

CITY OF ERLANGER  
BOARD OF ADJUSTMENTS MINUTES  
February 26, 2024

Vice Chairman George Betas called the Erlanger Board of Adjustment Meeting to order at 7:00 pm on Monday, February 26, 2024 in the Erlanger Council Chambers.

Board members: George Betas, Bob Whelan, Jeremy Armbruster, John McVay, and Eric Rolf were present.

Also present: PDS Senior Planner Patrick Denbo, Attorney Oliver Wilhite, and City Administrator Peter Glenn.

**APPROVAL OF MINUTES:** Motion by Mr. Whelan, that the Minutes of the meeting held on December 18, 2023 be approved as read. All ayes, no nays. Motion carried.

**POSTPONEMENT OF ANY SCHEDULED BUSINESS ITEM:** None

**PUBLIC HEARING:** Vice Chairman Betas opened the following hearing:

BOA-24-0005: 3140 Dixie Highway, applicant KBA Inc. Architects per Kelsey Carroll on behalf of Real Estate Holdings LLC

- A. REQUEST: (1) An appeal to increase the number of permitted wall signs per building street frontage and variance requests to increase the total area for wall signs on the (2) south, (3) west, and (4) north elevations in the CC (Community Commercial) Zone of the Erlanger Zoning Ordinance.
- B. SUMMARY: The applicant proposes to (1) install six wall signs where two wall signs are permitted, with a total square footage of (2) 148.79 square feet where 84.34 square feet is allowed on the south elevation, (3) 96.5 square feet where 64 feet is allowed on the west elevation, and (4) 162.67 square feet where 84.34 square feet is allowed.

Vice Chairman Betas confirmed the following:

- A. PDS made the appropriate notifications.
- B. No conflicts of interest with Board Members.
- C. No Board Members visited the site.

Mr. Denbo presented the PDS Staff Report: Mr. Denbo stated Kelsey Carroll of KBA Inc. Architects, on behalf of KEB Real Estate Holdings, LLC, made an application for an appeal to increase the number of permitted wall signs per building street frontage and variance requests to increase the total area for wall signs on the (2) south, (3) west, and (4) north elevations in the CC (Community Commercial) Zone of the Erlanger Zoning Ordinance; The applicant proposes to (1) install six wall signs where two wall signs are permitted, with a total square footage of (2) 148.79 square feet where 84.34 square feet is allowed on the south elevation, (3) 96.5 square feet where 64 square feet is allowed on the west elevation, and (4) 162.67 square feet where 84.34 square feet is allowed on the north. Mr. Denbo stated the PDS staff provides an unfavorable recommendation on the appeal and three variance requests.

Applicant Kelsey Carroll with KBA Architects addressed the Board:

- A. Ms. Carroll took the testimony oath.
- B. Presented on behalf of the property owner, giving reasons why the appeal and

the three variances should be approved.

There were no comments from proponents.

Comments from Opponents:

- A. City Administrator Peter Glenn took the testimony oath and stated he was in opposition of the variances.
- B. Councilwoman Diana Niceley took the testimony oath and gave reasons why she was opposed to approving the appeal and variances.

Mr. Betas closed the public comment portion of the hearing and opened discussion for Board members.

Discussion by Board Members:

Mr. Whelan believes this would cause an unreasonable circumvention of the requirements of the zoning regulations.

Mr. Betas asked if there was a motion:

M/S, Whelan-McVay, On file BOA-24-0005, Variance requests to increase the total area for wall signs on the south, west, and north elevations. I move to deny the variance based on the facts and considerations contained in the staff report and the testimony of staff and witnesses present at the public hearing, and for the reason that I find that the proposed variance does not meet the criteria for granting a variance under KRS 100.243 by finding the variance will allow an unreasonable circumvention of the requirements of the zoning regulations. All ayes, no nays. Motion deny is granted, the variance is denied.

Mr. Denbo reminded the Board they needed to review and make a motion for the appeal. Ms. Carroll further explained what appeals she was making to the Board prior to the motion being read.

M/S, Whelan-McVay, within reference to BOA-24-0005, 3140 Dixie Highway, applicant KBA Inc. Architects, per Kelsey Carroll, on behalf of KEB Real Estate Holdings, LLC the request to appeal to increase the number of permitted wall signs per building street frontage and variance requests to increase the total area for wall signs on the (2) south, (3) west, and (4) north elevations in the CC (Community Commercial) Zone of the Erlanger Zoning Ordinance. I would like to deny the request as I find there is no error in the zoning administrator's decision to not allow additional wall signs where two wall signs are permitted per building street frontage. The zoning administrator's interpretation is based on the literal language of the zoning ordinance which allows for one wall sign per building street frontage. Three ayes, two nays. Motion to deny is approved, the appeal is denied.

**PRELIMINARY HEARINGS:** None

**REHEARING APPEALS:** None

**BOARD ITEMS:**

1. Election of Chairman and Vice-Chairman:

M/S, McVay-Armbruster, to nominate Bob Whelan as the Chairman. All ayes, no nays. Motion carried.

M/S, Armbruster-Whelan, to nominate George Betas as the Vice Chairman. All ayes, no nays.  
Motion carried.

**STAFF ITEMS:** None

**AUDIENCE ITEMS:** None

**NEXT MEETING DATE:** None provided.

**ADJOURNMENT:** Vice Chairman Betas adjourned the meeting at 7:53pm

Respectfully Submitted:

\_\_\_\_\_  
Steve Canfield  
Office Technician

\_\_\_\_\_  
George Betas  
Vice Chairman

Attest: \_\_\_\_\_  
Sherry Hoffman  
City Clerk