

ON MONDAY, MAY 3, 2021, THE BOARD OF ADJUSTMENT HELD THEIR MEETING IN THE 2ND FLOOR COURTROOM OF THE WOODFORD COUNTY COURTHOUSE AT 6:30 P.M.

PLEDGE OF ALLEGIANCE

Chairman Turney called the meeting to order.

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

MINUTES: A motion was made by Mr. Prewitt, as seconded by Mr. Winkfield, to approve the April 5, 2021 minutes, as submitted. The motion carried with five (5) aye votes.

Application #05-007-2021 – Conditional Use Permit – KY Bluegrass Experience Resort, Owner and Joey Svec, Applicant – 485 Georgetown Rd – A-1/CO-1 Districts – Article VII, Section 701.4(M) & 701.2(E); Article II, Definition 306 A & 306 B – Owners/applicants are seeking a Conditional Use Permit to operate a Tourist Destination Expanded enterprise to incorporate an RV and camping resort with associated uses.

Chairman Turney declared the hearing open and called upon Joshua Stevens, Building and Zoning Inspector, for comments. Mr. Stevens noted that the Owner/applicants are seeking a Conditional Use Permit to operate a Tourist Destination Expanded enterprise. If approved, the changes from regular Tourist Destination will be expanded by adding overnight accommodations for guests from 10 to 472, with 15 employees, and 11 owner sites; for a total of 498 guests. The additional seating for food services will be expanded from 75 to 265 seats with table service, and 135 self-service seats. The change in amenities and special events from the maximum amount of 7 per week with no more than 2 per day, to an unlimited amount. Mr. Stevens noted the subject property was known and operated as the Elkwood Farm and, was purchased by the Mitchell's in the late 1930's. The Kentucky Bluegrass Experience Resort purchased 240 acres of the farm in November 2020 to use as tourist destination expanded. The portion of the proposed tourist destination in Woodford County consists of 97.59 acres and contains a portion of the Elkhorn Creek. The property appears to be of sufficient size to accommodate the proposed use.

Mr. Stevens provided in the staff report the appropriate Ordinances for the request as well as all associated definitions. All public notifications were met.

Mr. Stevens provided 14 suggested conditions to be included if the Board approves the request and highlighted eleven of those:

1. This property is subject to all requirements of the Versailles-Midway-Woodford County Zoning Ordinance.
2. Owner/Applicants 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/Applicants Conditional Use Permit shall become null and void upon the sale or transfer of the property.**
4. Owner/Applicants shall return to the Board prior to ANY changes to the approved conditions with the CUP.
5. 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.

- 6. Number of overnight guest accommodations shall be limited to 472 plus 15 employees and 11 owner sites.**
- 7. The hours of outdoor music must cease before 10PM.**
- 8. Light pollution shall be controlled with directional lighting, warm color and low level lighting, and downward facing lights at borders of property.**
- 9. All events, amenities, amplified music, and activities shall have designated hours of operation and will cease before 10PM.**
- 10. Landscape buffering and fencing will be added with no trespassing signage on adjacent properties.**
- 11. Trail Maps and property boundary maps will be provided to all campers and guests.**
- 12. Wayfinding signage will be provided along all trails.**
- 13. Wayfinding signage shall be located as close as possible to the I-64 and Georgetown Rd interchange to give visitors adequate time to prepare for left handed turn into resort.**
- 14. The Applicants shall obtain all necessary permits from the Versailles-Midway-Woodford County Planning and Zoning and the Woodford County Health Department prior to hosting any events.**
- 15. All campsites and facilities shall have City public water and sewer.**

Chairman Turney noted that the following letters of support were received prior to the hearing: Woodford Forward, Woodford County Chamber of Commerce, Woodford County Tourist Commission and The Woodford County Economic Development Authority, letters were entered into the record.

Chairman Turney asked if any members had questions regarding the staff report. Chairman Turney noted that since this project is in Woodford and Scott Counties, has it been approved in Scott County and what happens if one county approves it and one county doesn't. Pattie Wilson, Planning Director, noted that the owner/applicant had not applied in Scott County yet, since the vehicular access is in Woodford County they started here first. A future phase would be in Scott County and go through whatever Scott County required. Chairman Turney called upon the applicant for comment and asked them to keep the presentation to around fifteen minutes because of the number of agenda items.

Joey Svec with Building the Bluegrass, representing the owner, Kentucky Bluegrass Experience Resort, prepared a PowerPoint presentation and noted that they agreed with all conditions as presented by Mr. Stevens. Mr. Svec noted that Scott County would receive whatever they do in Woodford County and most of the project and amenities are in Woodford County. Chairman Turney asked if they anticipated the owners and employees to be onsite to occupy the sites as described on the plan. Mr. Svec stated partially and they anticipate about 15 full-time staff and could fluctuate during the season to 100-150 people. There would be housing available for full-time employees. The owner sites are for partners of the project.

Chairman Turney asked if there were any questions for the applicant. Mr. Shockley asked if the activity would be visible from Leestown Road. Mr. Svec reviewed a zoning map to show how their site fits in to the area. Mr. Svec noted that they would be well buffered from Leestown Road and there is a large buffer space between their site and Georgetown Road, most of the amenities are tucked well into the site. Mr. Svec noted three landmarks that were very important to the project and they consist of the Elkhorn Creek, spring, stream and sink and rolling hills. Chairman Turney asked how long an RV could be parked on a

site. Mr. Svec noted that this was a leisure park model and they attract people for vacation and they are prepared to not allow full-time long-term guests and were considering 6 months to a year maximum stay. They will not be allowed to build storage sheds or decks around the camper. Mr. Shockley asked if transient workers would be able to park there and go to work from that location. Mr. Svec noted that if they were willing to pay the fee and abide by the rules then yes they could stay there but not for a year or two. Mr. Svec noted that the aquatic park is still in the planning phase but would be a full aquatic park and available to the public. They will encourage local residents to come. Mr. Svec introduced the following people in attendance: Brad Boaz with CMW, Andrew Hopewell (owner) and his wife, and via Zoom was Jane Cohen and Don Westphal. Mr. Svec reviewed the guest accommodations and noted that there were 390 RV sites and 82 cottages (no different than an RV but look like cottages); they are not permanent structures and can be moved. They proposed a food service area consisting of 400 total seats with multiple sources of food service. Mr. Svec reviewed the amenity area where there would be the aquatic park, ball courts playground, dog parks, bike trails and access to the Elkhorn Creek. Mr. Svec noted that the lighting will be as low impact to the neighbors as possible and will be doing warm light shielded downward. They will be using grass lawn swales and rain gardens throughout the property to clean water. Architecture is important to them so they will mimic what is in the area. Chairman Turney questioned parking area. Mr. Svec noted that every RV site will have its own parking spot; and they will have 161 spaces at check-in; 72 spaces at the amenities area; 1:6 ratio per cottage; 23 employee spaces and 17 owner parking spaces.

Chairman Turney asked if anyone from the public wished to speak.

Vickie Riddle of Midway, asked where the RV's would be parked. Mr. Svec noted that the RV's would be on the southern part of the property and the property to the east would be landscaped and buffered.

Judy Luxom of Midway asked for clarification of the sites. Mr. Svec showed a drawing/layout of the site and noted that there would be a landscape buffer.

Mrs. Riddle noted that no one buffers and wanted to voice that concern. Chairman Turney noted that since this was a Conditional Use Permit that it gets reviewed every year and if the conditions are not met then it could get revoked.

Lucas Witt with Woodford County Economic Development Authority noted that this project will help promote new business and more growth. The EDA has a vested interest in the area because they still have commercial lots to sell in Midway Station and they believe this project would benefit growth in the community.

Nathan Brown with Bluegrass Distillers is one of the owners of the adjacent property to the south. They are concerned but also excited about what is happening in the area and noted that the buffer was very important to them. They believe that it will be a place for Kentucky to shine and are in support of the project.

Chairman Turney closed the hearing and asked for a motion to approve or deny.

A motion was made by Mr. Winkfield, as seconded by Mr. Estes, to approve, based on the staff report and record and with the fifteen (15) conditions listed, Application #05-007-2021 – Conditional Use Permit – KY Bluegrass Experience Resort, Owner and Joey Svec, Applicant – 485 Georgetown Rd – A-1/CO-1 Districts – Article VII, Section 701.4(M) & 701.2(E); Article II, Definition 306 A & 306 B – Owners/applicants are seeking a Conditional Use Permit to operate a Tourist Destination Expanded enterprise to incorporate an RV and camping resort with associated uses.

Chairman Turney asked if there were any discussion on the motion. Mr. Prewitt asked if the leasing could be limited. Chairman Turney shared that concern and noted that it could be reviewed annually and addressed at that time. Mrs. Wilson noted that if the Board wanted to limit the stay to six months then the owner/applicant would be agreeable to that. Chairman Turney asked the Board if the pleasure of the Board to add a condition limiting the maximum stay to six months including paid guests, they all agreed.

An amended motion was made by Mr. Winkfield, as seconded by Mr. Estes, to approve, based on the staff report and record and with the sixteen (16) conditions listed, Application #05-007-2021 – Conditional Use Permit – KY Bluegrass Experience Resort, Owner and Joey Svec, Applicant – 485 Georgetown Rd – A-1/CO-1 Districts – Article VII, Section 701.4(M) & 701.2(E); Article II, Definition 306 A & 306 B – Owners/applicants are seeking a Conditional Use Permit to operate a Tourist Destination Expanded enterprise to incorporate an RV and camping resort with associated uses. The motion carried with five (5) aye votes.

Application #05-008-2021 – Conditional Use Permit – Rick and Still Real Estate, LLC – 101 North Main St – OHB-2 District – Article VII, Section 714.4(D); Article II, Definition 277 – Owners/applicants are seeking a Conditional Use Permit to operate a 40 room Hotel/Motel in downtown Versailles.

Chairman Turney declared the hearing open and called upon Mr. Stevens for comments. Mr. Stevens noted that the applicant is requesting a Conditional Use Permit (CUP) to allow the operation of a Hotel/Motel in the heart of downtown Versailles at the old Community Trust bank building. The subject property is located in the OHB-2 (Old Historic Business District) in the heart of downtown Versailles, adjacent to the Courthouse. The Property was originally three different buildings, which have been connected internally to create one building. There are two floors in the southern building and three floors in the eastern building, plus a basement. The property is listed as containing 16,556 square feet of usable space. This Property was the original location of the very first bank west of the Allegheny Mountains known as the Woodford Bank and Trust Company established March 1852. The property was listed on the National Register of Historic Places in September 1975 as part of the Downtown Versailles Historic District. In January of 1997, the bank was purchased and merged with Community Trust Bank. There is no record of previous BOA approvals for this address, however recently in November of 2020, the BOA approved a similar hotel for short term rentals a few blocks down the road. The property appears to be of sufficient size to accommodate the proposed use. All public notifications were met.

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

1. **The Owner/Applicant will operate no more than 40 rooms.**
2. **Guests will park cars in the designated street parking as shown in aerial photo, or public parking lot nearby, or utilize provided valet parking.**
3. This property is subject of all requirements of the Versailles-Midway-Woodford-County Zoning Ordinance.
4. **The C.U.P shall be personal with Rick & Still LLC and shall become null and void upon sale or transfer of the property.**
5. **The Owner/Applicant shall obtain all necessary permits from the Versailles-Midway-Woodford County Planning and Zoning, the Department of Housing Buildings and Construction, the Board of Architectural Review, and the Woodford County Health Department prior to operation of the Hotel.**
6. The Owner/Applicant 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 members had questions regarding the staff report. Chairman Turney noted that the Board was in receipt of three support letters from the Mayor of Versailles, Woodford County Economic Development Authority and Woodford Forward. A letter was received from the Woodford County Library voicing concern over the parking. The letters will become part of the record. Chairman Turney called upon the applicant for comment.

Scott Schuette, representing Rick and Still Real Estate, LLC, and Alex Riddle, a member of Rick and Still Real Estate, LLC were present. Mr. Schuette noted that in the B-2 zone there is not a requirement for parking but understood that it had been a concern of downtown and discussed this with the Library. It was their understanding that their property was allowed eleven spaces in the parking lot behind connected with their building and advised the Library that they will not be utilizing all eleven of their spaces nor will they be using the Library spaces. They have private parking for valet as well as public parking along Main Street. Mr. Schuette noted that a hotel is permitted in the B-2 zone as a Conditional Use as they are requesting. The applicant agrees with the 40 room cap and the other conditions as noted by staff. Mr. Riddle noted that this will help support the downtown and community and help fill in some of the empty storefronts downtown and to bring more people downtown. Mr. Riddle noted that they have been open about their plan and have been in conversation with the Library about the parking and hope their plan will help alleviate concerns about the parking.

Chairman Turney asked where employee parking was going to be located. Mr. Schuette noted that they would use five of the allotted eleven spaces behind the building. Chairman Turney asked where the valet drop off be. Mr. Riddle noted that there plan would be to have the valet on Court Street to get everyone off of Main Street. Chairman Turney asked about the size of the planned restaurant. Mr. Riddle noted that tentative plans call for a maximum seating of 70 seats. Mr. Estes asked if the restaurant would be valet parking or in the rear of the building. Mr. Riddle noted that restaurant guests would have access to valet parking. Mr. Schuette noted that patrons would not be directed to the rear parking lot. Mr. Winkfield asked if they were planning to have any outside activities. Mr. Riddle noted that there may be a proposed roof top.

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

Karen Kasacavage, Director of Woodford County Library, and Patrick Hall, member of Library Board of Directors were present and spoke. Ms. Kasacavage noted that they already face parking issues with Rolling Oven and post Covid when the Library goes back to weekend and evening hours it will be tight and noted that they may have to mark their spaces as reserved. Mr. Hall noted that in the short term, as the library expansion is going through construction, it would lessen parking in the rear lot as well; construction materials will be placed in the parking lot and may be some overlap in the projects creating less parking. Mr. Hall noted that they were not against the project because it is great to bring people downtown and maybe they will utilize the Library.

Lucas Witt with Woodford County Economic Development Authority noted that Woodford County is a unique community and has lots of visitors and when they come they are probably staying in neighboring counties; this project will help meet that need. This would be a great asset to the community and would be beneficial to the growth of Woodford County.

Chairman Turney closed the hearing and asked for a motion to approve or deny the request.

A motion was made by Mr. Estes, as seconded by Mr. Prewitt, to approve, based on the record and staff report with the seven (7) conditions as listed, Application #05-008-2021 – Conditional Use Permit – Rick and Still Real Estate, LLC – 101 North Main St – OHB-2 District – Article VII, Section 714.4(D); Article II, Definition 277 – Owners/applicants are seeking a Conditional Use Permit to operate a 40 room Hotel/Motel in downtown Versailles. The motion carried with five (5) aye votes.

Application #05-009-2021 – Dimensional Variance – Jonathan Pierce and Deanna Sallee – 4580 Tyrone Pike and 321 Milner Rd – R-3 District – Article V, Section 504.4(A); Article VII, Section 709.6 – Owners are seeking a 25 foot front yard variance for a garage to be constructed in the front(side) yard of their existing home.

Chairman Turney declared the hearing open and called upon Mr. Stevens for comments. Mr. Stevens noted that the owner was requesting a 25ft Dimensional Variance to allow the construction of an accessory garage in the front yard (side yard). This property was originally one of five separate legal non-conforming recorded lots. In September of 2005 the five lots were adjusted to create a single lot. If this variance is approved a sixth lot currently addressed as 4580 Tyrone Pike must be consolidated with 321 Milner Road, as well. This lot is currently vacant and was purchased by the current owners in July of 2016. There are no records of any prior variances to the subject property. Mr. Stevens noted that the request did meet all four criteria.

Mr. Stevens provided the appropriate Ordinances for the request. All public notifications were met.

Mr. Stevens provided six (6) suggested conditions to be included if the Board approves the request and highlighted four (4) 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 owners as a result of the approval of the Variance.
3. **The approved Variance is granted only for the specific setback for the accessory garage, as shown on the site plan. Future structures or additions shall conform to the standards of the Zoning Ordinance setback requirements.**
4. **The owner shall obtain all necessary permits from the Versailles-Midway-Woodford County Planning and Zoning for the construction of the house and garage.**
5. **The accessory structure shall not be taller than the existing residence.**
6. **The existing residence lot shall be consolidated with the lot proposed for the accessory structure prior to obtaining a building permit for the garage.**

Chairman Turney asked if any members had questions regarding the staff report. Chairman Turney asked for clarification of the front of the house. Mrs. Wilson noted that the house faced Tyrone Pike. Chairman Turney called upon the applicant for comment.

Deanna Sallee and Jonathan Pierce were present and noted that they were in agreement with the conditions as noted.

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

A motion was made by Mr. Winkfield, as seconded by Mr. Shockley, to approve, based on the record and staff report with the six (6) conditions as listed, Application #05-009-2021 – Dimensional Variance – Jonathan Pierce and Deanna Sallee – 4580 Tyrone Pike and 321 Milner Rd – R-3 District – Article V, Section 504.4(A); Article VII, Section 709.6 – Owners are seeking a 25 foot front yard variance for a garage to be constructed in the front(side) yard of their existing home. The motion carried with five (5) aye votes.

Application #05-010-2021 – Conditional Use Permit – Adam and Melanie Marshall – 4955 McCracken Pike – R-1C District – Article VII, Section 707.4, 705.4(H); Article V, Section 507 and Article II, Definition 212 - Owners are seeking a Conditional Use Permit to operate a Bed and Breakfast/Inn as a vacation rental consisting of a maximum of 3 bedrooms/6 guests.

Chairman Turney declared the hearing open and called upon Mr. Stevens for comments. Mr. Stevens noted that the owners were requesting a Conditional Use Permit (CUP) to allow the operation of a three bedroom Bed & Breakfast/Inn as a vacation rental located on the property known as 4955 McCracken Pike. The property is listed on Woodford County PVA as a two bedroom, one bathroom home approximately 1632 square feet. The principle use of the property is single family residential. The B&B will be the new use. The property appeared to be of sufficient size to accommodate the proposed use.

Mr. Stevens provided the appropriate Ordinances for the request. All public notifications were met.

Mr. Stevens provided eleven (11) suggested conditions to be included if the Board approves the request and highlighted six (6) of those:

1. This property is subject to all requirements of the Versailles-Midway-Woodford County Zoning Ordinance.
2. The applicant shall obtain all necessary permits, if any, from the Versailles-Midway-Woodford County Planning and Zoning and the Woodford County Health Department prior to operation of the B&B.
3. **The Owner, Lessee, or Owners agent must reside on the same property as the B&B, therefore the consolidation of 4955 McCracken Pike and 4845 McCracken Pike must be completed prior to operation of the B&B.**
4. **The Conditional Use Permit shall be personal with Adam & Melanie Marshall and shall become null and void upon the sale, rent or lease of the property to any other party.**
5. This property is subject to all requirements of the Versailles-Midway-Woodford County Zoning Ordinance, more specifically; B&B/Inn Conditions, A-R Section 507.
6. **The maximum number of guests shall be limited to 6, with up to 4 vehicles allowed.**
7. **No parties or events shall be allowed.**
8. **Guests shall not be allowed to have overnight visitors.**
9. **There shall be a 10:30 PM curfew and loud music shall not be allowed at any time.**
10. The applicant shall return to the Board prior to ANY changes to the approved conditions.
11. This Conditional Use Permit will be reviewed annually for compliance with all conditions, and then when necessary by the Board, to ensure compliance with these conditions.

Chairman Turney asked if any members had questions regarding the staff report. Chairman Turney called upon the applicant for comment.

Adam and Melanie Marshall were present. Mr. Marshall noted that they have lived in Millville for almost twelve years and previously lived in the home that they are requesting the CUP for. They bought the house next door and that is their current home. They are hoping to showcase Woodford County and profit a little from the tourism.

Chairman Turney asked for clarification of the number of bedrooms. Mr. Marshall stated they made a bedroom upstairs and that is the third one and PVA only has two bedrooms noted.

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

A motion was made by Mr. Winkfield, as seconded by Mr. Prewitt, to approve, based on the staff report and record, with the eleven (11) conditions as listed, Application #05-010-2021 – Conditional Use Permit – Adam and Melanie Marshall – 4955 McCracken Pike – R-1C District – Article VII, Section 707.4, 705.4(H); Article V, Section 507 and Article II, Definition 212 - Owners are seeking a Conditional

Use Permit to operate a Bed and Breakfast/Inn as a vacation rental consisting of a maximum of 3 bedrooms/6 guests. The motion carried with five (5) aye votes.

A motion was made by Mr. Winkfield, so moved by Chairman Turney, to adjourn at 7:43 p.m. The motion carried with five (5) aye votes.

Tim Turney, Chairman

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