

From: [Willrealtyllc](#)
To: [Gabbard, Lacey A](#)
Subject: Binding Element for SpeedWash Bardstown Road, Fern Creek
Date: Wednesday, February 19, 2020 1:10:11 PM

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Lacey,

I believe you spoke with my father, David Will, this week regarding the binding element which requires a fence for the newly constructed SpeedWash on Bardstown Road. I wanted to follow up with you to let you know that, as of today, we have not received a letter from anyone regarding changing the binding element.

We, as adjoining owners, are very much opposed to releasing them from their fencing requirement. The (now) Walgreens next door and Aspen Creek have Tree put up a fence as a separator between the residential and commercial area on the road and that continuity should be maintained. Especially as the rear of the car wash intrudes even further into the more residential feel of the street. From conversations with other owners on Hillock Drive, they seem to feel the same.

Additionally the car wash is utilizing a private roadway and private property that they have no legal right to use. The expanded half of Hillock Drive lies on our property, it is not a public roadway and by a REA between 8014 and 8000 Bardstown only customers and invitees, etc of those two properties are supposed to be using the road- the SpeedWash is none of those. They asked us to revise the REA and include them and we could not sign it, so they chose to plow ahead without the easement.

Their attorney, owner, and engineer were all well aware and put on notice of the violation, but apparently there is no protection and a lawsuit, now involving Walgreens is still pending.

The car wash owner is not seeking relief from the binding element for any purpose that will enhance the neighbors' houses or surrounding properties, just providing better view of a gaudy eyesore.

I intend to attend the meeting tomorrow if I am able to do so, however I wanted to make our feelings and justifications for those feelings part of the record if I cannot attend.

Please let me know what number this case is on the docket, or if there actually is still a meeting as the car wash owner never sent out their notices to the adjoining owners seeking approval.

Thank you,

Kelly Will
Will Realty LLC

From: [Teena Halbig](mailto:TeenaHalbig)
To: [Gabbard, Lacey A](mailto:Gabbard.Lacey.A)
Cc: TeenaHal@aol.com
Subject: 19-AMEND-0004
Date: Wednesday, December 4, 2019 12:56:22 PM

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Hello,

Please convey these concerns regarding the Fern Creek Speedwash, 19-AMEND-0004 at 8102 Bardstown Road adjacent to 8104 Rite Aid. My husband and I are regular customers for many years since the Rite Aid was built in this location. There are many things I like about the design of this RiteAid: easy access from Bardstown Road via one lane and at the lighted intersection, the plantings and buffering from the busy and often congested Bardstown roadway; easy exit and its employees.

However, the small street separating the new car wash is narrow and buffering is greatly needed between the two businesses. A fence would provide additional buffering and noise reduction in this location or anywhere around the car wash business.

Please send me the **exact location** of where the fence was supposed to be (i.e. where the passed binding element showed the fence location) and if you know **who proposed the fence**, kindly send that information, too.

Therefore, we ask for DENIAL of the Fern Creek Speedwash's request to amend a binding element to omit a fence requirement.

And in case you missed reading the letter in the *Courier-Journal* on Sunday, the writer was quite dismayed at the *red and yellow colors* of this business. I gasped when my husband told me to look ahead at the colors. Even if this is the coloring used elsewhere (if this is a chain), the coloring does not conform to the area.

We also frequent other businesses in the area and request denial of this amendment to the binding element to omit a fence requirement. Also if you would please stipulate in the binding element that the fence not be red or yellow - if possible, a more natural color to blend into the area.

Sincerely,

Teena and Edward Halbig
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