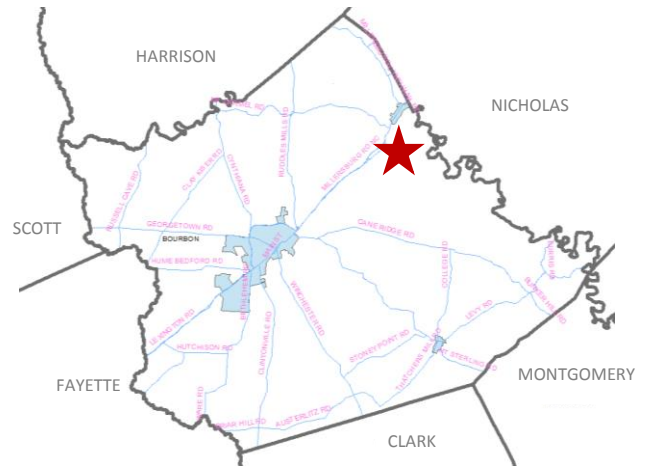


# Staff Report

Bourbon County Board of Adjustments Meeting  
January 15, 2019

**Case Number:** CUP 18-08  
**Applicant:** Clint & Gail Graves  
**Owner of Property?** Yes  
**Location:** 934 Blacks Cross Rd.  
**Request:** Conditional Use Permit for Special Event Venue  
**Zoning:** Agricultural (A-1)  
**Application Date:** December 6, 2018  
**Legal Advertisement:** January 3, 2019



## Proposal:

Applicant seeks a conditional use permit in the A-1 Agricultural zone for the operations of a special event facility on a 45 acre parcel of land located on Blacks Cross Rd.

## Background:

Parcel Size: 45 acres  
Existing Structures:  
Floodplain (Y/N): No  
Setback of existing barn:  
Front: 909 ft.  
Side: 30 ft.  
Rear: 460 ft.

Closest Residence: 935 ft.



Barn exterior

*Aerial imagery shown for descriptive purposes only. Any measurements shown are approximate and are not shown to scale.*

## Findings

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### **Trash Disposal: Staff recommend Board to inquire about disposal.**

#### **Restrooms:**

Existing: Rental of toilet facilities (porta potty) are the responsibility of the client. These portable facilities are intended for event guests. In the situation of a wedding, the wedding party has access to a bathroom located in an existing apartment that is located in the barn.

Future: Owner intends to install a single bathroom with wash station at the event venue with a wastewater tank that would be pumped regularly.

#### **Food Safety:**

Only licensed caterers with an appropriate level of liability insurance are permitted. The owner requires a copy of or proof of the catering services insurance policy. The facility provides electric and water to vendors.

#### **Alcoholic Beverages:**

Alcoholic beverages are permitted at the venue. If served, the client is responsible for ensure that all beverages are consumed in accordance with the laws and regulations of the State of Kentucky.

#### **Fire Safety:**

The existing barn contains two sets of large barn doors on either end of the facility. In addition, there are two exterior doors. Both exterior doors contain fire extinguishers with signage and exit signs. There are two smoke detectors; one located in the apartment space and another in the garage space of the building.

Inside open flames (including lit cigarettes/cigars) and fireworks are prohibited.

#### **Noise Control:**

All elevated music must end by 11 p.m. unless complaints are received. Per the venue contract, courtesy will be given to neighboring properties if the noise level is disturbing and a complaint is received.

#### **Lighting:**

The barn at this property contains motion censored shielded lighting that faces downward.

#### **Parking and Facility Access:**

Parking is located on an adjacent field to the barn venue. According to the applicant, parking attendants are staffed at each event.

## Additional Comments

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

A "conditional use permit" is the legal authorization to undertake a conditional use...as authorized by the board of adjustment, consisting of:

1. A statement of the factual determination by the board of adjustment which justifies the issuance of the permit; and
2. A statement of the specific conditions which must be met in order for the use to be permitted.

## Recommendation

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Staff recommends approval of this conditional use permit for the operation of a special event venue as the proposed venue would not negatively affect the health, safety, and welfare of the community.

Required conditions:

Bourbon County Zoning Ordinance:

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.

KRS 100.237:

The board shall have power to revoke the conditional use permit if noncompliance occurs.

Applicant must comply with all of the requirements of building, housing and other regulations.

If the condition is proposed to be expanded upon in the future beyond the previously established boundaries of the initial conditional use, then the expanded conditional use shall be reviewed by the board.

Recommended condition: Any elevated music to be reduced by 10:00 p.m.

**View of Blacks Cross Rd. from property entrance**



**Interior view of one (of two) exterior doors to main event space in barn.**



**Interior view of one (of two) sets of barn doors**



**Fire extinguisher located outside exterior door.**