

ON MONDAY, MAY 7, 2018, THE BOARD OF ADJUSTMENT HELD A MEETING IN THE 2ND FLOOR COURTROOM OF THE WOODFORD COUNTY COURTHOUSE AT 6:30 P.M.

Chairman Turney called the meeting to order.

Members Present: Frank Stark, Al Schooler, Tim Turney

Pledge of Allegiance

Minutes: April 2, 2018 – A motion was made by Mr. Stark, as seconded by Mr. Schooler to approve the minutes as submitted. Motion passed with three (3) aye votes.

Application #05-011-2018 - Dimensional Variance Permit – Laura Stouffer – 1470 Clifton Road – A-1 District – Article III, Section 306 (A)(H) – The owners are seeking a 100 foot variance from the required 300 foot setback for an event tent to be located no closer than 200 feet to the west property line, and a 250 foot variance from the required 300 foot setback for the guest parking to be located no closer than 50 feet to the west property line in order to have a Tourist Destination.

Chairman Turney declared the hearing open and called upon Mrs. Patricia Wilson, Planning Director for comments. Mrs. Wilson noted that the Stouffers were seeking two variances, one for the location of an event tent and one for the location of parking for the event along their west property line. They are hoping to operate a Tourist Destination which is a term that the Planning Commission and Legislative bodies adopted in 2013; it is a permitted use in the agricultural zone. The property was purchased by the Stouffers in the fall of 2017 and was part of the Prichard Farm which originally consisted of 150 acres. The Victorian home, which they reside in and are restoring, was known as “Heartland” and was constructed in 1886. The property is currently in the application phase of being listed on the National Register of Historic Places. The property is zoned Agricultural (A-1), consists of 30 acres and is located on the north side of Clifton Road approximately ½ mile from the city limits of Versailles. There are no records of any prior variances granted to this property. Mrs. Wilson provided the Board the Ordinance for Tourist Destination and other ordinances that pertained to the request. They carefully addressed the four criteria and Mrs. Wilson summarized as follows:

- a. The historic home has existed since 1886 and makes the property eligible to be utilized as a Tourist Destination. The other remaining tracts of this farm do not have existing structures on them making this tract unique in this A-1 zoning district. In addition when the Prichard’s divided the farm the center tract was designed to be very deep and narrow leaving approximately 70 feet of useable area not encumbered by the 300 foot setback. The property has very unique environmental features with a wooded area around the historic home, pasture land, and bordered by Glens Creek in the rear.
- b. If the parking area and event tent are restricted to the center part of the farm more of the existing trees would have to be removed and the parking area would have a negative impact on the agricultural use of the pasture land.
- c. The Seller’s created the parcel in this very narrow configuration, not realizing the impact it could have on the use of the property as a Tourist Destination.
- d. This variance will not harm the public safety or welfare of the area. In fact it maximizes the preservation of the farmable land and protects the wooded area.

All public notice requirements were met and it did appear to meet the necessary criteria listed above as addressed by Mrs. Wilson and on the application as far as findings and facts. Mrs. Wilson noted the following conditions if the Board chose to approve the request:

- 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 uses noted herein. Any future structures or additions shall conform to the standards of the Zoning Ordinance.**

Chairman Turney asked if any Board members had questions for Mrs. Wilson. Hearing none, Chairman Turney called upon the applicant for comments.

Laura Stouffer, owner and Mason Miller, Landscape Architect were present for discussion. Mrs. Stouffer distributed a photo that showed the narrow band if they had to abide by the 300' setback from all property boundaries. Mrs. Stouffer described the use of the house and the layout of the property and where the tent and parking is proposed to be located. Mr. Miller described how the water drains on the property. Mr. Miller noted that they are planning for approximately 65 parking spaces but was conceptual because they don't have a survey. Mr. Stark asked if the main purpose was to hold weddings and functions or will they be having a Bed and Breakfast. Mrs. Stouffer stated that they will not be having any overnight guests from events. The right side of the home, as well as the cellar, would be used for the bridal party to prepare for the wedding. The tent would be erected and removed after each event and they were not sure about the type of ground cover under the tent. Mr. Stark inquired about the tent, parking and number of guests. Mr. Stark asked how the guests would be entering and leaving the property. Mrs. Stouffer referred to the aerial photo and noted that they would be using the existing entrance that would be modified to allow for better sight distance. Mr. Miller noted that the road leading to the back would have pull-offs to allow traffic to pass. Chairman Turney noted that the entrance is very narrow and asked how many events they were planning and a description of a typical event. Mrs. Stouffer noted that wedding season would be typically May through October and would vary but may have 1-2 events a month for the first year and may pick up from there. The number of guests could be 100-150 and the acoustics would be turned off before 11:00 p.m. Mr. Stark asked if the entertainment or music be inside the tent and Mrs. Stouffer stated yes. Mr. Stark voiced concern about the property adjoining horse farms and that the noise could spook horses and noted that could be an issue. Chairman Turney reminded the Board that this request was not for a Conditional Use request and they are permitted by zoning to have Tourist Destination. Mrs. Wilson noted that all adjoining property owners were notified.

Chairman Turney asked if anyone from the audience had comments, hearing none, Chairman Turney closed the hearing and called for a motion to approve or deny the request.

Motion was made by Mr. Stark, as seconded by Mr. Schooler to approve the Application #05-011-2018 - Dimensional Variance Permit – Laura Stouffer – 1470 Clifton Road – A-1 District – Article III, Section 306 (A)(H) – The owners are seeking a 100 foot variance from the required 300 foot setback for an event tent to be located no closer than 200 feet to the west property line, and a 250 foot variance from the required 300 foot setback for the guest parking to be located no closer than 50 feet to the west property line in order to have a Tourist Destination, as presented with conditions as noted in staff report. Motion carried with three (3) aye votes.

Application #05-012-2018 – Dimensional Variance Permit – Anderson Wooldridge 2, LLC – 189, 191, 193, 195, 205, 207, 209, 211, 213 and 215 Abbey Road, Wooldridge Gardens, Phase II, Section 1A-1, Lots 1-10 – R-4/PUD District – New Urban Code, Chapter IV – The applicant is seeking a variance to reduce the required two-panel garage doors to a single panel door.

Chairman Turney declared the hearing open and called upon Mrs. Wilson for comment. Mrs. Wilson noted that this property had been before the Board several times in the last two years. The request before the Board presently was for ten specific properties. Their request was to reduce the required two-panel garage doors to a single panel door. Mrs. Wilson provided the history of other variances related to the properties in her report which was distributed to the Board members. All public notifications were met and did not receive any public comments. Mrs. Wilson noted that the applicant was very detailed in answering the criteria questions and she highlighted a couple as follows:

- A. The Lots differ from the rest of Wooldridge Garden single family development area portion because they are not served by rear alleys. The Lots will have to front on Abbey Road and therefore they will have to have forward facing garages, so it does make them unique to the vicinity.
- B. Requiring the two-panel doors would create an unnecessary hardship as it results in extra cost and extra maintenance while depriving the residents of reasonable use of the space.
- C. The requirement of two-panel garage doors was put in place by previous developers who most likely were intending to sell the homes and that is not the business plan of the applicant.
- D. Utilizing the single-panel garage door instead of the two-panel garage door would not adversely affect the public health, safety and welfare, nor create a hazard or nuisance to the public. The applicant believes that requiring the installation of two-panel doors would create a potential hazard for residents as it puts an obstacle, the wing wall, in the middle of the garage door opening. There is also the possibility of the resident striking the wing wall with their vehicle which could cause significant property damage as well as jeopardize their health, safety and welfare.

Mrs. Wilson noted that she provided the Board with copies of minutes from the Planning Commission meeting where the zoning conditions were discussed back in February 2006 and the motion that addressed it that the Commission used for the approval and then the PowerPoint that was used to describe the residences that would face the street and showed the two-panel doors. The garage must be set back five feet from the front edge of the porch.

Mr. Stark noted that there are existing homes that have single panel doors that face the alleys.

Chairman Turney asked the applicant for comment.

Jon Strom, Legal representative for the applicant was present and noted that there are single panel garage doors in the neighborhood and one thing different that they are going to do for the ones facing the street; they will add carriage door hardware to add a craftsmen style appearance.

Chairman Turney asked if any Board members had questions and if anyone in the audience wished to speak. With there being no public comments, Chairman Turney closed the public hearing and asked for a motion to approve or deny the request for a dimensional variance.

Motion was made by Mr. Schooler, as seconded by Mr. Stark to approve Application #05-012-2018 – Dimensional Variance Permit – Anderson Wooldridge 2, LLC – 189, 191, 193, 195, 205, 207, 209, 211, 213 and 215 Abbey Road, Wooldridge Gardens, Phase II, Section 1A-1, Lots 1-10 – R-4/PUD District – New Urban Code, Chapter IV – The applicant is seeking a variance to reduce the required two-panel garage doors to a single panel door in conjunction with the staff report. Motion carried with three (3) aye votes.

Mr. Stark made a motion, so moved by Chairman Turney to adjourn at 6:56 p.m. Motion carried with three (3) aye votes.

Chairman Tim Turney

TT/ko