

**MINUTES OF A MEETING OF THE  
FORT THOMAS BOARD OF ADJUSTMENT  
HELD AT THE FORT THOMAS CITY BUILDING  
ON TUESDAY, JULY 25, 2023  
AT 6:00 P.M.**

**PRESENT:** James Beineke  
Tom Duckworth  
Susan Wingard

**ABSENT:** Steve Dauer  
Carol Dixon

**ALSO PRESENT:** Mark Stewart, Building Inspector/Zoning Administrator  
Cheri Scherpenberg, Administrative Assistant

James Beineke presided and called the meeting to order at 6:05 p.m. and roll was taken.

**MINUTES – June 27, 2023**

Members reviewed the minutes of the June 27, 2023 meeting. A motion was made by Susan Wingard and seconded by Tom Duckworth to approve the minutes as written. Motion carried 3-0.

**NEW BUSINESS**

**CASE NO. 23-1634**

**718 N. Ft. Thomas Ave.  
Bret Heckman, Applicant/Owner  
Rear Setback Dimensional Variance  
Fence**

Bret Heckman was in attendance to address the Board. Mr. Heckman informed the Board that he is asking for a variance to construct a 4 ft. tall, KY 3-board fence to keep his kids safe and utilize his yard. Mr. Heckman said that the fence would be placed behind trees that are located a few feet back from the property line.

Mark Stewart reported that the applicant is requesting a variance from the provisions of Section 12.3 of the Zoning Ordinance to allow for the installation of a fence at the rear property line, which is the right-of-way line of Memorial Parkway. The front two-thirds of the site is currently zoned R-1C and rear one-third of the site is zoned R-3. Section 9.4 requires the rear yard setback to be equal to the front yard setback when the property abuts a street at the rear of the property. The minimum front yard setback for the R-3 Zone is thirty-five (35) feet. The applicant is proposing install the fence at the rear property line and along the two side property lines. Therefore, the request is for a 35 feet rear yard variance. The fence on the left side and right side property lines meet the minimum requirements for the zone.

Mr. Stewart also stated the rear property line is 9 feet at its closest point from the sidewalk on Memorial Parkway and applicant is proposing to install the fence on the other side of the trees from the sidewalk. The fence will not be any closer to the sidewalk than the two neighbors to the left standing on Memorial Parkway. The proposed location will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public and is not an unreasonable circumvention of the current requirements of the zoning regulations.

Minimal discussion ensued.

Susan Wingard made a motion and Tom Duckworth seconded a motion to approve the 35 ft. rear yard setback dimensional variance, citing that the fence will give the property owners safety for their children as well as a measure of privacy. Motion carried 3-0.

**CASE NO. 23-1635**

**103 Robson Ave.  
Michael Meyer, Applicant  
Side & Rear Setback Dimensional Variance  
Addition & Deck**

Michael Meyer was in attendance to address the Board. Mr. Meyer informed the Board that they currently have a 3 bedroom house. He said the addition would add 2 bedrooms, a 2 car garage and living space. Mr. Meyer stated that two maple trees will be removed for the deck and driveway, however a large oak tree will be preserved. He feels the addition will bring more consistency to the side of the house and improve the aesthetic.

Susan Wingard advised the applicant that any variance must include the location of the HVAC unit within the setback granted.

Mark Stewart reported that the applicant is requesting a variance from the provisions of Section 10.5 of the Zoning Ordinance to allow for the construction of a rear addition and deck on an existing single family residence, detached. The site is a corner lot and is currently zoned R-1C, which allows single family residences, detached and requires a setback of 8' from the left side property line, 15' from the right property line and 30' from the rear property line. The applicant is proposing to construct the addition 12' from the right side property line, 16' from the left side property line and the proposed deck will be 21' from the rear property line. Therefore, the request is for a 3' right side yard variance for the addition and 9' rear yard variance for the deck. The left side setback meets the minimum requirements for the zone.

Mr. Stewart also said the residence was constructed in 1927 12 feet from the Beechwood Avenue right-of-way and the applicant is proposing construct the addition at the same distance from the property line. The neighbor to the rear (14 Beechwood Avenue) is approximately 14 feet from the shared property line, so the deck will be approximately 35 feet from the neighboring residence. The proposed location will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public and is not an unreasonable circumvention of the current requirements of the zoning regulations.

Minimal discussion ensued.

Tom Duckworth made a motion and Susan Wingard seconded a motion to approve the 3' right side yard variance for the addition and 9' rear yard variance for the deck, citing that the addition will increase the square footage of the home and improve the aesthetic for the neighborhood. Motion carried 3-0.

**MOTION TO ADJOURN** – Susan Wingard made a motion to adjourn, James Beineke seconded. Motion carried 3-0.

Approved: \_\_\_\_\_  
Chair Date

Secretary: \_\_\_\_\_  
Secretary Date