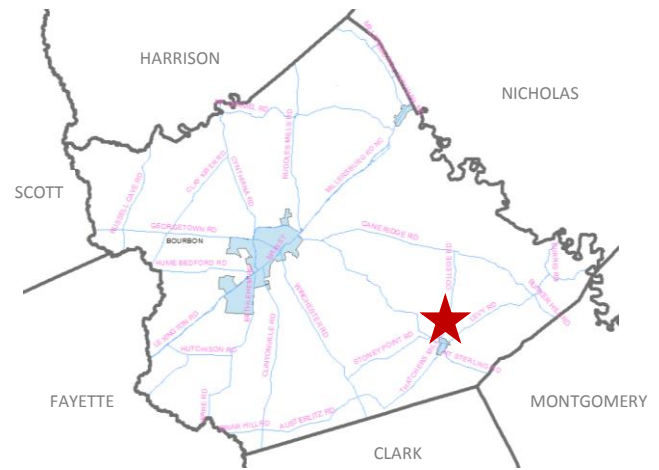


Staff Report

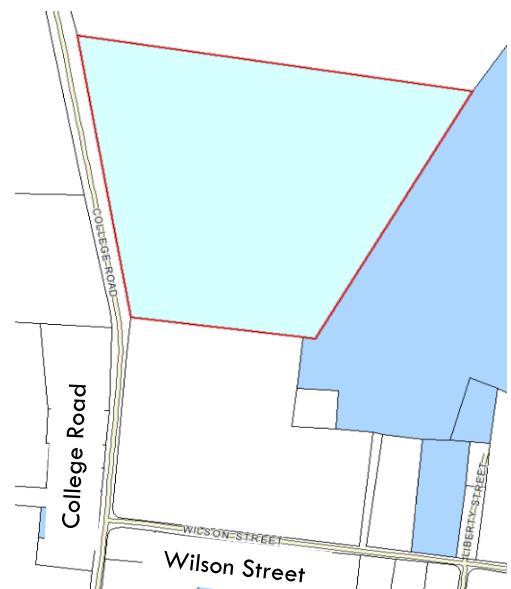
Board of Adjustment Meeting: September 18, 2018

Case Number: CUP 18-01
Applicant: Julie and Ben Sonner
Location: 343 College Road
Request: Conditional Use Permit
Special Events Venue and Bed and Breakfast
Zoning: A-1 Agricultural
Application Date: June 4, 2018
Legal Notification: September 6, 2018
Adjoining Property Letters: August 31, 2018



Proposal:

Applicant requests a Conditional Use Permit to operate a special event venue and a bed and breakfast on property at 343 College Rd. The application proposes the construction of an outdoor pavilion and conversion of a small building into restroom facilities.



Background:

Parcel #061-00-00-031.00

Owner: Julie and Ben Sonner

Existing Structures: Single-family home, guest house, and a small ~300 sf building (formerly a farm gift shop).

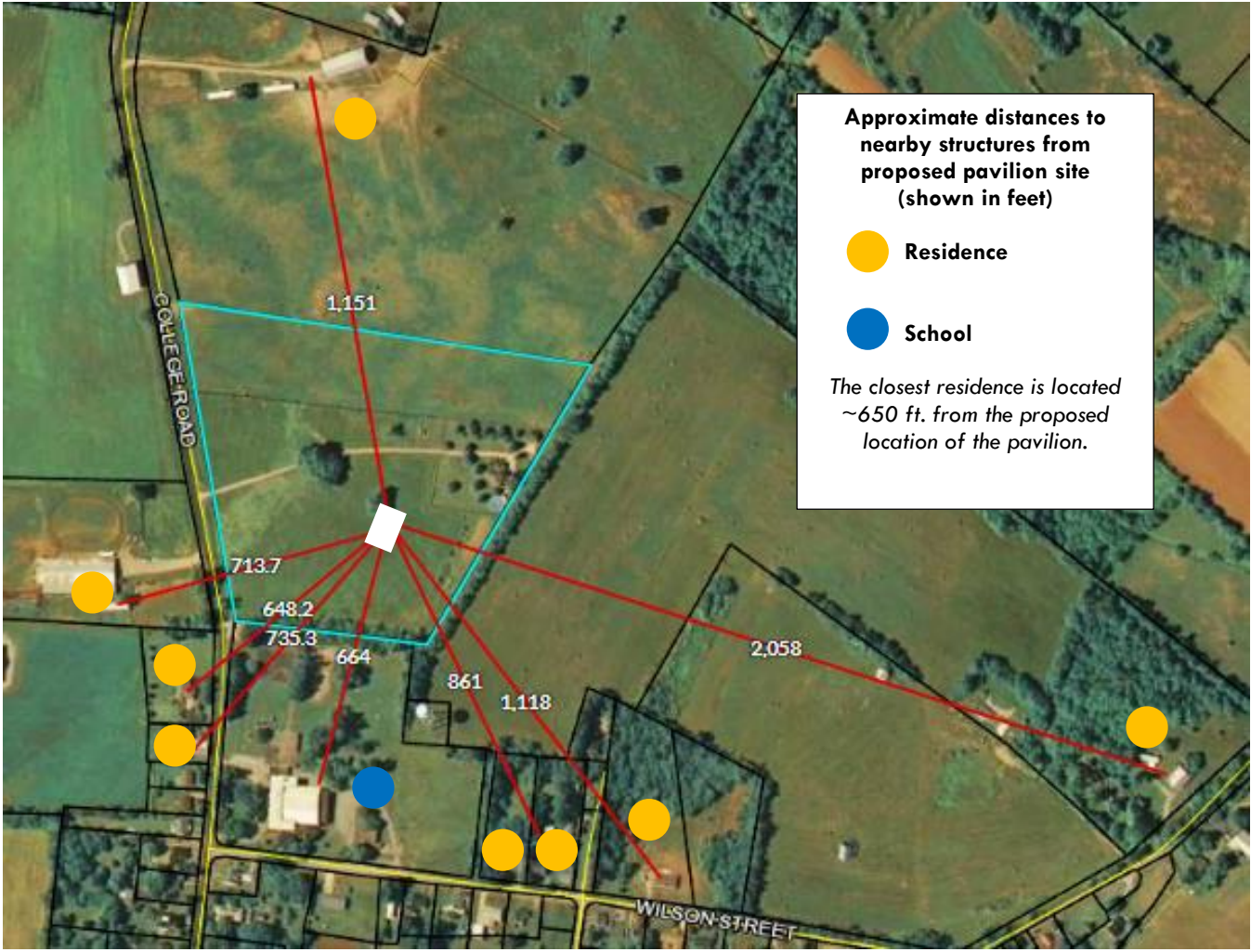
Existing front setbacks (approximate):

- Main residence: 725 ft.
- Guest house: 860 ft.
- Small building: 550 ft

Ingress/Egress: There is an existing driveway that is 440 ft. long and 10 ft. wide with gravel pull-offs to allow for passing.

Parking: There is an existing 31 ft. x 17 ft. gravel parking pad located in front of the proposed restroom building.





Requirements for weddings and special events per Bourbon County Zoning Ordinance (zoning text amendment passed on August 23, 2018):

3.22 Uses Permitted by Conditional Use:

Y. Special event venue, to include ceremonial events such as weddings and associated auxiliary events, charitable events, fund raisers, receptions, and corporate picnics. This use shall be subject to the following restrictions:

1. The maximum permissible sound level at the adjoining property line(s) shall not exceed:
 - a. 60 dB(A) 7:00 a.m. to 10:00 p.m.
 - b. 55 dB(a) 10:00 p.m. to 7:00 a.m.
2. All outdoor lighting must be pointed downward and shielded so as not to spill onto adjoining properties.
3. Designated parking areas shall be sufficient to accommodate the maximum capacity and shall not encroach on any public right-of-way.

STAFF FINDINGS:

- **PARKING:** Applicant is requesting an additional one-way entrance to exit the proposed parking area. An encroachment application has been filed with the District 7 Transportation Office. The proposed parking area is located outside of the public right-of-way (25 ft. from road centerline). Applicant proposes a gravel parking area. Currently, no landscape buffering exists between the road and the proposed parking area.
- **ROAD CAPACITY:** College Rd. is 18 ft. wide at this location. However, this road is 1,500 ft. from the nearest arterial (North Middletown Rd./Main St).
- **LANDSCAPE BUFFERING:** While a tree line does exist along the rear and the side of the property that borders the school, there is not buffering from College Road. If this area is to be used as a parking lot, staff recommends that the Board require the applicant to plant a landscape buffer along the 160 ft. section between the existing entrance and the proposed entrance. Staff recommends one small to medium tree every twenty feet (approximately 8 trees) and three medium – large shrubs every twenty (20) feet (approximately 24 shrubs).
- **NOISE:** Applicant agrees to abide by the permissible sound levels. According to the draft Policy Agreement submitted by the applicant, the rental hours shall be 9 a.m. – 9 p.m. Anticipated days of operation (Thursday – Monday).
- **RESTROOMS:** Applicant requests to convert small building (formerly a farm gift shop) into restroom facilities. Staff has recommended that applicant contact the Bourbon County Health Department to determine any needed sanitary sewer upgrades on the property.
- **FIRE SAFETY:** Guest house and proposed pavilion will be subject to any fire safety requirements. According to the local fire chief, any pavilion must be constructed of fire resistant materials. Staff recommends that applicant follow-up with the fire marshal on specific requirements. Regarding the guest house, applicant has installed working smoke detectors and fire extinguisher. There are three (3) exterior doors at the guest house.
- **CAPACITY OF GUEST HOUSE:** Maximum capacity of the guest house is four (4) people.
- **PAVILION:** Applicant has submitted conceptual renderings of similar pavilions. Proposed is a 40' x 80' open air pavilion. If approved, applicant must obtain a building permit from the Bourbon County Joint Planning Office and obtain feedback from the fire marshal prior to issuance.
- **REFUSE/GARBAGE:** Applicant has drafted a policy for trash. However, Staff recommends that Board ask for more description on where trash will be stored then disposed of.
- **LIGHTING:** All exterior lighting on property must be directed downward or shielded. Staff recommends that any upward lighting be contained to the pavilion area and ensure that lighting does not cause a nuisance to adjacent properties.
- **FOOD/ALCOHOL CONSUMPTION/PREPARATION:** Applicant intends to install a small kitchen area on the backside of the existing small building. Applicant and all caterers/vendors must abide by the Bourbon County Health Department requirements. Applicant shall also follow any requirements for the serving of alcoholic beverages as set forth by the Bourbon County Fiscal Court/Health Department.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of this conditional use application for the following conditional uses:

Bed and breakfast, and special events venue with the following conditions:

Condition 1: Applicant provide encroachment approval paperwork to the Bourbon County Planning Office. If the encroachment is denied by District 7, applicant must widen existing entrance to accommodate incoming and outgoing traffic.

Condition 2: Applicant submit landscape buffer plans for administrative approval by the Planning Administrator. Plans shall include one small to medium sized tree every 20 ft. (eight (8) trees in total) and three (3) medium to large sized shrubs every 20 ft. (24 shrubs total). Staff recommends applicant reference the Lexington Planting Manual located online: https://drive.google.com/file/d/0B_VhcJmdL_nhSzkwaVdfSXI5Mnc/view

Condition 3: Maximum capacity of facility shall not exceed proposed 150 people for each event per day.

Condition 4: Applicant must abide by noise requirements as required by the Bourbon County Zoning Ordinance. Should a violation be issued, applicant will be subject to revocation of the conditional use permit as determined by the Bourbon County Board of Adjustment.

Condition 5: Applicant shall furnish the Planning Office with site evaluation information from the Bourbon County Health Department. Applicant shall abide by any requirements set forth by the Bourbon County Health Department.

Condition 6: Applicant shall obtain building permit from the Bourbon County Joint Building Inspector, obtain all inspections and a certificate of occupancy prior to operation of the facility.

Condition 7: Any lighting on property must be shielded or directed downward.

Condition 8: Applicant and all vendors shall abide by any requirements for catering and food preparation of the Bourbon County Health Department.

Condition 9: Applicant is subject to annual inspection by the Bourbon County Joint Planning Office.

PHOTOS FROM COLLEGE RD.

