

Hardin County
Planning & Development Commission
16 March 2021

Hardin County Government Center
2nd Floor Meeting Room

MAP AMENDMENT

Rita & Steve Wooden

16 March 2021

Zone Map Amendment Request:

FROM: A-1 (Agricultural)

TO: R-1 (Urban Residential)

Waiver

100' building setback adjacent to Ag Zone



Summary: Rita & Steve Wooden are requesting a Zone Change from Agricultural (A-1) to Urban Residential (R-1). The proposed property is a 10.365 acre portion of two parcels (a 7 acre tract and a 27 acre tract) totaling 34 acres located at the 800 block of Wooden Lane, Elizabethtown, KY. Additionally, they are requesting a Waiver from the 100' building setback adjacent to Agricultural Zones.

Reasons for Granting a Map Amendment

KRS 100.213

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

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

**MAP AMENDMENT
SUMMARY REPORT**

- A. Meeting Notification**
- B. Vicinity Map**
- C. Future Land Use Map**
- D. Planning Area Map**
- E. Zoning Map**
- F. Aerial Photographs**
- G. Proposed Record Plat**
- H. Topography Map**
- I. Photos of the Site**
- J. Soil Map**
- K. Waiver Request**
- L. Staff Report and COMPREHENSIVE PLAN ANALYSIS**
- M. *Comprehensive Development Guide**
- N. *Development Guidance System Ordinance**
- O. *Application for Zone Change**

***Not provided in PowerPoint**

Public Notification

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Notice is hereby given that the Hardin County Planning and Development Commission will hold a Public Hearing at 5:00 p.m. on Tuesday, 16 March 2021, in the Hardin County Government Building, 150 N. Provident Way, 2nd Floor Meeting Room, Elizabethtown, Kentucky 42701. Consideration will be given on a request to change the zoning map from the A-1 - AGRICULTURAL ZONE to the R-1 - URBAN RESIDENTIAL ZONE for A +/- 10.365 acre site located at 879 WOODEN LANE ELIZABETHTOWN, KY 42701 to allow for a proposed 9 lot single family residential subdivision.

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Newspaper Ad on Tuesday March 9th



Two signs posted on site since Feb 26th



Hardin County
Planning and Development Commission
150 N. Provident Way, Suite 225
Elizabethtown, KY 42701
Phone: 270-769-5479 Fax: 270-769-5591

COPY

February 26, 2021

NOTICE OF PUBLIC HEARING

To Surrounding Property Owners:

The purpose of this letter is to notify you of the scheduled hearing before the Hardin County Planning and Development Commission for the property located at 879 WOODEN LANE, ELIZABETHTOWN, KY 42701. The owners, RITA & STEVE WOODEN, are requesting a Zoning Change for A +/- 10.365 ACRE SITE LOCATED ON THE NORTHWEST SIDE OF WOODEN LANE. – See Enclosed Map

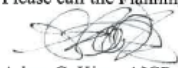
The hearing will be held as follows:

DATE:	16 MARCH 2021
TIME:	5:00 PM
PLACE:	Hardin County Government Building 150 N. Provident Way, 2nd Floor Meeting Room Elizabethtown, KY 42701
EXISTING ZONE:	A-1 - AGRICULTURAL ZONE
PROPOSED ZONE:	R-1 - URBAN RESIDENTIAL ZONE
REQUEST:	TO ALLOW FOR THE PROPERTY TO BE FURTHER SUBDIVIDED INTO 9 SINGLE FAMILY RESIDENTIAL LOTS

- The Public Hearing will be held to decide whether:
- 1) The proposed project is in agreement with the comprehensive plan,
 - 2) There have been major economic, physical or social changes in the area since the adoption of the comprehensive plan and / or
 - 3) The existing zone is inappropriate.

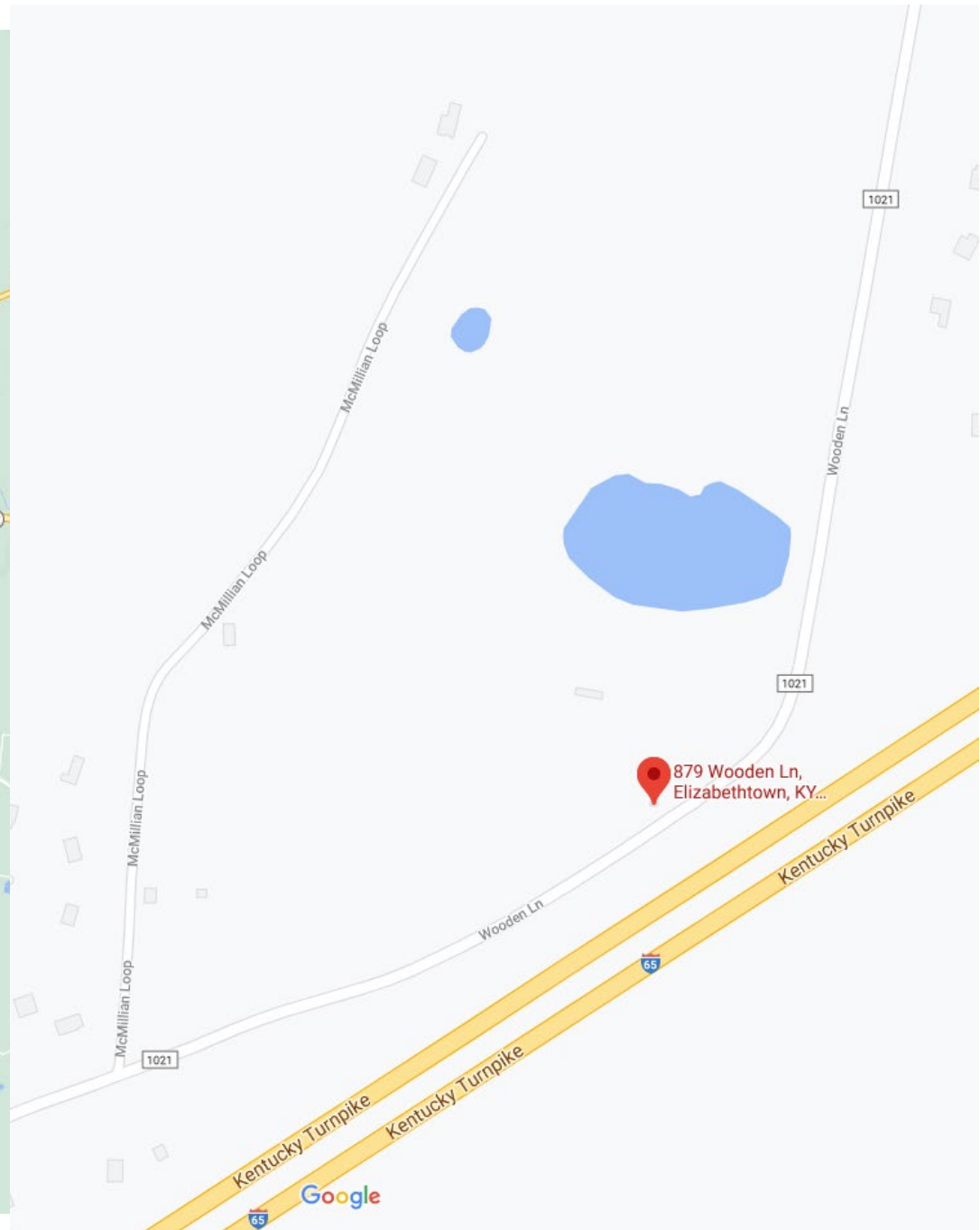
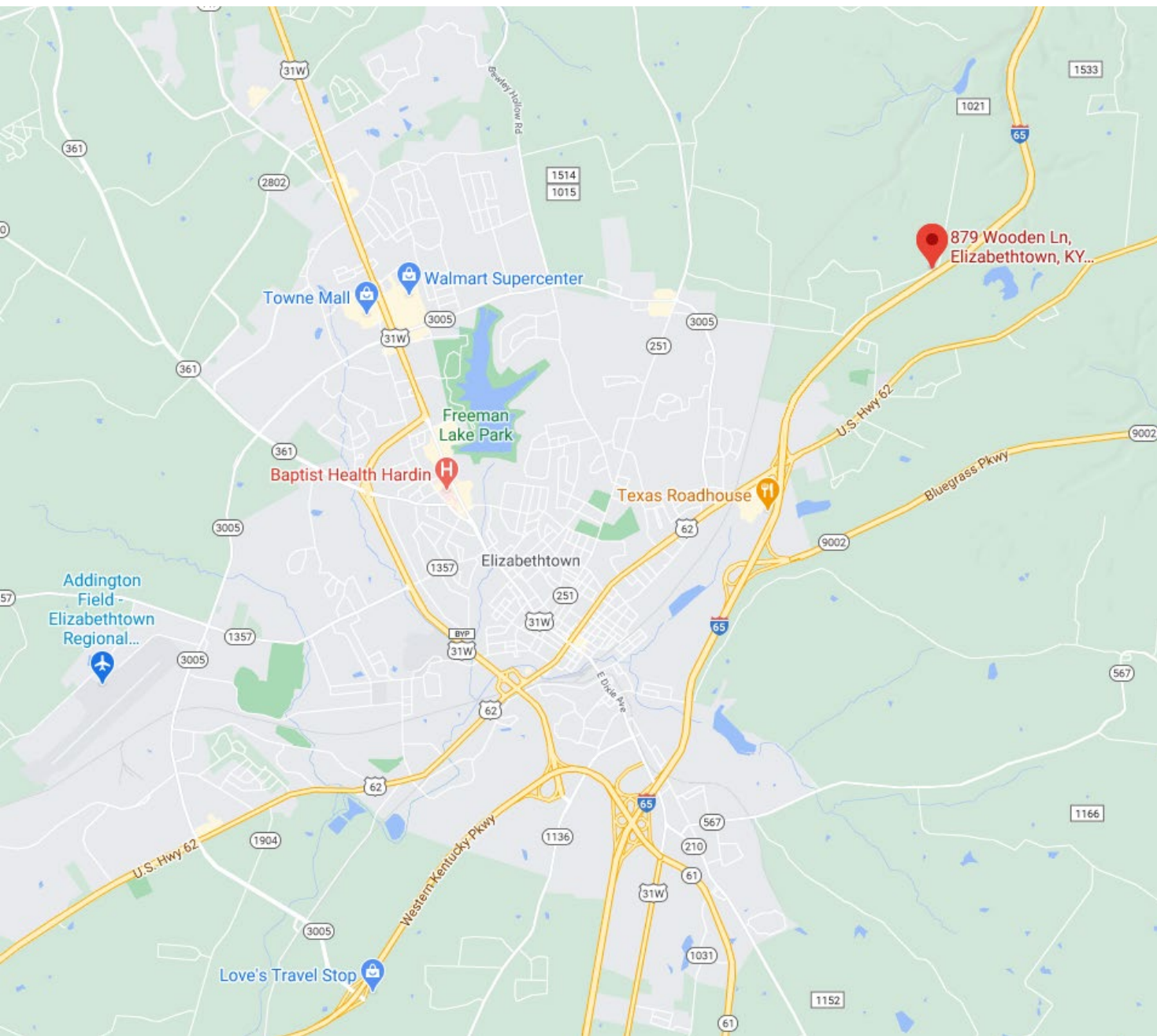
Section 4-2 (B) of the Hardin County Development Guidance System Zoning Ordinance contains information about the public hearing process. This includes the rules that will be used during the hearing and the action that can be taken. Masks or face coverings are required for attendance.

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


Adam C. King, AICP
Director












c: LISA BOONE, Magistrate

First class mailings sent to 25 owners that adjoin and are within 1200' of road frontage

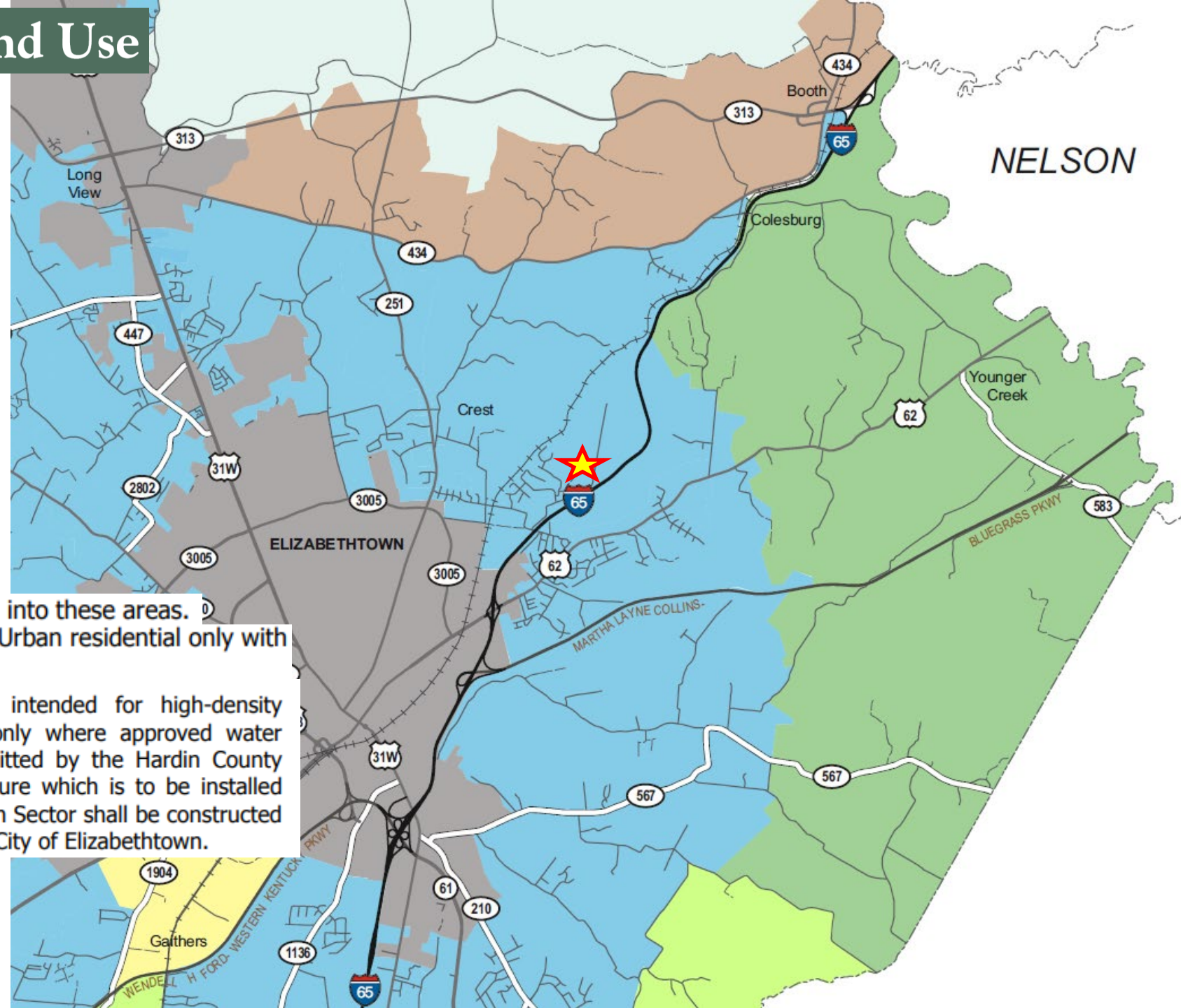


Hardin County Future Land Use

LEGEND

-  State Highway
-  Railroad
-  City
-  Fort Knox
- Land Use Groups**
-  Urban Area
-  Rural Village
-  Rural Area
-  Natural Resource
-  Kentucky 313 Corridor
-  Interstate Commercial
-  Industrial Area

 Urban Area



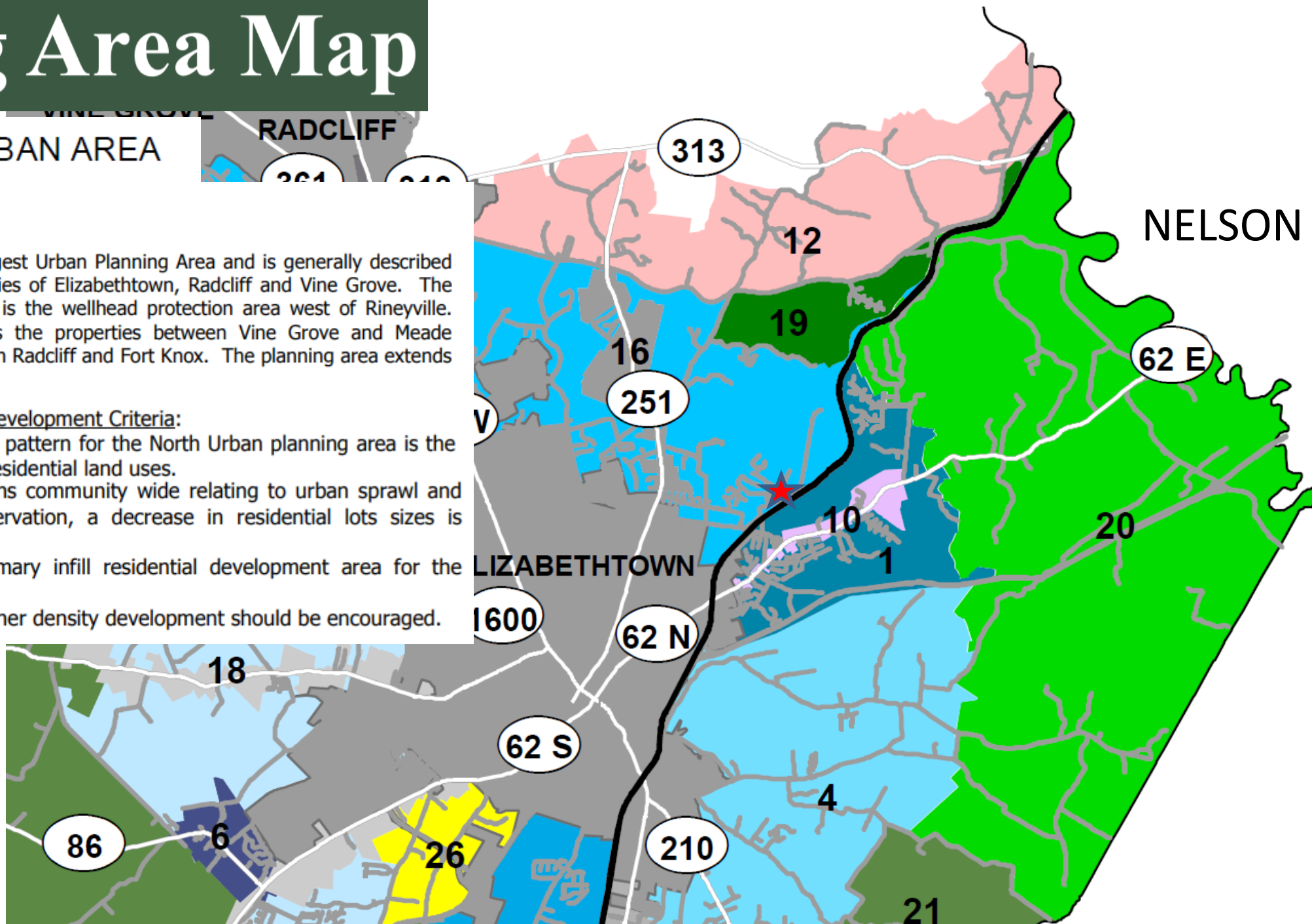
- Growth for the community should be reoriented into these areas.
- Residential use in this area should be limited to Urban residential only with other less dense development prohibited.
- **Urban Residential:** This land use category is intended for high-density development of single family dwellings, located only where approved water supply is available and sewage treatment is permitted by the Hardin County Health Department. All proposed water infrastructure which is to be installed within the Elizabethtown portion of the Urban Growth Sector shall be constructed as per the appropriate standards determined by the City of Elizabethtown.

Planning Area Map

3. NORTH URBAN AREA

3. North Urban Area

- Introduction: This is the largest Urban Planning Area and is generally described as the area between the cities of Elizabethtown, Radcliff and Vine Grove. The west boundary of this area is the wellhead protection area west of Rineyville. This planning area includes the properties between Vine Grove and Meade County and the area between Radcliff and Fort Knox. The planning area extends as far east as Interstate-65.
- Recommended Land Use and Development Criteria:
 - The recommended land use pattern for the North Urban planning area is the continued development of residential land uses.
 - In order to address concerns community wide relating to urban sprawl and farmland/open space preservation, a decrease in residential lots sizes is recommended.
 - This area may be the primary infill residential development area for the community.
 - As infrastructure allows, higher density development should be encouraged.

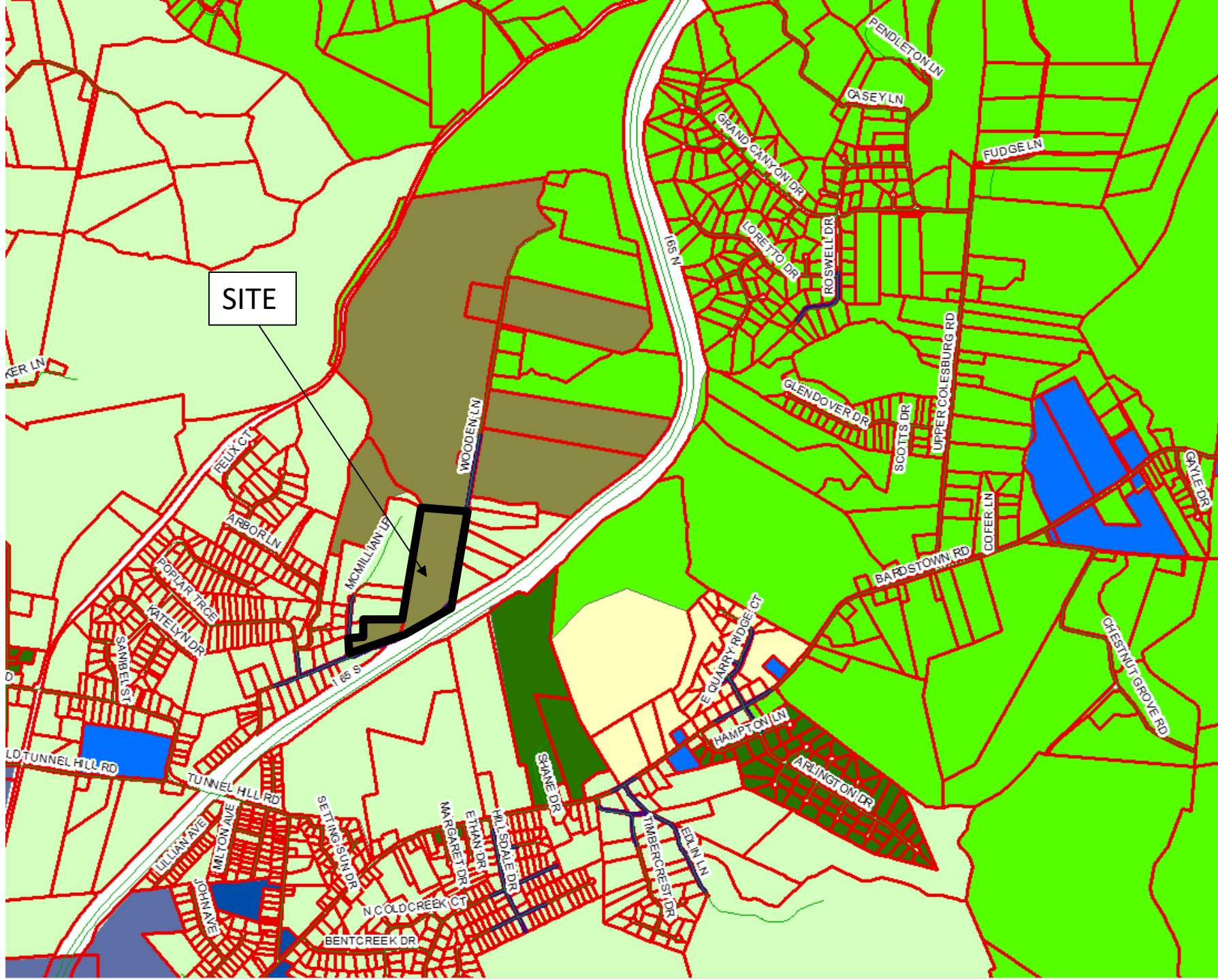


☐ MasterZone



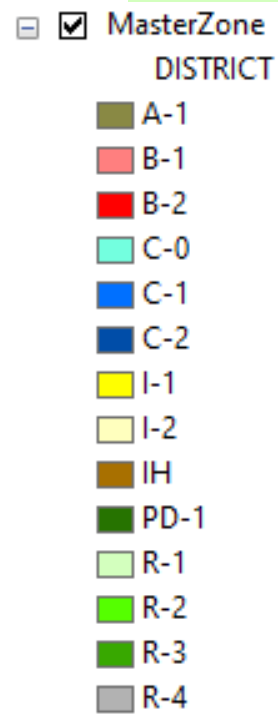
DISTRICT

- 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



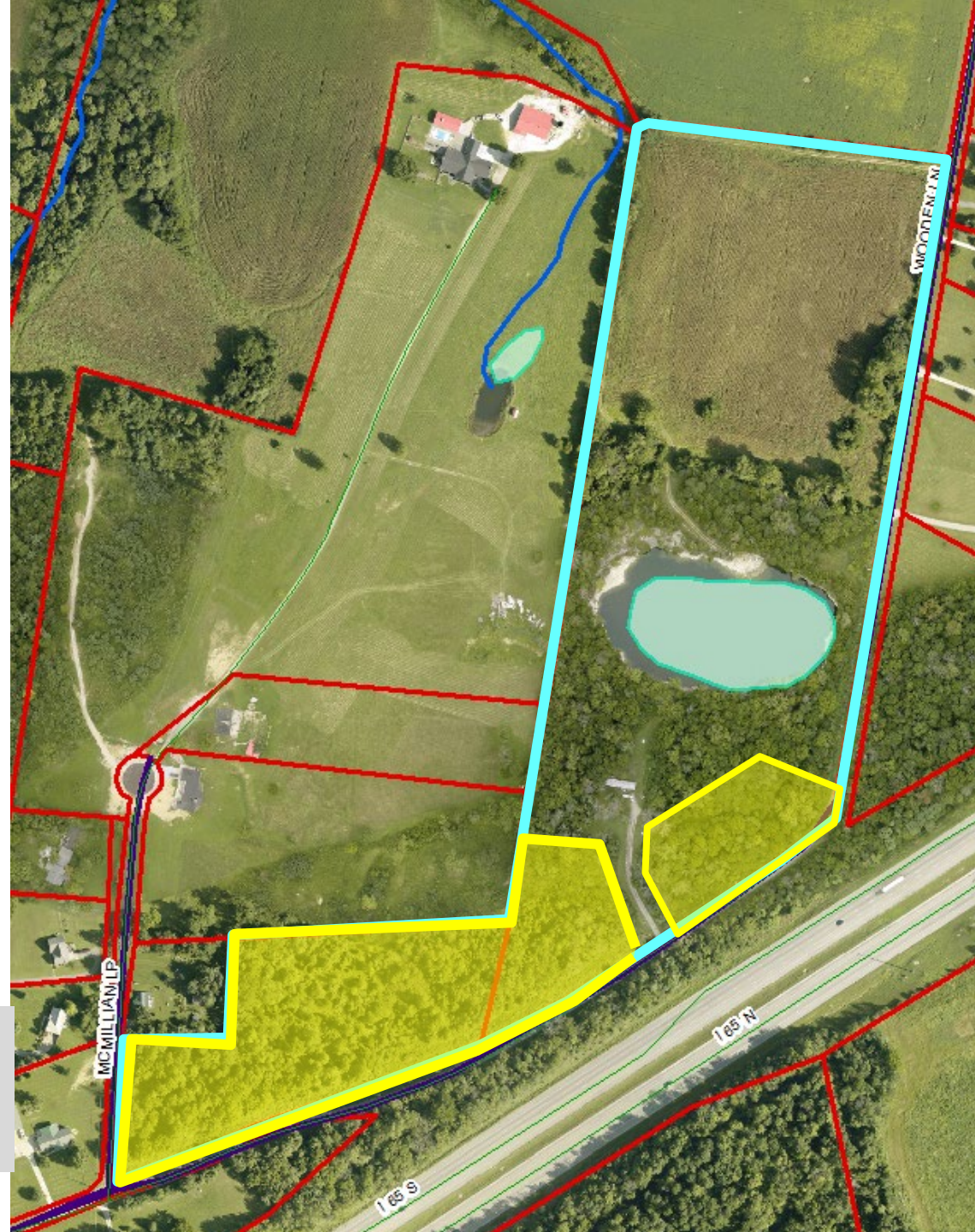
Wooden Agricultural Zone

- March 2010 : ± 450 acres
- June 2012 : ± 26 acres



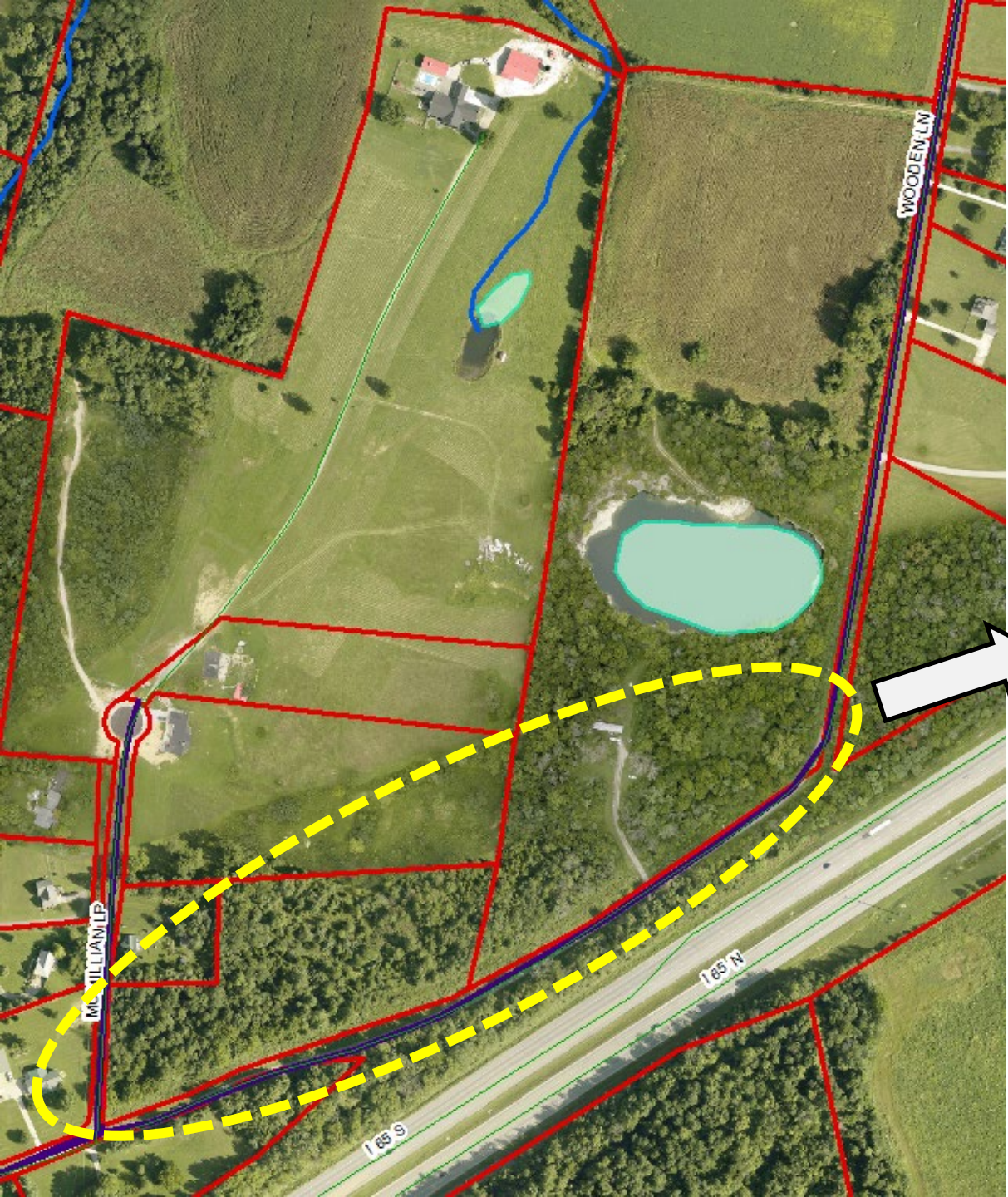
Request is to rezone a 10.365 acre portion of two tracts that total 34 acres

Request is to rezone a
10.365 acre portion of two
tracts that total 34 acres



Proposed 9 lot subdivision







Corner of McMillian
Loop or Wooden Lane










ZONING CHANGE

PUBLIC HEARING **A-1** — **R1**

TIME: **5:00** DATE: **3-16**

PLACE: **HARDIN COUNTY
GOVERNMENT BUILDING 2ND FLOOR**

 **HARDIN COUNTY PLANNING & DEVELOPMENT COMMISSION**
150 N. PROVIDENT WAY, ELIZABETHTOWN, KY 42701 PHONE: 270-703-5479

ZONING CHANGE
PUBLIC HEARING **A-1 — R1**
TIME: **5:00** DATE: **3-16**
PLACE: **HARDIN COUNTY
GOVERNMENT BUILDING 2ND FLOOR**
HARDIN COUNTY PLANNING & DEVELOPMENT COMMISSION
100 N. PRESTON WAY, ELIZABETHTOWN, KY 40311 PHONE: 502-768-5473













RE: Wooden Lane lots

Michael Steck

Sent: Wed 3/3/2021 6:49 AM

To: Adam C. King; Dwight Morgan

We did. All lots are ok for individual entrances

From: Adam C. King

Sent: Tuesday, March 2, 2021 2:34 PM

To: Dwight Morgan <dmorgan@hcky.org>; Michael Steck <msteck@hcky.org>

Subject: Wooden Lane lots

Have you all checked sight distance? Will any shared driveways be required?

Adam C. King, AICP

Director

Hardin County Planning and Development Commission

150 N. Provident Way, Suite 225

Elizabethtown, KY 42701

(270) 769-5479

(270)769-5591 (fax)

<http://hcpdc.com/>



PARCEL_ID	PROPERTY_L	MUNAME	DRAINAGEDC	FARMCLAC	HYDRICAP	HELWATAC	SEPTICDC	ACRES
243-00-00-004	879 WOODEN LN	Crider silt loam, 6 to 12 percent slopes	Well drained	Farmland of statewide importance	Not hydric	Highly erodible land	Somewhat limited	0
243-00-00-004	879 WOODEN LN	Crider silt loam, 2 to 6 percent slopes	Well drained	All areas are prime farmland	Not hydric	Not highly erodible land	Somewhat limited	15
243-00-00-004	879 WOODEN LN	Vertrees silt loam, 6 to 12 percent slopes	Well drained	Farmland of statewide importance	Not hydric	Highly erodible land	Very limited	2
243-00-00-004	879 WOODEN LN	Crider silt loam, 6 to 12 percent slopes	Well drained	Farmland of statewide importance	Not hydric	Highly erodible land	Somewhat limited	0
243-00-00-004	879 WOODEN LN	Hagerstown silt loam, 6 to 12 percent slopes	Well drained	Farmland of statewide importance	Not hydric	Highly erodible land	Somewhat limited	5
243-00-00-004	879 WOODEN LN	Hagerstown silt loam, 12 to 20 percent slopes	Well drained	Not prime farmland	Not hydric	Highly erodible land	Very limited	2
243-00-00-004	879 WOODEN LN	Water		Not prime farmland	Not hydric		Not rated	3
243-00-00-002	WOODEN LN	Crider silt loam, 2 to 6 percent slopes	Well drained	All areas are prime farmland	Not hydric	Not highly erodible land	Somewhat limited	0
243-00-00-002	WOODEN LN	Crider silt loam, 6 to 12 percent slopes	Well drained	Farmland of statewide importance	Not hydric	Highly erodible land	Somewhat limited	2
243-00-00-002	WOODEN LN	Hagerstown silt loam, 12 to 20 percent slopes	Well drained	Not prime farmland	Not hydric	Highly erodible land	Very limited	4

☒ Wooden_Soils☐ <all other values>

MUNAME

Crider silt loam, 2 to 6 percent slopes

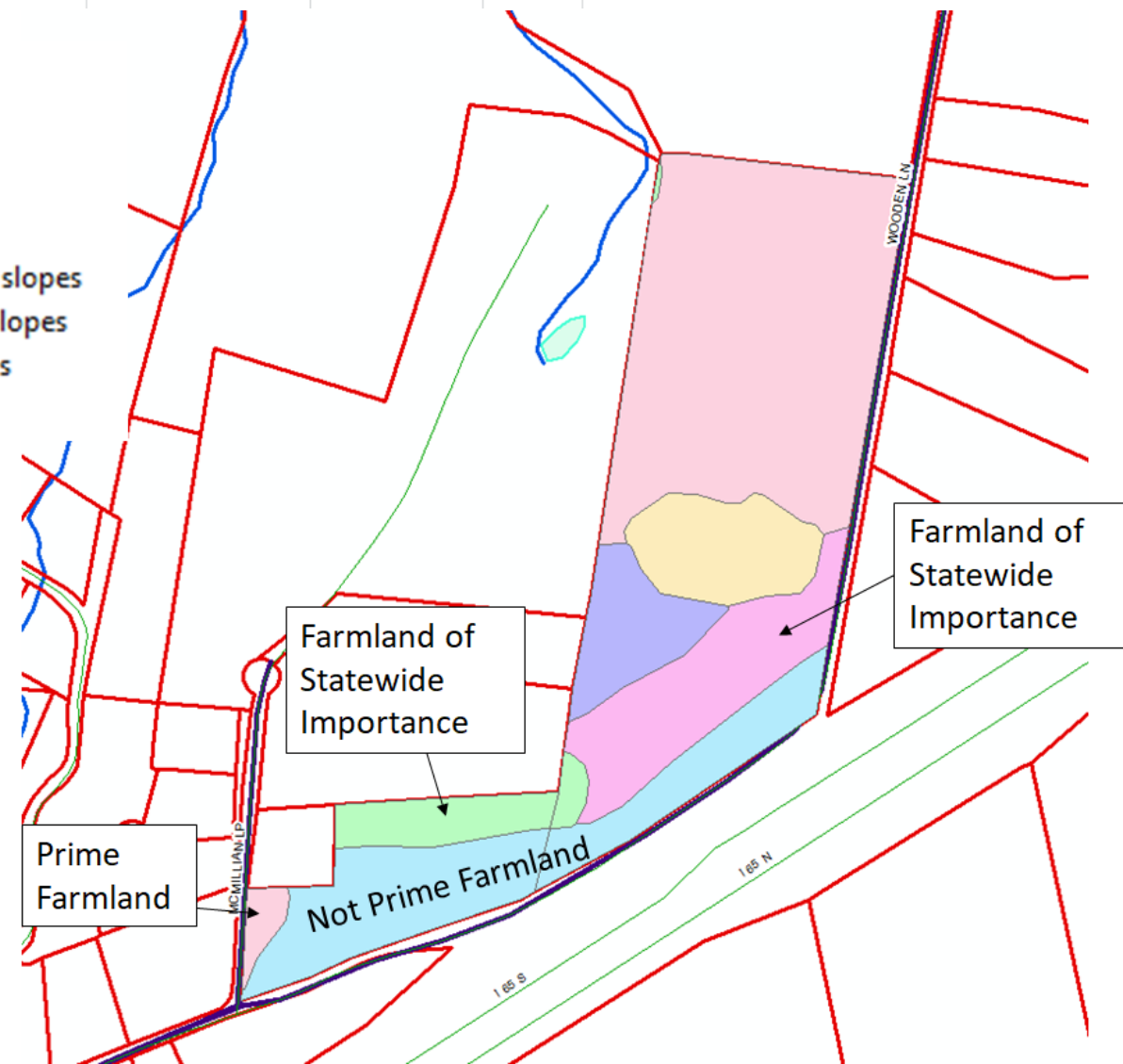
Crider silt loam, 6 to 12 percent slopes

■ Hagerstown silt loam, 12 to 20 percent slopes

■ Hagerstown silt loam, 6 to 12 percent slopes

■ Vertrees silt loam, 6 to 12 percent slopes

 Water



17-18 WAIVER PROCEDURE

An applicant may request a waiver from the Special Provisions as contained in this Section. As part of the waiver request, the applicant shall have the burden of proof in showing that there will be no adverse impact upon the neighborhood or general area by the granting of the waiver. In granting a waiver, the Commission shall consider the following:

1. The special circumstances of the proposed use; and
2. Site constraints that would make compliance economically unfeasible; and
3. The neighborhood and the general development patterns of the surrounding properties and the prospects for development in the near future; and
4. Whether the development as proposed would serve the purpose of enhancing the public welfare and safety; and
5. The guidelines listed in the Development Criteria of the Planning Area of the Comprehensive Plan.
6. The Commission may also consider other factors it may deem relevant in making its decision. A waiver of any of the requirements of this Section does not exempt the development from any other requirements of the Ordinance.

DEVELOPMENT GUIDANCE SYSTEM

17-4 AGRICULTURAL ZONES ADJACENT TO RESIDENTIAL ZONES

Whenever an Agricultural Zone is adjacent to a Residential Zone, the building setback line is increased to one-hundred (100) feet. Map amendments from an Agricultural Zone, must preserve the one-hundred (100) foot building setback line in the proposed Zone to maintain the Open Space Buffer.

Property would remain
zoned as A-1

Urban Residential (R-1) Setbacks
Typical 10' side
Typical 15' rear

DEVELOPMENT GUIDANCE SYSTEM

17-4 AGRICULTURAL ZONES ADJACENT TO RESIDENTIAL ZONES

Whenever an Agricultural Zone is adjacent to a Residential Zone, the building setback line is increased to one-hundred (100) feet. Map amendments from an Agricultural Zone, must preserve the one-hundred (100) foot building setback line in the proposed Zone to maintain the Open Space Buffer.

Reasons for Granting a Map Amendment

KRS 100.213

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

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

LAND USE ELEMENT

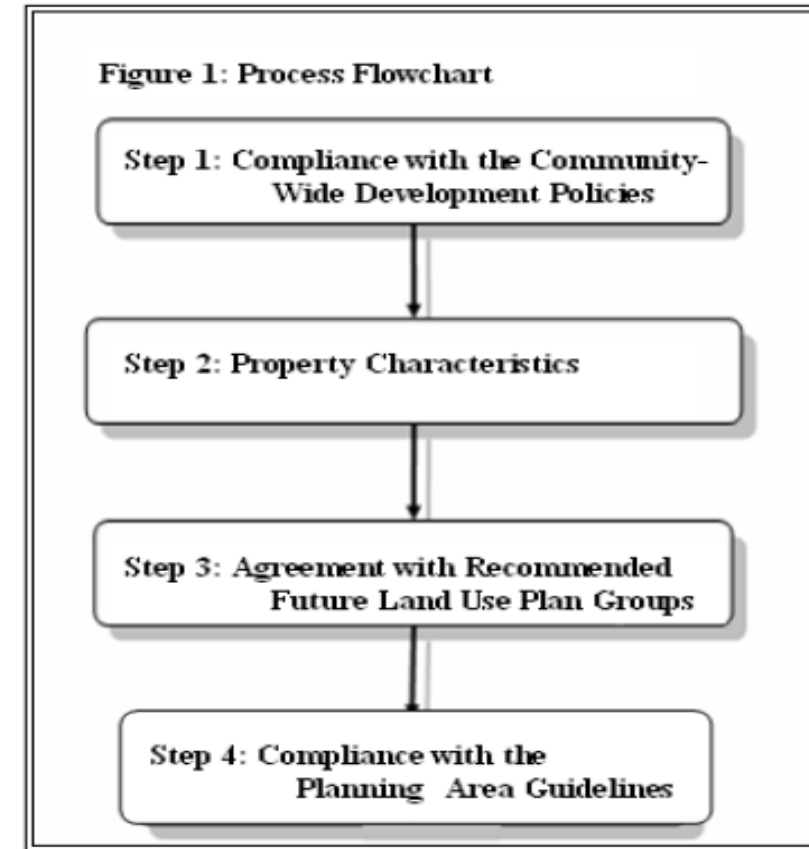
The portion of the Comprehensive Plan used most often to assess future development is the land use element. If a proposed land use is in keeping with the criteria and guidelines as set out in the land use element then approval is more easily obtained.

This Plan provides the criteria and guidelines for development in the form of a recommended land use map and narrative development guidelines.

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

Using this Plan

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



ZONE CHANGE STAFF REPORT

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

Summary: The owners, RITA & STEVE WOODEN are proposing to rezone ±10.365 acres from Agriculture (A-1) to Urban Residential (R-1) to allow for the property located near 879 Wooden Lane, Elizabethtown, KY to be further subdivided into 9 single family residential lots. Additionally, they are requesting a Waiver from the 100' building setback adjacent to Agricultural zones for the lots.

Pre-application Conference: Feb. 2, 2021	Owners: Rita & Steve Wooden 1869 Wooden Lane Elizabethtown, KY 42701
Public Hearing Date: Mar. 16, 2021	
Location of Proposed Zone Change: Site is located on the northwest side of Wooden Lane, Elizabethtown, KY	Zone Map Amendment Request: FROM: A-1 (Agriculture) TO: R-1 (Urban Residential)
Acreage: ±10.365 acre portion of two tracts totaling 34 acres	Land Use Group: Urban Area
PVA Parcel Number(s): 243-00-00-002 & 004	Planning Area: North Urban Area, #3
Flood Plain: The subject property is located outside the 100-year flood area according to FEMA map #21093C0306D.	Existing Land Uses: - Vacant
History of the Property: The site is wooded and vacant outside of a single manufactured home on the balance.	Zoning History: Property was zoned Urban Residential (R-1) at the adoption of Zoning in July of 1995. In March of 2010, Wooden rezoned their entire 450 acre farm to Agriculture (A-1).
Environmental: The site is wooded with a 3.5 acre pond just to the north of the proposed lots.	Adjacent Zoning: Residential & Agriculture; North – A-1, 1 lot totaling 22.815 acres (Wooden) and R-1, 2 lots, 6.7 acres (Reyes) & 1 acre (Watkins) South – R-1, 2.97 acre tract (Sherrard) & Interstate 65 East – R-1, 5 acre tract (Kirtley) West – R-1, 2.6 acre tract (Downs) & McMillian Loop
Utility Services: Electricity is provided from NOLIN RECC. Public water is available from HCWD #2.	WAIVER REQUEST – Agricultural Zones Adjacent To Residential Zones (DGS 17-4): The Zoning Ordinances states, "Map Amendments from an Agricultural Zone, must preserve the one-hundred (100) foot building setback line in the proposed Zone to maintain the Open Space Buffer".
Wastewater Treatment: Sewage disposal will be via on-site septic systems.	Wooden requests a waiver from this requirement due to the impact it would have on three of the proposed adjoining lots.
Transportation: The proposed lots have access to Wooden Lane, a county maintained road with 18' of pavement width. There is no dedicated right-of-way.	

COMPREHENSIVE PLAN COMPLIANCE

Comprehensive Plan Policy –	STEP 1: Compliance with the Community-Wide Development Policies (DP 1-14)
DP 1 All development should incorporate the protection of natural resources into the development to preserve the character of the County and protect the natural environment.	The proposed 9 lot subdivision does not include the nearby 3.5 acre pond.
DP 2 The transportation system should be supported by minimizing the impacts of access points to public roadways.	A single residential driveway entrance would be proposed for each lot.
DP 4 New development should be encouraged in areas where public water services are available and can accommodate additional customers.	Public water is available to the site and service is provided by Hardin County Water District #2. There is a 4" waterline along Wooden Lane.
DP 5 New development should be encouraged in areas where adequate fire protection services and fire hydrants are available.	The Central Hardin Volunteer Fire Department on Ring Road is approximately 2.5 miles away. There are no fire hydrants in the vicinity of the site.
DP 7 The size and scale of all development should reflect the character and style of surrounding uses.	There are 29 other single family residential lots along Wooden Lane from Tunnel Hill Road to McMillian Loop.
DP 8 New development should be allowed only where roadways meet minimum standards.	Wooden Lane is a county maintained road with 18' of pavement width. The plat will establish the front property line, 20' from the center line of the road, dedicating half of a 40' right-of-way.
DP 9 Development should occur in areas where it will not be in conflict with ongoing agricultural operations.	The proposed lots are in a wooded area that has never been farmed by the Wooden. The balance of their A-1 zoned farm will be preserved as farmland with the pond serving as a buffer between the farm and the subdivision.
DP 10 Development shall not be allowed in areas served by inadequate roadways, those being determined to be narrower than 18 feet in roadway width and/or with less than 40 feet of right-of-way.	Wooden Lane is a county maintained road with 18' of pavement width. The plat will establish the front property line, 20' from the center line of the road, dedicating half of a 40' right-of-way. Wooden Lane is also a dead end road with no thru traffic.

Comprehensive Plan Policy –	STEP 2: Property Characteristics (PC 1-10)
PC 1 Access Road Characteristics including safe accessibility, road hazards and road capacity and function.	Wooden Lane is a county maintained road with 18' of pavement width. The plat will establish the front property line, 20' from the center line of the road, dedicating half of a 40' right-of-way. Wooden Lane is also a dead end road with no thru traffic.
PC 2 Fire District, Hydrant and Department locations	The Central Hardin Volunteer Fire Department on Ring Road is approximately 2.5 miles away. There are no fire hydrants in the vicinity of the site.
PC 3 Public Water	Public water is available to the site and service is provided by Hardin County Water District #2. There is a 4" waterline along Wooden Lane.
PC 4 Existing land use and densities in the vicinity	There are 29 other single family residential lots along Wooden Lane from Tunnel Hill Road to McMillian Loop. Wooden Lane also serves as access to both Arbor View Subdivision and Poplar Flats. There are 11 dwellings beyond this site accessed from Wooden Lane.
PC 5 Proposed Wastewater Treatment System	The proposed lots will be served by on-site septic systems that will be inspected by the Hardin County Health Department as part of the Subdivision plat review.
PC 6 Proximity to and capacity of public schools	The proposal has the ability to create 9 new single family homes that would be served by the Hardin County public schools of Lincoln Trail Elementary, East Hardin Middle and Central Hardin High Schools.
PC 7 Existing Natural Features	There are no natural features on site. The proposed 9 lot subdivision does not include the nearby 3.5 acre pond.
PC 10 Growth Trends	The area north of Elizabethtown in the unincorporated portion of the county has grown steadily since BRACC. Our office has issued 2 building permits for single family dwellings on McMillian Loop and 3 single family dwellings in Arbor View Subdivision since 2010. Within a half mile of the property there are 148 homes (911 address points).

COMPREHENSIVE PLAN COMPLIANCE

Comprehensive Plan Policy – Urban Area	STEP 3: Agreement with Recommended Land Use Plan Group (LU 1-6)
The Urban Residential Land Use Category is, "intended for high-density development of single family dwellings, located only where approved water supply is available and sewage treatment is permitted by the Hardin County Health Department".	
The Comprehensive Plan states that within the Urban Area that, "growth for the community should be reoriented into these areas" and that this area is marked as having the highest levels of infrastructure.	
Additionally, the Comprehensive Plan states that, "residential use in this area should be limited to Urban Residential only with other less dense development prohibited."	
Comprehensive Plan Policy – PA #3 North Urban Area	STEP 4: Compliance with the Planning Area Guidelines (PA 1-7)
This is the largest Urban Planning Area and is generally described as the area between the cities of Elizabethtown, Radcliff and Vine Grove. This area has historically been called the "growth corridor". The most predominate land use in this planning area is residential.	The Comprehensive Plan states that "the recommended land use pattern for the North Urban Planning Area is the continued development of residential land uses" and that, "this area may be the primary infill residential development area for the community". This is because of its strategic location close to the City of Elizabethtown and Fort Knox in addition to its proximity to I-65.
	The Comprehensive Plan also explains that, "this area can provide for the continued residential growth to serve the Fort Knox population."
	Lastly, it states that as infrastructure allows, higher density should be encouraged in this area and that in order to aid in farmland/open space preservation that a decrease in residential lot size is recommended.

STAFF REVIEW AND RECOMMENDATION

The Staff finds that the proposed zoning is in agreement with Steps 1, 2, 3 & 4 of the adopted Comprehensive Plan plus the following findings:

- The proposal will allow for a 10.365 acre portion of the Agriculturally zoned farm to be further subdivided into 9 single family residential lots,
- The acreage is wooded and is not being actively farmed,
- The site is located within the Urban Area where urban residential uses are encouraged,
- The site is located within the North Urban Planning Area which is in area that has historically been, the "growth corridor" of the county due to its strategic location between the City of Elizabethtown and Fort Knox and due to its proximity to I-65,
- The Comprehensive Plan calls for continued development of residential land uses and that, "this area may be the primary infill residential development area for the community",

The Staff recommends that the Zoning Map Amendment, be **APPROVED**.

RESOLUTION 2021-003
MAP AMENDMENT
Agriculture (A-1) to Urban Residential (R-1)

- WHEREAS** the Hardin County Fiscal Court and the Hardin County Planning and Development Commission have adopted a Comprehensive Plan, Land Use Zoning Regulations, and Subdivision Regulations;
- WHEREAS** the above-mentioned regulations are designed to protect the public health, safety and welfare of the citizens of Hardin County;
- WHEREAS** the proposed site is located in the Urban Area of Hardin County and within the North Urban Area (#3);
- WHEREAS** this proposal is a request to rezone the 2010 designation of Agriculture (A-1) to Urban Residential (R-1) to allow for a 10.365 acre portion of two tracts totaling 34 acres to be further subdivided into 9 single family residential lots.

NOW THEREFORE, BE IT RESOLVED, by the Hardin County Planning and Development Commission that a request for a Map Amendment for property owned by RITA & STEVE WOODEN (PVA Map #243-00-00-002 and 004) and identified as being an approximately 10.365 acre site near 879 Wooden Lane in Elizabethtown, KY be granted a zone change from the existing Agriculture Zone (A-1) to the Urban Residential Zone (R-1), based on the following findings and compliance with the policies and goals of the Comprehensive Plan:

With the appropriate portions of the Development Guidance System, Zoning Ordinance and the Comprehensive Development Guide, the testimony provided by staff and those in attendance at the public hearing, the Planning Commission hereby adopts the attached Staff Report and it is determined that the proposed R-1 zone is more appropriate based on the Comprehensive Plan's following Policies and Goal:

Step 1:	Development Policies 1, 2, 4, 5, 7, 8, 9 & 10;
Step 2:	Property Characteristics 1 - 7 & 10;
Step 3:	Land Use Plan Group: Urban Area
Step 4:	Planning Area: North Urban Area (#3)

Goal 1: TO IMPROVE HARDIN COUNTY AS A PLACE OF RESIDENCE.

Objective 1: Promote formation of neighborhood units as opposed to scattered development.
Objective 11: To develop a supply of housing which, meets the population demand.

ADOPTED THIS SIXTEENTH DAY OF MARCH 2021.

MOTIONS

- I make a motion to **Approve** the proposed Zoning Map Amendment based upon:
- the testimony provided by Staff and those in attendance at the Public Hearing
 - I hereby adopt the Staff Report and the exhibits entered in as the Record
 - To adopt Resolution 2021-003 as presented

The proposed Map Amendment from A-1 to R-1 is in Agreement with the 4 Step Process as outlined in the Comprehensive Plan and the following Goals & Objectives.

Step 1:	Development Policies 1, 2, 4, 5, 7, 8, 9 & 10;
Step 2:	Property Characteristics 1 - 7 & 10;
Step 3:	Land Use Plan Group: Urban Area
Step 4:	Planning Area: North Urban Area (#3)

Goal 1: TO IMPROVE HARDIN COUNTY AS A PLACE OF RESIDENCE.

Objective 1: Promote formation of neighborhood units as opposed to scattered development.
Objective 11: To develop a supply of housing which, meets the population demand.

Additionally, the requested Waiver from Special Provision 17-4 **Agricultural Zones adjacent to Residential Zones** be granted to reduce the 100' building setback adjacent to the existing Agriculture Zone to the typical R-1 setback of a 10' side and 15' rear.

- I make a motion to **Deny** the proposed Zoning Map Amendment based upon:
- the testimony provided by Staff and those in attendance at the Public Hearing

The proposed Map Amendment from A-1 to R-1 is **NOT** in Agreement with the 4 Step Process as outlined in the Comprehensive Plan.

MAP AMENDMENT & VARIANCE

Debbie & David Asbell

16 March 2021

Zone Map Amendment Request:

FROM: R-2 (Rural Residential)

TO: R-1 (Urban Residential)

Variance Request:

FROM: 1:4 Lot Width-to-Length Ratio



Summary: Debbie & David Asbell are requesting a Zone Change from Rural Residential (R-2) to Urban Residential (R-1) to allow for the property to be further subdivided. They are also requesting a Variance from the 1:4 Width to Length Ratio. The property is a +/- 11 acre site located at 1382 & 1386 Berrytown Road, Rineyville, KY.

Reasons for Granting a Map Amendment

KRS 100.213

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

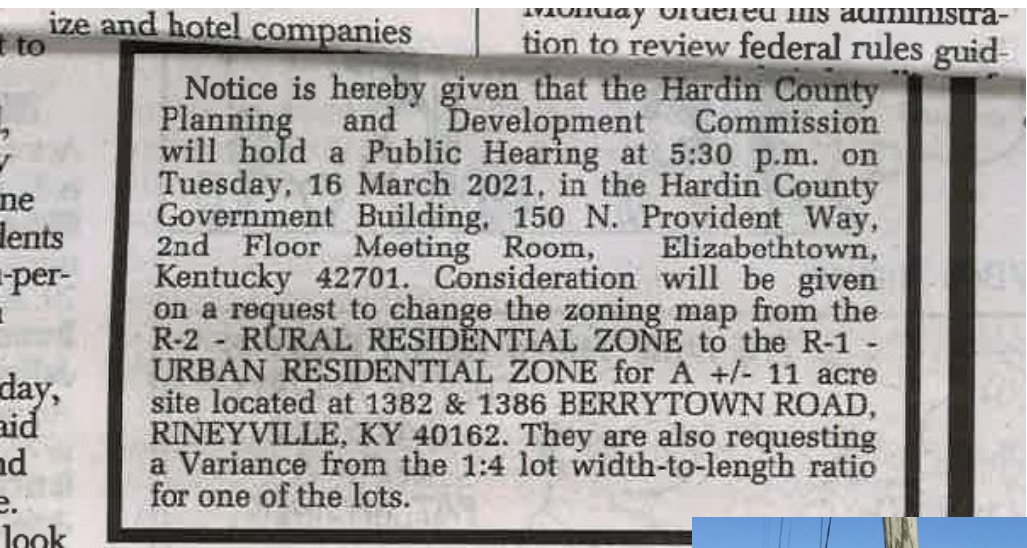
1. The proposal is in agreement with the language of the Comprehensive Development Guide;
2. There have been major changes of an economic, physical, or social nature in the area involved that were not anticipated by the Comprehensive Development Guide and that have substantially altered the basic character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

MAP AMENDMENT & VARIANCE SUMMARY REPORT

- A. Meeting Notification
- B. Future Land Use Map
- C. Planning Area Map
- D. Zoning Map
- E. Aerial Maps
- F. Proposed Record Plat
- G. Photos of the Site
- H. Other Rural Residential (R-2) to Urban Residential (R-1) Zone Changes
- I. Analysis of other Variances from the lot width-to-length ratio
- J. Staff Report and COMPREHENSIVE PLAN ANALYSIS
- K. *Comprehensive Development Guide
- L. *Development Guidance System Ordinance
- M. *Application for Zone Change

*Not provided in PowerPoint

Public Notification



Newspaper Ad on Tuesday March 9th



Two signs posted on site since Feb 25th



Hardin County
Planning and Development Commission
150 N. Provident Way, Suite 225
Elizabethtown, KY 42701
Phone: 270-769-5479 Fax: 270-769-5591

COPY

February 26, 2021

NOTICE OF PUBLIC HEARING

To Surrounding Property Owners:

The purpose of this letter is to notify you of the scheduled hearing before the Hardin County Planning and Development Commission for the property located at 1382 & 1386 BERRYTOWN ROAD, RINEYVILLE, KY. The owners, DAVID & DEBBIE ASBELL, are requesting a Zoning Change for A +/- 11 acre site located on the north side of Berrytown Road and a Variance from the 1:4 lot width-to-length ratio for one of the lots. – See Enclosed Map

The hearing will be held as follows:


DATE:	16 MARCH 2021
TIME:	5:30 PM
PLACE:	Hardin County Government Building 150 N. Provident Way, 2nd Floor Meeting Room Elizabethtown, KY 42701
EXISTING ZONE:	R-2 - RURAL RESIDENTIAL ZONE
PROPOSED ZONE:	R-1 - URBAN RESIDENTIAL ZONE
REQUEST:	TO ALLOW FOR A TWO LOT SUBDIVISION. ALSO REQUESTING A VARIANCE FROM THE 1:4 LOT WIDTH-TO-LENGTH RATIO

The Public Hearing will be held to decide whether:

- 1) The proposed project is in agreement with the comprehensive plan,
- 2) There have been major economic, physical or social changes in the area since the adoption of the comprehensive plan and / or
- 3) The existing zone is inappropriate.

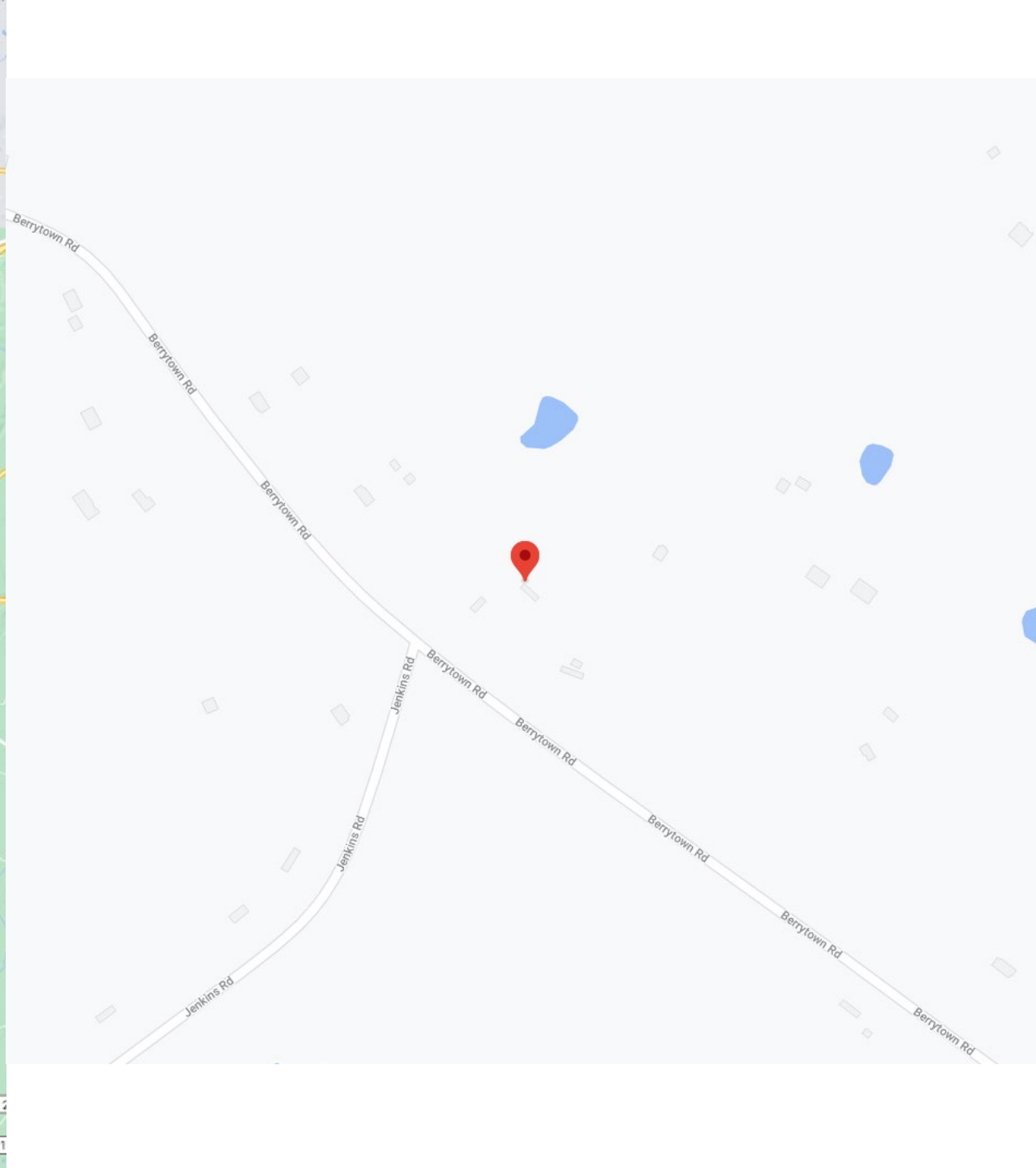
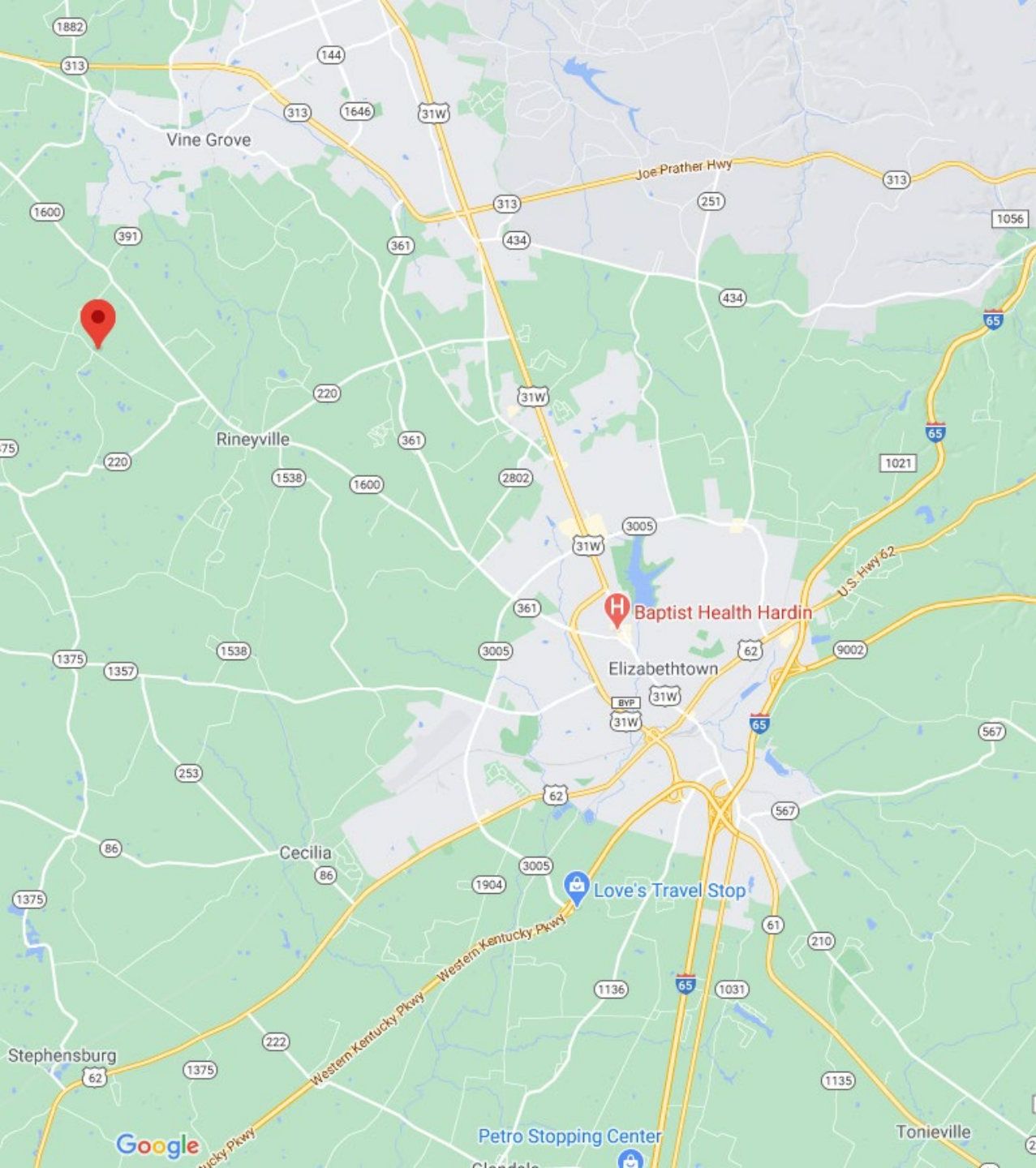
Section 4-2 (B) of the Hardin County Development Guidance System Zoning Ordinance contains information about the public hearing process. This includes the rules that will be used during the hearing and the action that can be taken.

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


Adam C. King, AICP
Director












c: 8 GARRY KING, Magistrate

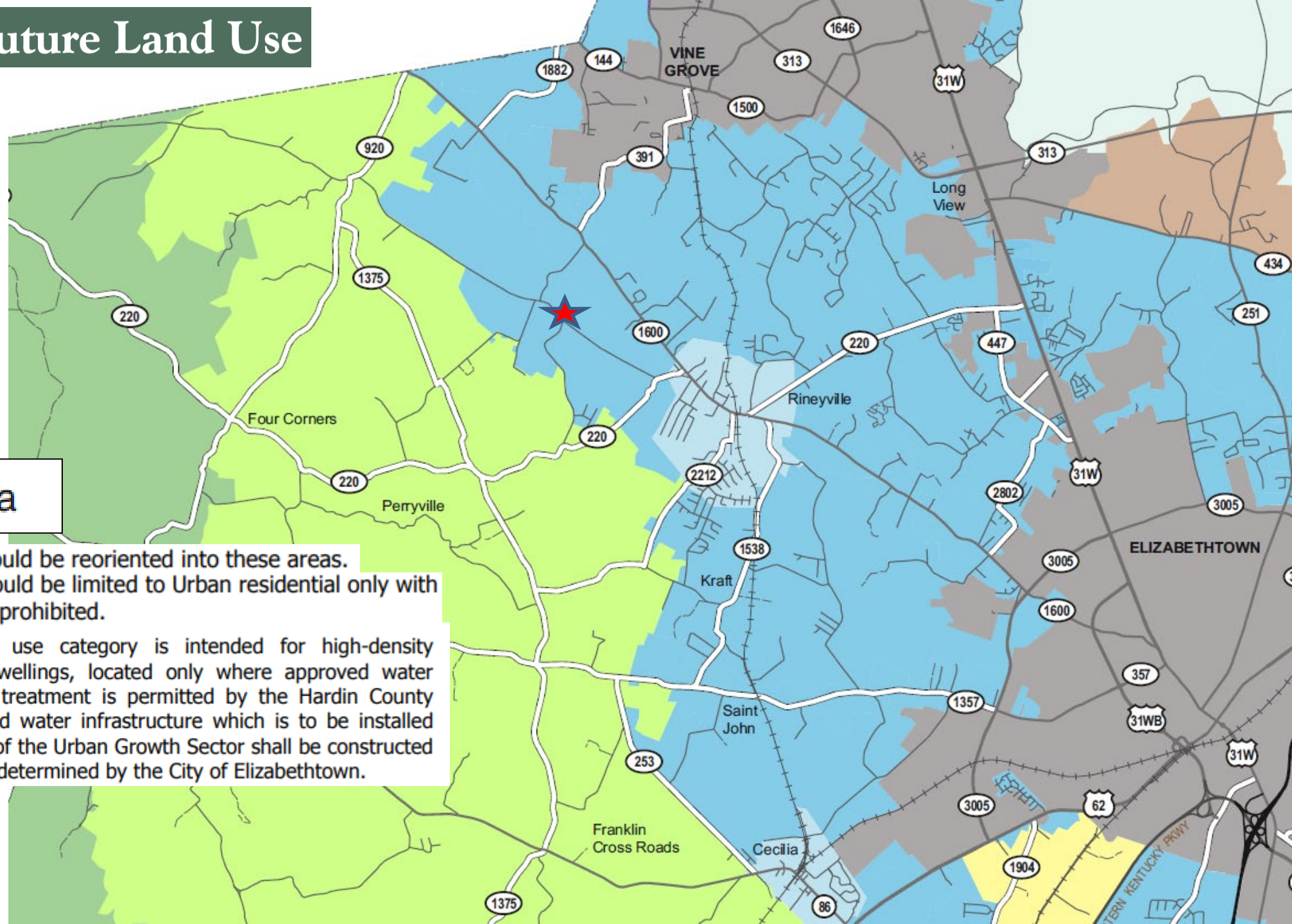
First class mailings sent to 19 owners that adjoin and are within 1200' of road frontage



Hardin County Future Land Use

LEGEND

-  State Highway
-  Railroad
-  City
-  Fort Knox
- Land Use Groups**
-  Urban Area
-  Rural Village
-  Rural Area
-  Natural Resource
-  Kentucky 313 Corridor
-  Interstate Commercial
-  Industrial Area



Urban Area

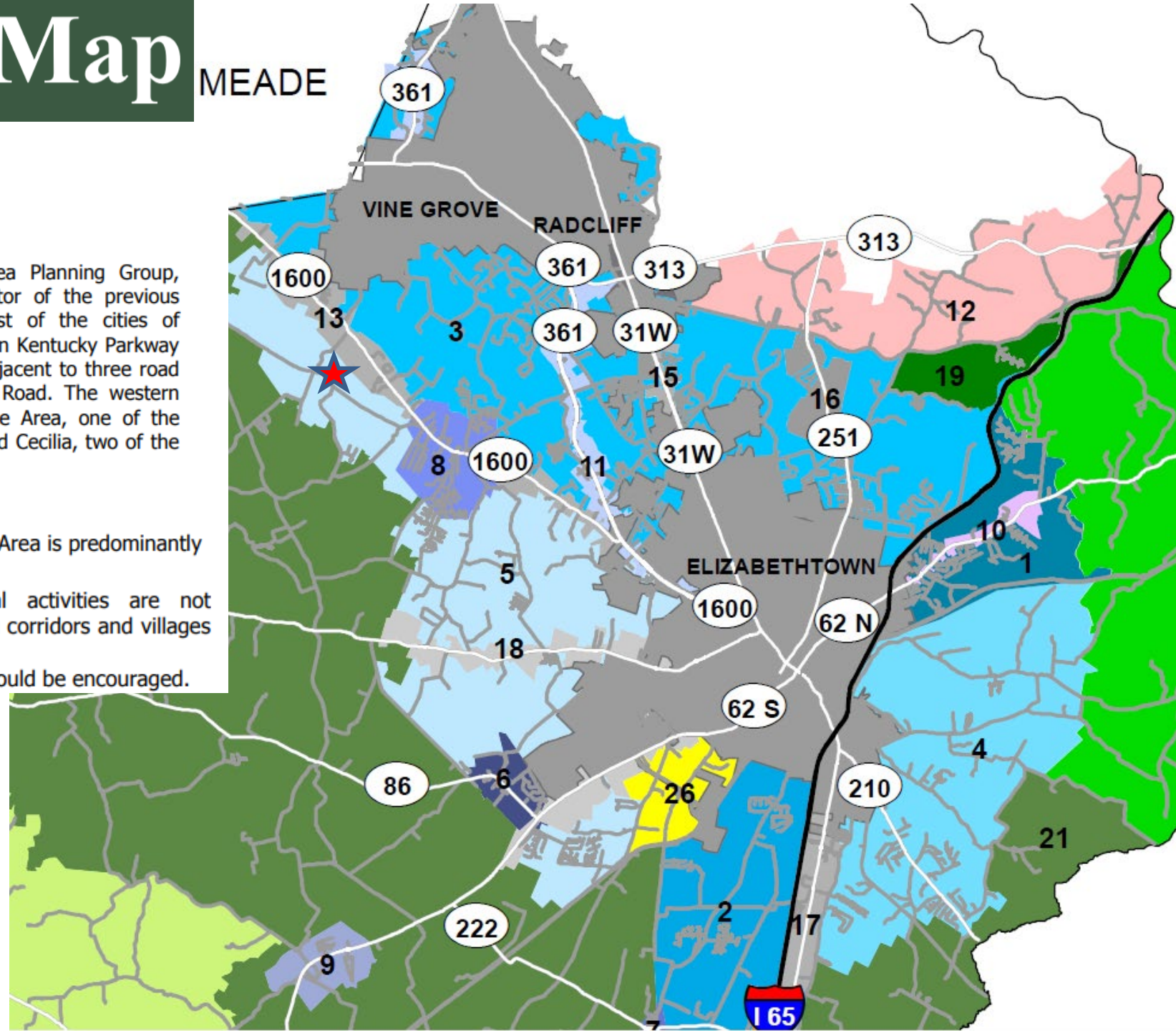
- Growth for the community should be reoriented into these areas.
- Residential use in this area should be limited to Urban residential only with other less dense development prohibited.
- **Urban Residential:** This land use category is intended for high-density development of single family dwellings, located only where approved water supply is available and sewage treatment is permitted by the Hardin County Health Department. All proposed water infrastructure which is to be installed within the Elizabethtown portion of the Urban Growth Sector shall be constructed as per the appropriate standards determined by the City of Elizabethtown.

Planning Area Map

5. WEST URBAN AREA

5. West Urban Area

- Introduction: This planning area, part of the Urban Area Planning Group, includes a westerly expansion of the Urban Growth Sector of the previous comprehensive plan. It is located generally to the west of the cities of Elizabethtown and Vine Grove and extends from the Western Kentucky Parkway to the south to nearly Meade County to the north. It is adjacent to three road corridors, Leitchfield Road, St Johns Road and Rineyville Road. The western boundary of the West Urban area is the Natural Resource Area, one of the planning groups. This area is also adjacent to Rineyville and Cecilia, two of the four Villages.
- Recommended Land Use and Development Criteria:
 - The recommended land use pattern for the West Urban Area is predominantly urban residential.
 - Non-residential development particularly commercial activities are not encouraged. Such uses are recommended for adjoining corridors and villages and will serve this area.
 - As infrastructure allows, higher density development should be encouraged.

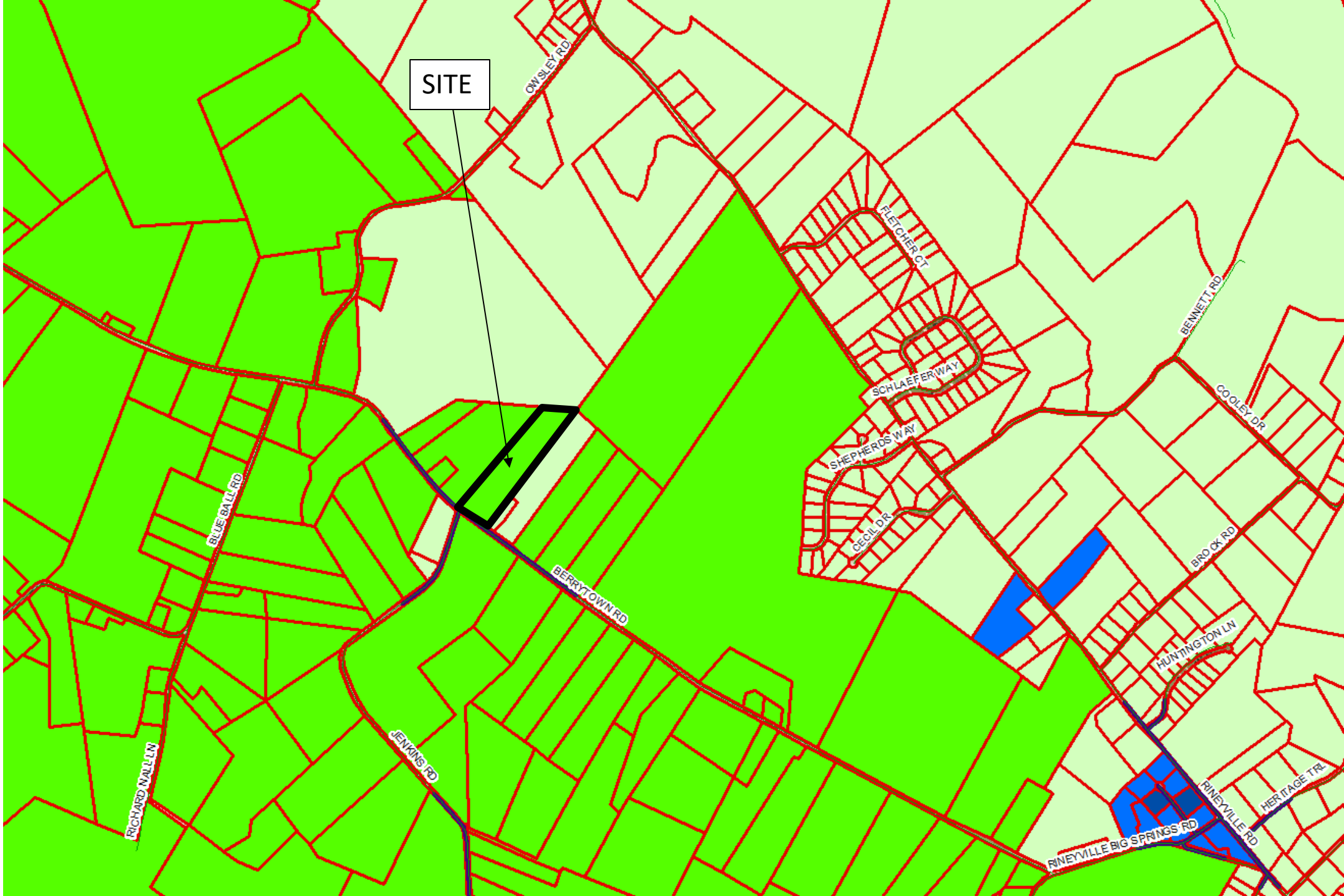


☐ MasterZone



DISTRICT

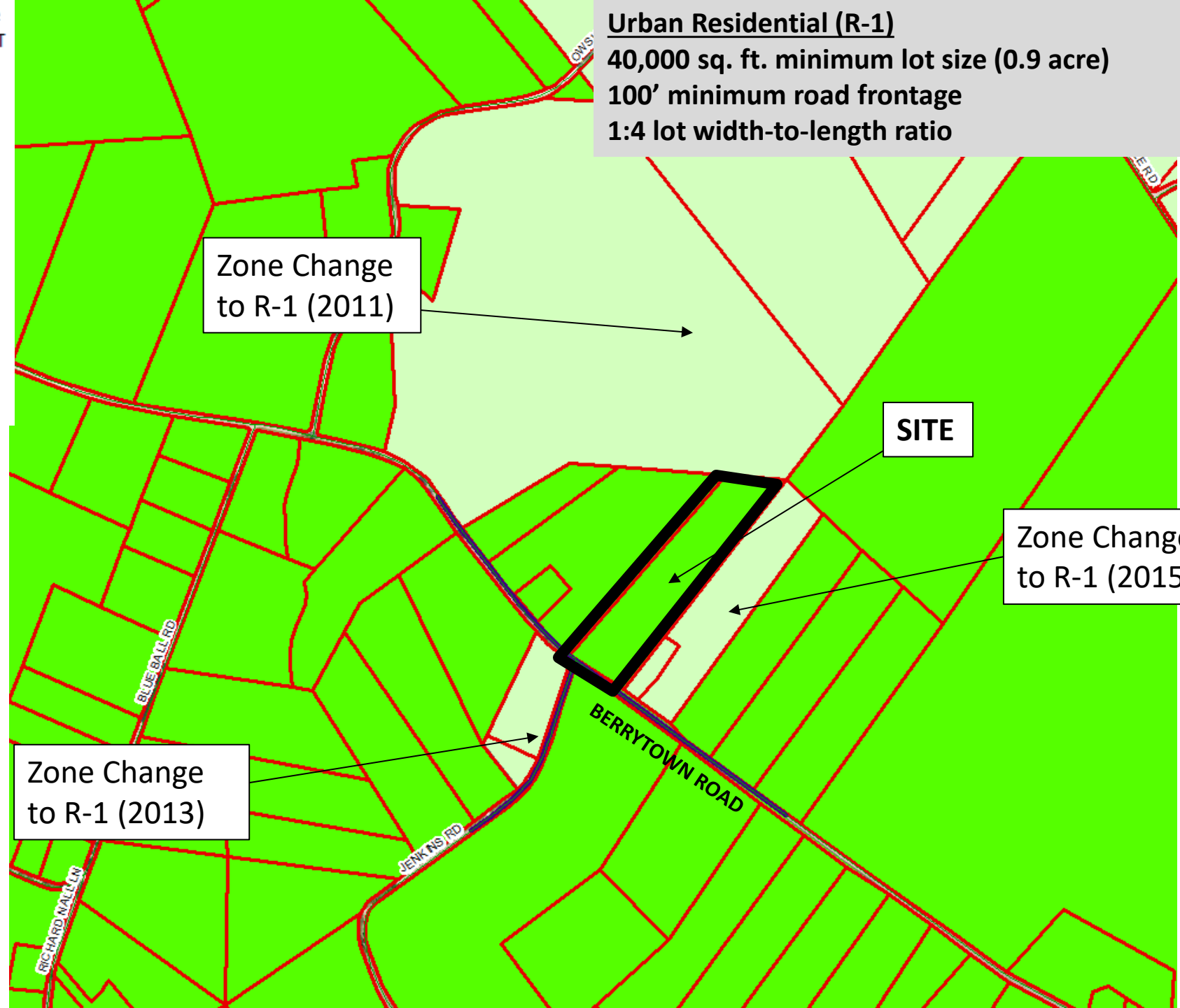
- A-1
- B-1
- B-2
- C-0
- C-1
- C-2
- I-1
- I-2
- IH
- PD-1
- R-1
- R-2
- R-3
- R-4



- ☒ MasterZone
- 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

Urban Residential (R-1)
40,000 sq. ft. minimum lot size (0.9 acre)
100' minimum road frontage
1:4 lot width-to-length ratio

Rural Residential (R-2)
3 acre minimum lot size
200' minimum road frontage
1:3 lot width-to-length ratio

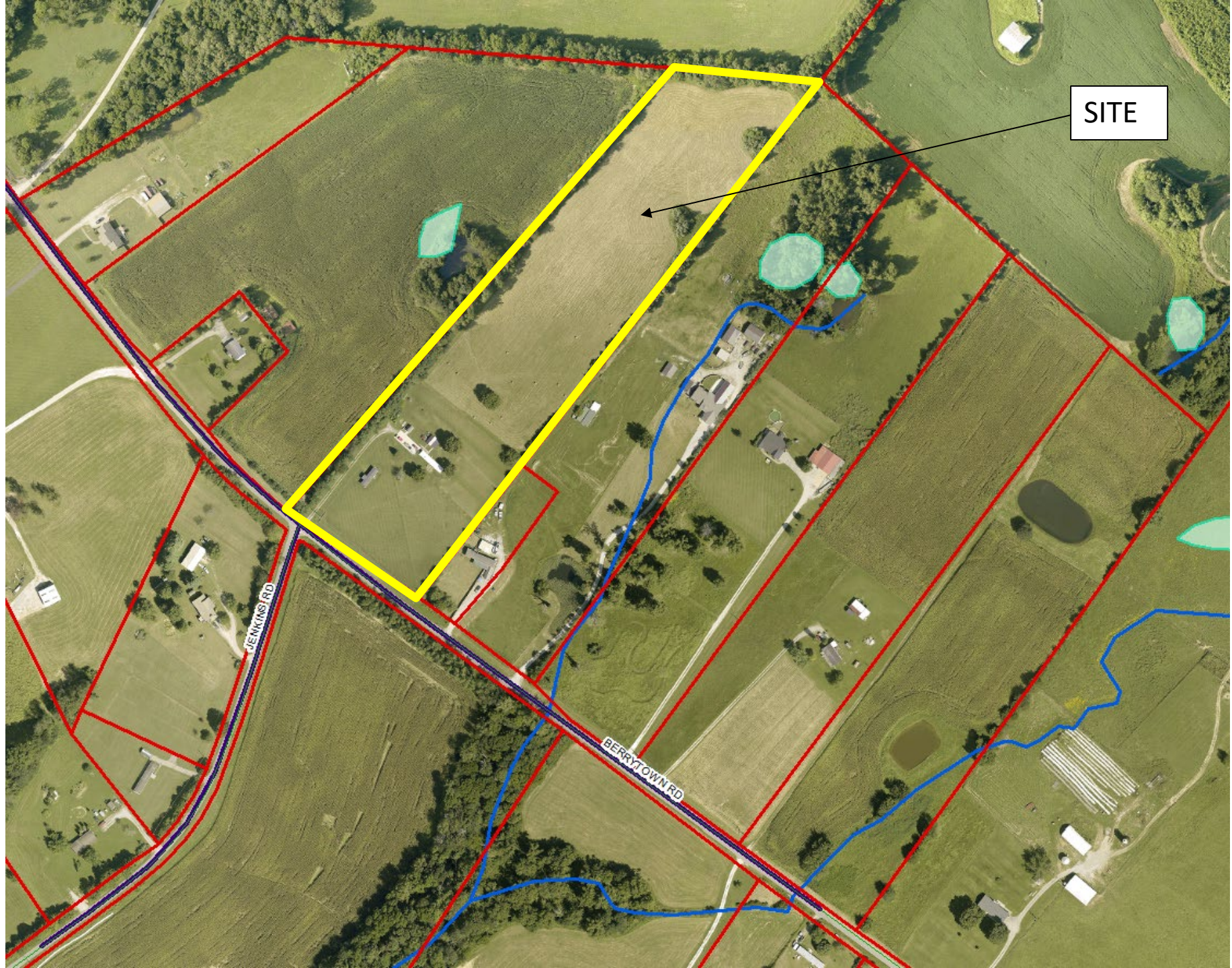


Zone Change
to R-1 (2011)

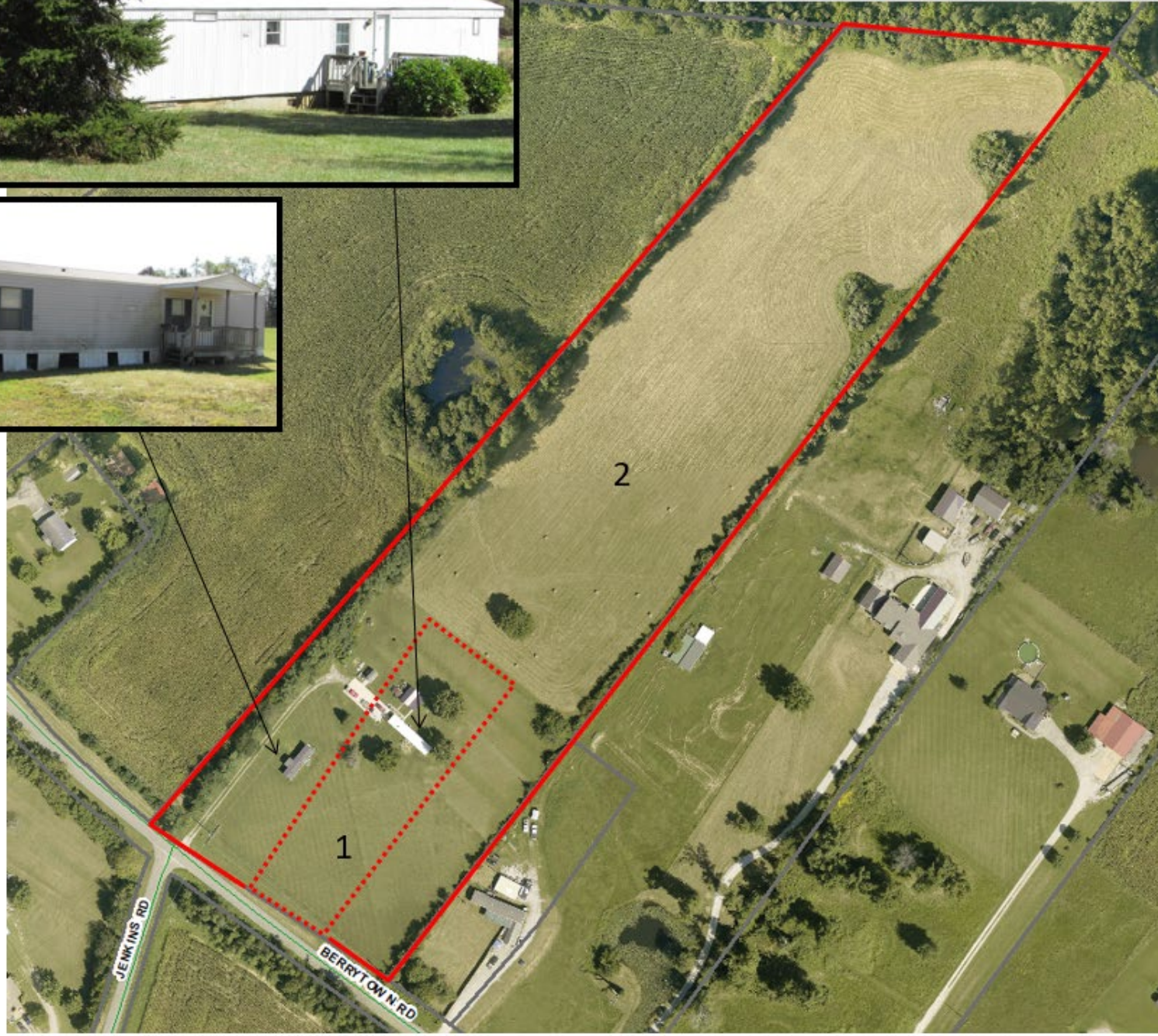
SITE

Zone Change
to R-1 (2015)

Zone Change
to R-1 (2013)



Debbie & David Asbell
1382 & 1386 Berrytown Road, Rineyville, KY





















Zone Changes from R-2 to R-1 (11 Total): 1 Pending, 1 Withdrawn and 9 Approved.
[3 of those approvals are adjoin this property]

Permit Date ⬆	Owner ⬆	PVA Map Number ⬆	Type ⬆	Zone ⬆	Proposed Zoning (Map Amendments) ⬆	Project / Subdivision Name ⬆	Site Address ⬆	Acres (All Permits) ⬆	Status ⬆
02/09/2021	ASBELL DAVID L & DEBBIE L	098-00-00-031.05	MAP AMENDMENT	R-2 - RURAL RESIDENTIAL ZONE	R-1 - URBAN RESIDENTIAL ZONE	ASBELL ZONE CHANGE - PROPOSED TWO LOTS	1382 BERRYTOWN ROAD	11.000	PENDING
01/28/2020	MEREDITH AMANDA ELIZABETH & CHRISTOPHER ROBERT	241-00-00-005.06	MAP AMENDMENT	R-2 - RURAL RESIDENTIAL ZONE	R-1 - URBAN RESIDENTIAL ZONE	BEE CEE ESTATES LOT 2	1409 OPTIMIST ROAD	3.893	APPROVED
05/14/2019	WGE LLC	122-00-00-005	MAP AMENDMENT	R-2 - RURAL RESIDENTIAL ZONE	R-1 - URBAN RESIDENTIAL ZONE	CLOVERLEAF, SECTION 1	RINEYVILLE SCHOOL RD.	218.654	APPROVED
07/27/2017	BURTON BETTY & DARREN	246-00-00-027	MAP AMENDMENT	R-2 - RURAL RESIDENTIAL ZONE	R-1 - URBAN RESIDENTIAL ZONE		1688 MIDDLE CREEK ROAD	1.230	WITHDRAWN
08/15/2016	HIGDON JAMES H & LINDA M	225-00-00-048	MAP AMENDMENT	R-2 - RURAL RESIDENTIAL ZONE	R-1 - URBAN RESIDENTIAL ZONE	ESTATE OF CHANMAAL	SPORTSMAN LAKE RD	4.923	APPROVED
02/18/2015	Robert & Debra Krieger	098-00-00-031.04	MAP AMENDMENT	R-2 - RURAL RESIDENTIAL ZONE	R-1 - URBAN RESIDENTIAL ZONE	/ Krieger Estates	1330 Berrytown Road	11.000	APPROVED
09/13/2013	NORRIS & CAROL SIZEMORE	098-00-00-044.05	MAP AMENDMENT	R-2 - RURAL RESIDENTIAL ZONE	R-1 - URBAN RESIDENTIAL ZONE	/ PROPOSED 2 LOT SUBDIVISION	1800 JENKINS ROAD	5.002	APPROVED
01/24/2011	FRANK & JUNE RAINE	098-00-00-019	MAP AMENDMENT	R-2 - RURAL RESIDENTIAL ZONE	R-1 - URBAN RESIDENTIAL ZONE	SINGLE FAMILY RESIDENTIAL /	BERRYTOWN ROAD	99.696	APPROVED
10/30/2002	VISTA DEVELOPMENT, INC C/O JIM BRAMLETT	122-00-00-004, 122-00-00-015	MAP AMENDMENT	R-2 - RURAL RESIDENTIAL ZONE	R-1 - URBAN RESIDENTIAL ZONE	URBAN RESIDENTIAL DEVELOPMENT / LAVISTA ESTATES, SECTIONS 5 AND 6	RINEYVILLE SCHOOL ROAD (KY 2212)	160.000	APPROVED
10/26/2000	VISTA DEVELOPMENT, INC C/O JIM BRAMLETT	122-00-00-004, 122-00-00-015, 122-00-00-053	MAP AMENDMENT	R-2 - RURAL RESIDENTIAL ZONE	R-1 - URBAN RESIDENTIAL ZONE	URBAN RESIDENTIAL DEVELOPMENT / LAVISTA ESTATES, SECTIONS 2	RINEYVILLE SCHOOL ROAD (KY 2212)	51.370	APPROVED
07/16/1998		147-00-00-023	MAP AMENDMENT	R-2 - RURAL RESIDENTIAL ZONE	R-1 - URBAN RESIDENTIAL ZONE	URBAN RESIDENTIAL DEVELOPMENT / RUBY ESTATES, LOTS 1-4	BETHLEHEM ACADEMY ROAD (KY 253)	3.500	APPROVED

Records 1 to 11 (of 11)

Reasons for Granting a Map Amendment

KRS 100.213

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

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

LAND USE ELEMENT

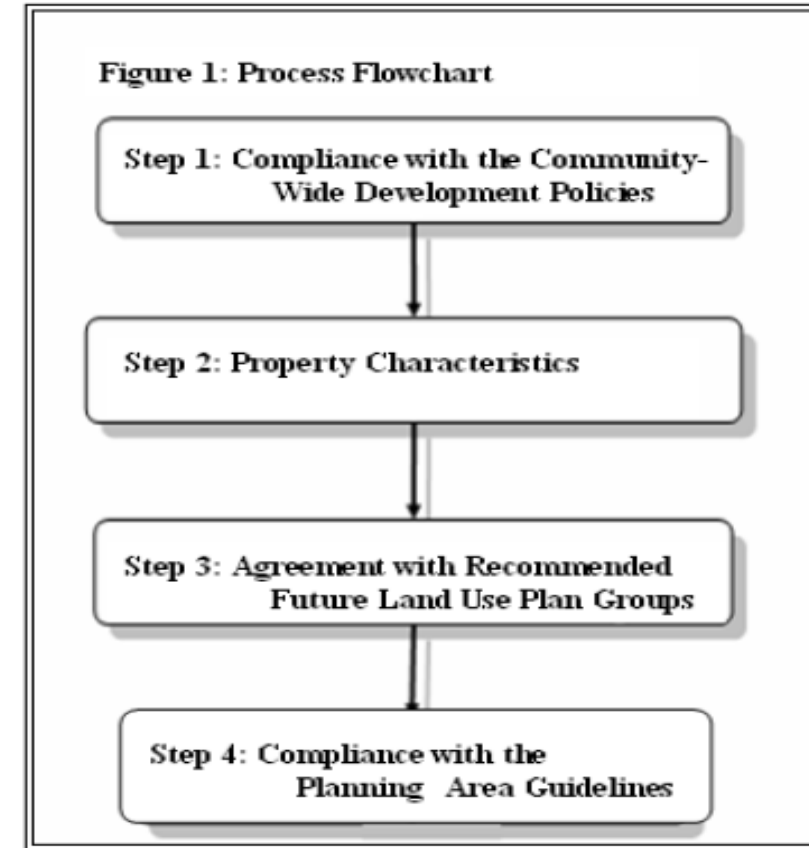
The portion of the Comprehensive Plan used most often to assess future development is the land use element. If a proposed land use is in keeping with the criteria and guidelines as set out in the land use element then approval is more easily obtained.

This Plan provides the criteria and guidelines for development in the form of a recommended land use map and narrative development guidelines.

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

Using this Plan

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



ZONE CHANGE STAFF REPORT

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

Summary: The owners, DEBBIE & DAVID ASBELL are proposing to rezone ±11 acres from Rural Residential (R-2) to Urban Residential (R-1) to allow for the property at 1382 & 1386 Berrytown Road, Rineyville, KY to be further subdivided. They are proposing a two lot subdivision so that each of the manufactured homes on site will be on a separate lot. Additionally, they are requesting a Variance from the 1:4 lot width-to-length ratio for one of the lots due to the depth of the property.

Pre-application Conference:	Feb. 9, 2021	Owners: Debbie & David Asbell 1382 Berrytown Road Rineyville, KY 40162
Public Hearing Date:	March 16, 2021	
Location of Proposed Zone Change: 1382 & 1386 Berrytown Road, Rineyville, KY		Zone Map Amendment Request: FROM: R-2 (Rural Residential) TO: R-1 (Urban Residential)
Acreage: ±11 acres		Land Use Group: Urban Area
PVA Parcel Number: 098-00-00-031.05		Planning Area: West Urban Area, #5
Flood Plain: The subject property is located outside the 100-year flood area according to FEMA map #21093C0120D.		Existing Land Uses: – Residential: Manufactured Home Singlewide - 728 sq. ft. (1996) Manufactured Home Singlewide - 924 sq. ft. (1987)
History of the Property: A Conditional Use Permit for a third dwelling was approved in 2002 for this property, though the third dwelling was never placed on the property.		Zoning History: Property has been zoned Rural Residential (R-2) since the adoption of Zoning in July of 1995.
Environmental: There are no blueline streams, sink holes, or environmentally sensitive areas located on the property.		Adjacent Zoning: Residential; North – R-1, 99.119 acres (Medley) & R-2, 75.34 acres (Owsley) South – R-1, 4.245 acres (Sizemore) & R-2, 61.768 acres (Nall & Sons LLC) East – R-1, 10.011 acres & 0.979 acre (Krieger) West – R-2, 15.225 acres (Summers)
Utility Services: Electricity is provided from NOLIN RECC. Public water is available from HCWD #2.		2008 Comprehensive Plan - Expansion of the Urban Area: In the 2008 Comprehensive Plan, the Urban Area of the Future Land Use Map was expanded by approximately 16,552 acres to accommodate future growth and development in the areas surrounding Elizabethtown, Radcliff & Vine Grove. These areas were developed based on a Regional Wastewater Facilities Plan prepared by Strand Engineering for the Water Districts on where the extension of sewer may be practical over the next 10-20 years.
Wastewater Treatment: Sewage disposal will be via on-site septic systems.		
Transportation: Both proposed lots have access to Berrytown Road, a county maintained road with 19' of pavement width within a 60' dedicated right-of-way.		

COMPREHENSIVE PLAN COMPLIANCE

Comprehensive Plan Policy –	STEP 1: Compliance with the Community-Wide Development Policies (DP 1-14)
DP 2 The transportation system should be supported by minimizing the impacts of access points to public roadways.	Both proposed lots will share the existing driveway entrance onto Berrytown Road.
DP 4 New development should be encouraged in areas where public water services are available and can accommodate additional customers.	Public water is available to the site and service is provided by Hardin County Water District #2. There is a 4" waterline along the north side of Berrytown Road.
DP 5 New development should be encouraged in areas where adequate fire protection services and fire hydrants are available.	The Rineyville Fire Department on Rineyville Road is approximately 2.6 miles to the south east. The closest fire hydrant is located at the intersection of Berrytown Road and Owsley Road.
DP 7 The size and scale of all development should reflect the character and style of surrounding uses.	All adjoining properties are also being used for single family residential and agricultural purposes. There have been three zone changes from Rural Residential (R-2) to Urban Residential (R-1) that adjoin this property. Medley Property in 2011 (orig. owner Raine), Sizemore Property in 2013 and Krieger Property in 2015.
DP 8 New development should be allowed only where roadways meet minimum standards.	Berrytown Road is a county maintained road with a 60' dedicated right-of-way and 19' of pavement width that is suitable for residential development.
DP 10 Development shall not be allowed in areas served by inadequate roadways, those being determined to be narrower than 18 feet in roadway width and/or with less than 40 feet of right-of-way.	Berrytown Road is a county maintained road with a 60' dedicated right-of-way and 19' of pavement width.

Comprehensive Plan Policy –	STEP 2: Property Characteristics (PC 1-10)
PC 1 Access Road Characteristics including safe accessibility, road hazards and road capacity and function.	Berrytown Road is a county maintained road with a 60' dedicated right-of-way and 19' of pavement width.
PC 2 Fire District, Hydrant and Department locations	The Rineyville Fire Department on Rineyville Road is approximately 2.6 miles to the south east. The closest fire hydrant is located at the intersection of Berrytown Road and Owsley Road.
PC 3 Public Water	Public water is available to the site and service is provided by Hardin County Water District #2 via a 4" waterline on the north side of Berrytown Road.
PC 4 Existing land use and densities in the vicinity	The property is surrounded by other properties being used for single family residential purposes. There have been three zone changes from Rural Residential (R-2) to Urban Residential (R-1) that adjoin this property. Medley Property in 2011 (orig. owner Raine), Sizemore Property in 2013 and Krieger Property in 2015.
PC 5 Proposed Wastewater Treatment System	The existing dwellings have functioning septic systems that will be inspected by the Health Department as part of the subdivision plat approval process.
PC 6 Proximity to and capacity of Public Schools	With the creation of two lots for two existing homes, the proposal will not cause any undue burden on the public school system.
PC 10 Growth Trends	Our office has issued 17 building permits on Berrytown Road since 2010 including 5 single family dwellings and 2 single wide manufactured homes. Nearby, since 2010, we have issued 14 single family dwelling permits in Blooming Hills Subdivision off Blueball Road and in nearby Bella Woods Subdivision, we have issued 8 single family dwelling permits since 2010.

COMPREHENSIVE PLAN COMPLIANCE

Comprehensive Plan Policy – Urban Area	STEP 3: Agreement with Recommended Land Use Plan Group (LU 1-6)
<p>The Urban Residential Land Use Category is, “intended for high-density development of single family dwellings, located only where approved water supply is available and sewage treatment is permitted by the Hardin County Health Department”.</p> <p>The Comprehensive Plan states that within the Urban Area that, “growth for the community should be reoriented into these areas”.</p> <p>Additionally, the Comprehensive Plan states that, “residential use in this area should be limited to Urban Residential only with other less dense development prohibited.”</p>	
Comprehensive Plan Policy – PA #5 West Urban Area	STEP 4: Compliance with the Planning Area Guidelines (PA 1-7)
<p>The recommended land use pattern for the West Urban Area is predominately urban residential.</p> <p>The Comprehensive Plan states that “the recommended land use pattern for the West Urban Planning Area is predominantly urban residential” and that, “as infrastructure allows, higher density development should be encouraged”.</p> <p>The West Urban Area is, “part of the Urban Area Planning Group, includes a westerly expansion of the Urban Growth Sector of the previous comprehensive plan”.</p> <p>The Comprehensive Plan also mentions limiting access to residential lots in this area in order to preserve traffic flow.</p>	

STAFF REVIEW AND RECOMMENDATION

The Staff finds that the proposed zoning is in agreement with Steps 1, 2, 3 & 4 of the adopted Comprehensive Plan plus the following findings:

- The proposal will allow for the existing 11 acre site to be further subdivided into two lots,
- The proposed site is located within the Urban Area as expanded by the 2008 Comprehensive Plan,
- The Comprehensive Plan calls for continued development of residential land uses within the West Urban Planning Area,
- The proposed Zone Change is in character and adjoins three (3) other Zone Changes from Rural Residential (R-2) to Urban Residential (R-1) that have been approved by the Planning Commission in 2011, 2013 and 2015.

The Staff recommends that the Zoning Map Amendment, be **APPROVED**.

RESOLUTION 2021-004
MAP AMENDMENT
Rural Residential (R-2) to Urban Residential (R-1)

- WHEREAS** the Hardin County Fiscal Court and the Hardin County Planning and Development Commission have adopted a Comprehensive Plan, Land Use Zoning Regulations, and Subdivision Regulations;
- WHEREAS** the above-mentioned regulations are designed to protect the public health, safety and welfare of the citizens of Hardin County;
- WHEREAS** the proposed site is located in the Urban Area of Hardin County and within the West Urban Planning Area (#5);
- WHEREAS** this proposal is a request to rezone the 1995 designation of Rural Residential (R-2) to Urban Residential (R-1) to allow for the 11 acre site to be further subdivided into two lots.

NOW THEREFORE, BE IT RESOLVED, by the Hardin County Planning and Development Commission that a request for a Map Amendment for property owned by DEBBIE & DAVID ASBELL (PVA Map #098-00-00-031.05) and identified as being an approximately 11 acre site at 1382 & 1386 Berrytown Road in Rineyville, KY be granted a zone change from the existing Rural Residential Zone (R-2) to the Urban Residential Zone (R-1), based on the following findings and compliance with the policies and goals of the Comprehensive Plan:

With the appropriate portions of the Development Guidance System, Zoning Ordinance and the Comprehensive Development Guide, the testimony provided by staff and those in attendance at the public hearing, the Planning Commission hereby adopts the attached Staff Report and it is determined that the proposed R-1 zone is more appropriate based on the Comprehensive Plan's following Policies and Goal:

Step 1:	Development Policies 2, 4, 5, 7, 8 & 10;
Step 2:	Property Characteristics 1 – 6 & 10;
Step 3:	Land Use Plan Group: Urban Area
Step 4:	Planning Area: West Urban Area (#5)

Goal 1: TO IMPROVE HARDIN COUNTY AS A PLACE OF RESIDENCE.

Objective 1: Promote formation of neighborhood units as opposed to scattered development.

Objective 11: To develop a supply of housing which, meets the population demand.

ADOPTED THIS SIXTEENTH DAY OF MARCH 2021.

MOTIONS

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

- the testimony provided by Staff and those in attendance at the Public Hearing
- I hereby adopt the Staff Report and the exhibits entered in as the Record
- To adopt Resolution 2021-004 as presented

The proposed Map Amendment from R-2 to R-1 is in Agreement with the 4 Step Process as outlined in the Comprehensive Plan and the following Goals & Objectives.

Step 1:	Development Policies 2, 4, 5, 7, 8 & 10;
Step 2:	Property Characteristics 1 – 6 & 10;
Step 3:	Land Use Plan Group: Urban Area
Step 4:	Planning Area: West Urban Area (#5)

Goal 1: TO IMPROVE HARDIN COUNTY AS A PLACE OF RESIDENCE.

Objective 1: Promote formation of neighborhood units as opposed to scattered development.

Objective 11: To develop a supply of housing which, meets the population demand.

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

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

The proposed Map Amendment from R-2 to R-1 is **NOT** in Agreement with the 4 Step Process as outlined in the Comprehensive Plan.

VARIANCE REQUEST

1:4 lot width-to-length ratio

Lot 2 has 233.97' of road frontage
Lot 2 has a 1457.75' average depth

Lot is a 1:6.23 Ratio



Analysis of other ratio Variances in the R-1

Group: R-1 - URBAN RESIDENTIAL ZONE

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
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

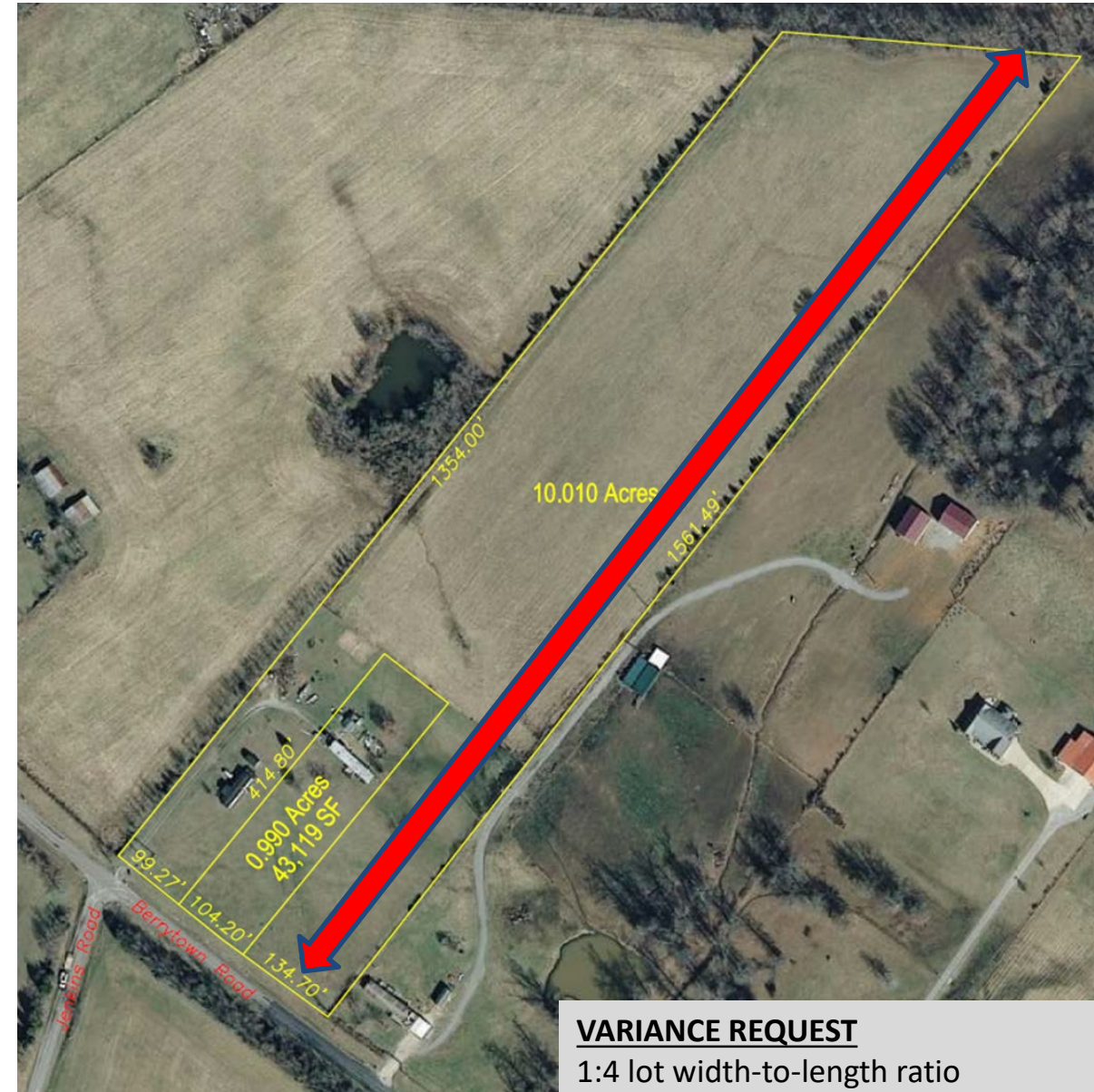
4/15/2014	HOUSER AARON & ANDREA	306 CRUME ROAD (KY 391)	1:4 WIDTH-TO-LENGTH RATIO / AMENDED RECORD PLAT OF CLARK ESTATE, LOT 1 AND RECORD PLAT CLARK ESTATE, SECTION 2	3.964	80.00	550.00	APPROVED	6.88
12/16/2015	FRALEY GARY	SOUTH OF BRIDLE DRIVE AND NORTH OF KRAFT RD	MINIARD ACRES, SECTION 1, LOT 4	6.762	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
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
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
4/13/2017	MCGUFFIN VERNIE JOE & PHYLLIS JEAN	1054 THOMAS ROAD	OXFORD ESTATES	0.000	167.00	800.00	APPROVED	4.79

5-4 VARIANCES AND CONDITIONAL USE PERMITS – IN THE COMPANY OF MAP AMENDMENTS

The Commission shall hear and finally decide applications for Dimensional Variances or Conditional Use Permits when a proposed development requires a map amendment and one (1) or more Dimensional Variances or Conditional Use Permits (pursuant to KRS 100.203 (5)). In such cases, the Commission shall assume all powers and duties otherwise exercised by the Board pursuant to KRS 100.231, 100.233, 100.237, 100.241, 100.247 and 100.251.

Kentucky Revised Statutes 100.203

- (5) The text may empower the planning commission to hear and finally decide applications for variances or conditional use permits when a proposed development requires a map amendment and one (1) or more variances or conditional use permits;
- (6) In any regulation adopted pursuant to subsection (5) of this section:
 - (a) The text shall provide that the planning commission shall assume all powers and duties otherwise exercised by the board of adjustments pursuant to KRS 100.231, 100.233, 100.237, 100.241, 100.243, 100.247, and 100.251, in a circumstance provided for by subsection (5) of this section; and
 - (b) The text shall provide that the applicant for the map amendment, at the time of the filing of the application for the map amendment, may elect to have any variances or conditional use permits for the same development to be heard and finally decided by the planning commission at the same public hearing set for the map amendment, or by the board of adjustments as otherwise provided for in this chapter;



VARIANCE REQUEST

1:4 lot width-to-length ratio

Lot 2 has 233.97' of road frontage

Lot 2 has a 1457.75' average depth

Lot is a 1:6.23 Ratio

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 1:4 lot-to-width ratio so that the +/- 11 acre property may be further subdivided into two lots.
2. A Subdivision Plat shall be required and shall substitute for the Site Plan.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

OR

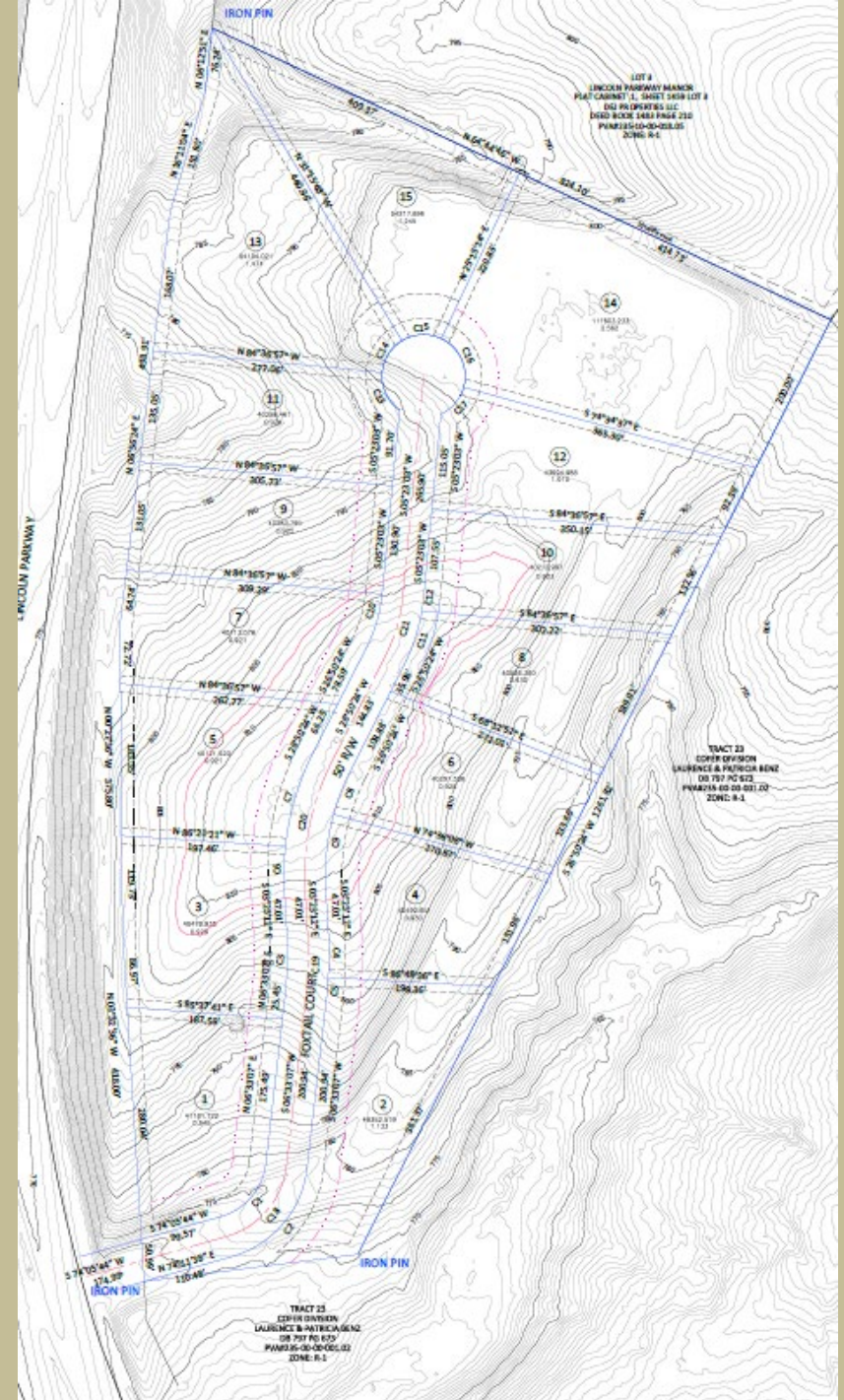
Motion to Deny

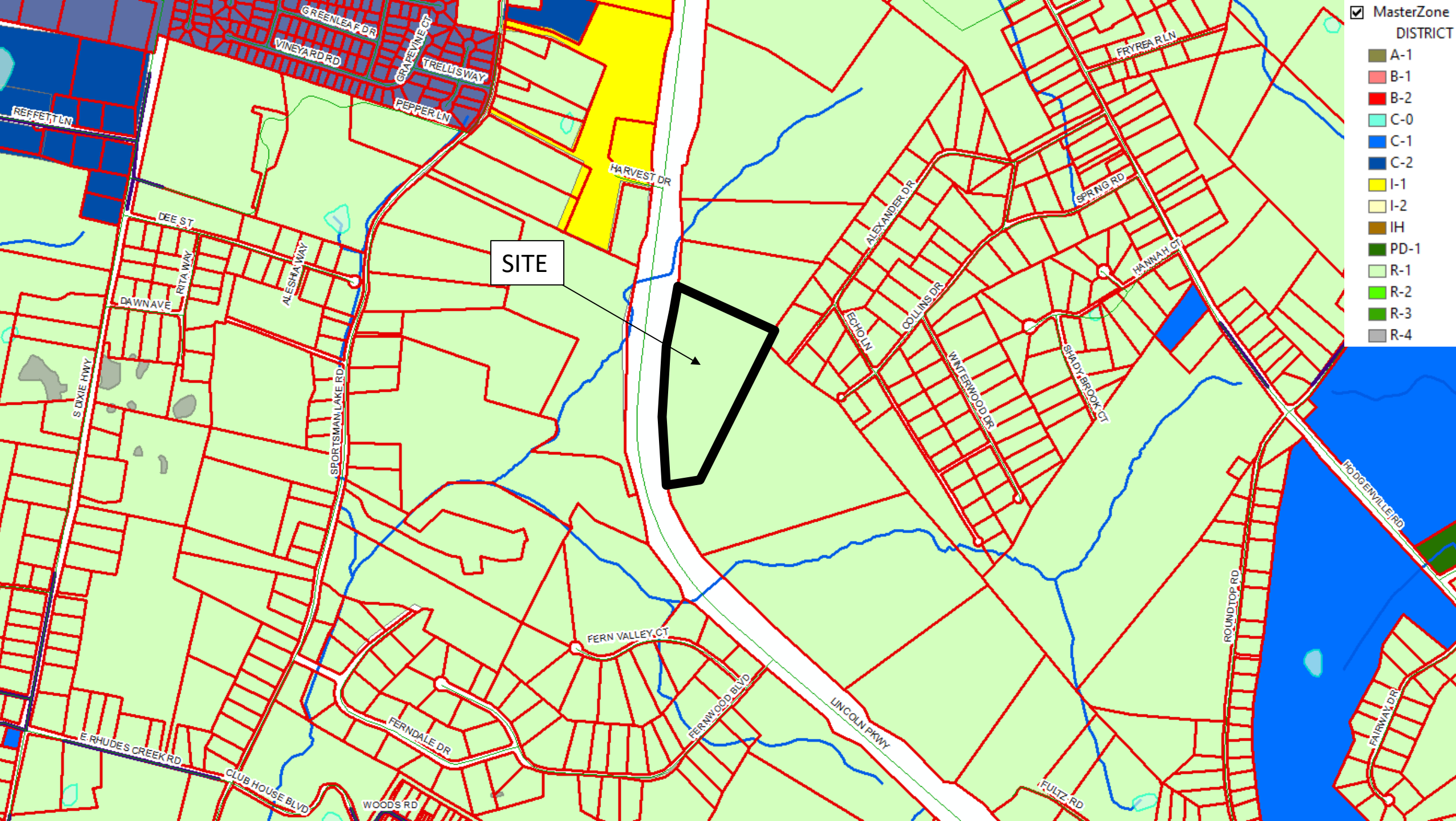
PRELIMINARY PLAT – CONSIDERATION & ACTION

Foxwood Subdivision

Applicant: Little Red Hen Enterprises, LLC
Surveyor/Engineer: Engineering Design Group

Proposal: 15 single family residential lots
Site: 17.800 acre site
Location: Lincoln Parkway
PVA: 235-00-00-001.03
Zoning: Urban Residential (R-1)





SITE

LINCOLN PKWY

HARVEST DR

ALEXANDER DR

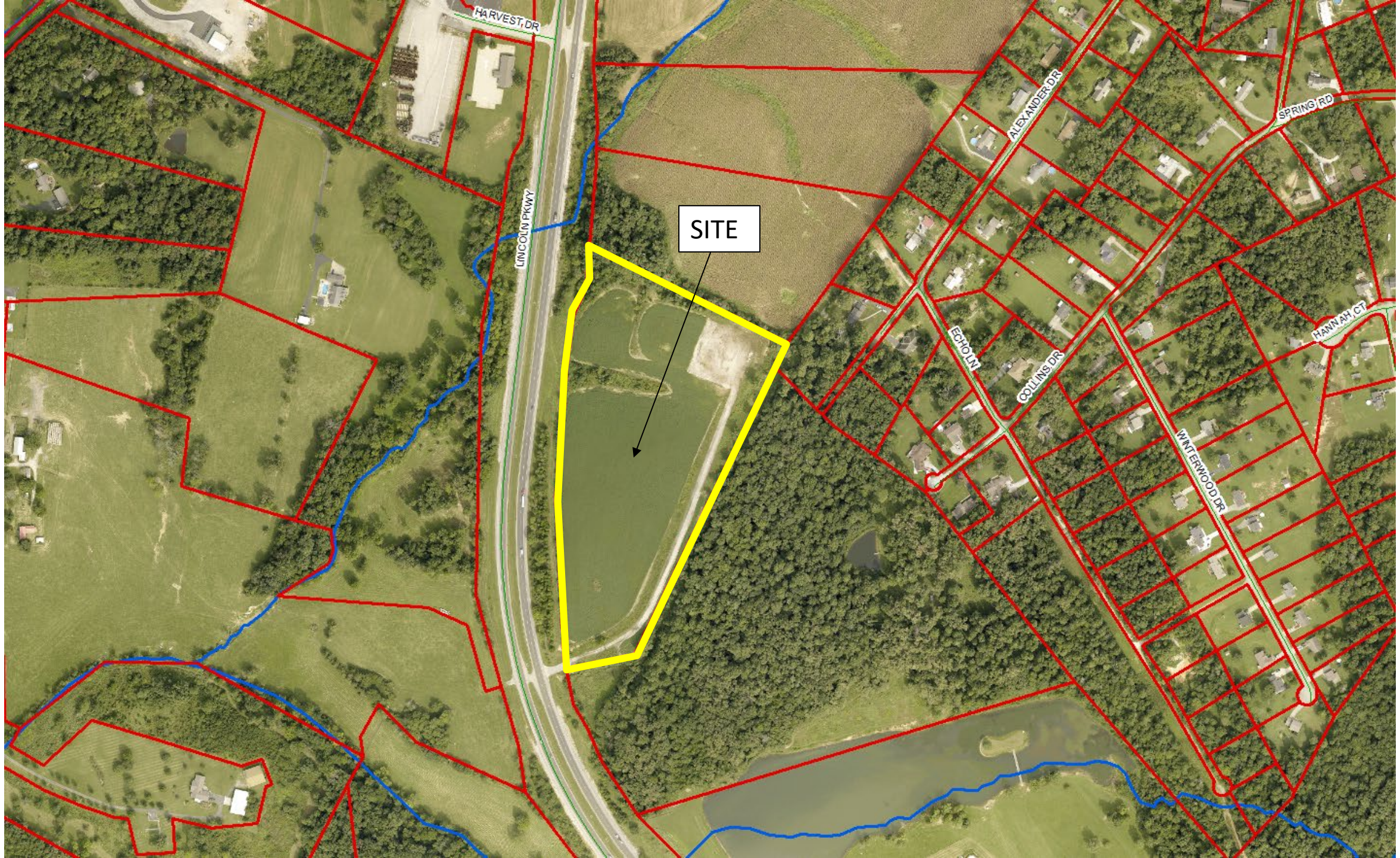
SPRING RD

HANNAH CT

EDFOLD

COLLINS DR


WINTERWOOD DR




OWNER/DEVELOPER:
LITTLE RED HEN ENTERPRISES, LLC
250 WOODSBEND RD
ELIZABETHTOWN, KY
(270) FONE

DB 1502 PG 897
PVA #235-00-00-001.03

SURVEYOR/ENGINEER:
ENGINEERING DESIGN GROUP, INC
315 SOUTH MULBERRY ST
P.O. BOX 2484
ELIZABETHTOWN, KY 42702-2484
(270) 765-1435 (270) 765-9908 FAX
EDG@EDGDESIGN.COM





DATE: FEBRUARY 19, 2021 SCALE: 1" = 80'

PRELIMINARY PLAT OF FOXWOOD SUBDIVISION

FOR REVIEW ONLY

FOXTAIL COURT
ELIZABETHTOWN, KENTUCKY

Subdivision Name: Foxwood Subdivision
Owner: Little Red Hen Enterprises
Engineer: EDG

Location: Lincoln Parkway PVA Map Parcel Number: 235-00-00-001.03

Lot Design:

Total Acres: 17.822 R/W Area: 1.50
Proposed Number of lots: 15
Average Lot Size: 1.08 acres
Range of Lot Size: 0.921 acres to 2.562 acres

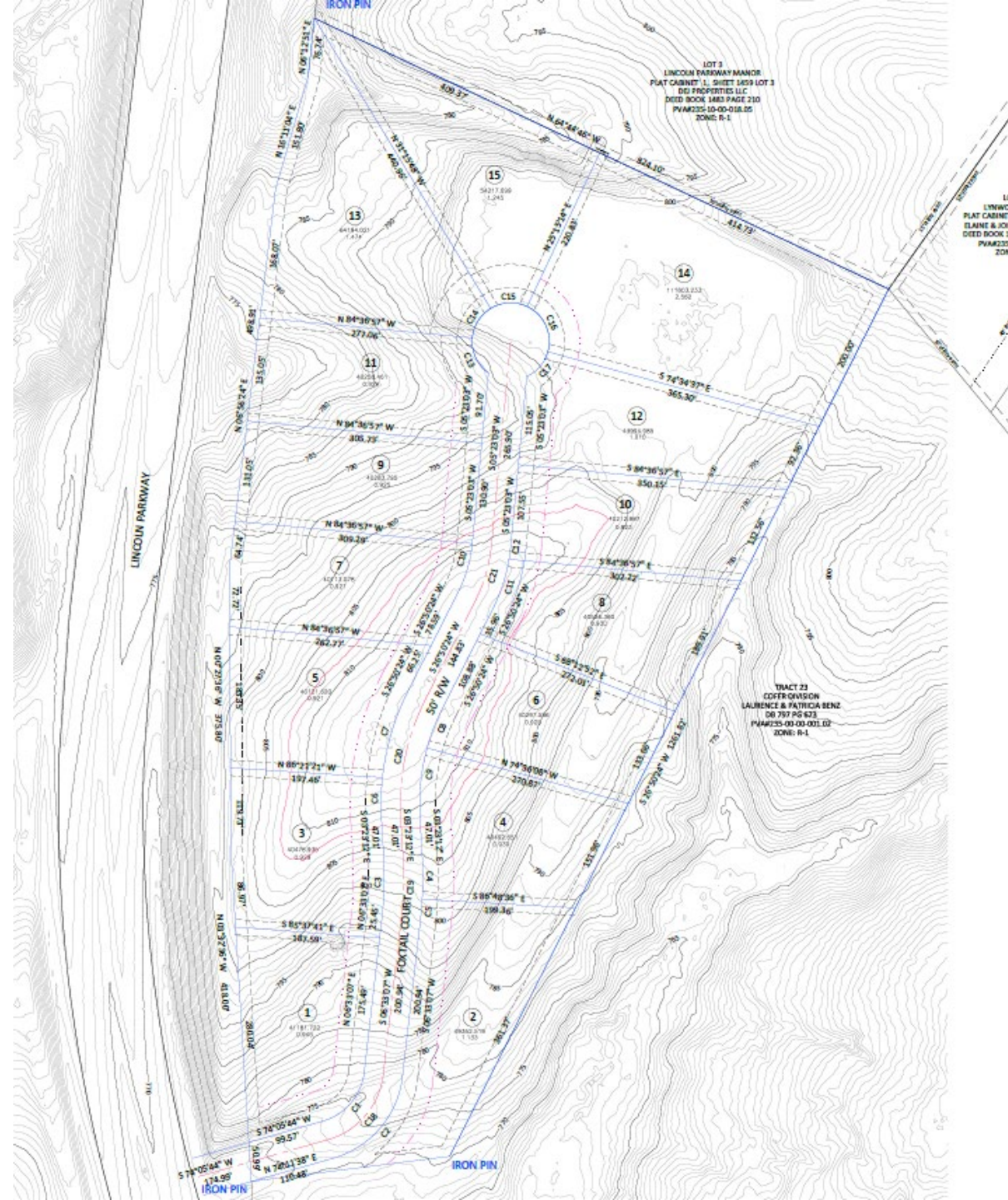
Land Use: Property is vacant without structures and being used for agricultural activities
Zoning Sector: Urban/ Valley Creek Urban
Zoning District: R-1

Adjoining Properties:

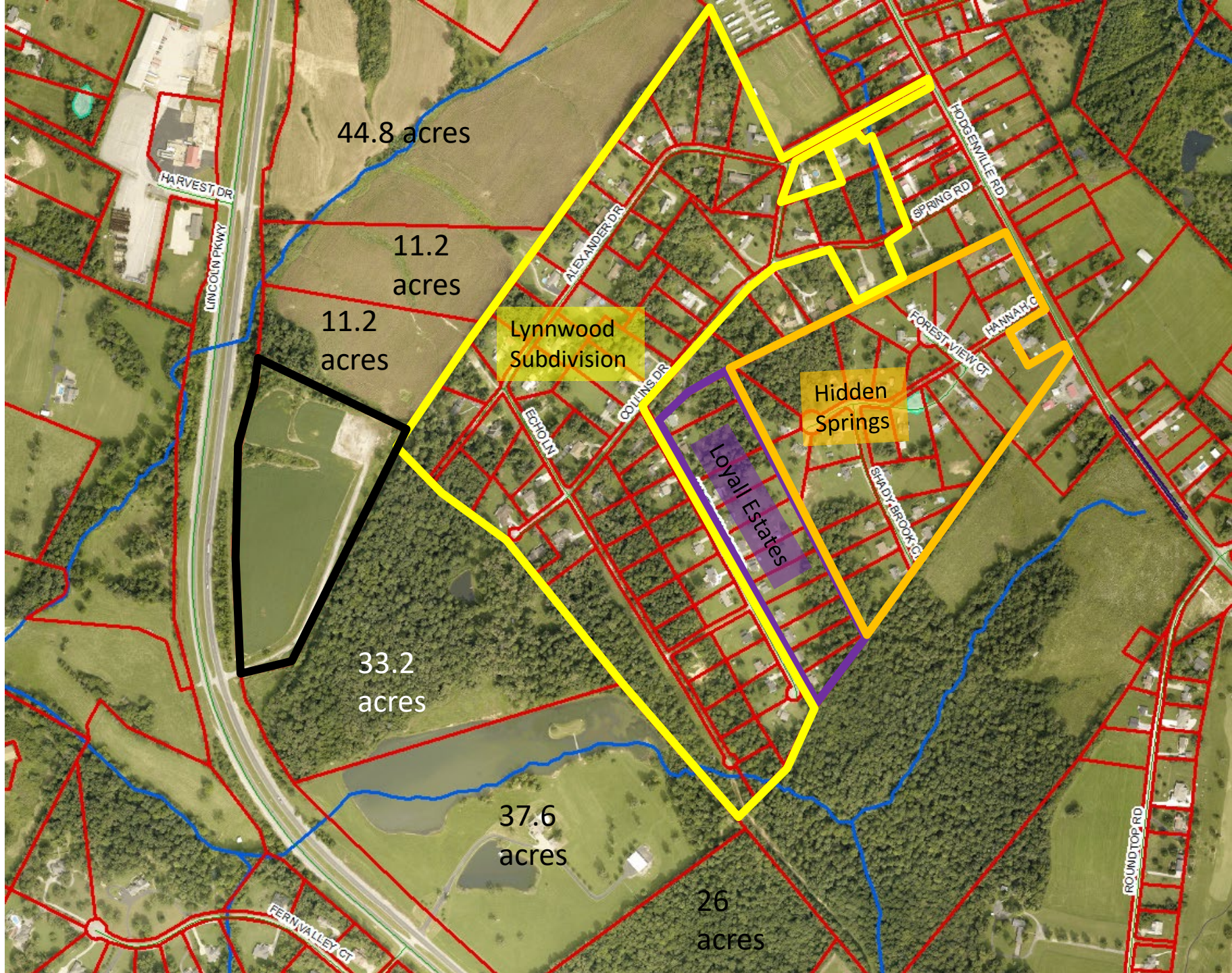
North: Parkway Manor, Lot 3
South: Benz 33 acres
East: Benz 33 acres
West: Lincoln Parkway

Government Services & Utilities

Access Road: Lincoln Parkway – State Maintained
Water: Hardin County Water District #2
Electric: Nolin RECC
Schools: Elementary – G.C. Burkhead Middle School - East Hardin High School – Central Hardin
Fire Department: Central Hardin







MOTION

I make a motion to **Conditionally Approve** the Preliminary Plat of Foxwood Subdivision:

- Pending correction of the 33 items listed in the Staff Review Comments