

**MINUTES OF A MEETING OF THE  
FORT THOMAS BOARD OF ADJUSTMENT  
HELD AT THE FORT THOMAS ARMORY BUILDING  
ON TUESDAY, OCTOBER 24, 2023  
AT 6:00 P.M.**

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

**ABSENT:** Steve Dauer

**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 – August 22, 2023**

Members reviewed the minutes of the August 22, 2023 meeting. A motion was made by Carol Dixon and seconded by Susan Wingard to approve the minutes as written. Motion carried 4-0.

**NEW BUSINESS**

**CASE NO. 23-1638**

**146 N. Ft. Thomas Ave.  
Kristin & Jimmy Guerra, Applicants/Owners  
Front Setback Dimensional Variance  
Porch**

Jimmy and Kristin Guerra were in attendance to address the Board. Mr. Guerra informed the Board that they are asking for a variance to expand and construct a covered porch to be the full width of the facing of the house.

Mark Stewart reported that the applicants are requesting a variance from the provisions of Section 10.5 of the Zoning Ordinance to allow for the widening of a covered front porch at a single family home site on a corner lot. The site is currently zoned R-1C, which allows for front porches on existing residences and requires a setback of 21' from the front property line. The original covered front porch was 20' wide by 6' deep. The applicant is proposing to construct a 32' wide by 8' deep covered front porch that will be 8' from the front property line (19' from the street curb). Therefore, the request is for a 13' front yard variance.

Mr. Stewart also stated the proposed location will not alter the essential character of the general vicinity as 4 of the 6 residences within 300 feet of the subject property have covered front porches that

span the full width of the residence and another residence has a covered front porch that spans 2/3 of the width of the residence. The granting of the variance will not adversely affect the public health, safety or welfare, 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.

Questions were asked and concerns from BOA members were addressed regarding sight lines and possible obstructed views off of Bluegrass.

Minimal discussion ensued.

Tom Duckworth made a motion and Carol Dixon seconded a motion to approve the 13' front yard variance for the porch, citing that the property has been an eyesore for a while and this will be a wonderful improvement. Motion carried 4-0.

**CASE NO. 23-1639**

**103 Rosemont Ave.  
William & Kristy Phelps, Applicants/Owners  
Front & Side Setback Dimensional Variance  
Fence**

Kristy Phelps was in attendance to address the Board. Mrs. Phelps informed the Board that she is asking for a variance to construct a fence for her dog and to give her kids a safe place to play. Mrs. Phelps said that the fence would be aluminum, 4 ft. high, and would be located behind the landscaping and shrubs already around the perimeter of the property. Kristy Phelps also noted that she has support from the neighbor who is opposite of her driveway.

BOA members expressed concerns that were addressed about front yard fencing and the impact that may have on the neighborhood.

Mark Stewart reported that the applicant is requesting a variance from the provisions of Section 12.3, A., 1. of the Zoning Ordinance to allow for installation of a 4' aluminum fence at a single family home site on a corner lot. The site is currently zoned R-1C, which allows for fences as an accessory structure and requires the fence to be installed no closer to the street than the front corner of the subject house and the front corner of the neighboring house. The applicant is proposing to install the fence that will be approximately 5' from the front property line (17' from the street curb) where the front door of the subject residence faces, which is the Rosemont Avenue right of way line. The applicant is also proposing to install the fence that will be approximately 2' from the right side property line (14' from the street curb) next to 29 Rosemont Avenue, which is also the Rosemont Avenue right of way line. Therefore, the request is for a 16' front yard variance and 12.5' right side yard variance.

Mark Stewart relayed that the proposed location should not affect the general public health, safety or welfare and should not cause a hazard or a nuisance, but it may affect the sight distance for the side neighbors as they pull out of their driveway because of the road rising around the corner and at certain angles, the fence cannot be seen through. It will not alter the general essential character of the vicinity because a fence is permitted to be installed in the same general configuration, just further back from the street. Granting the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

