

**Boards of Adjustment (BOAs)
Meeting Dates, Times, & Locations**

Bardstown Board of Adjustment

1st Tuesday of each month
5:00 p.m.

Fiscal Court Room, 2nd Floor
Old Courthouse Building
One Court Square

Bloomfield Board of Adjustment

Meeting called by Chairperson
Bloomfield City Hall

Fairfield Board of Adjustment

Meeting called by Chairperson
Fairfield City Hall

Nelson County Board of Adjustment

2nd Thursday of each month
9:00 a.m.

Fiscal Court Room, 2nd Floor
Old Courthouse Building
One Court Square

New Haven Board of Adjustment

Meeting called by Chairperson
New Haven City Hall

For more information, please contact:

Joint City-County Planning Commission

of Nelson County

P.O. Box 402

Bardstown, Kentucky 40004

Telephone: (502) 348-4348

Fax: (502) 348-1818

Email: ncpz@bardstowncable.net

Conditional Use Permit

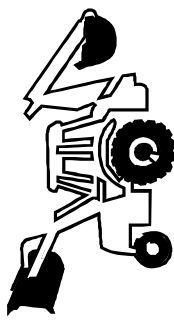
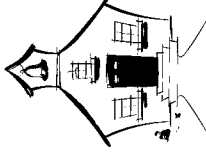
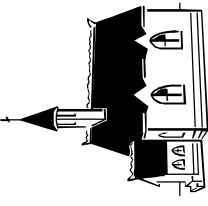
Bardstown Board of Adjustment

Bloomfield Board of Adjustment

Fairfield Board of Adjustment

Nelson County Board of Adjustment

New Haven Board of Adjustment



What is a conditional use?

Kentucky Revised Statutes 100.111(6) defines a conditional use as "a use which is essential to or would promote the public health, safety, or welfare in one (1) or more zones, but which would impair the integrity and character of the zone in which it is located, or in adjoining zones, unless restrictions on location, size, extent, and character of performance are imposed in addition to those imposed in the zoning regulation."

The Zoning Regulations specifically set forth conditional uses allowed in each zoning district. The following are examples of conditional uses that may be allowed in certain zoning districts.

- (1) Commercial greenhouse, plant nursery or roadside stand;
- (2) Accessory dwelling of permanent construction and less than 1,000 square feet in living area (e.g., mother-in-law cottage);
- (3) Home occupation with one non-resident employee;
- (4) Mini-warehouse;
- (5) Child care or day care facility;
- (6) School or church;
- (7) Cemetery
- (8) Manufactured home less than 18 feet in dimensional width as an accessory dwelling for an immediate family member or principal dwelling on 1+ acre tracts;
- (9) Contracting business with no more than 3 employees at the contractor's residence;
- (10) Specially skilled shop at the owner's residence;
- (11) Nursing home or assisted living or extended care facility; or,
- (12) Bed and breakfast.

What is a conditional use permit?

A conditional use permit is legal authorization to undertake a conditional use, issued by the administrative official pursuant to authorization by the Board of Adjustment (BOA), consisting of two parts:

- (1) A statement of the factual determination by the BOA that justifies the issuance of the permit, and,
- (2) A statement of the specific conditions that must be met in order for the use to be permitted.

Who grants a conditional use permit?

The BOA has the power to hear and decide applications for conditional use permits. In addition to or where other standards, criteria, and other items for consideration are not cited within the individual zoning district, the following shall be considered as standards for review and findings of fact in the record of each public hearing for the granting of a conditional use permit by the BOA:

- (1) That the use will blend with surrounding uses and will not be a detriment;
- (2) That the use will be served by adequate public or private utilities;
- (3) That the use will not result in increased traffic congestion, additional parking problems, substantial increase in population density, environmental problems, or constitute a nuisance;
- (4) That the use will be otherwise in agreement with the Zoning Regulations.

What are the steps for obtaining a conditional use permit?

Step #1: Pre-Application Conference

The applicant meets with the BOA staff to discuss the conditional use permit request and procedures and to obtain the application.

Step #2: Application Submission

The applicant completes the application and includes the following supporting documentation:

- (1) Plot plan;
- (2) PVA map and names and mailing addresses of adjoining property owners;
- (3) Copy of deed; and,
- (4) Fees as established by the Planning Commission

Step #4: Staff Review

The BOA staff reviews the application and accompanying documents, advertises the variance request in the local newspaper, notifies all adjoining property owners, photographs the property, prepares a staff report, and prepares packets for all BOA members.

Step #5: Public Hearing

The applicant and/or his attorney attend the public hearing. The Bardstowson County BOA meets the 2nd Thursday of each month at the Old Courthouse Building. Bloomfield, Fairfield, and New Haven BOAs meet at the call of the chairman at their respective City Halls.

Step #6: Approval/Disapproval

If approved, the staff records the certificate of land use restriction in the Nelson County Clerk's office. If disapproved, the applicant may appeal the BOA's decision in Nelson Circuit Court within thirty (30) days of the public hearing date.