

**CITY OF NEWPORT BOARD OF ADJUSTMENT
February 23, 2023
MINUTES**

A special meeting of the Newport Board of Adjustment was held on Thursday, February 23, 2023, at 4:30 p.m. at the Newport Municipal Complex, 998 Monmouth Street, Newport, Kentucky.

In attendance were:

Steve Mathisen, Susan Whitehead, Tim Kiser, Jerry Newberry, Zoning Administrator Brian Steffen, Assistant City Manager John Hayden, and City Clerk Tiffany Myers.

The following member was absent:

Judy Lloyd

Motion by Jerry Newberry, seconded by Steve Mathisen, to appoint Susan Whitehead as the acting chairperson for this meeting.

Roll Call:

Steve Mathisen	Yes
Susan Whitehead	Yes
Tim Kiser	Yes
Jerry Newberry	Yes
Judy Lloyd	Absent

Motion carried- so ordered.

BA-23-03

217 W 13TH STREET

THE APPLICANT IS REQUESTING A CONDITIONAL USE AND PARKING VARIANCE TO ALLOW A 7 UNIT RESIDENTIAL MULTI-FAMILY DWELLING IN THE R-2H ZONE.

REQUESTED BY: COTE BRILLIANTE VENTURES LLC

Brian Steffen, Zoning Administrator, briefly described the application and did not give a recommendation from the city.

As Mr. Warner approached the podium, Mr. Megerle in the audience advised that Mr. Warner required legal representation because Mr. Warner couldn't speak on behalf of his company, an LLC, because it is considered a separate entity.

John Hayden, Assistant City Admin., advised that the board would take a 5-minute recess to contact the city attorney to see if this case could be heard without Mr. Warner's attorney not present at this meeting. John Hayden, Assistant City Admin. resumed the meeting and stated that on multiple occasions, Kentucky law states that legal counsel must represent an LLC when presenting legal claims. Therefore, we are trying to accommodate him being heard. A 5-minute recess was granted for Mr. Warner to contact his attorney.

With Mr. Warner's attorney present, the meeting resumed, and Mr. Warner provided a handout to the board and presented his plans. Next, Mr. Warner asked for two representatives from the St. Vincent De Paul Poor Society to talk on his behalf. They advocated for Mr. Warner's plans presented before the board.

Audience:

Mr. Megerle requested that Mr. Warner come to the podium because he had a few questions he would like to ask him. First, Mr. Megerle questioned whether Mr. Warner notified adjacent property owners, which Mr. Warner said he did. Second, Mr. Megerle asked if Mr. Warner presented his plans to the Clifton Neighborhood Association. Mr. Warner said he did not. Third, Mr. Megerle questioned the project funding received and how it was used. Mr. Warner stated that his funds are through the Catalytic Fund, a grant. Fourth, how many bedrooms are in each unit? Mr. Warner, these are each one bedroom and one bath.

Mr. Megerle asked if Cote Brilliant Ventures LLC has increased city homeownership or offered rental units. Mr. Warner said Cote Brilliant Ventures LLC has not, but he has another LLC that works with homeownership. Finally, Mr. Megerle questioned whether Mr. Warner would apply for a tax moratorium through Newport's program. Mr. Warner said there is a moratorium on this property prior to purchasing it, and he has a few more years on that, and the County taxes do not have a moratorium on them.

Annette Kitchen at 214 W 13TH Street stated she did talk to Mr. Warner about this project but is concerned about parking. This is a big issue on this street, where people are arguing over spots and blocking people in driveways. Ms. Kitchen is also concerned with rental units, which takes away from the fair market value of houses.

The developer of Martins' Gate stated that their development on 13th & 14th Streets has two parking spaces inside the unit, so it would not take away from off-street parking. He also does not support the 7th unit.

Chad Silber, 14 Grandview Ave., stated he did not support the off-street parking request for the reasons everyone else mentioned before him.

Motion by Steve Mathisen, seconded by Tim Kiser, to approve BA-23-03 conditional use for the one-car parking variants and conditional use for an additional one-bedroom unit at the property located at 217 West 13th Street. By granting this request, the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of this neighborhood or the community and will not, under the

circumstance of this particular case, be detrimental to the health and safety or general welfare of persons residing working in the vicinity or injurious to property or improvements in the vicinity that will comply with all regulations conditions specified in the official zoning ordinances as well as being adopted by the comprehensive plan in the City of Newport for such building and use.

Roll Call:

Steve Mathisen	Yes
Susan Whitehead	Yes
Tim Kiser	Yes
Jerry Newberry	Abstained
Judy Lloyd	Absent

Motion carried- so ordered.

Adjournment:

With no other business before the board, a motion was made by Jerry Newberry and seconded by Tim Kiser to adjourn the meeting. Motion carried- so ordered.

Approved: _____
Susan Whitehead, Acting Chairperson

Attest: _____
Tiffany Myers, City Clerk

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