



NEWPORT
KENTUCKY

CITY OF NEWPORT BOARD OF ADJUSTMENT
August 17, 2023
MINUTES

A regular meeting of the Newport Board of Adjustment was held on Thursday, August 17, 2023, at 4:30 p.m. at the Newport Municipal Complex, 998 Monmouth Street, Newport, Kentucky.

In attendance were:

Susan Whitehead, Ed Davis, Stephanie Steffen, Planning and Development Director Brian Steffen, Assistant City Manager John Hayden, and City Clerk Tiffany Myers. Absent: Judy Lloyd and Steve Mathisen.

Prior to commencing the Public Hearing, all parties giving testimony were sworn in. All parties, including the applicant, City staff, Board Attorney, and those in support and opposition of the applicant, have a right to give testimony and cross-examination.

Public Hearing:

BA-23-05

530 West 10th Street

THE APPLICANT IS REQUESTING A FIVE-SPACE PARKING VARIANCE IN ORDER TO OPERATE AN EVENT SPACE

REQUESTED BY: BROADUS CAPITAL INVESTMENTS LLC

Comments:

- Planning and Development Director Brian Steffen presented the city's findings.
- Attorney Will Weber and Darren Schmit presented their case to the Board for the need for a five-space parking variance.
- Jeff Turner, 522 10th Avenue. He feels this request will add parking issues for residents.
- Rosemary Williams, 315 W 10TH Avenue, echoed the same concern as Mr. Turner.

A motion by Ed Davis, seconded by Stephanie Steffen, to table case BA-23-05 until September 21, 2023, meeting to have the owner, Phil Griffith, come and speak to the Board.

Roll Call:

Susan Whitehead	Yes
Ed Davis	Yes
Stephanie Steffen	Yes

Motion carried- so ordered.

BA-23-08

514 York Street

THE APPLICANT IS REQUESTING FIVE CAR PARKING VARIANCE FOR A FIRST-FLOOR COMMERCIAL BUILDING

REQUESTED BY: ISMAIL SHARIDA

Comments:

- Planning and Development Director Brian Steffen presented the city's findings.
- Attorney John Fortner and Applicant Ismail Sharida were present to explain their case to the Board about the need for a five-car parking variance for this business to operate.
- Nadine Schuler, Owner of Eat Well, 518 York St., is concerned about people parking for a long-extended time frame and would like to see meters to limit that.

A motion by Ed Davis, seconded by Stephanie Steffen, to approve case BA-23-08 for a five-car parking variance for 514 York Street. This is a retail-type business, and a variance is needed to conduct business because there is no parking available. By granting this variance, this location will be in harmony with the general purpose and intent of the Ordinance as well as the adopted Comprehensive Plan for the City of Newport. It will not be injurious to the neighborhood or otherwise detrimental to the public welfare. It will not adversely affect public health, safety, or welfare. It will not alter the essential character of the general vicinity. It will not cause a hazard or nuisance to the public. It will not allow an unreasonable circumvention of the requirements of the zoning regulations.

Roll Call:

Susan Whitehead Yes
Ed Davis Yes
Stephanie Steffen Yes
3-0 Motion carried- so ordered.

BA-23-09

2 East 11th Street

**THE APPLICANT IS REQUESTING A REAR SETBACK VARIANCE
REQUESTED BY: A1 CONSTRUCTION INC**

Comments:

- Planning and Development Director Brian Steffen presented the city's findings.
- Planning and Development Director Brian Steffen advised the applicant that he was notified to have an attorney present per the letter he received. Assistant City Manager John Hayden advised the Board to decide if they would like to table this case and have the applicant return with an attorney. Alternatively, they can decide based on information Zoning Administrator Brian Steffen provides to the Board.

A motion by Ed Davis, seconded by Stephanie Steffen, to approve case BA-23-09 to grant a 20-foot rear setback variance at 2 East 11th Street based on the size of the lot and proposed use of the site. This variance would be required for construction to occur. By granting this variance, this location will be in harmony with the general purpose and intent of the Ordinance as well as the adopted Comprehensive Plan for the City of Newport. It will not be injurious to the neighborhood or otherwise detrimental to the public welfare. It will not adversely affect public health, safety, or welfare. It will not alter the essential character of the general vicinity. It will not cause a hazard or nuisance to the public. It will not allow an unreasonable circumvention of the requirements of the zoning regulations.

Roll Call:

Susan Whitehead Yes
Ed Davis Yes
Stephanie Steffen Yes
3-0 Motion carried- so ordered.

BA-23-10

801 York Street

THE APPLICANT IS REQUESTING CONDITIONAL USE FOR MULTIFAMILY RESIDENTIAL AND PARKING VARIANCE.

Requested by: DIVERSIFIED CAPITAL MANAGEMENT

Comments:

- Planning and Development Director Brian Steffen presented the city's findings.
- Mr. Cronin, the applicant, was present with his attorney. Mr. Cronin gave a presentation to the Board.
- A five-minute recess was taken at 6:57 p.m. The meeting reconvened at approximately 7:03 p.m. with the following members present: Susan Whitehead, Ed Davis, and Stephanie Steffen.
- Mr. Cronin agreed to reduce his plans for a parking variance from 61 to 39 parking spots, which would also lessen the proposed apartment units.

A motion by Ed Davis, seconded by Stephanie Steffen, to table case BA-23-10 and for the applicant to come back with a better business plan for the Board to review.

Roll Call:

Susan Whitehead Yes
Ed Davis Yes
Stephanie Steffen Yes
3-0 Motion carried- so ordered.

Adjournment:

A motion by Ed Davis, seconded by Stephanie Steffen, to adjourn the meeting. Motion-carried- so ordered. Accordingly, the meeting was adjourned at 7:12 p.m.

Approved: _____
Susan Whitehead, Acting Chairperson

Attest: _____
Tiffany Myers, City Clerk