

**CAMPBELL COUNTY & MUNICIPAL BOARD OF ADJUSTMENT
MINUTES OF THE
March 19, 2024
MEETING**

MEMBERS PRESENT:

Mr. Justin Verst, Chair
Mr. John Fessler
Mr. Hutch Johnson
Mr. Joseph Williams
Ms. Jessica Hurley
Mr. Matt Smith, Legal Counsel

MEMBERS ABSENT:

Mr. Michael Williams

STAFF PRESENT:

Mr. Kirk Hunter, Principal Planner
Ms. Cindy Minter, Director
Ms. Diane Brossart, Admin. Assistant

1 Meeting was called to order by Mr. Verst at 6:32 PM. The Pledge of Allegiance was
2 recited. The clerk called the roll, and a quorum was found.

3
4
5 Mr. Verst asked for approval of the previous meeting minutes from February 24, 2024.
6 Mr. Johnson moved to approve the minutes which was seconded by Ms. Hurley. Ms.
7 Brossart called the roll. All present voted in favor, and the minutes were approved.

8
9 There was no old business. Mr. Verst introduced the new business as fileA-24-003,
10 applied for by Jesse Baker for 12735 Pleasant Ridge Road in unincorporated Campbell
11 County for a setback variance for the construction for a single-family house.

12
13 Mr. Hunter gave the Staff Report.

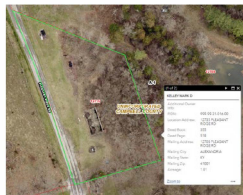
14
15
16 [begin staff report]

File Number: BA-24-003

Applicant: Jesse Baker

Location: 12735 Pleasant Ridge Road. Unincorporated Campbell County

Request: Request for a front yard setback variance due to site topography

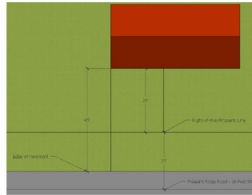
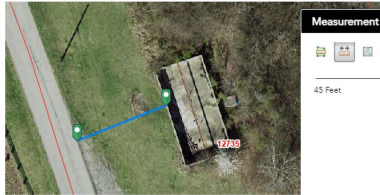


17
18 **Considerations:**

1 The lot is currently vacant. The foundation and basement of the previously demolished house are
 2 present. The applicant will be siting the new house in the same location as the old house by filling in
 3 the old basement. The proposed new house is a manufactured home.



4
 5 The building site is forty-five feet from the edge of pavement.



6
 7
 8 The applicant is requesting a front yard setback variance for the construction of a new single-family
 9 house outside of the steep slopes of the property.

- 10 1. 12735 Pleasant Ridge Road is one acre in area. It is located in unincorporated Campbell County
- 11 within the Residential Rural estate (R-RE) Zone. The Recommended Land Use Map of the 2008
- 12 Campbell County Comprehensive Plan identifies the site and surrounding areas as *Lower-Density*
- 13 *Single-Family Residential*.
- 14 2. The lot has more than three hundred (300) feet of road frontage.
- 15 3. The surrounding land is zoned Agricultural-One (A-1) and primarily residential, agricultural and
- 16 undeveloped open space.
- 17 4. The Campbell County Zoning Ordinance Article X, Section 10.1 classifies the area within the
- 18 Agricultural-One (A-1) Zone.
- 19 5. The minimum setbacks for the A-1 zone are:

20

	A-1 Zone Regulations Require:	Applicant's Request:
Minimum Lot Area:	One (1) Acre	
Minimum Lot Width:	One Hundred (100) Feet	
Minimum Front Yard Depth:	Fifty (50) Feet	28 Feet
Minimum Side Yard Width:	One Side: Ten (10) Feet Total Both Sides: Twenty Five (25) Feet	
Minimum Rear Yard Depth:	Thirty-five (35) feet	
Maximum Building Height:	Thirty-five (35) feet	

21 6. Article 9 of the Ordinance places additional dimensional requirements on manufactured

homes in addition to the standard requirements in Article 10.

	Manufactured Home Dimensions as Per §9.28	<u>Applicant's Request:</u>
Minimum Road Frontage:	One Hundred Fifty (150) Feet	
Minimum Front Yard Depth:	One Hundred (100) Feet	28 Feet
Minimum Side Yard Width:	Fifty (50) Feet	
The mobile home shall be so located that no other dwelling or business conventional or mobile, exists within a radius of one hundred twenty-five (125) feet of the mobile home		

7. A review of public records finds no other requests for this site

8. A similar variance request was approved for 12836 Pleasant Ridge Road in 2020. This request is located approximately 800 feet north of the previous case (BA-20-003).

9. According to Section 9.13, Exceptions and Modifications, C. Front Yard Variance: *In any residential zone, no front yard shall be required to exceed the average depth of existing front yards on the same side of the street within the same block, when fifty-one percent (51%) or more of lots within that block are improved with residential buildings, whichever is greater.*

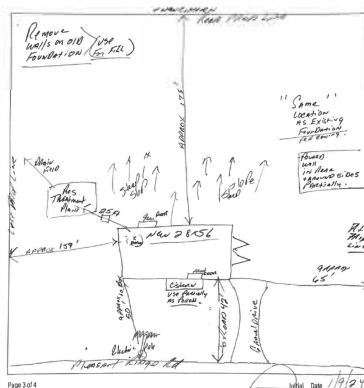
Staff calculates that average depth to be approximately thirty-eight (38) feet.

10. The proposed use is a manufactured home, subject to stricter minimum yard depths. It is the opinion of staff that the Ordinance is not clear if the automatic setback variance would apply to *manufactured homes* and prefers to present all setback requests for them to the Board of Adjustment. Regardless, the variance provision in §9.13 would not afford the applicant enough of a variance to site the house in their preferred location.

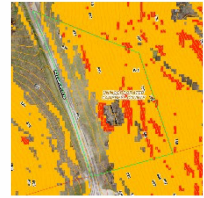
The two closest houses to this site sit at twenty-seven (27) feet from the front property line, evidencing the natural challenges to siting a house in this immediate vicinity.

11. The proposed setback variance will not interfere with the line-of-sight for motorists.

12. The submitted site plan shows the proposed house and residential sanitary treatment plant.



1 13. The topographic map reveals the steep slopes of the property, requiring
2 the house to locate closer to the street.



6 14. Notice of public hearing was given in accordance with the Campbell County Zoning
7 Ordinance and Kentucky Revised Statutes (KRS). *A legal notice appears in the February*
8 *14, 2024 edition of the LINK Reader advertising applicant's request and the hearing to*
9 *be held on February 20, 2024.*

10 15. According to Section 18.6, A., 4., the Board of Adjustment must find that:

- 11 a. The requirements of this section have been met by the applicant for a variance;
12 b. The reasons set forth in the application justify the granting of variance and that the
13 variance is the minimum variance that will make possible the reasonable use of the
14 land, building, or structure; and
15 c. The granting of the variance will be in harmony with the general purpose and
16 intent of this Ordinance as well as the Adopted Comprehensive Plan and will not
17 be injurious to the neighborhood, or otherwise, detrimental to the public welfare.

18 **Summary of Applicants Request:**

19 The applicant is requesting a seventy-two (72) foot front yard setback variance for the
20 construction of a house, reducing the one hundred (100) foot setback to twenty-eight (28) feet.

21 **Staff Comments:**

- 22 • The use of the property is consistent with the adopted 2008 Comprehensive Plan.
23 • The requested variance does arise from special circumstances which exist due to
24 topography and do not generally apply to land in the general vicinity or in the same
25 zone.
26 • The application of the provisions of this Ordinance would create unnecessary hardship
27 on the applicant.
28 • The applicant is requesting this variance subsequent to the approval of these
29 regulations.
30 • The essential character of the neighborhood is lower-density single-family residential
31 and this action is compatible with those uses.
32 • This variance would not be granting the applicant a special privilege.

33 **Staff Recommendation:**

34 To approve the applicant's request for a side yard variance of seventy-two (72) feet for a house.

1 **Basis for Recommendation**

- 2 1. In accordance with the Campbell County Zoning Ordinance, notice of public hearing
3 was given.
- 4 2. In accordance with KRS 100.241 Variances, the board shall have the power to hear and
5 decide on applications for variances. The board may impose any reasonable conditions
6 or restrictions on any variance it decides to grant.
- 7 3. The evidence presented by the applicant and staff is such as to make a finding that:
- 8 a. The requirements for a variance have been met by the applicant for a variance
9 and the variance is the minimum variance that will make possible the reasonable
10 use of the land, building, or structure.
- 11 b. The variance requested will not adversely affect the public health, safety, or
12 welfare, will not adversely alter the essential character of the general vicinity,
13 and will not cause a hazard or nuisance to the public and will not allow an
14 unreasonable circumvention of the requirements of the zoning regulations. In
15 making these findings, the board considered whether:
- 16 i. The requested variance arises from special circumstances which do not
17 generally apply to land in the general vicinity, or in the same zone;
- 18 ii. The strict application of the provisions of the regulation would deprive
19 the applicant of the reasonable use of the land or would create an
20 unnecessary hardship on the applicant; and
- 21 iii. The circumstances are the result of actions of the applicant taken
22 subsequent to the adoption of the zoning regulation from which relief is
23 sought.
- 24 iv. The variance will not allow unreasonable circumvention of the
25 requirements of the zoning regulations and will not alter the essential
26 character of the neighborhood.
- 27 v. The variance requested will not confer on the applicant any special
28 privilege that is not conferred by this ordinance to other lands, structures
29 or buildings in the same zone.

30 Should you have any questions, please do not hesitate to call our office at (859) 292-3880 for
31 assistance.

32
33 [end of Staff Report]

34
35 Mr. Verst asked for questions for staff. None were asked.

36
37 Mr. Verst opened the floor for testimony from the applicant.
38

1 Applicant, Jesse Baker, of 12735 Pleasant Ridge Rd explained he currently lives in
2 Cincinnati and wants to put a manufactured home on the property and move to the
3 property.

4
5 Mr. Verst opened the meeting for discussion among the board.

6
7 Mr. Verst said the request is much like others they have granted recently. Mr. Verst
8 reiterated that the staff's recommendation is to approve the 72-foot front yard variance
9 and reduce the setback for the manufactured home from 100 feet to 28 feet.

10
11 Mr. Verst closed the public hearing.

12
13 Mr. Fessler made a motion to approve the yard variance from 100 feet to 28 feet.

14 Mr. Johnson asked Mr. Hunter if the variance is 28 feet or 72 feet. Mr. Hunter said the
15 variance is 72 feet. There is a requirement of 100 foot set back, applicant requests 28
16 feet.

17
18 Mr. Verst asked Mr. Fessler if his motion is for the 72-foot variance. Mr. Fessler said yes.

19
20 Mr. Johnson seconded the motion. Ms. Brossart called the roll, and all present voted in
21 favor. Motion passed, and the variance was approved.

22
23 No further business.

24
25 Ms. Minter asked if the members could stay for a joint meeting of the Planning and Zoning
26 Commission and the Board of Adjustments to give them an introduction to the
27 Comprehensive Plan process.

28
29 Mr. Verst asked for a motion to adjourn. Mr. Mike Williams moved to adjourn, and Ms.
30 Hurley seconded the motion. Ms. Brossart called the roll and all voted in favor, and the
31 meeting was adjourned at approximately 6:52 PM.

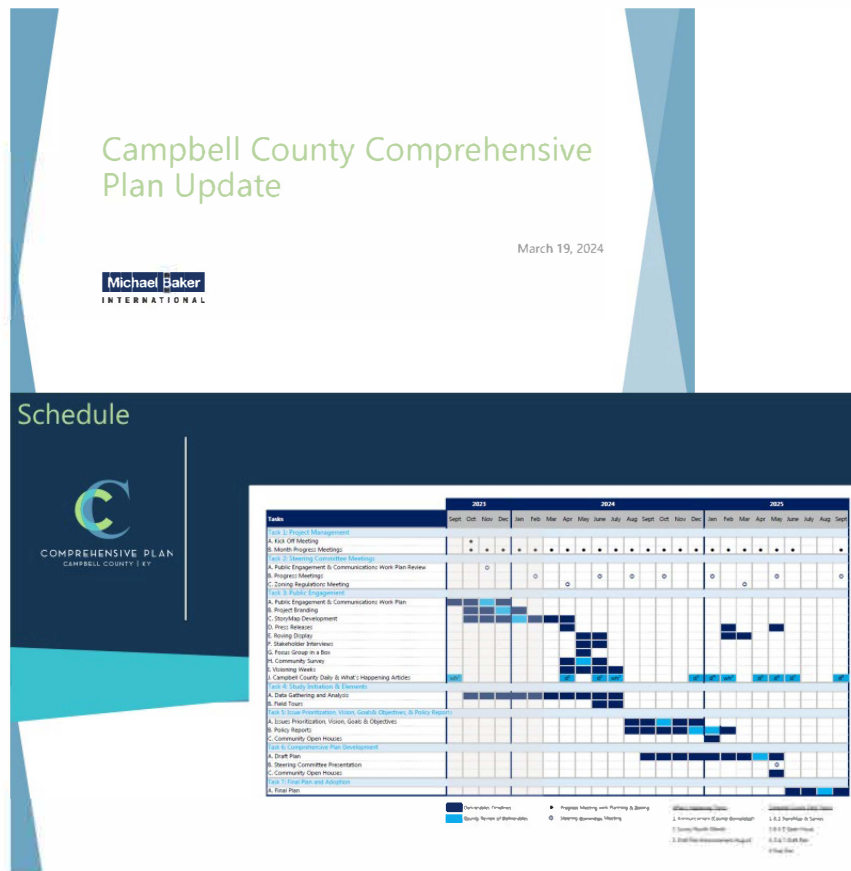
32
33 Ms. Cindy Minter welcomed back Board of Adjusters and Planning and Zoning members
34 and public. Ms. Miner introduced Rob Hans from Michael Baker Intl. Mr. Hans' team is
35 assisting with the development of the Comprehensive Plan. Staff is the steering group for
36 the process and will bring everyone together for various components of the project but
37 ultimately the plan will come back to this body to edit the text, etc.

38
39 Mr. Rob Hans gave a presentation of what will be happening over the next 24 months or
40 so as they work on the update of the Comprehensive Plan. The company was selected
41 for the project in late 2023 and had a kick off meeting. Mr. Hans and team will be setting
42 up focus groups and talking with residents and stakeholders to obtain feedback for the
43 plan. There will be numerous press releases. The slotted final adoption of the project is
44 August or September 2025. A roving display board will be used to help keep the public
45 informed as well as an interactive website.

Ms. Minter stated that the Future Land Use Map will be updated based on what is defined by the Comprehensive plan. The actual rezoning would be up to the land owner to request.

Mr. Hans cited examples of questions that might be asked of the residents. Ms. Minter talked about the surveys and focus groups that will help gather feedback.

[begin presentation]



Completed Tasks



- Kick Off Meetings
- Monthly Progress Calls
- Study Logo/Branding
- Engagement and Communications Plan
- Data Collection
- Teams Group
- What's Happening and Link NKY Articles
- Activity Sheet
- Roving Display Board
- Story Map

1

Study Logo/Branding



Includes:

- Logo – Ties to Planning & Zoning Existing Logo
- Document Fonts
- Color Schemes
- Secondary Logo



2

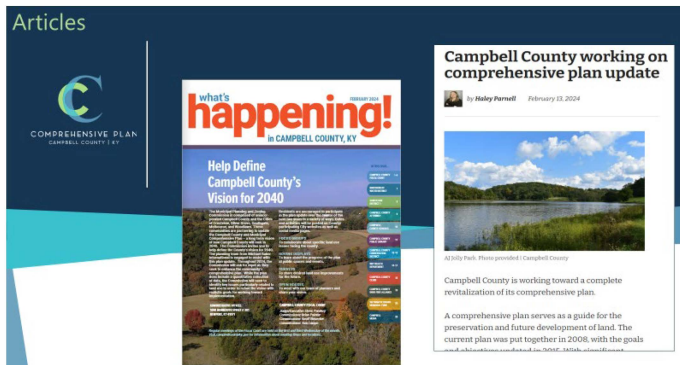
Engagement & Communications Plan



Includes:

- Project Team
- Steering Committee
- Public Engagement Events
- Promotion and Online Engagement

3



1



2



3



4

Questions & Contacts



COMPREHENSIVE PLAN
CAMPBELL COUNTY KY



**Rob Hans,
Principal**
Robert.Hans@mbakerintl.com
513-810-6014



**Karen Mohammadi,
Project Manager**
Karen.Mohammadi@mbakerintl.com
502-329-8319

"Campbell County is home. I am excited to work with the team and provide the support so it begins with a full head of steam, maintains that momentum through the steps and end with a final Plan that our Team and the County will be proud to showcase." - Rob

"I got my planning start in Campbell County. Two of the first projects I managed were here and so the area has remained important to me. I like to create reader friendly documents that people are encouraged to visit and engaging programs that encourage participation." - Karen

[end of presentation]

Mr. Verst moved to adjourn the meeting. Mr. Peters seconded the motion. All present voted in favor, and the meeting was officially adjourned.

Respectfully Submitted,

Approved:

Cindy Minter
Director

Justin Verst
Presiding Officer