



NEWPORT
KENTUCKY

PUBLIC NOTICE OF A SPECIAL MEETING

Notice is hereby given that a Special Meeting of the Board of Adjustments of the City of Newport, Kentucky, has been called. The meeting will be held on April 8, 2025, at 4:30 p.m. The agenda will be available at www.newportky.gov

Notice dated 1of April 2025.

Tiffany Myers

City Clerk Tiffany Myers



**NEWPORT BOARD OF ADJUSTMENTS
SPECIAL MEETING**

April 8, 2025 @ 4:30 P.M.

Newport Municipal Building, 998 Monmouth Street, 1st Floor Multi-Purpose Room

*The public can access the meeting through the live stream on
Facebook.com/CityofNewportKY or YouTube/CityofNewportKY*

AGENDA

CALL TO ORDER:

PUBLIC HEARING:

BA-25-06

The applicant is requesting a conditional use permit and a parking variance to operate a meeting/reception venue in the Central Business District Fringe (CBDF) located at 518 York Street, Newport, KY 41071.

Requested by: Hermes Construction Company & Schuler Investments LLC

BA-25-08

The applicant is requesting a parking variance in the R-3 zone at 901 Saratoga St, Newport, KY 41071.

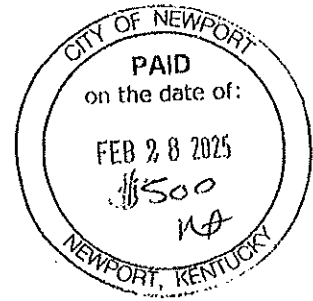
Requested by: 901 Saratoga LLC

ADJOURNMENT:

BOARD OF ADJUSTMENT APPLICATION

CASE NUMBER:
DATE RECEIVED:
HEARING DATE:

BA-25-019
2.28.25
3.20.25



A GENERAL INFORMATION (PRINT OR TYPE):

- 1 Name of person or entity requesting hearing Hermes Construction Co. - Erik Hermes
Schuler Investments LLC / Eat Well - Renee Schuler
Address _____

Telephone number(s) that you can be reached at between the hours of 8:30 a.m. and 4:30 p.m.

- 2 Address of subject property 518 York St. Newport, KY 41071
3 Current zoning of subject property CBDP

Please provide the owner's names and addresses of all adjacent property including immediately across any adjoining streets. (On either side, directly across the street and directly behind your property)

- 4 Has subject property been platted? Yes _____ No X

- 5 Has property been subject to any previous Board of Adjustment's hearings?

Yes _____ No X if yes, attach application number and brief explanation:

- 6 Attach Site Plan if required by Zoning Administrator. Required X
Not required _____

B TYPE OF HEARING REQUESTED (CHECK APPLICABLE CATEGORY OR CATEGORIES):

- X 1 DIMENSIONAL VARIANCE (SITE PLAN REQUIRED):

Fully describe the dimensional variance(s) requested; give specific measurements and cite the applicable Zoning Ordinance section(s) governing the request. Attach additional pages as necessary.

Parking Variance

The existing parking lot across the street has 32 spaces

Listed below are conditions, which must be met in order to qualify the property for a dimensional variance. Check the conditions, which apply to this request and provide supporting documentation for each item checked

- ____ (a) Specific conditions exist, which are unique to this land and do not exist on other land in the same zone.

- ____ (b) Strict application of Zoning Ordinance requirements will deprive the applicant to reasonable use of the land in a manner equivalent to uses permitted other landowners in the same zone.
- ____ (c) The unique conditions and circumstances in Section B-1-(a) above are not the result of actions taken by the applicant subsequent to March, 1982.
- ____ (d) The dimensional variance will preserve and not harm public safety and welfare and will not alter the essential character of the neighborhood.
- ____ (e) Granting a dimensional variance will not give the applicant any special privilege that is not allowed to other lands, structures, or buildings in the same zone. The nonconforming use of neighboring lands and structures in the same zone is not considered grounds for issuance of a dimensional variance.

____ 2 APPEAL OF ZONING ADMINISTRATOR'S ORDER, REQUIREMENT, DECISION, GRANT, OR REFUSAL:

Fully describe the grounds for appeal, citing the applicable Zoning Ordinance section(s), and thoroughly explain why the Zoning Administrator erred in reaching the appealed decision. Attach additional pages as necessary.

X 3 CONDITIONAL USE PERMIT (SITE PLAN REQUIRED):

Most recent or current use of property The second floor is vacant.
 If not currently in use, when was it last in use Unknown
 Proposed conditional use Meeting/reception venue on the second floor.

Listed below are conditions, which must be met in order to qualify for a conditional use permit. Check the conditions, which apply to this request and provide supporting documentation for each item checked.

See the attached narrative

- ____ (a) The proposed building and use are necessary and desirable to provide a service or facility, which will contribute to the general well-being of the neighborhood or the community.
- ____ (b) The building and use will not be detrimental to the health, safety or general welfare of the people who reside or work in the vicinity or be injurious to property or improvements in the vicinity.
- ____ (c) The building and use will comply with any regulations and conditions specified in the Zoning Ordinance for such building and use.

____ 4. INTERPRETATION OF ZONING MAP OR OTHER SPECIAL QUESTIONS:

Fully describe the nature of the request for interpretation or clarification. Cite all Zoning Ordinance sections applicable to the question asked.

_____, 5

CHANGE FROM ONE NON-CONFORMING USE TO ANOTHER NON-CONFORMING USE:

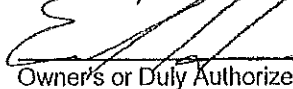
Current or most recent non-conforming use _____
If not currently in use, when was it last in use _____
Proposed non-conforming use _____
Comprehensive Plan for subject area _____

Fully explain all reasons why the proposed change will preserve and not harm the public safety and welfare and will not injure the essential character of the neighborhood. Attach additional pages as necessary.

Fully explain how the proposed non-conforming use will be more in conformance with the Comprehensive Plan for the City of Newport, as it applies to the area in question, than the existing non-conforming use. Attach additional pages as necessary.

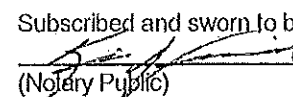
Fully explain how the proposed non-conforming use is more in conformance with permitted uses in the same zone than the present non-conforming use. Attach additional pages as necessary.

I hereby depose and say under the penalties of perjury that all of the statements contained in or submitted with this application are true.

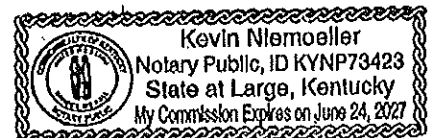


Owner's or Duly Authorized Legal Agent's Signature

City of FRANKFORT
County of BOWLING
Commonwealth of Kentucky

Subscribed and sworn to before me this 27th day of FEbruary, 2015
 KYNP 73423
(Notary Public)

My Commission expires JUNE 24, 2027



BOARD OF ADJUSTMENT APPLICATION

CASE NUMBER:
DATE RECEIVED:
HEARING DATE:

BA-05-08
3.24.08
Apr. 1 8

Cont - March 20 Hearing

A GENERAL INFORMATION (PRINT OR TYPE):

- 1 Name of person or entity requesting hearing Donel Autin / 901 Saratoga, LLC
Address _____

Telephone number(s) that you can be reached at between the hours of 8:30 a.m. and 4:30 p.m.

- 2 Address of subject property 901 Saratoga, Newport, KY 41071

- 3 Current zoning of subject property R3 - Residential

*****Please provide the owner's names and addresses of all adjacent property including immediately across any adjoining streets. (On either side, directly across the street and directly behind your property.)*****

Attached

- 4 Has subject property been platted? Yes _____ No _____

- 5 Has property been subject to any previous Board of Adjustment's hearings?

Yes _____ No XX if yes, attach application number and brief explanation:

- 6 Attach Site Plan if required by Zoning Administrator. Required _____
Not required _____

B TYPE OF HEARING REQUESTED (CHECK APPLICABLE CATEGORY OR CATEGORIES):

- 1 DIMENSIONAL VARIANCE (SITE PLAN REQUIRED):

Fully describe the dimensional variance(s) requested; give specific measurements and cite the applicable Zoning Ordinance section(s) governing the request. Attach additional pages as necessary.

Listed below are conditions, which must be met in order to qualify the property for a dimensional variance. Check the conditions, which apply to this request and provide supporting documentation for each item checked

- (a) Specific conditions exist, which are unique to this land and do not exist on other land in the same zone.

- ____ (b) Strict application of Zoning Ordinance requirements will deprive the applicant to reasonable use of the land in a manner equivalent to uses permitted other landowners in the same zone.
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- ____ (d) The dimensional variance will preserve and not harm public safety and welfare and will not alter the essential character of the neighborhood.
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____ 2 **APPEAL OF ZONING ADMINISTRATOR'S ORDER, REQUIREMENT, DECISION, GRANT, OR REFUSAL:**

Fully describe the grounds for appeal, citing the applicable Zoning Ordinance section(s), and thoroughly explain why the Zoning Administrator erred in reaching the appealed decision. Attach additional pages as necessary.

X 3 **CONDITIONAL USE PERMIT (SITE PLAN REQUIRED):**

Most recent or current use of property Two family and one commercial
If not currently in use, when was it last in use _____
Proposed conditional use Parking Variance for three residential, one commercial unit

Listed below are conditions, which must be met in order to qualify for a conditional use permit. Check the conditions, which apply to this request and provide supporting documentation for each item checked.

- X (a) The proposed building and use are necessary and desirable to provide a service or facility, which will contribute to the general well-being of the neighborhood or the community.
- X (b) The building and use will not be detrimental to the health, safety or general welfare of the people who reside or work in the vicinity or be injurious to property or improvements in the vicinity.
- X (c) The building and use will comply with any regulations and conditions specified in the Zoning Ordinance for such building and use.

____ 4 **INTERPRETATION OF ZONING MAP OR OTHER SPECIAL QUESTIONS:**

Fully describe the nature of the request for interpretation or clarification. Cite all Zoning Ordinance sections applicable to the question asked.

CHANGE FROM ONE NON-CONFORMING USE TO ANOTHER NON-CONFORMING USE:

Current or most recent non-conforming use _____
 If not currently in use, when was it last in use _____
 Proposed non-conforming use _____
 Comprehensive Plan for subject area _____

Fully explain all reasons why the proposed change will preserve and not harm the public safety and welfare and will not injure the essential character of the neighborhood. Attach additional pages as necessary.

Fully explain how the proposed non-conforming use will be more in conformance with the Comprehensive Plan for the City of Newport, as it applies to the area in question, than the existing non-conforming use. Attach additional pages as necessary.

Fully explain how the proposed non-conforming use is more in conformance with permitted uses in the same zone than the present non-conforming use. Attach additional pages as necessary.

I hereby depose and say under the penalties of perjury that all of the statements contained in or submitted with this application are true.

[Signature]
 Owner's or Duly Authorized Legal Agent's Signature

City of Ft. Mitchell
 County of Kenton
 Commonwealth of Kentucky



Subscribed and sworn to before me this 24 day of March 2025
Raechel Michelle Spicer
 (Notary Public)

My Commission expires 10/25/2026