

KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING
Minutes

Mr. Paul Darpel, Chair, called the meeting to order at 6:15 PM on Thursday, November 1, 2012, and opened the proceedings with the Pledge of Allegiance and an invocation by Mr. France. 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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Member	Jurisdiction	J a n	F e b	M a r	A p r	M a y	J u n	J u l	A u g	S e p	O c t	N o v	D e c	
Ms. Diane Brown	Erlanger	X	X	X	*		X	X		X		X		
Barbara Carlin	Kenton Co	X	X	X	X	X	X	X	X	X	X	X		
Barry Coates	Covington	X	X	X	X	X	X		X	X	X	X		
James Cook	Kenton Co	X	X	X	X				X		X	X		
Paul Darpel, Chair	Edgewood	X	X	X	X	X	X	X		X	X	X		
Chuck Eilerman	Covington	*	X	X	X	X	X		X	X		X		
Tom France, V.Chair	Ludlow	X	X	X	X	X	X	X		X	X	X		
David Hilgefurd	Villa Hills	X	X	X		*	X		X		X	X		
Lynne Hood	Crestview Hills	X	X	X	X	X	X	X	*	X	X	X		
Marc Hult	Covington	X	X	X	X	X	X	X	X	X	X	X		
Mark Hushebeck	Lakeside Park		*		*		X	X	X	X	X			
Joe Pannunzio	Elsmere	X	X	X	X	X	X	X	X	X	X	X		
Stan Porter	Taylor Mill	X	X	X	X	X	X		X	X	X	X		
Mark Rogge	Crescent Spgs	X	X	X		*	X	X	X	X	X	X		
Dan Ruh, Treasurer	Fort Wright	X	X	X		*	X		X		*	X		
Shad Sletto	Fort Mitchell	X	*		*	*	X		X		X	X		
Maura Snyder	Independence	X	X	*	X	X	X	X	X	X	X			
Joe Tewes	Bromley	X	X		X	X	X	X	*	X	X			
Carl Gerrein	Park Hills										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 Dan Hunt, Legal Counsel, and the following NKAPC staff: Mr. Martin Scribner, Dep. Director for Planning and Zoning, and Mr. James Fausz, Principal Planner.

AGENDA

Mr. Hult made the motion to approve. Ms. Brown seconded the motion. All in favor by acclamation. The motion carried.

APPROVAL OF THE MINUTES:

Mr. Rogge made the motion to approve. Mr. France seconded the motion. A roll call vote on the matter found Mr. Rogge, Mr. France, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Hilgeford, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Ruh, Mr. Sletto, Mr. Gerrein and Mr. Darpel in favor. Ms. Brown and Mr. Eilerman abstained. The motion carried.

RECEIPTS AND EXPENDITURES:

There were no questions or comments with regard to the financial statement. Mr. Darpel stated he would ask about the miscellaneous charge of \$371.00 and an expense of \$319.00 that he stated they would have to find out what that was. Mr. France made the motion to approve. Mr. Eilerman seconded. A roll call vote on the matter found Mr. France, Mr. Eilerman, Ms. Brown, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Hilgeford, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Ruh, Mr. Sletto, Mr. Gerrein 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:

The following two issues have been combined for purposes of the hearing.

2094R

APPLICANT: City of Lakeside Park per Mayor David Jansing

REQUEST: a proposed text amendment to the Lakeside Park Zoning Ordinance: (a) defining repairs and maintenance to nonconforming structures, subject to restrictions; and, (b) allowing parking of automobiles, pickup trucks, non-commercial passenger-size vans, which may have commercial messages, in residential zones.

Staff presentation and Staff recommendation by Mr. James Fausz.

NKAPC STAFF RECOMMENDATIONS:

Favorable recommendations of the proposed text amendment allowing parking of automobiles, pickup trucks, non-commercial passenger-size vans, which may have commercial messages, in residential zones.

Mayor David Jansing registered to speak on the issue. He addressed the Commission and stated both issues have been topics for the last four to six months at city council meetings. He stated

they had an individual come to them who works for a heating and air conditioning company and as such he is on call and has to take the work vehicle home over night. With regard to the second issue with detached garages, an issue arose where an individual's detached garage was struck by lightning and more than half of it was destroyed. In wanting to rebuild it, he found he was unable to do so under current ordinances. Mr. Jansing stated the intent is to allow those with detached garages that are damaged beyond their control to be allowed to rebuild. He stated there are those with detached garages that wish to maintain them to keep their property values up. He stated these folks have been coming to meetings for months asking if there is any progress on this. He stated they want to help their residents and feel with this language they can accomplish everything they want to do. He stated they have studied this month after month and it's not something that came up last month. Mr. Scribner then clarified the language with regard to commercial vehicles as there was some confusion with the way the text was worded. Mr. Darpel then recessed the public hearing for discussion amongst the Commissioners. The public hearing was then reconvened and Mr. Darpel requested a motion. Mr. Sletto made the motion to approve with regard to the first issue based on the fact that it is a minor modification to existing language. Mr. Eilerman seconded. A roll call vote on the matter found Mr. Sletto, Mr. Eilerman, Ms. Brown, Mr. Carlin, Mr. Coates, Mr. Cook, Mr. France, Mr. Hilgefurd, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Ruh, Mr. Gerrein and Mr. Darpel in favor. The motion carried unanimously. Mr. Darpel then asked for a motion with regard to the second portion relating to non-commercial vehicles. Mr. Sletto then made the motion to approve based on Staff's recommendations. Mr. Hult seconded the motion. A roll call vote on the matter found Mr. Sletto, Mr. Hult, Ms. Brown, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Darpel, Mr. Eilerman, Mr. France, Mr. Hilgefurd, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Ruh, Mr. Sletto and Mr. Gerrein. The motion carried unanimously.

2095R

APPLICANT: City of Ludlow per Brian Richmond, City Administrator

REQUEST: a proposed text amendment to the Ludlow Zoning Ordinance adding regulations pertaining to portable storage units and trash receptacles.

Staff presentation and Staff recommendation by Mr. Martin Scribner.

NKAPC STAFF RECOMMENDATIONS:

Favorable recommendation of the proposed text amendments to the Ludlow Zoning Ordinance adding regulations pertaining to portable storage units and trash receptacles.

Mr. Sletto asked if it would be possible to ask for additional language for a separate permit to ask for rolling dumpster to be put there. Mr. Scribner stated he did not feel this would not be an issue to do this and that he didn't feel the city would have an issue with it. Mr. Sletto also asked about the pods and the restrictions with regard to placing them on street where there are no driveways. Mr. France stated he concurred with Mr. Sletto to adjust the wording accordingly and that if you have a building permit you should be allowed to have a dumpster. Mr. Hult suggested rather than adding a text amendment wouldn't it make more sense to simply reference all trash receptacles of a certain size. Mr. Darpel questioned the time frame for the pods as being a bit long. Mr. Scribner stated if someone was present from the city they would be able to answer that. Mr. Darpel stated he couldn't see an instance where a storage unit type pod would need to be used for 30 days. Mr. Hilgefurd stated he could see an instance from personal experience but it involves the moving in and not moving out of a residence. Mr. Scribner also reminded the Commissioners that there is nothing currently in the ordinance now pertaining to

this. Mr. Darpel then recessed the hearing for discussion amongst the Commissioners. Mr. Hult suggested a recommendation be added with regard to the size of the dumpster. Mr. Sletto stated he disagrees with much of the language and that it leaves several holes. The public hearing was then reopened and Mr. Darpel asked for a motion. Mr. Sletto then made the motion to disapprove the text amendment based on the concern that the language does not meet the intention of the request. Mr. Rogge suggested if it is disapproved the Commission should at least note why it was not approved. Mr. Sletto also stated 3C appears to be too restrictive given the urban nature of Ludlow. He noted 3a and 3b should be permitted by right under the building code; they should exempt personal waste receptacles; and 3C as to the location where the dumpsters can be placed. Mr. Hilgefurd seconded the motion. A roll call vote on the matter found Mr. Sletto, Mr. Hilgefurd, Ms. Brown, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Eilerman, Mr. France, Ms. Hood, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Ruh, Mr. Gerrein and Mr. Darpel in favor. The motion carried unanimously.

2096R

APPLICANT: City of Ludlow per Brian Richmond, City Administrator

REQUEST: a proposed text amendment to the Ludlow Zoning Ordinance adding two-family residential dwellings to the list of permitted uses within the R-1JU (Residential - One JU) Zone.

Staff presentation and Staff recommendation by Mr. Martin Scribner

NKAPC STAFF RECOMMENDATIONS:

Favorable recommendation of the proposed text amendment adding two-family residential dwellings to the list of permitted uses within the R-1JU (Residential One - J Urban) Zone.

Mr. Hult asked if Ludlow had a historic overlay zone. Mr. Scribner noted if there is it is not in the zoning code and would be something separate that the city did.

Mr. Darpel then recessed the public hearing for discussion. The public hearing was then reconvened and Mr. Darpel asked for a motion. Mr. Rogge made the motion to approve based on Staff's recommendations. Ms. Hood seconded the motion. A roll call vote on the matter found Mr. Rogge, Ms. Hood, Ms. Brown, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Eilerman, Mr. France, Mr. Hilgefurd, Mr. Hult, Mr. Pannunzio, Mr. Porter, Mr. Ruh, Mr. Sletto, Mr. Gerrein and Mr. Darpel in favor. The motion carried unanimously.

Unfinished Business: None.

Reports from Committees:

By-Laws - Nothing to report.

Direction 2030 (comprehensive plan) -Mr. Scribner stated the handout regarding the goals and objectives will be distributed at next month's meeting. Mr. Darpel noted there will be two upcoming meetings held one on November 7th at Blessed Sacrament and one on November 12th Community Christian School in Taylor Mill. He stated if you can attend that would be beneficial so if someone from your jurisdiction asks you a question you can speak intelligently on it. He said they have been working hard and they would appreciate your attendance.

Executive - Nothing to report. Did not meet and will need to meet within the next two weeks.

Subdivision Regulations - Mr. Cook stated they had a very productive meeting and the next

one is the 15th of November. Mr. Hult commented briefly on the Boone County meeting he attended with regard to subdivision regulations.

2020 Sourcebook (model zoning ordinance) - Mr. Rogge had nothing to report.

Report from Legal Counsel - Nothing to report.

Announcements from Staff - Mr. Scribner noted in Erlanger they are going through a zoning update and they have had one steering committee meeting and there is another coming up on the 13th and going through the 14th and 15th. If anyone is interested in attending please do so.

Correspondence:

New Business: - Mr. Darpel noted a request was received from the City of Independence regarding the completion of the street in the Whispering Woods subdivision. He then read a letter into the record from the city attorney with regard to same. Mr. Darpel stated what he would like to do is to prepare a motion to be made with regard to the issue. He then stated he is asking the Commission to authorize the calling of the bond and have the executive committee to work with the city in the releasing of the funds. Mr. Darpel then suggested the motion could be worded as follows: that the Commission authorize a draw on the subdivision bonds held for street improvement on the Whispering Woods Subdivision. The Commission further authorizes the Executive Committee to apply the funds to such street improvements and to enter into contracts on behalf of the Commission as it determines to be necessary or appropriate to provide such work or otherwise settle any claims. Mr. Hult then made the motion to accept the motion as worded by Mr. Darpel. Ms. Brown seconded the motion. A roll call vote on the matter found Mr. Hult, Ms. Brown, Ms. Carlin, Mr. Coates, Mr. Cook, Mr. Eilerman, Mr. France, Mr. Hilgefurd, Ms. Hood, Mr. Pannunzio, Mr. Porter, Mr. Rogge, Mr. Ruh, Mr. Sletto, Mr. Gerrein and Mr. Darpel in favor. The motion carried unanimously. Mr. France suggested having the building department inspect the roads and see what roads are holding the bonds. Ms. Brown stated she feels this would open the commission to more liability. Mr. Darpel then stated he'd rather have a letter sent to the cities stating these are the streets that we are currently holding bonds for and go from there. The Commissioners agreed.

Public Comments: None.

There being nothing further to come before the commission, a motion to adjourn was made by Ms. Hood. Mr. Porter seconded. None opposed. The meeting then adjourned at 7:58p.m.

APPROVED:

Chair

Date