

Hardin County Board of Adjustment 5 November 2020

County Government Center
Second Floor Meeting Room

Owner:
Nancy Ruth Perry



Location A 1 acre site located at 23802 Sonora Hardin Springs Road, Big Clifty, KY and known as Lot 1 of Perry Subdivision

Zoned Rural Residential (R-2)

Request for a Variance from the front building setback along Hitchcock Lane to accommodate the existing detached garage

23802 Sonora Hardin Springs Road

Variance

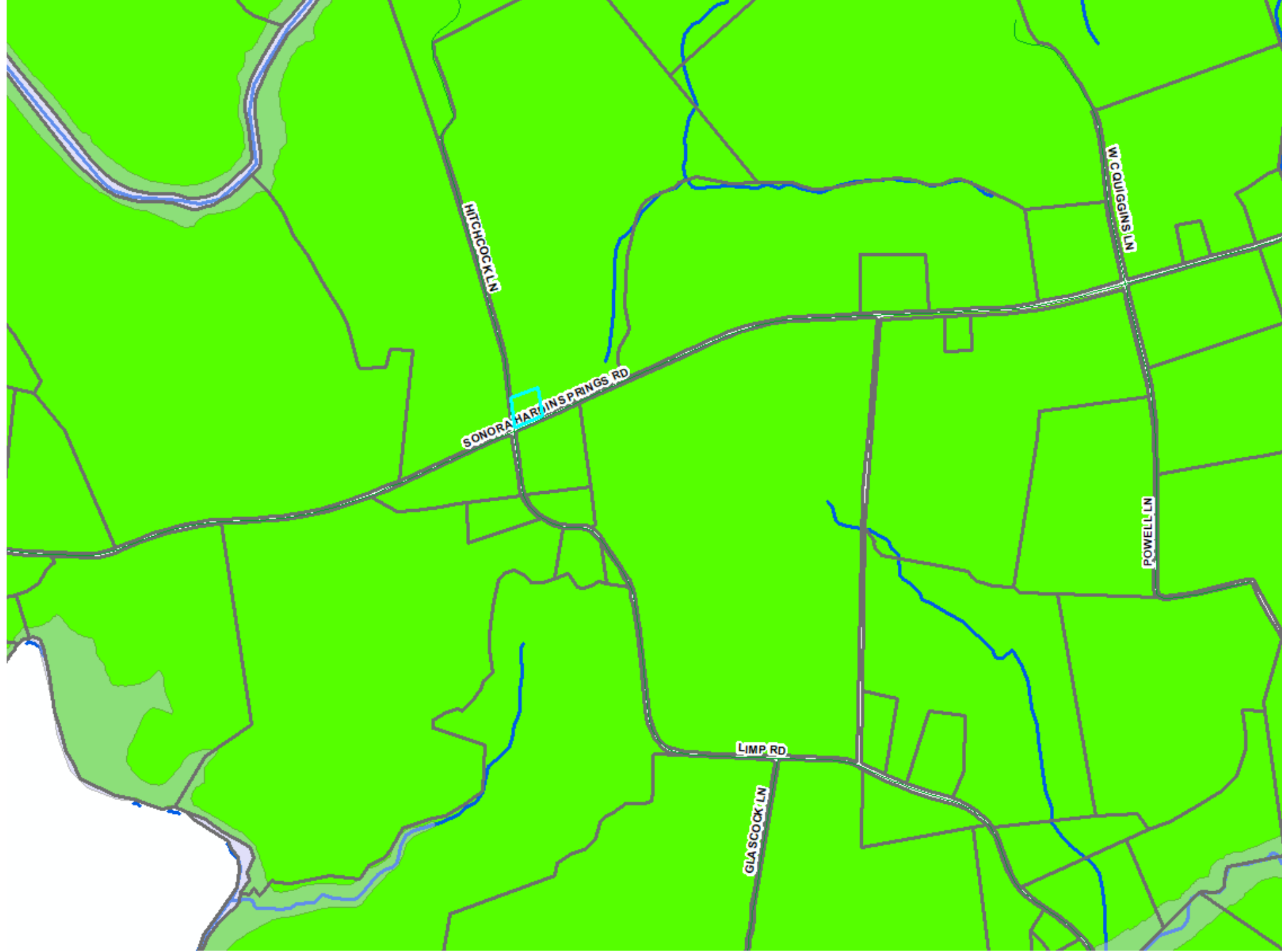
SUMMARY REPORT

LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photo**
- D. Plat of Perry Subdivision (2004)**
- E. Photographs**
- F. Analysis of character of the area**
- G. *Comprehensive Development Guide**
- H. *Development Guidance System Ordinance**

* Not Provided in PowerPoint

R-2





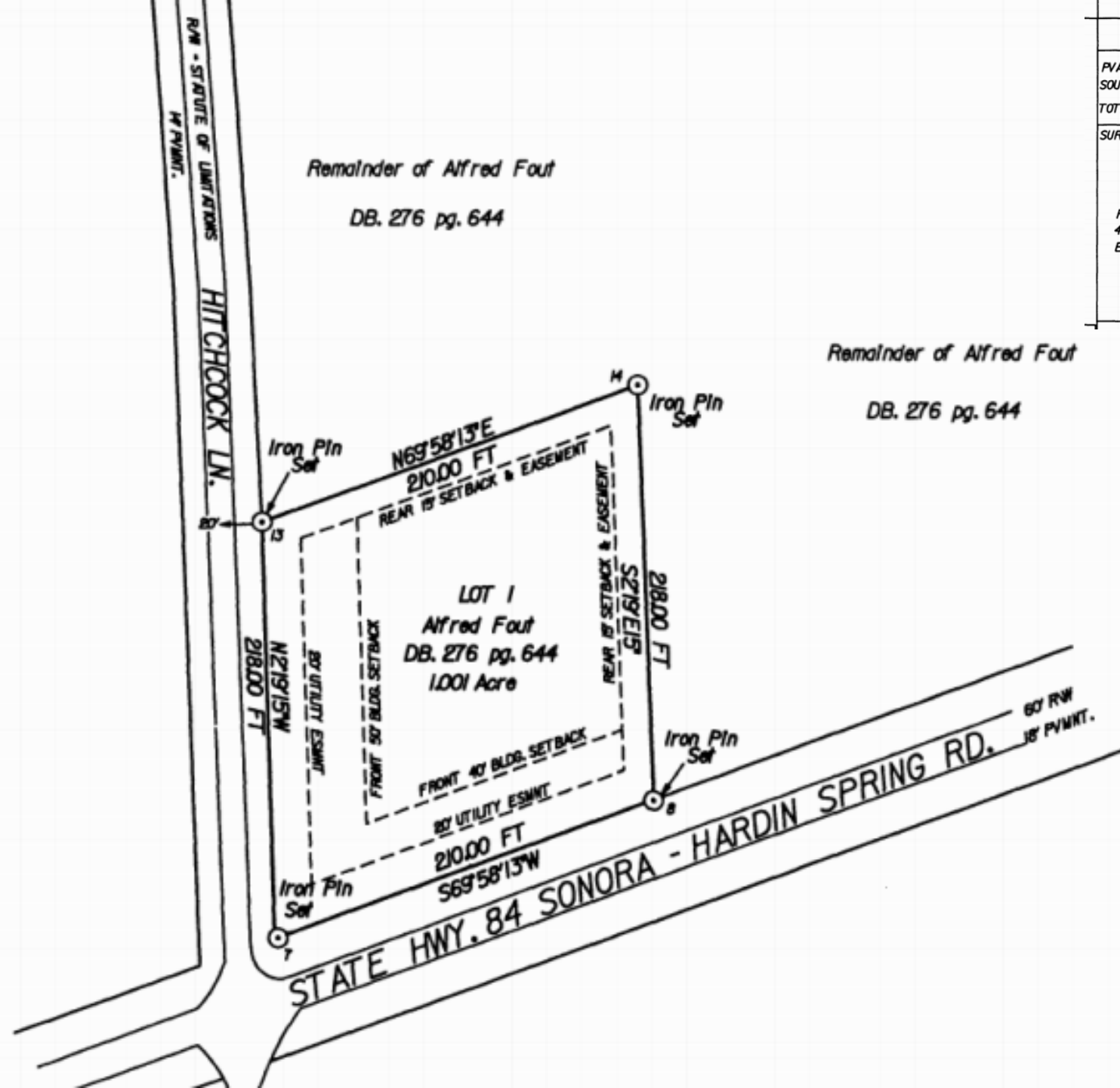
RECORD PLAT PERRY SUBDIVISION

PVA 005-00-00-011
 SOURCE OF TITLE: ALFRED & HELEN FOUT, DEED BOOK 276, PAGE 644
 TOTAL ACRES: 1.001

SURVEY BY:	SURVEY FOR:	OWNER:
FOWLER SURVEYS INC.	NANCY PERRY 603 ALGER AVE. LOUISVILLE, KY 40214	ALFRED FOUT 23722 SONORA HARDIN SPRINGS RD. EAST VIEW, KY

FRANK W. FOWLER, LS 2095
 470 GLENDOWER DRIVE
 ELIZABETHTOWN, KY 42701
 PHONE: 270-735-9339

#3688





Variance Request

40' front setback + 20' to c/l of road = 60' from c/l

Existing garage is 27' to c/l

Nancy Ruth Perry
23802 Sonora Hardin Springs Road, Big Clifty, KY



576 sq. ft. garage built too close to Hitchcock Lane



2216 sq. ft. house

Variance Request

40' front setback + 20' to c/l of road = 60' from c/l

Existing garage is 27' to c/l

2,216 sq. ft. house (2005)



24'x24' detached garage (2014)



Hitchcock Lane is a County Maintained Road
0.92 miles long
12' paved
No dedicated right-of-way
Serves as access to two homes









Hitchcock Lane is a County Maintained Road
0.92 miles long
12' paved
No dedicated right-of-way
Serves as access to two homes



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 40' front building setback along Hitchcock Lane to accommodate the existing detached garage.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

OR

Motion to Deny

Owners:
Lori & Kent Williams



Location A 3.021 acre site located at 195 Williams Drive, Elizabethtown, KY and known as Lot 16 of WF Williams Subdivision, Section 4

Zoned Rural Residential (R-2)

Request for a Variance from the rear building setback to allow for an in-ground pool

195 Williams Drive

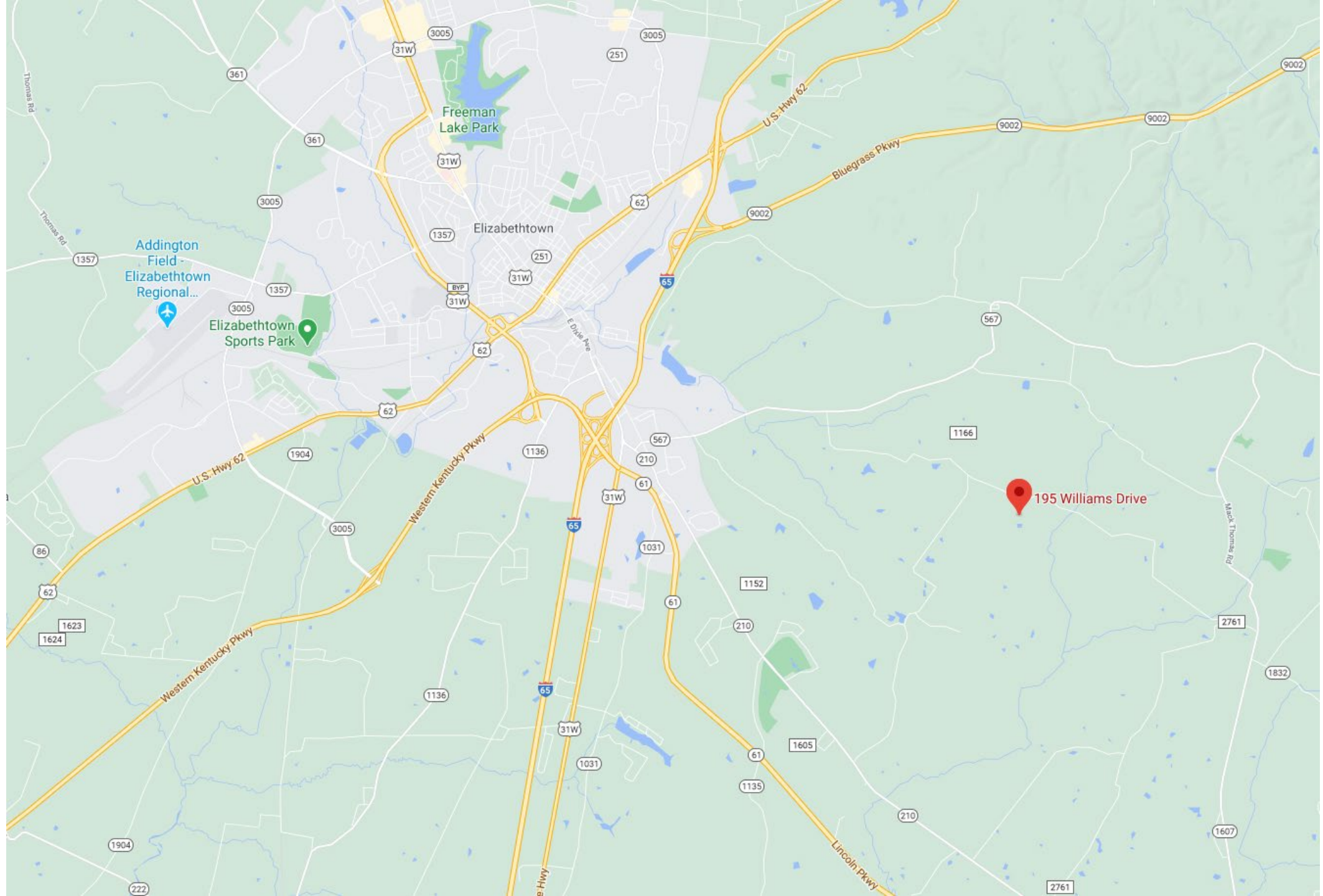
Variance

SUMMARY REPORT

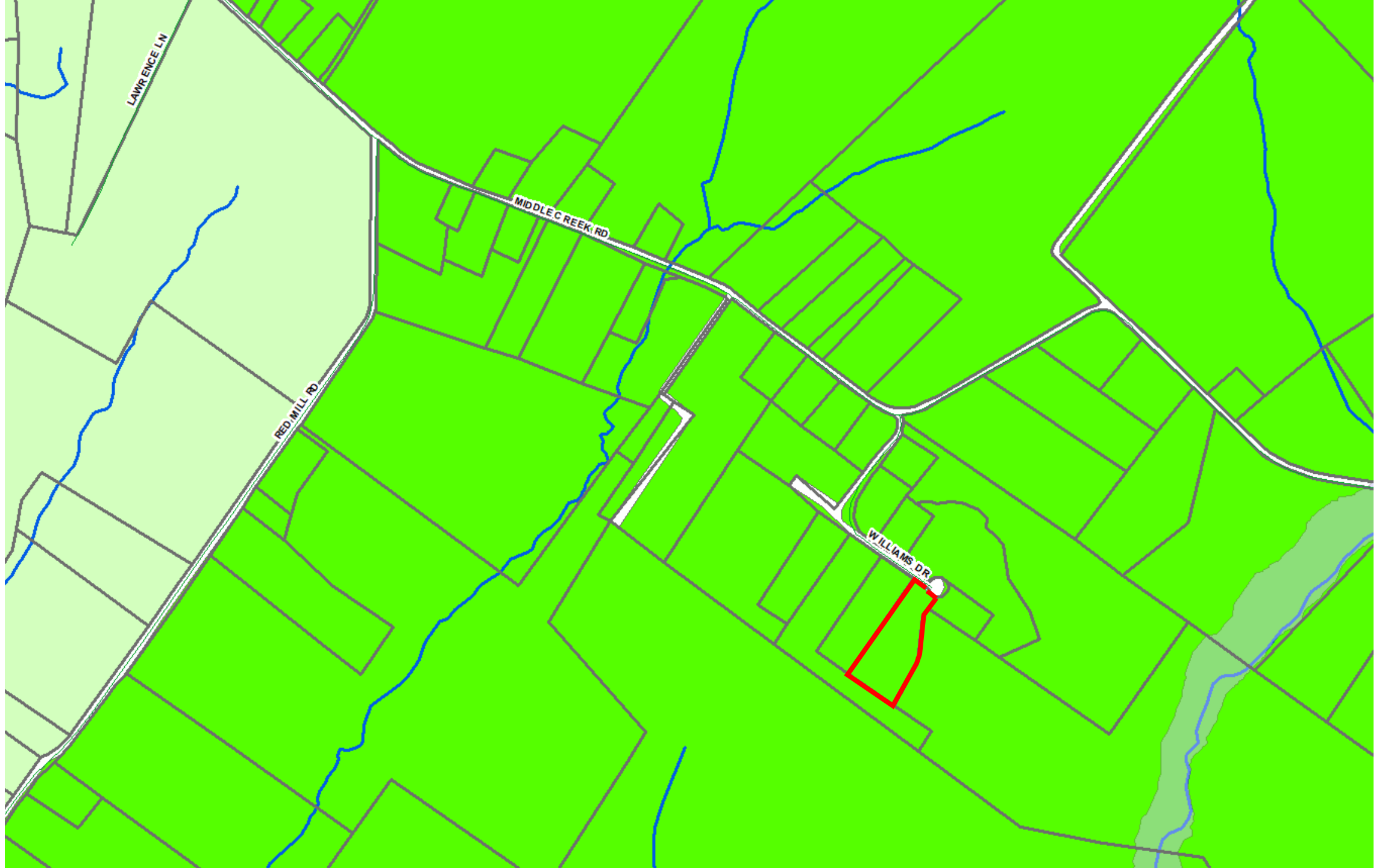
LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photo**
- D. Plat of WF Williams, Section 4 (2017)**
- E. Photographs**
- F. Schematics / plans of proposed pool**
- G. Analysis of other variances for pools**
- H. *Comprehensive Development Guide**
- I. *Development Guidance System Ordinance**

* Not Provided in PowerPoint



- R-1
- R-2





134 acres

68.9
acres



AMENDED RECORD PLAT OF: W.F. WILLIAMS SUBDIVISION LOTS 8 & 9
RECORD PLAT OF: W. F. WILLIAMS SECTION 4
AND BOUNDARY SURVEY OF REMAINDER OF JAMES WILLIAMS FARM

OWNER AND DEVELOPERS: JAMES & PATRICIA WILLIAMS 149 WILLIAMS DR, ELIZABETHTOWN KY. 42701

THOMAS BLAKE & JENNIFER WILLIAMS - 179 WILLIAMS DR, ELIZABETHTOWN KY. 42701

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

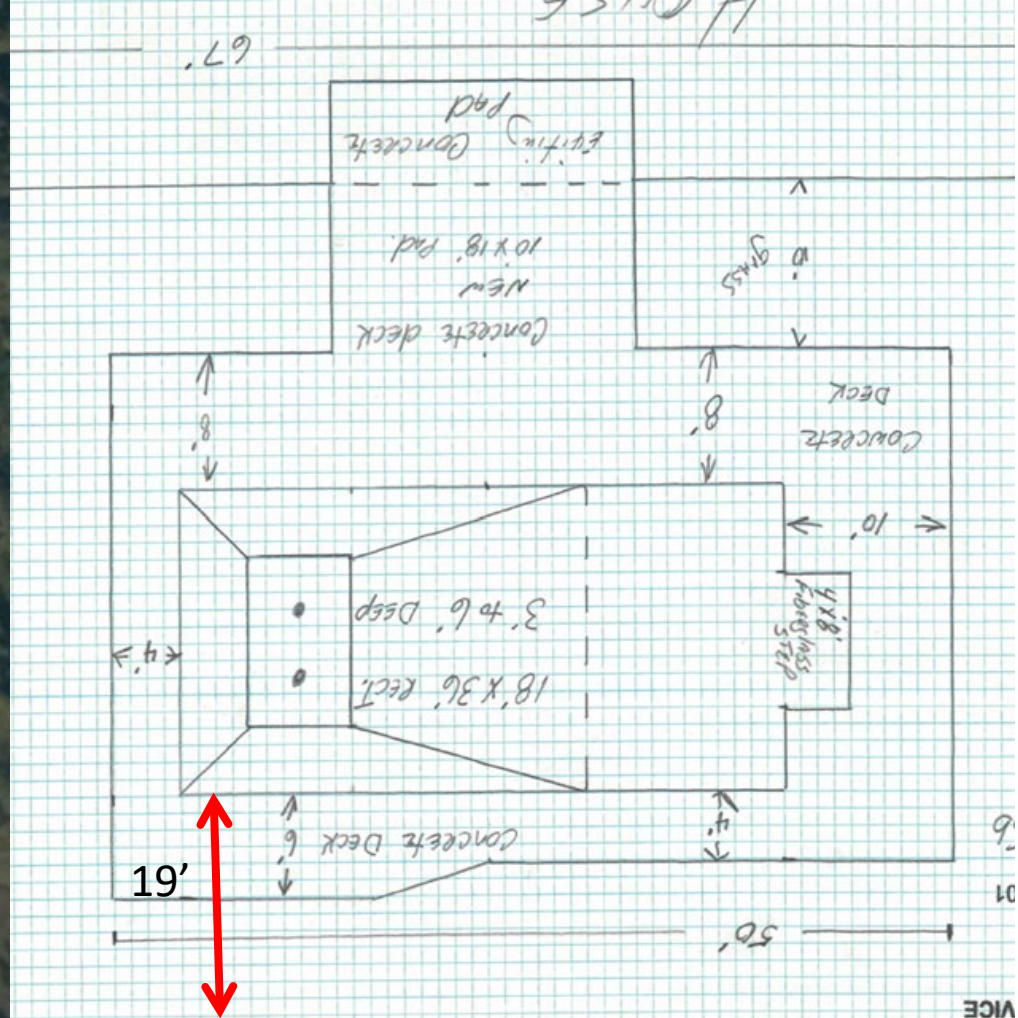
TOTAL # OF LOTS: 3

TOTAL AREA OF LOTS BEING SUBDIVIDED: 10.771 ACRES

DRAWN: 06/27/2016

Variance Note:

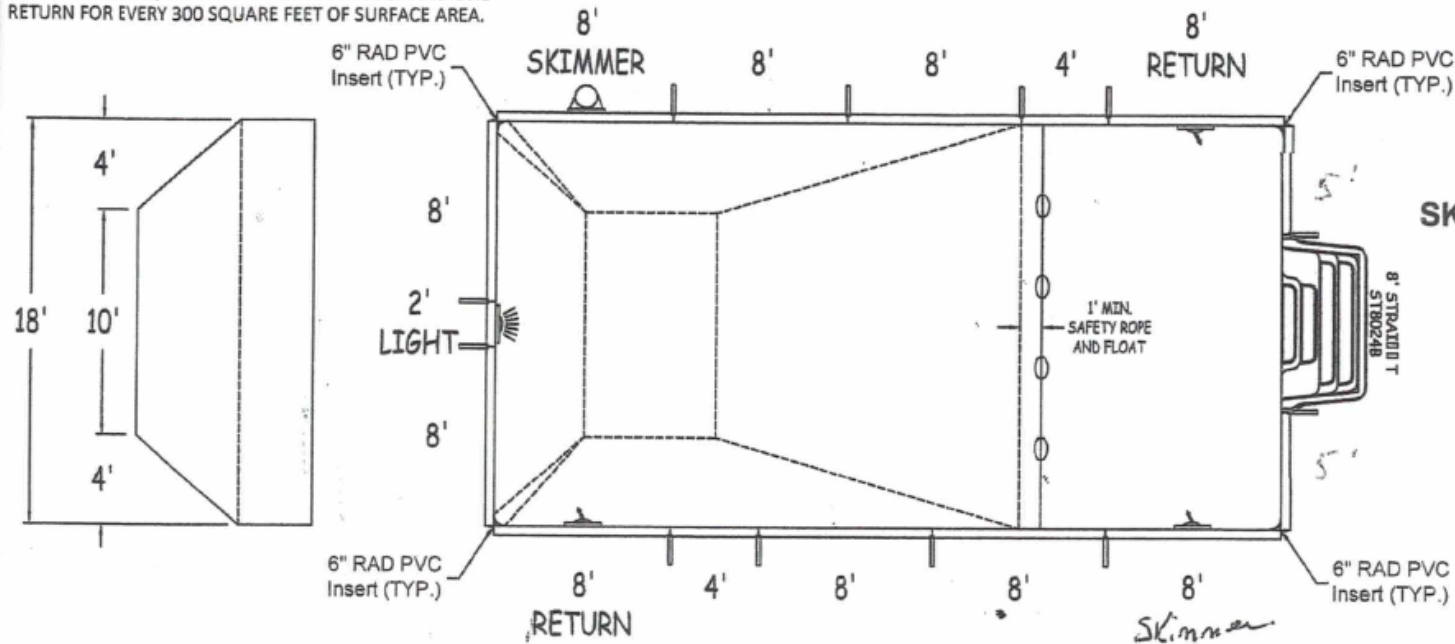
On 8 December 2016, the Hardin County Board of Adjustment granted a Variance from the 1:3 lot width-to-length ratio for proposed Lot 8A as shown hereon. Please contact Hardin County Planning & Development for more information.



Variance Request

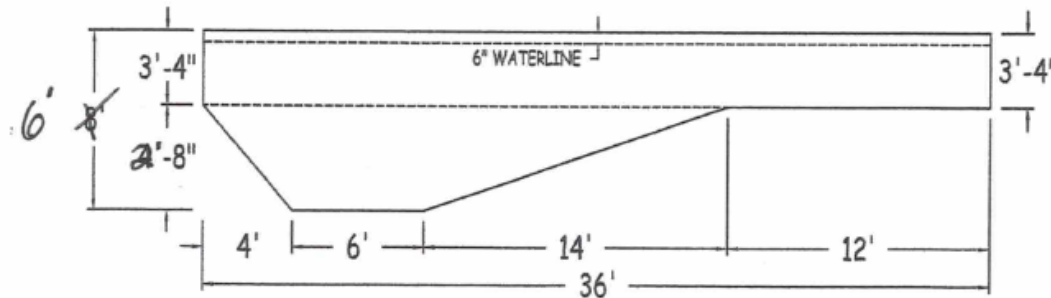
Pool will be 19' from rear property line
50' rear building setback
31' variance needed

IN ACCORDANCE WITH ANSI/APSP/ICC-5 2011, THE
INSTALLER IS RESPONSIBLE FOR PLACING ONE SKIMMER
FOR EVERY 800 SQUARE FEET OF SURFACE AREA AND ONE
RETURN FOR EVERY 300 SQUARE FEET OF SURFACE AREA.



SKIPPERS POOL & SPA SERVICE

1018 N DIXIE AVENUE
ELIZABETHTOWN KY 42701



LATHAM STEEL

RECTANGLE-6IN RAD 18-0 X 36-0

42" STEEL PANELS

PERIMETER: 108'-0" VOLUME (US Gal): 21300

DWG#:

SURFACE (ft²): 648 VOLUME (Liters): 80600

USRE06S1836-16

LINER (ft²): 648 DATE: 1/1/2016 DSR: 152

KIT#:

RE06S1836

COVER (ft²): 760 SCALE: 1/8" = 1'-0"

RECTANGLE-6IN RAD



DIVING/SLIDING EQUIPMENT SHALL BE
DESIGNED FOR SWIMMING POOLS AND
SHALL BE INSTALLED IN ACCORDANCE
WITH THE DIVING/SLIDING EQUIPMENT
MANUFACTURER'S SPECIFICATIONS.
PLEASE CONTACT THE DIVING/SLIDING
EQUIPMENT MANUFACTURER FOR
THEIR SPECIFICATIONS.

MEETS DEPTH AND SHAPE MINIMUM
STANDARD ANSI/APSP/ICC-5 2011

Job.

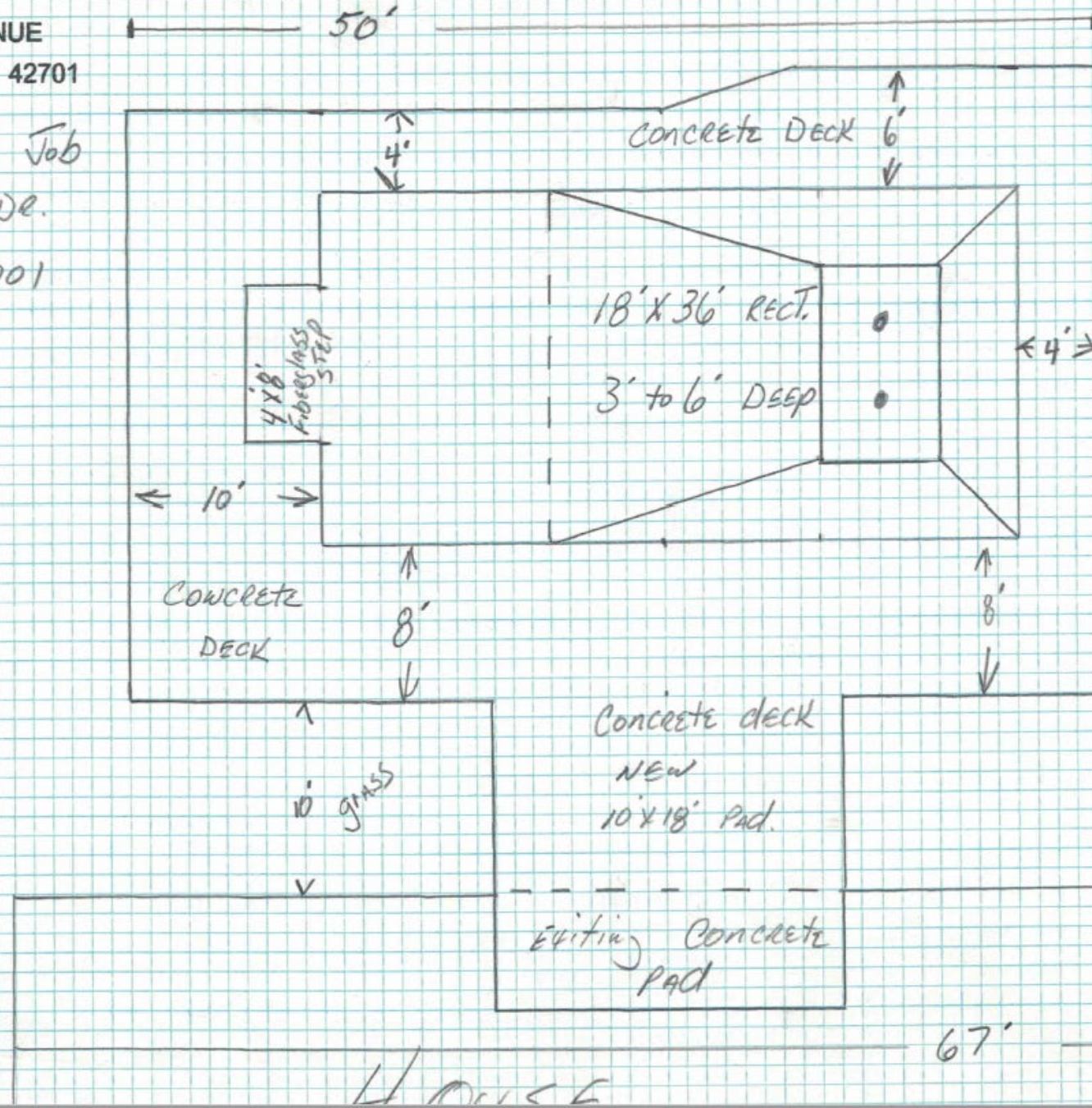
Kent Williams
195 Williams Dr
E-town, Ky.

SKIPPERS POOL & SPA SERVICE

270-769-3111

1020 N DIXIE AVENUE
ELIZABETHTOWN KY 42701

Kent Williams Job
195 Williams Dr.
E-town, KY 42701



3,654 sq. ft. house (2017)





Rear Property Line









Permit Date ⬆	Parcel ⬆	Owner ⬆	Type ⬆	Project / Subdivision Name ⬆	Site Address ⬆	Acres (All Permits) ⬆	Status ⬆
10/12/2020	257-00-00-029.06	WILLIAMS KENT FRANKLIN & LORI	VARIANCE	W F WILLIAMS SUBD LT 16 #4 / IN-GROUND POOL	195 WILLIAMS DRIVE, ELIZABETHTOWN, KY	3.021	PENDING
07/28/2011	121-00-00-011.03	JOSEPH ASHLEY	VARIANCE	REAR BUILDING SETBACK LINE / HALF MOON ACRES SUBDIVISION, LOT 3	5190 RINEYVILLE BIG SPRINGS ROAD	4.108	APPROVED
07/07/2009	108-00-00-037	WHITE MILLS CHRISTIAN CAMP C/O STEPHEN PETERS	VARIANCE	FRONT AND SIDE SETBACK LINES /	0 SONORA HARDIN SPRINGS ROAD (KY 84)	5.000	APPROVED
04/28/2005	142-00-03-002	KIM HAGGERTY	VARIANCE	GENROSE DRIVE / OSBORNE SUBDIVISION, LOT 2	BURNS ROAD	1.000	WITHDRAWN

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KRS 100.243 and DGS 5-3(B)

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(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 50' rear building setback to allow for the construction of the proposed in ground pool.
2. A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.
3. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

OR

Motion to Deny

Owners:
Hardin County
Community Fair Board



Location A 72 acre site located at 5617 South Dixie Highway, Glendale, KY proposed to be subdivided into two lots

Zoned Convenience Commercial (C-1)

Request for a **Variance from the sign regulations (number of signs, size of sign, height of sign and spacing of signs)**

5617 S. Dixie Hwy

Variance

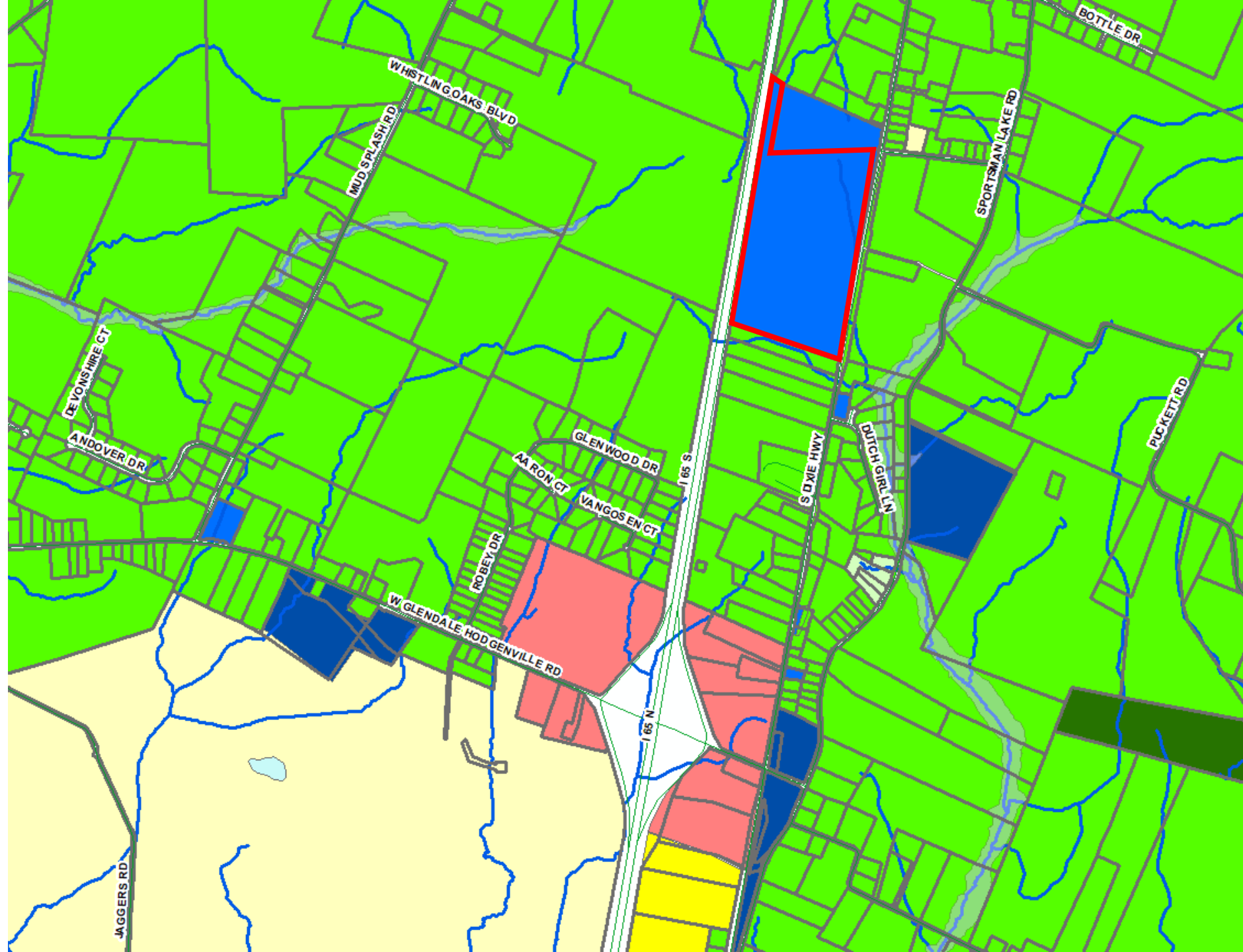
SUMMARY REPORT

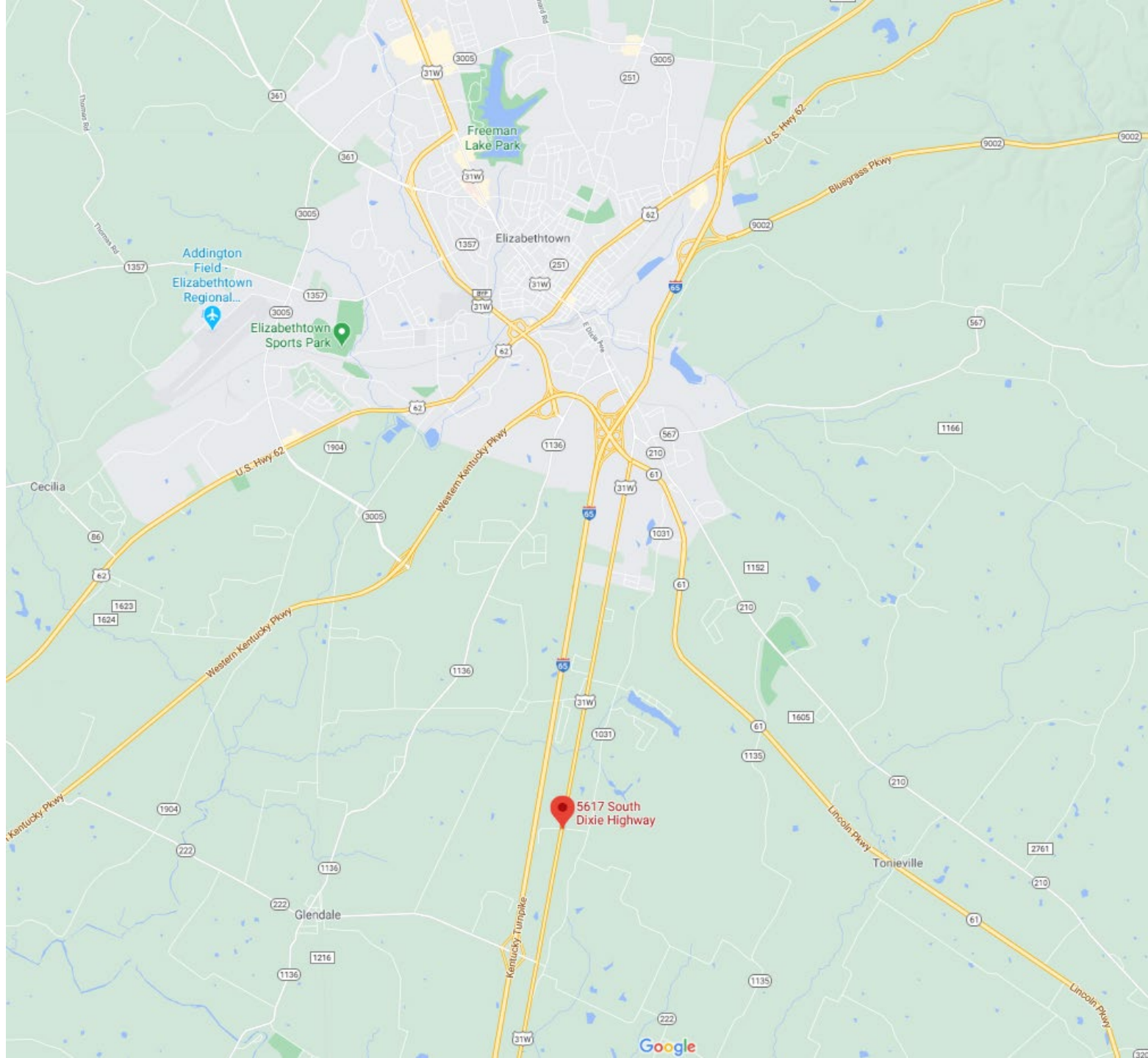
LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photo**
- D. Proposed Subdivision Plat**
- E. Photographs**
- F. Schematics / plans of proposed signage**
- G. Variance Request Explanation from Applicant**
- H. Sign Regulations (DGS 9-9)**
- I. Traffic Counts for I-65 and US 31W**
- J. Analysis of other Variances / Conditional Use Permits for signs**
- K. Analysis of Zoning and other signage along I-65**
- L. *Comprehensive Development Guide**
- M. *Development Guidance System Ordinance**

* Not Provided in PowerPoint

■ C-1









Proposed two lot subdivision plat to allow for a proposed billboard on each lot

History of the Property: The property was purchased by the Hardin County Community Fair Inc. in 1964 from Elmer & Loraine Frye. 2020 will be the first year since 1964 that a fair has not been held on the grounds due to COVID-19.

In 2007 the site was deed restricted by the Fair Board for use/benefit of Hardin County residents for a county fair or other recreational use.

Hardin County Fairgrounds Road: In 1980, the Fair Board deeded the roadway to the County Road Department so that it could be maintained by the county. In 2013, the Hardin County Fairgrounds Road was closed by the Planning Commission & Fiscal Court so that it could be gated and they could secure access to the site.

Variance Request Explanation:

The Hardin County Community Fair, Inc. is requesting a variance of the Off-Site Signage Ordinance Section B Number i Total sign surface shall not exceed 300 square feet, excluding structural supports, and shall not exceed 25 feet in overall height.

The fair board is requesting to do a double stacked billboard sign with each panel being 10.5'x36' with 14' from the ground to the bottom of the first panel. The overall height requested is 36'.

The 10.5'x36' double stacked sign is the same size as the billboard in place on I 65 South in the Sonora, KY area. This allows for a consistent look and uniformity. The requested size is smaller than the normal 12'x48' billboard signs that are on interstates, like the John O's Liquors Store Billboard north of the fairgrounds property. The height variance request is to have the bottom of the first billboard to be 14' from the ground. The placement of the North Billboard is in an area that is used for camping by the Miller Amusement Company's workers and will allow clearance for campers.

The fair board is also requesting a variance of the Off-Site Signage Ordinance Section B Number iii no off-site sign shall be closer than 2,000 feet to any other off-site sign on the same side of the road. We are requesting a variance allowing 1,500 feet in distance. This will allow the tree line in the finger part of the property to remain so as to not to alter the essential character of the existing area. It also allows the use of a current electric meter that is in place, again reducing the disruption of the current character.

The off-site sign regulations were adopted when billboards were not allowed by the state and so they were not adopted to address interstate billboards. They work great for in-town off-site billboards. The variances the Hardin County Fair Board are requesting are consistent and conservative within the intent of the purpose of the Zoning Ordinance and Comprehensive Plan.

These requested variances will

- 1) Not adversely affect the health, safety, and welfare of the community.
- 2) Not alter the essential character of the existing neighborhood.
- 3) Not contribute toward an overburdening of municipal services.
- 4) Not cause traffic, parking, population density or environmental problems.
- 5) Be in harmony with the intent and purpose of the Zoning Ordinance and Comprehensive Plan with the proper adjustments for an I-65 area.

9-9 SIGNAGE FOR B-1, B-2, C-1, C-2, I-1 and I-2 ZONES:

1. On-site Subdivision identification signs shall not exceed forty-eight (48) square feet for each of their two sides and shall not be greater in height than eight (8) feet, excluding structural supports. Materials used in these signs shall provide for a long life with little or no maintenance.
2. Total sign surface per deeded property shall not exceed two square feet per linear foot of road frontage and located a minimum of ten feet from a parking / driving area;
3. One, on-site or off-site, free-standing sign (except for traffic directional signs less than 30 inches in height) shall be permitted per deeded property and shall conform to the following:
 - a. On-site signage shall not exceed one-hundred and fifty (150) square feet in area for any one side and twenty-five (25) feet in height; or
 - b. Off-site signage shall not exceed the following:
 - i. Total sign surface shall not exceed 300 square feet, excluding structural supports, and shall not exceed 25 feet in overall height;
 - ii. Signs may be placed back to back or in a "V-type" construction;
 - iii. No off-site sign shall be closer than 2,000 feet to any other off-site sign on the same side of road;
 - iv. Off-site signs shall be set back at least twenty (20) feet from road right-of-way line.



Approximately
1500'

Variance Requests

- 1500' spacing (2000' spacing required)





Looking towards South Dixie Highway (US 31W)







Looking northbound on I-65



Looking southbound on I-65

































2019 ADT of 44,682 on I-65

047-I-0065 -000

Route	047-I-0065 -000
Beginning Milepoint	85.686
Ending Milepoint	91.086
County	Hardin
Station ID	047400
Station Type	Full Coverage
AADT	44,682
Year	2019
Single Truck AADT	2,993.00
Combo Truck AADT	12,728.00
% Single Trucks	6.70
% Combo Trucks	28.49
% Peak Trucks Single	0.34
% Peak Trucks Combo	0.86
K Factor	9.10
D Factor	54.00



2019 ADT of 3,502 on 31W

047-US-0031W -000

Route	047-US-0031W -000
Beginning Milepoint	9.530
Ending Milepoint	13.255
County	Hardin
Station ID	047254
Station Type	Classification
AADT	3,502
Year	2019
Single Truck AADT	232.00
Combo Truck AADT	236.00
% Single Trucks	6.63
% Combo Trucks	6.74
% Peak Trucks Single	0.41
% Peak Trucks Combo	0.03
K Factor	9.00
D Factor	61.00

**DECLARATION OF RESTRICTIONS FOR THE
REAL PROPERTY OWNED BY THE HARDIN COUNTY
COMMUNITY FAIR, INC., AS DESCRIBED IN DEED BOOK 184,
PAGE 60 OF THE HARDIN COUNTY COURT CLERK'S OFFICE.**

This Declaration of Restrictions is made and executed by The Hardin County Community Fair, Inc., a Kentucky non-profit corporation, who is the Owner of real property in Hardin County, Kentucky, and hereinafter said Corporation is referred to as "Owner".

WITNESSETH, that whereas the Owner owns real property in Hardin County, Kentucky and said property is currently used for the purposes of promoting, encouraging, developing and conducting a county fair, athletic, recreational and county fair facilities for the benefit of the residents of Hardin County, and any and all county fair and recreational facilities which the Owner deems desirable and appropriate; and

WHEREAS the Owner wishes to make and impose restrictions on its land, which is located in Hardin County, Kentucky, and which the Owner acquired by deed dated March 30, 1964 and recorded in Deed Book 184, Page 60, of the Hardin County Court Clerk's Office, and the Owner does hereby make and impose the following restrictions on said real property, to-wit:

1. The property owned by the Owner, as described in Deed Book 184, Page 60 of the Hardin County Court Clerk's Office shall only be used for the purposes of promoting, encouraging, developing, and conducting a county fair, county fair facilities, and athletic and recreational facilities for the benefit of the residents of Hardin County, and for such county fair and recreational activities and facilities that are synonymous therewith.

2. These restrictions shall immediately effective upon the execution of this document, and shall remain in full force and effect up to, but not later than the expiration of fifteen (15) years after the event of dissolution of the Hardin County Community Fair, Inc., but these restriction shall not expire or terminate so long as the Hardin County Community Fair, Inc. is an active corporation as defined by the Kentucky Secretary of State's Office. During the aforementioned fifteen (15) years after the event of dissolution, the primary use of the subject property shall be for the purposes of promoting, encouraging, developing and conducting a county fair. Also, secondary to the purpose of promoting and conducting a county fair, the property may be used for athletic, recreational and county fair facilities for the benefit of the residents of Hardin County and for such activities and facilities that are synonymous therewith
3. Enforcement of these restrictions shall be by proceeding at law or in equity or against any person or persons violating or attempting to violate any of the restrictions and covenants herein contained, either to restrain such violation or recover damages or other proper relief for such violations.
4. Invalidation of any of the foregoing restrictions or covenants by Judgment or Court Order shall not affect any of the other provisions that will remain in full force and effect.

WITNESS the signature of the Owner of the subject real property as described in Deed Book 184, page 60 of the Hardin County Court Clerk's

Office, Elizabethtown, Hardin County, Kentucky on this 16th day of June, 2007.

HARDIN COUNTY COMMUNITY FAIR, INC.

BY: Larry B. Jagers
LARRY B. JAGGERS, President

STATE OF KENTUCKY
COUNTY OF HARDIN

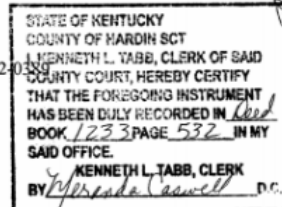
I, the undersigned, a Notary Public, do hereby certify that on this 16th day of June, 2007, personally appeared before me Larry B. Jagers, who being by me first duly sworn, subscribed to and acknowledged that he is the President of Hardin County Community Fair, Inc., a Kentucky non-profit corporation, that he signed the foregoing document as President of the non-profit corporation, and that the statements therein contained are true.

Cindy L. Tabb
NOTARY PUBLIC, State of Kentucky
At Large

My commission expires 12-27-07

THIS INSTRUMENT PREPARED BY:

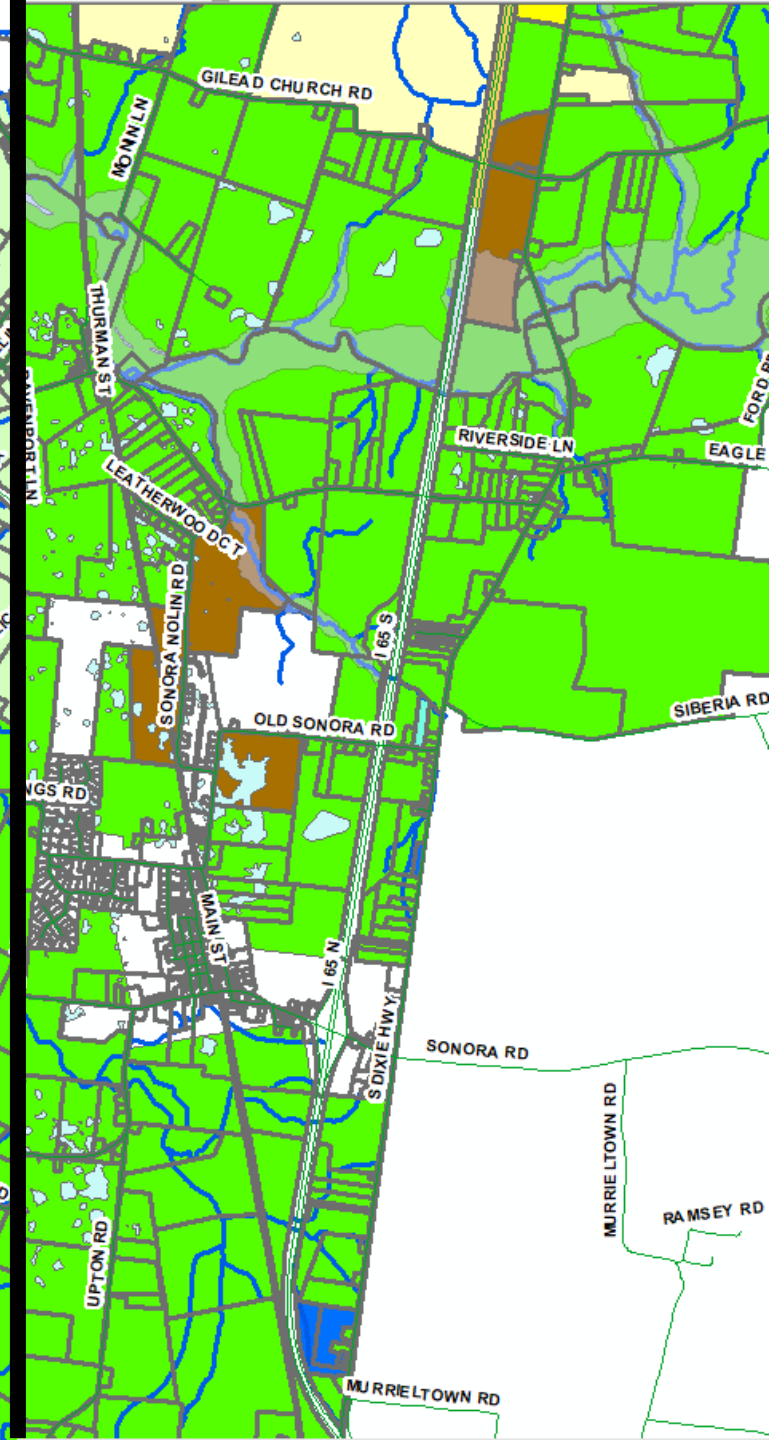
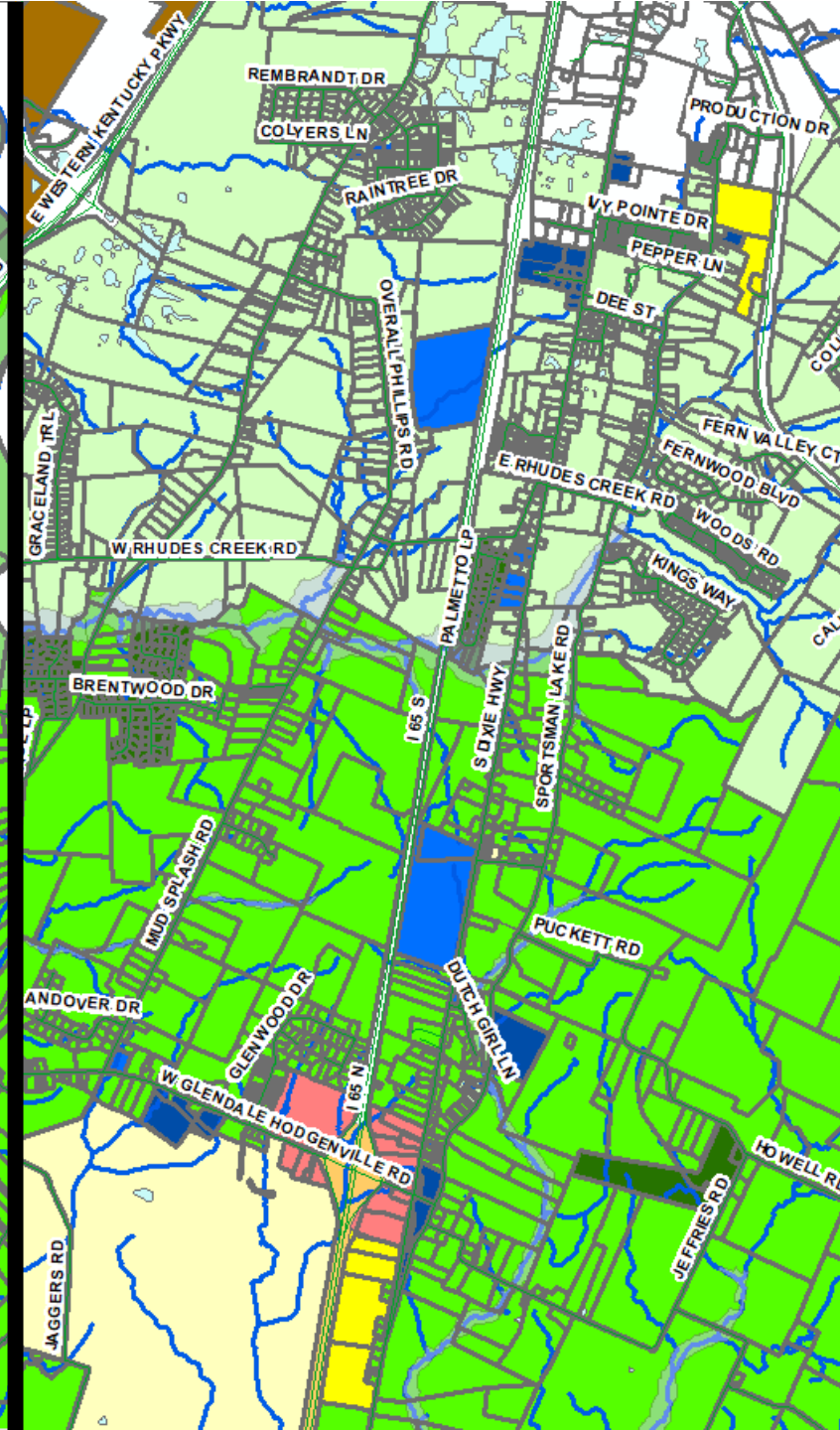
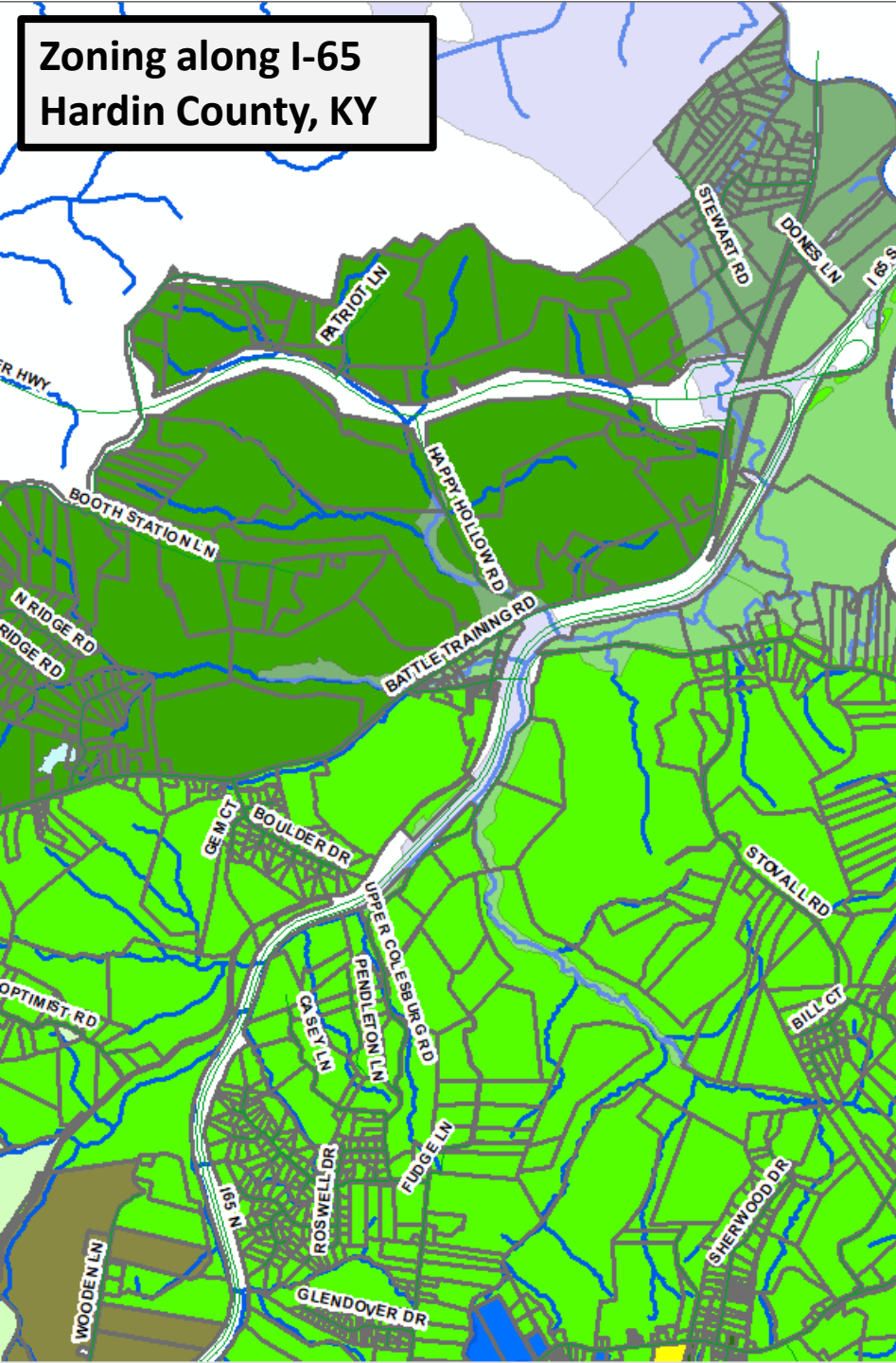
Benjamin J. Humphries
BENJAMIN J. HUMPHRIES
WHITLOW & SCOTT
P.O. BOX 389
108 E. POPLAR ST.
ELIZABETHTOWN, KENTUCKY 42702-0389
NO TITLE OPINION REQUESTED



Other Variances and Conditional Use Permits for Signs

Permit Date ⬆	Parcel ⬆	Owner ⬆	Type ⬆	Project / Subdivision Name ⬆	Request ⬆	Site Address ⬆	Acres (All Permits) ⬆	Status ⬆
10/13/2020	224-00-00-004	HARDIN COUNTY COMMUNITY FAIR GROUNDS	VARIANCE	HARDIN COUNTY FAIRGROUNDS	FROM THE SIGN REGULATIONS (NUMBER OF SIGNS, SIZE OF SIGNS, HEIGHT OF SIGNS AND SPACING OF SIGNS)	5617 SOUTH DIXIE HIGHWAY GLENDALE, KY	72.000	PENDING
12/15/2015	184-00-02-017	CORNERSTONE CHURCH OF GOD c/o Pastor Luke	CONDITIONAL USE PERMIT	CORNERSTONE CHURCH OF GOD	TO ALLOW FOR A SIGN THAT EXCEEDS THE SIGNAGE REQUIREMENTS IN THE HARDIN COUNTY ZONING ORDINANCE	120 CORNERSTONE CHURCH LANE	.000	WITHDRAWN
10/15/2015	089-00-00-051	LANGLEY D SCOTT & JEANNIE H	CONDITIONAL USE PERMIT	DOLLAR GENERAL / POINT MAPLE PROPERTY	TO ALLOW FOR 2 FREESTANDING SIGNS	ON THE 13500 BLOCK OF LEITCHFIELD RD (US 62)	.000	APPROVED
08/30/2010	243-00-00-015	LOUIS & MARGARET BROTHERS	CONDITIONAL USE PERMIT	SIGN - BROTHERS BAR-B-QUE /	TO ALLOW FOR A SIGN (4' X 8' = 32 SQ. FT.) TO EXCEED THE PERMISSIBLE 6 SQUARE FEET	3758 BARDSTOWN ROAD (US 62)	64.108	APPROVED
05/12/2010	166-00-02-001	O'BRYAN & AGER, LLC	VARIANCE	FRONT SETBACK LINE - SIGHT TRIANGLE / THE ORCHARD, LOT 1	RELIEF FROM THE FRONT SETBACK LINE TO ACCOMMODATE SUBDIVISION SIGN WITHIN THE SIGHT TRIANGLE	SAINT JOHN ROAD (KY 1357)	.873	APPROVED
07/30/2009	142-00-06-003; 142-00-06-039	GEOFFREY & DEBORAH WALDEN	VARIANCE	SIGHT TRIANGLE / COTTONWOOD ESTATES SECTION 1, LOT 3 & 39	RELIEF FROM THE SITE TRIANGLE DISTANCE (SIGN)	26 TRINITY DRIVE	.000	APPROVED
04/21/2009	182-40-03-004	JAMES & TRISH WILLIAMS	VARIANCE	FRONT AND SIDE SETBACK LINES / LONGVIEW ESTATES, SECTION 3	RELIEF FROM THE FRONT & SIDE SETBACK LINES FOR A PROPOSED SIGN	5900 NORTH DIXIE AVENUE (US-31W)	.762	APPROVED

**Zoning along I-65
Hardin County, KY**





Illegal Billboard in County
Violation letters sent



Findings necessary for Granting Variances

KRS 100.243 and DGS 5-3(B)

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(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 following portions of DGS 9-9, 3(b) _____.
2. A proposed Record Plat shall be required subdividing the property.
3. Sign permits with Site Plans shall be required for both signs.
4. A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.

OR

Motion to Deny

Owner:
C A House Inc.



Location A 0.714 acre site located at 210 Kelley Lane, Elizabethtown, KY
and being known as Lot 16 of Pleasant Valley Manor, Section 2

Zoned Urban Residential (R-1)

**Request for a Variance from the front building setback for a proposed
manufactured home and front deck**

210 Kelley Lane

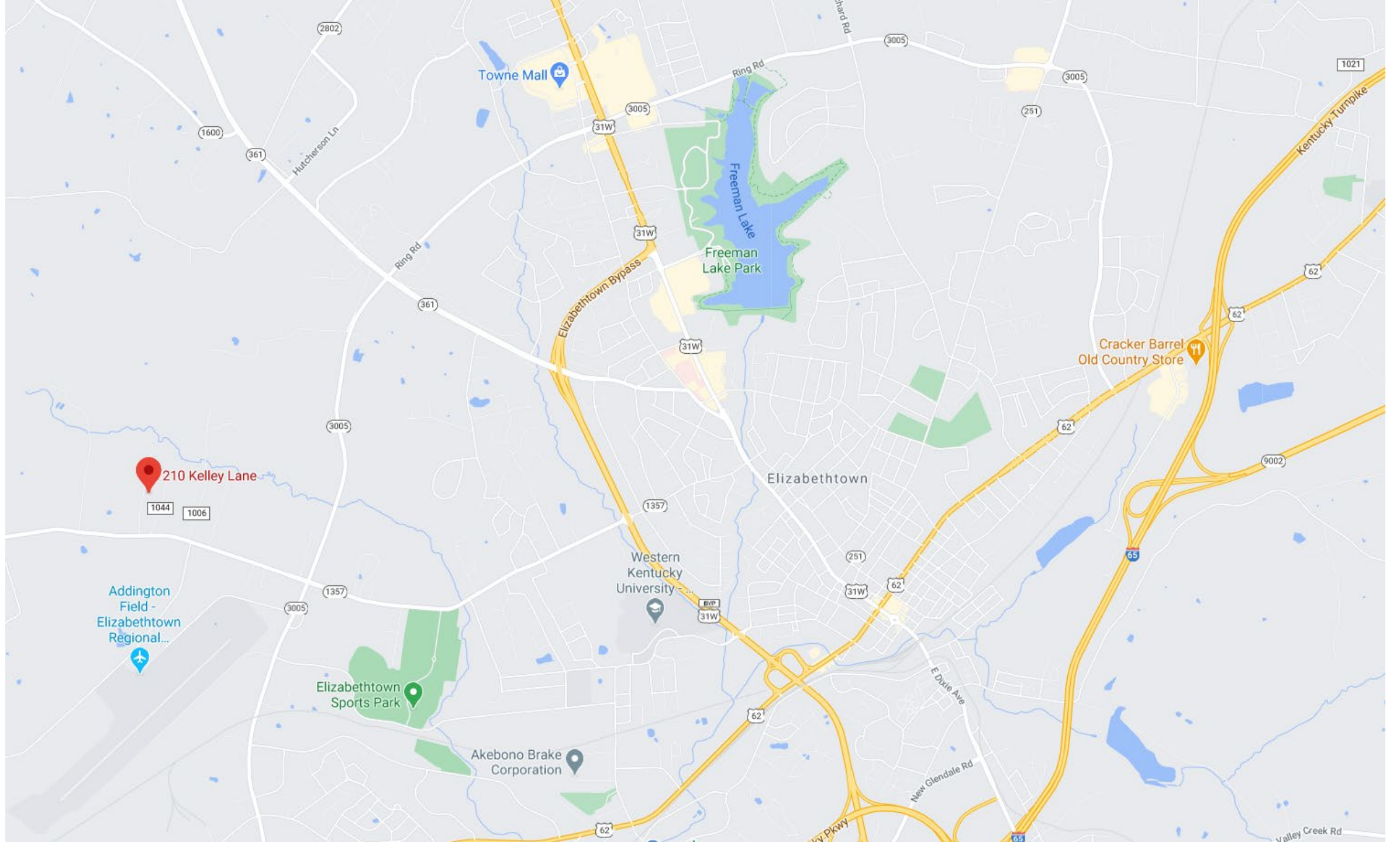
Variance

SUMMARY REPORT

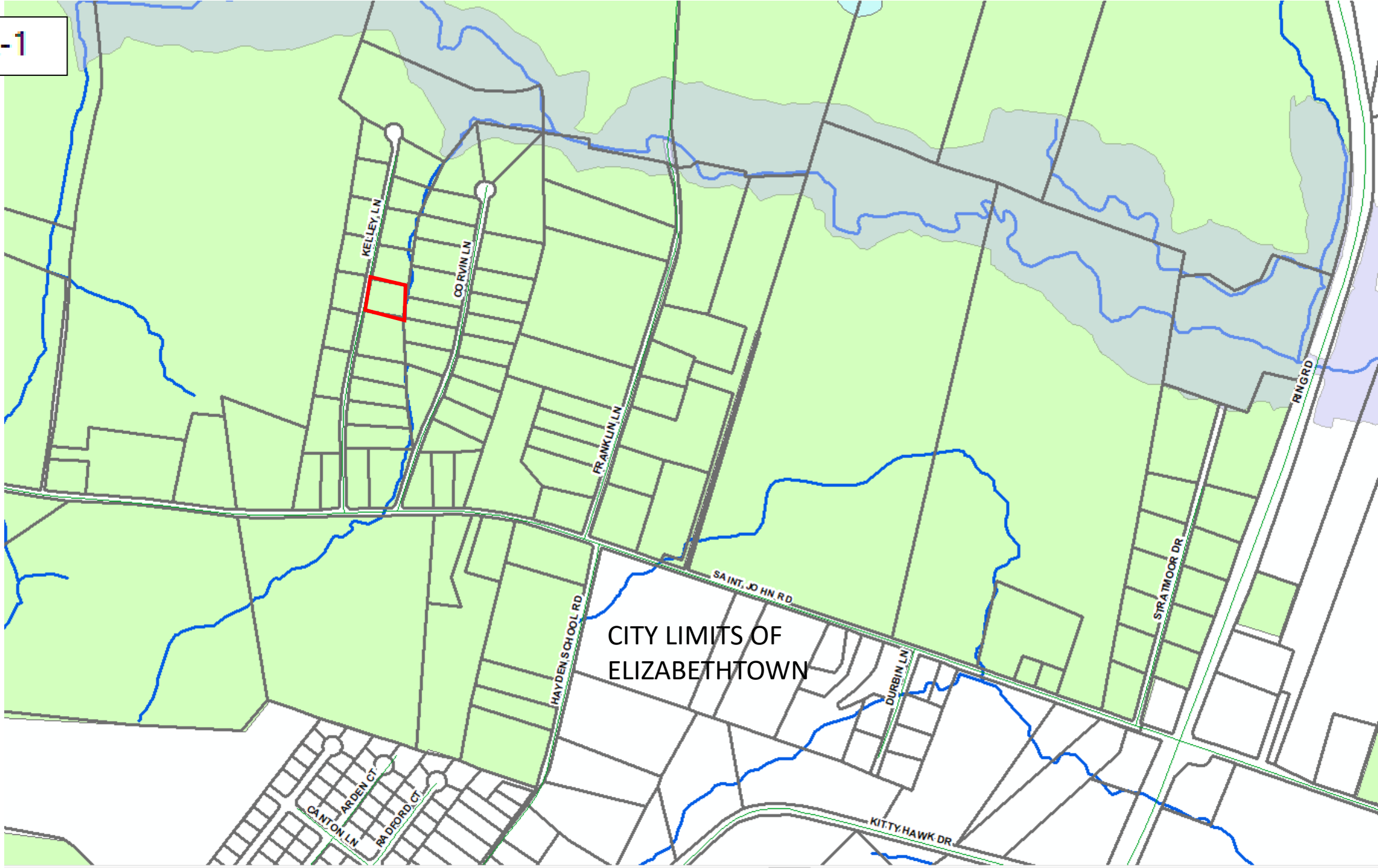
LISTING OF EXHIBITS

- A. Vicinity Map**
- B. Zoning Map**
- C. Aerial Photo**
- D. Plat of Pleasant Valley Manor, Section 2 (1978)**
- E. Photographs**
- F. Character of the Area analysis**
- G. Engineers Certification for Existing Footer**
- H. *Comprehensive Development Guide**
- I. *Development Guidance System Ordinance**

* Not Provided in PowerPoint



R-1



CITY LIMITS OF
ELIZABETHTOWN



Bobby Davis App





VARIANCE REQUEST

40' FRONT SETBACK

$\frac{1}{2}$ OF 50' R/W

= 65 to the C/L of the road

Proposed 28'x60' manufactured home and 8'x8' deck are 55' to C/L of the road

10' Variance

** Kelley Lane is a private, gravel road*

28'x60' manufactured home
(1998)



** Kelley Lane is a private, gravel road*















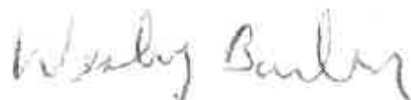
Character of the Area
Setbacks on Kelley Lane

Wesley Barber
Engineering & Surveying
252 Mud Hen Drive, Shepherdsville, KY 40165
Cell (502)744-5772

June 2, 2020

210 Kelley Ln, Elizabethtown, KY

The existing strip footings and perimeter wall footing at the above address were previously used for a doublewide manufactured home. The footings were inspected to determine if they could be reused for installation of another doublewide manufactured home. In my professional opinion, the footings are structurally adequate to support new manufactured home piers.



Wesley Barber, P.E., P.L.S.



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 40' front building setback to accommodate the proposed manufactured home and a 8'x8' deck on the front of the home. The deck may be covered but shall not be enclosed.**
2. **A Site Plan in compliance with Section 7 of the Zoning Ordinance shall be required.**
3. **A Certificate of Land Use Restrictions shall be recorded in the Office of the Hardin County Clerk.**

OR

Motion to Deny