

**MINUTES OF A MEETING OF THE  
FORT THOMAS BOARD OF ADJUSTMENT  
HELD AT THE FORT THOMAS CITY BUILDING  
ON TUESDAY, JUNE 27, 2023  
AT 6:00 P.M.**

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

**ABSENT:** Steve Kowolonek  
Carol Dixon

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

James Beineke presided and called the meeting to order at 6:03 p.m. and roll was taken.

**MINUTES – May 30, 2023**

Members reviewed the minutes of the May 30, 2023 meeting. A motion was made by Susan Wingard and seconded by Steve Dauer to approve the minutes as written. Motion carried 4-0.

**NEW BUSINESS**

**CASE NO. 23-1628**

**137 Garden Way  
Ron Rosel, Applicant/Owner  
Setback Dimensional Variance  
Addition & Garage**

Ron Rosel was in attendance to address the Board. Mr. Rosel informed the Board that he is asking for the variance for the garage with living space above so that he has room to utilize the garage without driving onto the neighboring property. Mr. Rosel acknowledged that the property is in a single-family zone and the additional living space will be used appropriately. He also noted that there will be an additional HVAC unit that will also meet setback requirements.

Mark Stewart reported that the applicant is requesting a variance from the provisions of Section 10.4 of the Zoning Ordinance to allow for the construction of a rear addition with a two car garage and additional living space above. The site is currently zoned R-1B, which allows single family residences, detached and requires a setback of 9' from the side property line. The applicant is proposing to construct the addition 5 feet from the left side property line. Therefore, the request is for a 4 feet left side yard variance. The right side and rear setbacks all meet the minimum requirements for the zone.

Mr. Stewart also noted the lot is approximately 53 feet wide at the proposed addition location and would make it difficult to pull in and out of the garage if the addition was built at the required side yard setback. The addition will be 2 feet closer to the left side property line than the current residence. The neighboring house to the left of the referenced residence is approximately 18 feet from the property line. 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 4ft. left side setback dimensional variance, citing that the garage and addition will add living space to the current property. Motion carried 4-0.

**CASE NO. 23-1629**

**109 Carolina Ave.  
Tim Burks, Applicant  
Setback Dimensional Variance  
New Single Family Home**

Tim Burks was in attendance to address the Board. Mr. Burks informed the Board that the previous home on the lot has been demolished and a new single-family home is being built. He said the home will be set back on the lot for a fair amount of off street parking as parking is limited in this area. The variance request will accommodate a garage that will be a good distance from the adjacent property. Mr. Burks relayed that the proposed location of the house will help to save trees and greenspace that are currently behind the property.

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 new single family residence, detached. The site is currently zoned R-1C, which allows single family residences, detached and requires a setback of 25' from the front property line. The applicant is proposing to construct the house 12.5 feet from the front property line. Therefore, the request is for a 12.5 feet front yard variance. The left side, right side and rear setbacks all meet the minimum requirements for the zone.

Mr. Stewart also said the amount of the building that is proposed to be close to the street is only 22 feet wide for a garage. The closest part of the rest of the house will be approximately 37 feet from the front property line with the rest of the house being at least 40 feet. There are two other houses on the street that are close to this proposed setback, but they are 5 feet further back from the street. The rest of the houses are setback further. 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.

Steve Dauer made a motion and Susan Wingard seconded a motion to approve the 12.5 ft. front yard setback dimensional variance, citing that the proposed location of the garage is bound by a public and private street and would not interfere with other owner's enjoyment of their property, also maintaining maximum greenspace on the lot itself. Motion carried 4-0.

**CASE NO. 23-1630**

**CASE NO. 23-1630 WITHDRAWN**

**383 Newman Ave.**

**Catherine Martin, Applicant  
Dimensional Variance from  
the Maximum Height Requirements  
Subdivision Entrance Sign**

**CASE NO. 23-1631**

**29 Bluegrass Ave.**

**Bob McManus, Applicant/Owner  
Setback Dimensional Variance  
Addition & Garage**

Bob McManus was in attendance to address the Board. Mr. McManus informed the Board that the addition will be located on the left side of the house and cannot be placed in the rear due to a drop off of the property. Mr. McManus said the garage will need to be wide enough to open doors of a larger SUV and therefore is requesting to be closer to the property line. Mr. McManus stated that the driveway that is currently there is 2 ft. wider than the proposed structure.

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 an attached one car garage on the left side of the residence and a room addition on the front of the residence. The site is currently zoned R-1C, which allows single family residences, detached and requires a setback of 8' from each side property line. The applicant is proposing to construct the garage 5 feet from the left side property line and the residence is approximately 5'-3" from the right property line. Therefore, the request is for a 3 feet left side yard variance and a 2'-9" right side yard variance. The front and rear setbacks meet the minimum requirements for the zone.

Mr. Stewart also stated that the residence is located approximately 181 feet from the street and 127 feet behind the house on the right. The front addition will not be any closer to the right property line than what the residence is and will not be close to the neighboring residence. The proposed garage will be approximately 8.5 feet from the residence on the left. The proposed additions 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.

Steve Dauer made a motion and Tom Duckworth seconded a motion to approve the 3ft. left side and 2'-9" right side setback dimensional variance, citing that the variance will not cause undue harm to neighboring properties. The narrowness and width of the lot constricts the type of building that can go on the lot and without granting the request it would not allow the resident to use his property properly. Motion carried 4-0.

**CASE NO. 23-1632**

**57 Miami Pkwy.  
Brent Niese, Applicant  
Setback Dimensional Variance  
Expansion & Covering of a Porch**

Brent Niese was in attendance to address the Board. Mr. Niese stated that the home is in an R1-B zone and is supposed to have a minimum of a 65ft. wide lot, however the lot is only 49 ft. wide. Mr. Niese said the house, driveway and porch are condensed for this lot. Mr. Niese informed the Board that the porch that is currently there is deteriorating from age causing water damage to interior walls. The homeowners would like to replace the porch and feel it would be more aesthetically pleasing with a variance to expand.

Mark Stewart reported that the applicant is requesting a variance from the provisions of Section 10.4 of the Zoning Ordinance to allow for the expansion of a covered front porch. The site is currently zoned R-1B, which allows single family residences, detached and requires a setback of 9' from the side property line. The applicant is proposing to construct the covered front porch 5 feet from the right side property line. Therefore, the request is for a 4 feet right side yard variance. The front and left side setbacks meet the minimum requirements for the zone.

Mr. Stewart also said the property owners are wanting to expand the front porch to be closer to the right edge of the house and also construct a roof over the entire porch. The proposed front porch will almost encompass the entire width of the residence, which will be similar to several of the nearby residences. The Board approved an application to construct a rear addition to within 6.9 feet from the right side property line at the referenced address in June 2016. 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 4ft. right side yard setback dimensional variance, citing that the design will add to the appearance of the house as opposed to detract as well as hopefully resolve major water issues experienced by the homeowner. Motion carried 4-0.

**CASE NO. 23-1633**

**104 Broadview Pl.  
Emma Adkisson, Applicant  
Setback Dimensional Variance &  
Variance from Maximum Height  
Requirements for the Construction of  
A New Single Family Residence**

Albert Fedders, with Fedders Construction was in attendance to address the Board. Mr. Fedders discussed the proposed placement of the house stating there is a sewer easement and mature trees located in the rear as well as a drop off in the hillside. Mr. Fedders said that the height variance should not affect neighbors as most homes are to the side and the one across has a higher elevation that should not cause a problem

Mark Stewart reported the applicant is requesting a variance from the provisions of Section 10.5 of the Zoning Ordinance to allow for the construction of a new single family residence, detached. The site is currently zoned R-1C, which allows single family residences, detached and requires a setback of 8' from the side property line, 25' from the front property line and a maximum building height of 35'. The applicant is proposing to construct the house 4 feet from the right side property line, 23 feet from the front property line and at a height of 35'-9". Therefore, the request is for a 4 feet right side yard variance, 2 feet front yard variance and 9 inches of height variance. The left side and rear setbacks meet the minimum requirements for the zone.

Mr. Stewart also relayed that the lot gets steeper as you go from right to left and front to back. Building the house closer to the right property line and the street would allow the house to be built with less concern dealing with the hillside. The proposed house setback is further away from the right property line than where the current house is located. The residence to the right of the referenced property is approximately 59 feet from the property line. The proposed height variance is due to the ground being a lot lower on the left and rear of the house. 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.

Steve Dauer made a motion and Susan Wingard seconded a motion to approve the request as stated for 4 ft. right side, 2 ft. front yard and 9 in. of height variances, citing that the granting of these exceptions would not alter in an adverse manner the character of the neighborhood or deprive the neighbors of the use of their property. Also, due to the nature of the lot itself it appears to be a reasonable request.

**MOTION TO ADJOURN** – Steve Dauer made a motion to adjourn, James Beineke seconded. Motion carried 4-0.

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

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