

ORDINANCE NO. 2438

AN ORDINANCE OF THE CITY OF ERLANGER IN KENTON COUNTY KENTUCKY ESTABLISHING FILING/APPLICATION FEES FOR THE BOARD OF ADJUSTMENT, AS WELL AS PROVIDING NOTIFICATION PROTOCOL FOR ANY HEARING BEFORE THE BOARD OF ADJUSTMENT

WHEREAS, the City of Erlanger has a legally composed Board of Adjustment to hear variance and conditional use requests, as well as appeals of the Zoning Administrator's decisions; and

WHEREAS, the City is desirous of establishing applicable filing fees for any application to the Board of Adjustment; and

WHEREAS, in addition to establishing filing fees, the City is also desirous of establishing notification protocol, which meets or exceeds applicable state law.

NOW THEREFORE, be it ordained by the City of Erlanger in Kenton County Kentucky as follows:

Section 1.0 Request for Variance/Change from One Nonconforming Use to Another

Filing Fee: \$340.00

Notification and Protocol:

Notify all adjoining property owners, by first class mail, at least seven (7) days prior to the hearing

Notify the Board of Adjustment members, by First class mail, at least seven (7) days prior to the hearing

Items to be included in the notice to the above:

Date, Time, Location and Subject of Hearing

Section 2.0 Conditional Use Permit

Filing Fee: \$375.00

Notification and Protocol:

Notify all adjoining property owners, applicant, administrative official, Mayor, abutting City and/or County, at least fourteen (14) days nor more than twenty-one (21) days prior to the hearing, by certified mail

Notify the Board of Adjustment members, by First class mail, at least fourteen (14) days prior to the hearing

Items to be included in the notice to the above:

Date, Time, Location and Subject of Hearing

Section 3.0 Appeal of Zoning Administrator

Filing Fee: \$480.00

Notification and Protocol:

Notify applicant, administrative official, and any other party involved with the appeal, by first class mail, at least seven (7) days prior to the hearing

Notify the Board of Adjustment members, by First class mail, at least seven (7) days prior to the hearing

Run legal ad in accordance with KRS 424.130, not less than seven (7) nor more than twenty-one (21) days before the occurrence of the hearing

Items to be included in the notice to the above:

Date, Time, Location and Subject of Hearing

Section 4.0 – Provisions Severable

The provisions of this Ordinance are severable; and the invalidity of any provision of this Ordinance shall not affect the validity of any other provision thereof; and such other provisions shall remain in full force and effect as long as they remain valid in the absence of those provisions determined to be invalid.

Section 5.0 – Conflicting Ordinances Repealed

All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 6.0 – Effective Date

This Ordinance shall be effective as soon as possible according to law.

TYSON HERMES, MAYOR

DATE: August 2, 2016