

**KENTON COUNTY PLANNING COMMISSION
REGULAR MEETING
Minutes**

Mr. Paul Darpel, Chair, called the meeting to order at 6:15 p.m. on Thursday, January 7, 2016, and opened the proceedings with the Pledge of Allegiance and invocation by Mr. Hult. The meeting was held in the Commission Chambers of the PDS Building in Fort Mitchell. Attendance of members (for this meeting as well as those during the year to date) was as follows.

Commission Member	Jurisdiction	J	F	M	A	M	J	J	A	S	O	N	D
		a	e	a	a	a	u	u	u	e	c	o	e
		n	b	r	r	y	n	l	g	p	t	v	c
Diane Brown	Erlanger	X											
Doug Neuspickle	Ryland Hts.												
Barry Coates	Covington	X											
Gailen Bridges	Kenton Co	X											
Paul Darpel, Chair	Edgewood	X											
Tom France	Ludlow	X											
Joe Gray	Covington	X											
David Hilgeford	Villa Hills	X											
Lynne Hood	Crestview Hills	X											
Marc Hult, V. Chair	Covington	X											
Keith Logsdon	Lakeside Park	X											
Joe Pannunzio	Elsmere	X											
Stan Porter	Taylor Mill	X											
Greg Sketch	Crescent Spgs	X											
Paula Rust	Kenton Cty	X											
Jack Toebben	Fort Wright	X											
Jeff Bethell	Fort Mitchell	X											
Maura Snyder	Independence	X											
Joe Tewes	Bromley	X											
Phil Ryan	Park Hills	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 PDS staff: Emi Randall and Mr. Scott Hiles.

AGENDA

Mr. Darpel asked for a motion regarding the agenda for the month. Ms. Snyder made the motion to accept the agenda as listed. Mr. Bethell seconded. All in favor by acclamation. The motion carried.

APPROVAL OF THE MINUTES:

Mr. Darpel asked for any questions or comments with regard to the minutes for December. There being none, Ms. Brown made the motion to accept the minutes from December. Ms. Snyder seconded the motion. A roll call vote on the motion found Ms. Brown, Ms. Snyder, Mr. Bethell, Mr. Bridges, Mr. Coates, Mr. France, Mr. Gray, Mr. Hilgefurd, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Sketch, Ms. Rust, Mr. Ryan, Mr. Mr. Tewes, Toebben and Mr. Darpel in favor. Mr. Porter abstained. The motion carried.

RECEIPTS AND EXPENDITURES:

Mr. Darpel stated the receipts and expenditures were distributed. There being no comments, Ms. Snyder made the motion to accept the receipts and expenditures. Ms. Brown seconded the motion. A roll call vote on the motion found Ms. Snyder, Ms. Brown, Mr. Bridges, Mr. Bethell, Mr. Coates, Mr. France, Mr. Gray, Mr. Hilgefurd, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Sketch, Ms. Rust, Mr. Toebben, Mr. Ryan, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

PRESENTATION OF AUDIT REPORT OF FY15

Mr. Darpel stated this would be presented at next month's meeting and no action was required.

ACTIONS SINCE LAST MEETING:

The memorandum regarding the actions taken by Staff over the past month was distributed for informational purposes only.

RECENT ACTIONS BY LEGISLATIVE BODIES:

Mr. Darpel stated the three legislative items that were approved the past month were in front of the Commissioners. No action was required.

PUBLIC HEARINGS:

FILE: PC1511-0004

APPLICANT: City of Erlanger per David P. Hahn, Economic Development Director

REQUEST: a proposed text amendment to the Erlanger Zoning Ordinance adding Vehicle Towing and Auto Repair as conditional uses to the Business Park One (BP-1) Zone.

Staff presentation and Staff recommendation by Ms. Emi Randall.

PDS STAFF RECOMMENDATION:

Favorable recommendation on the proposed text amendment to the Erlanger Zoning Ordinance adding Vehicle Towing and Auto Repair as a conditional use to the BP-1 Zone.

Mr. Mark Stewart addressed the commission in favor and stated he was available to answer any

questions. He stated this has been agreed upon by all the parties involved. Mr. France asked if the vehicle towing business had to occupy the entire 8.5 acre area. Mr. Stewart stated they had to own the entire parcel.

Mr. Darpel then recessed the public hearing for discussion. There being none, he then reconvened and closed the public hearing. Ms. Brown then made the motion to approve the text amendment based on Staff's report and the testimony given. Mr. Bethell seconded the motion. A roll call vote on the matter found Ms. Brown, Mr. Bethell, Mr. Bridges, Mr. Coates, Mr. Gray, Mr. France, Mr. Hilgefurd, Ms. Hood, Mr. Hult, Mr. Logsdon, Mr. Pannunzio, Mr. Porter, Mr. Sketch, Ms. Rust, Mr. Toebben, Ms. Snyder, Mr. Ryan, Mr. Tewes and Mr. Darpel in favor. The motion carried unanimously.

WAIVER: W-749 Greg Bridges

APPLICANT: Greg Bridges

LOCATION: 11730 Staffordsburg Road; an approximate 34-acre parcel located along the south side of Staffordsburg Road approximately one mile east of Marshall Road in unincorporated Kenton County

REQUEST FOR ACTION: a proposed waiver to the requirements of Section 8.3-1 of the Kenton County Subdivision Regulations (Access Spacing); granting the request would permit a residential access point less than 200 feet from the next residential access point where a minimum distance of 300 feet is required.

*Mr. Gailen Bridges recused himself from any discussion or voting on the issue due to a conflict of interest.

Staff presentation and Staff recommendation by Mr. Scott Hiles.

PDS STAFF RECOMMENDATION:

To deny the requested Waiver to Section 8.3-1 and requires that proposed driveways be spaced a minimum distance of 300 feet along Staffordsburg Road.

Mr. Kerr addressed the Commission in favor of the issue. He stated he is present representing Mr. Greg Bridges. He further commented the property does consist of two ridges and noted the current owner is in agreement. He additionally stated 32 residents could be coming in and out of the one driveway versus 16 coming in and out if there were two driveways so there would be considerably more traffic with just the one. He noted this is a beautiful piece of property. He noted the application was filed with the documents from the transportation cabinet. He stated a roadway could be built as noted in Staff's report but that would come at a considerable cost so there are additional costs involved. He then noted the greatest cost would be the ravine would have to be traversed in order to be utilized and that would come at a considerable expense. He further noted this would also disturb the natural landscape. He then stated the regulation requiring 300 feet between driveways is a nice concept but this works against southern Kenton County because the collector routes follow the ridges. He noted there is not a lot of traffic on this section of 536 currently. He stated this section will be bypassed down the road under the plan that has been adopted and when the new road gets constructed, but there is no time frame on that presently. He further noted when that happens there will be even less traffic. He stated this is unusual topography in that there is a severe ravine dividing the two parcels and that strict compliance would create an undue hardship and make it undevelopable. He stated there is sufficient evidence to justify the criteria for #1 and #2 as outlined in the regulations. He stated he respectfully requested approval of the waiver. Mr. Darpel also referenced #4 in the regulations as a further basis for granting of the waiver as noted previously by Mr. Kerr.

All others registered to speak had nothing to add.

Mr. Logsdon asked if he was correct that the speed limit is 25 mph. Mr. Kerr stated the highway department listed the speed limit at 55 mph. Mr. Ryan commented about an application from last month where it was less than 200 feet and there were issues involving a leech field being put in the wrong spot, and now this month there is another issue involving just over a hundred feet. Mr. Hilgefurd stated he doesn't think he should give up that quickly on the subdivision regulations from time to time and this is one of those times. Mr. Sketch stated he doesn't see how a 300 foot spacing does anything. He stated he thinks it's arbitrary and obstructive and it needs to be looked at. He further commented he thinks the Commission will be looking at more of these issues unless the 300 feet is looked at further. He stated he doesn't see how a street and a driveway is the same thing. He stated he thinks this one is too restrictive and based on what the applicant has stated, it should be granted. Mr. Logsdon commented that a driveway with twelve houses on it is going to generate quite a bit of traffic. Mr. Ryan commented further that this needs to be looked at because if you keep reducing and reducing there isn't going to be anything left. Ms. Rust commented that last month's was approved because it had already been started and the application had already been approved. Mr. Ryan then commented that at last month's issue, it went back to 200 feet, and now this application is at 116 feet. He stated either this is approved and the regulation gets changed or this is going to go on and on in his opinion. Mr. Sketch pointed out that each of these driveways would only serve six lots and not twelve. Mr. Hilgefurd commented he still thinks that 300 feet on a 55 mph highway is a reasonable distance.

Mr. Darpel then recessed the public hearing for discussion. Mr. France stated ultimately you're talking about 12 lots versus 30 lots and not having to cross a ravine. Mr. France commented that compliance makes it safer. There being no other comments, Mr. Darpel reconvened and closed the public hearing. He then asked for a motion on the issue. Mr. Sketch made the motion to approve the waiver based on the fact that it met criteria #2 and #4. Mr. France seconded the motion. A roll call vote on the motion found Mr. Sketch, Mr. France, Mr. Coates, Mr. Hult, Mr. Tewes and Mr. Darpel in favor. Mr. Bethel, Ms. Brown, Mr. Gray, Mr. Hilgefurd, Ms. Hood, Mr. Logsdon, Mr. Pannunzio, Mr. Porter. Ms. Rust, Mr. Toebben, Ms. Snyder and Mr. Ryan voted against. The motion failed. Mr. Darpel stated he would entertain another motion. Mr. Hilgefurd then made the motion to deny the waiver request because it does not meet any of the five conditions as outlined in the regulations and also based on Staff's recommendations on the issue. A roll call vote on the matter found Mr. Hilgefurd, Mr. Pannunzio, Mr. Bethel, Ms. Brown, Mr. Gray, Ms. Hood, Mr. Logsdon, Mr. Porter, Ms. Rust, Ms. Snyder, Mr. Toebben and Mr. Ryan in favor. Mr. Darpel, Mr. Tewes, Mr. Coates, Mr. France, Mr. Sketch and Mr. Hult voted against. The motion carried.

Reports from Committees:

20/20 Sourcebook (model zoning): – Nothing to report.

By Laws: - Mr. Hult stated there are a couple issues before the Commissioners to be discussed at the next meeting. Mr. Darpel stated if you can make any of the meetings it would be worthwhile to attend.

Direction 2030 Implementation: – Nothing really to report.

Executive: – Mr. Darpel stated at this point in time there are applications in for approval for mini cell towers. He stated this is a newer technology and we're going to be seeing them more and

more due to changing technology. He stated Staff has been working for weeks to try to come up with some rules for that. He stated he has worked with counsel on this and the Executive Committee is going to get together to adopt regulations to deal with the new cell towers and existing cell tower regulations. He stated Staff is putting together the language and will be making a recommendation to have these adopted.

Subdivision Regulations – Mr. Darpel stated no meeting was held.

Reports from Commission Members – Mr. Bridges stated he wanted to address Mr. Pannunzio’s comment as to the people of Southern Kenton County as showing up for past issues but there wasn’t that same result with this issue. He stated Southern Kenton County is very much in favor of keeping the area rural. He also stated they are not going to show up and protest every issue but reiterated they are very much into keeping the area rural. Mr. Hult stated there was no OKI meeting in December.

Reports from Legal Counsel – Nothing to report.

Announcements from Staff – Ms. Randall stated Donna Bresser has announced her retirement and has worked for the planning commission for 47 years. She stated a reception will be held in her honor on January 27 from 4:30-7:00. She also stated she has a continuing education video ready to go if anyone is interested. She also asked if anyone had a preference as to when to have the continuing education opportunities or if there was a preference for a special meeting. Mr. Darpel commented that they used to have them on Wednesdays for all who are interested and it worked out well.

General Correspondence: Nothing to report.

ELECTION OF OFFICERS:

Ms. Snyder stated everyone should have a ballot at their seat. She went through the nominations and stated anyone was free to nominate anyone else from the floor. Mr. Smith asked if there were any other nominations from the floor for any of the positions. There were none. Mr. Darpel then asked if the Commissioners could complete the ballots and then hand them in to be counted. After counting the votes, Mr. Smith announced that Mr. Darpel was elected as Chair, Mr. Ryan as Treasurer, and Ms. Brown as Vice Chair.

New Business: None.

Public Comments: None.

There being nothing further to come before the commission, a motion to adjourn was made by Ms. Snyder and seconded by Ms. Hood. All in favor by acclamation. The motion carried unanimously. The meeting was adjourned at 8:02 p.m.

APPROVED:

Chair _____

Date