

BOARD OF ADJUSTMENT
CYNTHIANA

REGULAR MEETING
MEETING MINUTES

AUGUST 12, 2021

Courthouse Community Room

6:00 P.M.

Call to Order

Chairman Joseph Ammerman called the meeting to order at 6:00 p.m.

Present: Joseph Ammerman-Chairman, Charles Biancke-Vice Chairman, James Brooks-Secretary and Noel Riddell
Bonnie Skinner-Director
Brian Canupp-Legal Counsel
Charlene Fuller-Recording Secretary

Minutes-June 10th, 2021

Charles Biancke made a motion to approve the minutes of June 10, 2021 as presented. James Brooks seconded. Ammerman, Riddell, Brooks and Biancke voted yes. None voted no. Motion Passed 4-0.

Postponement:

None.

Old Business:

None.

New Business:

- A. #2021-CB-06, Carman Ratliff-Request for Conditional Use for Airbnb at 502 Chelsea Drive. Zoning: Residential One District (R-1). (Art. 10 Sec. 10.2.C/10)
Joseph Ammerman made a motion for approval for an VRBO/AirBnb based on the findings of facts under Article 10.2.C.10 of the Zoning Ordinances for property at 502 Chelsea Drive. The property is zoned Residential One District (R-1); the conditional use will not have significant impact on adjoining properties, and shall meet the following conditions: 1.) The Applicant shall return to the Board of Adjustment prior to any change which affects the approved conditions. 2.) All sign regulations shall be met. 3.) The conditional use permit shall become null and void upon sale or transfer of the property. Noel Riddell seconded. Ammerman, Riddell, Brooks and Biancke voted yes. None voted no. Motion Passed 4-0.
- B. #2021-CB-07, Samarra McBreairty-Request for Conditional Use for Airbnb at 310 E. Pike St. Zoning: Residential One District (R-1). (Art. 10 Sec. 10.2C.10)
Joseph Ammerman made a motion for approval of a conditional use for an VRBO/AirBnb based on the findings of facts under Article 10.2.C.10 of the Zoning

Ordinances for property at 310 E. Pike Street. The property is zoned Residential One District (R-1); the conditional use will not have significant impact on adjoining properties, and shall meet the following conditions: 1.) The Applicant shall return to the Board of Adjustment prior to any change which affects the approved conditions. 2.) All sign regulations shall be met. 3.) The conditional use permit shall become null and void upon sale or transfer of the property. Charles Biancke seconded. Ammerman, Riddell, Brooks and Biancke voted yes. None voted no. Motion Passed 4-0.

C.#2021-CB-08, Susie Case-Request for Conditional Use for Airbnb at 403 E. Pike St.

Zoning: Residential One District (R-1). (Art. 10 Sec. 10.2C.10)

Joseph Ammerman made a motion for an VRBO/AirBnb based on the findings of facts under Article 10.2.C.10 of the Zoning Ordinances for property at 403 E. Pike Street.

The property is zoned Residential One District (R-1); the conditional use will not have significant impact on adjoining properties, and shall meet the following conditions: 1.) The Applicant shall return to the Board of Adjustment prior to any change which affects the approved conditions. 2.) All sign regulations shall be met. 3.) The conditional use permit shall become null and void upon sale or transfer of the property. Charles Biancke seconded. Ammerman, Riddell, Brooks and Biancke voted yes. None voted no. Motion Passed 4-0.

D.#2021-CB-09, Susie Case-Request for Conditional Use for Airbnb at 216 Oddville Ave. Zoning: Residential One District (R-1). (Art 10 Sec. 10.2.C.10)

Joseph Ammerman made a motion for approval for an VRBO/AirBnb based on the findings of facts under Article 10.2.C.10 of the Zoning Ordinances for property at 216 Oddville Ave. The property is zoned Residential One District (R-1); the conditional use will not have significant impact on adjoining properties, and shall meet the following conditions: 1.) The Applicant shall return to the Board of Adjustment prior to any change which affects the approved conditions. 2.) All sign regulations shall be met. 3.) The conditional use permit shall become null and void upon sale or transfer of the property. Charles Biancke seconded. Ammerman, Riddell, Brooks and Biancke voted yes. None voted no. Motion Passed 4-0.

E. #2021-CB-10, Benjamin Nash & Amber Schools-Request for Conditional Use for furniture making and decorative items making at 116 Grandview Drive. Zoning: Residential One District (R-1). (Art. 10 Sec. 10.2.C.10)

Applicants Benjamin Nash & Amber Schools were present to present the application.

Public:

Grandview area residents present who objected to the application were: George Jacobs, Donna Jacobs, Woodrow Richie and Wayne Wright citing the following: The Grandview Acres Subdivision was established in 1955 and its covenants state there is to be no operation of businesses except for dentist or physician office in the home. That property rights should be protected it would effect property values. This would be a business in a residential area. The area keeps maintenance of their yards and there has been wood in the driveway that code enforcement had been called to contact the property owner to clean it up. If they wanted to operate a business they should locate in the downtown area leaving this area to stay as residential use.

Executive Session:

Noel Riddell made a motion to go to executive session for pending litigation. Joseph Ammerman seconded. Ammerman, Riddell, Brooks and Biancke voted yes. None voted no. Motion Passed 4-0.

Charles Biancke made a motion to return to regular session. James Brooks seconded. Ammerman, Riddell, Brooks and Biancke voted yes. None voted no. Motion Passed 4-0.

Noel Riddell made a motion to approve a conditional use permit for Christopher Rose Furniture Co., at 116 Grandview Drive; the conditional use will not have significant impact on adjoining properties, and shall meet the following conditions: 1.) The hours of operation are 9:00 a.m. to 6:00 p.m. 2.) There will be no signage placed on the Project Site. 3.) No material in the driveway. 4.) Construction of any and all furniture/decorative items will be constructed within the house, garage or storage building. 5.) The applicant will deliver all furniture, clients will not come to the site. 6.) The Applicant shall return to the Board of Adjustment prior to any change which affects the approved conditions. 7.) There will only be one employee permitted at the Project Site. 8.) The property must be cleaned after business hours and storage of items must not be outside. Joseph Ammerman seconded. A poll vote was taken: Joseph Ammerman-yes, Noel Riddell-yes, James Brooks-no and Charles Biancke-no. Motion Failed: 2 yes and 2 no.

Other Business:

Old Business

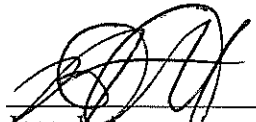
There was none.

New Business:

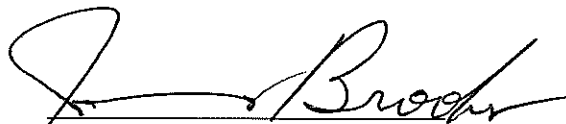
There was none.

Adjourn

Joseph Ammerman made a motion to adjourn being no other discussion at 7:00pm. Charles Biancke seconded. Ammerman, Riddell, Brooks and Biancke voted yes. None voted no. Motion Passed 4-0.



Joseph Ammerman
Chairman



James Brooks
Secretary