

CITY OF ERLANGER
BOARD OF ADJUSTMENTS
MINUTES
August 28, 2023

Chairman Steve Conley called the Erlanger Board of Adjustment Meeting to order at 7:00 pm on Monday, August 28, 2023 in the Erlanger Council Chambers.

Board members: Steve Conley, George Betas, John McVay and Bob Whelan were present. Jeremy Armbruster was not present. Cody Sheets presented the cases for PDS. Attorney Steven Doan sitting in for City Attorney Jack Gatlin and Ed Millican were in attendance.

Approval of Minutes: M/S, Whelan - McVay, that the Minutes of the meeting held on July 24, 2023 be approved as read. All ayes, no nays, motion carried.

Public Hearings:

796 Buck Court (PIDN:031-00-03-087.00)

Mr. Noah Osterhage, property owner, made an application for a Dimensional Variance to construct a pool with a rear yard setback of 12 feet 4 inches where 25 feet is required.

In attendance: Mr. Noah Osterhage, property owner.

Cody Sheets Associate Planner with PDS provided a favorable analysis from PDS for this variance.

Mr. Noah Osterhage spoke on the positive effect this would have for his family and use of their property.

Mr. Conley stated a motion was in order.

Mr. Whelan made a motion to grant approval. The granting of this Dimensional Variance would not adversely affect the public health, safety or welfare, would not alter the essential character of the general vicinity, would not cause a hazard or a nuisance to the public, and would not allow an unreasonable circumvention of the requirements of the zoning regulations. The requested variance is not a willful violation of the zoning ordinance. The applicant did make a good faith effort to seek and understand the zoning requirements during the planning process for the pool. A 12 foot 8 inch variance request from 25 feet to 12 feet 4 inches is not unreasonable considering the use and positioning of the pool.

Mr. McVay seconded the motion.

Mr. Conley called for a vote: Mr. Betas - "aye", Mr. McVay, "aye", Mr. Conley "aye", Mr. Whelan - "aye" - Motion carried.

1485 Rising Ridge Drive (PIDN:031-00-02-294.00)

Mr. Joseph Della Bella, property owner, made an application for a Dimensional Variance to construct a pool with a rear yard setback of 18 feet where 25 feet is required.

In attendance: Mr. Joseph Della Bella , property owner.

Cody Sheets Associate Planner with PDS provided a favorable analysis from PDS for this variance.

Mr. Joseph Della Bella spoke on the positive effect this would have for his family and use of their property.

Mr. Conley stated a motion was in order.

Mr. Whelan made a motion to grant approval. The granting of this Dimensional Variance would not adversely affect the public health, safety or welfare, would not alter the essential character of the general vicinity, would not cause a hazard or a nuisance to the public, and would not allow an unreasonable circumvention of the requirements of the zoning regulations. The requested variance is not a willful violation of the zoning ordinance. The applicant did make a good faith effort to seek and understand the zoning requirements during the planning process for the pool. A 7 foot variance request from 25 feet to 18 feet is not unreasonable considering the use and positioning of the pool.

Mr. George Betas seconded the motion

Mr. Conley called for a vote: Mr. Betas - "aye", Mr. McVay, "aye", Mr. Conley "aye", Mr. Whelan - "aye" - Motion carried.

Board Items: Mr. Conley stated to other Board Members that he would be speaking to CAO Peter Glenn about the possibility of a pay raise for Board Members.

Motion to adjourn: M/S, Whelan, Betas to adjourn from the meeting. All ayes, no nays, motion carried.

Respectfully Submitted:

Ed Millican, Project Manager

Mr. Steve Conley
Chairman

Attest: _____
Sherry Hoffman
City Clerk