

CITY OF ERLANGER  
BOARD OF ADJUSTMENTS MINUTES  
April 22, 2024

Chairman Bob Whelan called the Erlanger Board of Adjustment Meeting to order at 7:02 pm on Monday, April 22, 2024 in the Erlanger Council Chambers.

Board members: Bob Whelan, John McVay, and Eric Rolf were present. George Betas was not present.

Also present: PDS Associate Planner Cody Sheets, Attorney Oliver Wilhite, and Director of Economic Development Mark Collier.

**APPROVAL OF MINUTES:** M/S, McVay/Rolf, that the Minutes of the meeting held on March 25, 2024 be approved as read. All ayes, no nays. Motion carried.

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

**PUBLIC HEARING:** Chairman Whelan opened the following hearing:

Mr. Sheets stated Staff has one update on the third variance request, which was the side yard setback. Upon further internal discussion that variance is not necessary. Accessory structures and primary structures are looked at separately so variance (3) is not needed for the property.

BOA-24-0008: 412 Hallam Avenue, applicant Brian O'Hara.

- A. REQUESTS: A (1) conditional use request for an accessory dwelling unit, (2) variance request to reduce the required rear yard setback, and (4) for the accessory dwelling unit to exceed the height of the primary structure of the Erlanger Zoning Ordinance.
- B. SUMMARY: The applicant is proposing to build a 780 square foot detached garage with an (1) accessory dwelling unit. The garage will be (2) ten feet from the rear property line in common with 3227 Dixie Highway where 25 feet is required, (3) three feet from the side property line in common with 416 Hallam Avenue where three feet is required on one side and ten feet aggregate is required on both sides (existing home is approximately four feet from opposite property line), and (4) the proposed garage and accessory dwelling unit will be 23 feet 11 <sup>7</sup>/<sub>8</sub> inches where the principal structure has an average height of 17 feet.

Mr. Sheets confirmed the following:

- A. PDS made the appropriate notifications per KRS 100.
- B. There were no conflicts of interest with Board Members.
- C. No Board Members visited the site.

Mr. Sheets presented the PDS Staff Report:

- A. Request to build a 780 square foot detached garage with an accessory dwelling unit on the second floor
- B. Request for garage to be ten feet from the rear property line in common with 3227 Dixie Highway where twenty-five feet is required
- C. Request for the proposed garage and accessory dwelling unit would be

twenty-three feet 11  $\frac{7}{8}$  inches where the principal structure has an average height of 17 feet

There was discussion between Board Members and Mr. Sheets regarding the proof of residency and other expectations of the property owner.

There were no comments from proponents.

There were no comments from opponents.

Mr. Whelan closed the public comment portion of the hearing and opened discussion for Board Members.

Discussion by Board Members:

Board members further discussed their concerns with Mr. Sheets. Mr. Wilhite advised the Board that because they do have further questions they would like to ask the owner, the Board could table the hearing and contact the applicant to ask him to appear to answer questions regarding residency. Mr. Whelan discussed his concern about the future of the property, saying the applicant didn't appear to speak for themselves, but did submit a letter which gave their intent. Mr. Wilhite advised the Board members that it would not be unreasonable to table.

Mr. Whelan asked if there was a motion.

M/S, Rolf/McVay, to table this request at the present time until we get more clarification. All ayes, no nays, motion will be tabled.

M/S, Rolf/McVay, to amend the previous motion to table all requests until a new date can be established. All ayes, no nays. Motion carried.

**PRELIMINARY HEARINGS:** None

**REHEARING APPEALS:** None

**BOARD ITEMS:** None

**STAFF ITEMS:** There is a meeting next month on May 20, 2024 for an application that was received today.

**AUDIENCE ITEMS:** None

**NEXT MEETING DATE:** May 20, 2024

**ADJOURNMENT:** M/S, McVay/Rolf, to adjourn. All ayes, no nays. Motion carried.

Respectfully Submitted:

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Steve Canfield  
Office Technician

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Bob Whelan  
Chairman

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