

CITY OF ERLANGER
BOARD OF ADJUSTMENTS

Chairman Steve Conley called the Erlanger Board of Adjustment Meeting to order at 7:00 pm on Monday, March 27, 2023 in the Erlanger Council Chambers.

Chairman, Steve Conley, George Betas, John McVay, Bob Whelan and Jeremy Armbruster were present. Economic Development Director, Emi Randall was also in attendance.

Approval of Minutes: Mr Whelan stated that correction should be made in the minutes regarding the correct spelling of his last name. M/S, Whelan-McVay, that the Minutes of the meeting held on February 27, 2023 be approved with the noted correction. All ayes, no nays, motion carried.

Public Hearing:

453 Silverlake Avenue - Mr. Conley asked Mrs. Randall to state the request for the evening. Mrs. Randall stated that Patrick Denbow, with PDS, will be providing the staff report for the issue. Mr. Denbow stated that the applicant, Bailey Haddox, made an application for a conditional use permit to allow a non-owner-occupied short-term rental within the R-M (Residential Mixed) Zone of the Erlanger Zoning Ordinance.

Mr. Denbow asked if there were any conflicts of interest. There were none. Mr. Denbow asked if there were any site visits. There were none. Mr. Denbow submitted a written copy of the PDS staff report and recommendation to Chairman Conley for the record. He then provided a verbal and visual presentation of the staff report and recommendation, which was favorable to granting the conditional use with two conditions; that only one dwelling unit of the two-family dwelling operate as a short-term rental at any given time and; that the property owner or operator of the short-term residence have their primary residence in the adjacent dwelling unit whenever the other dwelling unit is operating as a short term rental. The basis provided was that the submitted non-owner-occupied short-term rental is required to meet the use specific standards as outlined in the Erlanger Zoning Ordinance which have been adopted to ensure proper integration into the community. An additional basis was provided that the application, as conditioned, will ensure the suitability of the specific location for the requested use. Additionally, the applicant has indicated the intent to follow all requirements and the site will meet all physical requirements as set forth within the ordinance.

Mr Conley stated he was contacted by email by Councilwoman Vickie Kyle. He stated that Mrs. Kyle provided her opinion on the matter in the email and he would read it to the Board. Mr. Conley read the email aloud. Her email stated she would prefer the BOA not approve the short term rental on the property. She stated that Covington has problems with short term rentals and they can affect affordable housing in neighborhoods. She mentioned these can also cause parking and safety concerns in neighborhoods.

Mr. Conley swore in Mr. Haddox who planned on speaking for this request. Mr. Haddox stated that he would be the owner/operator of the short term rental and would reside next door. He stated that he is not the property owner but he is renting the property and working with the property owner on the request. He stated that he would be next door and would oversee the property to prevent any problems. He also stated he is aware that he needs to get a business license and comply with those requirements.

The board raised some questions and discussed the issue. Once discussion ceased, Mr. Whelan made the motion to grant the conditional use request based on the facts presented in the staff report and with the two conditions provided in the staff report; That only one dwelling unit of the two-family dwelling operate as a short-term rental at any given time and; that the property owner or operator of the short-term residence have their primary residence in the adjacent dwelling unit whenever the other dwelling unit is operating as a short term rental.

Mr. Conley asked if there was a second motion and Mr. Armbruster seconded the motion.

Mr. Conley asked Mrs. Randall to read the roll call: Mr. Whelan - "yes", Mr. McVay - "yes", Mr. Conley - "yes", Mr. Betas - "yes", Mr. Armbruster - "yes". Motion carried unanimously.

Board Items:

Mr. Conley asked Mr. Randall to provide information about the board items on the agenda.

Mrs. Randall asked if members had reviewed the BOA Bylaws provided in their packets and asked if they would like to adopt the changes. The board members discussed the bylaws and no changes were suggested. Mr. Conley then asked if there was a motion to adopt the bylaws changes. Mr. Armbruster made a motion to adopt the changes and Mr. Whelan seconded the motion. Mr. Conley stated all in favor say "aye" and the motion was carried unanimously.

Staff Items:

Mrs. Randall congratulated Mr. Armbruster for 5 years of service to the City of Erlanger and presented him with a service pin.

Adjournment:

Mr. Conley then stated a motion to adjourn was in order. Mr. Armbruster made the motion and Mr. Betas second the motion. Mr. Conley stated all in favor say "aye" and the motion carried unanimously.

Respectfully Submitted:

Emi Randall, Director of Economic Development

Mr. Steve Conley Chairman

Attest:

Sherry Hoffman City Clerk