

**MINUTES OF A MEETING OF THE  
FORT THOMAS BOARD OF ADJUSTMENT  
HELD AT THE FORT THOMAS CITY BUILDING  
ON TUESDAY, DECEMBER 19, 2023  
AT 6:00 P.M.**

**PRESENT:** James Beineke  
Carol Dixon  
Tom Duckworth  
Susan Wingard  
Steve Dauer  
Chris Buchert  
Randall Voet

**ABSENT:**

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

James Beineke presided and called the meeting to order at 6:00 p.m. and roll was taken.

**MINUTES – October 24, 2023**

Members reviewed the minutes of the November 28, 2023 meeting. A motion was made by Carol Dixon and seconded by Tom Duckworth to approve the minutes as written. Motion carried 7-0.

**NEW BUSINESS**

**CASE NO. 23-1643**

**144 Summit Ave.  
Mike Frimming, Applicant  
Setback Dimensional Variance  
Addition**

Mike Frimming was in attendance to address the Board. Mr. Frimming informed the Board that he is asking for a variance so the homeowner can build an addition with room to turn at the garage. Mr. Frimming said the addition would stay in line with the house and that the property owner would like to build a master bedroom and deck with the 2 car garage to add living space.

Mark Stewart reported that the applicant is requesting a variance from the provisions of Section 10.4, D. of the Zoning Ordinance to allow for the construction of a rear two story addition with a two car garage below at a single family home site on an interior lot. The site is currently zoned R-1B, which allows for single family residences and requires a minimum side yard setback of nine (9) feet. The applicant is proposing to construct the rear addition approximately five (5) feet from the left side property line. Therefore, the request is for a four (4) feet left side yard variance. The addition is on the

rear of the existing residence so the front yard setback is not affected and is proposed to be approximately forty-five (45) feet from the rear property line and eleven feet five inches (11'-5") from the right property line.

Mr. Stewart also stated the proposed rear addition will not affect the general public health, safety or welfare and it will not alter the essential character of the general vicinity because the addition has been designed in height to not be seen from the street, although the neighbors on both sides will be looking at a large addition. Granting the variances will not cause a hazard or a nuisance to the public and will not allow an unreasonable circumvention of the requirements of the zoning regulations. The existing residence is setback approximately five (5) feet from the left side property line and the proposed addition will continue that building line.

Minimal discussion ensued.

Steve Dauer made a motion and Carol Dixon seconded a motion to approve a four (4) ft. left side yard variance for the construction of an addition, citing that the property in question abuts to the neighbor's driveway and would not detract from the enjoyment of the neighbor's house at 140 as there is sufficient depth on the lot to keep symmetry and will contribute to the neighborhoods overall aesthetic and value. Motion carried 7-0.

**CASE NO. 23-1644**

**45 Elsmar Ave.  
Austin Bryant, Applicant/Owner  
Setback Dimensional Variance  
Addition**

Austin Bryant was in attendance to address the Board. Mr. Bryant informed the Board that he is asking for a variance to construct a master suite and deck that will provide egress from the house. Mr. Bryant noted that the HVAC will be located along the deck side.

Mark Stewart reported that the applicant is requesting two (2) variances from the provisions of Section 10.5, D. of the Zoning Ordinance to allow for the construction of a rear building addition and a deck at a single family home site on an interior lot. The site is currently zoned R-1C, which allows for single family residences and decks and requires a minimum rear setback of thirty (30) feet and a minimum side yard setback of eight (8) feet. The applicant is proposing to construct the addition and deck approximately eleven (11) feet from the rear property line and five (5) feet from the left side property line. Therefore, the request is for a nineteen (19) feet rear yard variance and three (3) feet right side yard variance. The addition and deck are on the rear of the existing residence so the front yard setback is not affected and the deck is proposed to be approximately twelve (12) feet from the right property line.

Mr. Stewart also said the proposed rear addition will not affect the general public health, safety or welfare and it will not alter the essential character of the general vicinity because the addition and deck will be located on the rear of the existing residence and only visible to the neighbors on either side of the referenced property. Granting the variances will not cause a hazard or a nuisance to the public and will not allow an unreasonable circumvention of the requirements of the zoning regulations. The existing residence is setback approximately five (5) feet from the left side property line and the proposed addition will continue that building line.

