

**MINUTES OF A MEETING OF THE  
FORT THOMAS BOARD OF ADJUSTMENT  
HELD AT THE FORT THOMAS COMMUNITY CENTER  
ON TUESDAY, JULY 26, 2022  
AT 6:00 P.M.**

**PRESENT:** James Beineke  
Carol Dixon, Secretary  
Steve Dauer  
Steve Kowolonek  
Tom Duckworth  
Susan Wingard

**ABSENT:** Carla Austin

**ALSO PRESENT:** Kevin Barbian, 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 – June 28, 2022**

Members reviewed the minutes of the June 28, 2022 meeting. A motion was made by Steve Kowolonek and seconded by Steve Dauer to approve the minutes as written. Motion carried 6-0.

**PUBLIC HEARINGS**

**CASE NO. 22-1609**

**29 Brittany Ln.  
Suncatcher Corp., Applicant  
Side Yard Variance  
Addition & Garage**

Lou Ionna who currently resides at P.O. Box 262, Highland Heights, KY 41076 was in attendance and sworn in to address the Board.

Kevin Barbian reported that the applicant is requesting a variance from the provisions of Section 10.4 of the Zoning Ordinance to allow for an addition of storage space to a single family home site. The site is currently zoned R-1B, which allows for attached garages and requires setbacks of 9' in the side. The applicant is proposing to put the attached garage 1' from the side property line. Therefore, the request is for an 8' side yard variance.

Lou Ionna, informed the board that the owner is in need of storage and believes the original site plan is not correct due to stakes that were found and a belief that the property line of the homeowner is extended requiring a 4' variance instead.

Chris Fangman, who currently resides at 29 Brittany Ln., Ft. Thomas, KY 41075 was in attendance and sworn in to address the Board.

Mr. Fangman expressed his concerns over concrete poured beyond his neighbor's property line and offered to remove a shed currently near the property line to accommodate the addition.

Joyce Friedeman, who currently resides at 48 Grand Lake Dr., Ft. Thomas, KY 41075 was in attendance and sworn in to address the Board. Mrs. Friedeman is the owner of 29 Brittany Ln. where her daughter currently resides.

Mrs. Friedeman objected to the extent of the variance request. She believes the request is extreme and limits their own future improvement options. Mrs. Friedeman stated that the addition would reduce curb appeal and create an overcrowding of the space.

Mr. Beineke stated that the Board of Adjustments is not involved with property surveying and that the applicant and neighboring homeowner are responsible for knowing the location of the property line. Mr. Beineke recommends a survey to be done for the clarity of the variance request due to the distance between homes.

Steve Dauer, Susan Wingard and Carol Dixon agreed that a survey would be beneficial and that distance is a concern on these unique lots within the city.

Following the residents' concerns, minimal discussion ensued.

Steve Dauer made a motion and Susan Wingard seconded a motion to continue the request for a side yard variance for the construction of an addition/garage. The motion to continue the case finds that neighboring concerns have not been met, and a survey is recommended. Motion carried 6-0.

**CASE NO. 22-1610**

**105 Lumley Ave.  
Suncatcher Corp., Applicant  
Side Yard Variance  
Addition & Porch**

Lou Ionna who currently resides at P.O. Box 262, Highland Heights, KY 41076 was in attendance and sworn in to address the Board.

Kevin Barbian reported that the applicant is requesting a variance from the provisions of Section 10.5 of the Zoning Ordinance to allow for a screened porch addition to a single family home site. The site is currently zoned R-1C, which allows for screened porches and requires setbacks of 8' in the side. The applicant is proposing to put the screened porch 6.33 from the side property line. Therefore, the request is for a 1.67' side yard variance.

Lou Ionna, informed the board that the addition will not be seen by the street and that the adjoining property owners are aware of the plans.

Scott Hiance who currently resides at 107 Lumley Ave., Ft. Thomas, KY 41075 was in attendance and sworn in to address the Board.

Scott Hiance was in attendance to voice his support of the variance request and proposed improvements.

Minimal discussion ensued.

Carol Dixon made a motion and Susan Wingard seconded a motion to approve the variance for the construction of an addition and porch, citing that it will increase usability and not be a detriment to the neighborhood. Motion carried 6-0.

**CASE NO. 22-1611**

**219 Grant Street  
Doug Cull, Applicant  
Front & Side Yard Variance  
Addition**

Doug Cull who currently resides at P.O. Box 75291, Ft. Thomas, KY 41075 was in attendance and sworn in to address the Board.

Kevin Barbian reported that the applicant is requesting a variance from the provisions of Section 10.5 of the Zoning Ordinance to allow for an addition to a single family home site. The site is currently zoned R-1C, which allows for additions to single family homes and requires setbacks of 8' to the side. The applicant is requesting to continue the width of the home to the front. It is currently a nonconforming home and is 2.1' from the left property line and therefore, a 5.9' side yard dimensional variance is requested.

This is a unique situation as it relates to the front setback. In most cases, we take the average of the homes on a given street within 300' to determine the front setback. If you will look at the aerial view, you will see that there is a uniform succession to the setbacks. 9.13.D.1 states that "no front yard shall be less than the average depth of existing front yards on the lots abutting on each side. The applicant is proposing to put an addition 11.5625' in front of the existing line of the home. The existing line of the home is 1.33" behind the average of the 3 homes in question. Therefore, the request is for a 10'-3" front yard variance.

Doug Cull informed the board that parking on the street is a challenge and that a driveway and garage is needed. He said they spoke to the adjacent neighbors, that a survey was done and that he could adjust plans by 1 or 2 ft. if necessary and that a retaining wall would be added to maintain the grade.

Minimal discussion ensued.

Tom Duckworth made a motion and Steven Kowolonek seconded a motion to approve the variance for the construction of an addition, citing that it will increase livable space and be more aesthetically pleasing. Motion carried 6-0.

**CASE NO. 22-1612**

**104 Manor Ln.  
Anthony Paolucci, Owner/Applicant  
Rear & Side Yard Variance  
Deck**

Anthony Paolucci, who currently resides at 104 Manor Ln., Ft. Thomas, KY 41075 was in attendance and sworn in to address the Board.

Kevin Barbian reported that the applicant is requesting a variance from the provisions of Section 10.4 of the Zoning Ordinance to allow for a free standing deck to a single family home site. The site is currently zoned R-1B, which allows for free standing decks and requires setbacks of 25' in the rear. The applicant is proposing to put the free-standing deck 4' from the rear property line. Therefore, the request is for a 21' rear yard variance. The deck will also be 3' from the side property line and therefore, will require a 6' side yard variance.

Kevin Barbian notified the board that there was a letter submitted by the neighbor at 96 Manor Ln. requesting a lesser variance and screening.

Anthony Paolucci, informed the board that his home is on an irregular corner lot that has a sloped driveway. The deck would be flush with the driveway, freestanding and elevated to make use of the space.

Jeff Theiss, who currently resides at 106 Manor Ln., Ft. Thomas, KY 41075 was in attendance and sworn in to address the Board.

Jeff Theiss was in attendance to voice his support of the variance request and proposed improvements.

Minimal discussion ensued.

Susan Wingard made a motion and Tom Duckworth seconded a motion to approve the variance for the construction of a deck, citing that the topography is severe and that the deck will not encroach on privacy and will increase function. Motion carried 6-0.

**CASE NO. 22-1613**

**107 Orchard Hill Rd.  
Jeff Prodoehl, Applicant  
Rear Yard Variance  
Deck**

Jeff Prodoehl who currently resides at 2453 Nelson Rd., KY 41076 was in attendance and sworn in to address the Board.

Kevin Barbian reported that the applicant is requesting a variance from the provisions of Section 10.3 of the Zoning Ordinance to allow for a free standing deck to a single family home site. The site is currently zoned R-1A, which allows for free standing decks and requires setbacks of 30' in the rear. The applicant is proposing to put the free-standing deck 13'-4" from the rear property line, behind an existing pool. Therefore, the request is for a 16'-8" rear yard variance.

Mr. Prodoehl stated that the deck will be level with the pool and follow the retaining wall.

Mary Ellen Braun who currently resides at 88 Covert Run Pike, Ft. Thomas, KY 41075 was in attendance and sworn in to address the Board.

Mrs. Braun relayed her support of the use of dead space and also expressed her concern for possible water issues.

Mr. Barbian noted that there will be no additional water with the retaining wall and gravel in place.

Minimal discussion ensued.

Steve Kowolonek made a motion and Tom Duckworth seconded a motion to approve the variance for the construction of a deck, citing that it will be an improvement and increase usability of the space. Motion carried 6-0.

**MOTION TO ADJOURN** – Steve Dauer made a motion to adjourn, Tom Duckworth seconded. Motion carried 6-0.

Approved: \_\_\_\_\_  
Chair Date

Secretary: \_\_\_\_\_  
Secretary Date