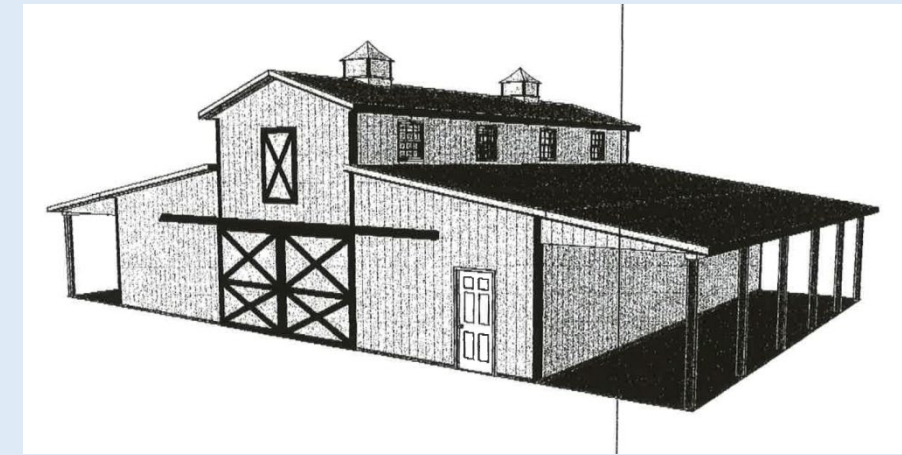


# **Hardin County Board of Adjustment 20 May 2021**

County Government Center  
Second Floor Meeting Room

Owners:  
Lisa & Joseph Hall



**Location** A 24.149 acre site located at the end of Whistling Oaks Blvd., Glendale, KY known as Lot 8 of Whistling Oaks Subdivision, Section 2.

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

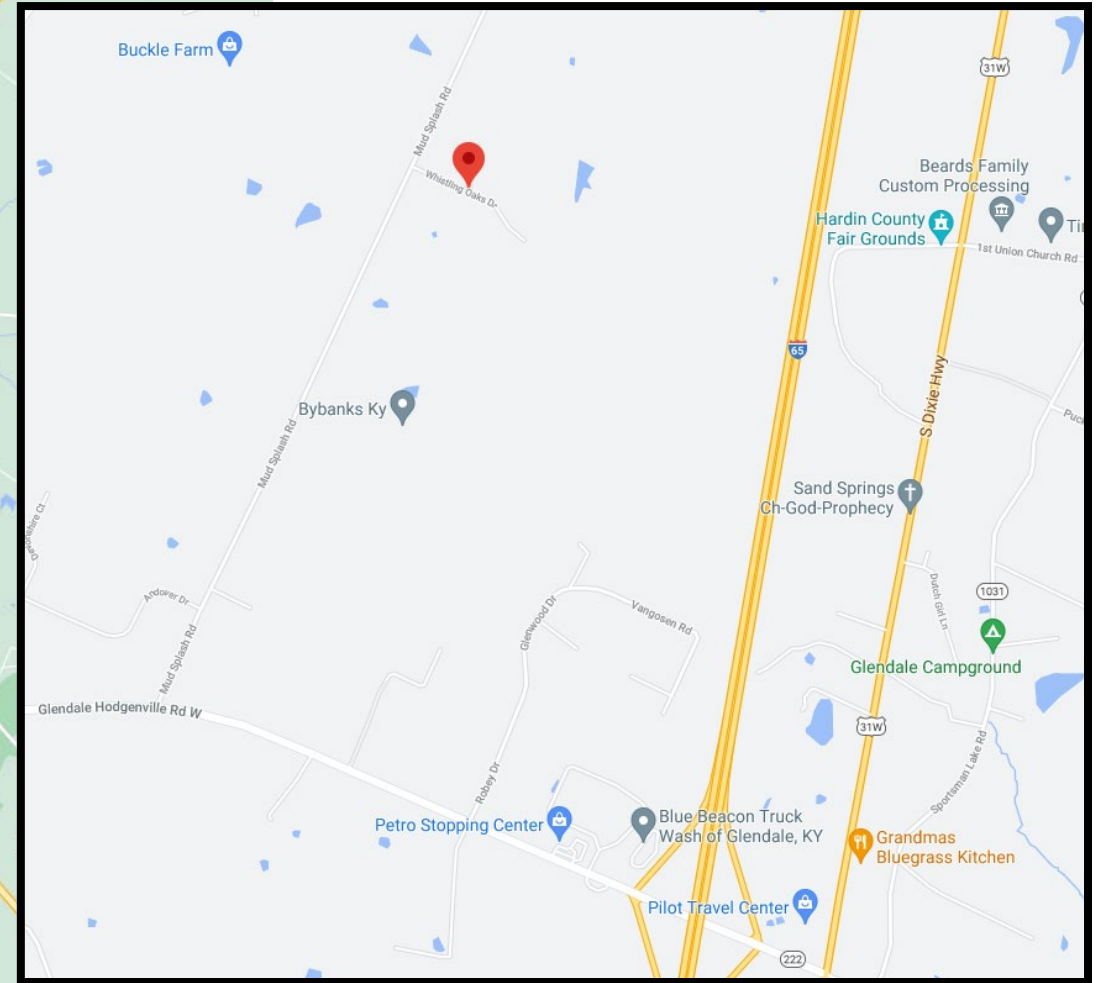
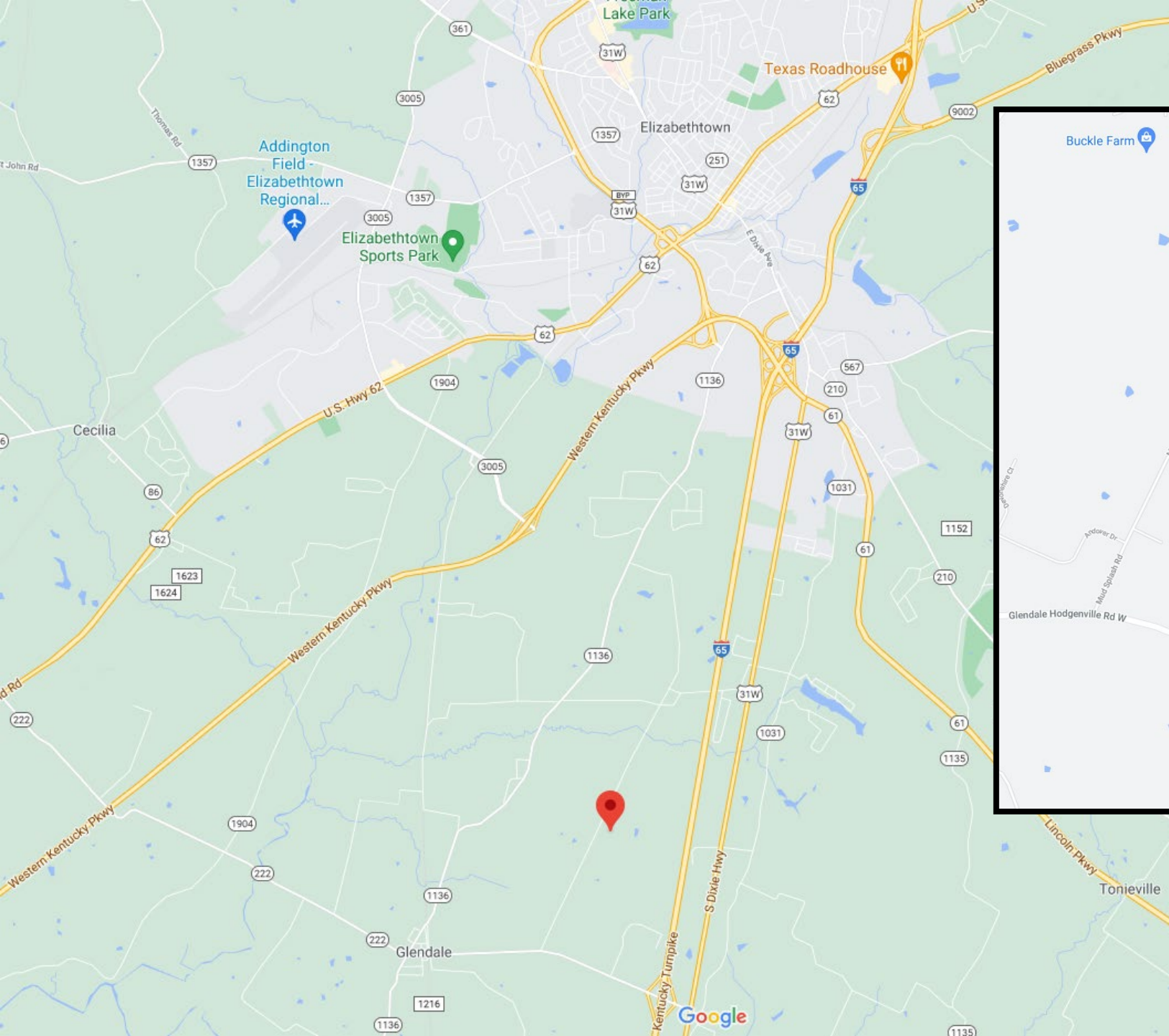
**Request for a **Conditional Use Permit** for a Permanent Accessory Dwelling to allow for the construction of 768 sq. ft. of living quarters within a barn in addition to the 4,284 sq. ft. house on site.**

Whistling Oaks, Section 2, Lot 8  
Conditional Use Permit  
SUMMARY REPORT

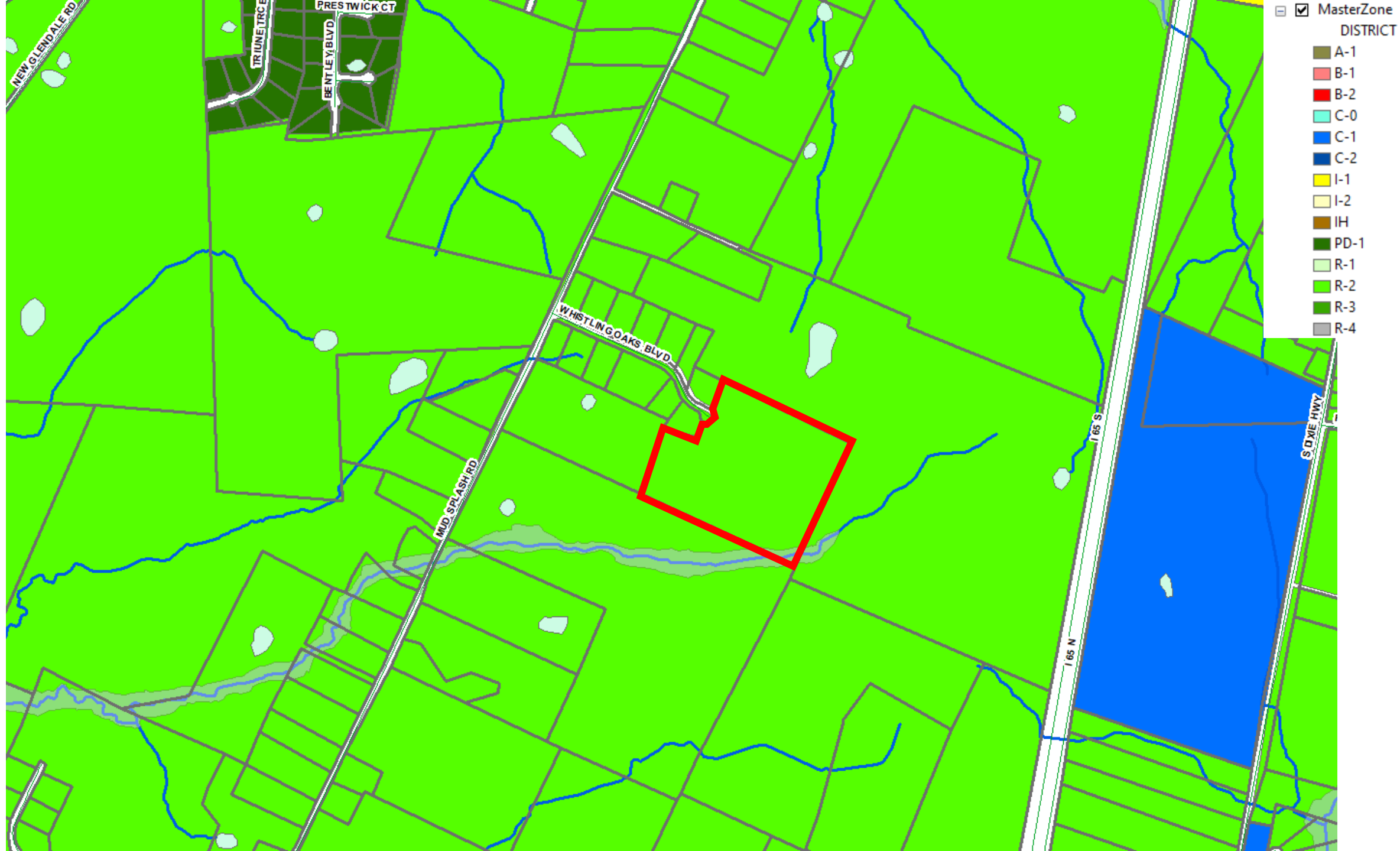
LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photo**
- D. Site Plan**
- E. Plat of Whistling Oaks (2005)**
- F. Plat of Whistling Oaks, Section 2 (2021)**
- G. Renderings of proposed barn with living space**
- H. House Plans**
- I. Photographs**
- J. Analysis of other Permanent Accessory Dwellings**
- K. \*Comprehensive Development Guide**
- L. \*Development Guidance System Ordinance**

\* Not Provided in PowerPoint















C9	225.00'	102.58'	101.70'	S 49°00'48" E
C10	35.00'	54.96'	49.48'	N 17°05'24" W

# RECORD PLAT

## WHISTLING OAKS SUBDIVISION

OWNER AND DEVELOPER: ROBERT MORRIS  
4308 OUTER LOOP, LOUISVILLE KY. 40219

ENGINEER: CLEMONS ENGINEERING AND SURVEYING  
103 SOUTH CLINTON STREET, LEITCHFIELD KY. 42754

TOTAL # OF LOTS: 14

TOTAL AREA OF LOTS BEING SUBDIVIDED: 17.554 ACRES

TOTAL AREA OF RIGHT-OF-WAY: 1.367 ACRES

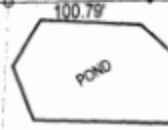
DGS# 206-00-00-036

SOURCE OF TITLE: D.B.880, PG.71

MUD SLPASH ROAD - 60' R/W - 18' PAVEMENT

TO GLENDALE

WHISTLING OAKS BLVD. - 50' R/W - 22' PAVEMENT



Basin 1 - 165 x 40 x 3

TEMP CUL-DE-SAC  
35' RADIUS PAVED  
TO BE MODIFIED WHEN  
STREET IS EXTENDED.

TEMP R.O.W. - 50' RADIUS  
TO BE TERMINATED WHEN  
STREET IS EXTENDED.

ROBERT MORRIS  
REMIANDER  
D.B.880, PG.71

LOTS 8 THROUGH 38 WILL BE RECORDED AS  
WHISTLING OAKS SECTION 2 AT A LATER DATE.  
STREET DESIGN AND DRAINAGE PLANS ON FILE ARE FOR ENTIRE SUBDIVISION.

ROBERT MORRIS  
REMIANDER  
D.B.880, PG.71

GOLDEN OAKS COURT - 50' R/W - 20' PAVEMENT

SITE

JOHN HOWLETT

TYPICAL LOT



**RECORD PLAT OF****Whistling Oaks Section 2**

**OWNER AND DEVELOPER: JOSEPH M. AND LISA J. HALL**  
**ADDRESS: 286 SUNVIEW DR. SHEPHERDSVILLE, KY. 40165**

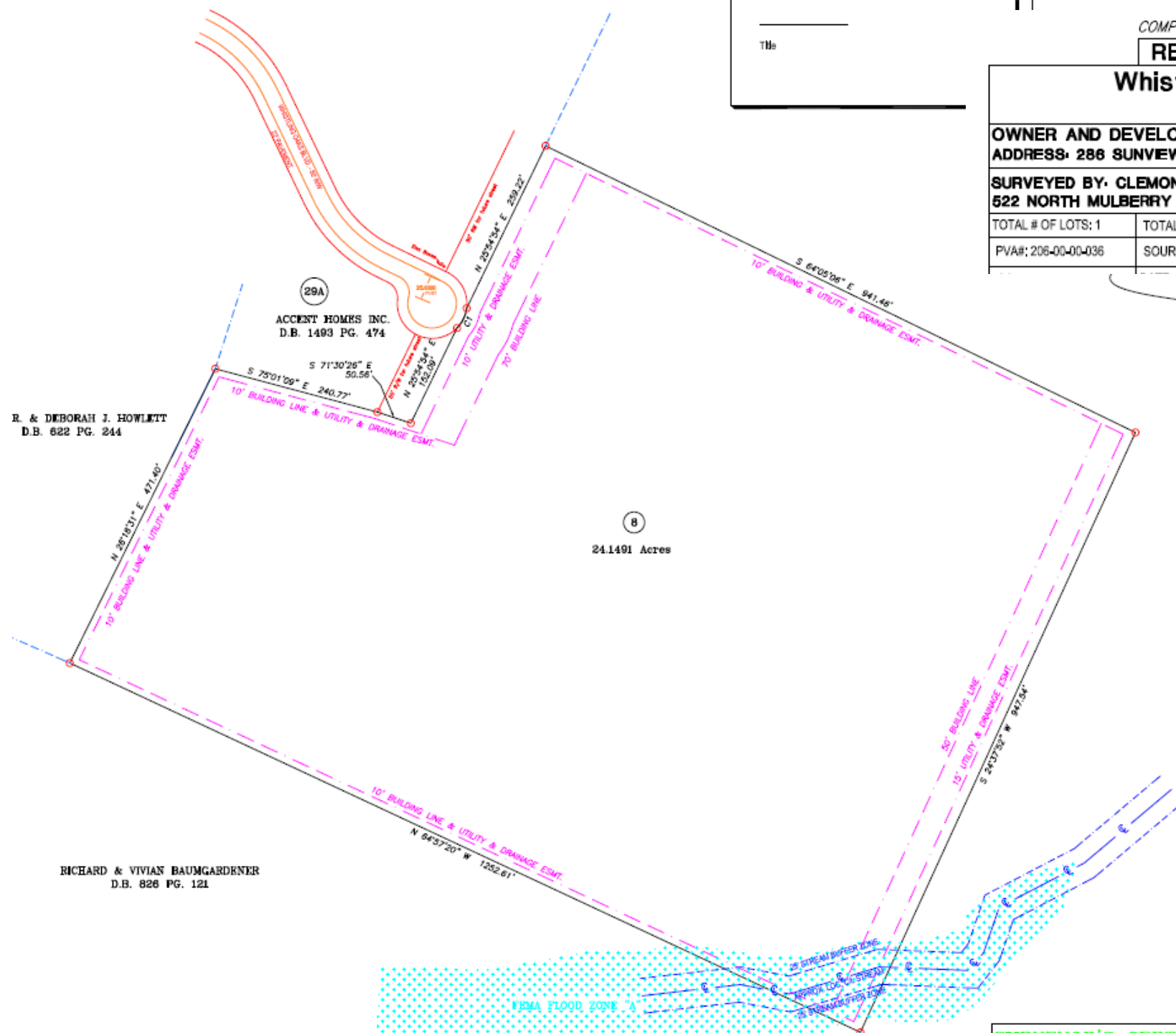
**SURVEYED BY: CLEMONS AND ASSOCIATES - DARREN L. CLEMONS**  
**522 NORTH MULBERRY STREET, ELIZABETHTOWN, KY. 42701**

TOTAL # OF LOTS: 1

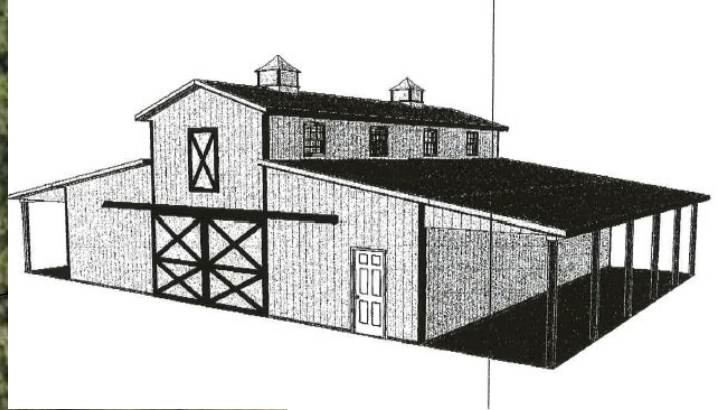
TOTAL AREA OF LOTS BEING SUBDIVIDED: 24.149 ACRES

PVA#: 206-00-00-036

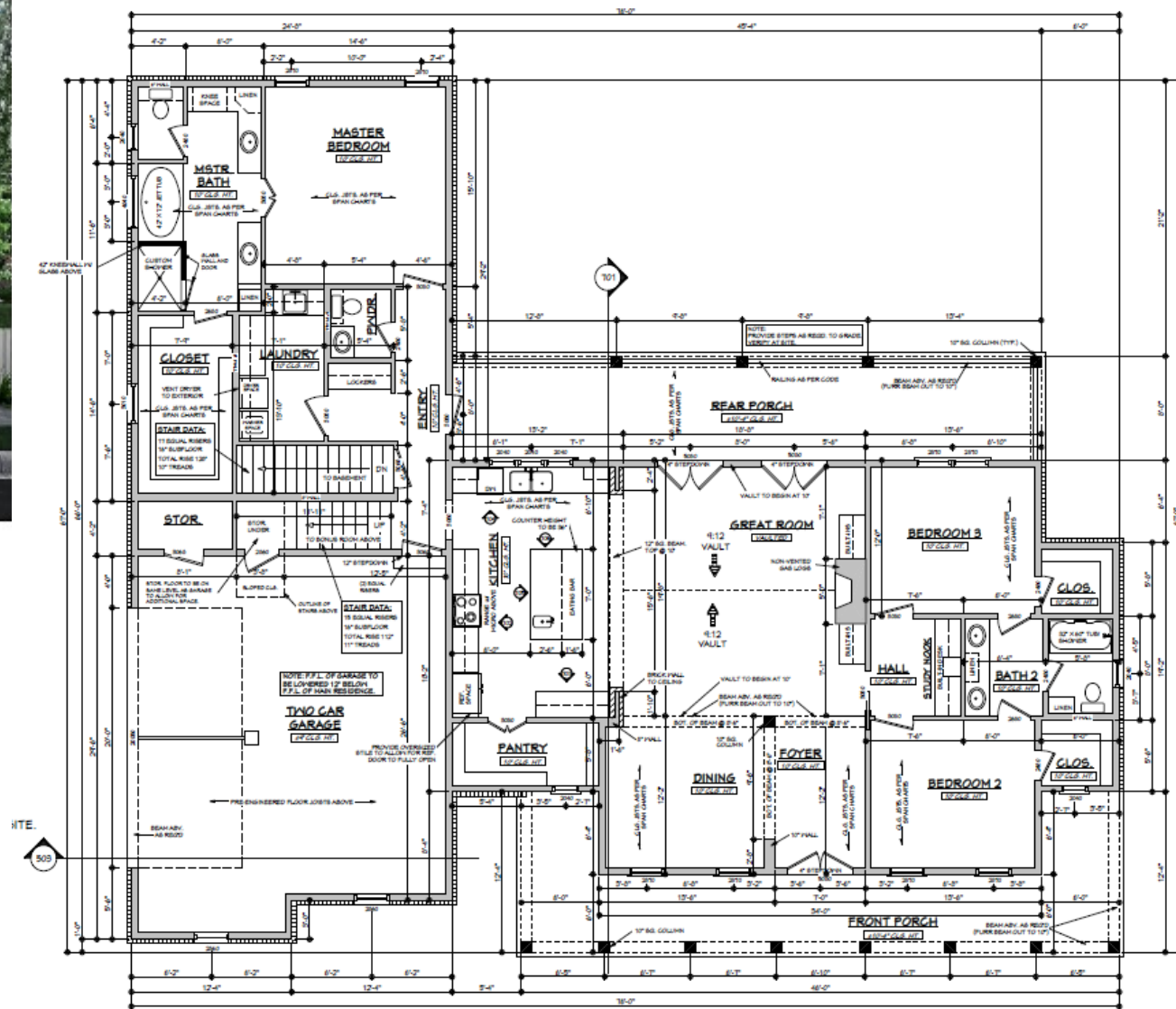
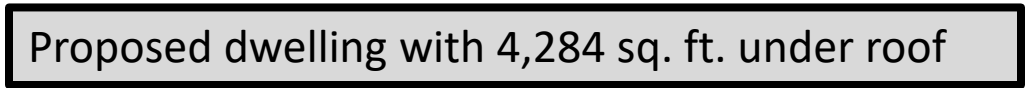
SOURCE OF TITLE: D.B. 1502 PG. 382



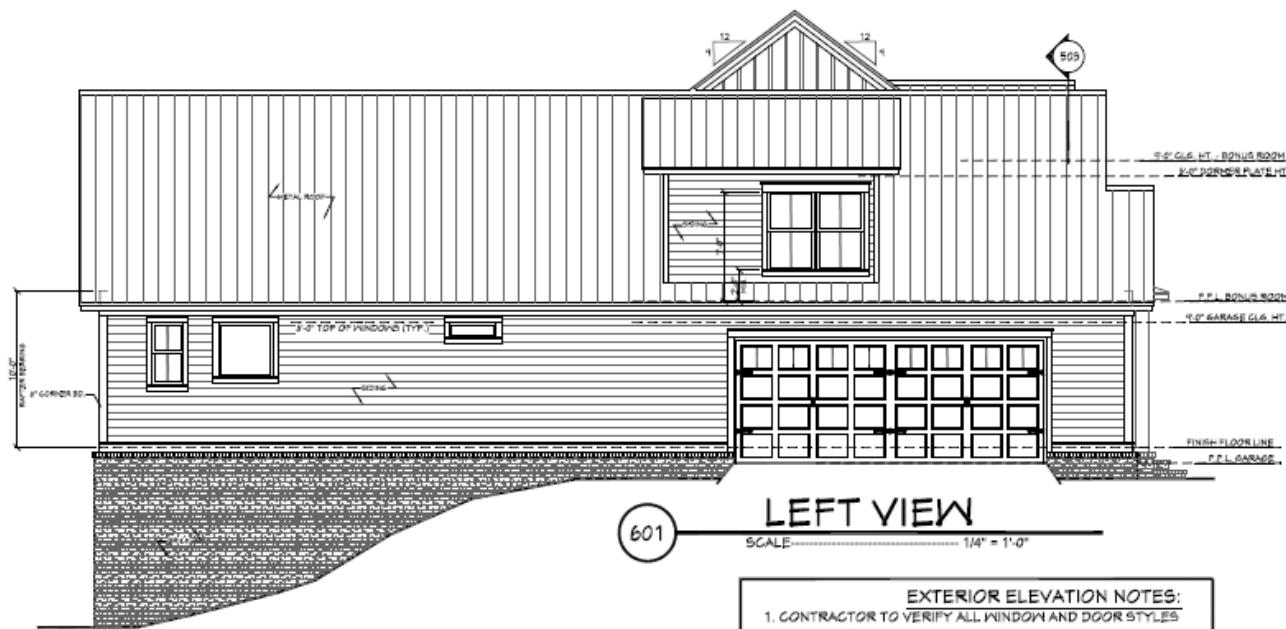










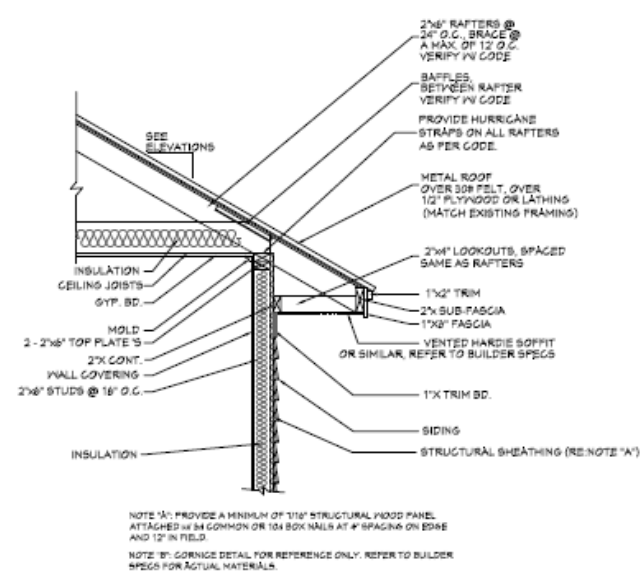


**601 LEFT VIEW**  
SCALE: 1/4" = 1'-0"

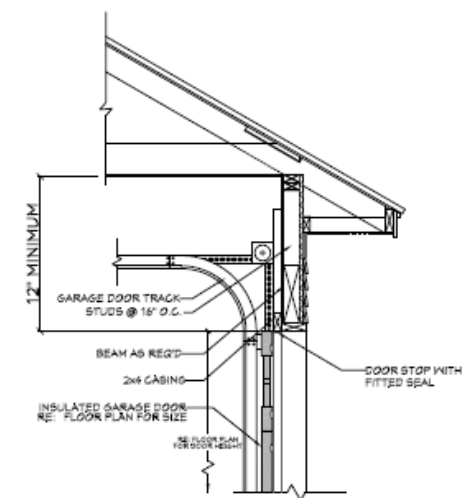
- EXTERIOR ELEVATION NOTES:**
1. CONTRACTOR TO VERIFY ALL WINDOW AND DOOR STYLES AND SIZES WITH OWNER PRIOR TO CONSTRUCTION.
  2. PROVIDE STEPS AND GUARD RAILS AS PER CODE BASED ON SITE CONDITIONS.
  3. GROUND LINES SHOWN FOR REFERENCE ONLY AND VARY DEPENDING ON SITE CONDITIONS.
  4. ALL FINISH MATERIALS TO BE VERIFIED WITH OWNER PRIOR TO CONSTRUCTION.
  5. REFER TO TYPICAL WALL DETAIL FOR FRAMING METHODS AND OTHER MISC. INFORMATION.
  6. CONTRACTOR TO PROVIDE ADEQUATE ROOF VENTILATION AS REQ'D BY CURRENT CODES.



**602 RIGHT VIEW**  
SCALE: 1/4" = 1'-0"

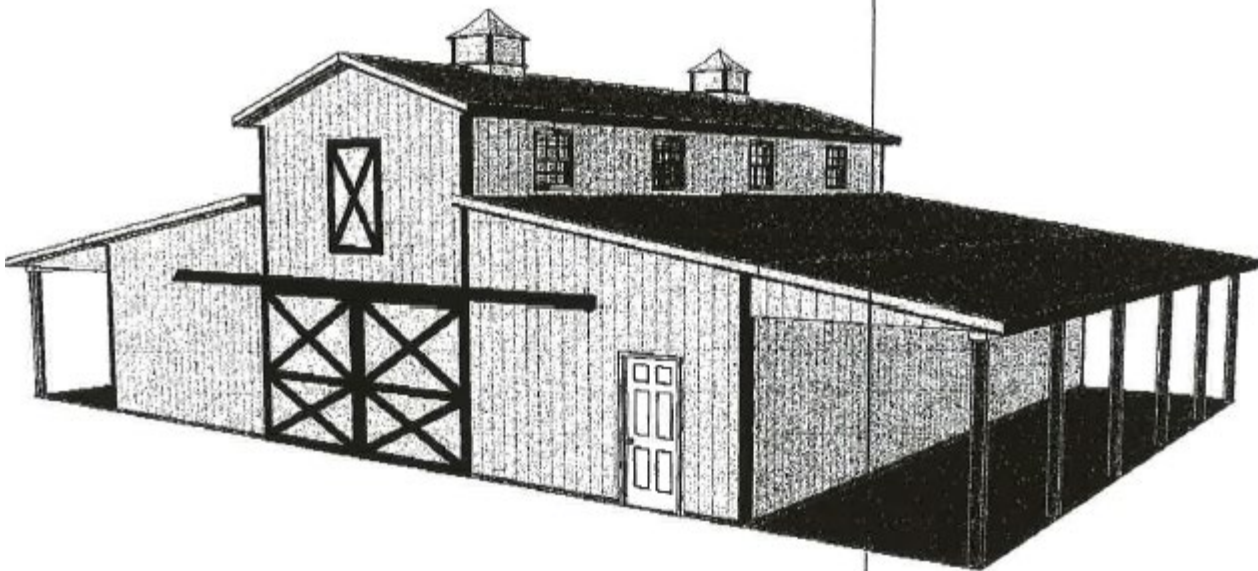


**603 TYP. CORNICE DETAIL**  
SCALE: 3/4" = 1'-0"



**604 GARAGE DOOR CLEARANCE**  
SCALE: N.T.S.  
THE INTENT OF THIS DETAIL IS TO SHOW THE MINIMUM REQUIRED DISTANCE FROM THE TOP OF THE GARAGE DOOR OPENING TO THE CEILING OF THE GARAGE.



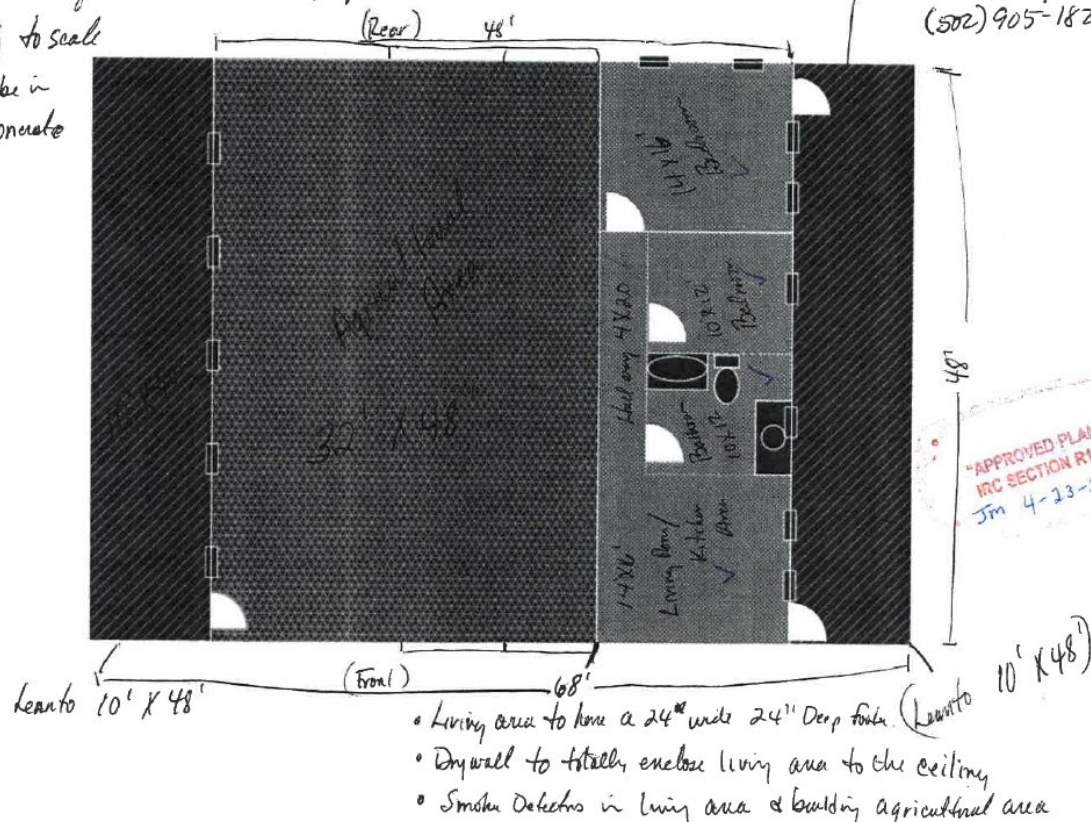


Barn with 3,264 sq. ft. under roof

To contain a 2 bedroom apartment with 768 sq. ft. of living space

- Total overall Measurement for Building is 68' X 48'
- 48' X 48' is enclosed.
- 16' X 48' of this area is living space shown in Blue on this Drawing
- Drawing to scale
- Poles to be in 5' of concrete

Joe & Lisa Hall  
0 Whistling Oaks  
Glendale, Ky  
(502) 905-1829



Joe & Lisa Hall  
0 Whistling Oaks  
Glendale., Kentucky 42740

#### Pole Barn Building Information:

- Total overall Building Size is 48' X 68' (drawing attached)
- Enclosed area is 48' X 48'
  - 768 square feet living space (16' X 48')
  - 1536 square feet agricultural space (32' X 48')
- Left and right side of building has 2 10' X 48' lean-tos
- Construction will be made with 6" X 6" poles and these being a minimum of 4' deep in concrete.
- The Living area of this building will be placed on a footer of concrete 24" wide and 24" deep.
- This area will be enclosed floor to ceiling with drywall.
- Each room will have a window that is on the exterior wall.
- Smoke detectors will be in the living area and the Agricultural area of this building.

- Living area to have a 24" wide 24" Deep footer (Lean to 10' X 48')
- Drywall to totally enclose living area to the ceiling
- Smoke Detectors in living area & building agricultural area





















Other homes within  
Whistling Oaks  
Subdivision





Permit Date ⇅	Owner ⇅	PVA Map Number ⇅	Type ⇅	Zone ⇅	Project / Subdivision Name ⇅	Site Address ⇅	Acres (All Permits) ⇅	Status ⇅
04/27/2021	HALL JOSEPH M & LISA J	206-00-00-036	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	WHISTLING OAKS, SECTION 2, LOT 8 - HALL PERMANENT ACCESSORY DWELLING	WHISTLING OAKS BLVD	24.149	PENDING
03/31/2021	WILCOX CASEY T & JENNIFER L	091-00-00-031.01	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	JEN LYN ESTATES, LOT 1 - WILCOX PERMANENT ACCESSORY DWELLING	367 LAMBERT LANE, WHITE MILLS, KY	3.002	APPROVED
02/17/2021	REED LAURA M & DANIEL LINKER	190-30-02-027	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	LINKER GARAGE APARTMENT	147 E MAIN ST GLENDALE, KY	.550	APPROVED
01/07/2021	PIRTLE JON W JR & BRENDA	165-00-00-024.12	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	DEER FIELD ESTATES, SECT. 4, LOT 10B - PIRTLE PERMANENT ACCESSORY DWELLING	123 TWELVE POINT BUCK BLVD., ELIZABETHTOWN KY	2.074	APPROVED
10/27/2020	MARTIN ADAM AND ASHLEY	033-00-02-002	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	NEWMAN ESTATES, LOT 2 - PERMANENT ACCESSORY DWELLING	426 NEEDHAM ROAD, EASTVIEW, KY	17.414	APPROVED
07/31/2020	REED JOSH	250-00-00-005	CONDITIONAL USE PERMIT	R-3 - RESIDENTIAL ESTATE ZONE		109 STEWART RD, LEBANON JUNCTION, KY	25.049	APPROVED
01/30/2020	HURLEY ARTHUR R JR & LINDA	225-00-03-001	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	GLENDALE JUNCTION FARM, LOT 1A	6421 S DIXIE HWY, GLENDALE, KY	11.030	APPROVED
01/07/2020	HOLLOMAN, BRAD	143-00-01-045	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	WISE BERRY ESTATES, LOT 11, #2	3345 FRED BURNS RD	.799	APPROVED
07/01/2019	THOMAS CARL & PATRICIA	043-00-00-001	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	THOMAS PERMANENT ACCESSORY DWELLING	11608 SALT RIVER ROAD	51.100	APPROVED
12/17/2018	PERKINS TODD & TAMMY	170-00-00-007.01	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE		BACON CREEK RD	32.500	APPROVED
08/01/2018	TURNER SAMUEL C & MAGGIE B	217-00-00-023	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING	236 BITTERSWEET DRIVE	19.460	APPROVED
05/04/2018	EDLIN MICHAEL TODD & TERESA L	243-00-00-041	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	EASTWOOD ESTATES LOT 10 SECTION 3	185 EDLIN LANE	22.182	APPROVED
09/25/2017	BENNETT PATSY	120-00-00-015	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		216 BENNETT RD	26.800	APPROVED
06/07/2017	DANT JAMES R & CANDICE M	223-00-00-032.09	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	BENGTTSSON ACRES SUBDIVISION, LOT 1	1440 SPORTSMAN LAKE ROAD	7.510	APPROVED
06/01/2017	PEPPER DARYL & LEE ANN	235-00-00-002	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE		CALICO SPRINGS RD	50.000	APPROVED
01/31/2017	BEWLEY CHARLES DAVID & BRENDA	078-00-00-007	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	WANDERING MEADOWS SUBDIVISION, SECTION 2	11324 RINEYVILLE ROAD (KY HWY 1600)	7.992	APPROVED
12/29/2016	DEVORE MITCHELL & TAMMY	211-00-00-013	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	DORSEY RUN ESTATES	13039 S DIXIE HWY	25.963	APPROVED
01/12/2016	CHITWOOD MARK & TIPHANIE	229-00-0C-037	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING	2312 WOOLDRIDGE FERRY RD	25.844	APPROVED
04/30/2014	ROBERT & JENNIFER KING	106-00-00-081	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING / BLESSED ACRES, LOT 1A	12564 LEITCHFIELD RD	3.082	APPROVED
10/17/2013	GARY & TERESA GRIFFIN	184-00-02-024	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING / FONTAINE ESTATES	235 FONTAINE DRIVE	.700	APPROVED
09/25/2013	BARRY & KAREN BIRDWHISTELL	164-00-00-037	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	ACCESSORY DWELLING / LEWIS PROPERTY	RINEYVILLE ROAD	4.379	WITHDRAWN
09/17/2013	CHARLES EDLIN	257-00-00-012.01	CONDITIONAL USE PERMIT (AMENDED)	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY DWELLING	2968 MIDDLE CREEK ROAD	9.600	APPROVED
03/25/2013	PATRICIA HESTER	229-00-00-001	CONDITIONAL USE PERMIT	R-3 - RESIDENTIAL ESTATE ZONE	PERMANENT ACCESSORY DWELLING / CEDAR CREEK FARMS, LOT 6	CEDAR CREEK DRIVE	32.000	APPROVED
02/11/2013	MARK WADDELL	089-00-00-065	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY DWELLING	14798 LEITHCFIELD ROAD	100.500	APPROVED
10/31/2012	JESSE BATES	082-00-00-006	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING /	8075 RINEYVILLE BIG SPRINGS ROAD	58.000	APPROVED
10/30/2012	DOROTHY WALLACE	182-10-00-002	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	WALLACE PERMANENT ACCESSORY DWELLING /	4273 S WILSON ROAD	.574	APPROVED
07/18/2012	DARRAN T. CLARY	240-00-01-052	CONDITIONAL USE PERMIT (AMENDED)	R-3 - RESIDENTIAL ESTATE ZONE	TEMPORARY ACCESSORY DWELLING / QUAIL HOLLOW SUBDIVISION	253 SOUTH RIDGE ROAD	2.620	APPROVED
05/25/2012	SHARON NOVAK	229-00-02-003	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING / OAK FOREST ESTATES	215 RUSTIC TRAIL BLVD	2.800	APPROVED
04/10/2012	WILLIAM WILLIAMS	041-00-00-002.02	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	PERMANENT SECOND DWELLING /	1212 VERTREES CHURCH LANE	43.748	APPROVED
02/27/2012	BUDDY & RUBY CARLISLE	217-00-00-054.01	CONDITIONAL USE PERMIT	R-3 - RESIDENTIAL ESTATE ZONE	PERMANENT ACCESSORY DWELLING /	3592 BATTLE TRAINING ROAD	5.000	APPROVED

Permit Date ⬆	Owner ⬆	PVA Map Number ⬆	Type ⬆	Zone ⬆	Project / Subdivision Name ⬆	Site Address ⬆	Acre (All Permits) ⬆	Status ⬆
11/14/2011	JOSEPH LAMAR AND SUE HARDESTY	081-00-00-024	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY DWELLING / FAREWELL SUBDIVISION. LOT 1	462 MARTIN ROAD	1.000	APPROVED
10/20/2011	MATTIAS LAMBERT	183-40-01-021	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING /	6960 S WILSON ROAD	.620	WITHDRAWN
07/28/2011	CHERI GREEN	253-00-00-041	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	/ ENNIS SUBDIVISION, LOT 13A	6650 BARDSTOWN ROAD (US 62)	.840	APPROVED
06/28/2011	MACK & LOLA MORGAN	124-00-00-024.06	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY DWELLING / COWHERD ESTATES, LOT 7	BETHLEHEM ACADEMY ROAD (KY 253)	5.750	APPROVED
06/01/2011	DAVID AND DIANA NORDYKE	142-00-00-002	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING / CLEMMINTON ESTATES, LOT 2	45 MILIMISH LANE	7.380	APPROVED
07/28/2010	DAVID & JANINE WASHLE	005-00-00-004	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING /	3720 MT OLIVE ROAD	212.000	APPROVED
06/29/2010	DAVID & KELLI SCHULTZ	230-00-00-035	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING /	189 ADAMS LANE	49.786	APPROVED
03/04/2010	PHILLIP EDLIN	243-00-00-040	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING /	835 EDLIN LANE	282.000	APPROVED
02/02/2010	CHARLES EDLIN	257-00-00-012.01	CONDITIONAL USE PERMIT (AMENDED)	R-2 - RURAL RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING /	2968 MIDDLE CREEK ROAD	9.600	DENIED
01/27/2010	PATRICIA & LESLEY HESTER	229-00-00-001	CONDITIONAL USE PERMIT	R-3 - RESIDENTIAL ESTATE ZONE	PERMANENT ACCESSORY DWELLING / CEDAR CREEK FARMS, LOT 6B	CEDAR CREEK DRIVE	33.000	APPROVED
10/29/2009	SINGER ANTHONY K & SHIRLEY M	114-00-00-022.05	CONDITIONAL USE PERMIT	R-1 - URBAN RESIDENTIAL ZONE	PERMANENT ACCESSORY DWELLING / CLOVER MEADOW SUBDIVISION	1794 THOMAS ROAD	2.260	APPROVED
09/17/2009	GARY COOPER	040-00-00-010.04	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	ACCESSORY DWELLING /	SAINT JOHN CHURCH ROAD (KY 1538)	10.115	WITHDRAWN
07/31/2008	MICHAEL & CAROLYN SIMMONS	248-00-00-005.01	CONDITIONAL USE PERMIT	R-2 - RURAL RESIDENTIAL ZONE	SECOND DWELLING / GEHR, LOT 2C	249 WILLIAMS CEMETERY ROAD	5.710	APPROVED

Records 31 to 43 (of 43)

Analysis of other Permanent Accessory Dwellings approved since 2009



### **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.

**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 insure 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.

**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 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 system.
10. Density. Accessory Dwelling units are not included in the minimum or maximum density calculations for a site.

The Commission and Board reserves the right to allow exceptions from the above requirements at their discretion in cases where strict adherences to the above may be impractical or uneconomical.



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 the construction of 768 sq. ft. of living quarters within a barn in addition to the proposed 4,284 sq. ft. house on site.
- 2.The property owners, Lisa & Joe Hall, must occupy either the principal dwelling unit or the permanent accessory dwelling as their principal residence, and at no time receive rent for the owner-occupied unit.
3. Adequate on site parking must be designated on an approved site plan.
- 4.Both dwellings shall share the proposed driveway entrance onto Whistling Oaks Boulevard.
- 5.The Permanent Accessory Dwelling is the proposed barn with 768 sq. ft. of living quarters and the Principal Dwelling is the proposed 4,284 sq. ft. home.
- 6.The Permanent Accessory Dwelling shall be located in the side/rear yard and shall be located as illustrated on the approved Site Plan.
- 7.The exterior finish materials of the dwelling shall be white siding with black trim and black/galvanized roof and the proposed barn with living quarters shall be black metal sided with galvanized roof.
- 8.Both the dwelling and the living quarters within the barn shall have a septic system approved by the Health Department.
9. This Permit is not transferable and the new owners must reapply for the Conditional Use Permit and meet the necessary requirements.
- 10.Additional landscaping or screening shall not be required.
11. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
12. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.

Owners:

Jennifer & Greg Milby



**Location** A 4.5 acre site located on South Long Grove Road, Glendale, KY

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

**Request for a **Conditional Use Permit** to allow for two accessory structures (storage sheds) on the property without a dwelling on site.**



S. Long Grove Road  
Conditional Use Permit  
SUMMARY REPORT

LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photo w/ Floodplain**
- D. Site Plan**
- E. Plat of Wildcat Run Subdivision (2006)**
- F. Photographs**
- G. Aerial photo with contours and Base Flood Elevation Information**
- H. \*Comprehensive Development Guide**
- I. \*Development Guidance System Ordinance**

\* Not Provided in PowerPoint







- ☐ 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









14'x28' storage shed

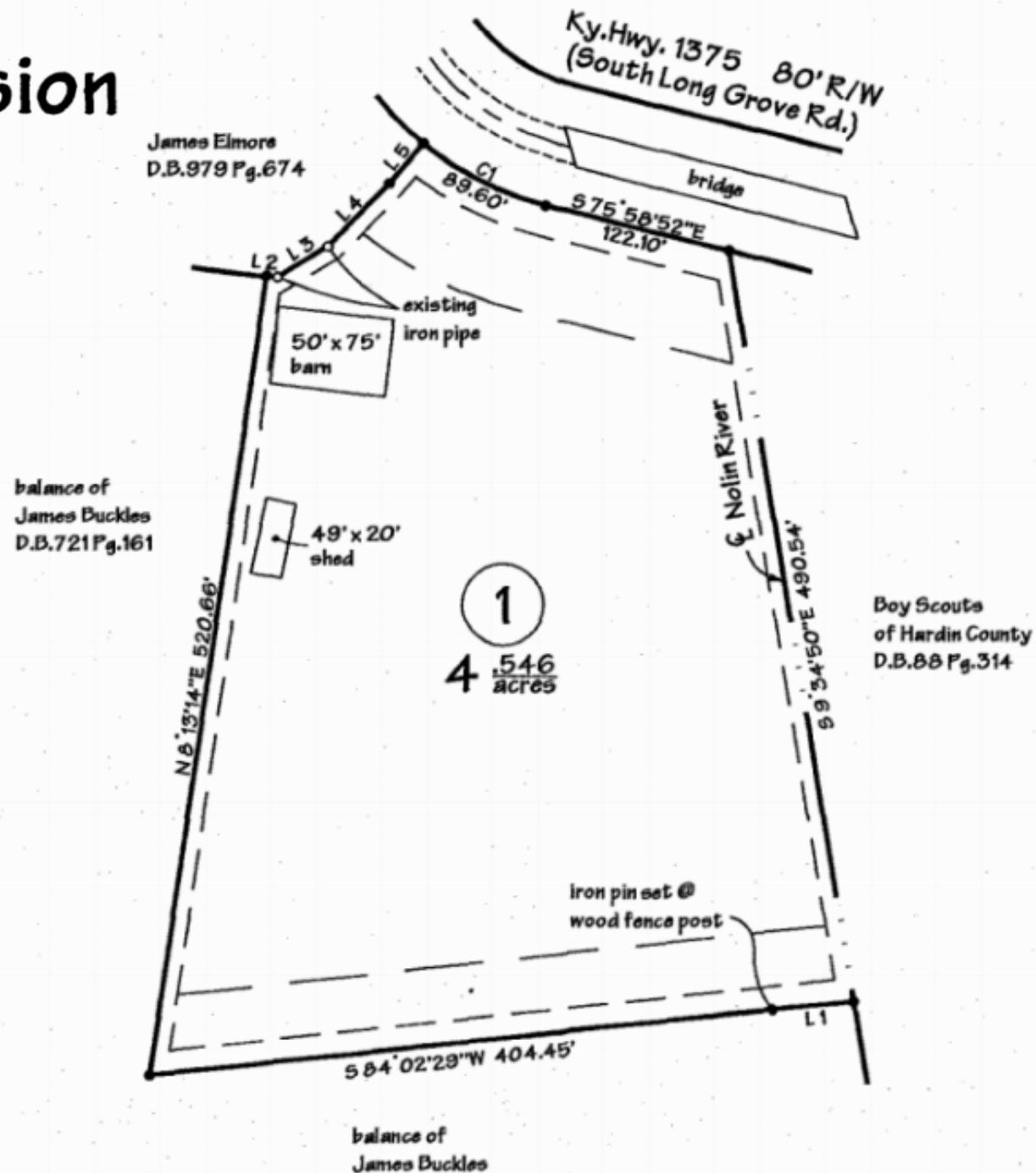


12'x28' storage shed

FLOODPLAIN



Record Plat of  
**Wildcat Run Subdivision**









































































According to DOW Cross Sections the BFE is at 641.64, add the foot of free board as required by Hardin County sits min. elev. at 642.64. Applicant intends to install bottom of service panel at approx. elev. 646.





### **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.



**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 insure 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.



## 16-5 ACCESSORY STRUCTURES

An accessory structure is a structure or use customarily incidental and subordinate to the principal structure and located on the same parcel with such principal structure. These standards apply when the accessory structure is developed prior to the start of construction of the principal structure on the property. This regulation does not apply to agricultural uses and related accessory structures.

1. Location. An accessory structure is part of the principal structure when it is attached to the principal structure by a breezeway and shall comply with the applicable setbacks of the zone in which it is located.
2. Agriculture. Accessory structures for agricultural uses shall comply with the building setback requirements for the principal structures of the zone in which it is located.
3. Distance. The minimum distance between buildings shall be five (5) feet.
4. Size. All accessory structures shall be subordinate in scale to the principal structure.



**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:***

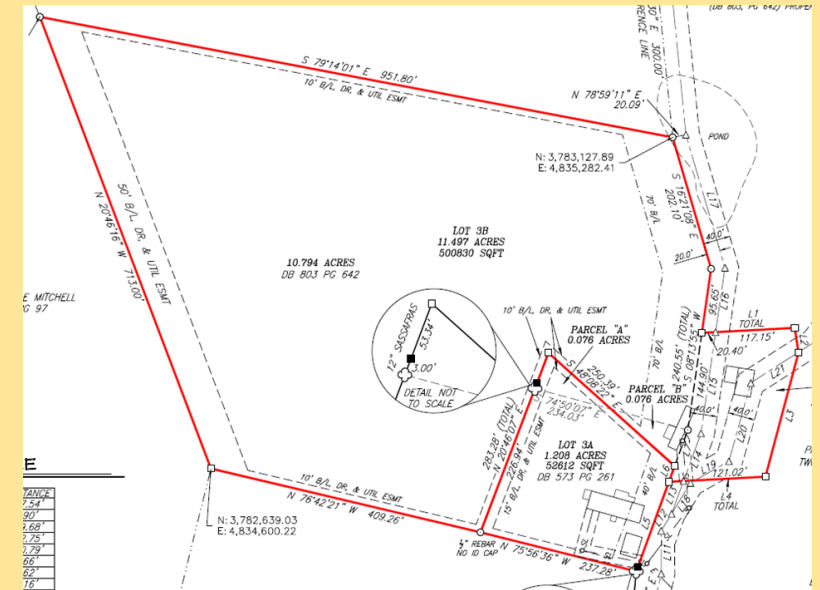
***Based on the Staff Presentation and the Testimony presented in the Public Hearing and that it satisfies the Standards for Issuance outlined in the Development Guidance System, Zoning Ordinance 16-3.***

- 1.This Conditional Use Permit shall allow for the placement of two prefab detached accessory structures (storage sheds) on a vacant tract.**
- 2.The proposed structures are for residential / agricultural storage and shall not be occupied or used as a dwelling.**
- 3.Additional landscaping and/or screening shall not be required.**
- 4.A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.**
- 5.Building and Electrical permits must be secured thru the KBC Building Program of our office.**
- 6.A flood permit shall be required for the shed to be located within the floodplain or it may be moved to be outside of the floodplain.**
- 7.A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.**



Owner:

Tamberly & Ronald Beard and  
the Fletcher Beard Estates



**Location** Two existing tracts totaling 12.705 acres located at 10032 St. John Road, Cecilia, KY

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

**Request for a **Variance** from the government maintained road frontage requirement to allow for two existing tracts to be reconfigured and platted as two lots.**



10032 St. John Road  
Variance  
SUMMARY REPORT

LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photo**
- D. Proposed Plat of Beard Subdivision, Section 3**
- E. Plat of Beard Subdivision, Section 2 (1999)**
- F. Photographs**
- G. Analysis of other Variances from the Government Maintained Road Frontage**
- H. \*Comprehensive Development Guide**
- I. \*Development Guidance System Ordinance**

\* Not Provided in PowerPoint



10032 St John Rd,  
Cecilia, KY 42724

Rineyville

Menards

Freeman  
Lake Park

Texas Roadhouse

Elizabethtown

Addington  
Field -  
Elizabethtown  
Regional...

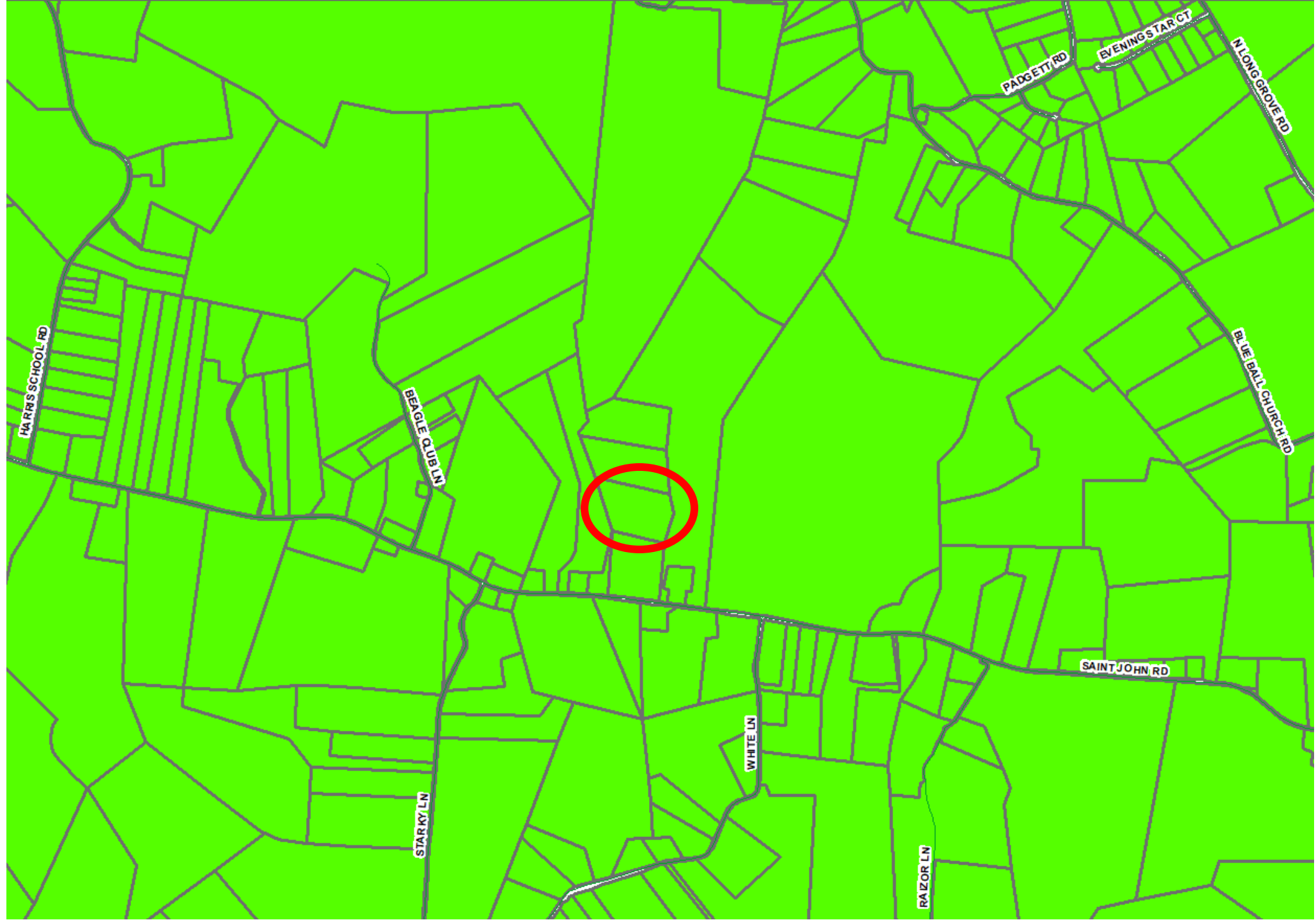
Elizabethtown  
Sports Park

Cecilia

Google



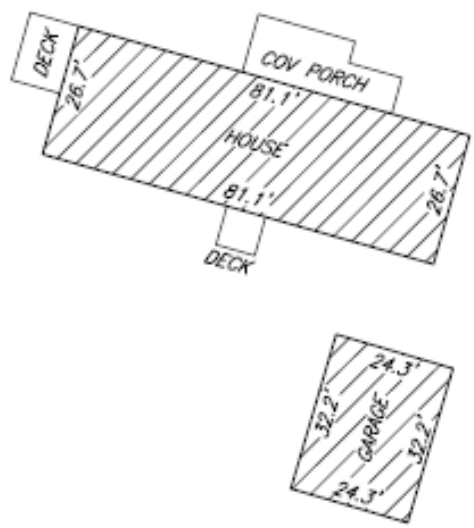
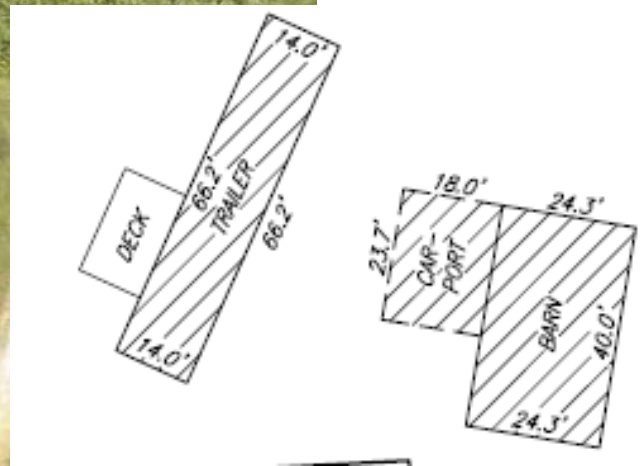
- ☐ MasterZone  
☒ DISTRICT
- A-1
  - B-1
  - B-2
  - C-0
  - C-1
  - C-2
  - I-1
  - I-2
  - IH
  - PD-1
  - R-1
  - R-2
  - R-3
  - R-4













N: 3,783,305.69  
E: 4,834,347.36

JOHN & MICHELLE MITCHELL  
DB 1072 PG 97

## LINE TABLE

LINE	BEARING	DISTANCE
1.1	N 86°35' 28" E	137.34
1.2	S 08°34' 55" E	1.60
1.3	S 14°56' 51" W	189.68
1.4	S 87°01' 50" W	142.25
1.5	N 20°03' 39" E	140.79
1.6	N 20°03' 39" E	24.68
1.7	N 20°03' 39" E	56.62
1.8	N 00°58' 25" E	10.16
1.9	N 82°34' 09" E	55.52
1.10	N 82°34' 08" E	57.08
1.11	N 00°03' 15" E	85.51
1.12	N 11°29' 35" E	29.48
1.13	N 20°03' 39" E	51.51
1.14	N 20°03' 39" E	74.85
1.15	N 08°17' 55" E	146.92
1.16	N 08°13' 55" E	96.01
1.17	N 16°21' 08" W	204.39
1.18	N 11°29' 35" E	53.52
1.19	N 60°38' 45" E	85.00
1.20	N 15°34' 12" E	92.00
1.21	N 15°17' 58" E	81.80

10.794 ACRES  
DB BOJ PG 642

LOT 3B  
11.497 ACRES  
500830 SQFT

N: 3,783,127.89  
E: 4,835,282.41

N: 3,782,639.03  
E: 4,834,600.22

LOT 34  
1.208 ACRES  
52612 SQFT  
DB 571 PG 261

ROBERT & ALICE ROSS  
DB 645 PG 349

DELORES BEARD (DB 817, PG 308)  
& RONALD & TAMBERLEY BEARD  
(DB 803, PG 642) PROPRIETORS.

EXISTING 40' SIDEWALK/DRIVEWAY  
BASEMENT AS RECORDED IN PG 958,  
PG 732, PROVIDES ACCESS FROM  
ST. JOHN ROAD TO 44.34 ACRES  
TRACT AT THE REAR OF THE  
FLETCHER BEARD PROPERTY. A  
PORTION OF THE 40' BASEMENT IS  
ALSO REQUIRED FOR THE USE AND  
BENEFIT OF ADJOINING LOT OWNERS  
IN AND TO THE SUBJECT 40'  
BASEMENT FEB 09 958, PG 732  
SAID BASEMENT ALSO BEING  
DEDICATED TO ACCESS TRACT 2 OF  
THE FLETCHER BEARD BOUNDARY  
SURVEY.

PARCEL "C"  
0.703 ACRES  
30605 SQFT  
PORTION OF FLETCHER  
BEARD PROPERTY,  
WB 62 PG 55  
DB 172 PG 25  
E. "C" IS SUBJECT TO  
EXISTING 40' EASEMENT

BALANCE OF  
FLETCHER BEARD PROPERTY  
WB 62 PG 65  
DB 172 PG 25  
BOUNDARY SURVEY RECORDED  
IN PG. 1, SHEET

08J-00-00  
WALL BOOK  
9952 ST J

DEED BOOK  
10032 ST. J.

COMBINATION OF THE TWO  
EXISTING 42' BRIDGES/PIERS

LOT 1 BEARD SUB  
PC 1, SHEET 2360  
KRISTINA WILLIAMS  
DB 1489 PG 17

N: 3,781,767.15  
E: 4,835,165.25

2" REDAR NO 30 CAP FDS  
3.5' NORTH OF UNMARK  
BOWT OF WEE POINT

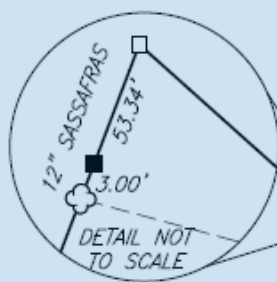
60' R/W ~ 20' PAVEMENT  
ST JOHN ROAD (KY HWY 135)

PICTURE DETAILS (NOT TO SCALE)



83,305.69  
34,347.36S 79°14'01" E 951.80'  
10' B/L, DR, & UTIL ESMTN 78°59'11" E  
20.09'N: 3,783,127.89  
E: 4,835,282.41

POND

10.794 ACRES  
DB 803 PG 642LOT 3B  
11.497 ACRES  
500830 SQFT& MICHELLE MITCHELL  
WB 1072 PG 97N 20°46'16" W 713.00'  
50' B/L, DR, & UTIL ESMT

## TABLE

	DISTANCE
28" E	137.54'
55" E	36.90'
51" W	189.68'
50" W	142.75'
39" E	140.79'
39" E	24.66'
39" E	56.62'
25" W	10.16'
29" W	53.35'
29" W	57.09'
15" E	63.51'
35" E	29.48'
39" E	51.51'

N: 3,782,639.03  
E: 4,834,600.2210' B/L, DR, & UTIL ESMT  
N 76°42'21" W 409.26'1/2" REBAR NO ID CAP  
N 75°56'36" W 237.28'10' B/L, DR, & UTIL ESMT  
PARCEL "A"  
0.076 ACRESPARCEL "B"  
0.076 ACRESLOT 3A  
1.208 ACRES  
52612 SQFT  
DB 573 PG 261PARCEL "C"  
0.703 ACRES  
30605 SQFTA PORTION OF FLETCHER  
BEARD PROPERTY.  
WB 62 PG 55  
DB 172 PG 25  
PARCEL "C" IS SUBJECT TO  
TWO EXISTING 40' EASEMENTSBALANCE OF  
FLETCHER BEARD PROPERTY  
WB 62 PG 65  
DB 172 PG 25  
BOUNDARY SURVEY RECORDED  
IN PG 1, SHEET \_\_\_\_\_



96

LE MITCHELL  
PG 97

STANCE

37.54'  
3.90'  
39.68'  
12.75'  
10.79'  
1.66'  
5.62'  
7.16'  
7.75'

-E

50' B/L DR. & UTIL ESMT  
N 20°46'16" W 713.00'

10.794 ACRES  
DB 803 PG 642

S 79°14'01" E 951.80'  
10' B/L DR. & UTIL ESMT

LOT 3B  
11.497 ACRES  
500830 SQFT

N: 3,783,127.89  
E: 4,835,282.41

N 78°59'11" E  
20.09'

REFERENCE LINE  
S 30° E 300.00'

POND

70' B/L  
S 16°21'08" E  
202.10'

10' B/L DR. & UTIL ESMT  
S 250.39'  
48°08'22" E  
234.03'

PARCEL "A"  
0.076 ACRES

PARCEL "B"  
0.076 ACRES

LOT 3A  
1.208 ACRES  
52612 SQFT  
DB 573 PG 261

10' B/L DR. & UTIL ESMT  
N 76°42'21" W 409.26'

N: 3,782,639.03  
E: 4,834,600.22

1/2" REBAR NO ID CAP  
N 75°56'36" W 237.28'

L1 TOTAL  
117.15'

L2 TOTAL  
121.02'

L4 TOTAL

PARCEL "C"  
0.703 ACRES  
30605 SQFT

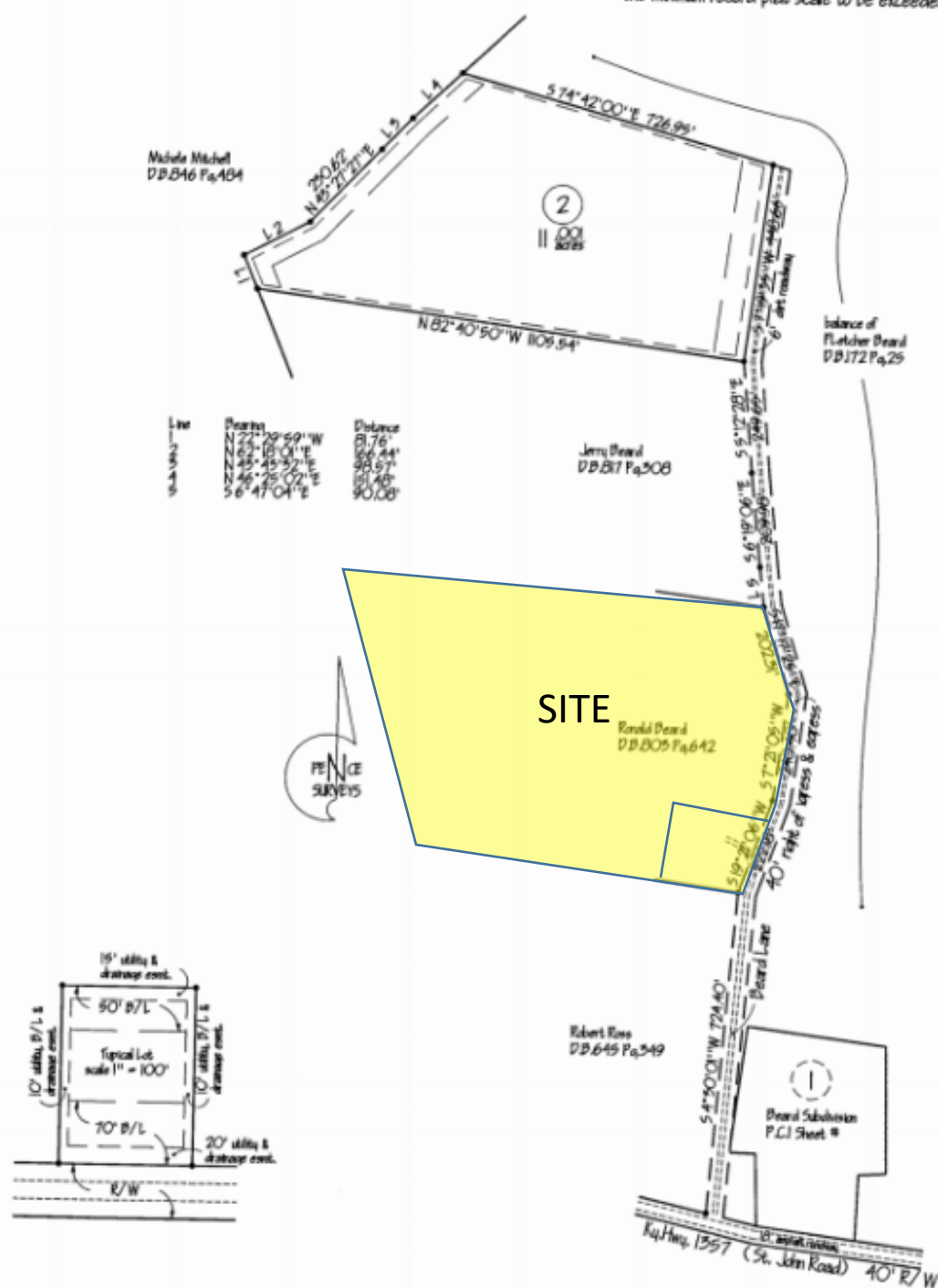
A PORTION OF FLETCHER BEARD PROPERTY.  
WB 62 PG 55  
DB 172 PG 25  
PARCEL "C" IS SUBJECT TO TWO EXISTING 40' EASEMENTS

POND

BALANCE OF  
FLETCHER BEARD PROPERTY  
WB 62 PG 65  
DB 172 PG 25  
BOUNDARY SURVEY RECORDED  
IN PG 1 SHEET

E  
EASE  
PG 51  
F  
FOR  
ALS  
BEN.  
EA  
DED  
TH





Owner & Developer:  
Fletcher & Barbara Beard  
9952 St. John Road  
Elizabethtown, Ky. 42701  
270-862-4278

Land Surveyor:  
C.E. Pence w/ Pence Surveys  
276 Glendover Drive  
Elizabethtown, Ky. 42701  
270-737-5285

September 17, 1999  
DGSN 083-001-00-013  
11.001 acres total  
Scale 1" = 200'





“Beard Lane” (40’ right of ingress/egress) – Private Roadway established by plat in 1999





“Beard Lane” (40’ right of ingress/egress) – Private Roadway established by plat in 1999

















Variances from government maintained road frontage since 2009

Permit Date	Owner	PVA Map Number	Type	Zone	Project / Subdivision Name	Site Address	Acres (All Permits)	Status
04/28/2021	BEARD RONALD C & TAMBERLEY	083-00-00-013 & 083-00-00-045	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	BEARD SUBDIVISION, SECTION 3	10032 ST. JOHN ROAD, CECILIA, KY	12.705	PENDING
11/05/2019	IRWIN DALE	198-00-00-029 & 029.01	VARIANCE	R-3 - RESIDENTIAL ESTATE ZONE	IRWIN SUBDIVISION, LOT 1, #1	459 LINCOLN ROAD & 1614 BATTLE TRAINING ROAD	10.000	APPROVED
09/24/2019	COTTRELL STEPHANIE & KEVIN	235-10-01-031 THRU 035	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	LYNNWOOD SUBDIVISION, # 3, LOTS 18-22	ECHO LN	3.443	APPROVED
03/15/2018	SPRINGER KARL L & ROBIN S	206-00-00-038	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	SPRINGER PROPERTY	996 MUD SPLASH RD	3.940	APPROVED
12/28/2016	WARREN GENEVA F REVOCABLE LIVING	223-00-00-002.01	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE		OVERALL PHILLIPS RD	4.826	APPROVED
04/08/2015	ASASKAS GLENN E	088-00-00-012	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE		100 EASTVIEW ROAD	11.230	APPROVED
08/26/2014	CHARLES & SHERYL PHILLIPS	273-00-01-009.01	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	GOVERNMENT MAINTAINED ROAD FRONTAGE	DEVERS RD	25.600	APPROVED
04/17/2014	FRANK HOBBS	165-00-00-050	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE		WALNUT CREEK ROAD	7.415	APPROVED
04/14/2014	ASASKAS GLENN E	088-00-00-008; 088-00-00-012	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	GOVERNMENT MAINTAINED ROAD FRONTAGE	1106 EASTVIEW ROAD	2.070	APPROVED
08/28/2012	JUNCO COSBY	231-10-00-023	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	GOVERNMENT MAINTAINED ROAD FRONTAGE	1707 TUNNEL HILL ROAD	9.500	APPROVED
10/06/2011	ERIC M PEAKE	147-40-00-046; 147-40-00-046.01	VARIANCE	R-1 - URBAN RESIDENTIAL ZONE	GOVERNMENT MAINTAINED ROAD FRONTAGE / DR AUDS FIRST ADDITION, LOTS 23A & 26A	MAIN STREET	3.990	APPROVED
04/11/2011	GARY S. COOPER, SR.	040-00-00-010.04	VARIANCE	R-2 - RURAL RESIDENTIAL ZONE	GOVERNMENT MAINTAINED ROAD FRONTAGE	85 TURKEY ROOST LANE	10.115	DENIED



## Findings necessary for Granting Variances

### KRS 100.243 and DGS 5-3(B)

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



*I make a Motion to **Approve** the Variance with the Following Conditions:*

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

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

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

(C) The circumstances are the result of actions of the applicant taken subsequent to the adoption of this regulation from which relief is sought.

Motion to Approve the proposed Variance :

1. To allow for a Variance from the government maintained road frontage requirement to allow for two existing tracts to be reconfigured and platted as two lots.
2. The proposed 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

Alternative Options exist to comply with setbacks



Continued from 6 May 2021

Owner:

Joshua Helsel



**Location** A 5 acre site located at 639 Stovall Road, Elizabethtown, KY

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

**Request for a Amended Conditional Use Permit to continue to allow for the retail sale of merchandise (vintage & antique sales in detached garage) on site.**

***Initial CUP: 2019 (2 years)***



639 Stovall Road  
Conditional Use Permit  
SUMMARY REPORT

LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photo**
- D. Site Plan**
- E. Photographs**
- F. Applicant supplied photos of vintage products to be sold**
- G. \*Comprehensive Development Guide**
- H. \*Development Guidance System Ordinance**

\* Not Provided in PowerPoint



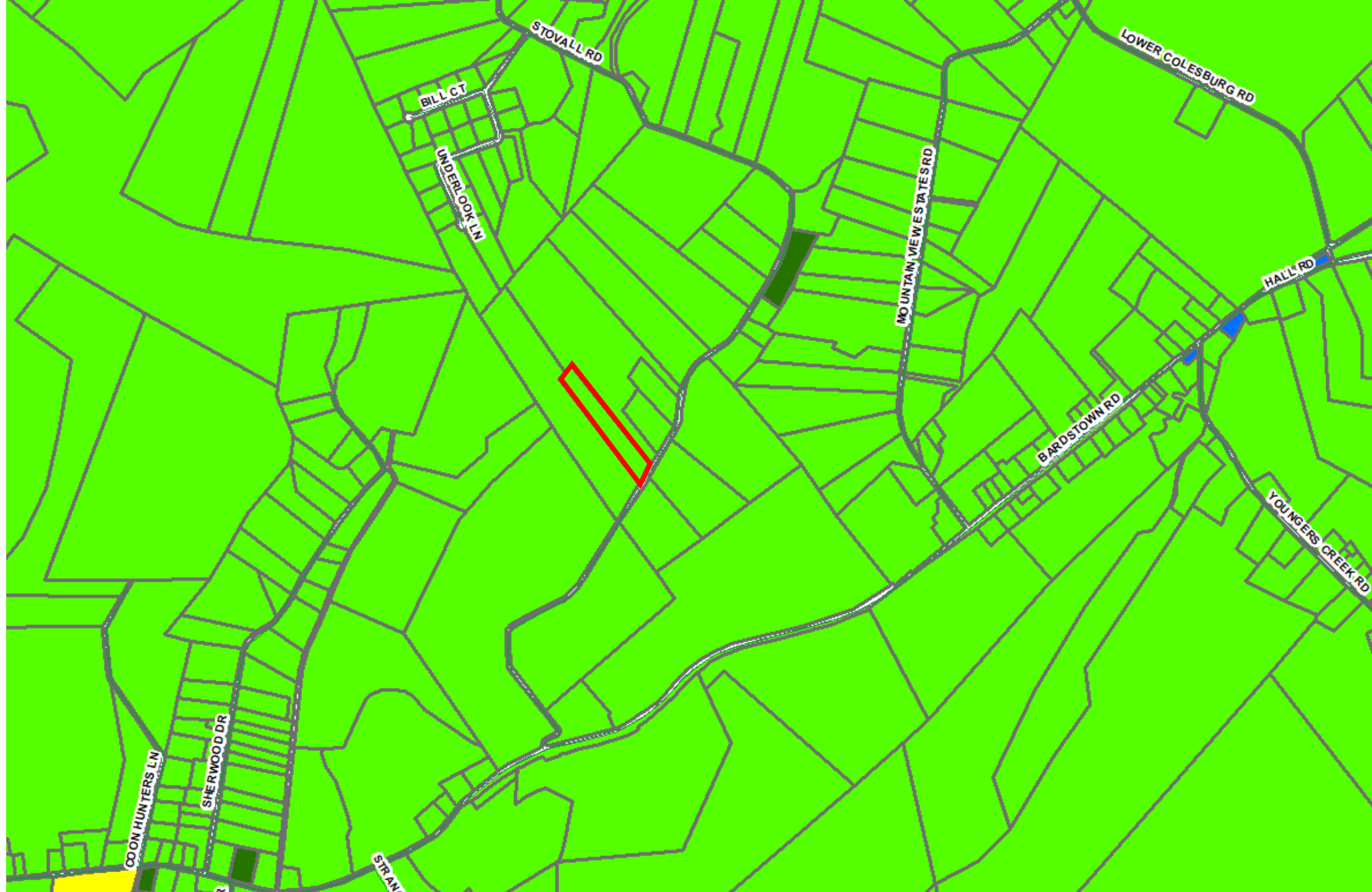




☒ MasterZone

DISTRICT

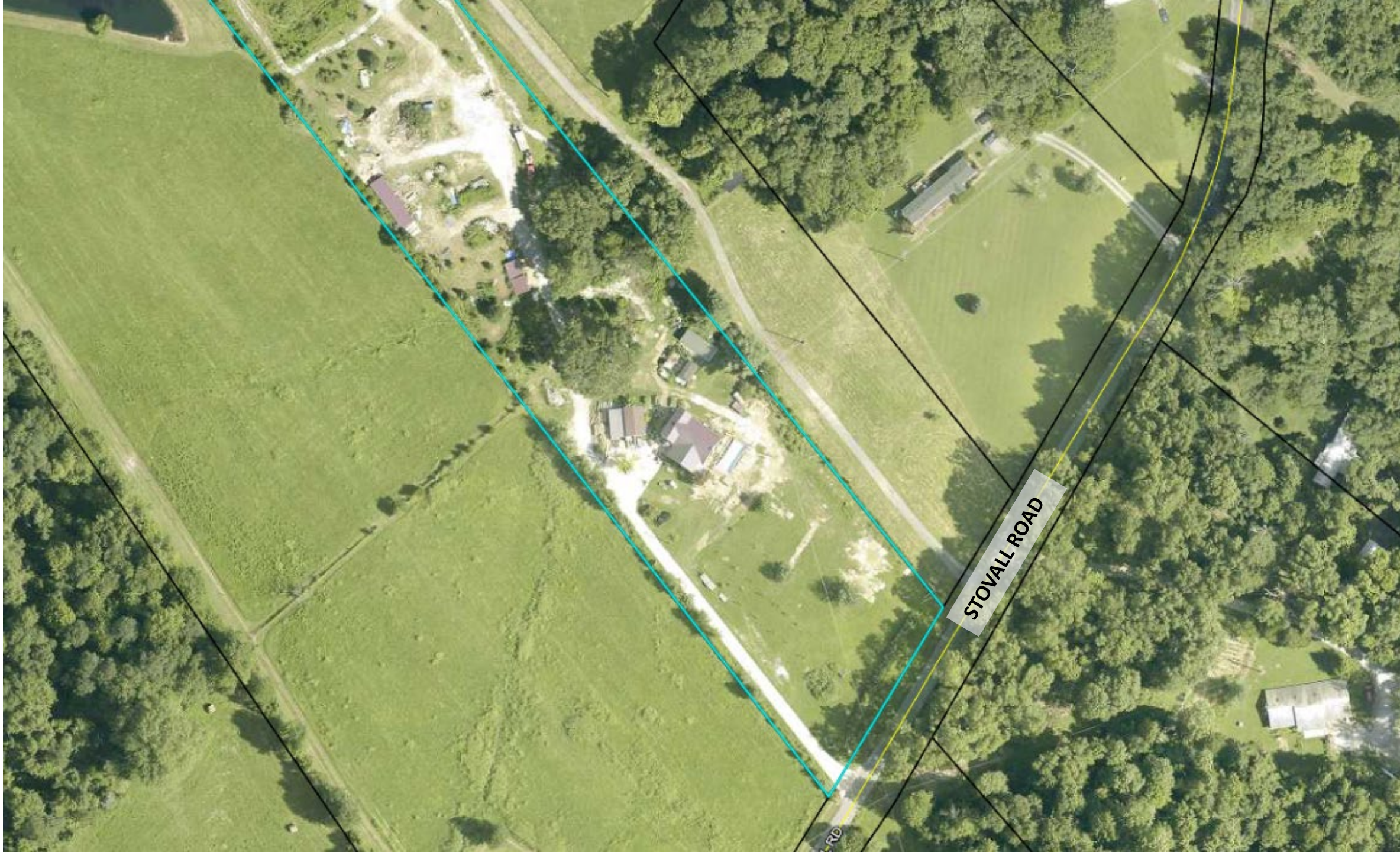
- A-1
- B-1
- B-2
- C-0
- C-1
- C-2
- I-1
- I-2
- IH
- PD-1
- R-1
- R-2
- R-3
- R-4















2,674 sq. ft. house (1980)



468 sq. ft. accessory building (2012)

































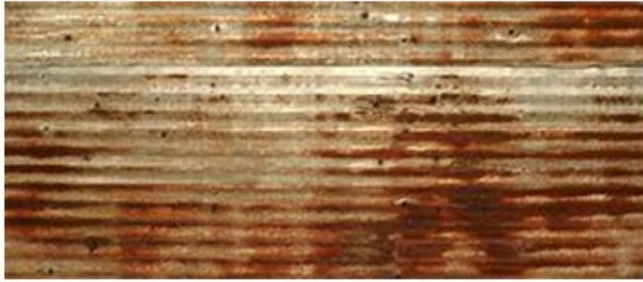


# Vintage Products





# Vintage Products





***Previously the Hart's received a Conditional Use Permit from the Board for a Welding Shop on this Site (2014 - 2017)***

Conditional Use Permit  
Welding Shop in a Detached Garage  
Chris & Rachel Hart, 639 Stovall Road





### **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.



**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 insure 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.



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 shall allow for retail sales in the R-2 Zone within the detached structure on site.
2. The hours of operation shall be 8am to 6pm, 7 days a week.
3. There shall be no employees who do not reside on site.
4. Additional Screening or landscaping shall not be required.
5. All materials must be stored within the existing detached structure or attached lean-to with no items stored or displayed in the yard.
6. A single, 6 sq. ft. sign shall be permitted.
7. Adequate parking must be provided on site with a turnaround provided adjacent to the detached structure so that no cars back out onto Stovall Road.
8. A Site Plan shall be submitted and approved in accordance with Development Guidance System, Section 7.
9. This Conditional Use Permit is being issued to the current owner, Joshua Helsel and is not transferable. Any new owners or proposals shall come back before the Board of Adjustment for approval.
10. A Certificate of Land Use Restrictions shall be recorded in the office of the Hardin County Clerk.
11. This Conditional Use Permit is for 5 years and shall expire on 6 May 2025. After which time it shall require a renewal hearing before the Board of Adjustment.
- ~~12. The secondary driveway entrance on Stovall Road must either be permitted thru the County Road Department or removed.~~
13. The existing tree line along the driveway on the southwest side of the property shall be preserved.