



# **KC&MP&ZC MINUTES**

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## **KENTON COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION**

### **REGULAR MEETING**

**October 6, 2005**

**6:15 P.M.**

**NKAPC Meeting Room**

**2332 Royal Drive**

**Fort Mitchell, Kentucky**

### **MINUTES**

#### **COMMISSION MEMBERS PRESENT:**

Ms. Barbara Carlin – Kenton County

Mr. Barry Coates – Covington

Mr. Paul Darpel – Edgewood

Mr. Chuck Eilerman - Covington

Mr. Tom France - Ludlow

Mr. Al Hadley – Elsmere

Mr. David Hilgeford - Villa Hills

Greg Scheper – Crescent Springs

\*Mr. John Wells – Ft. Mitchell

Mr. Paul Swanson, Secretary/Treasurer – Erlanger

Ms. Alex Weldon, Chairperson - Covington

**COMMISSION MEMBERS NOT PRESENT :**

Mr. James Cook - Kenton County

Mr. Mike Denham – Bromley

Mr. Mark Hushebeck – Lakeside Park

Mr. Robert Logsdon – Taylor Mill

Mr. Phil Ryan – Park Hills

Ms. Maura Snyder – Independence

Mr. Bernie Wessels – Ft. Wright

Mr. Joseph Price, Vice Chairman - Crestview Hills

\*arrived after roll was taken

**LEGAL COUNSEL PRESENT:**

Mr. Matt Smith, Esq. for Mr. David Schneider, Esq.

Ms. Weldon, Chairperson, called the meeting to order. The meeting was opened with the Pledge of Allegiance and an invocation by Mr. Eilerman.

**AGENDA:**

There were no changes to the agenda for the evening.

## **APPROVAL OF THE MINUTES:**

The minutes for September were distributed to the Commissioners in their packets. Mr. Hadley noted on page twelve "Mr. Franc" should read "Mr. France." There were no other changes or corrections made to the minutes.

## **FINANCIAL REPORT:**

There were no questions or comments with regard to the report. All in favor of accepting the report as submitted. None opposed.

## **ACTIONS SINCE LAST MEETING:**

The memorandum regarding the actions taken by Staff over the past month was distributed for informational purposes only. There were no questions or comments.

## **PUBLIC HEARINGS:**

### **1769R**

**APPLICANT:** City of Ft. Mitchell per Mayor Thomas E. Holocher

**REQUEST:** Proposed text amendments to the Fort Mitchell Zoning Ordinance modifying the sign regulations pertaining to Class 5 and Class 6 signs.

Staff presentation and Staff recommendations by Mr. Andy Videkovich.

No one registered to speak on the issue. A motion was made by Mr. Hadley to approve based on Staff's recommendations. Mr. France seconded the motion. A roll call vote on the matter found Mr. Hadley, Mr. France, Ms. Carlin, Mr. Coates, Mr. Darpel, Mr. Eilerman, Mr. Hilgefard, Mr. Scheper, Mr. Wells, Mr. Swanson and Ms. Weldon in favor. The motion carried unanimously.

### **1770R**

**APPLICANT:** A & C Properties, LLC per Gary Anthonissen on behalf of Charles and Rene Robinson.

**LOCATION:** An approximate 4-acre area located along the west side of Pleasure Isle Drive, approximately 200 feet west of its intersection with KY 17 in Erlanger.

**REQUEST:** A proposed map amendment to the Erlanger Zoning Ordinance changing the described area

from R-1G (a single family residential zone) to NC-2 (a neighborhood commercial zone).

Staff presentation and Staff recommendations by Mrs. Melissa Jort-Conway.

Mr. Anthonissen, Mr. Dave Crail, Mr. Richard Carr and Ms. Sondra Tattershell registered to speak on the issue.

Mr. Anthonissen addressed the Commission in favor of the issue and distributed a handout which was marked as an exhibit and made part of the record on the matter. Mr. Anthonissen stated he feels this is really not a residential area. He stated there are basically six homes on the whole area and mostly businesses. He further stated that  $\frac{3}{4}$  of the land is hillside. He additionally noted that about 1  $\frac{1}{2}$  acres of the land is flat developable land. Mr. Anthonissen stated the land is cleared and almost ready to be developed. He further stated they are interested in putting in a restaurant and that it is an ideal location for a restaurant. He also noted the current site will accommodate the surrounding residents. Mr. Anthonissen noted there have been significant changes to the area such as the new highway. He further indicated that all requirements will be complied with.

Mr. Crail addressed the Commission and commented on the uniqueness of the land itself. He stated the CSX track is a major track. He also stated the area is completely blocked off. He also stated that realistically he can't see where residential would be built in this area. Mr. Hilgefurd stated he had some reservations with KY 17 not having a turn lane. Mr. Anthonissen stated a light probably should be in the area. He then stated that both developments meet like a natural 4-way stop.

Mr. Carr addressed the Commission and stated he was available to answer any questions. He also indicated that water is already present at the site and that the use seems like a low intensity use for the site.

Ms. Tattershell addressed the Commission in opposition. She stated she is concerned with the potential of 75 cars turning into the area. She stated there are ten homes in the area. She also stated her concerns with the Banklick Creek and the adequacy of the road itself. She stated she feels it will need some changes. Ms. Tattershell further indicated she is concerned with the amount of the right of way with the road and how far back the development will be. She additionally noted concerns with the possible uses for the area.

There was no rebuttal by the applicant.

Mr. Hilgefurd stated a similar application was made a few years ago in Kenton County, just a few miles away. He stated they were asking for NC-2, not NC-1 which allows for a lot more latitude. He further stated there haven't been any changes to the area. He stated the new highway was planned for. He additionally stated just because somebody is going to make some money on a development is not a reason to change the zone. He then stated he agrees with Staff in their decision. Mr. Eilerman then indicated he supports what Mr. Hilgefurd stated and further added it is an area worthy of remaining

residential. Ms. Weldon then commented that it really doesn't matter if it's ten houses or two houses and that it is still a matter of people being impacted with having a commercial development next to a residential development. Mr. Hilgefurd then made the motion to disapprove for the reasons stated by Staff. Ms. Carlin seconded the motion. A roll call vote on the matter found Mr. Hilgefurd, Ms. Carlin, Mr. Coates, Mr. Darpel, Mr. Eilerman, Mr. France, Mr. Scheper, Mr. Wells, Mr. Swanson and Ms. Weldon in favor. Mr. Hadley voted against. The motion carried.

## 1771R

**APPLICANT:** City of Erlanger per P. David Hahn

**REQUEST:** Proposed text amendment to the Erlanger Zoning Ordinance (1) adding a new zoning designation – the IP-4 (Industrial Park – Four) Zone along with necessary cross references in other sections of the zoning ordinance; (2) revising Section 15.2 K., Performance Standards, for the I-1 (Industrial One) Zone; and (3) modifying the number and location of Class 9 signs in an NSC (Neighborhood Shopping Center) and SC (Shopping Center) Zones.

Staff presentations and Staff recommendations by Mr. Andy Videkovich.

No one registered to speak for or against. Mr. Lance Donaldson just asked for clarification on which application this was. He had nothing to add. Mr. Swanson made the motion to approve all three sections while disapproving “A” and concurring with Staff on items “B” and “C.” Mr. Darpel seconded the motion. A roll call vote on the matter found Mr. Swanson, Mr. Darpel, Ms. Carlin, Mr. Coates, Mr. Eilerman, Mr. France, Mr. Hadley, Mr. Hilgefurd, Mr. Scheper, Mr. Wells and Ms. Weldon in favor. The motion carried unanimously.

## 1772R

**APPLICANT:** City of Latonia Lakes per Mayor William R. Dorgan, Jr.

**REQUEST:** Proposed text amendments to the Latonia Lakes Zoning Ordinance modifying the minimum side yard requirements and other development controls within the R-1C Zone (a single family residential zone).

Staff presentation and Staff recommendations by Mrs. Melissa Jort-Conway.

Mayor Dorgan, Mr. Jim Viox, Mr. Adam Chaney and Mr. Dennis Williams registered to speak in favor of the issue. No one registered to speak against.

Mr. Viox addressed the Commission and stated the reason for the application is to bring the side yard consistent with the rest of the county. He noted as to lighting he stated the request is so the individual lighting would be on the private property and be paid for by the property owner. Mr. Viox stated they

are willing to accept the recommendations of Staff and deal with it at a later date.

Mr. Dorgan addressed the Commission and stated they are using this subdivision as a model to basically reconstruct the rest of the city. He stated as to the lighting issue that the existing lighting is not very appealing. He stated they would accept the recommendation as is.

Mr. Chaney had nothing to add.

Mr. Williams addressed the Commission and stated it's their understanding that the only property in Latonia Lakes that will be affected by this is the area in question.

Mr. France then made a motion to approve the first portion and disapprove the second portion based on Staff's recommendations. Mr. Darpel then asked that the motion be split between the two. Mr. France responded and stated he had no problem with that. The motion was then for the first half of the recommendation modifying the side yard requirements. Mr. Darpel seconded the motion. A roll call vote on the matter found Mr. France, Mr. Darpel, Ms. Carlin, Mr. Coates, Mr. Eilerman Mr. Hadley, Mr. Hilgeford, Mr. Scheper, Mr. Wells, Mr. Swanson and Ms. Weldon in favor. The motion carried unanimously. Mr. France then made the motion to disapprove the second portion as to the lighting waiver based on the recommendations of Staff. Mr. Hilgeford seconded the motion. A roll call vote on the matter found Mr. France, Mr. Hilgeford, Ms. Carlin, Mr. Coates, Mr. Eilerman, Mr. Hadley, Mr. Wells, Mr. Swanson and Ms. Weldon in favor. Mr. Darpel and Mr. Scheper voted against. The motion carried.

## **1773R**

**APPLICANT:** Special Asset Acquisitions, LLC and the City of Latonia Lakes per Mayor William R. Dorgan, Jr.

**LOCATION:** An approximate 3-acre area located at the northeast corner of the intersection of Klette Road with Saylor's Court in Latonia Lakes.

**REQUEST:** A proposed map amendments to the Latonia Lakes Zoning Ordinance changing the described area from R-RE (a residential rural estate zone) to R-1C (a single-family residential zone).

Staff presentation and Staff recommendations by Mrs. Melissa Jort-Conway.

Mr. Viox, Mr. Chaney and Mr. Williams registered to speak in favor of the issue. Ms. Charlene Case registered to speak against.

Mr. Viox addressed the Commission and stated the report by Staff was very accurate. He stated the developer would like to have it zoned to be compatible with the other properties. He stated they intend to complete the turning lane but they would need to acquire the property to put in the turn lane. He further

stated since they did not own the property in question they are asking for a zone change to comply with other properties.

Mayor Dorgan addressed the Commission and stated to their knowledge the road is not posted so therefore it is a 55 m.p.h. speed zone. He stated the city is working with Frankfort to get it reduced to what it should be. He further stated he would like the zone consistent throughout the city. He stated he is asking the Commission to grant the waivers to allow for progress in the subdivision.

Mr. Chaney addressed the Commission and stated there are no turn lanes and this is merely a site distance issue.

Ms. Case addressed the Commission and stated when the subdivision was in the process of being developed no one knew about it until after. She stated she lived there for forty-five years and at one time a sign was put up posting the road at 35 m.p.h but a week later it was gone. She further stated they have just now gotten around to posting it again. She commented on the runoff that will occur from the 75+ homes. She also noted Klette Road is a drop off. She stated she has been almost run off the road many times as there are no shoulders. She noted it is difficult for two cars to pass on the road. Ms. Case also cited her concerns with having only one way into the development. She noted she sees no benefit to area residents. She stated there is no site distance due to the mound of dirt and further indicated the grass just needs to be cut.

Mr. Viox stated in rebuttal that they are only going to put in three lots on the site in question.

Mr. Hilgefurd made the motion to approve based on Staff's recommendations. Mr. Eilerman seconded the motion. A roll call vote on the matter found Mr. Hilgefurd, Mr. Eilerman, Ms. Carlin, Mr. Coates, Mr. Darpel, Mr. France, Mr. Hadley, Mr. Scheper, Mr. Wells, Mr. Swanson and Ms. Weldon in favor. The motion carried unanimously.

**\* the following two issues were combined for purposes of the meeting.**

**1774R**

**APPLICANT:** B.F. Development Associates, Inc. per Henry Fischer on behalf of Holds Branch Investment Associates, LLC and Martin and Helen Taylor.

**LOCATION:** An approximate 237.8-acre area located within the corporate boundaries of the Cities of Covington and Taylor Mill and described as follows: In Covington, Area A is an approximate 5.9-acre area located at the northeast corner of the intersection of Madison Pike with Holdsbranch Road; Area B is an approximate 44-acre area located along the north side of Holdsbranch Road approximately 1,500 feet southeast of Madison Pike; and Area G is an approximate 120-acre area located along the south side of Holdsbranch Road, approximately 1,500 southeast of Madison Pike. In Taylor Mill; Area C is an approximate 13-acre area located approximately 500 feet north of Holdsbranch Road and approximately

2,000 feet southeast of Madison Pike; Area D is an approximate 0.9-acre area located along the south side of Holdsbranch Road approximately 2,500 feet southeast of Madison Pike; Area E is an approximate 16-acre area located along the south side of Holdsbranch Road approximately 3,400 feet southeast of Madison Pike; and Area F is an approximate 38-acre area located approximately 1,000 feet southeast of Holdsbranch Road and approximately 4,500 feet southeast of Madison Pike.

**REQUEST:** Proposed map amendments to the Covington Zoning Ordinance changing: the described Area A from IP (an industrial park zone) to NC-1 (a neighborhood commercial one zone); the described Area B from R-1E (a detached single-family residential zone) and IP (an industrial park zone) to R-1E (PUD) (a residential zone with a planned unit development overlay zone); and, the described Area G from R-1C (a detached single-family residential zone) and IP (an industrial park zone) to R-1D (PUD) (a residential zone with a planned unit development overlay zone). Proposed map amendments to the Taylor Mill Zoning ordinance changing: the described Area C from R-1E (a detached single-family residential zone) to R-1E (PUD) (a residential zone with a planned unit development overlay zone); the described Areas D, E and F from R-1C (a detached single-family residential zone); to R-1D (PUD) (a residential zone with a planned unit development overlay zone).

## **W-658**

**APPLICANT:** B.F. Development Associates, Inc. per Henry Fischer on behalf of Holds Branch Investment Associates, LLC and Martin and Helen Taylor.

**LOCATION:** An approximate 237.8 acre area located along the north and south sides of Holdsbranch Road and along the east side of Madison Pike within the corporate limits of the Cities of Covington and Taylor Mill.

**REQUEST:** To waive requirements of the Kenton County Subdivision Regulations. The applicant proposes: (1) to provide 1.5 parking spaces per apartment unit in Covington and two parking spaces per apartment unit in Taylor Mill in place of the required 4 parking spaces per apartment unit; (2) to provide 22 feet of pavement within a 23-foot right of way and an 8.5 feet maintenance easement in attached-residential sections in place of the required 50 foot minimum setback and 40 feet of right of way; (3) to construct four foot wide sidewalks along one side of all streets except Viale Tuscany where five foot sidewalks are requested in place of the required pavement sections; (4) to construct Viale Tuscany from Braid Way to Viale Siene and Viale Prato with a 12 percent grade, 300 foot minimum horizontal curve, and 100 feet minimum tangent distance for reverse curves in place of 10 percent, 400 feet and 200 feet standards; (5) to permit 50 foot rights of way for collector streets in place of the 60 feet requirement; (6) to provide 50 foot minimum horizontal radii in condominium areas instead of the required 100 feet; and (7) to provide minimum K values of  $K=7$  for vertical curves in condominium areas instead of the required  $K=15$ .

Mr. Smith, legal counsel, stated his firm has represented the owner in the past so he would be recusing himself from discussing the issue. Mr. Hilgefurd noted his concern with proceeding with the hearing



basically with no legal representation. He stated this should have been known ahead of time that there would be a conflict. After a brief discussion Mr. Darpel commented that he felt the hearing should proceed and if a legal issue arose it would be addressed at that time.

Staff presentation and Staff recommendations by Mr. Scott Hiles.

Mr. Butler, Mr. Chuck Berling, Mr. Henry Fischer, Mr. Jack Gehrum and Mr. Joe Kramer registered to speak in favor of the issue. Mr. Scott Belmer, Ms. Pat Lutz, Ms. Bonnie Dobson, Ms. Sue Allen, Mr. Lance Donaldson and Ms. Susan Sparks registered to speak against. Mr. Jim Bertram, Mr. William Eubank, Mr. Mike Eubank, Mr. David Eubank, Mr. James Eubank, Mr. Frank Hehman, Mr. Darrin Eyre and Mr. Paul Maxfield registered to speak as neutral parties.

Ms. Weldon then read various documents received from the City of Taylor Mill, the city engineer for Covington, the executive assistant at Atkins and Pierce in Covington, property owners, etc., with regard to the issue and all were marked as exhibits to be made a part of the record on the matter.

Mr. Butler addressed the Commission and distributed a packet of information on the issue. The packet was marked as an exhibit and made a part of the record on the matter. He stated their purpose is to develop and promote a planned community. He stated he believes that Tuscany is a well planned and thought out community. He then gave a brief description of each area of the development.

Mr. Fischer addressed the Commission and stated in Kenton County there is very little land to build the type of development they want to build. He stated this is the reason they are going through the process of the map amendment. He stated Fischer Homes has build thousands of homes and communities throughout the area. He stated it is their hope to develop Tuscany as they have many other developments in the area. He noted this location is outstanding as far as providing access to shopping, dining and the interstate. He stated a very high percentage of the projected homeowners are single persons. He noted that these characteristics tend to generate low traffic. He also stated using traffic counts of similar developments like Emerald Springs indicates lower traffic reports for this development.

Mr. Butler stated Tuscany is located 1 1/3 miles south of I-75. He stated the development would be well serviced by the construction of a main arterial street. He stated there would also be a 4-way traffic light signal installed. He further noted the traffic study clearly confirms the intersection will be more than sufficient.

Mr. Gehrum addressed the Commission and stated when you have a signalized intersection you will have some delay. He stated you generally look at the level C when this occurs to look for something that works as best as you can get it. He noted they will be able to achieve a level of service C in improving the intersection. He stated they really feel the trips will be lower in this development and therefore fee the single access can handle this development. He then noted they do have the Rolling Hills Drive access to use in emergency situations, if necessary. He additionally noted most emergencies would be handled in a fairly short amount of time and the access would not be delayed that long.

Mr. Butler then noted they are being asked to provide for third access, not just a secondary access. He stated they believe the development as proposed is a means of connectivity but do not believe the third access is necessary. He stated they are thereby requesting that item #3 as to the third access be deleted from Staff's conditions. He stated the Stage II plan will be completely shortly which will be well before an additional study could be done as to traffic. He additionally stated they are requesting that condition #4 be deleted as well as they do not feel it is required or necessary. Mr. Butler noted parking lots would be privately maintained, as well as driveways. He stated they would like to do the bikeway but do not feel there is sufficient room to do the bikeway. He noted the right of way is very tight and requested that condition #5 with regard to same be deleted. Mr. Butler stated there was no opposition to the request of Staff as to the width of the driveways. He stated they would meet the requirements for water pressure. He additionally noted the concerns regarding would be dealt with because they have to meet the regulations. He also noted they will commit to two tandem parking spaces in Taylor Mill and Covington. He stated two parking spaces is more than enough to meet the needs of the development. He then stated the design elements would be utilized throughout the development along with the Tuscan theme. He stated all signs would be designed along the lines of the Tuscan theme as well. He additionally noted it is important for them to get the 4.8 density in order for the development to be economically possible. He stated they are asking that the density be approved to allow for the spreading of the density over the whole development. He also noted they do not agree with the sidewalk requirement on item 3B as they do not own the land so therefore they cannot commit to installing the sidewalks. He stated there is no problem with the first condition. He stated they are asking that condition 2 be modified from 4.0 to 4.8, to delete conditions 3,4 and 5. He noted they are agreeable to condition 6 and have no objections to the enclosures around the swimming pools, the geotech study or the height for accessory structures. He noted on condition 10 they are asking for two throughout and stated they have no objections to condition 11. He noted they are asking that the sign be allowed and stated it is that size because it is so high. He noted no objection to condition 13. With regard to the waivers Mr. Butler stated they left the sidewalks at five feet instead of 4 feet. With regard to the walking trail they have no objections. He noted on waiver #4 referring to horizontal curves they are asking for approval on all four waivers. He stated the city has no objections and they feel like they have good access to the design and it is a good development.

Mr. Belmer addressed the Commission and stated he is representing seven families in the area off Holdsbranch Road. He stated the developer argued for an hour about all the problems they can overcome, and there were a lot of them. He stated they are concerned with flooding as they have had a lot. He stated there has been more flooding due to recent development in the area. He noted if all the trees are taken away there is going to be more flooding. He stated they would like to see single family homes to keep the peaceful, quiet nature of the area. He also stated if 1,079 homes go in that will all go away. He noted they do not need a convenience store in the development with all the existing shopping in the area. He also noted concerns with increased crime in the area due to the development.

Ms. Lutz addressed the Commission and stated she is concerned because she and her husband have lived there almost 50 years. She stated they lost two furnaces due to the water runoff from the development up the hill. She stated she hopes the Commission takes into consideration that they are hardworking people

and they deserve to be considered.

Mr. Dobson addressed the Commission and cited concerns with there being no retention in the area of the apartments. She stated it has taken ten years to get the water issues resolved from other developments and asked what will happen if this development goes in. She stated she knows you have to go with development but she wants proof that they are going to stop the water. She also asked if there is going to be low income housing. She also questioned who gave the developer permission to change their street name.

Mr. Donaldson addressed the Commission and stated the people in the area are more concerned about the apartments in the area because of cluster development. He stated he is a police officer and this area is his beat. He noted there are no multi family developments on his beat. He noted that statistically when you have more people you have more crime.

Mr. Bertram addressed the Commission and stated his firm was hired by the Eubanks who own property in the area. He stated he has heard a lot about secondary access, crime and traffic. He stated he is merely contracted to provide better access to the development and make it better for the property owners in the area. He noted by provided alternative access it may alleviate some of the problems. He also stated he is providing this information as a suggestion to the Staff and the Commission as an alternate access to consider for the development. He then noted that the provided access does not allow for access to 70% of the 120 acres.

Mr. David Eubank addressed the Commission and stated he feels all utilities should go to the property lines to allow for future development. He also questioned the survey because it showed lines a few feet from his home.

Mr. Hehman addressed the Commission and stated when the Taylor Creek development went in the creek on his property could be walked across. He stated it is now twenty feet deep and you can't get across it.

Mr. Maxfield addressed the Commission and asked if things change from the plan already submitted he was asking if the lots would get bigger or not. He asked about the third access and asked if anyone was considering the use of eminent domain and cited his concerns if so.

Mr. Butler addressed the Commission in rebuttal and stated the flooding issues were Stage II items and they will do whatever they have to do to meet the regulations. He stated the housing is going to be high end, not low income housing.

Mr. Kramer addressed the Commission and stated the stakes and lines near Mr. Eubanks property are just traverse points and not property lines.

Ms. Carlin asked about the build out time frame. Mr. Butler stated it would be 10-12 years.

Mr. France stated he has a problem with changing industrial to commercial. Mr. Eilerman stated it's probably not a great industrial site. He stated it is awkward and suggested it might be premature to address the zoning. Mr. Darpel suggested discussing both issues and voting separately on the issues. Mr. Hilgefurd stated the water issues are totally outside of the Commission's control and to discuss it is a waste of time. He stated it is true that there aren't many apartments or patio homes in that part of the city and part of the Commission's job is to provide for diversity. He stated he has a concern with the 4.8 density. He stated he feels it is high and feels the developer can come in lower than 4.8. Mr. France stated to develop this in a non PUD fashion would be difficult so he feels the PUD works for this site. Mr. Eilerman commented on the 500 square foot sign and stated it is huge by any standards and is not allowed in any zone. Mr. Hilgefurd then made the motion to approve for areas B, C, D, E, F and G and the noted changes to the R-1D PUD with the following conditions as recommended by Staff. The motion included items 6,7,8,9, 10, 11, 12 and 13 to remain. Mr. Swanson seconded the motion. It was noted that on item #13 the words "or legislative body" be eliminated from that condition. A roll call vote on the matter found Mr. Hilgefurd, Mr. Swanson, Ms. Carlin, Mr. Coates, Mr. Darpel, Mr. Eilerman, Mr. France, Mr. Hadley, Mr. Scheper, Mr. Wells and Ms. Weldon in favor. The motion carried unanimously. Mr. Hilgefurd then stated he has some reservations for the use of neighborhood commercial with the development. He stated at this point in time with no access to the development he doesn't feel comfortable with it. Mr. Hilgefurd then made the motion to disapprove the map amendment for the reasons as stated by Staff. Mr. France seconded the motion. The additional information comment was included with the motion and was approved by Mr. France and Mr. Hilgefurd for the motion. A roll call vote on the matter found Mr. Hilgefurd, Mr. France, Ms. Carlin, Mr. Eilerman, Mr. Hadley, Mr. Wells, Mr. Swanson and Ms. Weldon in favor. Mr. Coates, Mr. Darpel and Mr. Scheper voted against. The motion carried. As to the waivers on the issue, Mr. Hilgefurd made the motion to grant the waiver to the parking but with the change on Covington to 2.0 as stated by Mr. Fischer based on the fact that it is an innovative design. Mr. Eilerman seconded the motion. Mr. Darpel requested that it be tandem parking spaces, which in Covington that would be considered two. The motion was clarified to be for two unrestricted parking spaces. A roll call vote on the matter found Mr. Hilgefurd, Mr. Eilerman, Ms. Carlin, Mr. Coates, Mr. Darpel, Mr. France, Mr. Hadley, Mr. Scheper, Mr. Wells, Mr. Swanson and Ms. Weldon in favor. The motion carried. Mr. Darpel then made the motion to grant the waiver as to street width based on Staff's recommendations. Mr. Eilerman seconded the motion. A roll call vote on the matter found Mr. Darpel, Mr. Eilerman, Ms. Carlin, Mr. Coates, Mr. France, Mr. Hadley, Mr. Hilgefurd, Mr. Scheper, Mr. Wells, Mr. Swanson and Ms. Weldon in favor. The motion carried. Mr. Darpel also made the motion to grant waiver #3 on the basis of Staff's recommendations. Mr. Coates seconded the motion. A roll call vote on the matter found Mr. Darpel, Mr. Coates, Ms. Carlin, Mr. Eilerman, Mr. France, Mr. Hadley, Mr. Hilgefurd, Mr. Scheper, Mr. Wells, Mr. Swanson and Ms. Weldon in favor. The motion carried. Mr. France made the motion as to waiver #4 based on Staff's recommendations. Mr. Eilerman seconded the motion. A roll call vote on the matter found Mr. France, Mr. Eilerman, Ms. Carlin, Mr. Coates, Mr. Darpel, Mr. Hadley, Mr. Hilgefurd, Mr. Scheper, Mr. Wells, Mr. Swanson and Ms. Weldon in favor. The motion carried.

**1775R**

**APPLICANT:** Kenton County Planning Commission per Alexandra K. Weldon, Chair.

**REQUEST:** Amendments to the Kenton County Subdivision Regulations as follows: (1) Article V, Infrastructure Improvements; (2) Appendix A, Cement Concrete for Street, Curb and Gutter, Sidewalk, And Driveway Construction; (3) Appendix B, Asphalt Concrete Pavement for Street and Driveway Construction; and (4) Appendix C, Standard Construction Details.

Staff presentation and Staff recommendations by Mr. Scott Hiles.

Mr. Hiles noted the following wording should be added to Attachment C at the end of the last sentence "or until reaches 500 psi". A motion was made by Mr. France to adopt items A-J and accept the amendments. Mr. Darpel seconded the motion. A roll call vote on the matter found Mr. France, Mr. Darpel, Ms. Carlin, Mr. Coates, Mr. Eilerman, Mr. Hadley, Mr. Hilgefurd, Mr. Scheper, Mr. Wells, Mr. Swanson and Ms. Weldon in favor. The motion carried.

## **OLD AND UNFINISHED BUSINESS:**

### **Reports from Committees:**

#### **By-Laws**

No meeting held. To be discussed under New Business.

#### **Subdivision Regulations**

No report.

#### **Model Zoning**

No meeting held.

### **Report from Legal Counsel:**

None.

### **Reports/Announcements from Staff:**

None.

### **Correspondence:**

None.

**New Business:**

Ms. Weldon noted the amendments to the By Laws were submitted but admits work needs to be done. She then suggested a tabling of the matter until next month. Mr. Swanson then made the motion to table. Mr. Hadley seconded the motion. All in favor. None opposed.

With regard to the FY06 budget a motion was made by Mr. Hilgefurd to table the matter for an additional month as well. Mr. Hadley seconded the motion. A roll call vote found all in favor. None opposed. Mr. Darpel additionally requested that a memo explaining the interplay between the record keeping and the NKAPC be provided to the Commissioners.

There being no further business to come before the Commission, a motion was made by Mr. Hadley to adjourn. Mr. Hilgefurd seconded the motion. All in favor. None opposed. The meeting was declared adjourned at 12:15 a.m.

APPROVED:

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Ms. Alex Weldon, Chairperson

Date \_\_\_\_\_