

**KENTON COUNTY PLANNING COMMISSION  
REGULAR MEETING  
Minutes**

Mr. Darpel, Chair, called the meeting to order at 6:15 PM on Thursday, April 7, 2011, and opened the proceedings with the Pledge of Allegiance and an invocation by Mr. Eilerman. The meeting was held in the Commission Chambers of the NKAPC Building in Fort Mitchell. Attendance of members (for this meeting as well as those during the year to date) was as follows.

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<b>Member</b>	<b>Jurisdiction</b>	<b>J a n</b>	<b>F e b</b>	<b>M a r</b>	<b>A p r</b>	<b>M a y</b>	<b>J u n</b>	<b>J u l</b>	<b>A u g</b>	<b>S e p</b>	<b>O c t</b>	<b>N o v</b>	<b>D e c</b>		
Mark Barnett	Taylor Mill	X	X		X										
Ms. Brown	Erlanger	X	X	X											
Barbara Carlin	Kenton Co	X	X	X											
Barry Coates	Covington	X	X	X	X										
James Cook	Kenton Co	X	X	X	X										
Ron Cook	Elsmere			X	X										
Paul Darpel, Chair	Edgewood	X	X	X	X										
Chuck Eilerman	Covington	X	X	X	X										
Tom France, V.Chair	Ludlow	X		X	X										
David Hilgeford	Villa Hills	X		X											
Lynne Hood	Crestview Hills	X	X	X	X										
Marc Hult	Covington	X	X	X	X										
Mark Hushebeck	Lakeside Park	X	X	X											
Dan Ruh, Treasurer	Fort Wright	X	X	X	X										
Mark Rogge	Crescent Spgs	X	X	X											
Shad Sletto	Fort Mitchell	X	X	X											
Maura Snyder	Independence	X	X	X	X										
Joe Tewes	Bromley	X	X	X	X										
Melissa Worstell	Park Hills		X	X	X										

“X” denotes attendance at the regular meeting and “x” denotes attendance at the continuation

meeting.

“\*” denotes arrival after roll call was taken.

Also present were Matt Smith, Legal Counsel, and the following NKAPC staff: Martin Scribner, AICP, Deputy Director for Current Planning, Mr. Mike Ionna, Associate Planner and Mr. Andy Videkovich, Principal Planner.

**AGENDA:**

Ms. Snyder made the motion to approve. Ms. Worstell seconded the motion. All in favor. None opposed.

**APPROVAL OF THE MINUTES:**

Mr. Darpel noted under the receipts and expenditures the duplicate text needs to be deleted with regard to the roll call. There being no further corrections or comments, Ms. Snyder made a motion to accept the minutes as amended. Ms. Hood seconded the motion. A roll call vote on the matter found Ms. Snyder, Ms. Hood, Mr. Coates, Mr. Cook, Mr. Ron Cook, Mr. Darpel, Mr. Eilerman, Mr. France, Mr. Hult, Mr. Ruh, Mr. Tewes and Ms. Worstell in favor. Mr. Barnett abstained. The motion carried.

**RECEIPTS AND EXPENDITURES:**

There were no questions or comments. Mr. Eilerman then made the motion to accept with Mr. Ron Cook giving the second. A roll call vote on the matter found Mr. Eilerman, Mr. Ron Cook, Mr. Barnett, Mr. Coates, Mr. Cook, Mr. Darpel, Mr. France, Ms. Hood, Mr. Hult, Mr. Ruh, Ms. Snyder, Mr. Tewes and Ms. Worstell in favor. The motion carried.

**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.

**RECENT ACTIONS BY LEGISLATIVE BODIES:**

No action required.

**PUBLIC HEARINGS:**

**2031R**

**APPLICANT:** City of Taylor Mill per Jill Bailey, City Administrator

**REQUEST:** a proposed map amendment to the Taylor Mill Zoning Ordinance changing the described area from NSC (Neighborhood Shopping Center) to R-1D1 (Single Family Residential).

Staff presentation and Staff recommendations by Mr. Andy Videkovich.

**NKAPC STAFF RECOMMENDATIONS:**

To give a favorable recommendation to the proposed map amendment from NSC to R-1D1.

Mrs. Cynthia Moore and Mr. Andrew Moore registered to speak in favor of the issue. They had

nothing to add. No one registered to speak against or neutral on the issue. The meeting was then recessed for discussion. Mr. France questioned how a home was built on a zone that was zoned neighborhood commercial. Mr. Videkovich stated in researching the property this home was built prior to the NKAPC keeping permit records for Taylor Mill. Mr. Barnett then made the motion to approve based on Staff's recommendation. Ms. Hood seconded the motion. A roll call vote found Mr. Barnett, Ms. Hood, Mr. Coates, Mr. Cook, Mr. Ron Cook, Mr. Darpel, Mr. Eilerman, Mr. France, Mr. Hult, Mr. Ruh, Ms. Snyder and Ms. Worstell in favor. Mr. Tewes abstained. The motion carried.

### **2032R**

**APPLICANT:** City of Independence per Patricia Taney, City Clerk

**REQUEST:** proposed text amendments to the Independence Zoning Ordinance allowing fences, subject to restrictions, within the front yard of residential properties.

Staff presentation and Staff recommendations by Mr. Mike Ionna.

### **NKAPC STAFF RECOMMENDATIONS:**

Unfavorable recommendation of the proposed text amendment to the Independence Zoning Ordinance allowing fences, subject to restrictions, within the front yard of residential properties.

Mr. Barnett clarified that what was allowed was fencing the height of six feet in the front but four feet along the sides. Mr. Ionna noted this was correct.

Mr. Rokuic registered to speak in favor of the issue. He stated he was available to answer any questions. Ms. Worstell asked for what purpose he was asking for the six foot fence. He stated he was replacing his fence on the sides and back that is already six feet tall and wanted to add a six foot fence in the front as well. He noted he has so many people stopping asking for money or for gas that he feels a fence will solve the problem. Mr. Cook then asked Staff if he could place a four foot fence in the front. Mr. Ionna stated currently only a hedge is allowed in the front and the existing six foot fencing on the sides and back is non-conforming.

The public hearing was then recessed for discussion. Mr. France stated he can sympathize with the applicant and it would seem more appropriate to not come before the Commission as a text amendment when it affects the entire city and not just an individual property owner. The public hearing was then closed. A motion was then made by Mr. France to deny the request based on Staff's recommendation. Ms. Worstell gave the second. A roll call vote on the matter found Mr. France, Ms. Worstell, Mr. Barnett, Mr. Coates, Mr. Darpel, Mr. Eilerman, Ms. Hood, Mr. Hult, Mr. Ruh, and Mr. Tewes in favor. Mr. Cook, Mr. Ron Cook and Ms. Snyder voted against. The motion carried.

### **2033R**

**APPLICANT:** City of Crescent Springs per Susan Hill, City Clerk

**REQUEST:** proposed text amendments to the Crescent Springs Zoning Ordinance adding a number of definitions to Section 7.0; adding a number of specific uses to the list of permitted uses in the MLU (Mixed Land Use) Zone; removing Retail and Service Uses from the list of accessory uses in the MLU Zone; and adding a list of conditional uses in the MLU Zone.

Staff presentations and Staff recommendations by Mr. Martin Scribner.

**NKAPC STAFF RECOMMENDATIONS:**

Favorable recommendation of the Proposed text amendment to the Crescent Springs Zoning Ordinance adding a number of definitions to Section 7.0; adding a number of specific uses to the list of permitted uses in the MLU (Mixed Land Use) Zone; removing Retail and Service Uses from the list of accessory uses in the MLU Zone; and adding a list of conditional uses in the MLU Zone.

Mr. George Ripberger registered to speak in favor of the issue. He stated with regard to LA Fitness and with them being such a big tenant he questioned how you can say no to that. He stated when this was put in no one questioned the MLU zone. He stated they brought this to the Commission and what they did is add some new uses for it instead of doing a text amendment for each one. He stated the city decided to clean up the text to make it more uniform. Mr. Barnett stated he agreed with what the city is trying to do. He asked why there were no doctor's offices listed as a permitted use. Mr. Berger stated the reason there are urgent care centers is they are basically there for that purpose and to get you seen and on your way in a short amount of time. He stated in this particular area this is needed because there is Villa Hills and Ft. Mitchell in the area. He further noted he was just struck by things that were on the list and things that were not. Mr. Scribner stated you don't commonly see a doctor's office mixed in with commercial. He stated the other uses listed are just uses that fit better with the current uses presently.

Mayor Jim Collett, Mayor of Crescent Springs, spoke on the issue. He stated this is a good thing and it is needed to clean up the zone. He stated they feel the urgent care center would be a good catalyst in developing the center. He stated by having a development there with some professional people there it might encourage the development in some of the out lots. He then stated they are in favor of it, the committee is in favor of it and they certainly hope the commission is in favor.

There being no others registered to speak on the issue, the public hearing was recessed for discussion. Mr. France stated it does seem logical to define uses that may come into play in the future for the site and he feels this is a positive recommendation. Mr. Hult then noted it struck him as well that a doctor's office would be missing. He stated a doctor's office could be assumed to be included but then you look at what a health spa allows and it's not that far off from what a tattoo parlor does. Mr. Barnett stated he agrees with what they are trying to do but feels this is restrictive. He stated it seems obvious that if you are going to be giving specifics for health care it just seems logical to include a doctor's office as a permitted use. He reiterated the text amendment makes perfect sense. The public hearing was then closed. Mr. Hult then made the motion to approve based on Staff's report. Mr. France seconded the motion. A roll call vote on the matter found Mr. Hult, Mr. France, Mr. Barnett, Mr. Coates, Mr. Cook, Mr. Ron Cook, Mr. Darpel, Ms. Hood, Ms. Snyder, Mr. Tewes and Ms. Worstell in favor. Mr. Eilerman and Mr. Ruh abstained. The motion carried.

**Unfinished Business:** None.

**Reports from Committees:**

**By-Laws** – Nothing to report. Mr. France stated they are going to try to get a meeting together to see if anything needs to be discussed since it has been a while since they’ve held a meeting.

**Executive** – No report. – no meeting held.

**2020 Sourcebook (model zoning ordinance)** – Nothing to report.

**Subdivision Regulations** – Jim Cook noted there was nothing to report.

**Report from legal counsel** – Mr. Smith noted there was nothing to report.

**Announcements from Staff** – Mr. Scribner noted there would be a webinar held on April 20<sup>th</sup> at 1:00. The monthly APA meeting will be held as well on the same day and will be another hour of continuing education. He noted the KAPA conference will be held in May right before Memorial Day. He stated if anyone is interested to please let them know. Mr. Eilerman asked if this was also being presented as a cost to be covered by the NKAPC as noted at last month’s meeting. Mr. Darpel then stated he has no problem asking them if this will be covered as well but that what they were offering to cover was the APA in Boston. Mr. Darpel stated the commission’s budget just doesn’t allow for the expense.

**Correspondence:** None.

**New Business:** - None.

**Public Comments:** None.

There being nothing further to come before the commission Ms. Snyder made a motion to adjourn. Mr. Tewes seconded the motion. All in favor. None opposed. The meeting then adjourned at 7:17 p.m.

APPROVED:

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Chair

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Date