



The Blue Grass Trust
for Historic Preservation
Wednesday, July 18, 2012

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Lexington Fayette Urban County Government
Board of Adjustment
200 East Main Street
Lexington, KY 40507

RE: Agenda Items for July 20, 2012

Dear Members of the Lexington Fayette Urban County Board of Adjustment,

The Bluegrass Trust for Historic Preservation, Inc. ("BGT") files this letter to state our objection to two matters before you on July 20, 2012. These matters are reflected on your agenda as 626 Kastle Road and 320 Rose Street.

The BGT was incorporated in 1955 and, since the time of its formation, has endeavored to promote the public recognition and preservation of buildings, structures, neighborhoods, districts, areas and objects which form the foundation of the Bluegrass region's historic fabric.

In the matter of 626 Kastle Road, the property owner has begun construction of a front yard parking pad with zero permits in place. The zoning ordinance Section 18-179 clearly states: *It shall be unlawful for any person to park a vehicle within the front yard, side yard, or back yard of any residential structure except upon an approved residential driveway as defined in article V of chapter 17. For purposes of this subsection, it shall also be unlawful for a person owning, possessing, managing or controlling residential property to allow the parking of vehicles within the front yard, side yard or back yard of such premises except upon an approved residential driveway as defined in article V of chapter 17.*

And to further clarify: *17-V Driveway (residential): A passageway for vehicle ingress and egress to private property meeting one (1) or more of the following criteria:*

- (i) *Must extend into an enclosed area such as a garage or carport.*
- (ii) *Must extend a sufficient distance beyond the front building line for a parked vehicle to completely clear such front building line.*
- (iii) *In the event of a corner lot, where the passageway leads from the street side lot line, such passageway must extend a sufficient distance beyond the street side building line for a parked vehicle to completely clear such street side building line.*

This lovely national register neighborhood has struggled mightily with the influx of student housing and students in modest single family homes. The petitioner is in fact using this property as rental housing. He, like other community members, should be called upon to abide by the ordinance and adhere to front yard parking limitations. The petitioner has an adequate driveway with his property and should encourage his tenants to accommodate each other in the use of the driveway.

In the matter of 320 Rose Street, the BGT objects to The Lexington Property Group, LLC request for a conditional use permit to occupy a building as a Fraternity House and as grounds for its objection, states the following:

The BGT calls your attention to winter pictures of the Theta of Keppa Alpha Corporation, located at another prominent street corner, Maxwell and Stone. While the fraternity presents itself well at 235 E. Maxwell, a busy downtown street; and further demonstrates preservation of an existing structure, the side view of the same property reveals precisely what the fraternity brings to the neighborhood. Curb cuts providing access to the parking lot are ignored and residents seem to pull into the parking lot with total disregard for Stone Street side landscape and thus create what can only be described as a "mud pit" (with a couch).



The BGT would further remind members of the Board of Adjustment of another beautiful fraternity built at 410 Rose Lane. A prominent Lexingtonian, Mr. WT Young, served as the primary donor for the house occupied by the Sigma Alpha Epsilon Fraternity. Well over \$1m went into mahogany paneled rooms in a state-of-the-art building for the members of the distinguished fraternity. Just 10 short years later the building is cited for multiple fire code violations as the fire department responds to an "incident" in the house, which ultimately resulted in the banning of the fraternity from campus and serious charges pressed against a 19 year old member of the fraternity.

The BGT presses you, members of the Board of Adjustment, to recognize both of the matters addressed in this letter pertain to the community-wide problem created by the University of Kentucky's inability or unwillingness to provide sufficient housing to its students. While UK continues to spend hundreds of millions of dollars on new hospital buildings, athletic facilities and academic buildings, it simply throws up its hands when it comes to student housing and tells the citizens of Lexington – "You deal with it." The University must step forward and solve this problem. The neighborhoods surrounding the University have been engulfed by landlords or fraternities who convert beautiful property into dormitories. Columbia Heights, Aylesford and other historic neighborhoods surrounding UK should not be transformed into UK North or East. Our community seems helpless in resolving this matter and must come before you time and time again to defend our neighborhoods and our personal investments in our homes against the University's dereliction of its duties to its students and to the citizens of Lexington.

Fraternity houses, sorority houses, study lodges, big boxes or other names which seem to be code for student living and partying must not move into otherwise stable and well maintained neighborhoods.

The current members of The Lexington Property Group, LLC may be the most upstanding members of their fraternity and the BGT in no way wishes to offend those members. We do however wish to go back to our original point about turnover of membership, weariness or simple lack of care and its impact on standard of care. The men who are members today cannot possibly vouch for the behavior or standard of care future members will provide to this "property" and to this historic neighborhood.

The Board of Adjustment is respectfully asked to deny conditional use permits for 626 Kastle and 320 Rose Lane.

Sincerely,

A handwritten signature in cursive script that reads "Linda Carroll".

Linda Carroll
President