

"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, Dep. Director for Current Planning, Mr. Andy Videkovich, Principal Planner and Mr. Scott Hiles, Dep. Director for Infrastructure Engineering.

AGENDA:

Mr. Darpel asked for a motion to approve. Mr. Eilerman made the motion to approve the agenda. Ms. Snyder seconded. All in favor by acclamation. The motion carried.

APPROVAL OF THE MINUTES:

Mr. Darpel noted on the last page of the minutes under the Executive Committee notes it should read "the Executive Committee did not meet." There being no further comments or corrections, Ms. Snyder made the motion to approve as amended. Ms. Hood seconded the motion. A roll call vote on the matter found Ms. Snyder, Ms. Hood, Ms. Carlin, Mr. Coates, Mr. Darpel, Mr. Eilerman, Mr. France, Mr. Hult, Mr. Pannunzio, Mr. Porter, ~~Mr. Stett~~ and Mr. Tewes in favor. Mr. Rogge, Mr. Ruh and Ms. Worstell abstained. The motion carried.

RECEIPTS AND EXPENDITURES:

There were no questions or comments with regard to the financial statement. Ms. Snyder made the motion to accept. Mr. France seconded. All in favor by acclamation. 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:

2065R:

APPLICANT: City of Lakeside Park per David Jansing, Mayor

REQUEST: A proposed text amendments to the Lakeside Park Zoning Ordinance to permit unenclosed porches, decks, or patios within minimum required front yards within all zones.

Staff presentation and Staff recommendation by Mr. Andy Videkovich.

NKAPC STAFF RECOMMENDATIONS:

Favorable recommendation of the proposed text amendment to the Lakeside Park Zoning Ordinance permitting unenclosed porches, decks, or patios within minimum required front yards within all zones.

Mr. Jansing addressed the commission and stated this came to light 6-8 months ago by a resident in a subdivision that is approximately 50 years old. He stated all the porches have

concrete front porches. This resident in particular wanted to replace their porch and found that they could not replace it the way they wished to do. Mr. Jansing then stated they decided to propose a text amendment to make the amendment city-wide and not limited to this subdivision. He stated they are asking that this be approved to allow the residents to fix up the fronts of their homes. He stated he would appreciate the commissioner's consideration for the good of their residents.

Mr. Darpel then stated the meeting would be recessed for discussion. Mr. Rogge asked if this was strictly for unenclosed porches. Mr. Jansing stated this is strictly for unenclosed porches. The public hearing was then closed. Ms. Worstell then made the motion to approve the matter based on Staff's recommendations. Mr. Hult seconded the motion. A roll call vote on the matter found Ms. Worstell, Mr. Hult, Ms. Carlin, Mr. Coates, Mr. Darpel, Mr. Eilerman, Mr. France, Mr. Hilgefjord, Ms. Hood, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Ruh, Mr. Sletto, Ms. Snyder and Mr. Tewes in favor. The motion carried.

W-718 Wassom Waiver

APPLICANT: Mark and Rhoda Wassom

LOCATION: 12204 Klein Road (an approximate 8.5-acre parcel located approximately 2,000 feet south of Visalia Road in unincorporated Kenton County).

REQUEST: To grant a waiver to a requirement of Section 4.6 of the Kenton County Subdivision Regulations; granting the request would waive the requirement that a private driveway serve no more than four parcels.

Staff presentation and Staff recommendation by Mr. Scott Hiles.

NKAPC STAFF RECOMMENDATIONS:

To grant the requested Waiver to section 4.6 and allow Tract 1 to be the fifth user of the existing private driveway immediately south of Tract 1 but only subject to the following conditions:

1. That all vegetation be removed from the fence line.
2. That the width of the existing private driveway be widened to a minimum of 20 feet from Klein Road to the intersecting point of the single use driveway serving Tract 1. In no case shall the single use driveway serving Tract 1 intersect the existing private driveway less than 50 feet from Klein Road.
3. That the entrance be graded and raised, and the embankments be cut back to allow more sight distance for vehicles entering onto Klein Road from the private driveway.
4. That the applicant obtain the necessary permanent ingress/egress easement to utilize the existing private driveway for the benefit of Tract 1.

Bases:

1. The waiver will not be detrimental to the public interest nor in conflict with the intent and purpose of these regulations.
2. Strict compliance with these regulations would create an extraordinary hardship in the face of exceptional conditions. We have defined extraordinary hardship as it pertains to this case as follows: Tact 1 is a viable lot for building development. However, because the proposed access point from Klein Road directly fronting Tract 1 contain such poor

sight distance for vehicles entering onto Klein Road, the Kenton County Public Works Department has denied an encroachment permit application. It appears that the only possible means of ingress/egress to Tract 1 is from the nearby existing private driveway. Without this waiver, an approximate 8.5-acre parcel is unable to be built upon. In staff's opinion, the inability to utilize an 8.5-acre parcel for building purposes is an extraordinary hardship in the face of these exceptional conditions.

3. Strict compliance with any section of these regulations regarding the issue of safety could cause an unsafe situation. While not an ideal location, the existing private driveway would afford better sight distance for vehicles entering onto Klein Road than a driveway directly fronting Tract 1. In staff's opinion, requiring the applicant to comply with the regulations and use a driveway directly fronting Tract 1 would create more of an unsafe condition than if the waiver was granted.

Mr. Hilgefurd wanted to clarify that the property owner could not come back years from now and request to build more lots. Mr. Hiles stated there is a limit for the waiver and it would be for five and five only.

Ms. Wassom then addressed the Commission and stated she wanted to make a point that they did have a maintenance agreement drawn up with the existing property owners so they have agreed to share the same driveway and none of them are opposed to this. She stated she feels that this is the safest place for the driveway and that she is in agreement with Staff's recommendations. She also wanted to clarify that because of the easement on the county road that the county maintains the right of way and they should not cut the vegetation. Mr. Darpel clarified that if she is to cut down vegetation within that easement she will be fine. He stated if she were to cut down trees that would be an issue but just the vegetation will be fine. Mr. Smith agreed. She then provided a copy of the maintenance agreement and Mr. Darpel made it an exhibit to be made a part of the record. The hearing was then recessed for discussion. There being none, the public hearing was then closed. Mr. Rogge then made the motion to grant the waiver based on Staff's recommendations. Ms. Snyder seconded the motion. A roll call vote on the matter found Mr. Rogge, Ms. Snyder, Ms. Carlin, Mr. Coates, Mr. Darpel, Mr. Eilerman, Mr. France, Mr. Hilgefurd, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Ruh, Mr. Sletto, Mr. Tewes and Ms. Worstell in favor. The motion carried.

Unfinished Business: None.

Reports from Committees:

By-Laws – Nothing to report. No meeting held.

Direction 2030 (comprehensive plan) – Mr. Scribner stated the project manager for the project has been Keith Logsdon for its entirety and stated he will be retiring. As such, Sharmili Reddy will be taking over his role on the project. He stated if anyone has any questions to feel free to forward them to him or to Sharmili. He stated the team Keith had put together will still be in place.

Executive – No meeting held.

Subdivision Regulations – Mr. Darpel stated they had a very good meeting with the Northern Kentucky Society of Professional Engineers. He stated unfortunately they did not get an exact answer of everything they wanted know and he feels there still needs to be some discussion. He then stated he spoke with Scott to see if they can come to a final understanding and have one more quick meeting. He stated eventually the committee will make a full recommendation. Mr. Darpel stated he will continue to try to keep everyone informed and stated they have had a very good turnout from the commissioners. Mr. Hult stated he would like to have some sort of number of what the dollar value is of the decisions being made with regard to the requirements being discussed. Mr. Tewes asked who is on the committee making the decisions. Mr. Darpel stated he would get an email out of who is on the committee to all the commissioners.

2020 Sourcebook (model zoning ordinance) – Mr. Rogge asked who is on the model zoning ordinance now that he is chairman of the committee. Mr. Darpel stated he would get that list to Mr. Rogge.

Report from Legal Counsel – Mr. Smith gave an update on the status of the lawsuit regarding the number of signatures for placing something on the ballot. Mr. Smith then stated the judge ordered a recounting of the signatures and stated Ms. Summe has until June 4th to provide the number.

Announcements from Staff – Mr. Scribner stated issues 2051R and 2052R from November were requested to be tabled at the time and requested a six month time frame for the tabling. He stated that would have come due on March 27th and Staff received a letter asking that be extended for an additional six months. Mr. Scribner stated they decided to bring it to the Commission for a decision on the extension. Mr. Darpel then asked for a motion to allow that to be tabled retroactively. Mr. Hult made the motion to table as requested. Ms. Worstell seconded. A roll call vote on the matter found Mr. Hult, Ms. Worstell, Ms. Carlin, Mr. Coates, Mr. Darpel, Mr. Eilerman, Mr. France, Ms. Hood, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Ruh, Mr. Sletto, Ms. Snyder and Mr. Tewes in favor. All in favor. None opposed. Mr. Videkovich then stated there will be a text amendment for the City of Independence for the small area study to be heard at next month's meeting. He further stated Staff wanted to make sure the Commissioners have plenty of time to review the text for the small area study. He stated there will probably be a lot of discussion at next month's meeting so he wanted to make sure everyone was prepared. Mr. Scribner additionally stated one thing Staff is trying to do is streamline the process and make things as least costly as possible. He stated one option they are talking about doing is providing electronic packets for the meetings. He stated they are doing that now along with paper packets but he wanted to get that out that it is being considered as a way to cut costs and streamline their process. Mr. Smith stated at the Campbell County planning commission meetings a similar issue came up and what they came up with is a program where Ipads are provided and you can pull up the papers and scroll through them that way as a way to avoid so much paper. Mr. Hult suggested asking which commissioners would want an electronic versus paper packet and maybe provide a folder that could be downloaded for those that do not want a hard copy. Mr. Scribner stated he appreciated any suggestions. He then noted they expect to see quite a few applications coming in for the coming months.

Correspondence: None.

New Business: - None.

Public Comments: None.

Mr. Sletto suggested the commission come up with a statement for the plan for the proposed bridge and realignment as far as the commission's stance on what bridge plan the commission is in favor of, etc. Mr. Darpel stated he would like for a few folks to come up with a packet to see what would be recommended. Mr. Hult stated he thinks this could be accomplished via email. Mr. Darpel then stated maybe the city engineer could come and speak before the commission to provide information. Mr. Darpel stated he would not be comfortable in signing off on anything that the commission did not approve. Mr. Sletto noted the deadline is May 25th so they would have to act quickly to put something together. Mr. France then noted he feels it is asking a lot to ask someone to pull all that information together to present it to one group. Mr. Darpel stated he doesn't feel it hurts to ask and feels it is a great idea.

There being nothing further to come before the commission, Ms. Snyder made the motion to adjourn. Ms. Worstell seconded the motion. All in favor. None opposed. The meeting then adjourned at 7:28 p.m.

APPROVED:

Chair

Date