

**BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION**

Five (5) unred copies and one (1) 11 x 17 reduction of submitted drawings are required
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

SECTION A: (To be completed by applicant)

- 1. Check One Boone Florence Walton Union
- 2. Check One Conditional Use Permit Variance Appeal
 Change in Non-Conforming Use

3. Applicant: Jake's Farm Real Estate Development Company, LLC
 Address: 545 NE 19th Avenue, Unit B
Deerfield Beach FL 33441
 City State Zip Code
 Phone Number: 812-322-6683 Fax Number: _____
 Email: craig@bensonconsultingassociates.com

4. Description of Request: Event center, retail sales, and eating and drinking establishment as set forth in attached narrative

5. Name of Development: Jake's Farm
 6. Location of Development: 731 - 735 Richwood Road (includes PIDN 065.01-02-003.00)
Walton KY 41094
 City State Zip Code

7. Acreage Under Review: Approx 32.86

8. Lot Number and Name of Subdivision (if part of a subdivision):
"Farm Tract", Lot, Lot 3 of Richwood Country Estates, Section One as shown on Plat Book 12, page 40

9. Current Owner: Jake's Farm Real Estate Development Company, LLC
 Address: 545 NE 19th Avenue, Unit B
Deerfield Beach FL 33441
 City State Zip Code
 Phone Number: 812-322-6683 Fax Number: _____
 Email: craig@bensonconsultingassociates.com

10. Proposed Use(s) on Site: Event venue, retail sales, eating and drinking establishment

11. Total Square Footage of Existing and/or Proposed Buildings: Approx. 9,500

12. Current Zoning: A-2

13.	<u>D1128</u>	<u>373</u>	<u>1234, 1235</u>
	Deed Book	Page	Group Number

14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____

15. Have you submitted a Site Plan with this request: Yes No

16. Have you submitted a list of adjoining property owners with this request: Yes No

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

Jake's Farm Real Estate Development Company, LLC by:

ORIGINAL Property Owner's Signature: _____
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted) Mark Jacobs, Managing Member
Jake's Farm Real Estate Development Company, by:

ORIGINAL Applicant's Signature: _____
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted) Mark Jacobs, Managing Member

SECTION B: (To be completed by Planning Commission staff)

84448

1. Date Received: 7/20/21 Fee Received: 1466.00 Receipt #: 84447

2. Is application complete:

3. Staff Reviewer: M. Schwartz

4. Scheduled Board Action Date: 8/11/2021

5. Board Action: 11/10/2021

Approved

Approved with Conditions (see #6)

Denial (See #7)

6. Conditions of Approval: _____

7. Reasons for Denial: See BCBOA November 10, 2021 Minutes

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

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16. Have you submitted a list of adjoining property owners with this request: Yes No

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 Mark Jacobs, Manager

ORIGINAL Property Owner's Signature: _____
(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted) Jake's Farm R.E.D.C. LLC by:

 Mark Jacobs, Manager

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

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Jake's Farm R.E.D.C. LLC by:
Mark Jacobs, Manager

ORIGINAL Applicant's Signature: _____

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STAFF REPORT

#1

APPLICANT: Jakes Farm Real Estate Development Co., LLC, per Mark Jacobs

LOCATION: Southeast corner of the intersection of Richwood Road with Schmidt Lane, including the properties addressed as 731, 733, and 735 Richwood Road and the properties having Parcel ID 065.01-02-001.00 and 065.01-02-007.00, Boone County, Kentucky

ZONING: Agricultural Estate (A-2)

DATE: November 10, 2021 (this item was deferred from the Board's October 11, 2021 and September 8, 2021 meetings)

PROPOSAL

- A. The first part of the submitted request is Conditional Use Permit to allow the expansion of an existing structure for an event center, eating and drinking establishment, and retail sales. The event center would include outdoor seating area, farmers market, pergolas, food truck parking, and off-street parking areas.
- B. The second part of the submitted request is a Variance to increase the height of a free standing sign from eight (8) feet to ten (10) feet.
- C. The third part of the submitted request is a Variance to increase the sign area of a free standing sign from thirty-two (32) square feet to forty (40) square feet.

SITE HISTORY

- 1976 On August 4, 1976, the Boone County Planning Commission approved a Conveyance Plat creating a 38.75 acre property currently addressed as 731-735 Richwood Road.
- 1976 On September 8, 1976, the Boone County Planning Commission approved a Final Plat for Richwood Country Estates, Section 1, creating the two lots located at the southeast corner of the intersection of Richwood Road with Schmidt Lane.
- 1994 On September 6, 1994, the Boone County Planning Commission approved a Zoning Permit for a garage addition at 731 Richwood Road.

APPLICABLE REGULATIONS

- A. Section 220 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to grant conditional uses permits as specified by the zoning order, with such additional safeguards as will uphold the

intent of the zoning order.

B. The Board should evaluate the request as it relates to the criteria necessary for granting a Conditional Use Permit as stated in Sections 262, and 623 of the Boone County Zoning Regulations.

1. Findings listed in Section 262 (Findings for all Conditional Uses):
 - a. 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;
 - b. 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;
 - c. Will not be hazardous to existing or future neighboring uses;
 - d. 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;
 - e. 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;
 - f. 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;
 - g. Will have vehicular approaches to the property which shall be so designated as not to create an interference with traffic on surrounding public thoroughfares.
2. Criteria listed in Section 623 of the Boone County Zoning Regulations (A-2 District):
 - a. The activity is an integral part of the agricultural or residential use of the land, and the activity is not of scale, nature, or other character

which will detract or conflict with the principal purposes of the district;

- b. The activity is necessary to provide the specified public service for the residents of the district so long as the service area, use, scale or other character of the activity does not overpower, transient or conflict with the principal purpose of the district; and
 - c. Provided the arrangement of use, building or structure is mutually compatible with the organization of permitted and accessory uses to be protected in the district.
- C. Section 250 of the Boone County Zoning Regulations states that one of the duties of the Board of Adjustment is to hear and decide on applications for variances.
- D. Section 250 of the Boone County Zoning Regulations defines a variance as a departure from dimensional terms of the zoning regulation pertaining to the height, width, or location of structures, and the size of yards and open spaces where such departure meets the requirements of KRS 100.241 to 100.247.
- E. The Board should evaluate the request as it relates to the criteria necessary for granting a Variance as stated in Section 251 of the Boone County Zoning Regulations.
- 1. Findings listed in Section 251:
 - a. Before any variance is granted, the Board must find that the granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the board shall consider whether:
 - (1) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity, or in the same zone;
 - (2) The strict application of the provisions of the regulations would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant;
 - (3) The circumstances are the result of actions of the applicant

taken subsequent to the adoption of the zoning regulation from which relief is sought.

- b. The Board shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.
- F. Section 620 of the Boone County Zoning Regulations states that “The purpose of the Agricultural Estate district is to provide for low density residential development and on a limited basis agricultural uses or agricultural related uses in the context of a rural environment.”
- G. Section 623 of the Boone County Zoning Regulations identifies: (1) camping, picnicking, hiking areas, trails and other recreational uses for non-motorized activities; (2) retail sales including grocery items, confectionery, proprietary, books and stationery, antiques, sporting and athletic goods, bait, fuel, ice, firewood, bottled gas, cigars and cigarettes, music, books, newspapers and magazines, photographic supplies, gifts, novelties, souvenirs and similar products, locally made furniture and crafts; and (3) eating and drinking establishments including alcoholic beverages as Conditional Uses within the Agricultural Estate (A-2) district.
- H. Section 621 of the Boone County Zoning Regulations identifies roadside stands, farmers marts and similar sales uses of agricultural and related products including specialty crafts and foods as a Principally Permitted Use within the Agricultural Estate (A-2) district.
- I. Section 3411 of the Boone County Zoning Regulations states that in agricultural districts, one freestanding sign that does not exceed eight (8) feet in height and thirty two (32) square feet in area, or one building mounted sign that does not exceed thirty two (32) square feet, is permitted when customarily incidental to places of worship, schools, civic associations, libraries, museums, social clubs, societies, or permitted businesses.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

- A. The Our Boone County Plan 2040 Future Land Use Plan designates the site for “Rural Density Residential” and “Suburban Density Residential” uses.
 - 1. Rural Density Residential is described as low density residential uses of up to one dwelling unit per acre.
 - 2. Suburban Density Residential is described as single family housing of up

to four units per acre

- B. The Land Use Plan Element of Our Boone County Plan 2040, includes the following description:

Development to the southwest of the Richwood interchange must continue the Grand National Boulevard connection to Chambers Road. The remaining portion of the Grand National Boulevard to Chambers connection should be completed when the new elementary school is developed if warranted. The reconstruction of the I75/Richwood Road interchange is expected to occur in 2019 which may lead to the need for additional retail and office uses. The remaining undeveloped land on the southwest quadrant of I-75 and Richwood Road is recommended for Business Park and Urban Residential. The Business Park area along Richwood Road should develop as an attractive office campus project that provides an appropriate entrance to the residential corridor between Steeplechase and Chambers Road. Any business development along Grand National Boulevard must include proper ingress and egress, and provide for needed modifications to the roadway and/or its intersection with KY 338. Highway related commercial growth on the west side of the interchange should be adequately buffered from existing and planned residential uses. As the residential area of Richwood grows, especially with the development of the Triple Crown community, neighborhood and convenience commercial uses should develop. These new uses should be oriented toward the residents rather than the highway traveler. Commercial development along Richwood Road should be screened from the roadway, and serve the developing residential uses in the Richwood - Union area. Curb cuts should be limited and consolidated wherever possible. Beaverlick should remain as a small community with little growth. Any commercial development in this area should locate at the intersection of U.S. 42 and Beaver Road in Beaverlick. Improvements to roadways in this area will be needed to support extensive growth. Future development in this area should be sensitively designed to minimize impact on existing low density residential land uses. Connecting routes that take traffic off existing roadways should be encouraged. Significant cultural resources are also located in this area, including Richwood Presbyterian Church, a National Register listed prehistoric village site (protected by conservation easement) and hundreds of acres of the historic Gaines Farm, known for its association with Margaret Garner, who escaped captivity there with her husband and children in 1856.

- C. The following Our Boone County Plan 2040 Goals and Objectives apply to this application:

1. Mixing of residential and other land uses shall be encouraged where appropriate (Overall Goal A, Objective 2).

2. Land uses and zoning decisions shall strive to balance the rights of landowners with the rights of neighbors and the community (Overall Goal A, Objective 4).
 3. Development policies shall not discriminate against any person (Demographics Goal A, Objective 1).
 4. Promote quality of life amenities to retain current residents and attract new residents in order to have a stable and diversified population (Demographics Goal A, Objective 3).
 5. Specific areas, innovative land use planning concepts, and design incentives shall be identified to encourage the preservation of agricultural lands (Natural and Cultural Resources Goal B, Objective 1).
 6. Local agriculture, business products, and services shall be encouraged and supported (Economy Goal A, Objective 4).
 - 7.. Boone County shall seek a combination of land uses that balances revenues generated from those uses with the expenditures required to support them (Economy Goal A, Objective 8).
 8. Mixing of commercial and non-commercial uses shall occur in areas where consideration has been given to assure compatibility with surrounding land uses and natural systems (Economy Goal B, Objective 2).
 9. Commercial uses shall be designed and located to coordinate with the surrounding land uses and shall have safe access and adequate parking (Economy Goal B, Objective 3).
 10. Priority shall be given towards maintaining, protecting, and improving the capacity and safety of the existing road system across jurisdictions (Transportation Goal A, Objective 1).
 11. Inefficiencies in the transportation network, including road condition, intersection improvements, and signal enhancements shall be identified and addressed (Transportation Goal B, Objective 3).
- D. Richwood Road is a state maintained arterial street providing for two way traffic within two driving lanes and a sixty (60) foot right-of-way. Within the vicinity of the site, the pavement width of Richwood Road is sixteen (16) to eighteen (18) feet. There are no sidewalks along the roadway. To the east of the site, Richwood Road is being widened to accommodate an interchange improvement

with I-71/75.

- E. Schmidt Lane is a county maintained local street providing for two way traffic within an approximate twenty-one (21) foot wide pavement and a sixty (60) foot wide right-of-way. There are no sidewalks along the roadway.

SITE CHARACTERISTICS

- A. The approximate 35 acre area is located at the southeast corner of the intersection of Richwood Road with Schmidt Lane, and is comprised of four separate lots:
 - 1. Lot 1 is 5.61 acres
 - 2. Lot 3 is 3.39 acres
 - 3. Lot 7 is 2.01 acres
 - 4. Farm Tract is 23.85 acres
- B. The site is currently occupied by three (3) detached single-family residential dwellings, 5 barns, one of which is identified as having historical significance, and other accessory structures.
- C. “The Former Dairy Barn” is a good example of a mid-20th Century hoop-roof dairy barn and was recorded for the Kentucky Historic Inventory in 1993 as Site BE-531.
- D. A tributary of Mudlick Creek bisects the site and generally runs parallel to Richwood Road, approximately 150 feet to its southeast.
- E. Access is currently provided by an approximate ten (10) foot wide driveway onto Richwood Road, approximately 900 feet northeast of Schmidt Lane and approximately 400 feet southwest of Hicks Pike.
- F. Topographically, the site slopes downward from Richwood Road to the creek at an average grade of 5%. From the creek, the site slopes upward at an average grade of 17% over Lots 1, 3, and 7, and 8% over the farm tract.
- G. A 12-inch diameter main trunk gravity sanitary sewer line and a 12-inch diameter water main are located along Richwood Road, fronting the site in question.

SURROUNDING LAND USES AND ZONING

- North: Single family (A-2)
- South: Single family (A-2)

East: Single family (SR-1)

West: Single family (A-2)

PROPOSED DEVELOPMENT

- A. Demolition and removal of southernmost residence.
- B. Demolition and removal of westernmost barn.
- C. Demolition and removal of existing fencing.
- D. Demolition and removal of existing pavement.
- E. Construction of a twenty-five (25) foot wide driveway from Richwood Road.
- F. Construction of a widened bridge over the Mudlick Creek Tributary.
- G. Provision for a farmers market with parking, colonnades, and walkways.
- H. Renovation and expansion of the existing historic barn for an event center, retail area, and an eating and drinking establishment.
- I. Conversion of the 733 Richwood Road residence into a first floor office and a second floor living space.
- J. Provision for additional restrooms.
- K. Provision for a vehicular drop off area.
- L. Provision for 112 off-street parking spaces for the event center, et. al. and 12 off-street parking spaces for the farmers market.
- M. Provision for a food truck parking area.
- N. Provision for a hardscape area for outdoor programming.
- O. Lawn area for outdoor programming/seating area.
- P. Provision for walking paths, colonnades, and pergolas.
- Q. Double sided entry sign along Richwood Road.
- R. Provision for a future waterfall feature.
- S. Provision for a retaining wall.
- T. Provision for stormwater management.
- U. Provision for perimeter landscaping.

STAFF COMMENTS

- A. There are 32 lots that utilize Schmidt Lane for access onto Richwood Road.
- B. The applicant has provided a project narrative (see attached) which indicates the following:
 - 1. An estimated capacity of 300 people for the event center.
 - 2. An estimated capacity of 150 people for the outdoor lawn area.
 - 3. Provision of a Buffer Yard B (20 foot width) along the north and east property lines of the property located at 11670 Schmidt Lane.
 - 4. Provision that light poles will face away from a neighboring property and

- that non-security lights will automatically shut off at the end of permitted operating times.
5. Retail uses will be low-intensity, specialty items, in the lower level of the Dairy Barn, as well as within the "Art Barn", which is located to the south of 731 Richwood Road. This retail function is proposed to operate independently from the proposed event center.
 6. Hours of operation would typically be from noon to midnight.
 7. Amplified music will only be permitted in the Dairy Barn, which will be improved with sound absorbing materials.
 8. Unamplified acoustic music will be used in the outdoor areas.
 9. The eating and drinking establishment will not be a restaurant. It will be to support preparation and service of foods at on-site events, provide a working space for a catering group, and allow delivery of food from a "ghost kitchen".
 10. Provision for wine sales from the lower level of the Dairy Barn.
 11. Provision for passive uses around the pond.
 12. A monument style sign, constructed of stone, brick, and/or wood would be provided at the entrance along Richwood Road.
 13. The property is currently served by electric and water.
 14. Indoor bathroom facilities will be constructed.
 15. The existing driveway coming off of Richwood Road will be widened to twenty-five (25) feet.
 16. Provision of building mounted signage that meets the requirements of the zoning regulations.
- C. The applicant's original project narrative provides their reasoning and basis for the approval of their application.
- D. At its closest point, the proposed event center activities will be located:
1. Approximately 290 feet from the right-of-way of Richwood Road.
 2. Approximately 200 feet from the right-of-way of Schmidt lane.
 3. Approximately 295 feet from the property located at 602 Savannah Drive.
 4. Approximately 85 feet from the property located at 11670 Schmidt lane.
 5. Approximately 450 feet from the property located at 750 James Lane.
- E. The submitted development plan meets the minimum requirements of the Boone County Zoning Regulations, except for the following (these can be submitted and reviewed as part of a Site Plan):
1. Section 3314 states that all parking areas, driveways, and aisles shall be improved with either asphalt concrete or Portland cement concrete, unless a waiver is granted by the zoning administrator. Insufficient information has been submitted.

2. Section 3323 states that all one-way internal driveways shall be a minimum of fourteen (14) feet in width. The submitted plan indicates that some of the one-way internal driveways will be twelve (12) feet wide.
 3. Section 3325 outlines the formulas for determining the minimum number of required off-street parking spaces.
 - a. Based on a maximum seating capacity of 300 people, the event barn will be required to have 75 parking spaces.
 - b. Based on an outside lawn area capacity of 150 people, the outside lawn area will be required to have 38 parking spaces.
 - c. Based on 7,600 square foot of floor area retail, the retail area will be required to have 31 parking spaces.
 - d. Based on 899 square feet of floor area, the office area will be required to have 4 parking spaces.
 - e. Based on two single-family residential dwellings, the residential portion of the development will be required to have 4 parking spaces.
 - f. Insufficient information has been submitted to determine the required parking demand for the proposed eating and drinking establishment.
 - g. Based on the previous calculations, the site will be required to have 152 parking spaces, excluding the required parking for the proposed eating and drinking establishment. The submitted plan indicates the provision for 112 parking spaces.
 4. Article 34 does not provide regulations for building mounted signs for Conditional Uses. The Board will have to evaluate what signage will be appropriate for this development.
- F. Prior to submitting this application, the applicant was in contact with Rob Franxman, Boone County Public Works. That correspondence is summarized as follows:
1. The access point onto Schmidt Lane should be located opposite the driveway on the other side of the street.
 2. It appears that there are no sight distance issues.
 3. Schmidt Lane should be widened to twenty-five (25) feet between Richwood Road and the proposed curb cut.
- G. An inter-departmental email was sent to the Boone County Building Department,

Boone County Public Works, Kentucky Department of Transportation, Kentucky Division of Water, and Walton Fire District requesting comments pertaining to the request.

1. Jerry Noran, Boone County Building Department replied that each program area needs to have an accessible parking space on the closest accessible route to the entrances, and be marked as such (pavement markings and signs).
- H. Viox and Viox, Inc. have submitted an email from the Kentucky Transportation Cabinet stating that a Traffic Impact Study will not be required and that any entrance improvements on Richwood Road will require an Encroachment Permit (see attached).
- I. Should the Board take action to approve the submitted request, the following conditions should be considered as part of that action:
1. Development shall be consistent with the plans and material submitted as part of the application.
 2. A Site Plan shall be submitted to, and approved by, the Boone County Planning Commission prior to any construction.
 3. Food truck parking shall only be allowed during events.
 4. All parking areas, driveways, and aisles shall be improved with either asphalt concrete or Portland cement concrete, unless a waiver is granted by the zoning administrator.
 5. All one-way internal driveways shall be a minimum of fourteen (14) feet in width.
 6. Off-street parking shall be evaluated at the time that a Site Plan is submitted and the minimum parking requirement shall be met.
 7. Other than the free standing sign along Richwood Road, the only signage that will be permitted on the site are those signs that are not legible from the public right-of-way or from any adjacent property.
 8. The proposed retaining wall shall be constructed of a textured, architectural grade material, having a natural brown and/or grey color tone.
- J. Staff has received several emails from the original submission and the proposed

revised submission (see attached).

CONCLUSION

- A. KRS 100.237 and Section 220 of the Boone County Zoning Regulations give the Boone County Board of Adjustment and Zoning Appeals the authority to act on the Conditional Use Permit request.
- B. KRS 100.241 and Section 220 of the Boone County Zoning Regulations give the Boone County Board of Adjustment and Zoning Appeals the authority to act on the Variance requests.
- C. Section 251 of the Boone County Zoning Regulations identifies criteria necessary for granting a Variance. The applicant needs to provide information as to how their application meets this criteria.

Respectfully Submitted,



Michael D. Schwartz
Planner

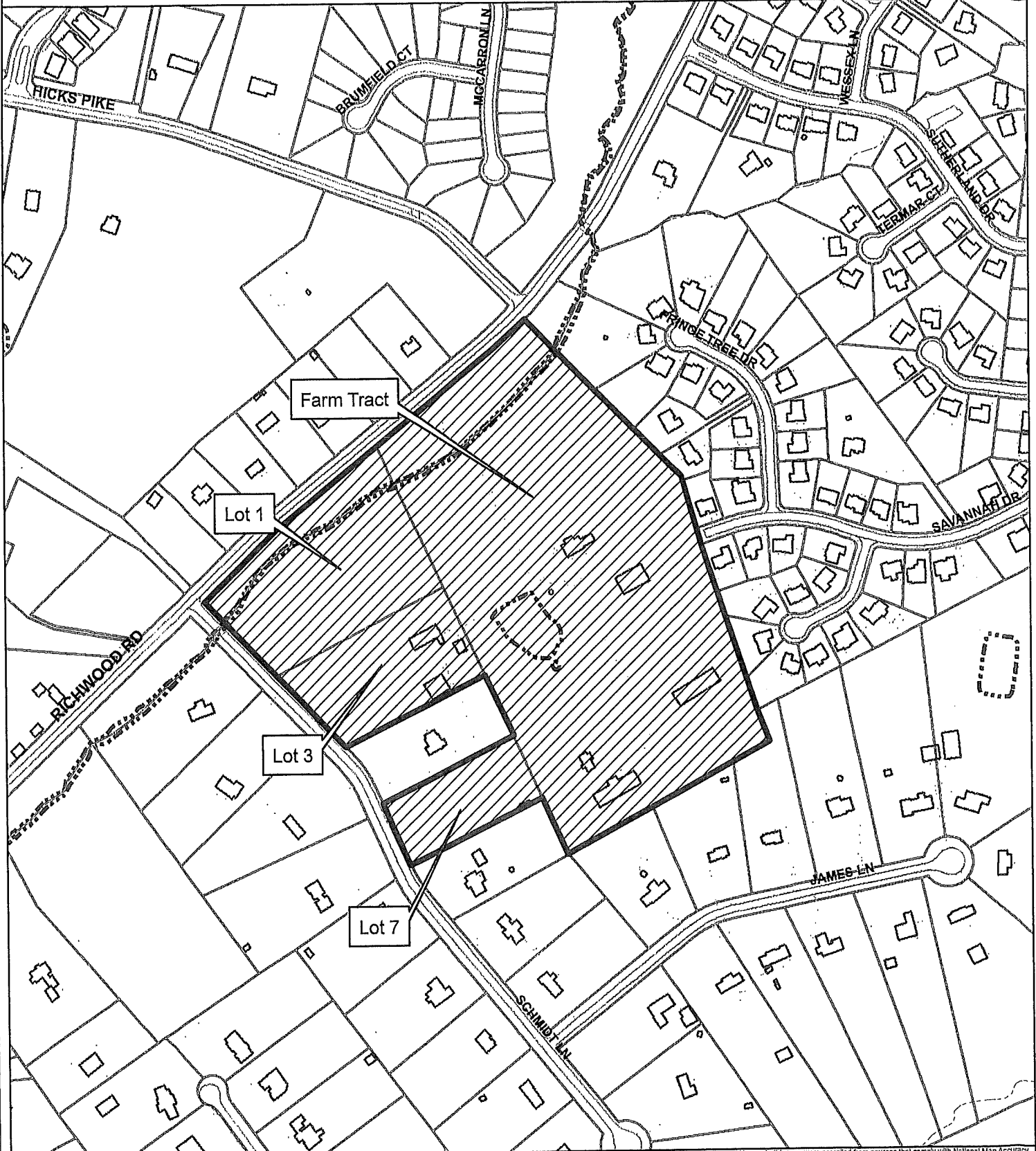
MDS/ss

Attachments

- *Site Map
- *Aerial Map
- *Topographical Map
- *Zoning Map
- *2040 Future Land Use Map
- *Application
- *Original Project Summary
- *Revised Project Summary
- *Revised Concept Development Plan
- *Email from Rob Franxman, Boone County Public Works, dated 7/16/21
- *Email from Jerry Noran, Boone County Building Department, dated 7/27/21
- *Email from Viox and Viox, Inc./KYTC, dated 8/11/21
- *Emails from the public

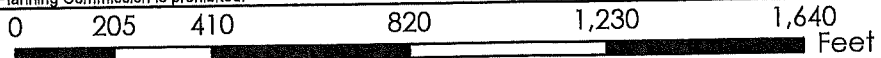
Site Map

www.boonecountygis.com



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1 Inch = 400 feet



Boone County GIS - Putting North



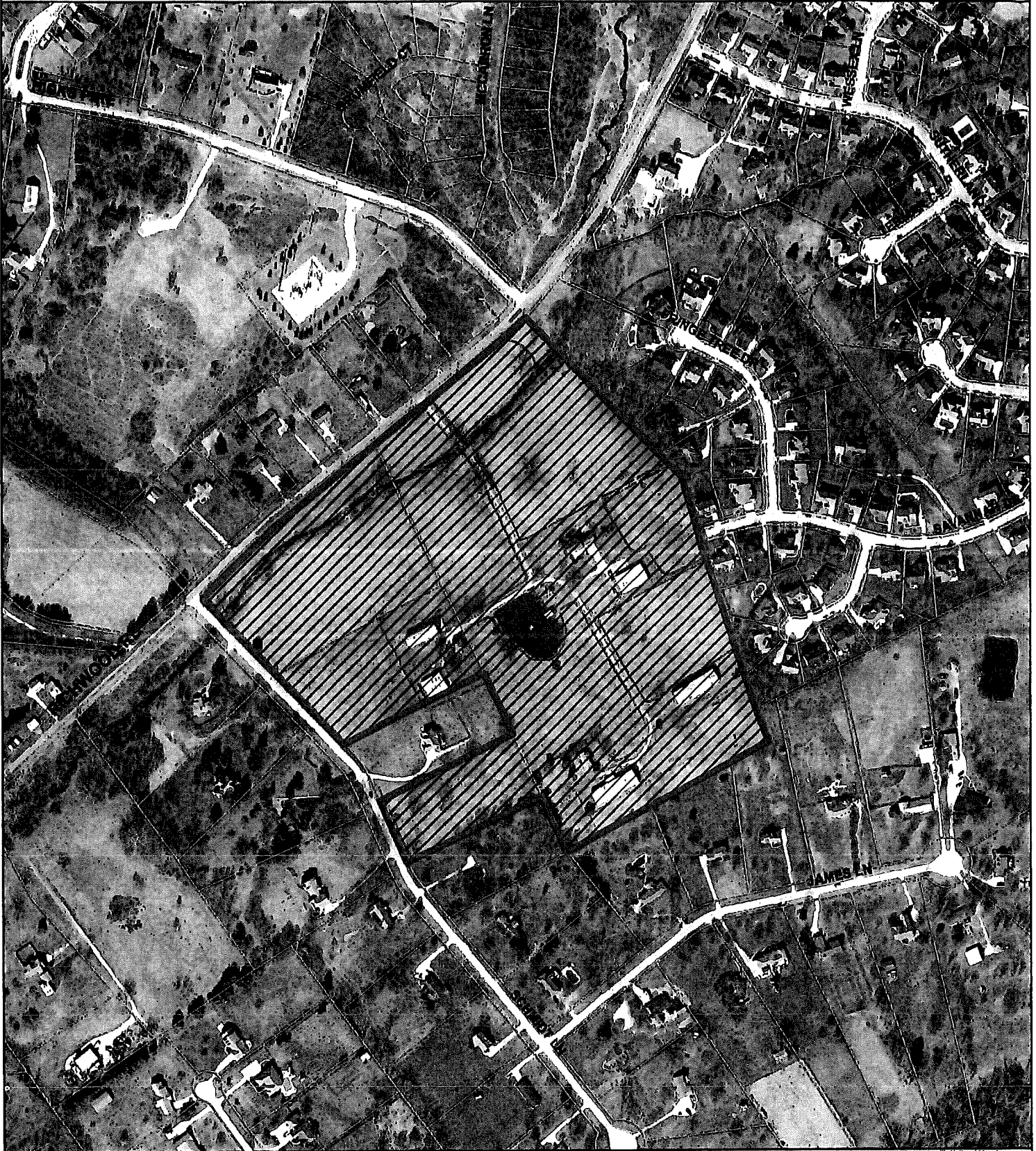
rn Kentucky on the M

Map Created: 01/01/2018

Map File: C:\GIS\Boone County GIS\Map Documents\Site Map.mxd
ArcMap Document: *.mxd

Aerial Map

www.boonecountygis.com



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0 205 410 820 1,230 1,640 Feet

1 Inch = 400 feet



Boone County GIS - Putting Northern Kentucky on the Map



Map Created: 01/01/2018

Made with ArcGIS by Esri. MXP 1011
ArcMap Document: *.mxd

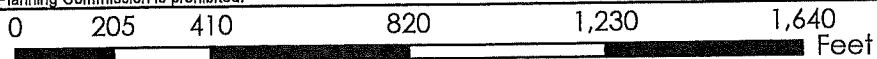
Topographical Map

www.boonecountygis.com



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1 inch = 400 feet



Boone County GIS - Putting Northern Kentucky on the Map

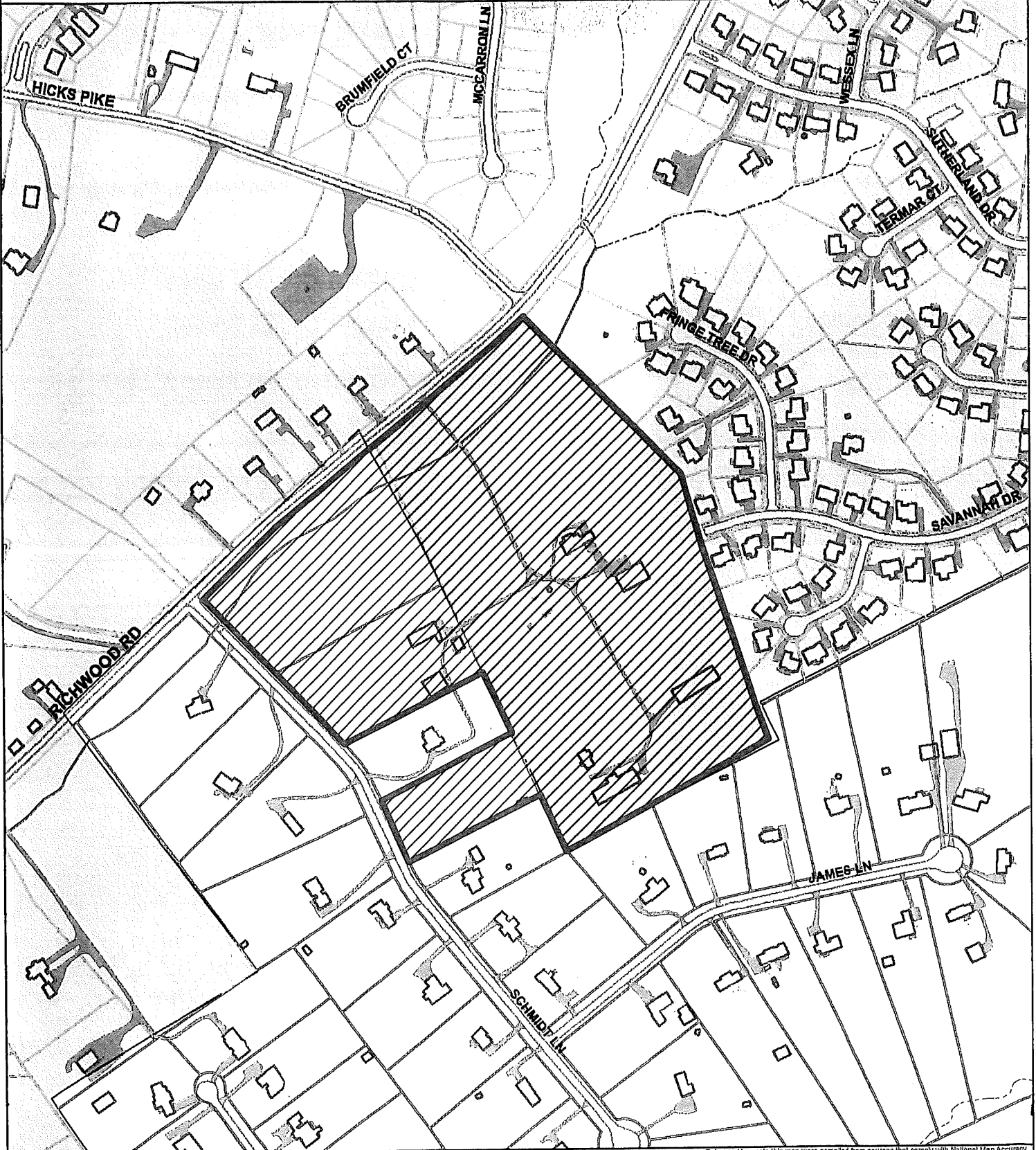


Map Created: 01/01/2018

ArcMap Document (*.mxd)

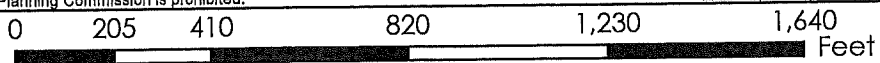
2040 Future Land Use Map

www.boonecountygis.com



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1 inch = 400 feet



Boone County GIS



Map Created: 01/01/2018

Boone County GIS
ArcMap Document (*.mxd)

R E C E I V E D
 84447
 JUL 20 2021
 84448
 BOONE COUNTY
 PLANNING COMMISSION

**BOARD OF ADJUSTMENT
 BOONE COUNTY PLANNING COMMISSION**

Five (5) unsealed copies and one (1) 11 x 17 reduction of submitted drawings are required

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

SECTION A: (To be completed by applicant)

1. Check One Boone Florence Walton Union

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

3. Applicant: Jake's Farm Real Estate Development Company, LLC

Address: 545 NE 19th Avenue, Unit B

Deerfield Beach FL 33441
 City State Zip Code

Phone Number: 812-322-6683 Fax Number: _____

Email: craig@bensonconsultingassociates.com

4. Description of Request: Event center, retail sales, and eating and drinking establishment as set forth in attached narrative

5. Name of Development: Jake's Farm

6. Location of Development: 731 - 735 Richwood Road (includes PIDN 065.01-02-003.00)

Walton KY 41094
 City State Zip Code

7. Acreage Under Review: Approx 32.86

8. Lot Number and Name of Subdivision (if part of a subdivision):
"Farm Tract, Lot, Lot 3 of Richwood Country Estates, Section One as shown on Plat Book 12, page 40

9. Current Owner: Jake's Farm Real Estate Development Company, LLC

Address: 545 NE 19th Avenue, Unit B

Deerfield Beach FL 33441
 City State Zip Code

Phone Number: 812-322-6683 Fax Number: _____

Email: craig@bensonconsultingassociates.com

10. Proposed Use(s) on Site: Event venue, retail sales, eating and drinking establishment
11. Total Square Footage of Existing and/or Proposed Buildings: Approx. 9,500
12. Current Zoning: A-2
13.

<u>D1128</u>	<u>373</u>	<u>1234, 1235</u>
Deed Book	Page	Group Number
14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____
15. Have you submitted a Site Plan with this request: Yes No
16. Have you submitted a list of adjoining property owners with this request: Yes No
17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations.

Jake's Farm Real Estate Development Company, LLC by:

ORIGINAL Property Owner's Signature: _____

(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted) Mark Jacobs, Managing Member

Jake's Farm Real Estate Development Company, by:

ORIGINAL Applicant's Signature: _____

(Faxed, Photocopied or Scanned Signatures will **NOT** be Accepted) Mark Jacobs, Managing Member

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13.	<u>D1128</u>	<u>373</u>	<u>1234, 1235</u>
	Deed Book	Page	Group Number

14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____


15. Have you submitted a Site Plan with this request: Yes No

16. Have you submitted a list of adjoining property owners with this request: Yes No

17. I, or we, understand and agree that this application and drawing(s) are being filed in accordance with the Boone County Zoning Regulations. Jake's Farm R.E.D.C. LLC by:

 Mark Jacobs, Manager

ORIGINAL Property Owner's Signature: _____
(Faxed, Photocopied or Scanned Signatures will NOT be Accepted) Jake's Farm R.E.D.C. LLC by:

 Mark Jacobs, Manager

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

BOARD OF ADJUSTMENT
BOONE COUNTY PLANNING COMMISSION

Five (5) scaled copies and one (1) 11 x 17 reduction of submitted drawings are required

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

SECTION A: (To be completed by applicant)

1. Check One Boone Florence Walton Union

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

3. Applicant: Jake's Farm Real Estate Development Company, LLC

Address: 545 NE 19th Avenue, Unit B
Deerfield Beach FL 33441
City State Zip Code

Phone Number: 812-322-6683 Fax Number: _____

Email: craig@bensonconsultingassociates.com

4. Description of Request:
In connection with simultaneous application for conditional use permit, Applicant is requesting variance from Section 3411 to exceed the sign size limitations up to 40 square feet for monument sign to be erected at Richwood Road entrance.

5. Name of Development: Jake's Farm

6. Location of Development: 731 - 735 Richwood Road (includes PIDN 065.00-00-013.00)
Walton KY 41094
City State Zip Code

7. Acreage Under Review: Approx 32.86

8. Lot Number and Name of Subdivision (if part of a subdivision):
"Farm Tract" of Richwood Country Estates, Section One as shown on Plat Book 12, page 40

9. Current Owner: Jake's Farm Real Estate Development Company, LLC
Address: 545 NE 19th Avenue, Unit B
Deerfield Beach FL 33441
City State Zip Code

Phone Number: 812-322-6683 Fax Number: _____

Email: craig@bensonconsultingassociates.com

10. Proposed Use(s) on Site: Event venue, retail sales, eating and drinking establishment

11. Total Square Footage of Existing and/or Proposed Buildings: Approx. 9,500

12. Current Zoning: A-2

13.

<u>D1128</u>	<u>373</u>	<u>1234, 1235</u>
Deed Book	Page	Group Number

14. Is the site subject to a zone change: Yes No
If yes, date of approval: _____

15. Have you submitted a Site Plan with this request: Yes No

16. Have you submitted a list of adjoining property owners with this request: Yes No

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

Jake's Farm R.E.D.C. LLC by:

Mark Jacobs, Manager

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

Jake's Farm R.E.D.C. LLC by:

Mark Jacobs, Manager

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

July 20, 2021

Boone County Board of Adjustment
2950 Washington Street
Burlington, Kentucky 41005

RE: Conditional Use Permit

***Jake's Farm Real Estate Development Company, LLC
731 and 733 Richwood Road, Walton, KY 41094
(PIDN 065.00-00-013.00; 065.01-02-003.00; and 065.01-02-001.00)***

To the Boone County Board of Adjustment:

I. Introduction

Jake's Farm Real Estate Development Company, LLC ("Jake's Farm" or the "Applicant") is seeking a conditional use permit for the property located at 731 - 735 Richwood Road, Walton, Kentucky 41094 and identified by PIDN 065.00-00-013.00; 065.01-02-003.00; and 065.01-02-001.00 (the "Property"). The present zoning classification of the Property is A-2. The application requests a permit to use the Property as an event venue, as an eating and drinking establishment, and for limited retail sales consistent with the plans incorporated in the Application and in accordance with Section 623.11, 623.12, and 623.18 of the Boone County Zoning Ordinance (the "Ordinance"). The proposed use of the Property is consistent with the criteria set forth in Sections 623 and 262 of the Ordinance. In addition to the conditional uses requested in this Application, the Applicant's site plan will include use as a farmer's market, with a full range of produce, flowers, and small plants, as permitted by Section 621.

II. Conditional Uses

The Applicant seeks to use the Property to host various events that will be consistent with the principal purposes of the A-2 district and which will not alter the overall character of the Property. As an event venue, the Property will host private events including weddings, wedding receptions, corporate/business retreats, parties, family reunions, and similar private gatherings. In addition to private events, the Property will host public events such as neighborhood and community gatherings, wine tastings, art shows, food trucks, and similar events. In order to accommodate such uses, the Applicant will remodel the existing "hoop-roof" dairy barn (the "Barn"). The remodel will include the addition of a kitchen and bathrooms. Consistent with the current aesthetics of the farm, any additions to the Barn will be constructed using similar materials and preserving the existing architectural theme. Pergolas or colonnades will be constructed around the existing lake, on the program lawn, and near proposed walkways and parking areas for picnic and seating areas. Brick or similar hard-surface walkways will connect different portions of the

property with parking areas and the Barn. Tasteful landscaping and lighting are planned after new infrastructure is complete.

The indoor capacity of the Barn will be approximately 300 for public/private events. The Applicant may host larger events by making use of the outdoor areas adjacent to the Barn if weather permits. However, use of the Property for events will be limited to those outdoor areas identified in the plans, and no event shall permit a number of attendants that would exceed the available parking spaces. The Applicant anticipates that most events will be held on Fridays, Saturdays, and Sundays between the hours of 12:00 pm to 12:00 a.m. All music and amplified sound will be required to end by 10:00 p.m. Sunday through Thursday and 12:00 a.m. Friday and Saturday, with all guests having vacated the Property no more than one hour later.

In addition to hosting events, the Applicant intends to operate an eating and drinking establishment in the Barn. This establishment will consist of a bakery and kitchen that offers and prepares a limited menu and licensed sales of alcoholic beverages by the drink. The improvements to the Barn within the proposed addition will include construction of a basement wine cellar where wine is stored. When weather permits, the Applicant may also add some outdoor seating. Depending on demand, the Applicant plans to open the eating and drinking establishment on a limited basis. If demand is sufficient, the Applicant may increase the hours of operation to match the typical operating hours for restaurants in this area. The dining establishment will not offer drive-through service.

Finally, in addition to hosting a farmer's market as permitted in A-2 districts, the Applicant intends to engage in limited retail sales of products from the Barn. The primary products to be sold will be packaged food, wine, crafts, and other agricultural products. It is the Applicant's intent to primarily sell locally and regionally sourced goods. In connection with the wine cellar and wine-tasting events, the Applicant intends to make licensed package sales of wine. The retail area of the Barn will be on the lower floor and occupy approximately 2,700 square feet of space. Initially, retail sales will only occur during public events or when the farmer's market is in operation. Depending on demand, retail sales may occur during set business hours.

III. Sign Variances

Along with the Conditional Use Application, the Applicant has submitted applications for variances from the requirements of Section 3411 of the Ordinance in regard to signage. The Applicant plans to install monument-style entrance signs at the driveway entrances on Richwood Road and Schmidt Lane. Both signs will be similar in style to those typically seen at the entrances of residential subdivisions. The monument-style signs will be constructed of stone, brick, and/or wood, and will be consistent with the aesthetic of this area. Landscaping and landscape lighting will be placed around the monument signs consistent with applicable zoning requirements.

IV. Utilities and Sanitation

The Property is currently served by electric and water service. The Applicant will construct indoor bathrooms of sufficient size to serve the maximum capacity of the Property. The sanitary facilities will be constructed in accordance with applicable Health Department rules and regulations. To the extent any gas, sewer or water utilities must be improved or expanded, the Applicant will cause such improvements to be made at its cost, including installation and connection to the public sewer. The kitchen and dining area will be constructed in accordance with applicable Health Department rules and regulations.

V. Traffic Management and Safety

Access to the Property will be from Richwood Road and Schmidt Lane. Richwood Road is a state highway (Route 338) maintained by the Kentucky Transportation Cabinet. Significant improvements to Richwood Road are presently under construction to the northeast of the Property, including the widening of the road and the installation of a roundabout at the intersection with Triple Crown Boulevard and Grand National Boulevard. Schmidt Lane is a county-maintained road 30 feet in width. As depicted on the plans, traffic to and from the Property will be addressed and managed by:

1. Widening the existing driveway at Richwood Road to 22 feet. In connection with improving the existing driveway, Applicant will install a new bridge where the driveway crosses the creek on the Property.
2. Applicant will also construct a new 22 foot wide driveway at Schmidt Road as depicted on the plans, giving guests two means of ingress and egress.
3. Parking lots will be constructed as shown on the plans with internal driveways to move vehicles across the Property efficiently. The parking lots will have a sufficient number of spaces for the capacity of the Barn, including the required number of disability accessible spaces. There will be islands in the parking lot for lighting and landscaping.

VI. Noise and Light

The Applicant will install the minimum amount of exterior lighting necessary to provide guests with safe access to the Barn, lake area, and parking lot at night. The applicant will also install low-intensity ambient lighting for aesthetic purposes. Any such exterior lighting will only be used during regular operating hours and events, however, the Applicant may install security lighting consistent with such lighting used in this area. All light will be directed inward and not toward adjoining properties. Applicant anticipates that light fixtures will be installed along the driveways, in the parking lots, and near the "program lawn" as identified on the plan. Low-intensity ambient lighting will likely be installed throughout the Property where the use will occur.

Amplified music will only be permitted inside the Barn. Acoustic instruments and music will be permitted in outdoor areas. Temporary use of amplified sound may be used outdoors for purposes of making announcements or for performing wedding or other ceremonies. Any events will be subject to the time limitations indicated above. The Applicant will install screening as depicted on the plans, with such screening to consist of trees and other landscaping to mitigate noise and light impacts on adjoining properties. The Applicant will agree to install a buffer yard along the new driveway from Schmidt Lane adjacent to the neighboring property owner that meets or exceeds category "B" under Article 36 of the Ordinance. The approximate size and location of this buffer yard is depicted on the plans submitted with the Application.

VII. Conditional Use Criteria

As demonstrated by the plans and the Application, the proposed use will be limited in size and scope so as to not overpower the Property's existing use and character. The remodeling of the Barn, and proposed use thereof, is compatible with the organization of permitted and accessory uses that are protected in the A-2 district. Furthermore, the Boone County 2040 Future Land Use map designates the Property as suburban density residential and rural density residential. The proposed conditional uses will do more to preserve the agricultural aesthetic of the Property than the residential development that is likely if the Application is not approved. The existing barns that are identified by the letter "E" on the plan, will remain in place and will not be modified or part of the conditional use.

The requested use of the Property is consistent with the criteria by which conditional uses are to be evaluated in Boone County. First, the proposed use is harmonious and in accordance with the general objectives of the County's comprehensive plan for this area of Boone County. The use of the Property as an event space will be periodic, typically used on weekends during warmer months, and will permit the Property's continued character as residential and farmland. The drinking and eating establishment and retail sales will likewise be limited in size so as not to change the overall character of the Property and surrounding area. The surrounding area is developing at a rapid pace, marked primarily by ever expanding high-density residential developments. Jake's Farm presents an attractive alternative to further sprawl that can be used and enjoyed by the residents of the surrounding neighborhoods.

Second, the Applicant's design is harmonious and appropriate with the character of the area, as the improvements to be constructed include only additions to the existing Barn and construction of driveways, parking lots, and walking paths. These improvements will be constructed on only a small portion of the Property, allowing the remainder to continue as open green space. The improvements will not substantially change the appearance of the Property from the public roads or adjoining properties, and therefore will not change the essential character of the area.

As to the third criteria, the surrounding area is used entirely for suburban residential purposes. The requested conditional uses will not alter or impair these existing uses. In fact, given the number of residential developments in this area, there is a severe shortage of dining and entertainment options, and Jake's Farm can fill that void. Furthermore, as shown on the plans, the requested conditional uses will occur only around the Barn, and commercial activity will be screened or kept away from nearby residences.

The planned driveways will be sufficient to support safe ingress to and egress from the Property and are sufficient for the provision of emergency services. The Barn improvements will be constructed in accordance with applicable building codes and fire safety requirements. Water and electric utilities are already installed on the Property and any extensions or expansions of those services will be provided by the Applicant. Accordingly, consistent with the fifth criteria, the proposed use will not create excessive additional requirements at public cost or be detrimental to the economic welfare of the area. In fact, the proposed conditional uses would almost certainly require less public investment in infrastructure than alternative uses such as residential development.

The sixth criteria concerns the production of excessive traffic, noise, smoke, dust, fumes, glare or odors. To the extent the proposed use may create any additional traffic, noise, or light, the Application contains provisions to limit the impact thereof. As discussed above, hours of operation will be limited so that all amplified noise will end by no later than 12:00 a.m. on weekends and 10:00 p.m. on weekdays. Amplified music will be contained within the Barn. As shown in the plans, all existing residences are a significant distance away from the Barn and will experience limited noise or light emanating therefrom. The maximum indoor capacity of the Barn will be approximately 300 people and will not create excessive traffic in this area. Finally, as to the seventh criteria, the Applicant has provided for two alternative means of access in order to alleviate any traffic concerns. As outlined above, exterior lighting will be minimal and not create any glare on the public roads or adjoining properties.

The Applicant respectfully requests that the Board of Adjustment grants its application for a conditional use permit.

VIII. Variance Criteria

The entrance to the Property is situated at the bottom of a hill along Richwood Road. In order to improve visibility of the entrance, and so that motorists have advance warning of the location of the driveway entrance, the Applicant would like to construct a monument sign that is slightly larger than what is permitted under the Ordinance. Because of the character and topography of this Property, the larger sign will help with the safety of approaches to the driveway. Further, the Applicant wishes to construct a monument sign that is consistent with the type of signage used in residential neighborhoods in this area of Boone County. This is consistent with the zoning of the Property. The Applicant has also requested a variance to install a second sign at

the new entrance on Schmidt Lane. Again, to assist with the smooth flow of vehicular traffic, it will be beneficial to clearly mark the entrance of the Property with a monument sign. This second sign will likewise be constructed so as to be consistent with residential subdivision signage in the area. For these reasons, the requested variances satisfy the requirements of Section 250 and 251 of the Ordinance and Applicant requests that they be granted.

Breidenstein Legal Services, LLC

855 Greenville Ave., Suite 300

Cincinnati, OH 45246

(513) 607-3452 • tom@breidenstein.legal • www.breidenstein.legal

October 19, 2021

Boone County Board of Adjustment
attn: George Whitton, Chairman
c/o Michael Schwartz, Director, Zoning Services
2950 Washington St., Room 317
Burlington, KY 41005

via e-mail - mschwartz@boonecountyky.org

Re: Jake's Farm Real Estate Development Company, LLC
application for Conditional Use Permit and sign Variances
731 and 733 Richwood Road, Walton, KY 41094

Dear Chairman Whitton,

This firm represents Jake's Farm Real Estate Development Company, LLC ("Jake's Farm") with respect to the above-referenced zoning application.

This letter will confirm that Jake's Farm desires to be placed on the November 10, 2021, agenda of the Boone County Board of Adjustment.

You may recall that the Jake's Farm application was first called before the Board at its August 11, 2021, meeting. The Jake's Farm team of owners, civil engineers, landscape planners, attorney and construction contractor was in attendance to present the application. Unfortunately, due to health and a conflict of interest issues, our application was deferred.

The Jake's Farm team was disappointed by the deferral. Nevertheless, we decided to make the best of the situation by meeting with neighboring property owners in the hallway outside the Fiscal Court Room following the deferral. After considering the neighbors' questions, concerns and comments – as well as Staff Comments – we are pleased to present a revised concept plan. This revised plan is being hand-delivered this day by Viox & Viox.

In summary, the following features of our plan have been revised per comments from our neighbors and your professional Staff:

ORIGINAL APPLICATION / CONCERNS	REVISED APPLICATION
Estimated capacity of Event Center in the old Dairy Barn of 300 people	The 300-person capacity estimate was based on a preliminary analysis, using square footage of the Event Center as the primary criteria for the estimate. Jake's Farm will engage all appropriate professionals (fire marshal, structural engineer, and building official) to arrive at a final capacity for the Event Center.
Capacity of the Program Lawn	The capacity of the Program Lawn is anticipated to be 150 people.
Driveway onto Schmidt Lane	The driveway onto Schmidt Lane has been eliminated. Sole access to the site will be from Richwood Road.
Retaining wall along driveway from Schmidt Lane	The retaining wall has been eliminated entirely.
Parking area with 89 spaces immediately north of Deters property (11670 Schmidt Lane)	The parking area immediately north of the Deters property has been eliminated. Immediately north of the Deters property will be a small program lawn / activity space with outdoor seating behind a 20-foot wide Buffer Yard "B" landscaped area.
Parking area with 37 spaces immediately east of Deters property	The parking area immediately east of the Deters property is eliminated. Immediately east of the Deters property will be a 20-foot wide Buffer Yard "B" landscaped area.
Light pollution from parking and circulation areas	All lighting on poles or columns will face away from any neighbor's property. Non-security lights will automatically shut off at the end of permitted times. Jake's Farm will provide a photometric plan to determine final site lighting during the site plan approval process.

ORIGINAL APPLICATION / CONCERNS	REVISED APPLICATION
Buffering	<p>Jake's Farm will install a 20-foot wide Buffer Yard "B" adjacent to our closest neighbor (Deters). This Buffer Yard will be planted with trees and shrubs per Board or Planning Commission requirements (during site plan approval), in order to provide a year-round visual screen.</p>
Retail uses planned for Dairy Barn	<p>Jake's Farm envisions low-intensity, specialty retail uses in the lower level of the Dairy Barn. Items available for retail sale will include agricultural products, packaged foods, wine and crafts. Jake's Farm would also like the opportunity to have low-intensity, specialty retail uses in the "Art Barn," designated on the revised concept plan as area "X." Jake's Farm would like to have the ability to conduct such retail sales independent of events at the Dairy Barn. We would also like to have the ability to install appropriate building mounted signs for the retail uses, all consistent with the signage regulations of the <i>Boone County Zoning Ordinance</i>.</p>
Hours of operation	<p>Jake's Farm requests hours of operation between noon and midnight, as originally proposed, but as mitigated by site design features described herein.</p>
Outdoor amplified music	<p>Amplified music will be allowed <u>inside</u> the Dairy Barn <i>only</i>. The Barn will be improved with sound absorbing materials to dampen sound. Jake's Farm still intends to hold, on occasion, outdoor events with <i>unamplified</i>, acoustic music.</p>

ORIGINAL APPLICATION / CONCERNS	REVISED APPLICATION
Storm water runoff	Jake's Farm will construct engineered stormwater retention areas to mitigate water runoff from new hard surfaces. We intend to use collected water to irrigate new plantings, landscaped areas, and food growing areas.
Drunk drivers	Jake's Farm will apply for a liquor license appropriate to our approved Conditional Use, and will serve alcoholic beverages in conformity with the laws and regulations in force in Kentucky.
Will there be a restaurant?	There will be <i>no</i> restaurant on site. Instead, the application describes "eating and drinking establishments," meaning that Jake's Farm will have kitchen facilities: (1) to support preparation and service of foods at on-site events; (2) to provide a working space for a catering group; and (3) to allow delivery of food to our neighbors from a "ghost kitchen."
Farmers Market	The revised plan continues to include an area near Richwood Road to be used as a local farmers market.
Will there be a wine cellar?	Jake's Farm would like to reserve the ability to sell quality wines from the lower level of the Dairy Barn, as a complement to event functions on site.
Changes around pond	The revised plan continues to contemplate passive uses around the pond, including construction of pergolas, colonnades, walking paths and a waterfall feature. The originally planned parking area to the southwest of the pond has been eliminated.

We propose no changes to our plan for an entry sign to the project (for which we have requested minor size and height variances).

We look forward to presenting our revised plan to the Board on November 10. In the meantime, we intend to continue our dialogue with the neighbors by sharing these revisions with them in advance of the Board meeting. Thank you.

Very truly yours,

BREIDENSTEIN LEGAL SERVICES, LLC

/s/ Thomas W. Breidenstein

Thomas W. Breidenstein

JAKE'S FARM CONCEPT DEVELOPMENT PLAN

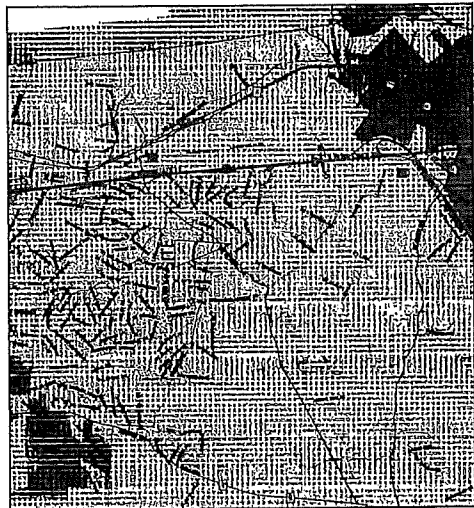
OCTOBER 19, 2021
731 RICHWOOD ROAD
WALTON, BOONE COUNTY, KENTUCKY

SITE DATA
 731-735 Richwood Road
 Walton, KY 40084
 Total Acreage of Subject Property: 65.4
 Property Owner:
 Jake's Farm Real Estate Development Company, LLC
 545 14th Street, Suite 115
 Jacksonville, FL 32204
 (813) 322-6883
 Developer:
 Jake's Farm Real Estate Development Company, LLC
 545 14th Street, Suite 115
 Jacksonville, FL 32204
 (813) 322-6883
 Parcel ID: 065.00-00-012.00, 065.01-02-005.00, 065.01-02-000.00
 Group Number: 12249, 12125
 Current Use: Agriculture
 Proposed Use: Event Venue, Retail Sales, Eating and Drinking Establishment
 Total SF of Existing and/or Proposed Buildings:
 Square Footage: Approximately 25,000 SF +/-
 Soil Types: A8, T2, T2B, T4, T4B, T6

PARKING SUMMARY

Proposed Use - Events Venue	Proposed Use - Retail	Proposed Use - Office
Calculations based on 1,000 spaces per four seats Seating Capacity of 200 (interior); additionally approximately 250 exterior	Calculations based on 1,000 spaces per 300 sq. ft. Approx. 7,600 SF retail area	Calculations based on 1,000 spaces per 250 sq. ft. Approx. 899 SF of office area
Required Parking: 450 Seats @ 1 Space per 4 Seats = 113 spaces Total spaces required = 113 spaces Required A.D.A. Parking: 133 total spaces = 5 A.D.A. spaces required	Required Parking: 7,600 SF @ 1 Space per 300 sq. ft. = 25.33 Total spaces required = 25 spaces Required A.D.A. Parking: 25 total spaces = 2 A.D.A. spaces required	Required Parking: 899 SF @ 1 Space per 250 sq. ft. = 3.59 Total spaces required = 4 spaces Required A.D.A. Parking: 4 total spaces = 1 A.D.A. space required
TOTAL PARKING REQUIRED = 62 SPACES* TOTAL PARKING PROPOSED = 121 SPACES*	TOTAL A.D.A. PARKING REQUIRED = 5 SPACES* TOTAL A.D.A. PARKING PROPOSED = 2 SPACES*	TOTAL A.D.A. PARKING REQUIRED = 1 SPACES* TOTAL A.D.A. PARKING PROPOSED = 0 SPACES*

SITE ZONING DATA
 Current Zoning: A-2
 Proposed Zoning: A-2
 Proposed Lot Size = 22.86 Ac
 Minimum Intensity = 1 du. per 2 Acres
 Minimum Front Setback = 50 FT
 Minimum Front Yard Setback = 45 FT
 Minimum Side Yard Setback = 40 FT
 Minimum Side Yard Setback = 40 FT



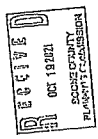
VICINITY MAP
SCALE: NTS

Sheet List Table

Sheet Title	Sheet Number
COVER	COVER SHEET
1	EXISTING CONDITIONS
2	CONCEPT DEVELOPMENT 100 SCALE
3	CONCEPT DEVELOPMENT 50 SCALE
4	CONCEPT WITH AERIAL

Location of utilities and structures, both surface and subsurface, are shown on this plan. The engineer has not conducted a field investigation to determine the exact location of utilities and structures. It is the responsibility of the contractor to locate and mark all utilities and structures before construction. If the contractor is unable to locate and mark all utilities and structures, the contractor shall be responsible for the repair or relocation of same to the satisfaction of the engineer or appropriate authority.

THESE PLANS ARE FOR INFORMATIONAL PURPOSES ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.



VIOXX & VIOX
 Civil Engineers, Surveyors, and Landscape Architects
 468 Kays Road, Bowling, Kentucky 40118
 2155 Kays Road, Bowling, Ohio 45102
 P.O. Box 100, Bowling, Kentucky 40118
 Phone: (502) 327-2112 • Fax: (502) 327-1000
 www.vioxx.com

**JAKE'S FARM
CONCEPT DEVELOPMENT PLAN**
 731 RICHWOOD ROAD, BOONE COUNTY, KENTUCKY
 COVER

DATE	NOV 19 2021
BY	DAVID B. JONES
CHECKED BY	DAVID B. JONES
SCALE	AS SHOWN
TITLE	JAKE'S FARM CONCEPT DEVELOPMENT PLAN
PROJECT NO.	
CITY	WALTON, KY
COUNTY	BOONE, KY
STATE	KY
FED. DIST.	
LOCAL DIST.	
SECTION	
SHEET NO.	1
TOTAL SHEETS	4

EXISTING CONDITIONS
 731 RICHWOOD ROAD, BOONE COUNTY, KENTUCKY
JAKE'S FARM
CONCEPT DEVELOPMENT PLAN

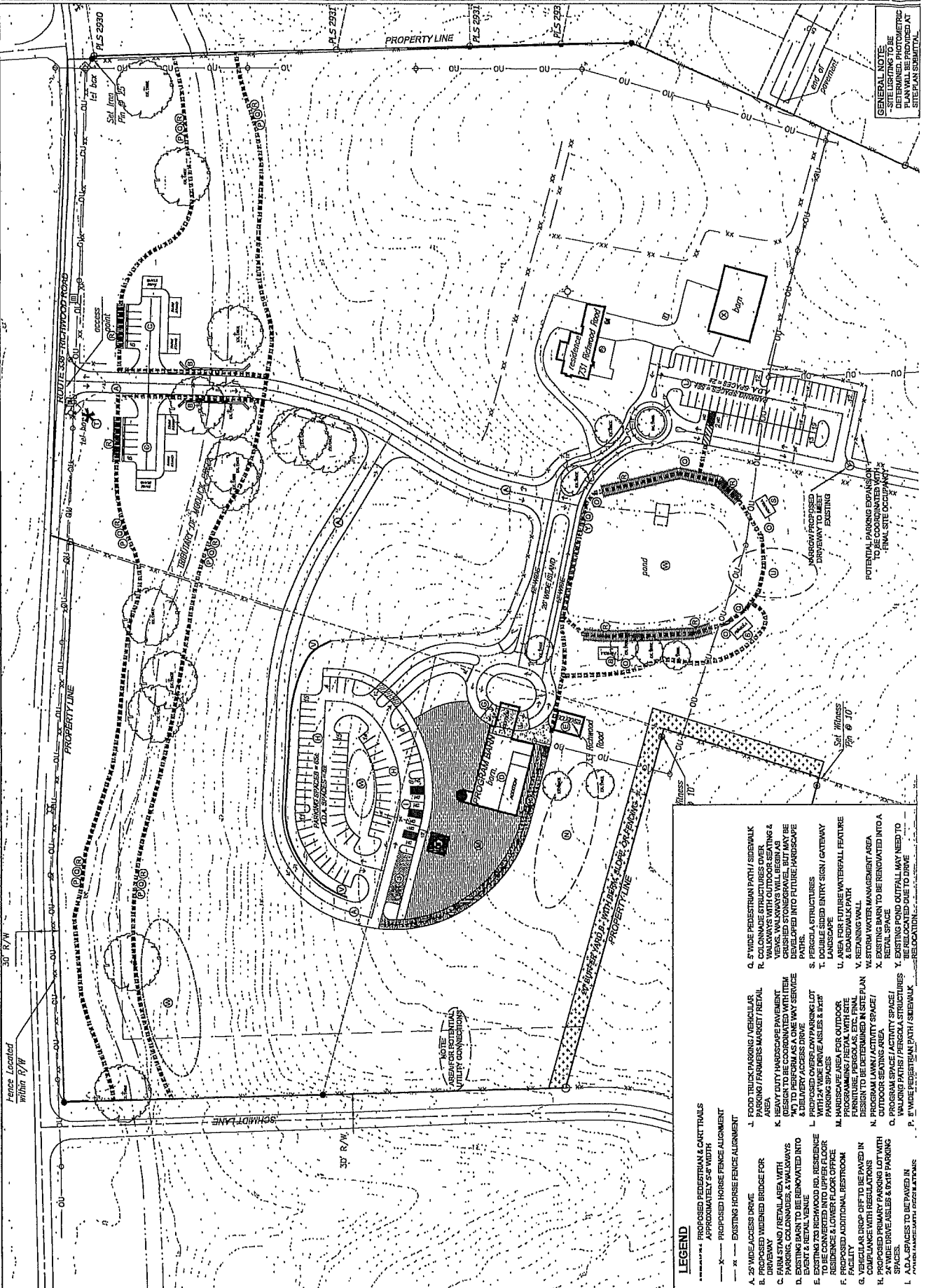
VIOX & VIOX
 CIVIL ENGINEERING, SURVEYING, AND LANDSCAPE ARCHITECTURE
 400 Eastwood Road • Frankfort, Kentucky 40601
 2108 Market Street • Louisville, Kentucky 40203
 Ph: Frankfort (502) 772-3434 • Ph: Louisville (502) 772-1000
 www.viox.com

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
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1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10
1	2	3	4	5	6	7	8	9	10



- LEGEND**
- Ⓐ DEMO & REMOVE EXISTING FENCE
 - Ⓑ DEMO & REMOVE EXISTING BUILDING
 - Ⓒ DEMO EXISTING PAVEMENT
 - Ⓓ EXISTING DRIVEWAY TO BE WIDENED / REALIGNED
 - Ⓔ EXISTING BUILDING REMAIN & TO BE RENOVATED
 - Ⓢ EXISTING TREE

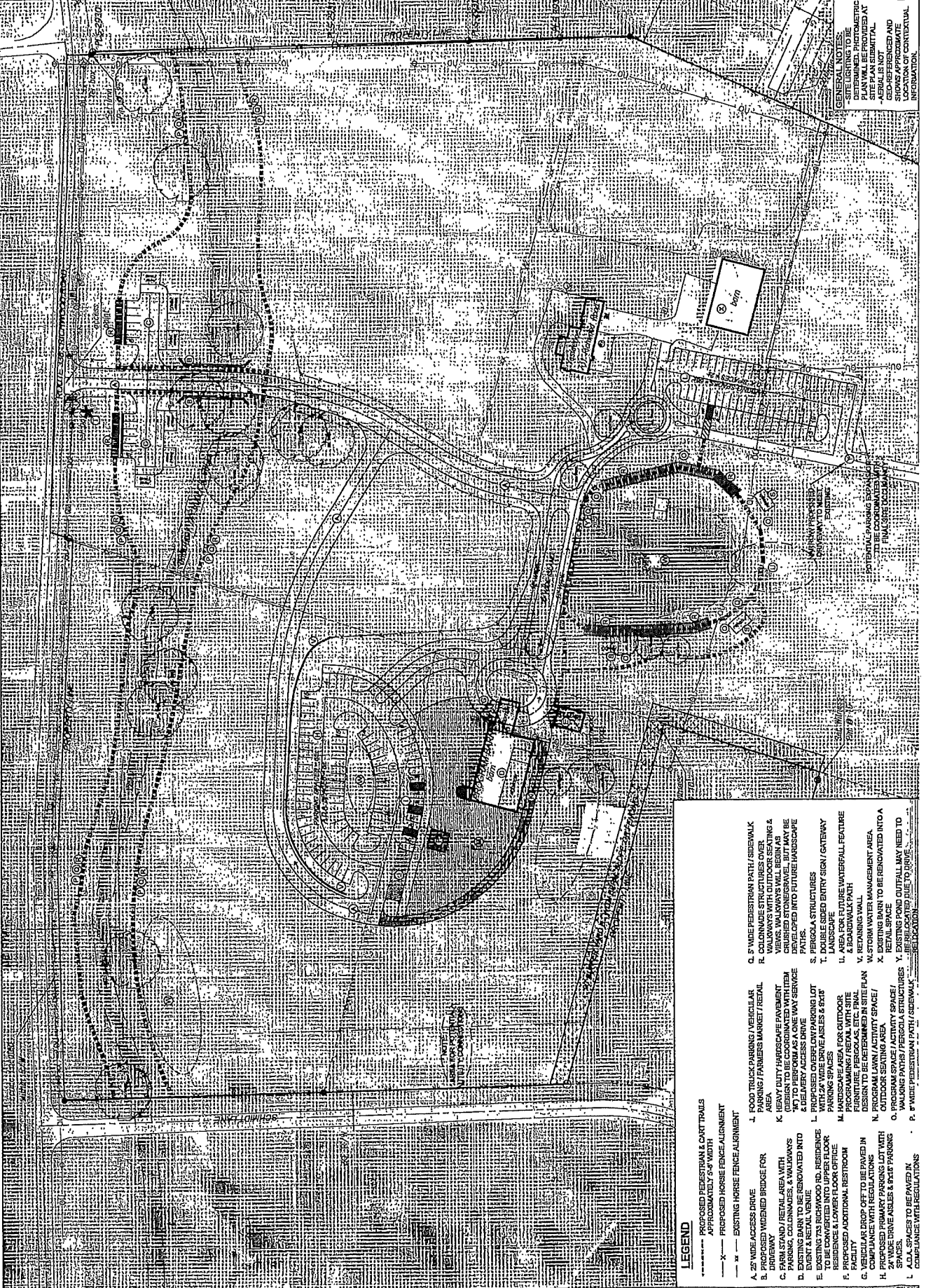
GENERAL NOTES:
 - AS BUILT NOT SHOWN
 - SHOWS APPROXIMATE LOCATION OF CONTEXTUAL INFORMATION



GENERAL NOTE
 - SITE LIGHTING TO BE PROVIDED AT FINAL STATE OCCUPANCY
 - FINAL SITE OCCUPANCY PLAN WILL BE PROVIDED AT SITE PLAN SUBMITTAL

- LEGEND**
- PROPOSED PEDESTRIAN & CART TRAILS
 - APPROXIMATELY 5'-6" WIDTH
 - PROPOSED HORSE FENCE ALIGNMENT
 - EXISTING HORSE FENCE ALIGNMENT
 - A. 25' WIDE ACCESS DRIVE
 - B. PROPOSED WIDENED BRIDGE FOR DRIVEWAY
 - C. FARM STAND / RETAIL AREA WITH PARKING, COLONNADES, & WALKWAYS
 - D. EXISTING & LOWER FLOOR OFFICE FACILITY
 - E. EXISTING 731 RICHWOOD RD. RESIDENCE TO BE CONVERTED INTO UPPER FLOOR RESIDENCE & LOWER FLOOR OFFICE FACILITY
 - F. PROPOSED OVERLOOKING PARKING LOT WITH DRIVE VEHICLES & TRIP PARKING
 - G. VEHICULAR DROP OFF TO BE PAVED IN COMPLIANCE WITH REGULATIONS
 - H. PROPOSED PRIMARY PARKING LOT WITH DRIVE VEHICLES & TRIP PARKING
 - I. ADA-A SPACES TO BE PAVED IN COMPLIANCE WITH REGULATIONS
 - J. FOOD TRUCK PARKING / VEHICULAR AREA
 - K. PROPOSED WALKWAY WITH PERGOLA STRUCTURES OVER WALKWAYS WITH OUTDOOR SEATING & BENCHES TO BE COORDINATED WITH FIRM DESIGN TO PERFORM AS A ONE WAY SERVICE TO DELIVERY ACCESS DRIVE
 - L. PROPOSED OVERLOOKING PARKING LOT WITH DRIVE VEHICLES & TRIP PARKING
 - M. HANDSCAPE AREA FOR OUTDOOR PROGRAMMING / RETAIL WITH SITE DESIGN TO BE DETERMINED IN SITE PLAN
 - N. PROGRAM LAWN / ACTIVITY SPACE / OUTDOOR SEATING AREA
 - O. PROGRAM SPACE / PERGOLA STRUCTURES TO BE RELOCATED DUE TO DRIVE RELOCATION
 - P. 5' WIDE PEDESTRIAN PATH / SIDEWALK
 - Q. 5' WIDE PEDESTRIAN PATH / SIDEWALK
 - R. COLONNADE STRUCTURES OVER WALKWAYS WITH OUTDOOR SEATING & BENCHES TO BE COORDINATED WITH FIRM DESIGN TO PERFORM AS A ONE WAY SERVICE TO DELIVERY ACCESS DRIVE
 - S. PERGOLA STRUCTURES
 - T. LAUNDRY
 - U. AREA FOR FUTURE WATERFALL FEATURE
 - V. STORM WATER MANAGEMENT AREA
 - W. REPAIRING WALL
 - X. EXISTING BARN TO BE RENOVATED INTO A PROGRAM SPACE / PERGOLA STRUCTURES TO BE RELOCATED DUE TO DRIVE RELOCATION
 - Y. EXISTING POND OUTFALL MAY NEED TO BE RELOCATED DUE TO DRIVE RELOCATION
 - Z. EXISTING POND OUTFALL MAY NEED TO BE RELOCATED DUE TO DRIVE RELOCATION

This plan was prepared by Viox & Viox, Inc. for the purpose of illustrating the proposed development. It is not intended to be used for any other purpose. The client is responsible for obtaining all necessary permits and approvals. The plan is subject to change without notice.



GENERAL NOTES:
 - SITE LIGHTING TO BE DETERMINED BY PHOTOGRAMMETRIC PLANNING.
 - SITE PLAN SUBMITTAL - AERIAL IS NOT TO BE USED FOR SITES APPROVED AND LOCATIONS OF CONVENTIONAL INFORMATION.

- LEGEND**
- PROPOSED PEDESTRIAN & CART TRAILS
 - PROPOSED HORSE FENCE ALIGNMENT
 - EXISTING HORSE FENCE ALIGNMENT
 - 20' WIDE ACCESS DRIVE
 - PROPOSED WIDENED BRIDGE FOR DRIVEWAY
 - EXISTING BRIDGE WITH PARING, COLONNADES, & WALKWAYS
 - EXISTING BRIDGE TO BE RENOVATED INTO PARKING, PERGOLA, ETC. ON SITE PLAN
 - EXISTING 721 RICHWOOD RD. RESIDENCE TO BE CONVERTED INTO UPPER FLOOR RESIDENCE & LOWER FLOOR OFFICE
 - PROPOSED ADDITIONAL RESTROOM
 - VEHICULAR DROP OFF TO BE PAVED IN COMPLIANCE WITH REGULATIONS
 - PROPOSED PRIMARY PARKING LOT WITH 24' WIDE DRIVE AISLES & 8'x16' PARKING SPACES TO BE PAVED IN COMPLIANCE WITH REGULATIONS
 - PROPOSED PEDESTRIAN / SIDEWALK
 - FOOD TRUCK PARKING / VEHICULAR PARKING / FARMERS MARKET / RETAIL AREA
 - HEAVY DUTY HARDSCAPE PAVEMENT TO BE PERFORM AS ONE WAY SERVICE & DELIVERY ACCESS DRIVE
 - PROPOSED OVERFLOW PARKING LOT
 - PERGOLA STRUCTURES
 - DOUBLE SIDED ENTRY SIGN / GATEWAY
 - AREA FOR FUTURE WATERFALL FEATURE & BOARDWALK PATH
 - PERGOLA STRUCTURES
 - STORM WATER MANAGEMENT AREA
 - EXISTING BARR TO BE RENOVATED INTO A RETAIL SPACE
 - EXISTING OUTFALL MAY NEED TO BE RELOCATED DUE TO DRIVEWAY RELOCATION
 - 8' WIDE PEDESTRIAN PATH / SIDEWALK

POTENTIAL PARKING SPACES TO BE DEVELOPED IN FINAL SITE PLAN

Michael Schwartz

From: Kevin Wall
Sent: Friday, July 16, 2021 11:33 AM
To: Michael Schwartz
Subject: FW: Project Review Request - 731 Richwood Rd, Walton, KY

From: Robert Franxman
Sent: Friday, July 16, 2021 11:12 AM
To: Tanya Gaynor; Daniel Rice
Cc: Corey Gamm; Megan deSola; Brock MacKay; Kevin Wall
Subject: RE: Project Review Request - 731 Richwood Rd, Walton, KY

Hi Tanya,

- It's hard to tell on the drawing, but it appears the entrance from Schmidt was located opposite the driveway on the other side, which is appropriate. If not consideration should be given to the location of the entrance in regard to the opposite driveway.
- It appears there are no sight distance issues regarding the location; but of course it should be verified the sight distances area appropriate according to AASHTO.
- I'm surprised Schmidt is as wide as it is; but, I think it would be appropriate to make sure Schmidt meets the current subdivision regulations for width (25') between the new entrance and KY 338. I think the development will lead to consistent 2 way traffic on Schmidt that will cause potential vehicle conflicts and additional county roadside maintenance.
- Be aware that KYTC may require a TIS as the 338 entrance goes from basically a residential entrance to commercial. This ultimately may result in the necessity of turn lanes on 338. An improved Schmidt lane with entrance could potentially reduce the necessity of those turn lanes or at least reduce the length since traffic would be more efficient there.
- It appears the sight distance at Schmidt and KY 338 is good, but again this should be appropriately evaluated.

Hope this information helps.

Rob

From: Tanya Gaynor [<mailto:tgaynor@vioxinc.com>]
Sent: Monday, July 12, 2021 1:55 PM
To: Robert Franxman <rfranxman@boonecountyky.org>; Daniel Rice <Drice@boonecountyky.org>
Cc: Corey Gamm <cgamma@AdamsAttorneys.com>; Megan deSola <mdesola@vioxinc.com>; Brock MacKay <bmackay@vioxinc.com>
Subject: Project Review Request - 731 Richwood Rd, Walton, KY

EXTERNAL MESSAGE

Hello Rob and Daniel,

Our office is working on a project for a potential Event Barn in Boone County located at 731 Richwood Road, Walton, KY. This is an adaptive reuse project for a historic milk barn structure. We are currently working towards a Conditional Use

permit with the County. We would appreciate your review of our concept plan and evaluate our proposed access to the site from Schmidt Lane.

In a brief summary of the project intentions:

- The adapted facility would host a wide range of public and private events ranging from weddings, corporate/business retreats, family reunions, private gatherings, neighborhood and community gatherings, wine tastings, art shows, food trucks, and other similar events. In addition to hosting events, the Applicant intends to operate an eating and drinking establishment, farmer's market, and engage in limited retail sales of products from the Barn.
- The project Applicant is anticipating a 300 person maximum capacity at events. Most events and programming is anticipated to occur Friday – Sunday between the hours of 12:00 p.m. and 12:00 a.m. Weekday programming is anticipated to end at 10:00 p.m. All guests of the programming will be required to vacate the Property no more than one hour after operating hours have concluded.
- For traffic management and safety, we have proposed to widen the existing driveway at Richwood Road to 22 feet. We have also provided a secondary access point on Schmidt Lane to divert traffic congestion from the Richwood Road access.

Please review the attached concept plan and let us know your thoughts on the Schmidt Lane access and if what we have proposed is acceptable for the use. We can provide additional detail on the project if needed to aid in your review.

Thank you,
Tanya Gaynor, ASLA
Landscape Designer



T: 859.727.3293

M: 513.704.5847

tgaynor@vioxinc.com | www.vioxinc.com

466 Erlanger Road | Erlanger, KY 41018

~Celebrating 75 years of business in Greater Cincinnati~

Michael Schwartz

From: Jerry Noran
Sent: Tuesday, July 27, 2021 1:54 PM
To: Michael Schwartz
Subject: RE: Jakes Farm Event Center - 731-735 Richwood Road

Each program area needs to have an accessible parking space on the closest accessible route to the entrances, and be marked as such (pavement markings and signs).

Sincerely,
Jerald E. Noran, CBO, AIA
Chief Building Official
Boone County Building Department
2950 Washington Street
P.O.Box 900
Burlington, KY 41005
859-334-3288
jnoran@boonecountyky.org

From: Michael Schwartz
Sent: Wednesday, July 21, 2021 6:55 AM
To: Jerry Noran <jnoran@boonecountyky.org>; Robert Franxman <rfranxman@boonecountyky.org>; Daniel Menetrey <dmenetrey@boonecountyky.org>; Tim.Hayes@ky.gov; James.Minckley@ky.gov; Matt Gross (matthew.gross@ky.gov) <matthew.gross@ky.gov>; joey.vest@waltonfireky.com; charlie.alexander@waltonfireky.com
Subject: Jakes Farm Event Center - 731-735 Richwood Road

We are in receipt of a Conditional Use Permit application to the Boone Board of Adjustment. If you have any comments that you would like to provide to the Board, please forward them to me no later than Wednesday, August 4, 2021.

Michael D. Schwartz, Planner



BOONE COUNTY
PLANNING COMMISSION

2950 Washington Street, Room 317
Burlington, Kentucky 41005
(P) 859-334-2196 (F) 859-334-2264

Michael Schwartz

From: Tanya Gaynor <tgaynor@vioxinc.com>
Sent: Wednesday, August 11, 2021 11:00 AM
To: Michael Schwartz
Cc: Brock MacKay; Megan deSola; Thomas Breidenstein
Subject: Jake's Farm Development KYTC Comments
Attachments: 2021-0811 Richwood Rd Access Comments - L Brefeld.pdf

EXTERNAL MESSAGE

Good Morning, Michael,

We have received comments from KYTC regarding Richwood Road access to the Jake's Farm project. Please see the attached PDF of my email correspondence.

Thank you,
Tanya Gaynor, ASLA
Landscape Designer



T: 859.727.3293

M: 513.704.5847

tgaynor@vioxinc.com | www.vioxinc.com

466 Erlanger Road | Erlanger, KY 41018

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Tanya Gaynor

From: Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Sent: Wednesday, August 11, 2021 9:12 AM
To: Tanya Gaynor
Cc: Minckley, James A (KYTC-D06)
Subject: RE: Project Review Request - 731 Richwood Rd, Walton, KY

We will not be requiring a TIS for this development.
Any entrance improvements will require an encroachment permit.

Thanks,

Linzy Brefeld, P.E.
Transportation Engineer Supervisor
Traffic and Permits Section
Kentucky Transportation Cabinet, D6
421 Buttermilk Pike
Fort Mitchell, KY 41017
859-341-2700
Linzy.Brefeld@ky.gov

From: Tanya Gaynor <tgaynor@vioxinc.com>
Sent: Tuesday, August 3, 2021 5:11 PM
To: Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Cc: Brock MacKay <bmackay@vioxinc.com>
Subject: RE: Project Review Request - 731 Richwood Rd, Walton, KY

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Hi Linzy,

I apologize for the delay in response, we were working to verify we had the correct information (this still may be a work in progress, but this is the best information that we have today). The eating and drinking portion of the development could potentially be around 3,300 SF of the existing building space. This development will only be open on a limited basis to begin, but the hours of operation could increase with demand. We do not believe the establishment would be open when a larger event is occurring on the site. The client has also mentioned the restaurant will not offer a drive-through service.

We have spoken with Jon Girdler in our office about maximum traffic flow for the restaurant establishment and he has completed a trip generation calculation. I have attached an email from him which includes those documents.

This project has been submitted to the Board of Adjustments and it's hearing will be next Wednesday, August 11th. The concept plan (I have attached the plan set which was submitted to the County) may be subject to change through this hearing process. Please let us know if this answers your questions.

Thank you,
Tanya Gaynor, ASLA
Landscape Designer



T: 859.727.3293
M: 513.704.5847
tgaynor@vioxinc.com | www.vioxinc.com
466 Erlanger Road | Erlanger, KY 41018

~Celebrating 75 years of business in Greater Cincinnati~

From: Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Sent: Wednesday, July 28, 2021 3:33 PM
To: Tanya Gaynor <tgaynor@vioxinc.com>
Subject: Re: Project Review Request - 731 Richwood Rd, Walton, KY

Tanya,

Do you have any projections on the restaurant portion of the development? Expected daily attendance or capacity?

Thanks,

Linzy Brefeld, P.E.
Transportation Engineer Supervisor
KYTC District 6
Traffic and Permits Section
Linzy.Brefeld@ky.gov
Get [Outlook](#) for iOS

From: Tanya Gaynor <tgaynor@vioxinc.com>
Sent: Monday, July 12, 2021 1:51:10 PM
To: Hayes, Tim K (KYTC-D06) <tim.hayes@ky.gov>; Brefeld, Linzy M (KYTC-D06) <Linzy.Brefeld@ky.gov>
Cc: Corey Gamm <cgamm@AdamsAttorneys.com>; Megan deSola <mdesola@vioxinc.com>; Brock Mackay <bmackay@vioxinc.com>
Subject: Project Review Request - 731 Richwood Rd, Walton, KY

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the GOT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Hello Tim and Linzy,

Michael Schwartz

From: Stevens, Caroline <Caroline.Stevens@UCHealth.com>
Sent: Tuesday, August 03, 2021 3:24 PM
To: Michael Schwartz
Cc: 'cdstevensrn55@gmail.com'
Subject: Jake's Farm Real Estate Development Company, LLC
Attachments: Caroline Stevens Jakes Farm Opposition Document.docx

EXTERNAL MESSAGE

Mr. Michael Schwartz:

Please see attached opposition document in response to the proposal by Jake's Farm Real Estate Development Company, LLC, for a Conditional Use Permit. I strongly oppose the approval of the application which will adversely affect me and neighboring residential property owners. Unfortunately, I am unable to attend the Public Hearing on Wednesday, August 11, 2012 at 6:00 pm. However, I would like to express my grave concern as an adjoining property owner who built my home more than 30 years ago. I hope that my concerns will be considered by the Boone County Planning Commission in making a decision to reject the proposal.

If you are unable to open the attached word document, please let me know, and I will attempt to resend it to you. If you would kindly reply to this email, I will know that it was received.

Thank you in advance.

Caroline Deters Stevens
738 James Lane
Walton, KY 41094
Ph: 859-240-3237
Email: cdstevensrn55@gmail.com

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Caroline Deters Stevens

738 James Lane
Walton, KY 41094

(859) 240-3237
Cdstevensrn55@gmail.com

August 3, 2021

Boone County Board of Adjustment

2950 Washington Street
Burlington, KY 41005

Dear Boone County Board of Adjustment:

I am writing to express my strong opposition to the proposed conditional use permit for the property located at 731 – 735 Richwood Road, Walton, Kentucky 41094 and identified by PIDN 065.00-00-013.00; 061.01.02-300.00; and 065.01-02-001.00 by Jake's Farm Real Estate Development Company, LLC on July 20, 2021.

I own the neighboring home and property that is directly adjoining this proposed development plan (738 James Lane). By granting this proposed conditional use permit, I believe it will negatively affect me and my property (along with the rest of the surrounding residential properties) in several ways:

Residential Area Interrupted

The area all around this proposed project is zoned residential and everyone who moved, including myself, who built my home 30+ years ago, did so with the expectation of living in a residential area without hindrance of any kind of business development, which, in this case, would be the proposed event venue / eating and drinking establishment / retail sales by Jake's Farm Real Estate Development Company, LLC.

My home (738 James Lane) along with the two pieces of property in discussion for this conditional permit (PIDN 065.01-02-001.00 & PIDN 061.01.02-300.00) are part of the Richwood County Estates neighborhood. This was, and is, intended for residential use, not to use as part of a business development.

The application states that "the improvements will not substantially change the appearance of the Property from the public roads or adjoining properties, and therefore will not change the essential character of the area". This cannot be true and is thus an invalid statement made by the petitioning developer, Jake's Farm Real Estate Development Company, LLC. By building an event center, this area drastically changes from residential to commercial business. This was certainly not my intent when I

purchased my lot in Richwood Country Estates on which to build my home more than three decades ago.

Property Value Issues

By allowing this project to move forward, I believe that my property value will be drastically decreased. Potential buyers would either want to pay less or simply not want to purchase my property because they would not want to live right next to an event center. Furthermore, all the surrounding residential properties would decrease in value as well for this same reason and for all the other reasons stated in this opposition letter. When I purchased my lot more than 30+ years ago, the "farm" that is now proposed to become an event center, had horses and foals. If the proposed conditional use permit were to be granted, this will adversely change the character of my property as well as the surrounding residential areas.

Traffic Issues (Vehicle and People)

There would be a **significant increase in traffic and people in our residential area**, especially if you were to allow an entrance on Schmidt Lane. There are several families on Schmidt and James Lane with children. Both increased traffic and people are of great concern as well as safety issues given that there would be many more cars and people walking and congregating in our residential neighborhood.

There are also proposed parking lots and walking paths in the planned proposal that would be built. If this proposed conditional use permit was to be approved, I would strongly suggest that these be moved to a different part of the applicant's property that is not adjoining or in close proximity to residential property owners.

Noise And Light

There will no doubt be increased noise and light pollution if this application is approved, and the event center project built. This is a tremendous concern for me as the resident of the neighboring property. Although most people work normal hours, Mondays through Fridays, I do not. I work for UC Health remotely, and my workday begins at 4:30 am. Clearly, the hours for the event venue are unfavorable and would drastically affect something as basic as sleep. Again, 30+ years ago, I purchased the lot to build my home. **This is a residential neighborhood, and if the proposal is accepted and approved, the noise from cars as well as music and people would be significant to me personally as well as all neighboring residential property owners.**

Privacy

The proposed "Buffer Yard with Berm, Slope, or Fencing" between the proposed project and my property (738 James Lane) is inadequate to keep my property private from the applicant's proposed project. I would like to see specific details as to what will be done to keep maintain and support privacy.

For all the reasons discussed above and perhaps others that have not come to mind, I feel that the Boone County Board of Adjustments should reject this application.

Best regards,

Caroline Deters Stevens

Michael Schwartz

From: Woody Deters <deters.woody@gmail.com>
Sent: Wednesday, August 04, 2021 2:37 PM
To: Michael Schwartz
Cc: Lauren Deters
Subject: Jake's Farm Conditional Use Permit Letter
Attachments: Jake's Farm Conditional Use Permit Opposition Letter - Woody & Lauren Deters.pdf; 202107_Jakes Farm_Submittal Documents.pdf

EXTERNAL MESSAGE

Good afternoon, Michael.

We talked a week or two ago regarding the proposed conditional use permit application by Jake's Farm Real Estate Development Company, LLC (see attached).

Unfortunately, we are not able to make it to the public hearing for this on August 11th, but you said that we could e-mail you any of our concerns before August 5th, and these concerns will be considered by the Boone Co Planning Commission as part of their decision to approve or deny this application.

I have attached a letter that expresses our concerns with this project:

- 1) Could you please let me know that you received this?
- 2) Can you confirm that this will be considered by the Boone Co Planning Commission when they make their decision?

Thanks for your time,

Woody Deters

Woody & Lauren Deters

11670 Schmidt Lane
Walton, KY 41094

(859) 250-4102
deters.woody@gmail.com

8/2/2021

Boone County Board Of Adjustment

2950 Washington Street
Burlington, KY 41005

Dear Boone County Board Of Adjustment:

I am writing to express my strong opposition to the proposed conditional use permit for the property located at 731 – 735 Richwood Road, Walton, Kentucky 41094 and identified by PIDN 065.00-00-013.00; 061.01.02-300.00; and 065.01-02-001.00 by Jake's Farm Real Estate Development Company, LLC on July 20, 2021.

We own the neighboring home and property that is directly touching this proposed development plan (11670 Schmidt Lane). By granting this proposed conditional use permit the way it is currently designed, it will negatively affect us and our property in several ways:

Residential Area Interrupted

The area all around this proposed project is zoned residential and everyone who moved here did it with the expectation of living in a residential area without interruption of any kind of business development, which, in this case, would be the proposed event venue / eating and drinking establishment / retail sales by Jake's Farm Real Estate Development Company, LLC.

Our home (11670 Schmidt Lane) along with the two pieces of property in discussion for this conditional permit (PIDN 065.01-02-001.00 & PIDN 061.01.02-300.00) are part of the Richwood County Estates neighborhood. This was, and is, intended for residential use, not to be used as part of a business development.

The application states that "the improvements will not substantially change the appearance of the Property from the public roads or adjoining properties, and therefore will not change the essential character of the area". This is simply not true. By building an event center with the driveway, parking lots, and walking paths off Schmidt Lane, this area drastically changes from residential to commercial business.

Property Value Issues

By allowing this project to happen with the current design, it will drastically decrease our property value (11670 Schmidt Lane). Potential buyers would either want to pay a significant amount less or simply not

want to purchase our property because they would not want to live right next to an event center driveway, parking lots, and walking paths.

Furthermore, due to the driveway, parking lots, and walking paths coming directly off Schmidt Lane, all the surrounding residential properties in Richwood County Estates would decrease in value as well.

Traffic Issues (Vehicle and People)

By adding a driveway, parking lots, and walking paths directly off Schmidt Lane, there will be a huge increase in traffic coming into our quiet Richwood Country Estates neighborhood. There are several families in our neighborhood with small children (including our 3 young boys) and I know we are very concerned with our children's' safety due to the increased vehicle traffic that a driveway and parking lots on Schmidt Lane will cause.

The proposed parking lots and walking paths in this application would currently be built right against our property line (11670 Schmidt Lane). Again, this is where our small children play, and we are very concerned with their safety due to the increased number of strangers who will be right next door in the parking lots and walking paths.

Noise And Light

There will no doubt be increased noise and light pollution on our property (11670 Schmidt Lane) if this application is approved the way it currently stands. This is a huge concern for us as the resident of the neighboring property.

As mentioned, we have small children who go to bed well before the venue closing hours that are being proposed. Also, my wife and I have jobs that require us to go to bed well before the venue closing hours that are being proposed. With the proposed driveway, parking lots, and walking paths off Schmidt Lane, we would no doubt be interrupted by cars noise/lights and people that will be coming up and down the proposed driveway, parking lots, and walkways.

Privacy

The proposed "Buffer Yard with Berm, Slope, or Fencing" between the proposed project and our property (11670 Schmidt Lane) is inadequate to keep our property private from the applicant's proposed driveway, parking lots, and walking paths off Schmidt Lane.

Summary

For all these reasons, we feel that the Boone Co Board of Adjustments should reject this current application, or at the very least, require significant changes (specifically to the driveway, parking lots, and walking paths off Schmidt Lane that would border our property at 11670 Schmidt Lane).

Sincerely,
Woody & Lauren Deters

July 20, 2021

Boone County Board of Adjustment
2950 Washington Street
Burlington, Kentucky 41005

*RE: Conditional Use Permit
Jake's Farm Real Estate Development Company, LLC
731 and 733 Richwood Road, Walton, KY 41094
(PIDN 065.00-00-013.00; 065.01-02-003.00; and 065.01-02-001.00)*

To the Boone County Board of Adjustment:

I. Introduction

Jake's Farm Real Estate Development Company, LLC ("Jake's Farm" or the "Applicant") is seeking a conditional use permit for the property located at 731 - 735 Richwood Road, Walton, Kentucky 41094 and identified by PIDN 065.00-00-013.00; 065.01-02-003.00; and 065.01-02-001.00 (the "Property"). The present zoning classification of the Property is A-2. The application requests a permit to use the Property as an event venue, as an eating and drinking establishment, and for limited retail sales consistent with the plans incorporated in the Application and in accordance with Section 623.11, 623.12, and 623.18 of the Boone County Zoning Ordinance (the "Ordinance"). The proposed use of the Property is consistent with the criteria set forth in Sections 623 and 262 of the Ordinance. In addition to the conditional uses requested in this Application, the Applicant's site plan will include use as a farmer's market, with a full range of produce, flowers, and small plants, as permitted by Section 621.

II. Conditional Uses

The Applicant seeks to use the Property to host various events that will be consistent with the principal purposes of the A-2 district and which will not alter the overall character of the Property. As an event venue, the Property will host private events including weddings, wedding receptions, corporate/business retreats, parties, family reunions, and similar private gatherings. In addition to private events, the Property will host public events such as neighborhood and community gatherings, wine tastings, art shows, food trucks, and similar events. In order to accommodate such uses, the Applicant will remodel the existing "hoop-roof" dairy barn (the "Barn"). The remodel will include the addition of a kitchen and bathrooms. Consistent with the current aesthetics of the farm, any additions to the Barn will be constructed using similar materials and preserving the existing architectural theme. Pergolas or colonnades will be constructed around the existing lake, on the program lawn, and near proposed walkways and parking areas for picnic and seating areas. Brick or similar hard-surface walkways will connect different portions of the

property with parking areas and the Barn. Tasteful landscaping and lighting are planned after new infrastructure is complete.

The indoor capacity of the Barn will be approximately 300 for public/private events. The Applicant may host larger events by making use of the outdoor areas adjacent to the Barn if weather permits. However, use of the Property for events will be limited to those outdoor areas identified in the plans, and no event shall permit a number of attendants that would exceed the available parking spaces. The Applicant anticipates that most events will be held on Fridays, Saturdays, and Sundays between the hours of 12:00 pm to 12:00 a.m. All music and amplified sound will be required to end by 10:00 p.m. Sunday through Thursday and 12:00 a.m. Friday and Saturday, with all guests having vacated the Property no more than one hour later.

In addition to hosting events, the Applicant intends to operate an eating and drinking establishment in the Barn. This establishment will consist of a bakery and kitchen that offers and prepares a limited menu and licensed sales of alcoholic beverages by the drink. The improvements to the Barn within the proposed addition will include construction of a basement wine cellar where wine is stored. When weather permits, the Applicant may also add some outdoor seating. Depending on demand, the Applicant plans to open the eating and drinking establishment on a limited basis. If demand is sufficient, the Applicant may increase the hours of operation to match the typical operating hours for restaurants in this area. The dining establishment will not offer drive-through service.

Finally, in addition to hosting a farmer's market as permitted in A-2 districts, the Applicant intends to engage in limited retail sales of products from the Barn. The primary products to be sold will be packaged food, wine, crafts, and other agricultural products. It is the Applicant's intent to primarily sell locally and regionally sourced goods. In connection with the wine cellar and wine-tasting events, the Applicant intends to make licensed package sales of wine. The retail area of the Barn will be on the lower floor and occupy approximately 2,700 square feet of space. Initially, retail sales will only occur during public events or when the farmer's market is in operation. Depending on demand, retail sales may occur during set business hours.

III. Sign Variances

Along with the Conditional Use Application, the Applicant has submitted applications for variances from the requirements of Section 3411 of the Ordinance in regard to signage. The Applicant plans to install monument-style entrance signs at the driveway entrances on Richwood Road and Schmidt Lane. Both signs will be similar in style to those typically seen at the entrances of residential subdivisions. The monument-style signs will be constructed of stone, brick, and/or wood, and will be consistent with the aesthetic of this area. Landscaping and landscape lighting will be placed around the monument signs consistent with applicable zoning requirements.

IV. Utilities and Sanitation

The Property is currently served by electric and water service. The Applicant will construct indoor bathrooms of sufficient size to serve the maximum capacity of the Property. The sanitary facilities will be constructed in accordance with applicable Health Department rules and regulations. To the extent any gas, sewer or water utilities must be improved or expanded, the Applicant will cause such improvements to be made at its cost, including installation and connection to the public sewer. The kitchen and dining area will be constructed in accordance with applicable Health Department rules and regulations.

V. Traffic Management and Safety

Access to the Property will be from Richwood Road and Schmidt Lane. Richwood Road is a state highway (Route 338) maintained by the Kentucky Transportation Cabinet. Significant improvements to Richwood Road are presently under construction to the northeast of the Property, including the widening of the road and the installation of a roundabout at the intersection with Triple Crown Boulevard and Grand National Boulevard. Schmidt Lane is a county-maintained road 30 feet in width. As depicted on the plans, traffic to and from the Property will be addressed and managed by:

1. Widening the existing driveway at Richwood Road to 22 feet. In connection with improving the existing driveway, Applicant will install a new bridge where the driveway crosses the creek on the Property.
2. Applicant will also construct a new 22 foot wide driveway at Schmidt Road as depicted on the plans, giving guests two means of ingress and egress.
3. Parking lots will be constructed as shown on the plans with internal driveways to move vehicles across the Property efficiently. The parking lots will have a sufficient number of spaces for the capacity of the Barn, including the required number of disability accessible spaces. There will be islands in the parking lot for lighting and landscaping.

VI. Noise and Light

The Applicant will install the minimum amount of exterior lighting necessary to provide guests with safe access to the Barn, lake area, and parking lot at night. The applicant will also install low-intensity ambient lighting for aesthetic purposes. Any such exterior lighting will only be used during regular operating hours and events, however, the Applicant may install security lighting consistent with such lighting used in this area. All light will be directed inward and not toward adjoining properties. Applicant anticipates that light fixtures will be installed along the driveways, in the parking lots, and near the "program lawn" as identified on the plan. Low-intensity ambient lighting will likely be installed throughout the Property where the use will occur.

Amplified music will only be permitted inside the Barn. Acoustic instruments and music will be permitted in outdoor areas. Temporary use of amplified sound may be used outdoors for purposes of making announcements or for performing wedding or other ceremonies. Any events will be subject to the time limitations indicated above. The Applicant will install screening as depicted on the plans, with such screening to consist of trees and other landscaping to mitigate noise and light impacts on adjoining properties. The Applicant will agree to install a buffer yard along the new driveway from Schmidt Lane adjacent to the neighboring property owner that meets or exceeds category "B" under Article 36 of the Ordinance. The approximate size and location of this buffer yard is depicted on the plans submitted with the Application.

VII. Conditional Use Criteria

As demonstrated by the plans and the Application, the proposed use will be limited in size and scope so as to not overpower the Property's existing use and character. The remodeling of the Barn, and proposed use thereof, is compatible with the organization of permitted and accessory uses that are protected in the A-2 district. Furthermore, the Boone County 2040 Future Land Use map designates the Property as suburban density residential and rural density residential. The proposed conditional uses will do more to preserve the agricultural aesthetic of the Property than the residential development that is likely if the Application is not approved. The existing barns that are identified by the letter "E" on the plan, will remain in place and will not be modified or part of the conditional use.

The requested use of the Property is consistent with the criteria by which conditional uses are to be evaluated in Boone County. First, the proposed use is harmonious and in accordance with the general objectives of the County's comprehensive plan for this area of Boone County. The use of the Property as an event space will be periodic, typically used on weekends during warmer months, and will permit the Property's continued character as residential and farmland. The drinking and eating establishment and retail sales will likewise be limited in size so as not to change the overall character of the Property and surrounding area. The surrounding area is developing at a rapid pace, marked primarily by ever expanding high-density residential developments. Jake's Farm presents an attractive alternative to further sprawl that can be used and enjoyed by the residents of the surrounding neighborhoods.

Second, the Applicant's design is harmonious and appropriate with the character of the area, as the improvements to be constructed include only additions to the existing Barn and construction of driveways, parking lots, and walking paths. These improvements will be constructed on only a small portion of the Property, allowing the remainder to continue as open green space. The improvements will not substantially change the appearance of the Property from the public roads or adjoining properties, and therefore will not change the essential character of the area.

As to the third criteria, the surrounding area is used entirely for suburban residential purposes. The requested conditional uses will not alter or impair these existing uses. In fact, given the number of residential developments in this area, there is a severe shortage of dining and entertainment options, and Jake's Farm can fill that void. Furthermore, as shown on the plans, the requested conditional uses will occur only around the Barn, and commercial activity will be screened or kept away from nearby residences.

The planned driveways will be sufficient to support safe ingress to and egress from the Property and are sufficient for the provision of emergency services. The Barn improvements will be constructed in accordance with applicable building codes and fire safety requirements. Water and electric utilities are already installed on the Property and any extensions or expansions of those services will be provided by the Applicant. Accordingly, consistent with the fifth criteria, the proposed use will not create excessive additional requirements at public cost or be detrimental to the economic welfare of the area. In fact, the proposed conditional uses would almost certainly require less public investment in infrastructure than alternative uses such as residential development.

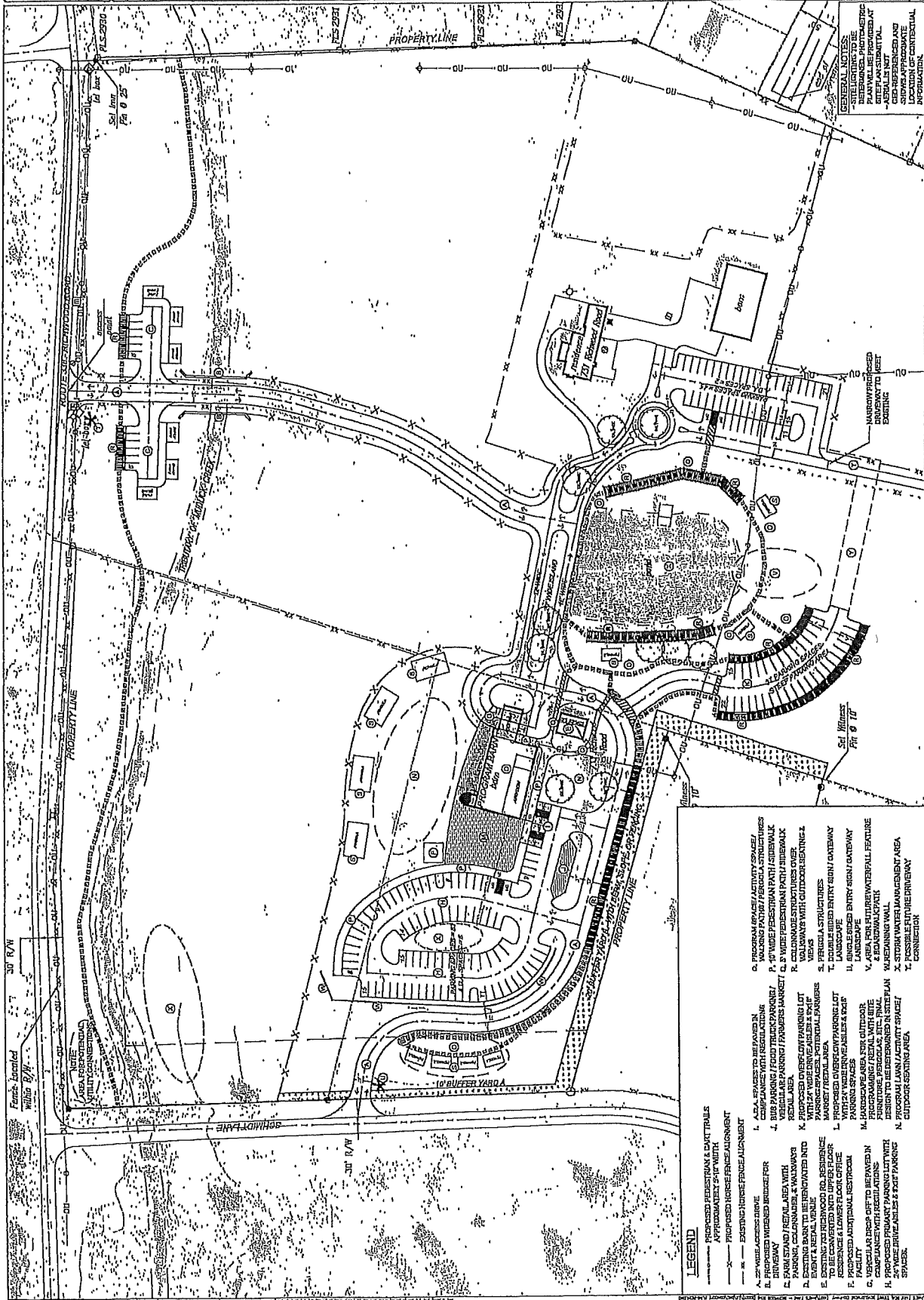
The sixth criteria concerns the production of excessive traffic, noise, smoke, dust, fumes, glare or odors. To the extent the proposed use may create any additional traffic, noise, or light, the Application contains provisions to limit the impact thereof. As discussed above, hours of operation will be limited so that all amplified noise will end by no later than 12:00 a.m. on weekends and 10:00 p.m. on weekdays. Amplified music will be contained within the Barn. As shown in the plans, all existing residences are a significant distance away from the Barn and will experience limited noise or light emanating therefrom. The maximum indoor capacity of the Barn will be approximately 300 people and will not create excessive traffic in this area. Finally, as to the seventh criteria, the Applicant has provided for two alternative means of access in order to alleviate any traffic concerns. As outlined above, exterior lighting will be minimal and not create any glare on the public roads or adjoining properties.

The Applicant respectfully requests that the Board of Adjustment grants its application for a conditional use permit.

VIII. Variance Criteria

The entrance to the Property is situated at the bottom of a hill along Richwood Road. In order to improve visibility of the entrance, and so that motorists have advance warning of the location of the driveway entrance, the Applicant would like to construct a monument sign that is slightly larger than what is permitted under the Ordinance. Because of the character and topography of this Property, the larger sign will help with the safety of approaches to the driveway. Further, the Applicant wishes to construct a monument sign that is consistent with the type of signage used in residential neighborhoods in this area of Boone County. This is consistent with the zoning of the Property. The Applicant has also requested a variance to install a second sign at

the new entrance on Schmidt Lane. Again, to assist with the smooth flow of vehicular traffic, it will be beneficial to clearly mark the entrance of the Property with a monument sign. This second sign will likewise be constructed so as to be consistent with residential subdivision signage in the area. For these reasons, the requested variances satisfy the requirements of Section 250 and 251 of the Ordinance and Applicant requests that they be granted.



- LEGEND**
- A. 20' WIDE ACCESS DRIVE
 - B. PROPOSED WIDENED BRIDGE FOR EXISTING BRIDGE
 - C. PROPOSED WIDENED BRIDGE FOR EXISTING BRIDGE
 - D. EXISTING BAR TO BE RENOVATED INTO EVENT & REtail VENUE
 - E. TO BE RENOVATED INTO UPPER FLOOR RESIDENCE & LOWER FLOOR OFFICE
 - F. PROPOSED ADDITIONAL RESTROOM
 - G. VERTICAL SIGN OFF TO BE PLACED IN COMPLIANCE WITH REGULATIONS
 - H. PROPOSED PRIMARY PARKING LOT WITH 10' BUFFER YARDS & PAIR PARKING SPACES
 - I. AREA TO BE REPAIRED IN ACCORDANCE WITH LOCAL ORDINANCES
 - J. BUS PARKING / FOOT TRUCK PARKING / VEHICULAR PARKING / PARKING MARKET RETAIL AREA
 - K. PROPOSED DRIVEWAY FROM BUS LOT TO BE RENOVATED INTO UPPER FLOOR RESIDENCE & LOWER FLOOR OFFICE
 - L. PROPOSED DRIVEWAY FROM BUS LOT TO BE RENOVATED INTO UPPER FLOOR RESIDENCE & LOWER FLOOR OFFICE
 - M. BARBECUE AREA FOR OUTDOOR DINING
 - N. DESIGN TO BE DETERMINED IN SITE PLAN
 - O. PROPOSED LANDSCAPE WITH 10' BUFFER YARDS
 - P. 10' WIDE PEDESTRIAN PATH / SIDEWALK
 - Q. 8' WIDE PEDESTRIAN PATH / SIDEWALK
 - R. COLONNADA STRUCTURES OVER WALKWAYS WITH OUTDOOR SEATING
 - S. PERGOLA STRUCTURES
 - T. DOUBLE SIDED ENTRY SIGN / GATEWAY
 - U. LANDSCAPE
 - V. LANDSCAPE
 - W. AREA FOR FUTURE WATERFALL FEATURE
 - X. PEDESTRIAN PATH
 - Y. STORM WATER MANAGEMENT AREA CONNECTION
 - Z. CONNECTION

GENERAL NOTES

- SITE LAYOUT TO BE DETERMINED IN FINAL PLAN
- ALL PLANS SHALL BE APPROVED BY THE BOONE COUNTY PLANNING & ZONING DEPARTMENT
- ALL PLANS SHALL BE APPROVED BY THE BOONE COUNTY PLANNING & ZONING DEPARTMENT
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Michael Schwartz

From: turn_me_lose weber <turn_me_lose@msn.com>
Sent: Wednesday, August 04, 2021 6:19 PM
To: Michael Schwartz
Subject: Don't let this happen, please !!!!!!!!!!!!!!!!!!!!!
Attachments: jake's farm.txt

EXTERNAL MESSAGE

mschwartz@boonecountyky.org
Re: Richwood zoning proposal

MR.Schwartz, I 'strongly object to proposed plan, "Jake's Farm". In my opinion this would be detrimental, and devastating to this residential neighborhood. I for one, am not prepared for the negatives it will bring.

Such as : Amplified music till 12:00 am
Outdoor Lighting through 12:00 am
Hard surfaces, and additional structure's adding the existing
issue's
of surface storm water drainage, which is marginal as it
already is.
Additional traffic flow.
Retail establishments.
The gathering of events adjacent to my property.

I did not buy my property to put up with any of this, nor do I want to live next to a shopping center, bar, or event center.

I hope that whoever makes the final decision on this issue, puts themselves in the position of the residents that will be affected
!!!!!!!!!!!!!!!!!!!!!!!

If this happens, all I can say, shame on you !!!!!!!!!!!!!!!!!!!!!!!!

REGARDS, Ed Weber, 710 James lane, Richwood, KY 41094
turn_me_lose@msn.com (859) 485-2460

Michael Schwartz

From: Patti/Fred Hester <ppjh13@aol.com>
Sent: Thursday, August 05, 2021 2:53 PM
To: HesterPatti13@gmail.com
Subject: Fwd: Failure Notice

-----Original Message-----

From: Patti/Fred Hester <ppjh13@aol.com>
To: Patti/Fred Hester <ppjh13@aol.com>
Sent: Thu, Aug 5, 2021 2:50 pm
Subject: Fwd: Failure Notice

-----Original Message-----

From: MAILER-DAEMON@aol.com
To: ppjh13@aol.com
Sent: Wed, Aug 4, 2021 7:18 pm
Subject: Failure Notice

Sorry, we were unable to deliver your message to the following address.

<michaelschwartz@boonecountyky.org>:
550: permanent failure for one or more recipients (michaelschwartz@boonecountyky.org:blocked)

----- Forwarded message -----

Mr. Schwartz,

My name is Patricia Hester. My family lives on Schmidt Lane, off Richwood Road. We are vehemently opposed to any zoning change for Cornerstone Farm (Jake's Farm). This is a family neighborhood. There are NO eating and DRINKING establishments and/or retail establishments west of Triple Crown and Steeplechase neighborhoods on Richwood Road. This zoning change would completely change the atmosphere of ALL our FAMILY neighborhoods - Sutherland, Richwood Country Estates I, Triple Crown, and Steeplechase.

1. The zoning change would permit use of Jake's Farm until late at night all week long. During the week, when we are trying to enjoy our families, finish homework, and get our children to sleep, the NOISE and LIGHT POLLUTION would disturb our children and ourselves. It would be difficult to go to sleep in the evenings. The driveway that comes out on Schmidt Lane would mean traffic up until at least 10:00 PM. On weekends, this would be until 12:00 AM or later. They would only close the venue at midnight. Who knows how late the people, noise and traffic would continue. The Plan states, "the APPLICANT may increase the hours of operation to match the typical operating hours for restaurants in this area". That means traffic, noise, drinking and driving could be until 2:00 AM.
2. Traffic would not have to use the Richwood Road driveway. There could be cars in and out the driveway or parked on Schmidt Lane. Schmidt Lane was developed to provide access to our houses, not retail and event space.

3. There are parking lots for 200 cars proposed. That could be from 200 to 800 or more people using Richwood Road and Schmidt Lane. These streets and roads were not meant to handle this much traffic, and we do not want the streets to handle more traffic.
4. Wine tasting events and a wine cellar could add to drivers who are intoxicated. Remember, this could be 800 people intoxicated using Schmidt Lane and Richwood Road. We do not want or need drunk drivers near our homes and children.
5. As stated in the Plan, Richwood Road is slated for "significant improvements" northeast of Jake's Farm. This Plan will increase traffic near the interstate, past 3 established neighborhood and onto Schmidt Lane (Richwood Country Estates I).. We do not want or need increased traffic near Hicks Pike and Schmidt Lane. As stated in the Plan, the Applicant has provided "two alternative means of access". Where are these two additional access points to be? Is one of them routing traffic through Sutherland neighborhood streets? Or are they going to ask for another driveway to Schmidt Lane?
6. The Plan says the design is "harmonious and appropriate with the character of the area". The area is housing, neighborhoods, with FAMILIES. Noise from music, up to 800 people or more, dining and drinking is NOT HARMONIOUS with our QUIET neighborhoods.
7. Landscape lighting will be placed around the monument signs, driveways, and in parking areas. This will contribute to 24 hour lighting pollution in our area. How are our children and ourselves to stay asleep with lighting on during the night? How will we be able to open our windows in the evening or night without continuous light disturbing us?
8. "Amplified music will only be permitted inside the Barn". Currently, we can hear traffic from the interstate at times. We sometimes hear the train on the railroad tracks east of the interstate. We can hear cars from the speedway on US42 at times. Now you want to add amplified music to the mix? NO!
9. Our property values will decrease. Allowing up to 800 people to use Jake's Farm at a time is certainly not going to increase our property values!

We want our neighborhood to stay residential ONLY. We do not any event or retail space west of the current spaces near Appaloosa Drive.. We want to keep our property values and quality of life, as they are currently!

Please say NO to the Jake's Farm Plan.

Patricia Hester
11705 Schmidt Lane
Richwood, KY 41094

Michael Schwartz

From: Daryl Westfield <d.westfield@twc.com>
Sent: Thursday, August 05, 2021 3:28 PM
To: Michael Schwartz
Subject: Proposed Conditional Use Permit Richwood
Attachments: Jakes Farm.docx

EXTERNAL MESSAGE

Hi Mr. Schwartz. Thank you for taking the time to talk to me today. Please give the attached letter to the Boone Board of Adjustment.

Thank you,
Daryl Westfield

To: Michael Schwartz, Boone County Planning Commission

From: Daryl and Jacqueline Westfield; (859) 485-4125; d.westfield@twc.com

Re: Jake's Farm Development Conditional Use Permit, Richwood

Dear Mr. Schwartz,

This purpose of this letter is to inform the Boone Board of Adjustment that we are strongly opposed to the plan contained within the conditional use permit proposed by Jake's Farm Real Estate Development Company. We have lived at 724 James Lane in Richwood, Kentucky since 1994. We have enjoyed living in this quiet, semi-rural area within Richwood County Estates. We would like to attend the public hearing on Wednesday, August 11th. However, we cannot attend this meeting due to personal health issues related to the heavy spread of COVID within the area.

We have two major concerns with the approval of the conditional use permit. The first concern is the safety to children, drivers, and pedestrians near Schmidt Lane. The second is the increase in general noise to our quiet community.

Almost every day, my family and many other neighbors walk or ride our bikes along Schmidt Lane. There are almost always very young children playing outside of their homes along Schmidt Lane. There is a planned new exit from the proposed development onto Schmidt Lane, adjacent to a house with small children. Schmidt Lane is a small street with no edge or center lines. There are no sidewalks. That area of Schmidt Lane contains two large hills with a short line of sight for drivers. It is not designed for large numbers of vehicles. Especially for drivers that have been served alcohol. The new development will increase the likelihood of accidents with children, pedestrians, and other vehicles.

Our home is on the south side of the proposed development area. Our backyard directly abuts with the current farm. We do not wish to have noise from wedding receptions, art shows, parties, food trucks, etc., behind our house. We also don't want to be nuisance by amplified music behind our home until midnight. The sale of alcohol within the development will potentially increase crime in our and adjoining neighborhoods. We have fully expected a subdivision to replace the farm at some point. That would be consistent with the zoning in this area. But to have the proposed activities in this quiet residential community is very shocking.

Please do not approve the conditional use permit. This area is in the middle of our residential neighborhood. There are many proper areas nearby for this type of business. Kentucky is full of wide-open spaces. So why do these activities in the middle of a quiet, safe, residential area?

Please contact us with any questions or concerns.

Thank you,

Daryl and Jacqueline Westfield

Michael Schwartz

From: Dupree, Shelley (CHFS DIS CSE CO Boone) <Shelley.Dupree@ky.gov>
Sent: Thursday, August 05, 2021 4:28 PM
To: Michael Schwartz
Subject: Jake's Farm Conditional Use
Attachments: Jake's Farm Conditional Use.docx

EXTERNAL MESSAGE

Mr. Schwartz,

Please see my Letter of Opposition to the Boone County Board of Adjustments which is attached. Thank you.

Shelley Dupree

August 5, 2021

Michael Schwartz
Planning, Zoning Services
mschwartz@boonecountyky.org

Letter of opposition to the Boone County Board of Adjustments:

I am writing to express my opposition to the proposed Conditional Use Permit for the property located at 731 – 735 Richwood Road, Walton, Kentucky 41094 and identified by PIDN 065.00-00-013.00; 061.01.02-300.00; and 065.01-02-001.00 by Jake's Farm Real Estate Development Company, LLC on July 20, 2021.

The proposed development of 50 acres of land that lies on the corner of Schmidt Lane and Richwood Road. Granting this proposed conditional use permit will negatively affect our property along with surrounding residential properties in several ways.

First, let me explain the area we are talking about:

Schmidt Lane. "The Applicant seeks to access the property via Schmidt Lane as a means of ingress and egress." Schmidt Lane is a residential road consisting of NO painted center or edge lines and no curbs or sidewalks. There are 28 homes on lots of 2-5 +/- acres. The homes are 30+ years old with the exception of approximately two and only nine homes have changed hands in the 28 years I have lived there. Residents consist of young families with children to single seniors who raised their families on the street. The homes and yards are well maintained.

Map 1 shows three sections on Schmidt Lane as "Parcel One" and number 1, 3, & 7 (I believe, map is hard to read). The parcels are part of Richwood Country Estates and meant for residential development under A-2. However, Jake's Farm is proposing a "22 foot wide driveway" (V.2.) to a parking lot with "sufficient number of spaces for the capacity of the Barn..." (V.3.). Page 2, paragraph 1 states "The indoor capacity of the Barn will be approximately 300 for public/private events. The Applicant may host larger events by making use of the outdoor areas adjacent to the Barn...no event shall permit a number of attendants that would exceed the available parking spaces". This is vague. This size parking lot is incompatible to the neighborhood and A-2 zoning.

Conditional Use Permit Verbiage.

Section II: "The Applicant seeks to use the Property to host various events that will be consistent with the principal purposes of the A-2 district and which will not alter the overall character of the Property." I already mentioned above how this Permit will, in fact, alter the character of the property. Michael Schwartz told me on the phone today that A-2 is a minimum residential lot of 80,000 sq ft, almost 2 acres. This description of A-2 does not mesh with verbiage that discusses a parking lot large enough for hundreds of cars, amplified music and lighting placement so as to not disturb the neighborhood.

Other concerning verbiage is: Section II, paragraph 3 "...Applicant intends to operate an eating and drinking establishment...sales of alcoholic beverages by the drink" and paragraph 4 "...Applicant intends to engage in limited retail sales of products...Applicant intends to make licensed package sales of wine". Considering this is a Conditional Use Permit, it is my understanding there is no way to hold Jake's Farm accountable to what is written. Therefore, the above can mean there will be a bar selling drinks along with bar food and cheap

souvenirs AND bars and restaurants can pop up anywhere on the property with no penalty or punishment or additional zoning requirements.

Section VII. Paragraph 1 "The existing barns that are identified by the letter E on the plan, will remain in place and will not be modified or part of the conditional use." It is my understanding these barns are slated for demolition along with a small barn on the Schmidt Lane side of the property.

Section VII. Paragraph 3 "...Applicant's design is harmonious and appropriate with the character of the area...construction of driveways, parking lots, and walking paths. The improvement will not substantially change the appearance of the Property from the public roads or adjoining properties...". As I previously pointed out the size of the main parking lot along with additional parking around the pond area IS substantially changing the appearance of the property from public roads and the adjoining residential subdivision properties.

If you have ever driven thru this area when it is raining, you would witness the substantial flooding that occurs at Hicks Pike and Richwood Road (just feet from the entrance of Jake's Farm), flooding of the creek that runs thru the Farm, and the flooding of roadways just beyond the Farm at Richwood Road and Chambers Road where two creeks converge.

Last is the issue of Richwood Road. Just weeks ago, a Boone Co Jury awarded a family who witnessed the death of their mother in 2019 during an accident that occurred on Richwood Road at the entrance to Jake's Farm. The family was awarded \$74 Million to be paid by Eaton Asphalt because the road was not paved properly. To date, the Commonwealth of Kentucky has taken no measure to repair and pave the road to make it safe.

The Conditional Use Permit reads well and is convincing, however, the affect on Schmidt Lane and James Lane residents along with the lack of accountability is concerning. For all these reasons, we feel that the Boone Co Board Of Adjustments should reject this application or at the very least, require significant changes to accommodate the surrounding residential properties.

Sincerely,

Shelley Dupree

11798 Schmidt Lane

Walton, KY 41094

Michael Schwartz

From: heather brinkman <brinkh1621@gmail.com>
Sent: Sunday, August 08, 2021 6:53 PM
To: Michael Schwartz
Subject: Zoning Proposal Appeal
Attachments: property proposal.docx

EXTERNAL MESSAGE

Hello,

Please see the attached letter of concern for the Schmidt/Richwood Farm.

Thank you,
Heather Brinkman

Bruce and Heather Brinkman
11667 Schmidt Lane
Walton, KY 41094

Boone County Planning Commission
2950 Washington St, Room 317
Burlington, KY 41005

8/7/2021

Mr. Schwartz,

My name is Heather Brinkman and my family resides at a residence across from the farm within the proposed zoning changes by Jake's Farm Real Estate Development Co. I am writing a request for further review of the proposal and the likely changes it would entail for our residential community. An establishment of this manner would bring many changes and potential disruptions to an area that houses many families.

If the proposed zoning is passed, it would allow for event services and retail venues to partake in a fully residential community. Not only would the construction to build bring noise to the community but so would the establishment. Events that could hold 300 or potentially more people when outside space is included, would cause noise that could last until midnight or later if deemed "wanted by the consumers". This community houses many families and particularly the closest surrounding residences have several children under the age of 12. Additionally, the safety of those children when a business includes a liquor license. Not only would it bring more traffic, but it likely could include individuals driving on our street that have been consuming alcohol.

I am asking that you take these concerns into consideration when reviewing this property zoning/business proposal.

Thank you for reading my letter of concern. You may reach me at brinkh1621@gmail.com for any additional questions.

Regards,

Bruce and Heather Brinkman

Michael Schwartz

From: Wilson Chan <chan.wilsonc@gmail.com>
Sent: Wednesday, August 11, 2021 5:45 PM
To: Michael Schwartz
Subject: Proposed development plan for Jake's Farm - 11670 Schmidt Lane

EXTERNAL MESSAGE

Hello Michael,

My name is Wilson Chan, my wife Clara Chan and I reside at 11747 Schmidt Lane in Boone County. I want to reach out and share our feedback for the proposed development plan for Jake's Farm as residents of Schmidt Lane and James Lane subdivision off Richwood Road.

I was planning to attend the Boone County Planning Commission Meeting as of early this week. My wife Clara Chan is currently immune compromised from a health perspective. Due to this and the recent surge in COVID-19 Delta variant virus, I will not be able to make this commission meeting in-person.

Clara and I would like to share the below feedback with the proposed development.

1. The proposed Jake's Farm Development was proposed without an engineering study for traffic flow for both Richwood Road and Schmidt Lane. As a resident of our subdivision, we enjoy very little traffic to our subdivision and we have many neighbors who would be using our streets for daily exercise like jogging and walking. It usually happens in the early evening so having a lot of traffic going in and out of Schmidt Lane would be a concern for pedestrian safety for our residents.
2. For the proposed Jake's Farm development with the addition of 120+ parking spaces, we are concerned about affecting the character of the neighborhood. Having a commercial establishment within a residential area would greatly affect the surroundings, this is not including consideration of additional pollution to be generated.
3. Regarding noise, from a common sense perspective, I would like to share that having loud music played through 10PM on week days and Midnight on weekends would be detrimental to our neighborhood. To be honest, from our house, we can hear the nearby dirt track and it is pretty far away, I just don't see how having a venue which would play loud music would be ideal addition to our neighborhood.

Because of the above, my wife and I are not in favor for this development. Please feel free to reach me via mobile 859-630-6111 if there are any additional questions. Thank you.

Sincerely,

Wilson & Clara Chan
11747 Schmidt Ln
Walton, KY 41094
859-630-6111 mobile
chan.wilsonc@gmail.com

Michael Schwartz

From: Lauren Deters <lauren.deters@yahoo.com>
Sent: Monday, November 1, 2021 4:02 PM
To: Michael Schwartz; Planning Commission General Account
Subject: Jake's Farm

EXTERNAL MESSAGE

Good Afternoon,

I would like to voice my concerns about the conditional use application of Jake's Farm at 731 and 733 Richwood Rd. My house is the one literally surrounded by Cornerstone/Jake's farm on 3 sides. While we are fairly new to this area (moved January 2020) my aunt and uncle have lived off chambers rd for 58 years so I grew up coming to visit them! We previously lived in Florence and chose to spend our hard earned money on this house because we loved how peaceful it was out here in Walton but not too far from our son's school, grocery store and family. This is where we want to raise our family!! We were amazed when we moved out here how dark it was at night and you can see all the stars in the sky, it's so different than living in the big subdivision that has all the noise and light pollution. We have 3 little boys 7 months, 4 & 6 years old. They love it here as well. We have a big yard that they can play in and I can trust them to play outside without concern. If an event center/retail store is approved I will worry about their safety significantly with 300 people in and out multiple times on the weekends and endless amount of people during the week plus all the vendors servicing the event center. Not to mention all the traffic and noise that will come with the event center that will not only affect my family but all 20 some houses that surround it and decreased property value. The noise ordinance in the proposal says noise will end at midnight which is significantly later than my kids bedtime and then the noise will continue for at least another hour or 2 after with people talking in parking lots on way to their cars, car doors opening/closing, engines starting etc. Overall this will significantly change the character of our area and that's not something that we can get back once Jakes farm is changed into an event center/retail space/wine cellar/Food trucks/farmers market/waking paths/outdoor activity space/outdoor music/Art Barn etc!

Thank you for your time,
Lauren Deters

Sent from my iPhone

Michael Schwartz

From: Marla bickel <gmzbickel@gmail.com>
Sent: Thursday, October 21, 2021 11:30 AM
To: Michael Schwartz
Cc: Planning Commission General Account
Subject: Request for status updates

EXTERNAL MESSAGE

Please add Greg and Marla Bickel at gmzbickel@gmail.com for any updates regarding hearings, meetings, or other updates about the Jake's Farm development proposal at 731 and 733 Richwood Rd., Walton, KY 41094.

Mr. Schwartz,

As long time residents at 677 James Lane, Walton, KY 41094, we would like to formally express our concerns to the planning commission regarding the proposed Jake's Farm request for a conditional use permit for the property located at 731-735 Richwood Rd., Walton KY.

We firmly believe the conditional use permit, if granted, will pose significant threats to the surrounding communities by-

- Increased traffic on an already congested Richwood Rd/RT. 338 that would increase the risk of accidents. Richwood Rd./338 has little to no shoulder which has caused numerous accidents and even a fatality directly in front of the property, 731-735 Richwood Rd. In reading the proposal, they incorrectly state there is a turning lane from Richwood Rd. to Schmidt Lane - that is not the case, no turning lane exists. In addition, upon immediately turning onto Schmidt Lane you cross a narrow bridge that may prove difficult for delivery trucks to navigate.
- Increased flooding risk for the creek that fronts Richwood Rd. and feeds into Mud Lick Creek. The creek that runs through 731-735 Richwood Rd. is already prone to flooding to the extent that 338 is underwater several times a year at the intersections of 338 and Hicks Pike, 338 and Schmidt Lane, and 338 and Chambers Rd. The additional paved surfaces included in this proposal is likely to increase the water runoff to the creek and increase flooding.
- Safety concerns for the residents of Schmidt Lane and James Lane. Schmidt and James Lane are not through streets, there are no sidewalks, no curbs, and no signage indicating "no outlet." The residents have long enjoyed the limited traffic into our neighborhood and many residents regularly walk, bike and allow our children to play without the fear of excessive traffic. The proposed development is likely to increase the traffic to the residential area and put us all at risk.

We also believe there is an existing opportunity for the property of 731-735 Richwood Rd. to be used under the current zoning as residential property and there is no reason to grant the conditional use permit. Savannah Dr. deadends (with no culdesac) at the property border of 731-735 Richwood Rd. and could easily extend the residential neighborhood of Sutherland. The conditional use permit would in practice change the zone to a commercial property (retail/restaurant) and the Boone County Comprehensive Plan has previously determined that 731-745 Richwood Rd would remain residential in nature. We implore the commission to uphold the current Boone County Comprehensive Plan and deny the conditional use permit.

Sincerely,
Greg and Marla Bickel
677 James Lane
Walton KY 41094
gmzbickel@gmail.com

Michael Schwartz

From: Sheila Scalf <sheilascaf@yahoo.com>
Sent: Wednesday, November 3, 2021 8:01 PM
To: Michael Schwartz
Subject: Jake's Farm Conditional Use Permit

EXTERNAL MESSAGE

Dear Michael:

I would just like to advise that unless an emergency comes up, I plan on attending the meeting to be held on November 10th. I would like to state that I am not in favor of the Zoning Services Division allowing this permit to go through. I have lived in Richwood for over 17 years. When I first moved here, I loved our area. Things have not been going too well on Richwood Road for quite some time now. I do not feel that this area can handle the additional traffic this proposal would cause if approved. We certainly do not need additional delivery trucks, garbage trucks, vehicles, etc. It has become a major challenge just getting out of Heritage Trails. They finally installed a traffic light which helped some, however, they are now in the process of tearing the road out at the bottom of Paddock. I realize this itself is a temporary situation. However, the traffic we have at this exit is getting out of control. The semis are pulling out into the intersections and blocking all lanes on both sides when traffic is backed up on the expressway. I was nearly killed a little over a month ago while sitting at the light to turn left and get on the expressway going northbound, from a tractor coming off the southbound ramp.

I think we have enough places selling liquor, that we do not need a place being open until 12:00 a.m. and clearing off their lot by 1:00 a.m.. We do not want 200-300 cars driving on Richwood Road in the early morning hours. We do not need the additional lighting and noise. I am concerned about this decreasing the property values, environmental contamination, noise, crime, and high probability of drunk drivers. If this land was used for homes, you wouldn't have hundreds of vehicles leaving at one time and getting on the road.

This development will not only impact Heritage Trails, but all of the surrounding subdivisions and roads. When I just drove home today earlier from Florence heading down the expressway and seeing all the garbage, debris, etc. all along our expressway and all over down the Richwood Exit it looks like something you would expect in a third world country. It seems like so many things are being started and not completed. I know there is a shortage in the workforce, but our area currently almost looks like a war zone. The Mt. Zion area is not completed and we certainly have a mess in our area. They are working on Frogtown right now. No matter what way we try to go, it is hard to maneuver in and out of our subdivision. Therefore, I really don't feel like our area can handle further changes right now that would make the situation in our area worse. I would request that this request be denied. I don't know where you live, however, if you were facing the situation each day that I do, I do not think you would welcome a new venue being opened that would just add to the current problems we are facing. Thank you for your consideration.

Sheila Scalf
(859) 485-8503

July 20, 2021

Boone County Board of Adjustment
2950 Washington Street
Burlington, Kentucky 41005

RE: *Conditional Use Permit*
Jake's Farm Real Estate Development Company, LLC
731 and 733 Richwood Road, Walton, KY 41094
(PIDN 065.00-00-013.00; 065.01-02-003.00; and 065.01-02-001.00)

To the Boone County Board of Adjustment:

I. Introduction

Jake's Farm Real Estate Development Company, LLC ("Jake's Farm" or the "Applicant") is seeking a conditional use permit for the property located at 731 - 735 Richwood Road, Walton, Kentucky 41094 and identified by PIDN 065.00-00-013.00; 065.01-02-003.00; and 065.01-02-001.00 (the "Property"). The present zoning classification of the Property is A-2. The application requests a permit to use the Property as an event venue, as an eating and drinking establishment, and for limited retail sales consistent with the plans incorporated in the Application and in accordance with Section 623.11, 623.12, and 623.18 of the Boone County Zoning Ordinance (the "Ordinance"). The proposed use of the Property is consistent with the criteria set forth in Sections 623 and 262 of the Ordinance. In addition to the conditional uses requested in this Application, the Applicant's site plan will include use as a farmer's market, with a full range of produce, flowers, and small plants, as permitted by Section 621.

II. Conditional Uses

The Applicant seeks to use the Property to host various events that will be consistent with the principal purposes of the A-2 district and which will not alter the overall character of the Property. As an event venue, the Property will host private events including weddings, wedding receptions, corporate/business retreats, parties, family reunions, and similar private gatherings. In addition to private events, the Property will host public events such as neighborhood and community gatherings, wine tastings, art shows, food trucks, and similar events. In order to accommodate such uses, the Applicant will remodel the existing "hoop-roof" dairy barn (the "Barn"). The remodel will include the addition of a kitchen and bathrooms. Consistent with the current aesthetics of the farm, any additions to the Barn will be constructed using similar materials and preserving the existing architectural theme. Pergolas or colonnades will be constructed around the existing lake, on the program lawn, and near proposed walkways and parking areas for picnic and seating areas. Brick or similar hard-surface walkways will connect different portions of the

property with parking areas and the Barn. Tasteful landscaping and lighting are planned after new infrastructure is complete.

The indoor capacity of the Barn will be approximately 300 for public/private events. The Applicant may host larger events by making use of the outdoor areas adjacent to the Barn if weather permits. However, use of the Property for events will be limited to those outdoor areas identified in the plans, and no event shall permit a number of attendants that would exceed the available parking spaces. The Applicant anticipates that most events will be held on Fridays, Saturdays, and Sundays between the hours of 12:00 pm to 12:00 a.m. All music and amplified sound will be required to end by 10:00 p.m. Sunday through Thursday and 12:00 a.m. Friday and Saturday, with all guests having vacated the Property no more than one hour later.

In addition to hosting events, the Applicant intends to operate an eating and drinking establishment in the Barn. This establishment will consist of a bakery and kitchen that offers and prepares a limited menu and licensed sales of alcoholic beverages by the drink. The improvements to the Barn within the proposed addition will include construction of a basement wine cellar where wine is stored. When weather permits, the Applicant may also add some outdoor seating. Depending on demand, the Applicant plans to open the eating and drinking establishment on a limited basis. If demand is sufficient, the Applicant may increase the hours of operation to match the typical operating hours for restaurants in this area. The dining establishment will not offer drive-through service.

Finally, in addition to hosting a farmer's market as permitted in A-2 districts, the Applicant intends to engage in limited retail sales of products from the Barn. The primary products to be sold will be packaged food, wine, crafts, and other agricultural products. It is the Applicant's intent to primarily sell locally and regionally sourced goods. In connection with the wine cellar and wine-tasting events, the Applicant intends to make licensed package sales of wine. The retail area of the Barn will be on the lower floor and occupy approximately 2,700 square feet of space. Initially, retail sales will only occur during public events or when the farmer's market is in operation. Depending on demand, retail sales may occur during set business hours.

III. Sign Variances

Along with the Conditional Use Application, the Applicant has submitted applications for variances from the requirements of Section 3411 of the Ordinance in regard to signage. The Applicant plans to install monument-style entrance signs at the driveway entrances on Richwood Road and Schmidt Lane. Both signs will be similar in style to those typically seen at the entrances of residential subdivisions. The monument-style signs will be constructed of stone, brick, and/or wood, and will be consistent with the aesthetic of this area. Landscaping and landscape lighting will be placed around the monument signs consistent with applicable zoning requirements.

IV. Utilities and Sanitation

The Property is currently served by electric and water service. The Applicant will construct indoor bathrooms of sufficient size to serve the maximum capacity of the Property. The sanitary facilities will be constructed in accordance with applicable Health Department rules and regulations. To the extent any gas, sewer or water utilities must be improved or expanded, the Applicant will cause such improvements to be made at its cost, including installation and connection to the public sewer. The kitchen and dining area will be constructed in accordance with applicable Health Department rules and regulations.

V. Traffic Management and Safety

Access to the Property will be from Richwood Road and Schmidt Lane. Richwood Road is a state highway (Route 338) maintained by the Kentucky Transportation Cabinet. Significant improvements to Richwood Road are presently under construction to the northeast of the Property, including the widening of the road and the installation of a roundabout at the intersection with Triple Crown Boulevard and Grand National Boulevard. Schmidt Lane is a county-maintained road 30 feet in width. As depicted on the plans, traffic to and from the Property will be addressed and managed by:

1. Widening the existing driveway at Richwood Road to 22 feet. In connection with improving the existing driveway, Applicant will install a new bridge where the driveway crosses the creek on the Property.
2. Applicant will also construct a new 22 foot wide driveway at Schmidt Road as depicted on the plans, giving guests two means of ingress and egress.
3. Parking lots will be constructed as shown on the plans with internal driveways to move vehicles across the Property efficiently. The parking lots will have a sufficient number of spaces for the capacity of the Barn, including the required number of disability accessible spaces. There will be islands in the parking lot for lighting and landscaping.

VI. Noise and Light

The Applicant will install the minimum amount of exterior lighting necessary to provide guests with safe access to the Barn, lake area, and parking lot at night. The applicant will also install low-intensity ambient lighting for aesthetic purposes. Any such exterior lighting will only be used during regular operating hours and events, however, the Applicant may install security lighting consistent with such lighting used in this area. All light will be directed inward and not toward adjoining properties. Applicant anticipates that light fixtures will be installed along the driveways, in the parking lots, and near the "program lawn" as identified on the plan. Low-intensity ambient lighting will likely be installed throughout the Property where the use will occur.

Amplified music will only be permitted inside the Barn. Acoustic instruments and music will be permitted in outdoor areas. Temporary use of amplified sound may be used outdoors for purposes of making announcements or for performing wedding or other ceremonies. Any events will be subject to the time limitations indicated above. The Applicant will install screening as depicted on the plans, with such screening to consist of trees and other landscaping to mitigate noise and light impacts on adjoining properties. The Applicant will agree to install a buffer yard along the new driveway from Schmidt Lane adjacent to the neighboring property owner that meets or exceeds category "B" under Article 36 of the Ordinance. The approximate size and location of this buffer yard is depicted on the plans submitted with the Application.

VII. Conditional Use Criteria

As demonstrated by the plans and the Application, the proposed use will be limited in size and scope so as to not overpower the Property's existing use and character. The remodeling of the Barn, and proposed use thereof, is compatible with the organization of permitted and accessory uses that are protected in the A-2 district. Furthermore, the Boone County 2040 Future Land Use map designates the Property as suburban density residential and rural density residential. The proposed conditional uses will do more to preserve the agricultural aesthetic of the Property than the residential development that is likely if the Application is not approved. The existing barns that are identified by the letter "E" on the plan, will remain in place and will not be modified or part of the conditional use.

The requested use of the Property is consistent with the criteria by which conditional uses are to be evaluated in Boone County. First, the proposed use is harmonious and in accordance with the general objectives of the County's comprehensive plan for this area of Boone County. The use of the Property as an event space will be periodic, typically used on weekends during warmer months, and will permit the Property's continued character as residential and farmland. The drinking and eating establishment and retail sales will likewise be limited in size so as not to change the overall character of the Property and surrounding area. The surrounding area is developing at a rapid pace, marked primarily by ever expanding high-density residential developments. Jake's Farm presents an attractive alternative to further sprawl that can be used and enjoyed by the residents of the surrounding neighborhoods.

Second, the Applicant's design is harmonious and appropriate with the character of the area, as the improvements to be constructed include only additions to the existing Barn and construction of driveways, parking lots, and walking paths. These improvements will be constructed on only a small portion of the Property, allowing the remainder to continue as open green space. The improvements will not substantially change the appearance of the Property from the public roads or adjoining properties, and therefore will not change the essential character of the area.

As to the third criteria, the surrounding area is used entirely for suburban residential purposes. The requested conditional uses will not alter or impair these existing uses. In fact, given the number of residential developments in this area, there is a severe shortage of dining and entertainment options, and Jake's Farm can fill that void. Furthermore, as shown on the plans, the requested conditional uses will occur only around the Barn, and commercial activity will be screened or kept away from nearby residences.

The planned driveways will be sufficient to support safe ingress to and egress from the Property and are sufficient for the provision of emergency services. The Barn improvements will be constructed in accordance with applicable building codes and fire safety requirements. Water and electric utilities are already installed on the Property and any extensions or expansions of those services will be provided by the Applicant. Accordingly, consistent with the fifth criteria, the proposed use will not create excessive additional requirements at public cost or be detrimental to the economic welfare of the area. In fact, the proposed conditional uses would almost certainly require less public investment in infrastructure than alternative uses such as residential development.

The sixth criteria concerns the production of excessive traffic, noise, smoke, dust, fumes, glare or odors. To the extent the proposed use may create any additional traffic, noise, or light, the Application contains provisions to limit the impact thereof. As discussed above, hours of operation will be limited so that all amplified noise will end by no later than 12:00 a.m. on weekends and 10:00 p.m. on weekdays. Amplified music will be contained within the Barn. As shown in the plans, all existing residences are a significant distance away from the Barn and will experience limited noise or light emanating therefrom. The maximum indoor capacity of the Barn will be approximately 300 people and will not create excessive traffic in this area. Finally, as to the seventh criteria, the Applicant has provided for two alternative means of access in order to alleviate any traffic concerns. As outlined above, exterior lighting will be minimal and not create any glare on the public roads or adjoining properties.

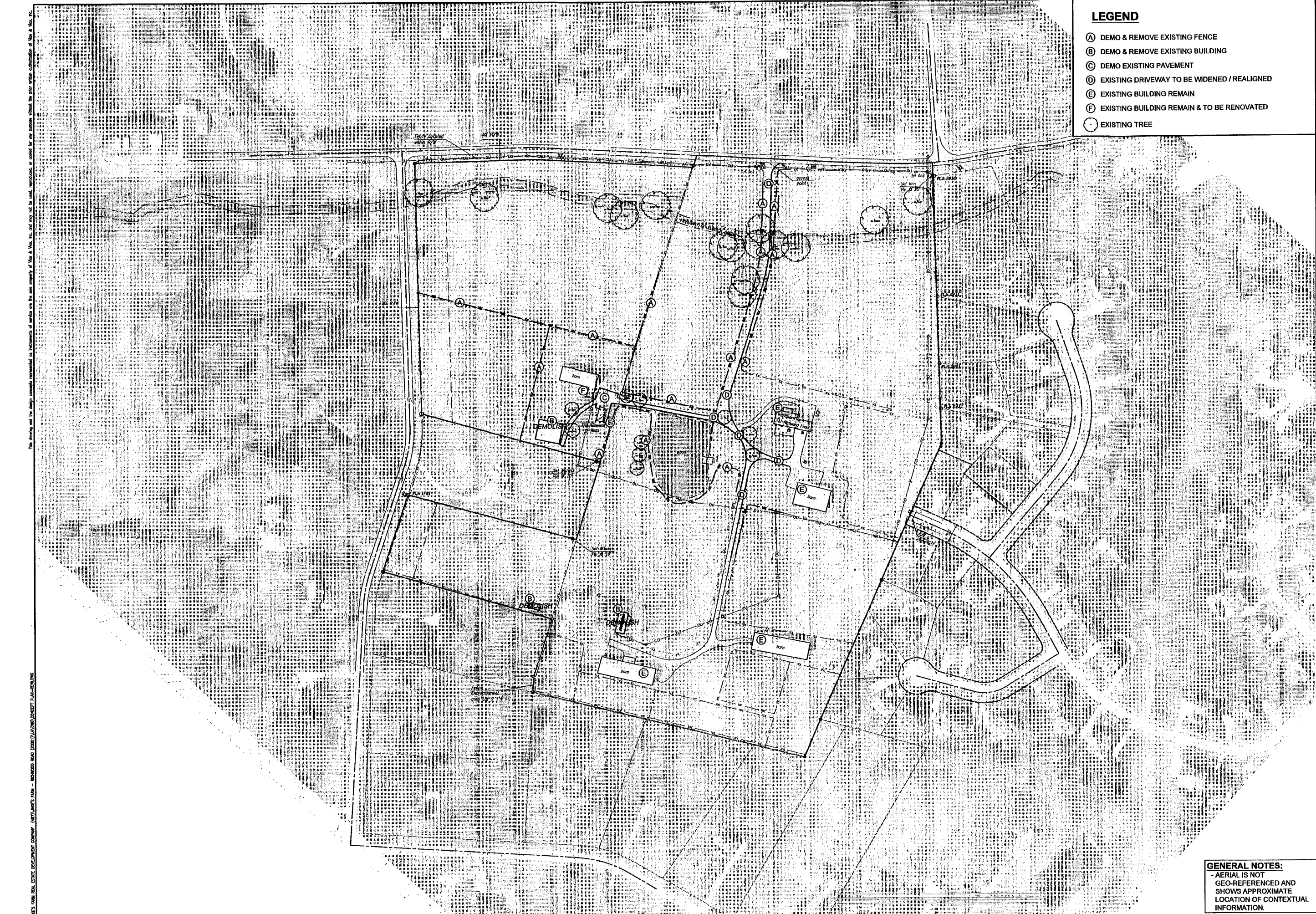
The Applicant respectfully requests that the Board of Adjustment grants its application for a conditional use permit.

VIII. Variance Criteria

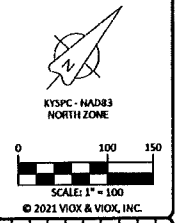
The entrance to the Property is situated at the bottom of a hill along Richwood Road. In order to improve visibility of the entrance, and so that motorists have advance warning of the location of the driveway entrance, the Applicant would like to construct a monument sign that is slightly larger than what is permitted under the Ordinance. Because of the character and topography of this Property, the larger sign will help with the safety of approaches to the driveway. Further, the Applicant wishes to construct a monument sign that is consistent with the type of signage used in residential neighborhoods in this area of Boone County. This is consistent with the zoning of the Property. The Applicant has also requested a variance to install a second sign at

the new entrance on Schmidt Lane. Again, to assist with the smooth flow of vehicular traffic, it will be beneficial to clearly mark the entrance of the Property with a monument sign. This second sign will likewise be constructed so as to be consistent with residential subdivision signage in the area. For these reasons, the requested variances satisfy the requirements of Section 250 and 251 of the Ordinance and Applicant requests that they be granted.

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- LEGEND**
- (A) DEMO & REMOVE EXISTING FENCE
 - (B) DEMO & REMOVE EXISTING BUILDING
 - (C) DEMO EXISTING PAVEMENT
 - (D) EXISTING DRIVEWAY TO BE WIDENED / REALIGNED
 - (E) EXISTING BUILDING REMAIN
 - (F) EXISTING BUILDING REMAIN & TO BE RENOVATED
 - (○) EXISTING TREE



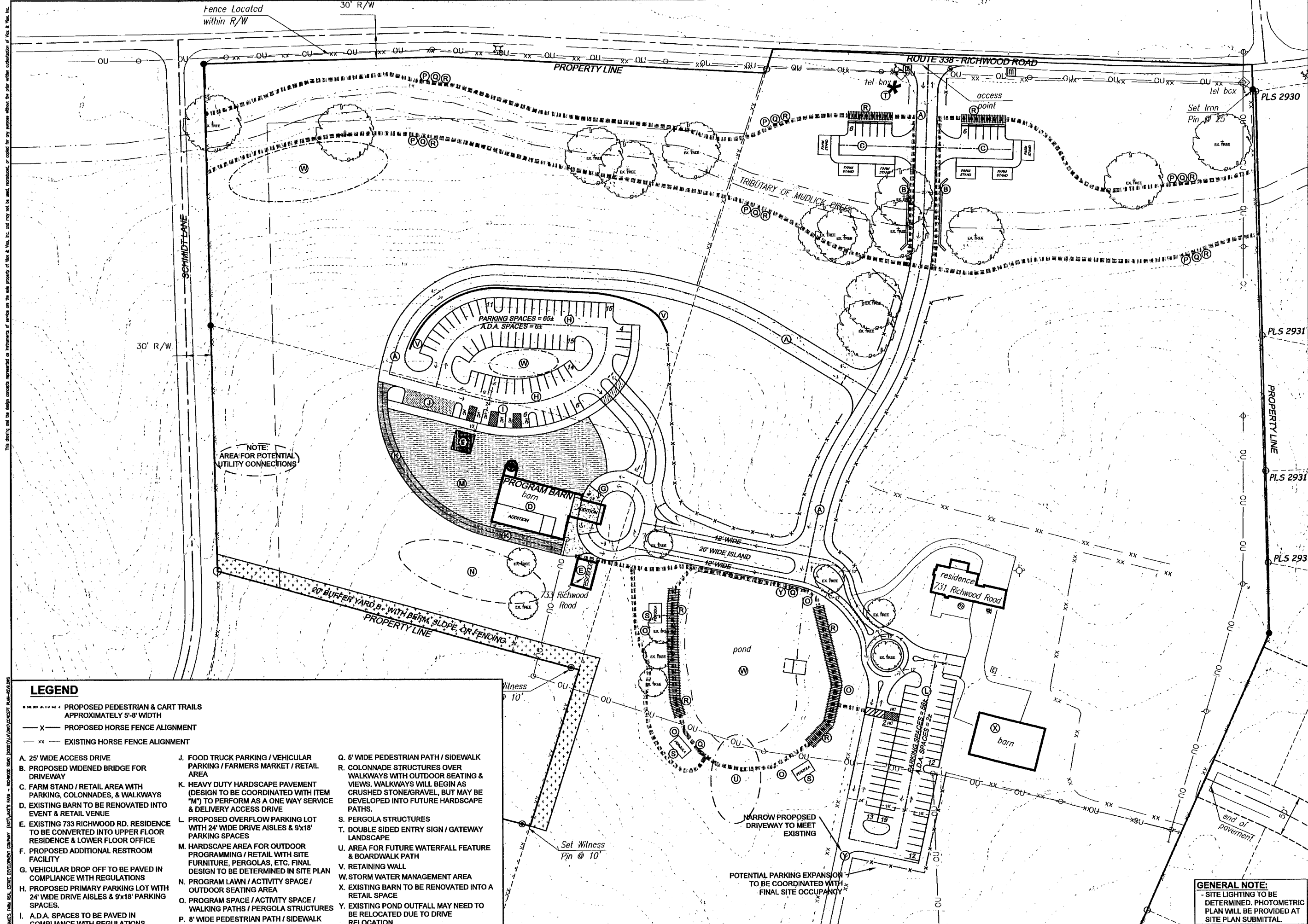
Item	Revision	Date	By	Chk.
1	ROAD SUBMITTAL	7/20/21	TMZ	BMW
2	ROAD SUBMITTAL	10/19/21	TMZ	BMW

VIOX & VIOX
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 www.vioxinc.com

JAKE'S FARM
CONCEPT DEVELOPMENT PLAN
 731 RICHWOOD ROAD, BOONE COUNTY, KENTUCKY
 EXISTING CONDITIONS

GENERAL NOTES:
 - AERIAL IS NOT GEO-REFERENCED AND SHOWS APPROXIMATE LOCATION OF CONTEXTUAL INFORMATION.

Project No:	130820001	Checked:	BMW
Date:	8/24/2021	Ref:	TMZ
Sheet:	1		



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LEGEND

- PROPOSED PEDESTRIAN & CART TRAILS APPROXIMATELY 5'-8' WIDTH
- X- PROPOSED HORSE FENCE ALIGNMENT
- xx- EXISTING HORSE FENCE ALIGNMENT
- A. 25' WIDE ACCESS DRIVE
- B. PROPOSED WIDENED BRIDGE FOR DRIVEWAY
- C. FARM STAND / RETAIL AREA WITH PARKING, COLONNADES, & WALKWAYS
- D. EXISTING BARN TO BE RENOVATED INTO EVENT & RETAIL VENUE
- E. EXISTING 733 RICHWOOD RD. RESIDENCE TO BE CONVERTED INTO UPPER FLOOR RESIDENCE & LOWER FLOOR OFFICE
- F. PROPOSED ADDITIONAL RESTROOM FACILITY
- G. VEHICULAR DROP OFF TO BE PAVED IN COMPLIANCE WITH REGULATIONS
- H. PROPOSED PRIMARY PARKING LOT WITH 24' WIDE DRIVE AISLES & 9'x18' PARKING SPACES.
- I. A.D.A. SPACES TO BE PAVED IN COMPLIANCE WITH REGULATIONS
- J. FOOD TRUCK PARKING / VEHICULAR PARKING / FARMERS MARKET / RETAIL AREA
- K. HEAVY DUTY HARDSCAPE PAVEMENT (DESIGN TO BE COORDINATED WITH ITEM "M") TO PERFORM AS A ONE WAY SERVICE & DELIVERY ACCESS DRIVE
- L. PROPOSED OVERFLOW PARKING LOT WITH 24' WIDE DRIVE AISLES & 9'x18' PARKING SPACES
- M. HARDSCAPE AREA FOR OUTDOOR PROGRAMMING / RETAIL WITH SITE FURNITURE, PERGOLAS, ETC. FINAL DESIGN TO BE DETERMINED IN SITE PLAN
- N. PROGRAM LAWN / ACTIVITY SPACE / OUTDOOR SEATING AREA
- O. PROGRAM SPACE / ACTIVITY SPACE / WALKING PATHS / PERGOLA STRUCTURES
- P. 8' WIDE PEDESTRIAN PATH / SIDEWALK
- Q. 5' WIDE PEDESTRIAN PATH / SIDEWALK
- R. COLONNADE STRUCTURES OVER WALKWAYS WITH OUTDOOR SEATING & VIEWS. WALKWAYS WILL BEGIN AS CRUSHED STONE/GRAVEL, BUT MAY BE DEVELOPED INTO FUTURE HARDSCAPE PATHS.
- S. PERGOLA STRUCTURES
- T. DOUBLE SIDED ENTRY SIGN / GATEWAY LANDSCAPE
- U. AREA FOR FUTURE WATERFALL FEATURE & BOARDWALK PATH
- V. RETAINING WALL
- W. STORM WATER MANAGEMENT AREA
- X. EXISTING BARN TO BE RENOVATED INTO A RETAIL SPACE
- Y. EXISTING POND OUTFALL MAY NEED TO BE RELOCATED DUE TO DRIVE RELOCATION



KYSPC - NAD83
NORTH ZONE



SCALE: 1" = 50'
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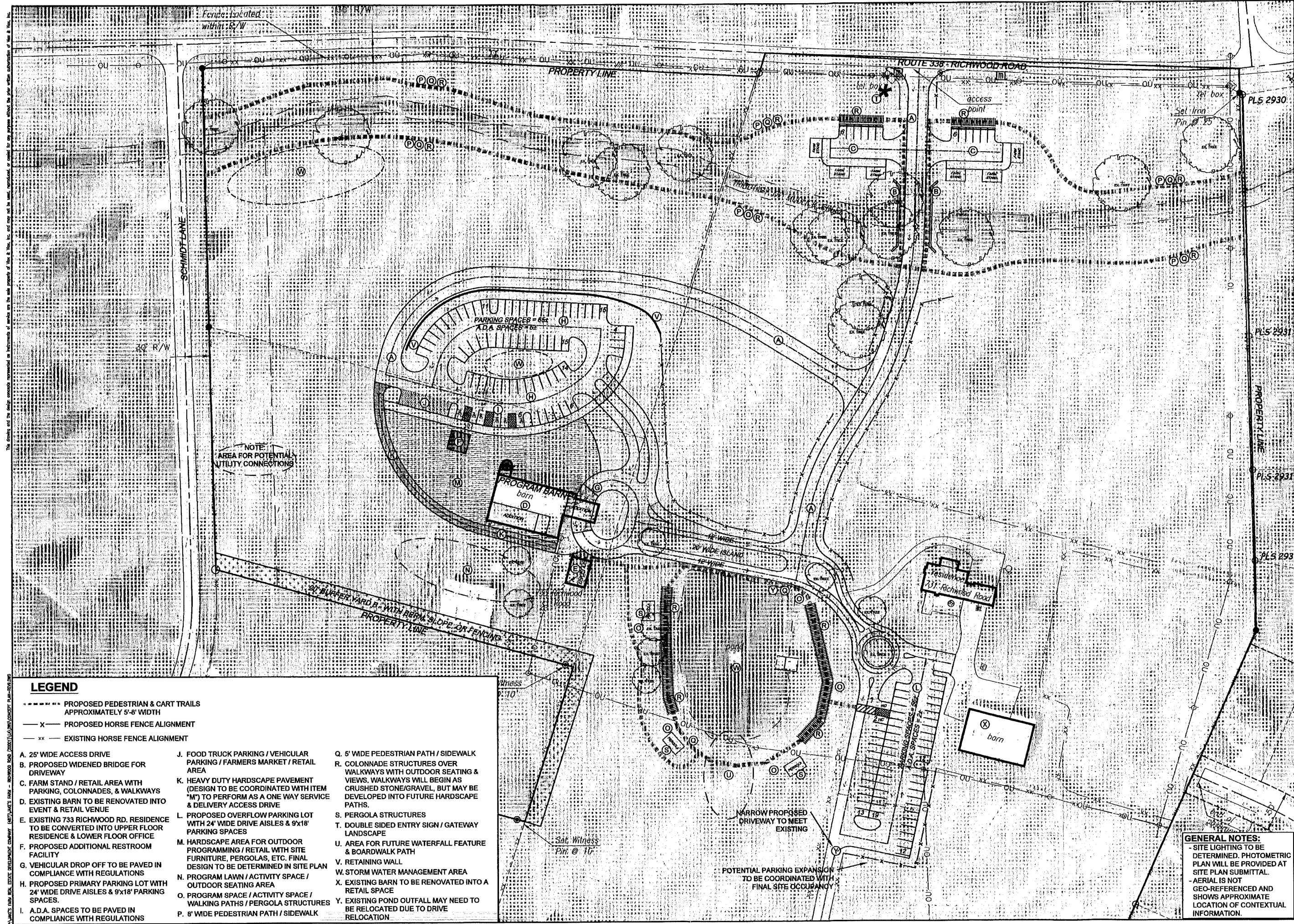
Item	Rev	By	Chk	Date	Desc
1	BOA SUBMITTAL	TMZ	BMK	7/20/21	BOA SUBMITTAL
2	BOA RESUBMITTAL	TMZ	BMK	10/15/21	BOA RESUBMITTAL

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JAKE'S FARM
CONCEPT DEVELOPMENT PLAN
731 RICHWOOD ROAD, BOONE COUNTY, KENTUCKY
CONCEPT DEVELOPMENT 50 SCALE

Project No: 13630001	Checked: BMK
Date: 10/15/2021	Ref: TMZ
Sheet: 3	

GENERAL NOTE:
- SITE LIGHTING TO BE DETERMINED. PHOTOMETRIC PLAN WILL BE PROVIDED AT SITE PLAN SUBMITTAL.




NOTE
AREA FOR POTENTIAL
UTILITY CONNECTIONS

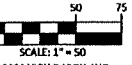
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GENERAL NOTES:
 - SITE LIGHTING TO BE DETERMINED. PHOTOMETRIC PLAN WILL BE PROVIDED AT SITE PLAN SUBMITTAL.
 - AERIAL IS NOT GEO-REFERENCED AND SHOWS APPROXIMATE LOCATION OF CONTEXTUAL INFORMATION.




KYSPC NAUB3
NORTH ZONE



SCALE: 1" = 50'

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Rev	Date	By	Check	Reason
1	7/20/21	TMZ	BANK	1. RIA SUBMITTAL
2	10/15/21	TMZ	BANK	2. RIA RESUBMITTAL



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 www.voxandvox.com

JAKE'S FARM
 CONCEPT DEVELOPMENT PLAN
 CONCEPT WITH AERIAL

731 RICHWOOD ROAD, BOONE COUNTY, KENTUCKY

Project No: 136210001	Checked: BMM
Date: 10/15/2021	Ref: TMZ
Sheet: 4	