

**KENTON COUNTY PLANNING COMMISSION**  
**REGULAR MEETING**  
Minutes

Mr. Darpel, Chair, called the meeting to order at 6:15 PM on Thursday, June 2, 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	X	X							
Ms. Brown	Erlanger	X	X	X		X								
Barbara Carlin	Kenton Co	X	X	X		X	X							
Barry Coates	Covington	X	X	X	X	X	X							
James Cook	Kenton Co	X	X	X	X	X								
Ron Cook	Elsmere			X	X	X								
Paul Darpel, Chair	Edgewood	X	X	X	X	X	X							
Chuck Eilerman	Covington	X	X	X	X	X	X							
Tom France, V.Chair	Ludlow	X		X	X	X	X							
David Hilgefurd	Villa Hills	X		X		X								
Lynne Hood	Crestview Hills	X	X	X	X	*								
Marc Hult	Covington	X	X	X	X	X	X							
Mark Hushebeck	Lakeside Park	X	X	X		X								
Dan Ruh, Treasurer	Fort Wright	X	X	X	X		X							
Mark Rogge	Crescent Spgs	X	X	X		X	X							
Shad Sletto	Fort Mitchell	X	X	X		X	X							
Maura Snyder	Independence	X	X	X	X	X	X							
Joe Tewes	Bromley	X	X	X	X	X	X							
Melissa Worstell	Park Hills		X	X	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. Mark Ionna, Associate Planner and Ms. Susan Conrad, Senior Zoning Official.

**AGENDA:**

Motion by Ms. Snyder to approve. Mr. Tewes seconded the motion. A roll call vote on the matter found Ms. Snyder, Mr. Tewes, Mr. Barnett, Ms. Carlin, Mr. Coates, Mr. Eilerman, Mr. France, Mr. Hult, Mr. Rogge, Mr. Ruh, Mr. Sletto, Ms. Snyder, Ms. Worstell and Mr. Darpel in favor. None opposed. The motion carried.

**APPROVAL OF THE MINUTES:**

Mr. Eilerman made the motion to approve the minutes from May. Mr. France seconded the motion. A roll call vote on the matter found Mr. Eilerman, Mr. France, Mr. Barnett, Ms. Carlin, Mr. Coates, Mr. Hult, Mr. Rogge, Mr. Ruh, Mr. Sletto, Ms. Snyder, Ms. Worstell, Mr. Tewes and Mr. Darpel in favor. The motion carried.

**RECEIPTS AND EXPENDITURES:**

There were no questions or comments. Ms. Snyder made the motion to approve. Ms. Worstell seconded the motion. A roll call vote on the matter found Ms. Snyder, Ms. Worstell, Mr. Barnett, Ms. Carlin, Mr. Coates, Mr. Eilerman, Mr. France, Mr. Hult, Mr. Rogge, Mr. Ruh, Mr. Sletto, Mr. Tewes and Mr. Darpel 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:**

\*Mr. Darpel recused himself due to a conflict of interest on the issue. Mr. France then presided over the issue.

**2041R**

**APPLICANT:** Deborah Koury

**LOCATION:** an approximate 0.41 acre property located at 5 Roberts Road; and, an approximate 0.41 acre property 7 Roberts Road in Edgewood.

**REQUEST:** a proposed map amendment to the Edgewood Zoning Ordinance changing the described area from R-1C (single-family residential) Zone to the R-1F (single-family residential) Zone.

Staff presentation and Staff recommendations by Mr. Mike Ionna.

**NKAPC STAFF RECOMMENDATIONS:**

To give unfavorable recommendation to the Edgewood City Council for the proposed map amendment changing the described area from the R-1C (single-family residential) Zone to the – R-1F (single-family residential) Zone.

Ms. Koury, the applicant, addressed the Commission and thanked the Commissioners for allowing her to speak. She stated she wished to address the appropriateness of the area surrounding the zoning. She stated there are ten non-conforming lots and would present that the current zoning is inappropriate. She stated she feels rezoning these two lots would have less impact on the current than the ten lots would have. She further stated R-1F would be more appropriate based on the size of the surrounding lots. She stated she loves the neighborhood and is not looking to sell a portion of her property off. She stated she is looking for the opportunity to have a reasonably sized lot like the majority of her neighbors have. She stated she would like to be able to allow someone to build their dream home and move into an area where there are little building sites available. She then respectfully asked that the two lots be re-zoned as requested.

Ms. Linette Gizino addressed the Commission in favor of the zone change. She stated after it was brought to her attention she supports Ms. Koury on the matter. She stated she does feel this is a more appropriate zone. She further noted she this would afford another property owner, a tax paying property owner to move into Edgewood. She also stated it would allow Debbie Koury an opportunity as well.

Jeffrey Hatfield addressed the Commission against the issue. He stated he used to be a city councilman in Independence and is familiar with the zones. He stated under the current zoning with the density as it is the parking is already bad. He stated this property by default is going to dump to Elmwood because that is the only way it can go, not to Lyndale. He further noted he is very uncomfortable with the current plan. He noted the existing structures are non-conforming and it has been fifty years since anyone has asked about a non-conforming use. He believes this sets a very bad precedent for Elmwood Drive as someone who has lived there for twenty years.

Mr. Randy Rakamp addressed the Commission against the issue and stated he is a resident of Elmwood Drive as well and the area of Roberts Road is the most congested Road. He stated there is quite often four to six cars there and on the rest of Elmwood Drive there aren't as many. He noted Roberts Road is very awkward. He noted by adding another driveway on Roberts Road is just going to congest things more.

Mr. Daniel Humphrey addressed the Commission against the issue and stated this would affect the property value of all the residents on Elmwood Drive if the zone is changed. He stated the on street parking is very congested on Elmwood and he has had a few close calls himself just because of on street parking. He stated due to on street parking he has had three of them hit due to on street parking. He noted if the zone change is allowed it would be very detrimental to the property values because of the parking. He further noted there was a very bad accident on

Elmwood Drive due to the on street parking. He stated he is very much against this and just wanted to state his views.

The applicant had nothing to add in rebuttal. The meeting was then recessed for discussion amongst the Commissioners. Mr. Tewes asked if Roberts is a street or a driveway because it only looks like one lane. Mr. Ionna stated it is a street and it is one lane and partially paved. Mr. Tewes asked if these two property owners got together would there be enough square footage to stay in the R-1C zone. Mr. Ionna stated it would be very, very close. The public hearing was then closed. Mr. Rogge made the motion to deny the proposed map amendment based on Staff's recommendation and the testimony heard. Ms. Snyder seconded the motion. A roll call vote on the matter found Mr. Rogge, Ms. Snyder, Mr. Barnett, Ms. Carlin, Mr. Coates, Mr. Eilerman, Mr. France, Mr. Hult, Mr. Ruh and Ms. Worstell in favor. Mr. Sletto and Mr. Tewes voted against. The motion carried.

**2039R**

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

**REQUEST:** proposed text amendments to the Taylor Mill Zoning Ordinance removing the list of conditional uses from Section 10.9, R-2 (Residential Two) Zone.

Staff presentation and Staff recommendations by Mr. Martin Scribner.

**NKAPC STAFF RECOMMENDATIONS:**

Unfavorable recommendation on the proposed text amendment to the Taylor Mill Zoning Ordinance removing the list of conditional uses from Section 10.9, R-2 (Residential Two) Zone.

No one registered to speak on the issue. The public hearing was then recessed for discussion. The public hearing was closed. Mr. Sletto then made the motion to deny the request based on Staff's recommendation. Mr. Tewes seconded the motion. A roll call vote on the matter found Mr. Sletto, Mr. Tewes, Mr. Barnett, Ms. Carlin, Mr. Coates, Mr. Eilerman, Mr. France, Mr. Hult, Mr. Rogge, Mr. Ruh, Ms. Snyder, Ms. Worstell, and Mr. Darpel in favor. The motion carried.

**2040R**

**APPLICANT:** City of Crestview Hills per Tim Williams, City Administrator

**REQUEST:** proposed text amendments to the Crestview Hills Zoning Ordinance adding a definition and regulations for recycling containers.

Staff presentations and Staff recommendations by Ms. Susan Conrad.

**NKAPC STAFF RECOMMENDATIONS:**

Favorable recommendation of the proposed text amendments adding provisions and regulations for recycling containers.

Mr. Hult stated he was unable to find any size requirements as to the recycling containers. He noted a typical residential recycling container would be in violation under this proposal. Mr.

Darapel then noted this would specifically not apply to residential zones as stated in the proposal and referenced again under Staff Comments and Considerations that it would apply to all zones except single family zones. Mr. Sletto then asked why a permit is being required for all new recycling containers. Mr. Conrad stated this would be a question for the mayor.

Mr. Paul Meier, mayor of Crestview Hills addressed the Commission on the matter. He stated this was an issue with a dumpster and not too many residential areas have a dumpster. He stated these containers took up parking spots and secondly they are too far away and therefore they were not being used. He stated they do not restrict what company is used for the recycling and will not going forward. Mr. Hult then asked about the minimum size requirements. Mr. Meier stated they can have a smaller one as long as it meets the requirements and is in the rear of the yard. Mr. Hult suggested adding a sentence stating this does not include small residential sized recycling containers. Mr. Meier then stated he could do something like that. Mr. Meier then also requested that under Class 3 that the word “containers” be taken off because they are all metal. Mr. Sletto asked about the requirement stating the container has to be adjacent to the building and in the rear of the building. Mr. Meier stated to require it in the back encourages recycling and does not create an eyesore by having it in the front of the building. Mr. Sletto also inquired as to the requirement on the permits. Mr. Meier stated they felt it was important to require a permit at no cost but to require them just as a way to keep track of them. Mr. Kelly had nothing to add on the issue. The public hearing was then recessed for discussion. There being none the public hearing was then closed. Ms. Sletto then made the motion to approve the request with the following recommendations: that a permit be eliminated from the definition and the location of the dumpster match the existing dumpster location requirements, as well as the size of the container be addressed within the definition of a recycling container. Mr. Hult seconded the motion. A roll call vote on the matter found Mr. Ruh, Mr. Hult, Mr. Barnett, Ms. Carlin, Mr. Coates, Mr. Eilerman, Mr. France, Mr. Rogge, Mr. Sletto, Ms. Snyder, Ms. Worstell, Mr. Tewes and Mr. Mr. Darapel in favor. The motion carried.

**Unfinished Business:** None.

**Reports from Committees:**

***By-Laws*** – Nothing to report.

***Executive*** – Mr. Darapel stated they did meet and mainly they addressed the proposed budget for the next fiscal year. The proposed budget was then distributed for information purposes. He stated they will need to adopt the budget at the next meeting and asked if anyone has any questions or concerns to email Dennis and to copy everyone so Dennis is not inundated with questions that other commissions might have. He stated they want to try to become educated on the Tea Party versus the NKAPC. He noted the Commission as an entity needs to be prepared for whatever might happen.

***2020 Sourcebook (model zoning ordinance)*** – Mr. Barnett stated they have not met and will not meet probably until the fall.

***Subdivision Regulations*** – Mr. Darapel stated a meeting was held and commended Scott Hiles on

the presentation that was held. He noted they are considering contacting the other entities that had comments on the regulations not as a public hearing but as an educational forum. Mr. Darpel highly recommended other commissioner attend the next meeting because they are educational. The next meeting will be held next Wednesday and if you can make it to attend.

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

**Announcements from Staff** – Mr. Scribner noted for all that attended the Place Matters event last month there was an excellent turnout and well over 100 people attended. There will be two APA webinars this month, one being held next Wednesday and one June 9th at 4:00. He asked the commissioners to keep those in mind because they are always educational. He stated if anyone had any questions about them they can always contact him. Mr. Hult asked if the attendance at the Place Matters counted toward the educational requirements. Mr. Scribner stated it did in fact count towards that and the form could be downloaded from the website and sent in. Mr. Darpel asked if the form could be emailed to all the commissioners. Mr. Scribner stated he would do that.

**Correspondence:** None.

**New Business:** - None.

**Public Comments:** None.

There being nothing further to come before the commission Ms. Worstell made a motion to adjourn. Ms. Snyder seconded the motion. All in favor. None opposed. The meeting then adjourned at 7:55 p.m.

APPROVED:

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Chair

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Date