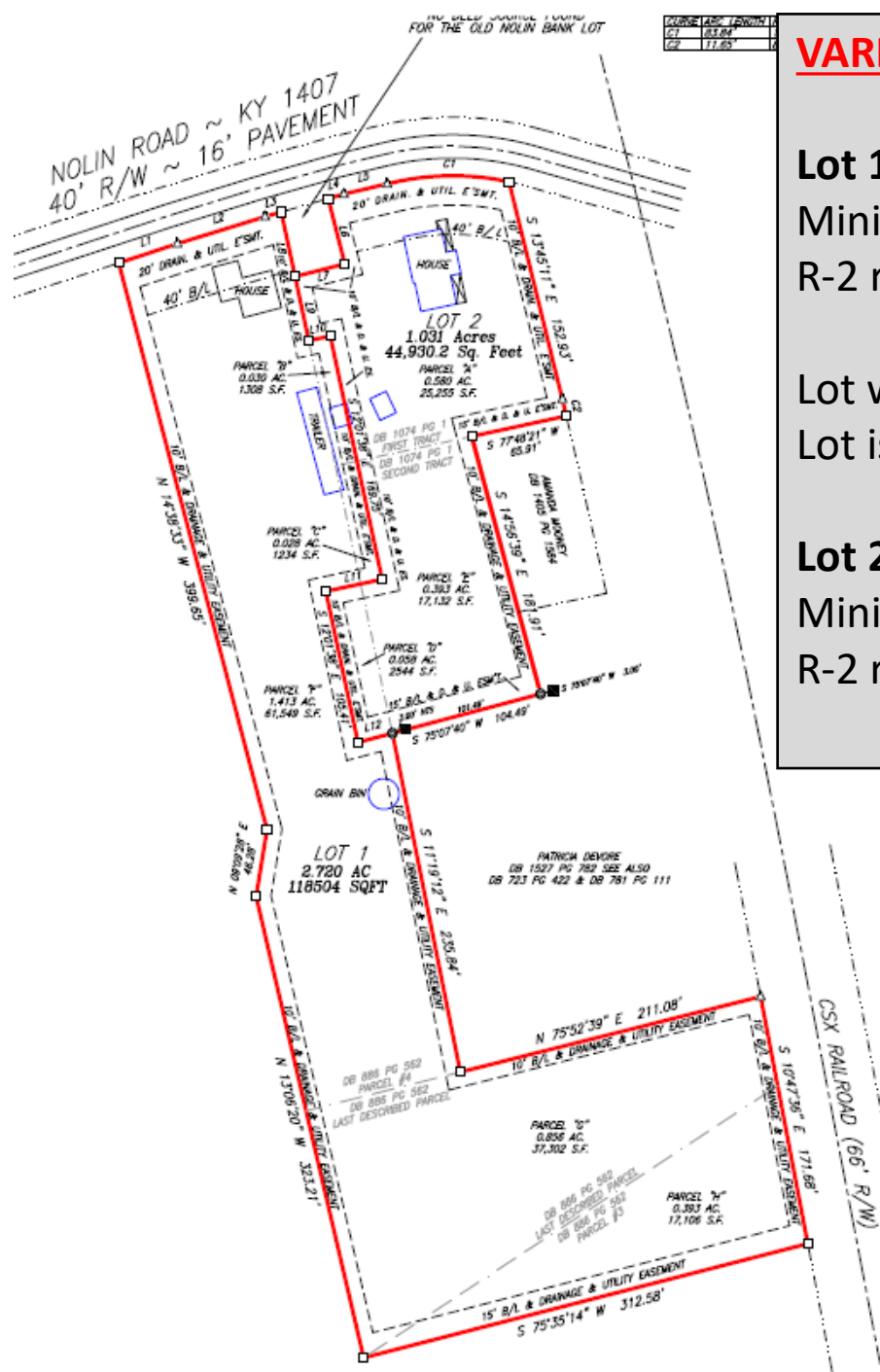
14'x72' manufactured home (1982)



Uninhabitable house (to be demolished)







## VARIANCE REQUESTS

**Lot 1:**  
Minimum Road Frontage Requirement R-2 requires 200', Lot has 116.1'

Lot width-to-length ratio (R-2 is 1:3)  
Lot is 765' deep = 1:6.58 ratio

**Lot 2:**  
Minimum Road Frontage Requirement R-2 requires 200', Lot has 125.25'























# Variances from Minimum Road Frontage Requirement

Permit Date	Owner	PVA Map Number	Type	Zone	Project / Subdivision Name	Request	Site Address	Acres (All Permits)	Expiration Date	Status
07/08/2024	VINSON FRANK	192-30-00-018 & 019	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	VINSON VARIANCE	TO ALLOW FOR A VARIANCE FROM THE MINIMUM ROAD FRONTAGE REQUIREMENT FOR LOTS 1 & 2 AND TO ALLOW FOR A VARIANCE FROM THE WIDTH TO LENGTH RATIO FOR LOT 1	2059 NOLIN RD, SONORA, KY	3.751	10/16/2024	PENDING
04/17/2024	NELSON DAVION	142-00-06-035	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	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		APPROVED
12/18/2023	JENKINS JAMES C & MELISSA	126-00-00-006 & 126-00-00-012.02	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	GREY & HAMMONS SUBDIVISION, LOT 1	VARIANCE FROM THE MINIMUM ROAD FRONTAGE REQUIREMENT AND THE 1:3 LOT WIDTH-TO-LENGTH RATIO	1540 S BLACK BRANCH ROAD, CECILIA, KY 42724	6.108		APPROVED
02/23/2022	GREY RONALD D & BARBARA A	105-00-00-084.01	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	BARBARA GREY ESTATE - 2 LOT SUBDIVISION	VARIANCE FROM THE MINIMUM ROAD FRONTAGE REQUIREMENT AND THE 1:3 LOT WIDTH-TO-LENGTH RATIO TO ALLOW FOR THE PROPERTY TO BE FURTHER SUBDIVIDED	10889 & 10961 LEITCHFIELD ROAD, CECILIA, KY	24.900		APPROVED
09/28/2021	DAUNIS GERTRUDE	144-00-00-026, 144-00-00-036 & 144-00-00-037	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	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
08/28/2019	KEY JEFF & MARY	172-00-00-012	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	KEY VARIANCE	VARIANCE FROM THE 1:3 LOT WIDTH-TO-LENGTH RATIO AND THE MINIMUM ROAD FRONTAGE REQUIREMENT TO ALLOW FOR THE PROPERTY TO BE FURTHER SUBDIVIDED	8697 NEW GLENDALE ROAD, GLENDALE, KY	44.400		APPROVED
07/17/2018	CARDIN MICHAEL & DIANE	134-00-00-027	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	VARIANCE FROM ROAD FRONTAGE & 1:3 RATIO	VARIANCE FROM THE 200' MINIMUM ROAD FRONTAGE REQUIREMENT & THE 1:3 LOT WIDTH-TO-LENGTH RATIO FOR A PROPOSED 2 LOT SUBDIVISION.	CASH RD	10.260		APPROVED
04/13/2011	DAVID AND DIANA NORDYKE	142-00-00-002	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	ROAD FRONTAGE / CLEMMINTON ESTATES, LOT 2	RELIEF FROM THE MINIMUM ROAD FRONTAGE REQUIREMENT	45 MILIMISH LANE	7.380	06/19/2011	DENIED
07/07/2010	DEBRA RAMBO	163-00-00-091.01	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
05/26/2009	CREAGOR WILSON	168-00-01-086	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

Records 1 to 10 (of 10)

10 Total: 7 Approved, 2 Denied, 1 Pending



# Variances from the 1:3 lot width-to-length ratio (R-2 Zone)

**Group: R-2 - RURAL RESIDENTIAL ZONE**

8/28/2019	KEY JEFF & MARY	8697 NEW GLENDALE ROAD, GLENDALE, KY	KEY VARIANCE	44.400	14.00	2,500.00	APPROVED	178.57	5/23/2017	MCGUFFIN CHAD L	3421 MIDDLE CREEK RD	NOEL ESTATES LOT 1	7.500	235.00	1,432.56	APPROVED	6.10
4/5/2011	MARK AND TIPHANIE CHITWOOD	WOOLDRIDGE FERRY ROAD	/ OAK RIDGE MANOR, LOTS 37 - 52	22.300	51.09	2,861.71	APPROVED	56.01	12/18/2023	JENKINS JAMES C & MELISSA	1540 S BLACK BRANCH ROAD, CECILIA, KY 42724	GREY & HAMMONS SUBDIVISION, LOT 1	6.108	148.00	832.60	APPROVED	5.63
4/11/2016	GRUSY RODNEY D & ELIZABETH A	6105 BARDSTOWN RD	GREEN RIDGE TREE FARM, SECTION 2	13.000	63.25	1,781.52	APPROVED	28.17	7/17/2018	CARDIN MICHAEL & DIANE	CASH RD	VARIANCE FROM ROAD FRONTAGE & 1:3 RATIO	10.260	125.00	688.65	APPROVED	5.51
7/1/2010	LLOYD HORNE	HARDINSBURG ROAD (KY 86)	ROAD FRONTAGE REQUIREMENT / TOBY'S ACRES SECTION 2, LOTS 3 & 4	38.000	145.64	1,864.93	APPROVED	12.81	10/29/2008	PAUL D OLDHAM	432 MARTIN ROAD	FAREWELL SUBDIVISION	1.270	69.58	368.23	APPROVED	5.29
9/26/2019	MILLER KERRY & REBECCA	3903 SALT RIVER ROAD, RINEYVILLE, KY	AMENDED RECORD PLAT OF REBECCA ROSE FARM, LOT 1B	41.830	239.41	2,850.00	APPROVED	11.90	1/31/2017	BEWLEY CHARLES DAVID & BRENDA	11324 RINEYVILLE ROAD (KY HWY 1600)	WANDERING MEADOWS SUBDIVISION, SECTION 2	7.992	252.36	1,246.66	WITHDRAWN	4.94
9/30/2022	FISCHEL BRENT	3280 SPORTSMAN LAKE RD, ELIZABETHTOWN, KY	VARIANCE FROM MINIMUM ROAD FRONTAGE & THE 1:3 LOT WIDTH-TO-LENGTH RATIO	18.000	50.00	498.00	APPROVED	9.96	9/9/2022	SKEES BRADLEY CURTIS & LEENA	331 LEWIS LANE, WHITE MILLS, KY 42788	LEENA HILLS SUBDIVISION & BOUNDARY SURVEY OF BRAD SKEES FARM	0.000	200.01	934.00	APPROVED	4.67
8/11/2022	HUNT CLYDE & BARBARA	702 UPPER COLESBURG ROAD, ELIZABETHTOWN, KY 42701	HUNT ESTATES	17.400	200.00	1,848.37	APPROVED	9.24	2/16/2018	MORRIS MARTINA K	3672 Cash Road	AGNES ACRES, SECTION 2	10.077	266.00	1,227.45	APPROVED	4.61
2/23/2022	GREY RONALD D & BARBARA A	10889 & 10961 LEITCHFIELD ROAD, CECILIA, KY	BARBARA GREY ESTATE - 2 LOT SUBDIVISION	24.900	135.00	1,190.00	APPROVED	8.81	3/12/2018	METCALF FLOYD STANLEY JR	YOUNGERS CREEK ROAD	"PROPERTY BY METCALF"	24.989	121.90	560.00	APPROVED	4.59
11/2/2010	JAMES & INEZ CREPPS	1590 STOVALL ROAD	ROAD FRONTAGE AND 1:3 WIDTH TO LENGTH RATIO / MOUNTAIN VIEW ESTATES SUBDIVISION	14.620	193.30	1,663.90	APPROVED	8.61	2/22/2011	HAYNES MARK IRA %EQUITY TRUST CO HAYNES MARK E & CAROL L	FORD HIGHWAY	REQUIRED ROAD FRONTAGE AND THE 1:3 LOT WIDTH TO LENGTH RATIO / FOX CHASE, LOT 6, 49 & 50	4.058	160.85	725.84	APPROVED	4.51
3/28/2017	MCCOY LAVONE	1233 LONG HOLLOW ROAD	WIREMAN FARM TR 21	14.779	200.00	1,662.72	APPROVED	8.31	4/19/2011	GLYNDA HIMEBAUGH	SONORA HARDIN SPRINGS ROAD (KY 84)	ROAD FRONTAGE AND 1:3 RATIO / HONEY LOCUST ESTATES SUBDIVISION, LOTS 1 & 2	4.000	234.38	956.92	DENIED	4.08
2/15/2023	VINSON DOROTHY & BRIAN	329 AKERS SCHOOL ROAD, UPTON, KY 42784	OLDHAM ORCHARD	11.097	218.05	1,441.37	APPROVED	6.61	1/19/2018	HOLSCLAW BRENT A & SANDRA L	70 Andover Drive	Andover Point Lot 8C	7.003	200.00	747.50	APPROVED	3.74
7/8/2024	VINSON FRANK	2059 NOLIN RD, SONORA, KY	VINSON VARIANCE	3.751	116.10	765.00	PENDING	6.59	11/16/2016	WILLIAMS JAMES THOMAS & PATRICIA	149 WILLIAMS DRIVE	W.F. WILLIAMS SUBDIVISION, SECTION 4, LOT 8A	5.018	200.00	692.44	APPROVED	3.46
2/28/2018	KINDERVATER SCOTT C	5225 BARDSTOWN ROAD		11.800	217.00	1,400.00	APPROVED	6.45	4/27/2023	LUCAS TAMMY & DOUGLAS	711 TABB RD	2 MARVIN GARDENS	26.270	289.00	1,000.00	APPROVED	3.46
5/10/2010	JAMES JONES	5235 HARDINSBURG ROAD (KY 86)	1:3 RATIO / PROPERTY BY POWELL	4.000	81.00	504.00	APPROVED	6.22	8/28/2019	SMALLWOOD NATHAN & PATTY	RINEYVILLE BIG SPRINGS ROAD	GROEPE SUBDIVISION SEC. 2 LOT 11	6.436	214.50	705.00	APPROVED	3.29
Group Total: 28																	



# 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 1:3 lot width-to-length ratio to allow for the property to be further subdivided.**
- 2. A Record Plat 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.**

OR

Motion to Deny