



**CAMPBELL COUNTY & MUNICIPAL BOARD OF ADJUSTMENT  
MINUTES OF THE FEBRUARY 18, 2020 MEETING**

**MEMBERS PRESENT:**

Mr. Scott Bachmann  
Mr. Justin Verst, Chair  
Mr. John Fessler, TPO  
Mr. Michael Williams  
Mr. Joseph Williams

**STAFF PRESENT:**

Mr. Kirk Hunter, Principal Planner  
Mr. Michael Duncan, Legal Counsel  
Ms. Emily Woodward, Secretary

**MEMBERS ABSENT:**

Ms. Susan Meyers

**STAFF ABSENT: N/A**

Mr. Verst called the meeting to order at 7:03 PM with the Pledge of Allegiance. Following roll call, a quorum was found to be present, with Mr. Bachmann, Mr. Fessler, Mr. Mike Williams and Mr. Verst, and Mr. Joe Williams in attendance, and Ms. Susan Meyers absent.

Attention was then turned to the approval of the previous meetings minutes. Mr. Verst noted that the date was absent from the header of the minutes, but made no other corrections or notes. Mr. Williams made a motion to approve the minutes as corrected, Mr. Bachmann seconded. A roll call vote found, Mr. Bachmann, Mr. Fessler, Mr. Mike Williams and Mr. Verst in favor, with Mr. Joe Williams abstaining.

Following the approval of the minutes Mr. Verst gave a brief explanation of the hearing proceedings to the members of the audience.

Ms. Minter then noted for the record that a typographical error on the letters mailed to the properties adjoining the property referenced in the first case, had indicated the meeting was at 8330 E. Main St. rather than the correct 8352 W. Main St. Ms. Minter added that a sign with the correct address was posted on the other property, and stated that she had gone to the incorrect site to direct people to the correct meeting site.

With that noted, Ms. Minter turned the floor to Mr. Hunter to present the staff report for the first case. Mr. Hunter reminded the members of the board, that while the two cases being presented to them that evening were similar, the circumstances surrounding each were different, and reminded them not to consider content from the first case when hearing the second.



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He then presented the staff report as follows:

- CASE NUMBER:** BA-20-001
- APPLICANT:** Eric Richardson, Hartland Farm LLC
- LOCATION:** An approximately sixty (60) acre parcel located on Hissem Road in Unincorporated Campbell County.
- REQUEST:** A conditional use permit for an event facility in the A-1 zone

**Overview:**

This site currently a working farm. The applicant intends to construct an event facility to supplement the farm income.

**Considerations**

1. The zoning for the site and surrounding areas is Agricultural-One (A-1). The land uses surrounding the property consist of both residential and agricultural land.
2. Article X, Section 10.1 Agricultural-One (A-1) Zone of the Unincorporated Campbell County Zoning Ordinance also regulates setbacks as follows:

**Description: A-1 Zone Regulations Require:**

Minimum Lot Area:	One (1) acre
Minimum Lot Width:	One hundred (100) feet
Minimum Front Yard Depth:	Fifty (50) feet
Minimum Side Yard Depth:	Twenty-five (25) feet - (Minimum ten (10) feet on one side)
Minimum Rear Yard Depth:	Thirty-five (35) feet
Maximum Building Height:	Thirty-five (35) feet

3. Article X, Section 10.1., C. Conditional Uses, 17, States:
  - C. **CONDITIONAL USES:** No building or occupancy permit shall be issued for any of the following-nor shall any of the following uses or any customary accessory buildings and uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Article IX, Section 9.14:
    - ...
    - 17. Event facilities.
4. Article IX, Section 9.14 Conditional Uses of the Campbell County Zoning Ordinance continues to specify the following points of interest to the Board:
  - A. The Board of Adjustments 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.....The Board shall have

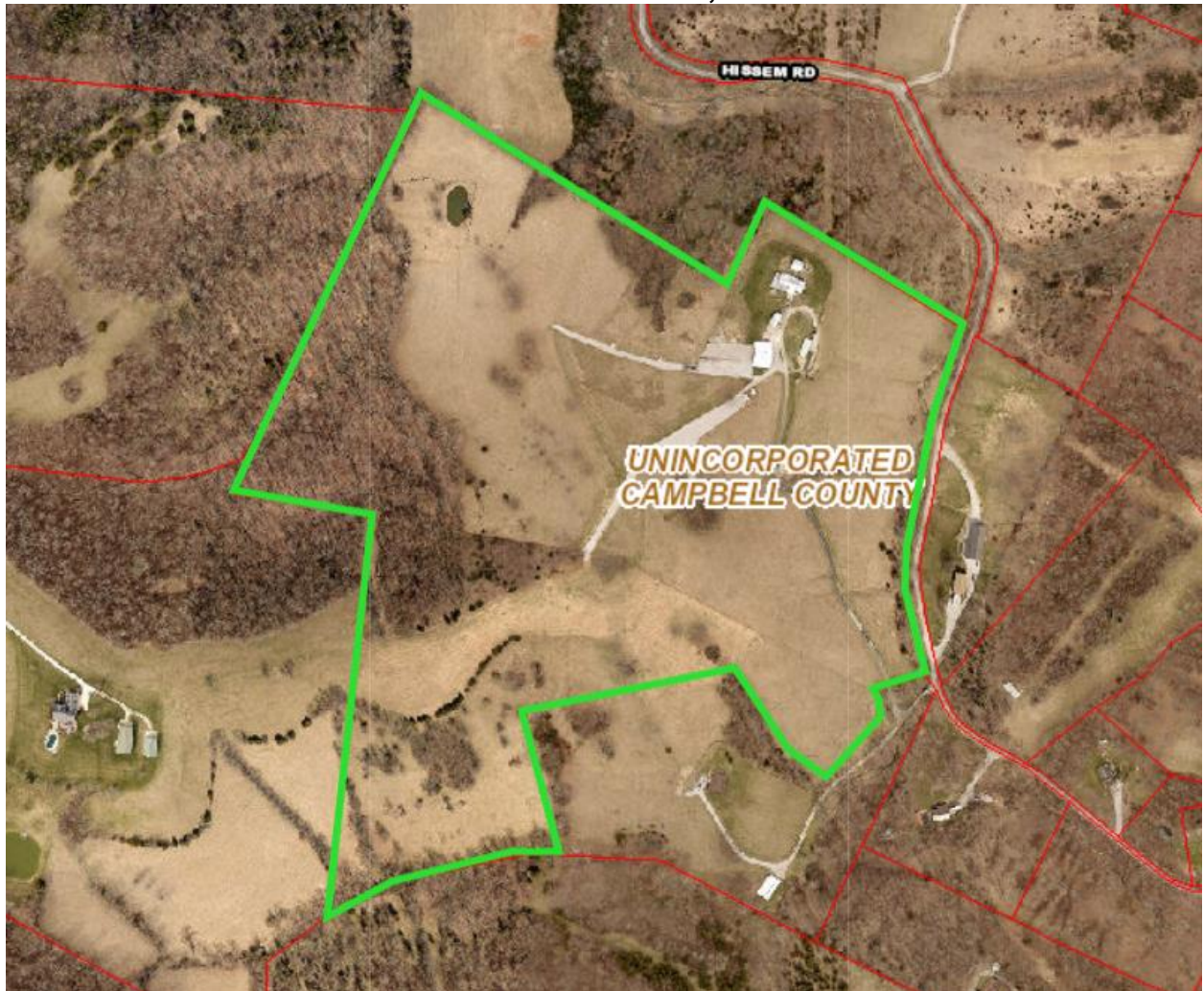


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power to revoke conditional use permits, or variance for noncompliance with the condition thereof. Furthermore, the Board shall have a right of action to compel offending structures or uses removed at the cost of the violator and may have judgment in persona for such cost.

- B. Granting of a conditional use permit does not exempt the applicant from complying with all of the requirements of this ordinance, the building code, housing code, and other regulations of the city.
  - C. In any case where a conditional use permit has not been exercised within the time limit set by the board or within twelve (12) consecutive calendar months from date of issuance, such conditional use permit shall not revert to its original designation unless there has been a public hearing.
  - D. If the landowner is not complying with all of the conditions listed on the conditional use permit, the Zoning Administrator shall report the fact in writing to the Chairman of the Board of Adjustments. The report shall state specifically the manner in which the landowner is not complying with the conditions on the conditional use permit, and a copy of the report shall be furnished to the landowner at the same time it is furnished to the chairman of the Board of Adjustments. The Board shall hold a hearing on the report within thirty (30) days, and notice of the time and place of the hearing shall be furnished to the landowner at least one week prior to the hearing. If the Board of Adjustments finds that the facts alleged in the report of the Zoning Administrator are true and that the landowner has taken no steps to comply within the time between the date of the report and the date of the hearing, the Board of Adjustments 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.
5. A review of public records indicates no Board of Adjustments cases for this site

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*Figure 1: Entire parcel showing proposed event facility*

6. Hissem Road is a County-maintained road. The site is approximately 2 miles from US 27 via Nagel Road from the North and approximately 1.5 miles from US 27 via Fairlane Road from the South.
7. The site plan reflects the following:
  - A. Ceremony site locations
  - B. Parking areas
  - C. Driveway and access to Hissem Road
  - D. Dumpster location
  - E. Agricultural areas of farm

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### Ceremony Sites

1. 1895 farmhouse
2. Covered 40' x 30' compacted gravel pad with faux window frames and lighting.
3. Large 3000 square foot, partially covered deck with outdoor stone fire-place.
4. 6-car garage
5. 1895 barn
6. Pond area
7. Large oak tree near red barn.
8. Top of the hill with a 15' x 25' deck with railing. space has adjacent parking in a grassy pasture with approximately 4-5 acres of space for vehicles.

### Site Notes

- Parking lots illuminated by Wall Pack Lighting
- Cattle Grazing areas off-limits to customers
- Driveway splits to two curb cuts at Hissem Road
- Customer responsible for port-a-let rental - several designated toilet locations.



*Figure 2: Site Plan*

8. Article IX, Section 9.14 Conditional Uses of the Campbell County Zoning Ordinance governs the rights of the Board of Adjustment when granting a Conditional Use Permit; the determination that must be made; as well as actions to be taken if the applicant fails to comply with any conditions to an approval of the use. To grant a Conditional Use Permit, the Board must make the following determination:
  - A. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community;
  - B. That such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
  - C. That such use will comply with any regulations and conditions in this Ordinance for such use.



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### From the Applicant:

*"The proposed use of my farm as an Event Facility is in addition to its current agricultural use of growing Christmas trees and raising Wagyu beef cattle. I feel my location has breath-taking views that illustrate the natural beauty of Southern Campbell County in the N. KY community.*

*My farm is located just 25 miles south of downtown Cincinnati and would attract a wide variety of visitors to this area. It is located approximately 10 minutes from AJ Jolly Golf course and AJ Jolly County Park which offer many leisurely activities to guests who might want diversion from activities associated with weddings and events while visiting my farm. I feel these local resources may also help attract potential customers to my farm and expose my farm to potential buyers of the products I am offering.*

*I do not see any negative effects of offering my farm as an event facility. I built a new expanded encroachment onto my farm in the fall of 2018. I improved access to my property with a new expanded concrete driveway and new gravel parking lots around my barn and garage. I feel my farm offers easy access and egress to increased traffic that may be seen. My location also has access from 3 main roadways so that traffic congestion should be minimal. It is supplied by Fairlane Road, Nagel Road, and the Hissem Road/Clay Ridge Road route from Grant's Lick.*

*My event facility sits in the middle of 60 acres of farmland and I do not foresee noise being a problem with local neighbors. I also plan to use local neighbors to get involved with helping during some of these events. Many have already offered to help with actions such as directing parking, setting up for events, cleaning up after events, and being present to help monitor activities for Harland Farm, LLC during events.*

*As stated in the attached business plan, Hartland Farm is about 5-6 years away from profitability from sales of Christmas trees and Wagyu beef cattle. I feel the Event Facility will provide immediate income for the farm and enhance the potential sales of the other agricultural products in the future."*

### Staff comment:

- A. The proposed use at this particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood or the community;
- B. The use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and



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C. Such use will comply with any regulations and conditions in the Zoning Ordinance.

9. In addition to these statements, the applicant has provided the following details about the proposed event facility:

**Business Overview excerpted from business plan. (Full plan in appendix)**

### Executive Summary

The purpose of this business is to support and maintain the working farm known as Hartland Farm. This farm is located at 14386 Hissem Road, Butler, KY 41006. The farm is comprised of 60 acres of scenic beauty and rolling hills. It includes an historic farmhouse and barn built in 1895. On this farm, I am raising cattle and Christmas trees. Both of these factions of the farm are at least 6 years away from sales and profitability. The event facility business will be ready for operation in April of 2020 and should generate income immediately.

### Company Description

The farm will be offered as rental for events lasting from 3 to 5 days and will include as an option the rental of the farmhouse with full kitchen as prep area for catering. The house also has 2 full bathrooms, 1 half bath, 2+ bedrooms and 3 queen-sized beds. The farm will be marketed heavily to use for weddings but is also available for showers, rehearsal parties, receptions, reunions, holiday parties and corporate events, just to name a few .

### Organization and Management

Hartland Farm, LLC is the owner of Hartland Farm located at 14386 Hissem Road, Butler, KY 41006. Eric T. Richardson, MD is the only member and registered agent. He lives at the same address. The file number for Hartland Farm, LLC is 1020207.

The coordinator for Hartland Farm is Ms. Deborah Sunday-Dalton. She lives next door to Hartland Farm and will serve as a contractor to coordinate with clients and arrange for tours, answer questions and facilitate information to vendors.

### Services

The service Hartland Farm, LLC provides to the client is rental of the farm as a venue for events. Rental includes access to non-livestock areas, barn, garage and large deck with outdoor fireplace and fire pit. The 1895 farmhouse is also available for additional fees. Ample lighted parking is available near barn.

Hartland Farm can accommodate small weddings of less than 100 guests as well as large outdoor events for up to 250 guests.

The Lessee will be required to obtain and utilize the services of a professional wedding planner. They will be responsible for choosing and contracting with all vendors (including but not limited to: tent



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rental, table, chairs, music, catering, certified bartender, set-up and clean-up staff. The Lessee will also be required to purchase their own event insurance policy. Public restrooms are not available on this venue.

Lessee will be required to arrange for rental toilet trailers with handicap access and portable toilets.

### Venue Description

Hartland Farm will offer at least eight separate potential sites for ceremonies.

1. Front of 1895 farmhouse which resembles the American Gothic painting by Grant Wood, also a perfect site for whimsical photo opportunities complete with pitchfork.
2. Covered 40' x 30' compacted gravel pad with faux window frames and lighting.
3. Large 3000 square foot, partially covered deck with outdoor stone fireplace. This deck overlooks a newly built pond and future Christmas tree plat.
4. Newly built 6-car garage with beautiful finished interior and glass panel doors. A wall of neon signs adorns one end of garage, a basketball goal and half court is on the other end. This indoor structure functions as a possible backup site for the ceremony during inclement weather. It would easily accommodate up to 125 guests.
5. Ground floor of restored 1895 barn with beautiful hand hewn timbers, antique hay trolley and dairy stanchions for rustic decorations. This barn could also function as a backup site for the ceremony during bad weather and can accommodate up to 100 guests.
6. Pond will have a lighted fountain and covered deck between the pond and Christmas tree plat.
7. Beautiful large oak tree near red barn.
8. Top of the hill with spectacular views of farm and distant hills of southern Campbell County. A 15' x 25' deck with railing can serve as site for ceremony as well as function as dance floor on top of the hill. This space has adjacent parking in a grassy pasture with approximately 4-5 acres of space for vehicles. There is a large gravel drive access to this part of the farm and works best for AWD/4WD/front wheel drive vehicles. No guarantee is made by Hartland Farm as to utilization of this parking for guests. This space is not lighted and a rental generator with lights is strongly encouraged. This space can easily accommodate 250 guests. Large tents with table and seating works well here. Silent generators for lighting and music are recommended but are not provided by Hartland Farm, LLC.

The 1895 farmhouse is available as an add-on rental. The restrooms inside the house are only available for use by the wedding party, not guests. Adequate rental toilet facilities are the sole responsibility of the Lessee.





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### Marketing and Sales

An E-commerce website is currently under development and should be functional by March 2020. Networking with local wedding and event planners has already begun. Advice from these event planners is being sought as to what would make this the perfect venue for their clients. We are also beginning to introduce Hartland Farm to this community of sales agents in hopes of generating interest in the near future.

Pamphlets and business cards are being designed and printed to hand out at trade shows and events.

### Rental information for Hartland Farm, LLC.

Basic Package - \$6,000. (3-day rental @ \$2,000/day) Friday, Saturday and Sunday, 9am - Midnight each day.

Basic Plus - 1895 Farmhouse - \$7,500 (3-day rental @ \$2,500/day) Friday, Saturday and Sunday, 9am Friday to Midnight Sunday.

Extra Days Available - Thursday and/or Monday

Farm Only - \$2,000/day.

Farm plus 1895 Farmhouse -\$2,500/day.

Alcohol is allowed to be served 6pm - 10pm during the event by a certified and insured bartender only. No alcohol allowed to leave the venue. Service must stop 1 hour prior to end of the event at 11pm. Lessee must provide an alcohol liability insurance policy for the event.

Facility will be available year-round

\* \* \* \* \*

10. Per Section 18.2., Procedure for All Appeals to Board, a legal notice of this public hearing was given in accordance with the Campbell County Zoning Ordinance. ***A legal notice appeared in the February 6, 2020 edition of the Campbell County Recorder advertising applicant's request and the hearing to be held on February 18, 2020.***

### Summary of Applicants Request:

The applicant is requesting a conditional use permit for an event facility

### Staff Recommendation:

To approve the conditional use permit for an event facility.

### Bases for Staff Recommendation:



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1. In compliance with SECTION 18.7 CONDITIONAL USE PERMITS of the Campbell County Zoning Ordinance, a written application for a conditional use permit and a site plan subject to the applicable requirements of Section 9.19, was submitted to the Board for review and approval;
2. Notice of public hearing was given in accordance with Section 18.2 of the Campbell County Zoning Ordinance;
3. In accordance with KRS. 100.237, the Board of Adjustment 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 herein which may be suitable only in specific locations in the zone.
4. The evidence presented by the applicant and staff is such as to establish beyond any reasonable doubt:
  - a. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community;
  - b. That such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
  - c. That such use will comply with any regulations and conditions in the Campbell County Zoning Ordinance for such use.

### **Additional Notes to the Applicant:**

1. The granting of a conditional use permit does not exempt the applicant from complying with all of the requirements of this ordinance, the building code, housing code, and other regulations.
2. Farm exemption may not be used on facilities related to this conditional use.

Mr. Hunter noted in his presentation that the address on the legal notice, published in the Campbell County Recorder, did reflect the correct address for the meeting. Following presentation, Mr. Hunter turned to the board for questions.

Mr. Bachmann inquired about the number of neighbors and their distance from the proposed project. Mr. M. Williams inquired about the number of parking spaces, and whether athletic events would be held in the garage. Mr. Hunter deferred these questions to the applicant.

The applicant, Mr. Eric Richardson, was then invited to speak. He shared with the board that he had gotten the idea to host events on the site following successful pig roasts at the location. He stated that the idea fully came to fruition following recent renovations to the property. He then turned to the board for questions.



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Mr. M. Williams and Mr. Richardson discussed the details as they pertain to number of parking spots, hours of operation, music, and other events.

Mr. Verst asked for clarification about lighting location, which Mr. Richardson provided. Mr. Fessler then requested additional clarification about hours Monday through Thursday, which Mr. Richardson also provided.

Mr. Verst, Mr. Hunter and Mr. Richardson discussed the proposed guest limit, as well as who would be responsible for providing equipment such as restrooms and lighting.

Mr. Bachmann then raised the question of the number and proximity of the neighbors, to which Mr. Richardson provided a detailed description. Mr. Bachmann then raised concern regarding the state of the road. Mr. Richardson noted that the road is not a true two lane road and that it is very narrow. He also added however, that he has had several large trucks traversing the road for the construction on the property, and has had no issues, and foresees no issues with the traffic associated with the event venue.

Mr. Verst then began the public comment portion of the hearing.

The first to speak was Ms. Kristen Turner, representing residents at 702 Fairlane Rd. She provided a packet of information, a copy of which is attached as part of the legal record of this meeting. She stated that she was there in opposition of the proposed project, citing concerns with location, road conditions, cultural decay, noise, traffic, lighting, and sewage. She also referenced an attached petition signed by members of the community.

The next to speak was Mr. Mike Turner, also of 702 Fairlane. He noted the location of his home in reference to the proposed site, and echoed Ms. Turner's concerns, adding that he was worried about who will be monitoring the lighting and sound if Mr. Richardson is not present during the events.

A Mr. Paul Kremer of 13868 Hissem rd. then took the floor. He also noted the location of his home in relation to the project, and provided a packet of information which is attached. He expressed concerns with traffic, road conditions, noise disturbances, overnight stays and property values.



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Mr. Kyle Banks noted that previous speakers had covered his concerns.

Ms. Janice Banks of 6287 Fairlane expressed concern about school buses encountering event traffic in the evenings, as well as the short amount of time between the end of alcohol service and exit from the event center.

Mr. Robert Smith of 242 Demossville Rd. presented a letter, a copy of which is attached, expressing his opposition.

Mr. Ed Schuhmann, who represents Mr. Smith noted concerns with the ability of emergency response vehicles to reach the area.

Ms. Martha Teegarden of 442 Muinn Rd. expressed concern with the echoing in the area, and noted that she sees a difference between an annual event like a pig roast and events occurring every weekend as proposed.

Mr. Jeremy Gosney of 810 Fairlane echoed opposition and concerns regarding noise. He also noted concern regarding hunting on his neighboring land, and if that would be effected by the events.

Mr. David McCain of 1448 Hissem Rd. again echoed concerns with traffic as well as guests consuming alcohol and driving.

Ms. Lisa Turner of 687 Fairlane expressed fears of increased crime in the area, and asked for some clarification regarding the cap of 250 and whether or not Mr. Rrichardson would open the facility to two events on one weekend.

Mr. Gary Nelson of 13552 Hissem noted that he crosses his cattle on Hissem and was worried about traffic encountering them, and expressed concern about any events other than weddings that the facility may be open for.

Mr. M. Williams then made a motion to take a brief recess Mr. J. Williams seconded, an oral vote found all in favor. The meeting was called back to order at 8:52 pm.

Once back from recess Ms. Minter spoke to some of the issues raised by members of the audience. She noted that per the county maintenance records Hissem rd. is an average of 16 ft.



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wide and Nagel is listed at 18. She spoke to Luke Mantle of the road department and he shared that while the roads are slated for repair he could not give a specific date for when those would be completed. She also added that even if the roads were repaired they would not be widened.

For clarification, Mr. Verst asked Ms. Minter about other uses that would be permitted on the site. She confirmed that a music festival could be considered an event for these purposes, as well as a skeet shoot, but that a gun range would need its own conditional use permit. After some discussion about the function of a conditional use permit, and what would require an additional meeting, Mr. Richardson was given an opportunity to reply to comments.

He reiterated that he would not be responsible for the regulation of alcohol, that the person renting the event space would be required to provide a licensed and insured bartender, who would be held responsible for the alcohol. He added that camping will not be permitted on the grounds and that the only persons permitted to stay overnight would be the party renting the home. He also noted that the cap number of 250 refers to people in attendance, rather than vehicles. Mr. Richardson also clarified that all temporary rental items, including lighting and facilities would be required to be removed at the completion of the event, and that none of these items would remain on the site beyond the scope of any event.

With that, the floor was turned back to the commission for discussion. Mr. Mike Williams began the discussion by stating that he felt there was no room to compromise. The public opposition, paired with the state of the roads, makes it difficult to find any way to allow the proposed facility.

Mr. Bachmann echoed that sentiment, adding that he did not feel that the use met the requirements set before approving a conditional use. Mr. Joe Williams stated, that while he agreed with Mr. M Williams and Mr. Bachmann, that the number of similar facilities in the area, which was noted by members of the public, should not be a factor in their decision.

Mr. Fessler agreed that there was no way to prove that this use was either necessary or desirable in this location, or that it would not be detrimental.

There was some discussion about possibly tabling the application to come back at a later date, possibly with answers for some of the concerns brought forth by the public at this hearing.



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However in the end the board felt it was their responsibility to provide those in attendance an answer. Following that conclusion Mr. Verst opened the floor to a motion.

Mr. Bachmann made a motion to deny the request for a conditional use permit for an event facility in case BA-20-001. Mr. Fessler seconded the motion. A roll call vote found all in favor, none abstaining. The motion carried.

Mr. Verst thanked the audience members for their participation, and let them know that they were free to leave, as the board had another case to hear.

Mr. Hunter presented the staff report for case BA-20-002 as follows.

- CASE NUMBER:** BA-20-002
- APPLICANT:** Randy and Debbie Bray
- LOCATION:** An approximately fifty-seven (57) acre parcel located on Siry Road in Unincorporated Campbell County.
- REQUEST:** A conditional use permit for an event facility in the A-1 zone

**Overview:**

This site currently a working farm. The applicant intends to construct an event facility to supplement the farm income.

**Considerations**

11. The zoning for the site and surrounding areas is Agricultural-One (A-1). The land uses surrounding the property consist of both residential and agricultural land.
12. Article X, Section 10.1 Agricultural-One (A-1) Zone of the Unincorporated Campbell County Zoning Ordinance also regulates setbacks as follows:

**Description: A-1 Zone Regulations Require:**

Minimum Lot Area:	One (1) acre
Minimum Lot Width:	One hundred (100) feet
Minimum Front Yard Depth:	Fifty (50) feet
Minimum Side Yard Depth:	Twenty-five (25) feet - (Minimum ten (10) feet on one side)
Minimum Rear Yard Depth:	Thirty-five (35) feet
Maximum Building Height:	Thirty-five (35) feet

13. Article X, Section 10.1., C. Conditional Uses, 17, States:



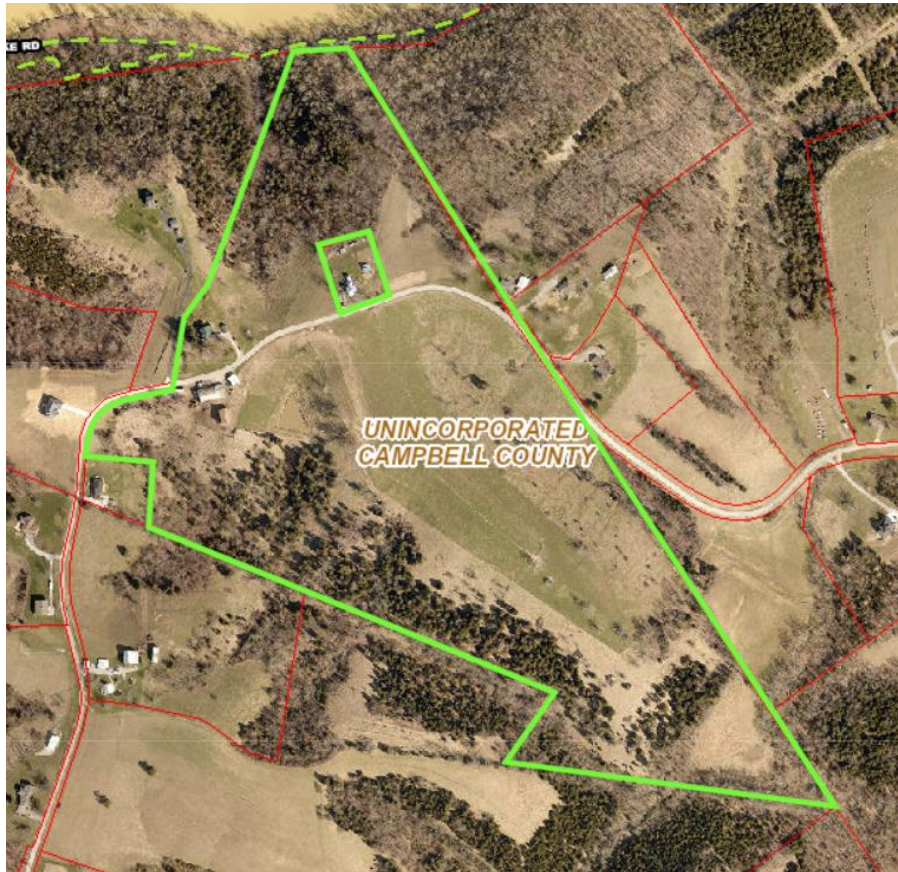
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- C. CONDITIONAL USES: No building or occupancy permit shall be issued for any of the following-nor shall any of the following uses or any customary accessory buildings and uses be permitted until and unless the location of said use shall have been applied for and approved of by the Board of Adjustment as set forth in Article IX, Section 9.14:
    - ...
    - 17. Event facilities.
14. Article IX, Section 9.14 Conditional Uses of the Campbell County Zoning Ordinance continues to specify the following points of interest to the Board:
- A. The Board of Adjustments 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.....The Board shall have power to revoke conditional use permits, or variance 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 persona for such cost.
  - B. Granting of a conditional use permit does not exempt the applicant from complying with all of the requirements of this ordinance, the building code, housing code, and other regulations of the city.
  - C. In any case where a conditional use permit has not been exercised within the time limit set by the board or within twelve (12) consecutive calendar months from date of issuance, such conditional use permit shall not revert to its original designation unless there has been a public hearing.
  - D. If the landowner is not complying with all of the conditions listed on the conditional use permit, the Zoning Administrator shall report the fact in writing to the Chairman of the Board of Adjustments. The report shall state specifically the manner in which the landowner is not complying with the conditions on the conditional use permit, and a copy of the report shall be furnished to the landowner at the same time it is furnished to the chairman of the Board of Adjustments. The Board shall hold a hearing on the report within thirty (30) days, and notice of the time and place of the hearing shall be furnished to the landowner at least one week prior to the hearing. If the Board of Adjustments finds that the facts alleged in the report of the Zoning Administrator are true and that the landowner has taken no steps to comply within the time between the date of the report and the date of the hearing, the Board of Adjustments may authorize the Zoning Administrator, to revoke the conditional use permit

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and take the necessary legal action to cause the termination of the activity on the land which the conditional use permit authorizes.

15. A review of public records indicates no Board of Adjustments cases for this site



*Figure 1: Entire 57-acre parcel*



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*Figure 2: Approximate Location of Proposed Event Facility*

16. The site plan submitted by the applicant reflects the following:
- a. The site is approximately 16 acres located within the 57-acre parcel.
  - b. The site is currently used for agricultural purposes.

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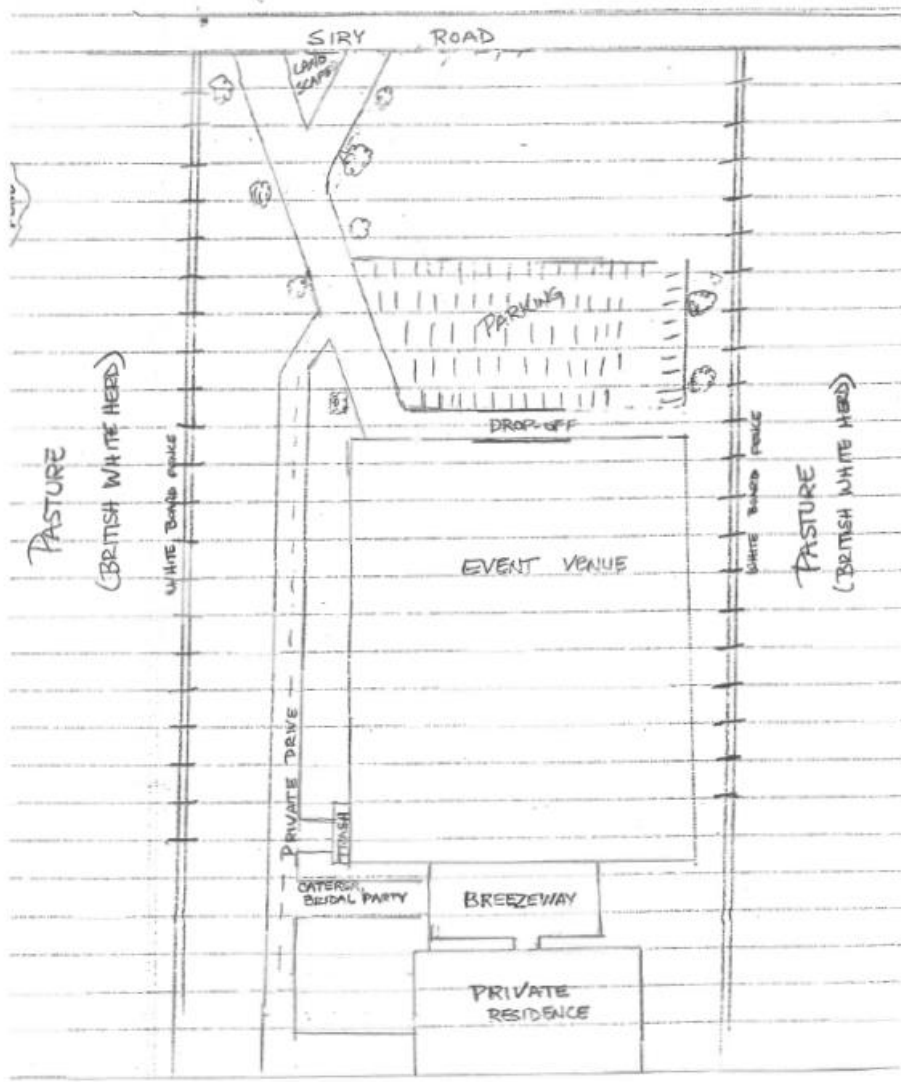


Figure 3: Site Plan

- c. The site plan shows:
1. Location of a proposed residence;
  2. parking and circulation;
  3. dumpster area;
  4. landscaping and fencing

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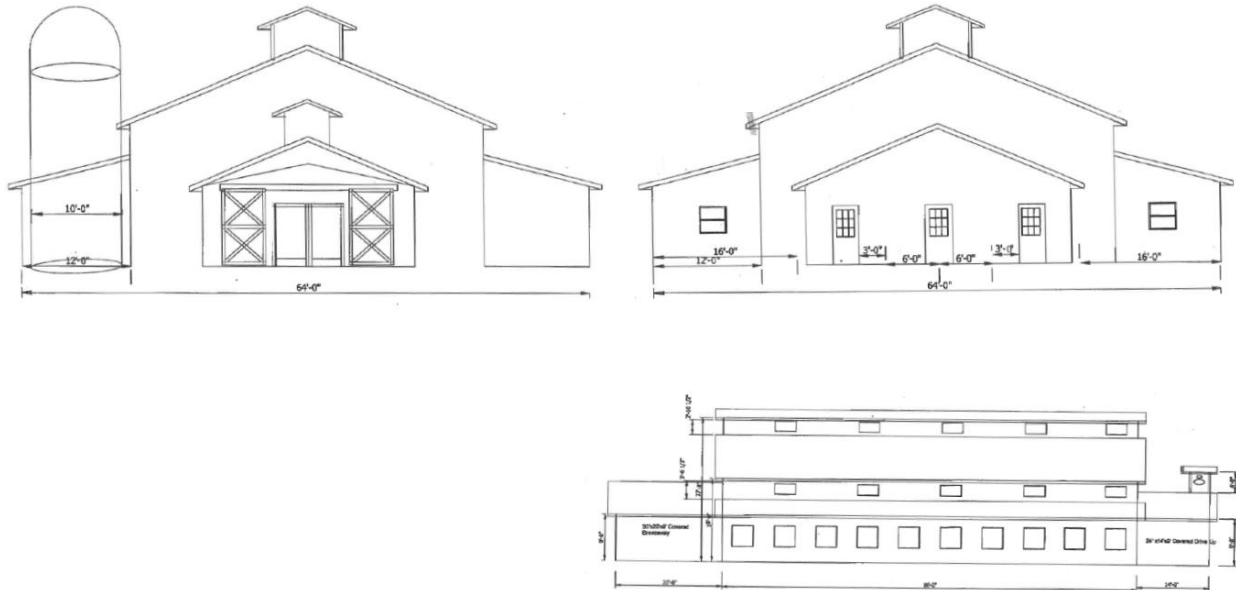


Figure 4: Proposed Barn

17. The site is located on Siry Road, a County-maintained road, approximately 1 ¼ miles from US 27 and approximately 7 miles from the AA highway.
18. Article IX, Section 9.14 Conditional Uses of the Campbell County Zoning Ordinance governs the rights of the Board of Adjustment when granting a Conditional Use Permit; the determination that must be made; as well as actions to be taken if the applicant fails to comply with any conditions to an approval of the use. To grant a Conditional Use Permit, the Board must make the following determination:
  - D. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community;

**The applicant states:** *"It is our belief that the addition of this venue at this location will provide a useful and beneficial service to the community and general surrounding area. The construction of this venue is critical and of complete necessity of providing the service(s) which we intend."*

**Staff comment:** The proposed use at this particular location is necessary or desirable to provide a service or facility that will contribute to the general well-being of the neighborhood or the community.



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- E. That such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;

**The applicant states:** *"The event facility will be constructed, maintained, and operated in a manner to comply with all applicable environmental, safety, and health codes. We believe that the addition of this venue will not only NOT have any negative effects on the surrounding area and/or residents, but will have a positive impact on surrounding community and those residing therein."*

**Staff comment:** The use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

- F. That such use will comply with any regulations and conditions in this Ordinance for such use.

**The applicant states:** *"It is our full intention to meet and/or exceed any and all regulations and ordinances applicable to our venue. This is not only beneficial for the approval of and construction of this property, but critical to the community image, reputation, and success of this venue moving forward beyond the initial approval of the requested construction."*

**Staff Comment:** The use will comply with any regulations and conditions in the Zoning Ordinance.

19. In addition to these statements, the applicant has provided the following details about the proposed event facility:

**Business Overview:**

**Months of Operation:**

- January thru December

**Hours of Operation:**

- Daily 10-9
- Fri 10-11
- Sat 10-11
- Sun 12-6

**Parking:**

- Spaces. 8'x16'



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- Exit/enter lanes. 24'
- Handicapped spaces as required
- Gravel. (Updated to paved)

### Driveway:

- Divided entry/exit at Siry Road
- Will lead to covered drive-up and parking lot. Will follow DOT recommendations.
- Lined with white board fence.
- Landscaped.
- British white cattle in adjoining pastures.
- Farm pond in view.

### Signage:

- As permitted by county

### Facility:

- Located on existing, working cattle/grain farm which will continue as such.

### Outdoor lighting:

- Exterior lighting on building, inside cupolas.
- Decorative pole lights in parking lot.
- Pole lights on driveway as required.

### Septic:

- As recommended by NKY Health District

### Dumpster:

- Positioned on concrete pad with exterior privacy fence (or as required)

### Property size:

- Approx. 16 +/- acres increase a possibility.
- One enclosed farm pond.
- Long ridge surrounded by white board fence, British white cattle, hay fields, beautiful views of neighboring farms, hills, valleys, and nature's landscapes.

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*Figure 4: Panoramic View of Site*

- Will have photo op areas also.
- Gazebo.
- Covered breezeway with acid stained or stamped concrete to be used as gathering place and photo op.

Noise:

- Electronics, entertainment and music contained to indoor space.
- Modest PA system used for outdoor ceremony.

Interior proposal:

Kitchen:

- Staging area, no cooking allowed.
- Equipment provided:
  - commercial refrigeration and freezing,
  - 3 bay sink,
  - microwave (2),
  - ice machine,
  - towels and dishcloths.
  - Pass thru window to buffet counter.

Bridal Suite - connected to Ladies room

Groom Suite- connected to Gents room

Restrooms:

- Dedicated Ladies (2 stalls, 1 handicapped stall, 2 sinks) and Gentlemen's rooms (1 stall, 1 urinal, 1 handicapped stall, 2 sinks)

Seating:

- 60-inch round tables, 8 chairs per table, max 250 guests.



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Enter/exit ordinances as required by Fire dept., planning and zoning, health dept.

**Catering:**

- Caterers show proof of insurance, state food certificate, etc.
- NO ALCOHOL.
- Serve ware/ furniture- Some provided for customers use in setup/decor of event. Will vary.

**Business overview:**

- Property to be used as event facility for weddings, various receptions, corporate meetings/ luncheons, class/family reunions, community and civic organizations (Farm to Fork tour, extension/conservation district, Homemaker clubs on all levels, Lions, Rotary, etc. Various events to be hosted by owners such as Annual Bridal Shows, Girls Night Out, special Holiday and Community gatherings (Valentine dinner, Halloween activities, Fall hayrides, Sorghum Festival, Dinner Theater possible, Community Fundraisers and Gatherings to benefit Campbell County and surrounding area, agricultural education programs, list can go on.

**Biography of Proprietor:**

- Randy and family have been farmers in Campbell County for generations. Married 25+ years to Debbie, who was raised on tobacco/ grain farm (and was first female student in her county to be allowed by board of education to take agriculture classes and participate in FFA), have 3 grown children, attend GLBC in Grants Lick. Debbie has extensive restaurant/food experience. Worked in food service beginning in high school until children started school themselves. Then became owner of My Lil Bake Shoppe, specializing in dessert catering, wedding, birthday, anniversary cakes, cookies and candies, event planning and setup.

\*\*\*\*\*

20. Per Section 18.2., Procedure for All Appeals to Board, a legal notice of this public hearing was given in accordance with the Campbell County Zoning Ordinance. *A legal notice appeared in the February 6, 2020 edition of the Campbell County Recorder advertising applicant's request and the hearing to be held on February 18, 2020.*

**Summary of Applicants Request:**

The applicant is requesting a conditional use permit for an event facility

**Staff Recommendation:**

To approve the conditional use permit for an event facility.



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### **Bases for Staff Recommendation:**

5. In compliance with SECTION 18.7 CONDITIONAL USE PERMITS of the Campbell County Zoning Ordinance, a written application for a conditional use permit and a site plan subject to the applicable requirements of Section 9.19, was submitted to the Board for review and approval;
6. Notice of public hearing was given in accordance with Section 18.2 of the Campbell County Zoning Ordinance;
7. In accordance with KRS. 100.237, the Board of Adjustment 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 herein which may be suitable only in specific locations in the zone.
8. The evidence presented by the applicant and staff is such as to establish beyond any reasonable doubt:
  - d. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community;
  - e. That such use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
  - f. That such use will comply with any regulations and conditions in the Campbell County Zoning Ordinance for such use.

### **Additional Notes to the Applicant:**

3. The granting of a conditional use permit does not exempt the applicant from complying with all of the requirements of this ordinance, the building code, housing code, and other regulations.
4. Farm exemption may not be used on facilities related to this conditional use.

Mr. Verst asked staff if they had any additional information about the road conditions on Siry Rd. where the facility would be located. Ms. Minter shared that the road was a true two lane road, with yellow striping on the upper portion. That the road was roughly 18-19 feet wide throughout, and that the pavement was in good condition. Mr. Bachmann added that overall this proposed facility was in a higher traffic area. Ms. Minter agreed and noted that there were two other facilities on the road that host events.

The board then turned the floor to the applicant. Ms. Bray referenced her site plan and showed that the proposed buildings would be back off the road, and that the 3 surrounding properties were all owned by family. She added that the facilities would have city water,





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septic and indoor restrooms. The kitchen would be built for caterers to stage only and that no actually cooking would be done on site, there would be no alcohol permitted at the facility and that all sound would be contained within the buildings.

Mr. Verst asked for clarification regarding the operating hours provided in the business plan, which Mr. Bray provided. Ms. Minter asked about the possibility of overnight lodging, which Ms. Bray noted would not be occurring. Ms. Minter also asked if the building would be new construction, which Ms. Bray noted that it would be, and would be built to all current codes and standards. Finally Mr. M. Williams asked Ms. Bray how they would enforce the no alcohol policy. Ms. Bray explained that they would be onsite for the duration of the event. If they were to find someone in violation of the policy they would be asked to leave. If more major issues arise they would involve local law enforcement.

Mr. Verst added that a site plan would be submitted to staff which should include lighting plans.

There were no members of the audience to make comment on this case. One public comment was provided to staff prior to the meeting, in which the contact noted that they would much prefer the Bray's proposed facility to a possible subdivision in the area.

There was some discussion amongst the board and applicant about whether they would be comfortable with a motion approving the use with the business plan as submitted, or if they should call out certain details. In the end it was noted that the best course of action would be to make a motion to approve the conditional use with the operating hours as stated, number of guests as stated, year round operations as stated, nose controls as stated, and no alcohol as stated.

Mr. Fessler made the motion to approve, with the above listed conditions. Mr. Mike Williams seconded the motion. A roll call vote found all in favor, none abstaining. The motion carried.

There being nothing for the administrator's report, Mr. Mike Williams made a motion to adjourn, seconded by Mr. Fessler. An oral vote found all in favor.  
The meeting adjourned at 10:52 PM.

Approved:

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Cindy Minter  
Director