

ON MONDAY, MARCH 7, 2022, THE BOARD OF ADJUSTMENT HELD THEIR REGULAR MEETING IN THE 2nd FLOOR COURTROOM OF THE WOODFORD COUNTY COURTHOUSE AT 6:30 P.M.

PLEDGE OF ALLEGIANCE

MEMBERS PRESENT: Tim Turney, Ken Winkfield, Lonnie Estes, Bart Shockley. **ABSENT:** David Prewitt.

MINUTES: A motion was made by Mr. Winkfield, as seconded by Mr. Estes, to approve the February 7, 2022 minutes, as submitted. The motion carried with four (4) aye votes.

PUBLIC HEARING - Application #03-003-2022 – Dimensional Variance – Michael & Lauren Mitchell (Owner/applicant) – 524 W Leestown Road - A-1 District - Article VII, Section 701.6 – Applicant is seeking a 30’ variance from the required 80’ front yard setback and a 40’ variance from required 50’ rear yard setback in order to remodel an existing non-conforming home and add an attached garage.

Chairman Turney declared the hearing open and called upon Joshua Stevens, Building and Zoning Inspector, for comments. Mr. Stevens noted that the Applicant was seeking a 30 ft variance from the required 80 ft front yard setback and a 40 ft variance from required 50 ft rear yard setback in order to remodel an existing non-conforming home with a new attached garage. The subject property is a residence currently zoned A-1 (Agricultural). The property is located on the northern side of Leestown Road and western side of Midway Road. The residence was constructed in 1949. The property is listed as 3 bedroom, 2.5 bath, with 1407 square feet of living space, and just over half an acre. This property and structure predate zoning and is therefore an existing non-conforming lot and structure.

Mr. Stevens provided in the staff report the appropriate Ordinances for the request as well as all associated definitions. All public notifications were met. The request for the variance appeared to meet the four necessary criteria (Mr. Stevens misstated that it met three).

Mr. Stevens provided four suggested conditions to be included if the Board approves the request and highlighted one of those:

1. This property is subject to all requirements of the Versailles-Midway-Woodford County Zoning Ordinance.
2. The owner shall comply with all other federal, state and local regulatory entities and shall provide copies to the Planning Commission office of any and all permits issued on behalf of the owner as a result of the approval of the Variance.
3. **The approved variance is granted only for the proposed additions of the attached garage and porch extension locations shown on the “Site Plan” attached to the application. Any future structures or additions shall conform to the standards of the Zoning Ordinance.**
4. The applicant shall apply for a building permit with the Versailles-Midway-Woodford County Planning & Zoning office prior to any construction or continuation with any construction started prior to obtaining a permit.

Chairman Turney asked if any members had questions regarding the staff report. Mr. Shockley questioned the criteria that Mr. Stevens noted that the application met three of the four criteria. Mr. Stevens noted that the statement was a typo. Chairman Turney called upon the applicant for comment.

Michael Mitchell was present and noted that they would appreciate the Board's support.

Chairman Turney asked if there were any questions or if anyone from the public wished to speak, hearing none, he closed the hearing and asked for a motion to approve or deny.

A motion was made by Mr. Winkfield, as seconded by Mr. Shockley, to approve, based on the staff report record and the four (4) conditions listed, Application #03-003-2022 – Dimensional Variance – Michael & Lauren Mitchell (Owner/applicant) – 524 W Leestown Road - A-1 District - Article VII, Section 701.6 – Applicant is seeking a 30' variance from the required 80' front yard setback and a 40' variance from required 50' rear yard setback in order to remodel an existing non-conforming home and add an attached garage. The motion carried with four (4) aye votes.

PUBLIC HEARING - Application #03-004-2022 – Conditional Use Permit – Sarah Abbeyquaye (Abbey Acres Farm, Owner) and Building the Bluegrass (Joey Svec, applicant) – 3325 Old Frankfort Pike - OHA-1 District - Article VII, Section 701.4(I) & 701.8(A) – The Owner/applicant is seeking a Conditional Use Permit to operate an Agri-tourism/Business Enterprise utilizing the first floor of the existing barn as an assembly hall for special events.

Chairman Turney declared the hearing open and called upon Mr. Stevens for comments. Mr. Stevens noted that the Owner was seeking a Conditional Use Permit to operate an Agri-tourism/Business Enterprise utilizing the first floor of the existing barn as an assembly hall for special events and an adjacent 2 car garage as food prep area. Abbey Acres Farm is located at 3325 Old Frankfort Pike and consist of 5.78 acres of A-1 zone property with a majority of the property having an OH (Old Historic) overlay. The Farm has three primary structures: the main residence, a detached garage, and a horse barn with six stalls, tack room, wash bay, restroom, office, and an accessory dwelling on the second floor. There is also a round pen at the rear of the barn. The Agricultural Advisory Review Committee (AARC) met on January 12, 2022 to review the proposal, after conducting a site visit on January 10, 2022, and recommended to forward the request onto the BOA for further review as a Conditional Use. The Owner's property appears to be of sufficient size to accommodate the proposed uses. The Site Plan shows that there is adequate space to accommodate the proposed Agri-tourism/Business Enterprise and associated parking. The request appeared to meet all of the necessary criteria and the associated Ordinances. All public notifications were met.

Mr. Stevens provided eight suggested conditions to be included if the Board approves the request and highlighted two of those:

1. This property is subject to all requirements of the Versailles-Midway-Woodford County Zoning Ordinance.

2. Owner shall comply with all federal, state and local regulatory entities and shall provide copies to the Planning Commission office of any and all permits issued on behalf of the Applicant as a result of the approval of the CUP.
3. Owner's Conditional Use Permit shall become null and void upon the sale or transfer of the property.
4. Owner shall return to the Board prior to ANY changes to the approved conditions with the CUP.
5. **Owner shall abide by all 13 conditions proposed and recommended by the AARC as noted in attached BOA application dated February 14, 2022, prepared by Building the Bluegrass:**
 1. Events: No more than 10 events per year, and no more than 1 event every 5 days.
 2. Quiet Hours: All events will end at 10:00pm
 3. Capacity: A maximum capacity of 132 persons, including wedding parties, guests, and service providers or all Nonresident attendees.
 4. Signage: Will be added in both temporary and permanent applications:
 - a. A Permanent Farm sign will be installed at the main entry.
 - b. Permanent no trespassing signs will be added to the perimeter fencing
 - c. Temporary Event signs will be used along Old Frankfort Pike to help guest safely identify and prepare to enter the property
 - d. Temporary interior directional signs for traffic flow and parking will be used.
 5. Lighting: Lighting upgrades are going to take place inside the event barn with the addition of bistro (indirect, string lights) at the outdoor gathering space.
 6. Music: In addition to events ending at 10:00pm, music set-up will be limited to inside the event barn. Music will be amplified at low levels so guest can hear event leaders and music but will be located indoors and directed inward. Most likely entertainment will be located just inside the front sliding doors; this area is smaller in size to limit the band size available.
 7. Parking: Is located in the center of the property within an existing paddock. Parking requirements have been met and doubled to allow for overflow parking and parking rotation if needed. Service parking has been added next to the detached garage for service providers.
 8. Event Barn Office Space: Located just inside the event barn is an office which will be used as a flex space for events which include coat storage, beverage service, catering prep area, or wedding party dressing area. The room has a private half bath and refrigerator so depending on the event the space will be utilized space to make the facility much more attractive to guests.
 9. Event Barn Tack Room: The existing tack room will be used for event storage or beverage service for events depending on the users and event.
 10. Event Barn Emergency Egress: With project approval the event barn renovated

will include two emergency exit locations. One location will be through the existing apartment doorways. These doors will be replaced with the appropriate fire rated and exit doors and landings. The Second Location will be located at the back of the barn where the current double slider is located. The opening will be reframed to keep one sliding door and replace the other with a wall and appropriate fire exit.

Both locations will be identified with Exit signage and meet existing codes.

11. Round Pin: The existing round pin has been identified on the site plan for the use of outdoor gathering. Adding this space to the project will allow guests to travel easily between indoor and outdoor space and further the experience of the farm without impacting Old Frankfort Pike or surrounding properties.
 12. Tents: Tents will be allowed behind the event barn and in the Circle Pin only. No tents will be assembled in the front of any existing structure with a limit of two tents per event.
 13. Detached Garage: Will be used as an Event Staging and Service Area. This space will greatly add to the attractiveness for wedding guest and staging for events.
6. **Owner agrees to conduct events in conformance with building layout plan, site plan and business plan submitted with the application.**
 7. This CUP shall be reviewed annually for compliance with all conditions, and then when necessary by the Board, to ensure compliance with these conditions.
 8. The applicant shall obtain all necessary permits, if any, from the Versailles-Midway-Woodford County planning & Zoning, the Woodford County Health Department, and the Board of Architectural Review prior to operation of the event barn.

Chairman Turney asked if any members had questions regarding the staff report. Hearing none, Chairman Turney called upon the applicant for comment.

Joey Svec with Building the Bluegrass and Sarah Abbeyquaye, property owner, were present. Mr. Svec noted that the owner was trying to do a small events assembly space. Mr. Svec noted that they are limiting events to a maximum of ten a year with no more than one event every five days, so they can have more in the summer and less in the winter. Mr. Svec noted that they proposed two tents per event (he had not completed the sentence on the application). Mr. Turney questioned the egress and ingress. Mr. Svec noted that there were two gates and one would be used for entrance and the other for exit. They will use temporary signage and directional signage on the farm, as discussed with AARC.

Chairman Turney asked if there were any questions for the applicant or if anyone from the public wished to speak.

Chris Batts of Midway noted that he believed that this application was a great use for Woodford County and Midway and asked how many people were expected at each event and the effect that this would have on traffic on Old Frankfort Pike. Mr. Batts also questioned why a Real Estate Brokerage firm would be operating a special events assembly hall and who else would be involved in the operation. Mr. Batts noted

that this concern relates to Mr. Svec being a partner in the proposed RV park development and questioned if there was any relationship between that proposed development and this request for a Conditional Use Permit.

Chairman Turney noted that one of the conditions limits the total number of people to 132, which includes the guests and event personnel. Chairman Turney noted that there was no relation to the RV Park as these were two separate applications. Mr. Svec reiterated that the capacity would be 132 and includes anyone outside of residency. Mr. Svec noted that he and his company were hired by the owner to file the application and as the general contractor, so they will take it through the planning process and do all permitting then their scope of work stops. Mr. Svec noted that he was not an owner of the RV Park, again he was hired as a consultant. Ms. Abbeyquaye noted that her parents, who live on the farm, would be operating the events.

Chairman Turney asked if there were any other questions, hearing none, closed the hearing and asked for a motion to approve or deny the request.

A motion was made by Mr. Shockley, as seconded by Mr. Estes, to approve, based on the record and with the eight (8) conditions as listed, Application #03-004-2022 – Conditional Use Permit – Sarah Abbeyquaye (Abbey Acres Farm, Owner) and Building the Bluegrass (Joey Svec, applicant) – 3325 Old Frankfort Pike - OHA-1 District - Article VII, Section 701.4(I) & 701.8(A) – The Owner/applicant is seeking a Conditional Use Permit to operate an Agri-tourism/Business Enterprise utilizing the first floor of the existing barn as an assembly hall for special events. The motion carried with four (4) aye votes.

A motion was made by Mr. Winkfield, so moved by Chairman Turney, to adjourn at 6:44 p.m. The motion carried with four (4) aye votes.

Tim Turney, Chairman
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