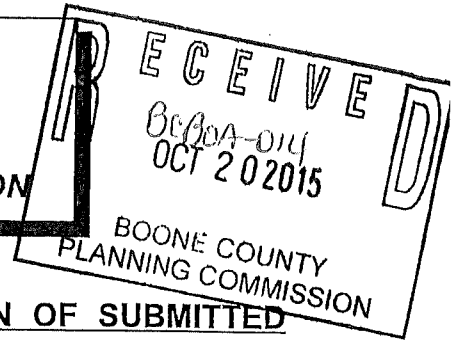


APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION



FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- (Check One)
1. Boone _____ Florence _____ Walton _____ Union _____
 2. (Check One)
 Conditional Use Permit _____ Variance _____ Appeal _____
_____ Change in Non-Conforming Use _____
 3. Applicant's Name Kyle Weber
Applicant's Address 2920 Gallatia Street
Burlington KY 41005
City State Zip
Phone Number 359-816-9308 Fax No. _____ E-Mail _____
 4. Description of Request: Allow two restaurants
(Pizzeria and Microbrewery with sit-down seating)
 5. Name of Development _____
 6. Location of Development 5952 and 5954 North Jefferson Street
Burlington, KY 41005
 7. Acreage Under Review _____
 8. Lot Number and Name of Subdivision (if part of a subdivision)
17 and 18
 9. Owner of Property Betty Sallee
Address of Property Owner 3815 Richmond Road
Union KY 41091
City State Zip
Phone Number _____ Fax No. _____ E-Mail _____
 11. Proposed Use(s) on Site Two restaurants
(Pizzeria and microbrewery with sit-down seating)
 12. Total Square Footage of Existing and/or Proposed Buildings _____
 13. Current Zoning on Property _____
 14. Deed Book 385 Page No. 874 Group No. 2025
 15. Is the site subject to a zone change? No
If yes, give date of approval _____
 16. Have you submitted a Site Plan with this request? _____
 17. Have you submitted a list of adjoining property owners with this request? _____
 18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: _____
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

**BOARD OF ADJUSTMENT AND
ZONING APPEALS ACTION
APPLICATION
PAGE 2**

SECTION B (To be completed by the Boone County Planning Commission Staff)

1. Date Received 10/20/15 Fee Received \$782.00 Receipt # 72244
2. Is application complete? _____ Yes _____ No
3. Staff Reviewer _____
4. Scheduled Board Action Date _____
5. Board Action:
11/12/15 **Approved**
Approved with Conditions (See #6)
Denial (See #7)
6. Conditions of Approval: SEE 11/12/15 Meeting
MINUTES + CUR
7. Reasons for Denial: _____

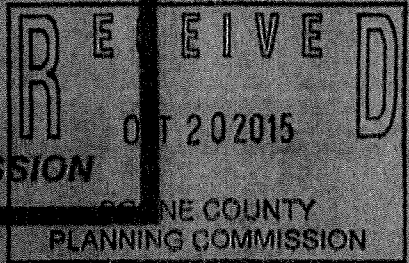
**Boone County Planning Commission
Boone County Administration Building
2950 Washington Street, Room 317
P.O. Box 958
Burlington, Kentucky 41005
(859) 334-2196 - Phone
(859) 334-2264 - Fax
plancom@boonecountyky.org - E-mail
www.boonecountyky.org - Web Page**

NOTE: See Boone County Planning Commission Fee Schedule for Board of Adjustment Fees.

Site Plan Review is not granted by the appropriate Board of Adjustment.

An application consists of all fees paid in full, submitted drawings and a completed application form.

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION



FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

(Check One)

1. Boone Florence Walton Union

(Check One)

2. Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use

3. Applicant's Name Kyle Weber
Applicant's Address 2920 Gallatin Street
Burlington KY 41005
City State Zip

4. Phone Number 859-816-9308 Fax No. _____ E-Mail _____

- Description of Request: Allow two restaurants
(Pizzeria and microbrewery with sitdown seating)

5. Name of Development _____

6. Location of Development 5952 and 5954 North Jefferson Street
Burlington, KY 41005

7. Acreage Under Review _____

8. Lot Number and Name of Subdivision (if part of a subdivision)
17 and 18

9. Owner of Property Betty Sallee

10. Address of Property Owner 8815 Richmond Road
Union KY 41091
City State Zip

- Phone Number _____ Fax No. _____ E-Mail _____

11. Proposed Use(s) on Site Two restaurants
(Pizzeria and microbrewery with sitdown seating)

12. Total Square Footage of Existing and/or Proposed Buildings _____

13. Current Zoning on Property _____

14. Deed Book 885 Page No. 874 Group No. 2025

15. Is the site subject to a zone change? No

- If yes, give date of approval _____

16. Have you submitted a Site Plan with this request? _____

17. Have you submitted a list of adjoining property owners with this request? _____

18. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: Betty W. Sallee
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

STAFF REPORT

APPLICANT: Kyle Weber

LOCATION: 5952 and 5954 N. Jefferson Street, Boone County, Kentucky

ZONING: Suburban Residential Two/Small Community Overlay (SR-2/SC)

DATE: November 12, 2015

PROPOSAL

The applicant is requesting a Conditional Use Permit to allow the buildings at 5952 and 5954 Jefferson Street to be occupied by two eating and drinking establishments, including a microbrewery. The applicant has submitted a plan showing the church building will be converted into a 70 seat pizza restaurant and the antiques store will be converted into a 10 to 12 seat microbrewery. The plan also shows that an approximate 32' x 35' patio will be poured in the grass area behind the micobrewery. Up to 30 seats will be provided and customers from both restaurants will be able to use the patio.

RECENT SITE HISTORY

On September 8, 1993, the Boone County Board of Adjustment approved a Conditional Use Permit allowing First Church of God to be occupied by an antique store.

On April 9, 2015, the Boone County Board of Adjustment approved a Conditional Use Permit allowing the buildings to be occupied by a church.

APPLICABLE ZONING REGULATIONS

Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant conditional use permits as specified by the zoning order.

The Board needs to evaluate the request as it relates to the criteria necessary for granting Conditional Uses as stated in Sections 262 & 2012 of the Boone County Zoning Regulations.

Findings listed in Section 262 (General Standards Applicable to All Conditional Uses):

1. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the County's comprehensive plan, a specific corridor plan and/or the zoning order;
2. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and shall not change the essential character of the same area;
3. Will not be hazardous to existing or future neighboring uses;
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately such services;
5. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;

6. Will not involve uses, activities, process, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, dust, fumes, glare, or odors;
7. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.

Section 2012 of the Boone County Zoning Regulations permit "eating and drinking establishments including alcoholic beverages" as Conditional Uses in the Small Community Overlay District (SC) in the following cases:

1. When the operation is locating in a building which is larger than 2,500 square feet;
2. When major exterior alterations or additions are proposed which increase the size of use or structure;
3. When the operation requires more than ten (10) parking spaces, or
4. The proposal requires the construction of a new building on a vacant lot.

Section 2012 of the Boone County Zoning Regulations indicates that eating and drinking establishments including alcoholic beverages may be permitted as Conditional Uses subject the approval and conditions of the Board provided that:

- a. the activity is an integral part of the area's function as a small community center, and is not of scale, nature, or character which will detract from or conflict with the principal purpose and continued well-being of the center;
- b. the arrangement of use, building, or structure is compatible with the arrangement or organization of permitted and accessory uses which are to be protected in the district;
- c. historical and architectural characteristics are protected from inappropriate alteration to existing structures and new buildings are sensitive to the established character of the SC overlay. Additions and structural alterations will be reviewed for conformance with the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

Section 2020 of the Boone County Zoning Regulations states that construction proposals in the SC overlay district that are within the Burlington Town Plan Strategic Plan area, and that require site plan review (major or minor), are subject to specified design standards contained in that Plan. The design standards are outlined in pages 17 through 19 of the Burlington Town Plan Strategic Plan in the sections entitled Site Layout, Architectural Details/Ornamentation for Existing Historic Buildings, Exterior Siding, Windows and Doors, Building Roofs, and New Construction and Additions. Review of construction proposals for compliance with these design standards shall be performed by the Planning Commission staff through the site plan procedure. Proposals subject to these standards shall submit architectural drawings as outlined in Section 3004, #21.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The 2010 Boone County Comprehensive Plan's "2035 Future Land Use Plan" designates the site in question for "Commercial" uses. This designation is described as "retail, corporate and professional office, interchange commercial, indoor commercial recreation, restaurants, services, etc."

The following passage from the Land Use Element (Burlington Area, pp. 174-175) relates to the request:

- A. "Burlington proper will continue to experience growth-related pressures. The influence of residential subdivisions in the surrounding areas, and the associated traffic, will necessitate improved traffic controls and management, particularly at KY 18 and KY 338. Central Burlington includes a National Register Historic District. Historically important structures should be protected from development pressures, or be subject to appropriate adaptive re-use to retain the character of central Burlington. This approach is encouraged in historic Burlington by a limited design review process adopted in the 2008 Boone County Zoning Regulations. As Boone County grows, there will be a greater need for public facilities and services. The 2002 Burlington Town Strategic Plan addresses the unique transportation, parking, public facilities, historic preservation, and subdivision characteristics of the area. The new Boone County Justice Center and the Boone County Public Safety Center Complex have reinforced Burlington as the hub of local government activity. Some private investment, mainly in restaurant and shop uses, as well as the TEA-21 Transportation Enhancement Grant for sidewalks indicates momentum for investment in the town center. Appropriate architecture and placement of new or renovated buildings is critical to respect the established character of the town."

The following passage from the Preservation Element (Burlington, National Register Historic District, pp. 109-110) relates to the proposal:

- A. The Burlington Historic District presents a crucial preservation challenge. Efforts should be made to insure that a mixture of governmental, commercial, and residential activity continues to function in Burlington. Burlington has the rare opportunity to capitalize on its unique architectural landscape, small town charm and rural atmosphere. Poorly designed new construction, already apparent in several Burlington locations, will destroy this valuable character. The town's historic buildings should be rehabilitated and adaptively reused to meet the realities of a rapidly changing county, and the challenges of the 21st century. A positive step in this direction was the development in 2002 - 2003 of the Burlington Town Strategic Plan. The plan's mission statement is "to energize the central town of Burlington into a healthy business and residential center of Boone County by using the public services, special events activity, and historical character of the town as a foundation." The plan includes recommendations designed to enhance the infrastructure, streetscape, architectural design, marketing and tourism potential of Burlington. Several recommendations, including the above mentioned update of the National Register District nomination, have already been implemented.

The following Goals & Objectives from the 2010 Boone County Comprehensive Plan apply to the application:

- A. Significant historic buildings, structures and sites, archeological sites and natural features in Boone County are documented and preserved (Preservation, Goal).
- B. Plans for new or redeveloped commercial, industrial, institutional and residential sites shall be reviewed, and reasonable measures taken, to ensure identification and protection of significant historical, archeological, and architectural sites, including cemeteries (Preservation, Objective).

- C. Boone County businesses are developed in appropriate locations and are compatible with their surrounding area (Business Activity, Goal).

SURROUNDING LAND USES & ZONING

North: Single-Family Residential Dwellings Fronting on N. Jefferson St. and Gallatin Street (SR-2/SC)

South: Legal Services (SR-2/SC)

East: Boone County Administration Building Parking Lot (SR-2/SC)

West: Jefferson Street, Tousey House, and Souls Refuge Holiness Abernacle Church (SR-2/SC)

SITE CHARACTERISTICS

The subject property is approximately 0.23 acres in area and is located on the southeast corner of N. Jefferson Street and Gallatin Street. The lot contains two buildings. The first is the former Burlington Methodist Episcopal Church Building, which was initially constructed in 1837. The building is 2,584 square feet (76' x 34') in area and contains a basement. The second building is the former rectory for the church, which was constructed in 1855. The building is 1,852 square feet in area and also includes a basement. A small parking lot is located behind the buildings. Access to this lot is provided from Gallatin Street and Jefferson Street. Boone County GIS shows that the topography of the property falls slightly from 848 feet above sea level at the southeast property corner to 846 feet above sea level at the northwest property corner.

STAFF COMMENTS

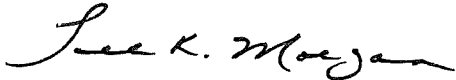
1. Staff has attached a list of questions that were sent to the applicant so the Board can better understand the microbrewery business operation.
2. Staff has some additional questions for the applicant:
 - A. Would outside music or entertainment occur on the patio?
 - B. Is any additional outside lighting being proposed?
 - C. Are any trash dumpsters being proposed? If so, where will they be located?
 - D. Will the hedge be kept to buffer the patio from the parking lot?
3. Staff received a letter from the County Administrator, which allows the restaurants to use the Boone County Administration lot for parking (see attachments).
4. Staff would like to point out that the microbrewery cannot operate without a dining area or bar inside the building. Without a dining area or bar, the microbrewery would be considered an industrial use and would not be permitted in the SR-2/SC zone.
5. Boone County Building Department informed Staff of the following:

- A. Kentucky Building Code requires both buildings to be handicapped accessible because the proposal involves changes in occupancy.
 - B. Any exhaust outlets that terminate above the roof shall have a discharge opening located not less than 40 inches above the roof surface.
6. The State or County will need to sign off on the application if the improvements are located in the KY 338 or Gallatin Street right-of-ways.
 7. The Board needs to analyze the Conditional Use Permit criteria before acting on the request.
 8. Staff recommends the following conditions if the request is approved:
 - A. A Minor Site Plan application, which includes architectural drawings prepared by a KY registered architect, shall be submitted and show all proposed exterior improvements to the buildings. The architectural drawings shall show that the proposed improvements comply with the Burlington Town Strategic Plan design standards.
 - B. Any changes to the exterior paint colors shall be approved by Boone County Planning Commission Staff. Planning Commission Staff shall determine if the color(s) is appropriate and compatible with the area.
 - C. All proposed mechanical equipment shall be located on the rear building additions of both buildings. Roof mounted mechanical equipment shall not be visible from the N. Jefferson Street right-of-way.
 - D. The microbrewery business shall not operate as a brewing operation only.
 - E. The mobile canning and/or bottling of beer shall not be permitted.
 - F. Outside storage shall not be permitted.
 - G. Delivery trucks, box trucks, and other commercial vehicles shall not be stored in the rear yard.
 - H. Any proposed trash dumpster shall comply with the following guidelines:
 - The back and sides shall be constructed with brick and be painted to match the buildings.
 - Solid gates are required.
 - The walls and gates shall be at least 1 foot taller than the dumpster being screened.

Conclusion

KRS 100.237 and Section 220 of the Boone County Zoning Regulations gives the Boone County Board of Adjustment and Zoning Appeals the authority to act on the request.

Respectfully submitted,



Todd K. Morgan, AICP
Senior Planner, Zoning Services

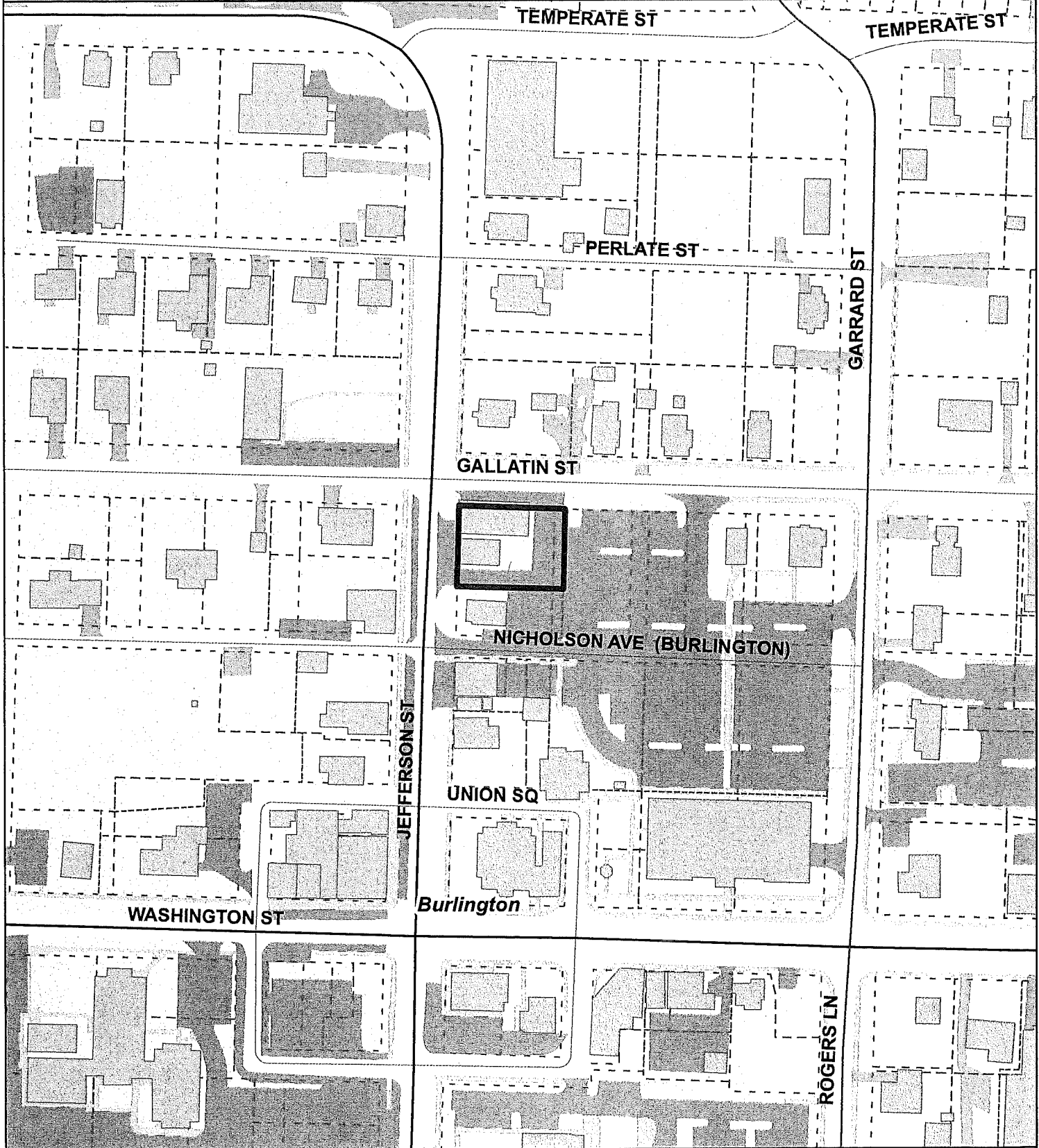
TKM/tlb

Attachments

- *Site Vicinity Map
- *Conceptual Floor and Patio Plan
- *10/21/15 Email from Kyle Weber
- *Letter from County Administrator
- *Zoning Map
- *Future Land Use Map
- *Topographical Map
- *2012 Aerial Map
- *Short descriptions of the buildings
- *Burlington Town Plan Design Standards
- *Application

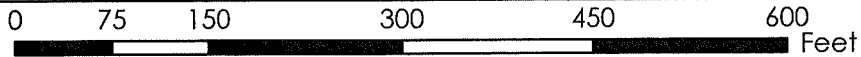
SITE VICINITY MAP

www.boonecountygis.com



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1 inch = 150 feet



Boone County GIS - Putting Northern Kentucky on the Map



2nd floor storage

Brewery
Seating
Seating for 10-12

← 16' →

Brewery

← 20' →

← 32' →

Outside Patio
35' x 32'
Seating for 30

← 35' →

← 32' →

Restrooms

Kitchen Area
22' x 30'

← 32' →

Bar Area
18' x 29'
Seating for 10

← 29' →

← 29' →

← 30' →

← 18' →

Main Seating
42' x 32'
Seating for 70

← 32' →

← 42' →

Todd Morgan

From: kyle.e.weber@gmail.com
Sent: Wednesday, October 21, 2015 11:20 AM
To: Todd Morgan
Cc: Ryan Brady
Subject: Re: Business Plan for Microbrewery and Restaurant

Hello Todd,
Please see my responses below. Thank You.

Please let me know if you require any further information. Thank You.

Sent from my iPhone

On Oct 21, 2015, at 10:43 AM, Todd Morgan <TMorgan@boonecountyky.org> wrote:

Kyle,

The Zoning Administrator and I have some follow up questions regarding the microbrewery/restaurant business that is being proposed in the Burlington Antiques building. As you are aware, we need to determine that the business can be classified as a eating and drinking establishment under the Boone County Zoning Regulations.

1. What are the proposed hours of operation? Please define the hours the business will be open to the general public (tours, beverage consumption, etc.) and for brewing separately.

Brewing will be done during the week, during evening hours, 5-10. It will be open to the public during those times, as well as weekends afternoon/evening, 4-10.

2. How many employees will work at the facility (both brewery operations and food and beverage service)?
The brewery will have one employee (one of the partners). The restaurant (Bourbon House) will greater than 10.
3. Will any food be served at the microbrewery/restaurant? Please address if the operation will be more of a microbrewery with a tap room, bar, or brewpub.
Yes, food will be served by the Bourbon House at the brewpub. The customer can order food from next door where they can eat it at the brewpub.
4. Please explain the relationship between the proposed microbrewery and the proposed pizza restaurant next door.
 - Will customers be able to order pizza or other from inside the microbrewery and have it served to their table?
 - Yes

- You mentioned the beer produced on site would be also be sold at the pizza restaurant. Is this correct?
- Yes, as long as the ABC approves.
- Is the proposed outside seating area for both businesses?
- Yes, but primarily will be utilized by the Bourbon House.

Please respond to this email as quickly as you can. We need to make a final determination regarding your business and have the legal ad prepared for the Board meeting by the end of the day.

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission
(859) 334-2196

From: kyle.e.weber@gmail.com [mailto:kyle.e.weber@gmail.com]
Sent: Tuesday, October 13, 2015 5:08 PM
To: Todd Morgan
Subject: Re: Business Plan for Microbrewery and Restaurant

Hello Todd,
Please see below for my responses. Thank You.

Sincerely,
Kyle Weber

Sent from my iPhone

On Jul 21, 2015, at 10:19 AM, Todd Morgan <TMorgan@boonecountyky.org> wrote:

Kyle,

I need some more information regarding the proposed business before we can determine if it can locate at this site. Please provide me the following information:

1. Can you provide me with a rough floor plan that shows the seating areas, batch rooms, etc.?

Will provide in person during our Friday meeting.

2. Can you provide me with a rough site plan that shows the outside seating area and any other exterior improvements that would be proposed?

Same as above.

3. Have you spoken with Boone County Building Department? I am curious to know if any improvements would need to be made to the building exterior (such as windows, doors, handicapped ramps, etc.) or if any mechanical equipment (including vents or hoods) will need to be located outside or on the roof.

We can discuss further but I assume the proposed alterations will be acceptable.

4. Would any large vehicles be used as part of the business? If so, please provide some dimensions and indicate where they would be kept.

No.

5. In the future, could more than 15 kegs of beer be produced on site per week?

5-20 is the proposed quantity per week. Supply and demand dependent.

6. Your email indicates that beer produced on site would be sold primarily at the facility. Can you explain any secondary sales plans in more detail?

Yes, primary sales on site with distribution to be required is supply exceeds demand on site.

7. Would any beer be bottled or canned at the facility? If so, please explain if this would occur inside or by a mobile canning or bottling service.

Bottling could be done by hand but would not be prudent. Canning is out of scope for this location.

Thanks,

Todd K. Morgan, AICP
Senior Planner, Zoning Services
Boone County Planning Commission
(859) 334-2196

From: kyle.e.weber@gmail.com [mailto:kyle.e.weber@gmail.com]

Sent: Tuesday, July 21, 2015 7:15 AM

To: Todd Morgan

Cc: Joe Fuerst; Ryan Brady; Tony Ditomaso; Imholt

Subject: Business Plan for Microbrewery and Restaurant

Hello Todd,

Please see attached for our proposed use of the Old Methodist Church on Jefferson Street. Please let me know if you have any further questions. Thank You.

Sincerely,
Kyle Weber

GARY W. MOORE
County Judge/Executive
(859) 334-2242



JEFFREY S. EARLYWINE
County Administrator
(859) 334-2242

LISA H. BUERKLEY
Asst. County Administrator
(859) 334-3653

OFFICES OF THE COUNTY JUDGE/EXECUTIVE

www.BooneCountyKy.org

P.O. Box 900
Burlington, KY 41005
FAX (859) 334-3105

October 20, 2015

Mr. Ryan Brady
Representative of development group
Burlington Historic Methodist Church property
(Sent via email to ryan.brady@cinbell.com)

Re – October 20, 2015 letter requesting use of county parking facility

Dear Mr. Brady:

Please be advised that I am in receipt and review of your October 19, 2015 email requesting permission to use a portion of the county's parking facility located directly behind the administration building located at 2950 Washington Street. Your email contains information outlining the intended use of the historic Methodist Church and the scope and extent of planned operations at the property.

As I have mentioned, the county has previously authorized the use of this parking facility for other area Burlington businesses. The sharing of the parking facility between the county and area businesses has not proved to be a problem at present. The primary of hours of intended use outlined in your email would avoid peak demand time usage for county government operations and I would not anticipate a conflict. I think your suggestion of a shared event/activity/meeting schedule is a good one that could minimize any conflicts and potential for overuse. Obviously I cannot predict future circumstances or demand based upon the growing nature of the county and its government offices.

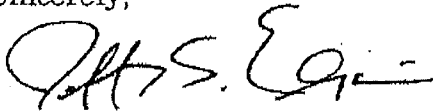
In summary, the county will permit use of the parking facility per your request, acknowledging that all users must cooperate to ensure appropriate use and recognize that infrequent county government use would take precedence if conflicts exist. We are excited to learn of private investment



Mr. Ryan Brady
October 20, 2015
Page Two (2)

here in Burlington and desire to support local businesses to the extent possible. Please feel free to let me know if you have any additional questions or comments regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey S. Earlywine". The signature is fluid and cursive, with a horizontal line at the end.

Jeffrey S. Earlywine
County Administrator

Cc: Kevin Costello, Boone County Planning Commission
Mike Albrecht, Director of Property Maintenance
Gary W. Moore, Judge Executive

Kevin Costello

From: Jeff Earlywine
Sent: Tuesday, October 20, 2015 3:39 PM
To: Kevin Costello
Cc: Todd Morgan
Subject: FW: Church Renovation
Attachments: image001.jpg

FYI.

Jeff

From: Sharon Burcham
Sent: Tuesday, October 20, 2015 3:38 PM
To: Jeff Earlywine
Subject: FW: Church Renovation

From: Jeff Earlywine
Sent: Monday, October 19, 2015 12:31 PM
To: Sharon Burcham
Subject: Fwd: Church Renovation

Please print

Sent from my iPhone

Begin forwarded message:

From: "Brady, Ryan" <ryan.brady@cinbell.com>
Date: October 19, 2015 at 11:28:12 AM EDT
To: "jearlywine@BooneCountyKY.org" <jearlywine@BooneCountyKY.org>
Cc: "kyle weber (kyle.e.weber@gmail.com)" <kyle.e.weber@gmail.com>
Subject: Church Renovation

Hi Jeff,

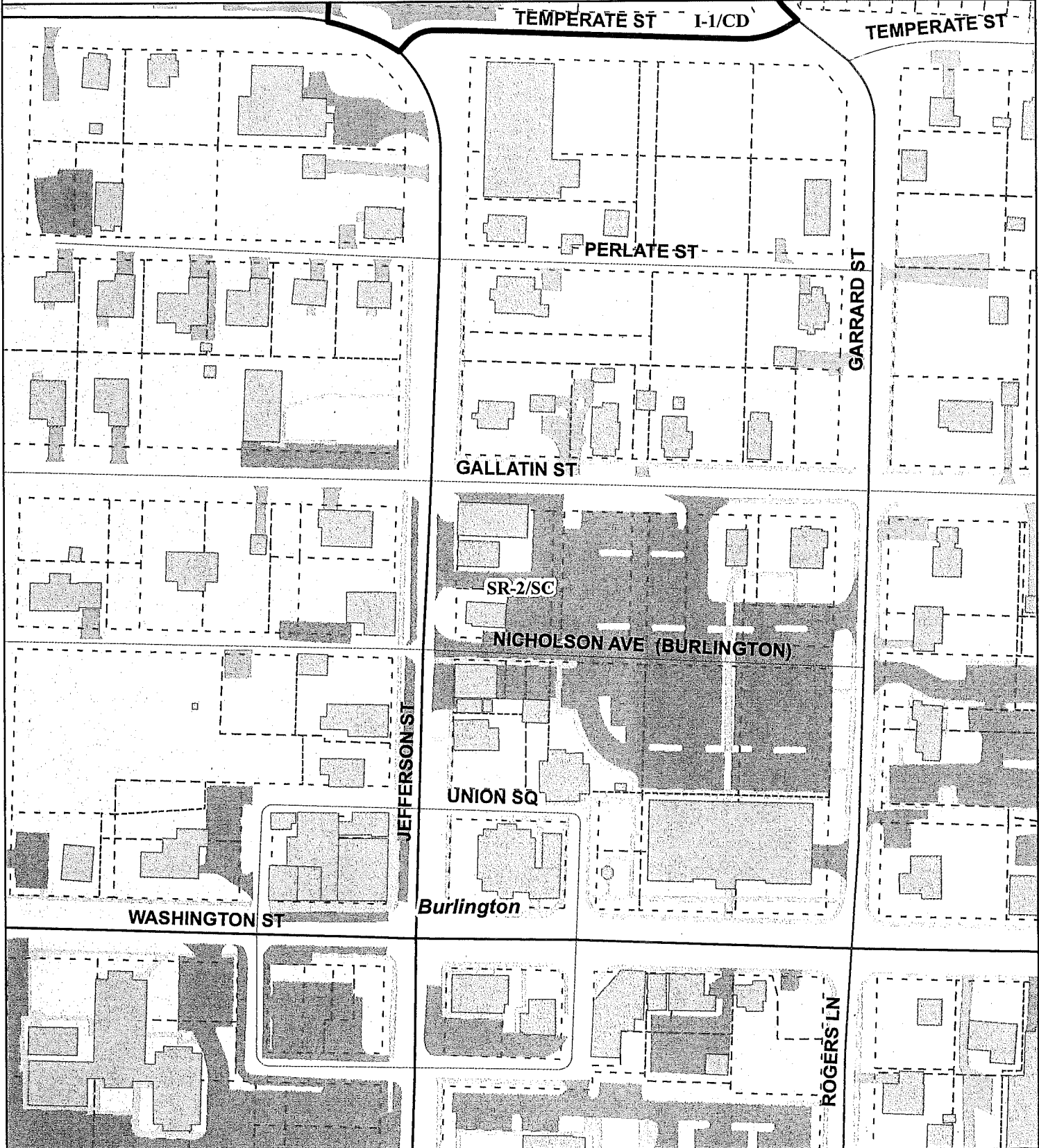
It was nice talking to you this morning. Below are the key points we touched on in our meeting, please let me know if you need anything else.

- Main seating area/bar area would be seating for 80
- Patio seating would be for 30
- Side building/brewery would be seating for 10-12 (if seating is needed in this building)
- Peak time would be nights and weekends (after 5:00PM on weekdays)
- We would have our own parking as well (approximately 12 -15 spots, includes handicap parking in front)

Thanks,

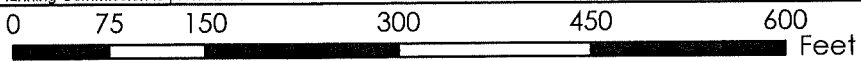
ZONING MAP

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1 inch = 150 feet



Map Created: 07/01/2013

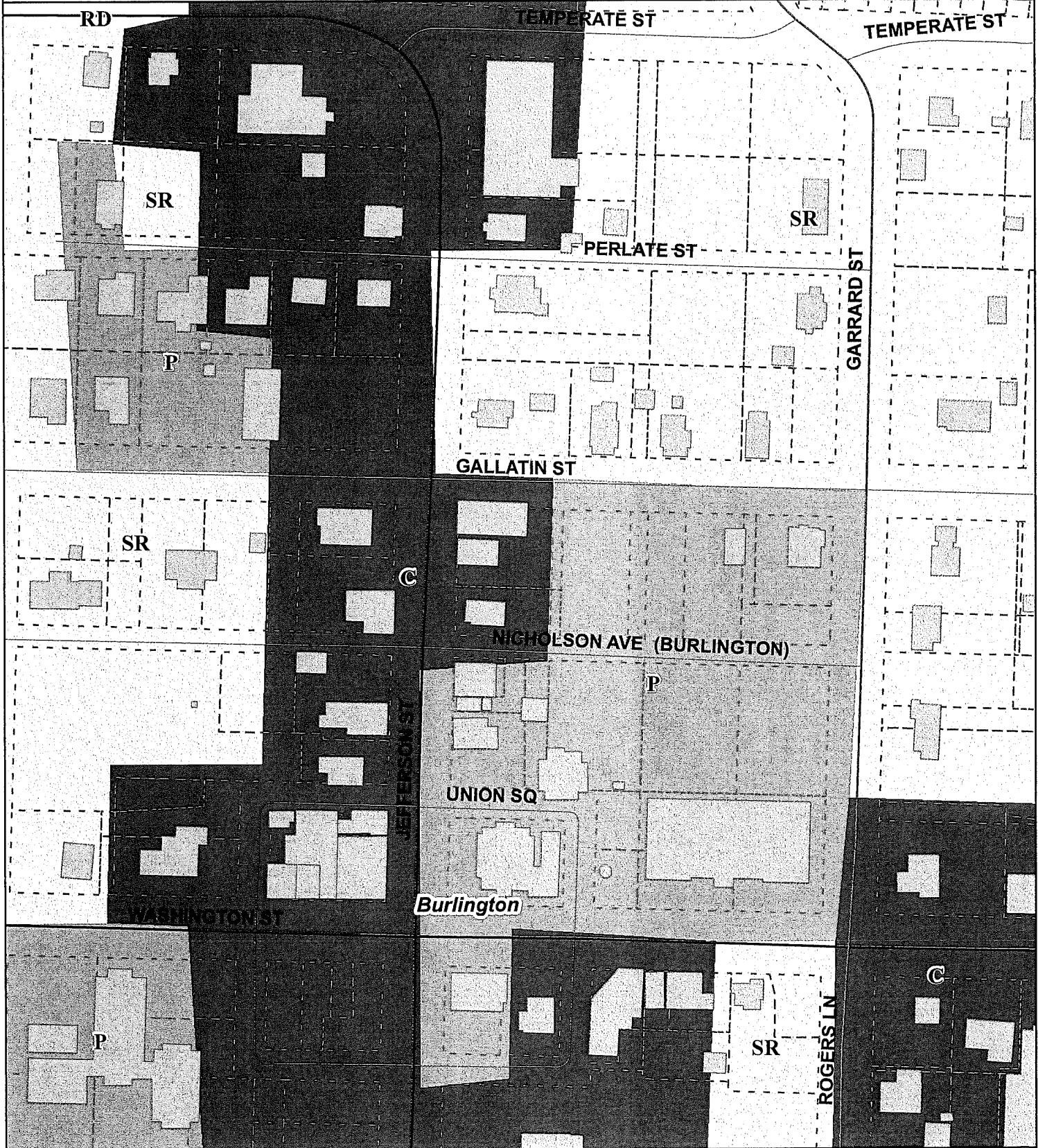
Boone County GIS - Putting Northern Kentucky on the Map



Boone County GIS
ArcMap Document: BooneMap (Site).mxd

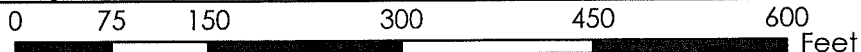
2035 FUTURE LAND USE MAP

www.boonecountygis.com



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1 inch = 150 feet

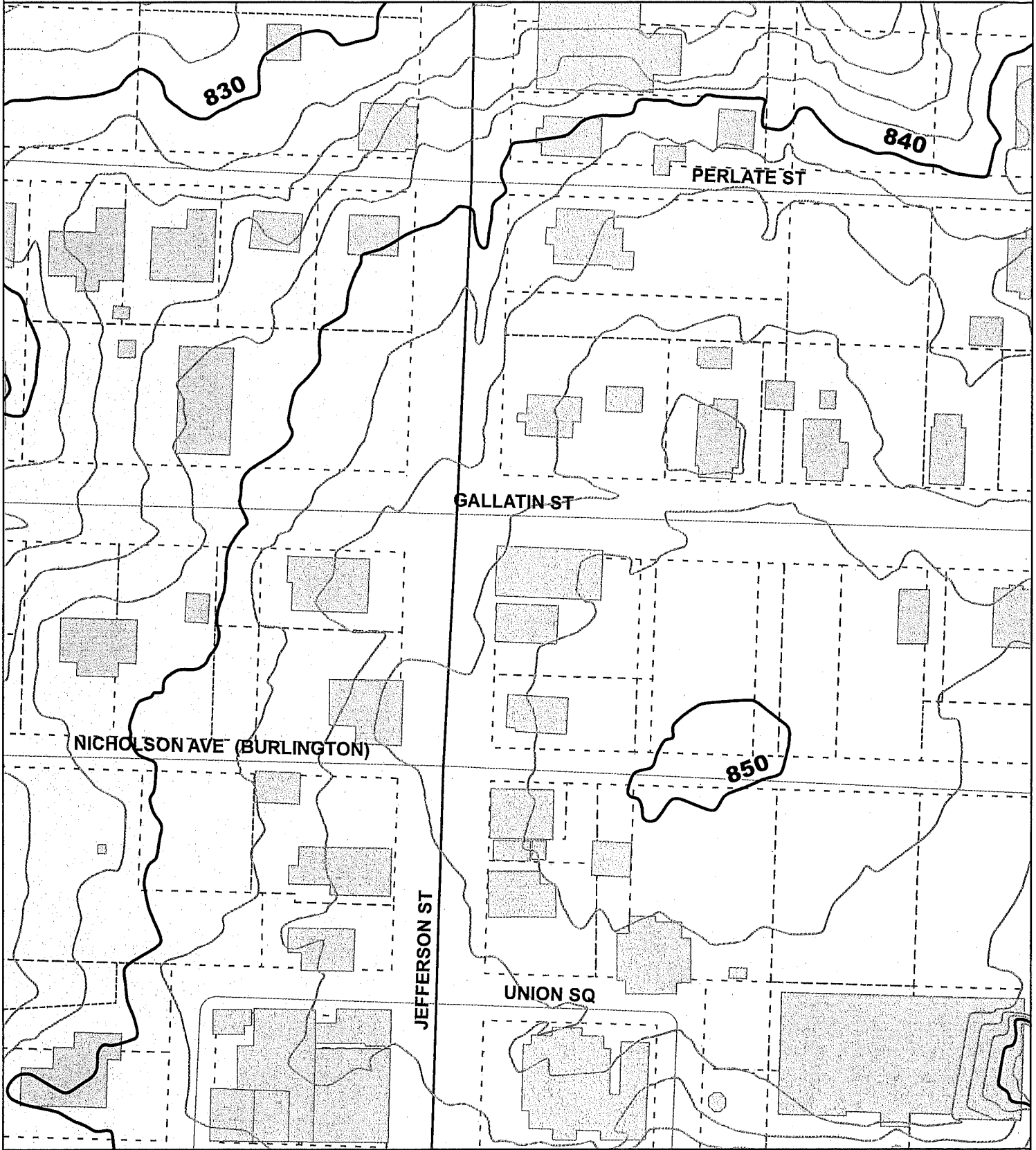


Boone County GIS - Putting Northern Kentucky on the Map



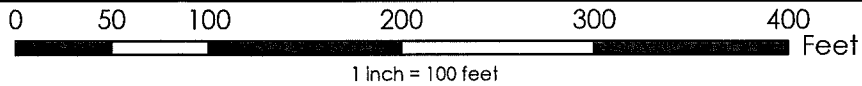
TOPOGRAPHICAL MAP

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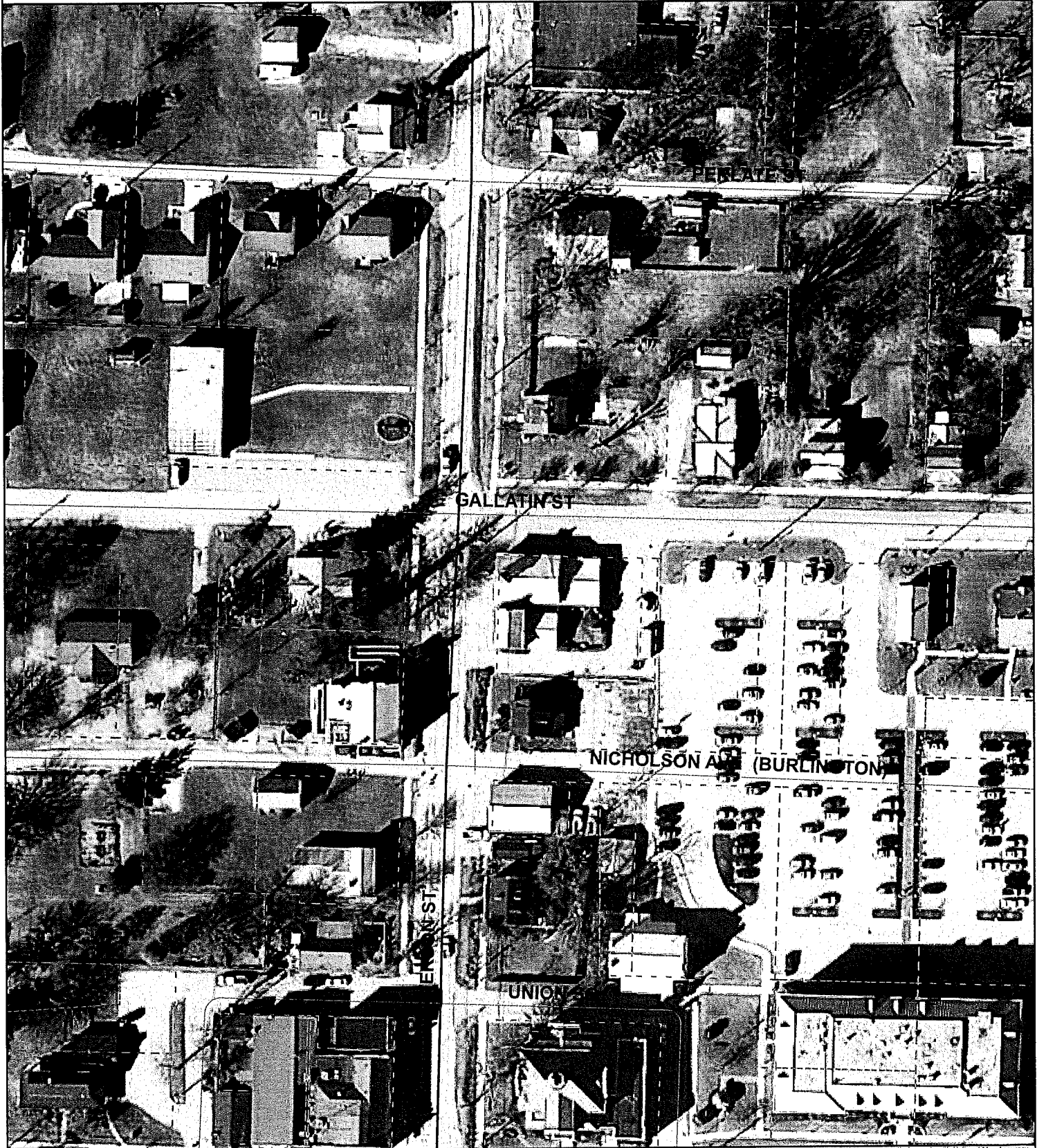
Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

ArcMap Document: BooneMap (R6).mxd

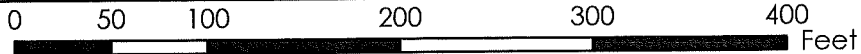
2012 AERIAL MAP

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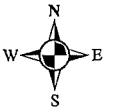


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1 inch = 100 feet



Boone County GIS - Putting Northern Kentucky on the Map

Map Created: 07/01/2013

2012 Project File by North 12/13
ArcMap Document: BooneMap (lto).mxd

Todd Morgan

From: Matt Becher
Sent: Thursday, March 27, 2014 1:10 PM
To: Todd Morgan
Subject: RE: Burlington Methodist Episcopal Church

Todd, this is what the National Register nomination has to say about the adjacent building. My understanding is that it was built to serve as a rectory for the pastor of the church some 20 years after the church was completed.

Sallee House (BE-135), 5954 Jefferson Street (1855): 3-bay Federal-style residence of brick construction, with laterally-oriented gable roof and main entrance offset on the south side of the facade, suggestive of a side-passage interior plan; fenestration flat-topped, with stone sills and lintels; one interior gable-end chimney on north gable end.

Matt

From: Todd Morgan
Sent: Thursday, March 27, 2014 12:23 PM
To: Matt Becher
Subject: RE: Burlington Methodist Episcopal Church

Do you have a short description of the other building on site (5954 Jefferson)? The church is proposing to occupy this building as well once the antique shop lease expires. They will use the building at 5954 Jefferson for classroom space.

From: Matt Becher
Sent: Thursday, March 27, 2014 11:20 AM
To: Todd Morgan
Subject: Burlington Methodist Episcopal Church

Todd,

I do have a short description of the church from the 2005 Burlington National Register nomination, as follows:

Burlington Methodist Episcopal Church (BE-134), 5952 Jefferson Street (1837): single-story Greek Revival-Gothic Revival transitional religious building, with gable roof and gable-end orientation; single-stage belfry on the ridgeline above main entrance on the facade; three bay facade with centered entrance and bay spacing articulated by pilasters; fenestration on the facade is flat-topped, lancet arched on the side elevations, with religious art glass; 1-story addition on the rear (east) elevation.

The number (Be-134) is the Kentucky Historic Inventory #. It's a 1 page form and I can put a copy in your box later.

Thanks,
Matt Becher, AICP
Rural/Open Space Planner
Boone County Historic Preservation Review Board
2950 Washington St., Room 317
PO Box 958
Burlington, KY 41005
859-334-2111
mbecher@boonecountyky.org

opposite side of the street. The maximum front yard for commercial, office, industrial, or public facilities uses shall be 20 feet.

- B. Side yard minimum adjacent to private property - five (5) feet
- C. Side yard minimum adjacent to right-of-way - ten (10) feet
- D. Rear yard minimum adjacent to private property - twenty (20) feet
- E. Rear yard minimum adjacent to alley - five (5) feet

Site Layout

- A. Non-residential building facades facing public street shall be designed as the building front.
- B. Sidewalk connections shall be provided to all existing and planned sidewalks, and to alleyways.
- C. Off-street parking shall be located on the side and/or rear of the primary building.
- D. On-street and shared parking can fulfill parking requirements if demonstrated to the Zoning Administrator that they are sufficient.

Architectural Details/Ornamentation for Existing Historic Buildings:

- A. Existing architectural details and ornamentation, including existing porch elements, shall be retained, maintained, and repaired where necessary with matching materials. Removal shall only occur in cases of substantial deterioration and every effort shall be made to replicate removed elements with materials and design matching the original;
- B. All replacement materials shall be similar to the original materials of the detail or ornamentation in question or be appropriate to the style of the building;
- C. Removal of existing brick chimneys and replacement with metal or other materials is not permitted.

Exterior Siding

- A. Exterior metal wall sheeting is not permitted;
- B. Replacement of existing exterior wood siding and corner boards shall be with new wood to match original wood;
- C. In no case shall an historic brick or stone building be covered with any type of siding.

Windows and Doors

- A. Existing windows and doors shall be retained and repaired as needed. Repair or replacement of deteriorated window and door elements should imitate the original elements in dimension, profile, size, shape, arrangement and pattern. Window and door repair must reuse as much of the original material as possible;
- B. When window and door replacement is unavoidable, new units should match original design as closely as possible;

- C. The installation of modern picture windows, bay windows, or other openings not in scale with the building shall not be installed on the main or side facades. The addition of large windows or walk-out (i.e., sliding) glass doors on the rear facade or side facades which are not readily visible is discouraged but permitted;
- D. The use of glass block in foundation windows is not permitted on front or readily visible side facades.

Building Roofs

- A. Historic roof materials, such as metal or slate shall be retained, maintained and repaired when necessary. They should not be replaced just to match any new construction if not deteriorated;
- B. The application of composition shingles to replace deteriorated composition or metal standing seam roofs is acceptable;
- C. Roof forms and pitch shall not be altered on the main facade. Alterations shall not occur on side facades where such alterations would be visible from the street. Alterations in the rear one-half to one-third of a building may be allowable if not readily visible from the major street facade(s). In no instance should more than one-story be added to any existing building;
- D. Original box gutters shall be retained and maintained, or repaired or replicated;
- E. If soffits are damaged, they should be repaired or replaced with wood or solid non-vinyl materials to replicate the original materials;
- F. Skylights are permitted as long as they are located in the rear one-third to one-half of a building depending on visibility from the street facade(s).

New Construction and Additions

- A. Proposed new construction or additions to existing structures shall be designed to be consistent with existing buildings within the same street block. The developer or builder shall submit architectural plans for review by the Technical/Design Review Committee. The Committee may contract with a registered architect to help review the proposal according to the following detailed standards:
- B. The height of new construction shall be compatible with existing structures on the block;
- C. The floor area of new construction shall be compatible with existing structures on the block;
- D. New construction shall be compatible with existing structures on the block in terms of number and spacing of window and door openings;
- E. Materials of new construction shall be compatible with existing buildings on the block. The texture and color of brick or wood siding should be carefully considered to ensure compatibility with existing buildings. Frame buildings should maintain materials and design found throughout the community;
- F. Roofs for new construction should be consistent with existing structures on the

block. New construction may have roofing which changes roof lines in the rear one-half or one-third of the building in a stepped fashion if not readily visible from the major street facade(s);

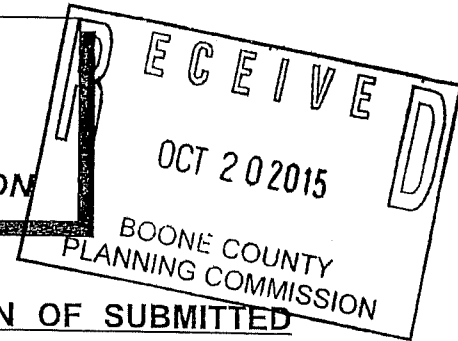
- G. Siding of new construction shall be compatible with existing buildings on the block. Traditional or new technological materials that replicate traditional materials should be used instead of vinyl or aluminum siding. Painted concrete block should not be used;
- H. Exposed concrete foundations or retaining walls shall be faced with brick or stone, screened, or painted to complement the rest of the building. Interlocking block with opportunity for vines or ground cover vegetation is encouraged for retaining wall applications;
- I. HVAC and other mechanical equipment must be screened or camouflaged from public view whether on roof or ground;
- J. Additions to historic buildings in the Small Community Overlay Zone must conform to the setback requirements listed above. Additions to historic buildings shall not occur on a main facade or readily visible side facade. Additions shall follow existing roof lines, trim lines, material and massing of the building.

Conclusions and Next Steps

This Plan contains many detailed recommendations. To achieve them, they will need to be prioritized and spread out over time. Many of these put responsibilities on the Boone County Fiscal Court and will have to be evaluated in terms of fiscal resources and timing issues. This Plan recommends that during late 2002, and early 2003, a public process be implemented through the Planning Commission that prioritizes the entire list of recommendations in a way that could lead to a future capital improvements program.

APPLICATION FORM

BOARD OF ADJUSTMENT
AND
ZONING APPEALS ACTION
BOONE COUNTY PLANNING COMMISSION



FIVE (5) SCALED COPIES AND ONE (1) 11X17 REDUCTION OF SUBMITTED DRAWINGS ARE REQUIRED

See Boone County Zoning Regulations

SECTION A (To be completed by applicant)

- (Check One)
- Boone _____ Florence _____ Walton _____ Union _____
 - (Check One)
 Conditional Use Permit _____ Variance _____ Appeal _____
Change in Non-Conforming Use _____
 - Applicant's Name Kyle Weber
Applicant's Address 2920 Gallatin Street
Burlington KY 41005
City State Zip
Phone Number 859-816-9308 Fax No. _____ E-Mail _____
 - Description of Request: Allow two restaurants
(Pizzeria and Microbrewery with sit-down seating)
 - Name of Development _____
 - Location of Development 5952 and 5954 North Jefferson Street
Burlington, KY 41005
 - Acreage Under Review _____
 - Lot Number and Name of Subdivision (if part of a subdivision)
17 and 18
 - Owner of Property Betty Sallee
Address of Property Owner 8815 Richmond Road
Union KY 41091
City State Zip
Phone Number _____ Fax No. _____ E-Mail _____
 - Proposed Use(s) on Site Two restaurants
(Pizzeria and Microbrewery with sit-down seating)
 - Total Square Footage of Existing and/or Proposed Buildings _____
 - Current Zoning on Property _____
 - Deed Book 885 Page No. 874 Group No. 2025
 - Is the site subject to a zone change? No
If yes, give date of approval _____
 - Have you submitted a Site Plan with this request? _____
 - Have you submitted a list of adjoining property owners with this request? _____
 - I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

ORIGINAL Property Owner's Signature: _____
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

ORIGINAL Applicant's Signature: [Signature]
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted)

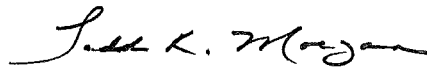
COPY

CLUR #15-BCBOA-014-A

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)
Betty Sallee
8815 Richmond Road
Union, KY 41091
2. ADDRESS OF PROPERTY
5952 & 5954 N Jefferson St
Burlington, KY
3. NAME OF SUBDIVISION OR DEVELOPMENT (if applicable)
Microbrewery & Pizzeria
4. DEED BOOK 885 PAGE NO. 874 GROUP NO. 2025
5. TYPE OF RESTRICTION(S) (Check all that apply)
- Zoning Map Amendment:
From _____ To _____
- Conditional Use Permit
- Development Plan Conditional Zoning
- Subdivision Plat
(Not Recorded) Other:
- Variance
6. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

BOONE COUNTY PLANNING COMMISSION
2950 WASHINGTON STREET, ROOM 317
P.O. BOX 958
BURLINGTON, KENTUCKY 41005



SIGNATURE OF COMPLETING OFFICIAL

Todd K. Morgan, Senior Planner
Name and Title of Completing Official

COMMONWEALTH OF KENTUCKY

COUNTY OF BOONE

Subscribed, sworn to, and acknowledged before me by Todd K. Morgan

on behalf of the Boone County Planning Commission this 16 day of November, 2015.



Vicki L. Myers

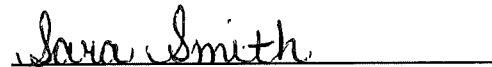
Notary ID 438411

NOTARY PUBLIC, State at Large

My commission Expires:

April 17, 2019

This instrument was prepared for recording purposes only by:



Sara Smith

Boone County Planning Commission

2950 Washington Street, Room 317

P.O. Box 958

Burlington, Kentucky 41005

NO TITLE EXAMINATION

(Legal Description and source of Title and Group Number furnished by the applicant.)

CONDITIONS OF APPROVAL

The following Conditions of Approval apply to the conditional use permit approved by the Boone County Board of Adjustment and in accordance with the current zoning in effect as of November 12, 2015 Certificate of Land Use Restriction (#15-BCBOA-014-A), for Betty Sallee, Property Owner(s).

The following conditions will apply:

1. A Minor Site plan application, which includes architectural drawings prepared by a KY registered architect, shall be submitted and show all proposed exterior improvements to the buildings. The architectural drawings shall show that the proposed improvements comply with the Burlington Town Strategic Plan design standards.
2. Any changes to the exterior paint colors shall be approved by Boone County Planning Commission Staff. Planning Commission Staff shall determine if the color(s) is appropriate and compatible with the area.
3. All proposed mechanical equipment shall be located on the rear building additions of both buildings. Roof mounted mechanical equipment shall not be visible from the N. Jefferson Street right-of-way.
4. The microbrewery business shall not operate as a brewing operation only.
5. The mobile canning and/or bottling of beer shall not be permitted.
6. Outside storage shall not be permitted.
7. Delivery trucks, box trucks, and other commercial vehicles shall not be stored in the rear yard.
8. Any proposed trash dumpster shall comply with the following guidelines:
 - The back and sides shall be constructed with brick and be painted to match the buildings.
 - Solid gates are required.
 - The walls and gates shall be at least 1 foot taller than the dumpster being screened.

The approved conditional use permit as well as the preceding conditions apply to the property described in:

DEED BOOK 885

PAGE NO. 874

GROUP NO. 2025