

ON MONDAY, DECEMBER 3, 2018, THE BOARD OF ADJUSTMENT HELD A MEETING IN THE 2<sup>ND</sup> FLOOR COURTROOM OF THE WOODFORD COUNTY COURTHOUSE AT 6:30 P.M.

Chairman Turney called the meeting to order.

### **Pledge of Allegiance**

**Members Present:** Frank Stark, Al Schooler, David Prewitt, Tim Turney, Fred Powers

**Minutes:** A motion was made by Mr. Stark, as seconded by Mr. Prewitt to approve the November 5, 2018 meeting minutes as submitted. Motion passed with five (5) aye votes.

### **NEW BUSINESS**

Application #12-022-2018 – Conditional Use Permit – Anderson Wooldridge 2, LLC – 210 Abbey Road – R-4/PUD – Article VII, Section 709.4(D) and 710.4 – Owner is seeking a Conditional Use Permit to construct and operate a clubhouse, pool and 24 hour fitness center.

Chairman Turney opened the hearing and called upon Pattie Wilson, Planning Director for comments. Mrs. Wilson noted that the Conditional Use Permit would allow them to construct a clubhouse as an incidental and accessory use to the multiple dwelling units currently constructed and under construction. The clubhouse will include a swimming pool, 24 hour fitness center and community room, for the benefit of the Applicant's residents in the neighborhood and apartments. The subject property consists of 1.55 acres and is zoned R-4/PUD (High Density Residential/Planned Unit Development). The property is part of Wooldridge Gardens and there are 80 single family residential lots as well as an apartment complex that is under construction. The area was rezoned in 2016 in order to accommodate the apartments; at that time they indicated their desire to have a clubhouse and pool located in this vicinity. This is a recorded lot of record, however it should be noted that the plat indicates that this Open Space area is "Non-buildable". The principal use of the property is the residential, from single family units up to high density residential. Approximately 70 of the single family homes are existing and occupied, and two of the apartment buildings are under construction with completion plans for spring early summer.

Mrs. Wilson provided the Ordinance, Article VII, Section 710.4 via 709.4(D). Mrs. Wilson highlighted the first four conditions as follows:

- 1 The Final Record Plat be amended to address this 1.55 acres being non-buildable.**
- 2 A Final Development Plan of this lot must be approved by the Planning Commission.**
- 3 Site Construction Plans shall be submitted to the Technical Review Committee (TRC) and approved prior to permits being issued.**
- 4 The C.U.P shall be personal with Anderson Wooldridge 2. LLC and shall become null and void upon sale or transfer of the property.**
- 5 The Applicants shall obtain all necessary permits from the Versailles-Midway-Woodford County Building Inspector and the Woodford County Health Department**
- 6 The Applicants shall return to the Board prior to any changes in the scope or area of the approved conditions.**
- 7 This C.U.P shall be reviewed annually for compliance with all noted conditions, and then when necessary by the Board, to ensure compliance with these conditions.**

Chairman Turney asked if any Board members had questions for Mrs. Wilson. Mr. Stark asked how many apartment units would be built.

Jon Strom was present on behalf of the applicant. Mr. Strom was not sure at the time. Mrs. Wilson noted that there would be six buildings and approximately 256 units. Mr. Powers asked if the facility that was being requested would be only for the residents of the Anderson Wooldridge Community. Mrs. Wilson noted that is the way the Conditional Use is defined. Mr. Powers questioned that since the C.U.P. runs with the owner, what would happen if the property was sold. Mrs. Wilson noted that the statutes enable Conditional Use Permits to be designated as permanently satisfied upon review. Mr. Prewitt questioned access to the pool and was concerned about the safety aspect of it. Mr. Strom noted that the system works on a key fob and is limited to certain hours of operation.

Mr. Prewitt noted that he would like to add a condition for safety. There was substantial discussion and the agreed language is listed as follows:

**8 Property management shall establish and enforce hours of operation of the pool that will provide a safe and sound environment.**

Chairman Turney asked if there were any additional questions or if anyone from the audience wished to speak. Hearing none, Chairman Turney closed the hearing and asked for a motion to approve or deny the Conditional Use Permit request.

**Motion was made by Mr. Stark, as seconded by Mr. Prewitt to approve Application #12-022-2018 – Conditional Use Permit – Anderson Wooldridge 2, LLC – 210 Abbey Road – R-4/PUD – Article VII, Section 709.4(D) and 710.4 – Owner is seeking a Conditional Use Permit to construct and operate a clubhouse, pool and 24 hour fitness center, as presented and with the eight conditions as listed. The motion carried with five (5) aye votes.**

**Motion was made by Mr. Schooler, so moved by Chairman Turney to adjourn at 6:42 p.m. Motion carried with five (5) aye votes.**

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**Chairman Tim Turney**  
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