



# **DAWSON SPRINGS ZONING ORDINANCE**

## **CITY OF DAWSON SPRINGS, KENTUCKY**

Retyped 11/19

## PREFACE

### TITLE, INTENT, AND PURPOSE

(A) Title.

These regulations may be referred to as the zoning regulations.

(B) Intent and Purpose.

- (1) These regulations are related to the Comprehensive Plan which has been prepared for the County of Hopkins and the City of Dawson Springs, Kentucky. The Comprehensive Plan includes estimates of population growth, land use surveys, a land use plan, plans for major thoroughfares, other transportation facilities, community facilities, and a public works program.
- (2) Need for public services and facilities in both size and location depends on the character and intensity of land use. Regulation of the use of land is thus fundamental to a coordinated optimum physical development of the community. The land use regulations are intended to be the foundation of the entire process of improvement of the physical environment.
- (3) The regulations are intended to preserve and protect existing property uses and values against adverse or inharmonious uses.
- (4) The land use regulations divide the area into a number of zoning districts.
  - (a) Because of poor drainage, steep slopes, and other adverse natural conditions, some land should be kept in their natural state. However, this land may be included into the Rural District for nonurban uses.
  - (b) The comprehensive plan includes careful estimates of the land area requirements for the various land uses such as commerce, residence, industry, transportation, and public uses. These urban uses should be directed into that land area where they may be most efficiently served by public services and facilities such as sewers, water, schools, parks, and the like. The remaining lands should be reserved for rural uses. Consequently, the regulations include the above Rural District for nonurban uses.
  - (c) In the past, residential neighborhoods have deteriorated because they were invaded by small isolated commercial uses and by more intensive residential uses such as duplexes, or apartment buildings. The great majority of the local population desires to, and does, live in single-family homes which they own and which are located on fairly large lots. This Residential District is particularly designed to provide maximum protection for single-family homes.

## PREFACE (CONTINUED)

(d) Another Residential District within the city is established for two-family homes and for apartments. Density, yard, and parking regulations insure good living conditions in this area. Much of present day building is by large projects instead of lot by lot. These regulations provide for large scale developments (ten acres or more) which may be located in any residential district with approval of the site plan and with conformity of the plan to the overall density standards of the district. This introduces an important measure of flexibility into the regulations.

(e) Commercial districts recognize the different types of commercial areas that will be needed for future growth of the community. There is a zoning district for the neighborhood commercial area such as the grocery store-drugstore complex. This serves mostly vehicle-oriented type retail businesses. For the more pedestrian-oriented consumer and personal service establishments there is a central Business District. There is also a special plan for shopping centers.

(f) For industry, there is a relatively unrestricted industrial district. There are also provisions for a planned industrial park.

(g) The regulations emphasize character as well as location and density of the land uses. Advertising is carefully controlled.

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PART I

ARTICLE I

LEGAL STATUS PROVISIONS

1.01 Authority

Zoning authority is granted by the Kentucky Revised Statutes, Section 100.201 through Section 100.271.

1.02 Title

This ordinance shall be known and may be cited and referred to as the "Dawson Springs, Kentucky Zoning Ordinance." The Zoning Map referred to herein is entitled "Zoning Map -Dawson Springs, Kentucky."

1.03 Legal Status

Provisions of this Ordinance shall be held as minimum requirements for the promotion of public health, safety, morals, and general welfare. Whenever the regulations of this Ordinance require a more restrictive use of land, or impose other higher standards than are required in other ordinances or regulations, private deed restrictions, or private covenants, this Ordinance shall govern. However, if the requirements of the other ordinances and/or covenants are more restrictive than established in this Ordinance, then those requirements shall govern.

1.04 Validity

If any section, clause, provision, or portion of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, it shall not effect or prejudice in any way the validity of this Ordinance which is not of itself invalidated.

1.05 Effective Date

This Ordinance shall take effect and be in force immediately after its legal adoption, the public welfare demanding it.

1.06 Penalties

Any person or entity who violates any of the provisions of the Zoning Ordinance adopted pursuant hereunder for which no other penalty is provided, shall upon conviction, be fined not less than ten dollars nor more than five hundred dollars for each conviction. Each day of violation shall constitute a separate offense.

Any person, owner or agent who violates the Ordinance shall, upon conviction, be fined not less than one hundred nor more than five hundred dollars for each lot or parcel which was the subject of sale or transfer or a contract for sale or transfer.

## ARTICLE 2

### DEFINITIONS

Unless the context otherwise requires, the following definitions shall be used in the interpretation of this Ordinance. The words which are defined are those having special or limited meanings in this Ordinance. Words with self-evident meanings are not defined herein.

#### 2.00 Airport Facilities

Land and/or structures used for the purpose of flying within the area owned and operated by a public agency and with the jurisdiction of the Kentucky Airport Zoning Commission, pursuant to Chapter 183 of the Kentucky Revised Statutes.

#### 2.01 Accessory Use of Structure

A use or structure subordinate to the principal use of a building or to the principal use of land and which is located on the same lot serving a purpose customarily incidental to the principal building or land use. No accessory structure or building shall be used in whole or part for human occupancy.

#### 2.02 Agricultural Use

The use of a tract of at least five (5) contiguous acres for the production of agricultural or horticultural crops, including but limited to livestock; livestock products; poultry; poultry products; grain; hay; pastures; soybeans; tobacco; timber; orchard fruits; vegetables; flowers or ornamental plants; including provision for dwellings for persons and their families who are engaged in the above agricultural use on the tract, but not including residential building development for sale or lease to the public.

#### 2.03 Apartment

A room or a suite, of rooms in a multi-family building, consisting of at least one (1) habitable room, together with kitchen and sanitary facilities.

#### 2.04 Board

The Board of Adjustment.

2.05 Building

Any structure having enclosed space and a roof, used or intended to be used for the shelter of persons, animals or property.

2.06 Building, Lot Area

That part of the lot not included within the open areas required by this Ordinance.

2.07 Building Permit

A permit issued by the City authorizing the construction or alteration of a specific building on a specific lot.

2.08 Conditional Use

A use which is essential to or would promote the public health, safety and/or welfare in one or more zones, but which would impair the integrity and character of the zone in which it is located, or of adjoining zones, unless restrictions on location, size, extent and character of performance are imposed in addition to those set forth by the zoning regulations.

2.09 Conditional Use Permit

Legal authorization to undertake a conditional use, issued by the Zoning Administrator pursuant to authorization by the Board of Adjustments.

2.10 Dwelling

A building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, cabin, camping trailer, boarding or rooming house, hotel, or motel. The minimum living space square footage excluding porches and garage shall be 600 sf per unit.

A. Dwelling, Single Family

A detached building for or occupied exclusively for residential purposes by one (1) family. The minimum living space square footage excluding porches and garage shall be 600 sf per unit.

B. Dwelling, Two-Family

A building designed for or occupied exclusively by two families living independently of each other. The minimum living space square footage excluding porches and garage shall be 600 sf per unit.

C. Dwelling, Multi-Family

A building or portion thereof designed for or occupied by three (3) or more families living independently of each other. The minimum living space square footage excluding porches and garage shall be 550 sf per unit.

2.11 Garage, Private

A detached accessory building or a portion of the principal building used by the occupants of the premises for the shelter or storage of vehicles owned or operated by the occupants of the principal building.

2.12 Home Occupation

An occupation or profession carried on within a dwelling by the occupant thereof which is clearly incidental and secondary to the use of the dwelling for residential purposes.

2.13 Lot of Record

Recorded lot on file in the County Clerk's office.

2.14 Mobile Home

A transportable dwelling unit built on a chassis which contains plumbing, heating, and electrical systems for connection at its occupancy site. The unit is so designed that it is, has been, or may be mounted on wheels and could stand on its own without a permanent foundation.

2.15 Mobile Home Park

A two (2) acre or more tract of land upon which five (5) or more mobile homes are placed, either free of charge or for revenue purposes.

2.16 Modular Dwelling

A factory-produced building unit, not mounted on wheels, which can be used by itself or incorporated into a component structure, all of which would be placed on a permanent foundation at a building site. The minimum living space square footage excluding porches and garage shall be 600 sf per unit.

2.17 Nonconforming Use

A dwelling, building, or structure or any land or premises legally existing and/or used at the time of adoption of this Ordinance, or any amendment thereto, which does not conform with the use regulations of the district in which located. Any such building, structure, or premises conforming in respect to use but not in respect to height, area, yards or courts, or distance requirements from more restricted districts or uses, shall not be considered a nonconforming use.

2.18 Outdoor Advertising Displays

Any name, identification, description, display, illustration or device which is affixed to or represented directly or indirectly upon a building, structure, or land in view of the general public, and which directs attention to a product, place, activity, person, institution or business.

For the purpose of this Ordinance and the provision thereof, outdoor advertising displays shall be classified into one of the following type signs:

- A. Sign, Off Premises Advertising - a sign which directs attention to a business, product, service or activity generally conducted, sold or offered elsewhere other than on the premises where such sign is located.
- B. Sign, Business - a sign which directs attention to a business, profession, product, activity, or entertainment, sold or offered upon the premises where such sign is located.
- C. Sign, Identification - a sign which indicates only the name, address, and nature of the business or industry located therein. Said sign shall not exceed four (4) square feet in size.
- D. Sign, Temporary - any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, light fabric, cardboard or other light materials intended to be displayed for a limited period of time only.
- E. Sign, Real Estate - any sign, not over ten (10) square feet, advertising the sale, rental, or leasing of a premise where such sign is located.

2.19 Parking Space

A permanent area not less than one hundred-sixty two (162) square feet, either within a structure or in the open, exclusively for the parking of a motor vehicle.

2.20 Planned Development Project

A use of land which is arranged, designed, and intended as a large-scaled development, located on a single tract of land, planned as an entity and susceptible to development and regulation as one complex land use unit.

2.21 Spot Zoning

Designated zoning for a limited area which is not in keeping with the surrounding land use and/or zoning classification. Usually considered invalid by the courts. \*

2.22 Variance, Dimensional

A departure from the terms of the zoning regulations pertaining to height or width of structures and size of yards and open spaces where such departures will not be contrary to the public interest, and where owing to conditions peculiar to the property because of its size, shape, or topography and not as a result of actions of the applicant, the literal enforcement of the zoning regulations would result in unnecessary and undue hardship.

2.23 Yard

The space or grounds surrounding or surrounded by a building or group of buildings.

A. Yard, Front

That portion of the yard extending the full width of the lot and extending between the front lot line and the nearest part of the principal building.

B. Yard, Rear

That portion of the yard extending the full width of the lot and extending between the rear lot line and the nearest part of the principal building.

C. Yard, Side

Those portions of the yard extending from the nearest part of the principal building to side lot line.

2.24 Zoning Administrator

Authorized representative responsible for the enforcement of zoning.

2.25 Zoning Map

Map indicating zoning districts

\*Source: Local Planning Administration

International City Managers' Association, Chicago, Illinois.



## ARTICLE 3

### GENERAL PROVISIONS

#### 3.01 Activities Affected -Conformance Required

Zoning affects every building and use. No building or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered unless for use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located.

---Exception -Land which is used solely for agricultural, farming, dairying, stock-raising, or similar purposes shall have NO regulations imposed as to building permits, certificates of occupancy, height, yard, location or Courts' requirements for agricultural buildings, including and limited to one mobile home used as a dwelling.

#### 3.02 Access Control

There shall be no more than two (2) points of access to anyone public street on a lot of less than 100 feet. Lots in excess of 100 feet may have two (2) points of access to anyone public street for each additional 100 feet of frontage.

No point of access shall be allowed within ten (10) feet of the intersection of the right-of-way lines of intersecting streets.

No curb on City streets or rights-of-way shall be cut or altered without written approval of the Zoning Administrator.

A point of access shall not exceed twenty (20) feet in width for one-way and/or one-lane ingress or egress. Two-way ingress and/or egress shall not exceed thirty five (35) feet in width.

#### 3.03 Accessory Buildings

Accessory buildings shall be permitted in rear yards only and must be at least six (6) feet from any other buildings situated on the same lot and two (2) feet from all adjoining lots. Overhangs shall not exceed twelve (12) inches and shall not be counted as a part of the yard requirements.

An accessory building may be used as machine shops, crafts, woodworking or other hobby pursuits but shall not be used for or involved with the conduct of any business, trade or industry.

On any corner lot adjoining in the rear another lot which is in a residential zone, accessory buildings shall conform to the side yard requirements for comer lots.

### 3.04 Annexed Lands

In every case where land becomes a part of the City through annexation, it shall be the duty of the Planning Commission to hold at least one (1) public hearing after notice as required by the KRS Chapter 424 and make recommendations to the City Council for zoning amendment. Before any map amendment is granted the Planning Commission or the City Council must find that the map amendment is in agreement with the community's comprehensive plan, or in the absence of such a finding, that there have been major changes of an economic, physical or social nature within the area which were not anticipated in the community's comprehensive plan and which have substantially altered the basic character of such area. Such findings shall be recorded in the minutes of the Planning Commission or the City Council.

### 3.05 Boundary Lines - Interpretation

The boundary lines of the districts are lot lines, the center line of creeks or such lines extended, the center lines of streets or alleys or such lines extended, and/or corporate limit lines as existing at the time of enactment of this Ordinance.

Where a district boundary line, established on the Zoning Map, divides a lot of single ownership which was recorded at the time of enactment of this Ordinance, then the least restrictive district requirements under which the lot has been divided shall be applied to the entire lot.

Whenever any street, alley, or other public way is vacated through legal action, the zoning districts shall be extended, depending on the side or sides to which such lands revert.

Questions concerning the exact location of district boundary lines shall be determined by the Board of Adjustment.

### 3.06 Continuance of Nonconforming Uses - Exceptions

The lawful use of a building or premises, existing at the time of the enactment or subsequent amendment of this Ordinance, but not in conformity with its provisions, may be continued with the following limitations:

---A nonconforming use shall not be extended, enlarged, or moved to occupy any portion of land or structure except in conformity with this Ordinance.

---A nonconforming use shall not be re-established after discontinuation for a period of one year.

---A nonconforming use may be changed only to a conforming use, unless the Board of Adjustment finds that a new nonconforming use is in the same or in a more restrictive classification.

---Any use which is a nonconforming use and has been in existence for a period of ten (10) years shall be deemed approved as a valid nonconforming use.

---Any nonconforming use destroyed by fire or by an act of nature may be rebuilt to the same size as its original nonconforming use and may continue in its original operation provided reconstruction is started within two (2) years from the date of its destruction.

### 3.07 Height Limitations - Exceptions

The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas, domes, monuments, water towers, observation towers, transmission towers, windmills, chimneys, smoke stacks, derricks, conveyors, flag poles, masts and antennas.

### 3.08 Lot of Record

Where the owner of a lot of official record, which lot at the time of the adoption of this Ordinance does not include sufficient land to conform to the yard or other requirements of this Ordinance, an application may be submitted to the Board of Adjustment for a variance from the terms of this Ordinance. Such a lot may be used as a building site to conform with the district in which it is located, provided, however, that the yard and other requirements of the district are complied with as closely as is possible in the opinion of the Board.

### 3.09 Off -Street Parking and Unloading

Off-street automobile storage or standing space shall be provided on all lots on which any of the following uses are hereafter established. Such space shall be provided with vehicular access to a street or an alley. For purpose of computing the number of parking spaces available in a given area, the ratio of 162 square feet per parking space shall be used. The following are minimum requirements for specific uses.

----Dwellings -One space for each family dwelling unit.

-----Mobile Homes in a Mobile Park -one space for each mobile home lot.

-----Boarding Houses and Rooming Houses -One space for each two rooms occupied or intended for occupancy by boarders or roomers, in addition to the requirements of one space for the initial family dwelling unit.

-----Motel/Hotel Accommodations -One space for each room offered for lodging.

-----Theatre, Auditorium, Church, Stadium or other places of public assembly  
One space for each ten seats available at maximum capacity.

----Industrial Plant -One space for each three persons employed or intended to be employed.

-----Commercial or business buildings in a Neighborhood Business District -One (1) off-street parking space for each two hundred (200) square feet of retail floor space.

### 3.10 Outdoor Advertising Displays

No advertising device shall be permitted in any residential zone other than estate signs. Said real estate signs shall not be displayed on and/or over City or public properties.

No off-premise or business sign shall be located closer than ten (10) feet to any public right-of-way or closer than twenty-five (25) feet to any residential zone.

The maximum area for any advertising device shall be 250 square feet, including border and trim but excluding supports. Advertising display structures may contain one or two advertisements per facing, not to exceed the maximum area. Double faced structures will be permitted with the maximum area being allowed for each facing.

No advertising display (off premise sign) commonly referred to as billboards or poster boards shall be erected within 100 feet of any other such advertising device structure on the same side of the street, road, or highway unless separated by a building, natural obstruction, or roadway. Double-faced V-type and/or back to back advertising display structures shall be considered as one advertising device for spacing purposes.

Signs projecting from a building or extending over public property shall maintain a clear height of nine (9) feet above the sidewalk and all such signs shall not extend more than eighteen (18) inches of the curb line.

No "Off-Premise or Business Sign" shall hereafter be erected, constructed or altered until a permit has been issued by the Zoning Administrator.

It shall be the duty of the Zoning Administrator to inspect every off-premise sign and business sign (permits required) at least once annually.

Should any sign become insecure or in danger of falling or otherwise unsafe in the opinion of the Zoning Administrator, the owner thereof, or the person or firm maintaining the same, shall upon written notice from the Zoning Administrator, forthwith in the case of immediate danger and in any case within ten (10) days, secure the same in a manner to be approved by the Zoning Administrator or remove such sign. If such order is not complied within ten (10) days, the Zoning Administrator shall remove such sign at the expense of the owner or lessee thereof.

Any sign now or hereafter existing, which no longer advertises a bonafide business conducted, product sold, or activity or campaign being conducted, shall be taken down and removed by the owner, agent, or person having the beneficial use of the building structure, or lot upon which such sign may be found within ten (10) days after written notification from the Zoning Administrator and, upon failure to comply with such notice within the time specified in such order, the Zoning Administrator is hereby authorized to cause removal of such sign, and any expense incidental thereto shall be paid by the owner of the building, structure or lot to which such sign is attached.

### 3.11 Planned Development Projects

A planned development project shall be arranged and designed as a large scale development. It shall be developed by a single owner or a group of owners acting jointly, located on a single tract of land, involving a related group of units and accessory uses. It shall be planned as an entity and therefore susceptible to development regulations as one complex land use unit.

#### A. Planned Residential Development Project

A planned residential development project must contain not less than two (2) acres and a plat plan must be presented to the Planning Commission for review. In accepting the plan for review, the Commission must be satisfied that the proponents of the planned development are financially able to carry out the proposed project and that construction will be started within one (1) year after approval of said plan.

1. Zoning: The proposed site shall be located in a residential zone which allows the type of housing proposed -single-family or multi-family.
2. Plat Plan: A plat shall be presented for Planning Commission approval, and shall show the following:
  - Name and address of applicant
  - Uses within the project
  - Location Map
  - Dimension and location of all lot lines
  - Setback Lines
  - Location and identification of open spaces, streets, walks, bufferstrips, parking spaces, screening and recreational areas.
3. Lot Requirements: Residential spaces and/or lots shall have a minimum of 2,500 square feet in area.
4. Setback: All buildings and structures shall be located at least fifteen (15) feet from any development project property lines.
5. Spacing: No residential structures shall be located within ten (10) feet of another residential structure.
6. Streets: The development project shall have access to an existing street. All streets within the project shall be thirty-one (31) feet from back of curb to back of curb with hard surfaced material. All residential structures shall have access to an interior street within the residential development project.
7. Parking: Paved-off street parking areas shall be provided at a rate of at least one (1) car space for each family unit.
8. Accessory Uses: Management headquarters, recreational facilities, coin operated laundry facilities and other uses and structures customarily incidental to the operation of a planned development project are permitted as accessory uses. Convenience establishments shall be permitted as accessory uses, subject to the following restrictions:
  - Such establishments shall be for the convenience of the occupants of the planned development project only.

--Such establishments shall present no visible evidence of their commercial character which would attract customers other than occupants of the planned development project, except that each convenience establishment shall be permitted one identification sign attached in a flat manner to the buildings and shall not extend outward from the building over twelve (12) inches.

The Planning Commission may attach reasonable special conditions to its approval, and the Zoning Administrator shall not issue a building permit until he has received written authorization from the Planning Commission.

B. Planned Mobile Home Park Residential

No mobile home park shall be permitted on an area less than two (2) acres in size. The developer may be permitted to develop the park in stages as long as he complies with the overall approved plan for the entire tract and initially has a minimum of five mobile home lots developed for use.

The number of mobile homes permitted in a park shall not exceed a density of 12 mobile homes per net acre -a net acre being the land available after the streets and other required improvements have been installed.

1. Zoning: The proposed site shall be located in an M-3 Mobile Home Park Residential District.
2. Uses Permitted: Single-family mobile homes, accessory buildings and accessory uses, public and/or semi-public uses when approved by the Board of Adjustment.
3. Lot Requirements: Mobile home spaces shall have a minimum of 2,500 square feet in area and in no case shall more than one mobile home be permitted on a single lot.
4. Minimum Floor Area: Every mobile home located in the M-3 District shall have a minimum of 400 square feet of useable floor space within the main structure.
5. Screening: Screening may be required when, in the opinion of the Planning Commission, conditions warrant it.

6. Setback: All mobile homes shall be located at least twenty five (25) feet from any park property line abutting upon a public street or highway and at least 15 feet from other park property boundary lines and park street rights-of-way.
7. Spacing: No mobile home shall be located within ten (10) feet of another mobile home or structure.
8. Streets: A mobile home park shall have access to an existing street and/or road. All mobile homes shall have access to an interior street within the mobile home park. All streets within the mobile home park shall have a minimum pavement width of not less than 31 feet back of curb to back of curb. All streets within a mobile home park shall be hard-surfaced and well lighted.
9. Parking: Paved off-street parking areas shall be provided in all mobile home parks for the use of park occupants and guests. Such areas shall be furnished at a rate of at least one (1) car space for each mobile home lot.

Required car parking spaces shall be so located as to provide a convenient access to the mobile home, but shall not exceed a distance of 200 feet from the mobile home that it is intended to serve.

10. Mobile Home Stand: The area of the mobile home stand shall be improved to provide an adequate foundation for the placement of the mobile home.
11. Accessory Uses: Management headquarters, recreational facilities, coin-operated laundry facilities and other uses and structures customarily incidental to the operation of a mobile home park are permitted as accessory uses. Convenience establishments shall be permitted as accessory uses, subject to the following restrictions:

--Such establishments shall be for the conveniences of the occupants of the park.

--Such establishments shall present no visible evidence of their commercial character which would attract customers other than occupants of the park, except that each convenience establishment shall be permitted one identification sign attached in a flat manner to the building and shall not extend outward from the building over twelve (12) inches.

12. Procedure: In applying for a mobile home park, the applicant shall submit his plan to the Planning Commission for its approval. The plan shall show at least the following information:



--Name and address of applicant.

--Name and location of park.

--Dimensions and location of all lot lines, roads and easements. Each mobile home lot shall be numbered.

--Contour lines to indicate slope and drainage.

--Location of all utilities: public and private water, sewerage, drainage, and electrical facilities and easements.

--Public areas such as visitors' parking, recreational areas, etc.

--Large-scale plan for one typical mobile home lot showing mobile home location, automobile parking space, etc.

--Location of planting for landscaping purposes or as required for protective buffer purposes.

13. Issuance of Building Permit: The Planning Commission may attach reasonable special conditions to its approval of a mobile home park and the Zoning Administrator shall not issue a building permit until he has received written authorization from the Planning Commission and until a valid permit is presented from the State Department of Health as required by Kentucky Revised Statutes 219.150.

C. Planned Retail Shopping Center

The owner of a tract of land -located in any district at or near where a proposed business area is shown on the Land Use Plan -and containing not less than two (2) acres may submit to the Planning Commission for its review, a preliminary plan for use and development of such tract of land for a planned retail shopping center.

In accepting such plan for review, the Planning Commission must be satisfied that the proponents of the planned shopping center are financially able to carry out the proposed project, and that construction will be started within one (1) year after approval of said plan.

It shall be the duty of the Planning Commission to investigate and ascertain whether the proposed location and plan comply with the following conditions:

--That the plan provides for a shopping center consisting of one or more groups of establishments in a building or buildings of unified and harmonious design, together with adequate and properly arranged traffic and parking facilities and landscaping and will have no adverse effects upon the adjoining or surrounding developments.

--The uses permitted in the planned shopping center shall be those retail businesses authorized for a C-2 Neighborhood Business District. No residential uses shall be permitted or any other use which is not necessary or desirable to supply goods or services to the surrounding neighborhoods.

The following regulations shall apply to a planned retail shopping center:

- 1 Screening: Permanent screening on all property lines may be required when a shopping center adjoins residential districts.
- 2 Tract Coverage: The ground area occupied by all the buildings shall not exceed in the aggregate fifty (50) percent of the total area of the lot or tract.
- 3 Customer Parking Space: Notwithstanding any other requirements of this Ordinance~ there shall be provided one (1) off-street parking space for each two hundred (200) square feet of retail floor space.
- 4 Loading Space: Notwithstanding any other requirements of this Ordinance, there shall be provided one (1) off-street loading or unloading space for each ten thousand (10,000) square feet or fraction thereof aggregate floor space of all buildings in the center. At least one-third (1/3) of the spaces required shall be significant in area and vertical clearance to accommodate trucks of the tractor-trailer type.

The Planning Commission may attach reasonable special conditions to insure that there shall be no departure from the intent of this Ordinance. The planned shopping center shall comply with all such conditions and a final plat plan shall be submitted to the Planning Commission for its approval.

If the tract of land proposed for a shopping center is not zoned for business, then a zoning amendment must be requested, all legal procedures must be followed and a map amendment duly authorized prior to the start and development of said shopping center.

D. Planned Industrial Park

The owner or owners of land -located in any district at or near where a proposed industrial area is shown on the Land Use Plan and containing not less than four (4) acres may submit to the Planning Commission for its review, a preliminary plan for use and development of such land for a planned industrial park.

In accepting such plan for review, the Planning Commission must be satisfied that the proponents of the planned industrial park are financially able to carry out the proposed project and that construction will be started within one (1) year after approval of said plan.

It shall be the duty of the Commission to investigate and ascertain whether the proposed location and plan comply with the following conditions:

---That the plan provides for an industrial park consisting .of one or more buildings of unified and harmonious design, together with required parking facilities and landscaping and will have no adverse effect upon the adjoining or surrounding developments.

---The uses permitted in the planned industrial park shall be those industries authorized in an Industrial District. No residential or commercial use shall be permitted or any other use which is not necessary or desirable for an industrial park.

The following regulations shall apply to a planned industrial park:

1. Fumes and Odor: No noxious or offensive trade or activity shall be carried on, nor shall any activity be carried on which may be an annoyance or nuisance to said industrial park by reason of unsightliness or by the excessive emission of odors, dust, fumes, smoke, or noise.
2. Building Setbacks: No building which may be erected within an industrial park shall be nearer than fifty (50) feet of the street right-of-way upon which it faces nor nearer than twenty-five (25) feet of the right-of-way of any other existing or proposed streets, nor shall any such buildings be erected nearer than twenty-five (25) feet to the side or rear property lines.

3. Loading Docks: No loading dock shall be constructed fronting on any public street or roadway.
4. Parking Facilities: For each manufacturing, jobbing, warehousing, wholesaling, or other use permitted within the industrial park there shall be provided off-street parking at the minimum rate of one parking space for each three persons employed or intended to be employed on the premises.
5. Storage Facilities: No materials or supplies shall be stored or permitted to remain on any part of the property outside the buildings constructed thereon without proper screening and adequate distances from adjoining properties.
6. Fences, Walls, and Screening: Permanent screening on all property lines may be required when an industrial park adjoins residential districts.

The Planning Commission may attach reasonable special conditions to insure that there shall be no departure from the intent of this Ordinance. The proposed industrial park shall comply to all such conditions and a final plat plan shall be submitted to the Planning Commission for its approval.

If the tract of land proposed for an industrial park is not zoned for industry then a zoning amendment must be requested and a map amendment duly authorized prior to the start and development of an industrial park.

3.12 Public Utility Facilities Excepted; Acquisitions, Disposals and Changes, Referral to Commission-Effect

Public utilities operating under the jurisdiction of the Public Service Commission or the Department of Vehicle Regulation or Federal Power Commission, any municipally owned electrical system, and common carriers by rail shall not be required to receive the approval of the Planning Commission for the location or relocation of any of their service facilities (Service facilities include all facilities other than office space, garage space and warehouse space unless such space is incidental to the service facility). The Public Service Commission and the Department of Vehicle Regulations shall give notice to the Planning Commission of any hearing which effects locations or relocations of service facilities within the City's planning jurisdiction.

Nonservice facilities excluded above must be in accordance with the zoning regulations.

Upon the request of the Planning Commission, the public utilities shall provide information concerning service facilities which have been located on and relocated on private property.

All proposals for acquisitions or disposition of land for public facilities, or changes in the character, location, or extent of structures or land for public facilities, excluding state and federal highways and public utilities and common carriers by rail mentioned above, shall be referred to the Planning Commission to review it in light of its agreement with the comprehensive plan, and the Commission shall, within sixty (60) days from the date of its receipt, review the project and advise the referring body whether the project is in accordance with the comprehensive plan, and whether it approves or disapproves of the project. If it disapproves of the project, it shall state the reasons for disapproval in writing and make suggestions for changes which will, in its opinion, better accomplish the objectives of the comprehensive plan. A majority of the entire membership of the legislative body may override this disapproval of the Commission.

3.13 Setback Lines, Exceptions

Front yard setback lines may be varied where the average depth of principal buildings on adjoining properties is less or greater than the depth prescribed elsewhere in this Ordinance. In such case, the front yard in question shall not be less than the average depth of existing front yards on the two (2) lots immediately adjoining.

3.14 Street Frontage Required

Except as permitted by other provisions of this Ordinance, no lot shall contain any building used in whole or part for residential purposes unless such lot abuts for at least fifty (50) feet on a street. Exceptions may be made for cul-de-sac or similar designed lots.

3.15 Travel Trailer Storage

Travel trailers, campers, or boats used exclusively for the purpose of traveling or camping and which do not exceed the width of eight (8) feet or the length of forty (40) feet may be stored in the rear yard of any lot provided yard requirements as designated in this Ordinance are maintained.

3.16 Water Supply and Sewage Disposal Approved

It shall be unlawful to construct any building without water supply and sewage disposal facilities which has been approved by the State or County Health Officer.

Wherever water and sewer mains are accessible, buildings shall be connected to such mains. In every case, individual water supply and sewage disposal must meet the requirements set by the State or County Health Officer.

The Health Officer's certificate approving proposed and/or completed water and sewage facilities must accompany application for building permits.

## ARTICLE 4

### BOUNDARIES & DISTRICTS

#### 4.01 Zoning Districts Established

For the purpose of this Ordinance, the incorporated territory of Dawson Springs, Kentucky, is divided into the following categories of zoning districts.

- RU Rural District
- R-2 Single-Family Residential District
- R-3 Multi-Family Residential District
- M-3 Mobile Home Park Residential District
- C-2 Neighborhood Business District
- C-3 Central Business District
- I-1 Industrial District

#### 4.02 Boundaries

The boundaries of the above zoning districts are hereby established as shown on the Zoning Map which is on file in the City Hall Conference Room, Dawson Springs, Kentucky.

#### 4.03 Rural District - RU

##### A. Principal Permitted Uses

Single-family residences primarily located on large tracts of land which contain open areas of agricultural activity where rural development seems likely to remain at an extremely low density.

##### B. Conditional Permitted Uses; Requiring Board of Adjustment Authorization

The following uses are special exceptions and require written approval of the Board of Adjustment: Churches, and other places of worship; parish houses; public libraries; airports; animal clinics; animal and poultry raising; animal pound; antique shops; interior decorating shop; aviaries

and zoos; bed and breakfast; camping areas; cemeteries; circus and carnival grounds; commercial lakes; hog feeding yard; community buildings; country clubs; dance instruction studio; day care centers; exposition building or center; food processing; golf courses; golf driving range; government buildings; grain blending; museums; livestock; lumber mills; kennels; landscape architects; home occupations; slaughter houses; mobile home; plant nursery; parks and playgrounds; restaurants.

The Board of Adjustment may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

Accessory uses shall be permitted only as customarily incidental to any of the permitted and conditionally permitted uses listed above.

C. Height Requirements

No structure shall exceed three (3) stories or thirty-six (36) feet in height.

D. Lot Area, Frontage and Yard Requirements

The minimum building site area and width shall be:

For a one-family dwelling	3 acres
For any other permitted use	3 acres
Minimum lot width at building set back line	200 feet

E. Building Site Coverage

The maximum building coverage by all buildings shall be 10%.

F. Yards Required

The minimum dimensions of yards shall be:

Rear Depth	50 feet
Side Depth	20 feet
Front Depth	25 feet



4.04 Residential District – R-2

A. Principal Permitted Uses

Single-Family Dwellings built on site by conventional building methods with the lowest minimum dimension greater than eighteen (18) feet and affixed to a solid foundation of permanent material.

B. Conditionally Permitted Uses, Requiring Board of Adjustment Authorization

The following uses are special exceptions and require written approval of the Board of Adjustment: Churches and other places of worship; parish houses; public libraries; schools offering general education courses; public parks; and non-commercial public recreational facilities -municipal, county, state or federal uses; public utilities. The Board of Adjustment may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

Accessory uses shall be permitted only as customarily incidental to any of the permitted and conditionally permitted uses listed above.

C. Height Requirements

No principal structure shall exceed three (3) stories or thirty-six (36) feet in height.

D. Lot Area, Frontage and Yard Requirements

Minimum required lot area within R-2 District shall be 7,000 square feet.

Minimum required width at building line shall be 70 feet.

All buildings, except unattached buildings of accessory use, shall have the following minimum yard space:

Rear Depth	20 feet
Side Depth	8 feet (each side)
Front Depth	25 feet

The minimum width of side yards along intersecting streets shall be the same as the front yard setback requirements.

4.05 Residential District - R-3

A. Principal Permitted Uses

Single, two-family, and multi-family dwelling built on site by conventional building methods. Modular homes, double and triple wide manufactured homes are permitted provided the following conditions and/or requirements are met:

--- They shall be placed on lots which are fifty (50) feet or more in width and were recorded Lots of Record prior to the adoption of this Ordinance.

--- Wheels shall be removed and the manufactured home shall be underpinned with a solid form of permanent material built between the ground and the bottom outside edge of the home.

--- All dwellings shall be permanently connected to the City water and sewer system.

--- All dwellings shall have the lowest minimum dimension greater than eighteen (18) feet and be affixed to a solid foundation of permanent material built between the ground and the first floor of the dwelling.

B. Conditionally Permitted Uses; Requiring Board of Adjustment Authorization

The following uses are special exceptions and require written approval of the Board of Adjustment: Churches and other places of worship; parish houses; public parks; and noncommercial public recreational facilities cemeteries; fraternity and/or sorority houses; nurses' homes; nursing homes; clinics; hospitals for human care; philanthropic institutions and clubs, except a club which the chief activity is customarily carried on as a business. The Board of Adjustments may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

Accessory uses shall be permitted only as customarily incidental to any of the permitted and conditionally permitted uses listed above and requires written approval of the Board of Adjustments.

Other accessory uses within any R-3 district may include the office or studio in the residence of a physician, dentist, artist, lawyer, engineer, teacher (with musical instruction limited to one (1) pupil at a time), architect, real estate and insurance agent, provided that not more than one-

half (1/2) of the area of one (1) floor of the dwelling is devoted to such accessory use and that not more than one (1) person not a resident on the premises is employed, and that no such use shall require structural alterations or involve construction features not customary in dwellings. An indirectly lighted name plate, not over one (1) square foot in area, attached flat against the building shall be permitted.

Other accessory uses may include customary home occupations of handcraft; dressmaking; and laundering; provided that such occupations shall be conducted exclusively by resident occupants in their place of residence and provided further that not one-quarter (1/4) of the area of one (1) floor of said residence shall be used for such purpose and that no structural alterations or construction involving features not customarily found in dwellings are required. An indirectly lighted sign of not over one (1) square foot in area and attached flat against the building shall be permitted.

C. Height Requirements

No principal structure shall exceed three (3) stories or thirty-six (36) feet in height.

D. Lot Area, Frontage and Yard Requirements

Minimum required lot area within an R-3 District shall be 5,000 square feet for single-family dwellings; 6,000 square feet for two-family dwellings; and 6,500 square feet for a three-family dwelling plus 500 square feet for each additional family unit.

Minimum required lot width at building lines shall be as follows:

Single-Family Dwelling	50 feet
Two-Family Dwelling	60 feet
Multi-Family Dwelling	70 feet

All buildings, except unattached buildings of accessory use, shall have the following minimum yard space:

Rear Depth	20 feet
Side Depth	4 feet (each side)
Front Depth	25 feet

The minimum width of side yards along intersecting streets shall be the same as the front yard setback requirements.

4.06 Mobile Home Park Residential District - M-3

The Mobile Home Park Residential District is a planned development project and shall meet all requirements as stipulated for Mobile Home Parks, Article 3, Section 3.11-B of this Ordinance. (See pages 15 through 17).

4.07 Historical District - HD

The Historical District is established to maintain and preserve the unique historic and architectural characteristics of areas and buildings in the City of Dawson Springs.

The Historical District shall be shown by an overlay map and classified within this area. This overlay shall be valid in all zoning classifications. Whenever conflicts shall arise between the provisions of the Historic District regulations and the underlying zoning classification and regulations; it is intended that the provisions set forth relating to the Historical District area and the landmark or landmark site, shall take precedence.

The Historic District and its provisions and overlay are by separate Ordinance of the City of Dawson Springs.

4.08 Neighborhood Business District - C-2

A. Principal Permitted Uses

Any motor vehicle-oriented type retail business or service establishment such as follows:

1. Groceries; drug stores; shoe repair shops; hardware stores; barber and beauty shops; clothing shops; automobile sales and services; banks and finance companies; garages for motor-vehicle repair (within an enclosed building); motels; restaurants; self-service laundries; filling stations; theatres; places of amusement and assembly; car washes and antique shops.

2. Any other retail business or service establishment which is determined by the Planning Commission to be of the same general character as the above mentioned uses.

B. Conditionally Permitted Uses Requiring Board of Adjustment Authorization

The following uses are special exceptions and require written approval of the Board of Adjustment; Churches and other places of worship; parish houses; public libraries; schools offering general education courses, county, state, or federal use; public utilities; funeral homes; cemeteries; fraternity and/or sorority houses; nurses' homes; nursing homes; hospitals for human care; philanthropic institutions and clubs, except a club which the chief activity is carried on as a business.

The Board of Adjustment may attach certain conditions to its approval which it feels are necessary to preserve and protect the character of the district in which the proposed use would locate.

Accessory uses shall be permitted only as customarily incidental to any of the permitted and conditionally permitted uses listed above.

C. Required Conditions

Screening: Where a commercial lot line is shared with an adjoining residential lot, a well maintained compact hedge, a solid fence or solid screening device four (4) to six'(6) feet in height shall be installed to screen the business use from the adjoining lots in the residential district. The screen shall begin at the front building line and extend along the f' common side lot lines to rear property lines.

D. Lot Area, Frontage and Yard Requirements

The following minimum required lot area, frontage, and yard shall apply within a Neighborhood Business District:

Required Lot Area -----None

Required Frontage -----None

Required Front Yard Width -----25 feet

Required Side Yard Depth -----None; except when adjoining a Residential District, then all buildings shall comply with requirements for residential lot coverage, lot width, and yards.

Required Rear Yard Depth -----25 feet

All buildings on corner lots adjoining a residential district shall be located so as to conform with corner lot side yard requirements of said Residential District.

4.09 Central Business District - C -3

A. Principal Permitted Uses

Any pedestrian-oriented consumer and personal service establishments such as follows:

(1) Shoe repair shops, drug stores, hardware stores, barber and beauty shops, clothing stores, banks and other financial institutions, hotels, office buildings, restaurants, antique shops, TV/radio appliance stores, TV/radio studios, auto part stores, service stations, car washes, attorneys-at-law offices, Doctors, insurance and other professional offices, pool rooms, bakery shops, bicycle and lawn mower sales and service, office equipment stores, bookstores, candy shops, carpet sales, business schools, convenience stores, country clubs, craft shops, department stores, dressmakers, day care centers, theaters, delicatessens, dance studios, dry goods stores, farm equipment and supplies sales, feed stores, fixture sales, florist shops, furniture stores, public garages, government buildings, libraries, leather goods stores, jewelry stores, printing shops, hobby shops, gifts and variety shops, mail-order houses, boat sales, health centers, nursing homes, newspaper offices, newsstands, plant nurseries, paint stores, parks and playgrounds, picture framing shops, plumbing and heating stores, post offices, recreation centers, shoe stores, sign painters, skating rinks (ice or roller), sporting goods stores, stationary stores and dry cleaners.

B. Conditionally Permitted Uses; Requiring Board of Adjustment Authorization

The following uses are special exceptions and require written approval of the Board of Adjustment:

(1) Churches and other places of worship, parish houses, funeral houses, fraternity and sorority houses, clinics and any other retail or service establishment determined to be of the same general character as listed above and is pedestrian-oriented in nature.

(2) Residential uses will be permitted on second floors of businesses located within the C-3 District. Apartments above the second floor will require a special review on a case-by-case basis by the Board of

Adjustment. All building plans and specifications shall be submitted to, reviewed and approved by the Board of Adjustment. Plans shall be drawn to scale with sufficient clarity and detailed dimensions to show the nature and character of the work to be performed.

Before apartments may be occupied, a final inspection and certificate of occupancy must be obtained by the Zoning Administrator.

Within thirty (30) days of a change of ownership of the property, the new property owner shall apply for and obtain a new certificate for occupancy.

C. Required Conditions

All permitted and conditionally permitted uses within the Central (C-3) District shall be conducted wholly within an enclosed building except for gasoline sales, offstreet parking and loading facilities.

D. Lot Area, Frontage and Yard Requirements

None.

4.10 Industrial District - I -1

A. Principal Permitted Uses

(1) Adding machine manufacture, artificial flower manufacture, automobile and parts assembly, auto retail agency, automobile, trailer, and farm implement dealers, animal hospitals, veterinary clinic and associated kennels, baggage transfer, storage and warehouses, bakers, bottling works and beverage manufacture, bicycle and motorcycle repair, blacksmith, book publishing, boot and shoe manufacture, broom manufacture, building materials yard, cabinet maker, candy manufacture, canning and preserving factory, cap and hat manufacture, carpenter shop, carpet cleaning, car wash, chicken hatchery, cigar and cigarette manufacture and warehouses, cleaning and pressing, clock factory, clothing manufacture, coal yard, coffin and concrete burial vault manufacture, cold storage warehouses, condensed milk manufacture, contractor's storage yard, cosmetic manufacture, dye goods, dyeing and cleaning, electrical sign manufacture, electrical supply manufacture, enameling and painting, engraving plant, envelope manufacture, .express storage and delivery station, grain storage and elevators, food products manufacture, fruit and vegetable drying, fuel distributing station, fuel gas storage, fur warehouse, furniture warehouse or storage, garage, garment factory, grocery store, sawmill, moving company and storage facilities, office equipment and supply manufacture,

optical goods manufacture, paper box, can, tube and sack manufacture, radio and television manufacture, screw and bolt manufacture, tinsmith shop, tire manufacture, recap plants, welding shop and wood products manufacture.

(2) Any industrial, manufacturing, fabrication or processing uses which the Planning Commission determines would not emit obnoxious noise, vibration, smoke, odor, or dust beyond the confines of its property or possess other characteristics that would be a nuisance to the residents of the city.

B. Conditionally Permitted Uses; Requiring Board of Adjustment Authorization

Public utilities, cemeteries and funeral homes.

Any accessory use customarily incidental to the above permitted and conditionally permitted uses.

C. Required Conditions

On lots adjacent to a residential district, all buildings shall be located so as to provide a minimum side yard of fifty (50) feet.

No loading dock shall be constructed fronting on any public street or roadway.

No material or supplies shall be stored or permitted to remain on any part of the property outside the buildings constructed thereon without proper screening and adequate distances from adjoining properties.

Junk yards, salvage and scrap iron yards shall be enclosed by an acceptable fence, wall, or other screening, not less than eight (8) feet in height. The Board of Adjustment shall determine the acceptability of said screening,

No waste material or refuse shall be dumped upon or permitted to remain upon any part of an industrial area outside of buildings constructed thereon. In addition, the property shall not be used by an industry whose primary business requires industrial sewerage, unless the governing municipal body authorizes the use of its sewage disposal plant's facilities or said industry constructs its own sewage disposal plant.

D. Height Requirements

No building shall exceed six (6) stories or seventy-five (75) feet.



E. Lot Area, Frontage and Yard Requirements

The following minimum required lot area, frontage and yard areas shall apply within the Industrial District:

Required Lot Area -----None

Required Frontage -----None

Required Front Yard Depth -----40 feet

Required Side Yard Width -----25 feet (each side)

Required Rear Yard Depth -----25 feet

F. Screening

Screening may be required by the Planning Commission.

## PART II

### ZONING ADMINISTRATION

#### A. Amendment to Zoning Ordinance; Hearing

A proposed amendment to the Zoning Ordinance may originate with the Planning Commission, Legislative Body, or with the owner of property in question. Regardless of the origin of the proposed amendment it shall be referred to the Planning Commission before adoption. The Commission shall review the proposal, and shall, within sixty (60) days from the date of its receipt, advise the City Council as to whether it approves or disapproves the proposed change, and if it disapproves, state the reasons for disapproval. Before the Planning Commission makes its recommendation to the City Council, said Planning Commission shall hold at least one (1) public hearing after notice as required by KRS Chapter 424. A majority of the entire membership of the City Council shall be required to override the Planning Commission's disapproval. Before any map amendment is granted, the Planning Commission or the City Council must find one or more of the following apply and that such findings shall be recorded in the minutes and records of the Planning Commission or the City Council:

---That the map amendment is not in agreement with the community's comprehensive plan.

---That the original Zoning classification given to the property was inappropriate or improper.

---That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the community's comprehensive plan and which have substantially altered the basic character of such area.

#### B. Zoning Administrator

Provisions of the Zoning Ordinance shall be enforced by an Administrative Officer, designated by the City to administer said Ordinance.

The Zoning Administrator shall be authorized to issue building permits in accordance with the literal terms of the Zoning Ordinance, but may not have the power to permit any construction, or to permit any use or any change of use which does not conform to the literal terms of the Zoning Ordinance.

The Zoning Administrator shall keep accurate records in a permanent file for the issuance of building permits, inspections, violations and stop orders.

If the Zoning Administrator finds any provision of the Ordinance being violated, the person or persons responsible for such violations shall be notified by the Zoning Administrator through registered mail. Said notifications shall order the discontinuation of any illegal use of land, buildings, and/or structure.

Any permit issued in conflict with the provisions of the Zoning Ordinance shall be null and void.

C. Building Permits

1. Required Prior to Construction or Alteration:

It shall be unlawful to commence the excavation for or the construction of any building, including accessory buildings, or to commence the moving or alteration of any building, including accessory buildings, until the Zoning Administrator has issued a building permit for such work.

2. Exceptions:

No building permit shall be required for recurring maintenance work, attached garages, porches, decks, or patios.

3. Procedure:

In applying to the Zoning Administrator for a building permit, the applicant shall submit a plan along with the application, drawn to scale, showing the dimensions of the lot to be built upon, the outside dimensions of all structures, yard depths and any other information for determining conformance with this Ordinance.

If the proposed construction or alteration conforms with all the applicable ordinances, regulations and codes, the Zoning Administrator shall issue a building permit authorizing such construction or alteration. If proposed construction or alteration fails to conform, the Zoning Administrator shall refuse to issue a building permit and shall cause delivery of written notice to the applicant stating the reasons for refusal. The Zoning Administrator shall act upon applications for building permits within two (2) weeks from the date of their submission.

If no building permit has been issued and a builder begins or conditions to build, a restraining order may be obtained upon application to the proper

court of record and evidence of the lack of building permit shall establish a prima facie case for the issuance of the restraining order.

The issuance of a building permit shall not waive any provision of this regulation.

A building permit shall become void one (1) year from the date of issuance unless substantial progress has been made by that date on the construction or alteration authorized therein. A building permit may be renewed without fee upon review by the Zoning Administrator before it becomes void.

D. Board of Adjustment.

1. Membership; Appointment; Terms; Vacancies; Oath; Removal; Officers:

A Board of Adjustment shall be established before the Zoning Ordinance shall be legally enforced.

The Board shall consist of either three, five, or seven members all of whom must be citizen members, and not more than two of whom may be citizen members of the Planning Commission. A "citizen member" being any member of the Planning Commission or Board of Adjustment who is not an elected or appointed official or employee of the City.

The term of Office for the Board of Adjustment members shall be four (4) years, but the term of office of members first appointed shall be staggered so that a proportionate number serve one, two, three, and four years respectively.

The Mayor shall be the appointing authority, subject to the approval of the legislative body.

Vacancies on the Board shall be filled within sixty (60) days by the Mayor. If the Mayor fails to act within that time, the Legislative Body shall fill the vacancy.

When a vacancy occurs other than through expiration of the term of office, it shall be filled for the remainder of that term.

All members of the Board shall, before entering upon their duties, qualify by taking the oath of office prescribed by Section 228 of the Constitution of the Commonwealth of Kentucky before a judge, notary public, clerk of a court or Justice of the Peace.

Reimbursement for expenses or compensation or both may be authorized for members of the Board.

Any member of the Board may be removed by the appointing authority for inefficiency, neglect of duty, malfeasance, or conflict of interest. The appointing Authority who exercises the power to remove a Board Member shall submit a written statement to the Legislative Body setting forth the reasons for the removal and the statement shall be read at the next meeting of the Board of Adjustment.

The member so removed shall have the right of appeal to the Circuit Court.

The Board shall annually elect a chairman, vice-chairman, and a secretary and any other officer it deems necessary. Any officer shall be eligible for re-election at the expiration of his term.

2. Meetings of Board; Quorum; Minutes; Bylaws:

The Board shall conduct meetings at the call of the Chairman who shall give written or oral notice to all members of the Board at least seven (7) days prior to the meeting, which shall contain the date, time, and place for the meeting, and the subject or subjects which will be discussed.

A simple majority of the total membership, as established by regulation or agreement, shall constitute a quorum. Any member of the Board who has any direct or indirect financial interest in the outcome of any question before the body shall disclose the nature of the interest and shall disqualify himself from voting on the question.

The Board shall adopt bylaws for the transaction of business and shall keep minutes and records of all proceedings, including regulations, transactions, findings, and determinations and the number of votes for and against each question, and if any member is absent or abstains from voting, indicating the fact, all of which shall, immediately after adoption, be filed in the office of the Board. If the Board has no office, such records may be kept in custody of an officer of the Board and shall be available to the public. A transcript of the minutes of the Board shall be provided if requested by a party at the expense of the requesting party, and the transcript shall constitute the record. The Board shall submit a copy of its minutes to the Planning Commission and the Zoning Administrator after each meeting.

3. Employing Planners or other Persons:

The Board of Adjustment may employ or contract with Planners or other persons as it deems necessary to accomplish its assigned duties.

4. Finances:

The Board shall have the right to receive, hold, and spend funds which it may legally receive from any and every source in and out of the Commonwealth of Kentucky, including the United States Government, for the purpose of carrying out its duties.

5. Subpoena Power:

The Board shall have the power to issue subpoenas to compel witnesses to attend its meetings and give evidence bearing upon the questions before it. The Dawson Springs Police or the Hopkins County Sheriff shall serve such subpoenas. The Circuit Court may, upon application by the Board, compel obedience to such court or such subpoena by proceedings of contempt.

6. Administration of Oaths:

The Chairman of the Board shall have the power to administer an oath to witnesses prior to their testifying before the Board on any issue.

7. Conditional Use Permits:

The Board shall have the power to hear and decide applications for conditional use permits to allow the proper integration into the community of uses which are specifically named in the Zoning Ordinance which may be suitable only in specific locations in the zone only if certain conditions are met.

The Board may approve, modify, or deny any application for a conditional use permit. If it approves such permit it may attach necessary conditions such as time limitations, requirements that one or more things be done before the request can be initiated, or conditions of a continuing nature. Any such conditions shall be recorded in the Board's minutes and on the conditional use permit, along with a reference to the specific section in the Zoning Ordinance listing the conditional use under consideration. The Board shall have power to revoke conditional use permits, or variances for noncompliance with the condition thereof. Furthermore, the Board shall have a right of action to compel offending structures or uses

removed at the cost of the violator and may have judgment in personam for such cost.

Granting of a conditional use permit does not exempt the applicant from complying with all of the requirements of building, housing, and other regulations.

In any case where a conditional use permit has been exercised within the time limit set by the Board or within one year, if no specific time limit has been set, such conditional use permit shall not revert to its original designation unless there has been a public hearing.

Exercised, as set forth in this section, shall mean that binding contracts for the construction to a substantial degree, or that prerequisite conditions involving substantial investment shall be under contract, in development, or completed. When construction is not a part of the use, exercised shall mean that the use is in operation in compliance with the conditions as set forth in the permit.

The Zoning Administrator shall review all conditional use permits, except those for which all conditions have been permanently satisfied, at least once annually and shall have the power to inspect the land or structure where the conditional use is located in order to ascertain that the landowner is complying with all of the conditions which are listed on the conditional use permit. If the landowner is not complying with all the conditions listed on the conditional use permit, the Zoning Administrator shall report the fact in writing to the Chairman of the Board of Adjustment. The report shall state specifically the manner in which the landowner is not complying with the conditions on the conditional permit, and a copy of the report shall be furnished to the landowner at the same time that it is furnished to the Chairman of the Board. If the Board finds that the facts alleged in the report of the Zoning Administrator are true and that the landowner has taken no steps to comply with them between the date of the report and the date of the hearing, the Board may authorize the Zoning Administrator to revoke the conditional use permit and take the necessary legal action to cause the termination of the activity on the land which the conditional use permit authorizes.

Once the Board has completed a conditional use permit and all the conditions required are of such type that they can be completely and permanently satisfied, the Zoning Administrator upon request of the applicant, may, if the facts warrant, make a determination that the conditions have been satisfied, and enter the facts which indicate that the conditions have been satisfied and the conclusion in the margin of the

copy of conditional use permit which is on file with the County Clerk, as required in KRS 100.329. Thereafter said use, if it continues to meet the other requirements of the regulations, will be treated as a permitted use.

8. Dimensional Variance:

The Board shall have the power to hear and decide on applications for dimensional variances where, by reason of the exceptional narrowness, shallowness, or unusual shape of a site on the effective date of the Zoning Ordinance or by the reason of exceptional topographic conditions, or some other extraordinary situation of the dimensional requirements (height or width of building or size of yards, but no population density) of the Zoning Ordinance would deprive the applicant of reasonable capacity to make use of the land in a manner equivalent to the use permitted other landowners in the same zone. The Board may impose any reasonable conditions or restrictions on any variance it decides to grant.

Before any variance is granted, the Board must find all of the following, which shall be recorded along with any imposed conditions or restrictions in its minutes and records and issued in written form to the applicant to constitute proof of the dimensional variance.

---The specific conditions in detail which are unique to the applicant's land and which do not exist on other land in the same zone.

---The manner in which the strict application of the provisions of the Ordinance would deprive the applicant of a reasonable use of the land in the manner equivalent to the use permitted other landowners in the same zone.

---That the unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of the Zoning Ordinance.

---Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

The Board shall not possess the power to grant a variance to permit a use if any land, building, or structure which is not permitted by the Zoning Ordinance in the zone in question, or to alter the density requirements in the zone in question.



A dimensional variance applies to the property for which it is granted, and not to the individual who applied for it. A variance also runs with the land and is transferable to any future owner of the land, but it cannot be transferred by the applicant to a different site.

9. Recording of Variances and Conditional Use Permits:

All Variances and Conditional Use Permits approved by the Board of Adjustment shall be recorded at the expense of the applicant in the Office of the County Court Clerk.

10. Existing Nonconforming Use:

The Board of Adjustment shall not allow the enlargement or extension of a nonconforming use beyond the scope and area of its operation at the time the regulation which makes its use nonconforming was adopted.

Nor shall the Board permit a change from one nonconforming use to another unless the new nonconforming use is in the same or a more restrictive classification.

11. Administrative Review:

The Board shall have the power to hear and decide cases where it is alleged by an applicant that there is error in any order, requirement, decision, grant, or refusal made by the Zoning Administrator in the enforcement of the Zoning Ordinance. Such appeal shall be taken within sixty (60) days.

12. Procedure for All Appeals to the Board:

Appeals to the Board may be taken by any person or entity claiming to be injuriously affected or aggrieved by an official action or decision of the Zoning Administrator. Such appeal shall be taken within thirty (30) days after the appellant or his agent received notice of the action appealed from, by filing with said Administrator and with the Board a notice of appeal specifying the grounds thereof, and giving notice of such appeal to any and all parties of record. Said Administrator shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken and shall be treated as and be the respondent in such further proceedings. At any hearing by the Board, any interested person may appear and enter his appearance, and all shall be given an opportunity to be heard.

13. Public Notice of Appeal Hearing:

The Board shall fix a reasonable time for hearing the appeal and give public notice in accordance with KRS Chapter 424, as well as written notice to the appellant and the Zoning Administrator at least one (1) week prior to the hearing, and shall decide it within sixty (60) days. The affected party may appear at the hearing in person or by attorney.

Any person or entity claiming to be injured or aggrieved by any final action of the Planning Commission or Board of Adjustment may appeal from the action to the Circuit Court of the County.

All appeals shall be taken in the Circuit Court within thirty (30) days after the action or decision of the Planning Commission or Board of Adjustment and all decisions which have not been appealed within thirty (30) days shall become final. After the appeal is taken the procedure shall be governed by the rules of civil procedure. When an appeal has been filed, the Clerk of the Circuit Court shall issue a summons to all parties, including the Planning Commission in all cases, and shall cause it to be delivered for service as in any other law action.

14. Fees:

1. The Dawson Springs Building Permit fees are set by the Dawson Springs City Code of Ordinances. (See Section 150.04. Enacted 12-5-63.)

2. Other fees.

a. Mobile Home License Fee. \$10.00 to be paid to the Dawson Springs City Clerk.

b. Request for Zoning Amendment. \$100.00 plus standard fee for each public hearing required. Such standard fee (only) to be paid to the Hopkins County Joint Planning Commission.

c. Request for Conditional Use Permit. \$40.00, plus \$25.00 for each public hearing required, to be paid to the Dawson Springs City Clerk.

d. Request for Dimensional Variance. \$40.00, plus \$25.00 for each public hearing required, to be paid to the Dawson Springs City Clerk.

PART III

SEPARABILITY, REPEAL AND EXECUTION

A. Separability Clause

Should any section or provision of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not effect the validity of this Ordinance as a whole, or any part thereof other than the part declared to be unconstitutional or invalid.

B. Repeal

All Ordinances or parts thereof in conflict or inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to give this Ordinance full force and effect. Any previous zoning ordinances or zoning maps adopted by the City of Dawson Springs, Kentucky, inconsistent herewith are hereby repealed.

C. Execution

This Ordinance shall take effect upon its passage and publication according to the law.

Planning Commission:

Public Hearing May 25, 1995

Recommendation to City Council June 22, 1995

Dawson Springs City Council:

First Reading June 5, 1995

Passed on Second Reading July 3, 1995

The members of the City Council voting upon this Ordinance voted as follows:

<u>Council member</u>	<u>YEA</u>	<u>NAY</u>
Donnie Allen	X	
Ray Bochert	X	
Jon Harned	X	
Bethel Morris		X
Kathy Nichols	X	
Jerry Workman	X	

ATTEST:

\_\_\_\_\_  
Stacia Peyton, Mayor

Denise W. Ridley, City Clerk/Treasurer

ADDENDUM --QUICK REFERENCE CHART  
OF  
PERMITTED (P) AND CONDITIONAL (C) USES

	RU	R-2	R-3	C-2	C-3	I-1
Accountants				P	P	P
Agricultural Supplies						P
Air Conditioning Commercial (Manufacturing)					C	P
Aircraft and Aircraft Parts (Manufacturing)						P
Airports	C					C
Aluminum Extrusion, Rolling Fabrication and Forming Plant						P
Amusement Parks				C	C	C
Animal and Poultry Raising (Commercial)	C					C
Animal Clinic or Hospital	C				C	P
Animal Pound	C					C
Antique and Interior Décor Shops				P	P	P
Apparel and Textile Products (Manufacturing)						P
Appliance Store: Including Radio and TV				C	P	
Apothecary, Sale of:				C	P	
Architects				C	P	
Art Galleries			C	C	P	

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Artist (Supplies or Studio)				C	P	
Assembly of Automobiles, Bicycles, Carriages, Engines, Motorcycles, Trailers, Trucks, Wagons						P
Athletic or Sports Equipment (Manufacturing, ALL)						P
Attorney-at-law				C	P	P
Auction Sales, except Animal and Tobacco Products (Inside Building)				C	P	P
Automobile Parking Areas (Public and Private)				P	P	P
Auto Parts Sales				P	P	P
Auto and Truck Repair Garages				P	P	P
Automobile Sales Agencies				P	P	P
Auto Service Stations				P	P	P
Auto Wash				P	P	P
Auto Wrecking and Salvage						C
Aviaries and Zoos	C				C	C
Awnings, Metal (Manufacturing)						P
Bait Store	C			C		P
Bakeries, Retail and Wholesale				C	P	C
Banks or Financial Institutions				P	P	

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Barber and/or Beauty Salons				P	P	
Bed and Breakfast	C	C	C	C	C	
Bedding (mattress, pillow, quilt, including rebuilding/renovating) Manufacturing						P
Beverage, blending, bottling (Manufacturing)						P
Bicycle and/or Lawnmower Sales and Repair				C	P	P
Blueprinting and Photostatting				C	P	P
Boat and Marine Sales				C	C	
Boarding House				C	C	
Bookstore				C	P	
Bottling Works						P
Business Machines and Office Equipment				P	P	P
Bus Garage					C	P
Business Schools				P	P	P
Camera and Photo Supplies				C	P	
Camping Areas (public and/or private)	C			C		
Candy Stores (Retail on premises only)				P	P	
Carpenter, Cabinet Making and Pattern Shops				C	C	P

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Carpet, Rug and Mat (Manufacturing)						P
Carpet Retail Sales				P	P	
Carting and Light Local Delivery						P
Cement Manufacturing						P
Cemeteries, Mausoleums, and Crematoriums	C			C	C	C
Chemicals (Manufacturing, Processing, and Distribution)						P
Chemicals (Packaging Only)						P
Chiropodists				C	P	
Chiropractors				C	P	
Churches, Parish Houses, Temples, Convents and Monasteries	C	C	C	C	C	C
Cigarette and Cigar (Manufacturing)						P
Circus and Carnival Grounds	C				C	C
Clay Products (Processing)						P
Clay, Stone, and Glass Products (Sales)					C	P
Clay Products of Handi-craft nature including Ceramics, Pottery, Tile (glazed) or similar products				C	P	P
Clock Manufacturing					C	P

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Clothing Stores				P	P	
Coal and Coke (Sales and Storage)						P
Coffin and Concrete Vault (Manufacturing)						P
Colleges, Schools and Institutions of Learning (Except Trade, Business or Industrial) Not-for-Profit	C	C	C	C	P	
Commercial Equipment Store				C	C	P
Commercial Lakes	C					C
Commercial Hog Feeding Yard	C					
Community Buildings	C	C	C	C	C	C
Concrete, Central Mixing Plant						P
Concrete Products (Except Mixing)				C	C	P
Condominiums			P			
Convenience Stores				P	P	
Convention Center	C			P	P	
Cosmetics or Toiletries (Manufacturing)						P
Country Clubs	C	C	C	P	P	P
Craft Products , Sales and Manufacturing				P	P	P
Craft Shops				P	P	



ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Curb or Farmers Market				P	P	
Dairy Equipment Sales				P		
Dairy Product Sales				P	P	
Dance Halls				C	C	
Dance Instruction			C	C	P	
Day Care Centers (Day Nursery, Day Adult Care, Nursery Schools and Kindergarten)		C	C	C	P	
Delicatessens				P	P	
Dentists				C	P	
Department Stores				C	P	
Dressmaking or Millinery Shops				P	P	P
Drive-In Theater	C			C		
Drug Stores				P	P	
Dry Cleaning, Dyeing, Pressing and Laundry				C	P	C
Dry Goods				P	P	P
Dwelling: Single Family Two Family Multi Family	P	P	P P P		C C C	
Electrical Appliance Store				C	P	P
Electric Power and Steam Generating Plant						P

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Electrical Appliance and Apparatus assembly (small) including fans, fixtures, hot plates, irons, mixers, motion picture equipment (home), phonographs, radios, TVs, toasters, toys, or similar products, but not including electrical machinery						P
Electrical Supply Store (Retail and Wholesale)				C	P	P
Equipment Rental (Building Based)				C	P	P
Equipment Rental (Outside of Building)					C	P
Exposition Center	C			P	P	C
Exterminator				C	P	C
Fabric Store				P	P	
Fairgrounds	C			C		C
Farm Equipment and Supplies Sales				P	P	P
Feed Store				P	P	P
Fertilizer Manufacturing				C	C	P
Film, Photographic (Manufacturing)						P
Firearms (Manufacturing)						P
Fixture Sales				C	C	P
Floor Covering Sales				C	P	
Florists Shops	C			P	P	

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Florists (Wholesale)				P	P	P
Food Processing, Including Bakery products, candy manufacturing, coffee, tea and spices, Creamery and Dairy Operations, Ice Cream Manufacture, margarine (Compounding and packing only)						P
Food Processing Plants				C	C	P
Forge Plant (Drop Hammer or Pneumatic)						P
Foundry, Ferrous or nonferrous, Brass or Bronze						P
Foundry Products						P
Fraternities and Sororities			C	C	C	
Fruit and Produce (Wholesale)						P
Fruit Store				P	P	
Funeral Home			C	C	C	C
Fur Finishing and Processing (not including tanning and dyeing)					C	P
Fur Tanning and Dyeing						P
Furniture Manufacture					C	P
Furniture Storage				C	P	P
Furniture Store (Retail)				C	P	P
Garage, Public				P	P	P

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Garment Factory						P
Gift Shop				P	P	P
Glass Store				P	P	
Golf Courses, except Miniature courses, driving ranges or privately owned golf courses operated for commercial purposes	C		C	C	C	P
Golf Driving Ranges, Miniature courses, privately owned golf courses operated for commercial purposes	C			C	C	C
Government Buildings	C			C	P	P
Grain Blending and Milling	C					P
Graphite or Graphite Products						P
Grocery Stores				P	P	
Hardware Stores				P	P	C
Laundries or Laundromat (self-service)				P	P	
Leather or Luggage Store				C	P	C
Liquor Store, Package Sales (if applicable)				P	P	
Liquor Sales, on premises (if applicable)				P	P	
Libraries and Museums	C	C	C	C	P	P

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Livestock (Non-Commercial)	C					C
Lumber Yards (and Milling)	C					P
Lumber Yards, Retail	C			P	C	P
Machine Tool and Die Shop					C	P
Machine Tools, including Metal lathes, presses, stamping, woodworking machines or the like						P
Machine (light manufacturing) including business, accounting, calculators, card-counting equipment, typewriters, or similar products					C	P
Machinery (Heavy) including electrical, construction, mining, or Agricultural manufacture and repairs						P
Manufactured Homes (Sales, display and storage only)					C	P
Manufactured Homes, Manufacturing and Service				C		P
Insurance Agents				C	P	C
Iron and Steel Fabrication of: steel cabinets, doors, fencing, metal furniture, cleaning, grinding, heat treatment, metal finishings, plating, polishing, rust proofing, sharpening, etc.					C	P
Jewelry Engraving, Watchmaking and jewelry manufacture (on-premises)				C	P	P
Jewelry Stores (Retail)				C	P	P

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Kennels	C			C		
Laboratories, Research, Experimental or Testing, but not including combustion-type motor testing					C	P
Landscape and Garden Supplies and sales				C	P	P
Land Surveyors				C	P	C
Land Architects	C			C	P	C
Laundering and Dry Cleaning Pick-up Shop				P	P	P
Hardware Store (Wholesale and Storage)				P	P	P
Heating, ventilating, cooking, refrigerating supplies and appliances (manufacturing)						P
Home Occupations	C	C	C	C	C	C
Hobby Shop and Hobby Supply				C	P	
Hosiery Mill						P
Hotel and Motel				C	C	C
Household Appliances, electrical and gas, including stoves, refrigerators, washing machines, clothes dryers, and similar products (Manufacturing)						P

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Ice Store Houses						P
Implements, Agricultural or Farm (Manufacturing)						P
Industrial Equipment and Supplies (Wholesale and Retail)				C	C	P
Insecticides, fungicides, and disinfectant manufacture						P
Mail Order House					P	
Marine, Boat sales and Rentals				C	P	P
Meat and Fish products, including slaughtering of meat or curing of meat, fish, packing and storage						P
Meat and fish products				C	P	
Medical Appliances, including braces, limbs, stretchers, supports, (Manufacturing)					C	P
Medical Appliance Sales					P	P
Metal Alloys or Foil, Metal Ores, reduction, refining, smelting, alloying, casting, or plating						P
Millwork and Planing (Including Sawmills)						P
Minerals and Earths, grinding crushing and processing						P
Mobile Home Dwelling	C		P			

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Mobile Home Park (See Table of Contents for M-3 Zone for Mobile Home Parks only)						
Mobile Homes				C	C	C
Monument Sales					C	P
Monument Works (Manufacturing)						P
Motorcycle Sales and Service				C	P	P
Music Stores					P	
Newspaper Offices and Publication				C	P	P
Newsstands				C	P	
Novelty and Souvenir Manufacturing					C	P
Nurseries, Plant Materials (Retail)	C			C	C	P
Nursery Schools and Day Nurseries		C	C	C	P	C
Office Buildings				C	P	
Office Equipment and Supplies (Manufacturing)						P
Oil and Fat Manufacturing, vegetable and animal						P
Opticians				C	P	
Optometrists				C	P	
Optical Goods Manufacture				C	P	P



ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Osteopaths				C	P	
Paint and Coatings Manufacture						P
Paint Stores				P	P	
Painting (Decorating Contractor)				P	P	C
Paper and Paperboard Manufacturing						P
Paper products (Bags, boxes, bulk goods, containers (shipping) envelopes, interior packaging Manufacture						P
Parks, Playgrounds, Non-Profit	C	C	C	P	P	C
Pawn Shops				C	P	
Pet Shops				C	P	
Petroleum or Petroleum Products, refining and storage, including gasoline						P
Philanthropic Organizations	C			C	P	P
Photographic Equipment					P	P
Photographic Shops				C	P	
Physicians				C	P	P
Picture Framing, Mirror Silvering					P	
Pipe Manufacture and Storage						P

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Plastic Molding and Shaping, excluding manufacturing of basic components						P
Plumbing and Heating Shops				C	P	P
Police Station, Local and State				C	C	
Post Office					P	P
Post Office, Branch				P	P	P
Pottery and Porcelain Manufacturing						P
Pressing, alterations and repair of wearing apparel				C	P	
Printing, lithographing or publishing, photo-engraving				C	P	P
Private Clubs, including community buildings, swimming, tennis, and other recreation	C	C	C	C	P	C
Professional Consultant Service				C	P	P
Professional Engineers				C	P	P
Public Transportation Terminal				C	C	P
Public Utilities	C	C	C	C	C	P
Radio and Television Stores				P	P	P
Radio, TV, and antennas (Manufacturing)						P
Radio Signal Towers and disks (Commercial)	C		C	C	P	P

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Railroad Freight Terminals and Yards						P
Recreation Centers (Public)	C	C	C	P	P	C
Real Estate Brokers				C	P	C
Refractories						P
Refrigerated Lockers					P	P
Refrigeration Manufacturing Plants						P
Restaurants (Drive-Ins)				P	P	P
Restaurants, Tea Rooms, Cafes, where all customers are served at a table or counter and where dancing or entertainment is excluded	C			P	P	P
Restaurants (Drive-Through)				P	P	P
Revival Church (Temporary and on permit issued by City Official, such permit good for period not exceeding one week and renewal for not more than these such periods)	C	C	C	C	C	C
Rifle, Pistol and Skeet Range	C					C
Roofing and Sheet Metal Shop						P
Rubber (Natural or Synthetic) Including tires, tubes (Manufacture)						P
Rubberwear, including gloves, footwear, bathing caps, (Manufacture)						P
Rubber Stamps (Retail)				C	P	
Saddle and Harness Shop				C	P	P

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Skating Rinks (Ice or Roller)				P	P	
Slaughtering, animals or poultry	C					P
Soap and Detergent Manufacture						P
Sports Arena	C			C		C
Sporting Goods Retail Store				C	P	
Sporting Goods (Wholesale)						P
Stationary Stores				C	P	P
Statutory and Art Goods (Manufacturing)	C			C	C	P
Steel Works and Rolling mills						P
Stock Yard and Feed Lots	C					C
Stone Monument Sales				C	C	P
Sand and Gravel Storage Yard						P
Schools, Elementary and Secondary Public and meeting KRS Laws	C	C	C	C	C	C
Scrap Metal, Salvage and Auto Wrecking Yard						C
Seafood Store (Retail)				C	P	
Seed Store				P	P	P
Sewage Disposal Plant	C					C

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Sheet Metal Products from metal stamping or extrusions, including but not limited to containers, costume jewelry, pins and needles, razor blades, kitchen utensils, etc. (Manufacturing)				C	C	P
Sheet Metal Shops				C		P
Shipping Containers (All-Manufacture)						C
Shoe Manufacturing						P
Shoe Repair Shops				C	P	P
Shoe Stores				P	P	P
Sign Painting				P	P	P
Signs and Displays (Manufacturing)				C	C	P
Stone Processing and Products						P
Storage Garages				P	C	P
Storage of Coal and Gasoline						P
Studio, Drama, Photography, Fine Arts and Speech				C	P	C
Studio Dance or Music				C	P	C
Surgeons				P	P	P
Surgical or Dental Supply Store				P	P	P
Synthetic Fibers (Manufacturing)						P
Tailor Shop				C	P	

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Tattoo Shop					P	
Taxi Service and Transit Vehicle Storage				P	P	P
Taxidermist				C	P	
Textile Mill						P
Theater, Indoor				P	P	P
Theater, Outdoor	C			C		C
Tobacco, Crops, Curing and Tobacco Products	C				C	P
Tool Manufacturing						P
Towers, Radio-TV Sending and Receiving Non-Commercial	C	C	C	C	C	C
Toy and Hobby Shops				P	P	
Toy and Game Manufacturing				C	C	P
Trade and Business Schools	C			C	P	C
Trailer Manufacturing						P
Trailer Sales Including Travel Trailers				C	P	C
Truck or Transfer Terminal, Freight and Motor Freight Stations	C				C	P
Upholstery and Furniture Repair				C	P	P
Upholstery and Furniture Shops (Wholesale)					P	P
Variety Stores				P	P	C

ADDENDUM CONTINUED

	RU	R-2	R-3	C-2	C-3	I-1
Vehicles, Children's (Manufacturing)					C	P
Venetian Blinds and Metal Awnings				C	C	P
Veterinary Clinic				C	P	
Video Sales and Rental				C	P	
Vulcanizing Shop						P
Wall Board, Plasterboard Manufacturing						P
Warehouse, Mini				P	C	P
Warehouse, Produce	C			C	C	P
Warehousing and Storage				C	C	P
Wearing Apparel and Shops				P	P	
Welding Shops				C	P	P
Wood or Lumber Processing	C					P
Wood Products Manufacturing					C	P
Wood Preserving Treatment						P