

**KENTON COUNTY PLANNING COMMISSION  
SPECIAL MEETING MINUTES  
JULY 07, 2026**

Chairman Dunham called this special meeting to order on July 07, 2026, at 6:15 p.m. ET [5:15 p.m. CT] and opened the proceedings with the Pledge of Allegiance, invocation by Commissioner Darpel, roll call, and the meeting and safety procedures. The meeting was held in the Fiscal Court Chambers of the Kenton County Government Center, 1840 Simon-Kenton Way, in Covington.

Attendance of members is as follows (for this meeting as well as those during the year to date).

| Commission Member       | Jurisdiction     | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sept | Oct | Nov | Dec |
|-------------------------|------------------|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|
| Doug Armbruster         | Elsmere          | X   | -   |     | X   |     |     |     |     |      |     |     |     |
| Margo Baumgardner       | Crestview Hills  | X   | -   | X*  | X   | X   | X   |     |     |      |     |     |     |
| Todd Berling            | Fort Wright      | X   | -   |     |     | X   | X   |     |     |      |     |     |     |
| Gailen Bridges          | Bromley          | X   | -   | X   | X   | X   | X   | X   |     |      |     |     |     |
| Mike Conway             | Park Hills       | /   | /   | /   | /   | /   | /   | X   |     |      |     |     |     |
| Paul Darpel, Vice Chair | Edgewood         | X   | -   | X   | X   |     | X   | X   |     |      |     |     |     |
| Gabriella DeAngelis     | Covington        | X   | -   | X   | X   | X   | X   |     |     |      |     |     |     |
| Kevin Dicke             | Fort Mitchell    | X   | -   | X   | X   | X   | X   | X   |     |      |     |     |     |
| Brian Dunham, Chairman  | Kenton County    | X   | -   | X   | X   | X   | X   | X   |     |      |     |     |     |
| Sarah Flem              | Covington        | X   | -   | X   | X   | X   | X   | X   |     |      |     |     |     |
| Tom France              | Ludlow           | X   | -   | X   | X   | X   | X   | X   |     |      |     |     |     |
| Ken Heidrich            | Lakeside Park    |     | -   | X   | X   | X   | X   | X   |     |      |     |     |     |
| Todd Herrmann           | Erlanger         | X   | -   | X   | X   | X   |     | X   |     |      |     |     |     |
| Betsy Janes             | Villa Hills      | X   | -   | X   | X   | X   |     |     |     |      |     |     |     |
| Matthew Martin          | Taylor Mill      | X   | -   | X   |     | X   |     | X   |     |      |     |     |     |
| Kareem Simpson          | Covington        | X   | -   | X   | X   | X   | X   |     |     |      |     |     |     |
| Greg Sketch             | Crescent Springs | X   | -   | X   | X   |     |     | X   |     |      |     |     |     |
| Maura Snyder            | Independence     | X   | -   | X   | X   | X   | X   | X   |     |      |     |     |     |
| Debbie Vaughn           | Kenton Co        | X   | -   |     | X   | X   | X   | X   |     |      |     |     |     |
| Quin Wichmann           | Ryland Hts.      |     | -   | X   | X   | X   | X   | X   |     |      |     |     |     |

"X" denotes attendance at the regular meeting.

"\*" denotes arrival after roll call was taken.

"/" denotes not on Commission

"-" denotes no meeting

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Also present: Legal Counsel Mr. Matt Smith, and the following PDS Staff: Andy Videkovich, PDS Director of Planning; Patrick Denbow, PDS Senior Planner; Cody Sheets, PDS Principal Planner; Kayla Barbour, PDS Associate Planner; Connor Hannah, PDS Planning Intern; Pamela Bushelman, PDS Senior Secretary, Planning & Zoning, and Lori Remley, PDS Executive Assistant / Bookkeeper.

**ADMINISTRATIVE REVIEWS AND REPORTS**

Chairman Dunham opened the floor for nominations to fill the KCPC Executive Committee treasurer position, vacated by the retirement of Commissioner Ryan. Chairman Dunham noted he had previously recommended Commissioner Snyder, describing her as a long-term and productive commissioner who has been valuable to the process. Commissioner Snyder accepted the nomination. With no other nominations offered, Chairman Dunham asked for a vote. Commissioner Darpel made a motion to approve Commissioner Snyder as [KCPC] treasurer; seconded by Commissioner Sketch. The motion passed by acclamation with no discussion or opposition. Following the vote, Chairman Dunham added further remarks in support of the decision, noting that Commissioner Snyder has also long served as the Independence representative, an area he characterized as a hotbed of development due to the concentration of land and infrastructure there. He felt her business-sector perspective would be a valuable addition to the Executive Committee and closed by thanking her for agreeing to serve.

Chairman Dunham then presented the month's agenda and asked whether there were any questions, comments, or changes before calling for a motion. Commissioner Wichmann moved to approve the agenda as presented, with the motion seconded by Commissioner Snyder. The motion carried by acclamation.

Next, Chairman Dunham presented the June 4~~th~~, 2026, meeting minutes noting that only minor cleanup edits had been made, consisting of a few added words shown in a redlined version included in the [Chrome Book] meeting packet. He invited commissioners to review the changes and raise any questions or comments before calling for a motion to approve the minutes as amended. Commissioner Bridges made the motion to approve, which was seconded by Commissioner Vaughn. A roll call vote found Commissioners Bridges, Vaughn, Wichmann, Darpel, Dicke, Dunham, Flem, France, Heidrich, and Snyder in favor. Commissioners Conway, Herrmann, Martin, and Sketch abstained and the motion carried.

Chairman Dunham presented the report of receipts and expenditures for the month of May and asked if there were any questions before calling for a motion to approve it. Commissioner Snyder made the motion to approve the report; seconded by Commissioner Vaughn. The motion carried by acclamation.

Chairman Dunham presented the reports of last month's staff actions and legislative body actions. Commissioner Darpel noted that a couple of bodies took no action, automatically ratifying the Commission's recommendations, and called the process helpful for speeding things up. Chairman Dunham agreed, confirming cities have a 21-day window to appeal before recommendations are automatically approved, an ordinance change made about five years ago. He noted this saves time for cities and the county on straightforward issues without concerns.

**PUBLIC HEARING**

Chairman Dunham then introduced **FILE NUMBER: PC-26-0008-MA**

**APPLICANT:** James W. Berling Engineering on behalf of BBB Developers

**LOCATION:** An area of approximately 18.4 acres located on the south side of Maher Road between Graven Road to the east and Glenhurst Drive to the west, approximately a quarter mile east of Glenhurst Drive in

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Unincorporated Kenton County.

**REQUEST:** A proposed map amendment to the described area from A-2 (an agricultural zone) to R-1F (a single-family residential zone).

**SUMMARY:** The applicant is proposing a single-family subdivision with 68 lots, new roads, and new public utilities (a net density of approximately 4.31 dwelling units per net acre).

Commissioner Greg Sketch recused himself from the proceedings and departed chambers at 6:26 p.m.

Mr. Andy Videkovich, PDS Director of Planning, presented the map amendment application for an 18.4-acre parcel in unincorporated Kenton County, located in the suburban sub-area south of Kentucky 536 near the Boone County line, seeking to rezone the property from agricultural to single-family residential. He described the site as sitting on the south side of Maher Road between Graven Road and Glenhurst Drive, roughly a quarter mile east of Glenhurst, and consists mainly of open grassland with scattered tree lines and drainage swales, with rolling topography sloping from a high point near Maher Road down toward the southern and western edges.

He stated the site is currently zoned A-2, an agricultural designation allowing single-family residential and agricultural uses on minimum one-acre lots, as well as conservation-style subdivisions; surrounding areas to the east and west share this zoning, while land across Maher Road includes agricultural and R1-C (RCD) (Residential One- C with a Residential Cluster Development Overlay) zoning permitting up to 2.5 dwellings per net acre, and the area directly south is the Eco Commerce Park (ECP), a light industrial zone. He pointed out that the existing land uses mirror this zoning pattern, with large-lot homes and open space to the south and smaller suburban residential development to the north, plus an electric substation adjacent to the site's east side. He noted that the Comprehensive Plan recommends residential development at under two dwellings per acre for the site and surrounding area south of Maher Road, industrial use for the Eco Commerce Park area, and 2.1 to 4 dwellings per net acre north of Maher Road. He added that the site contains blue-line streams in its drainage swales but no other sensitive environmental features, and Maher Road is classified as a two-lane collector street lacking sidewalks on its southern side.

Mr. Videkovich provided extensive site history, including a 1999 rezoning of a nearby 50-acre parcel (Glenhurst subdivision) to R1-C for 149 homes, a 2004 rezoning of 55 acres across the road to R1-C for 120 homes, adoption of the South Banklick Small Area Study in 2006 alongside rezoning of roughly 1,900 acres (including this site) to A-2 and creation of the adjacent ECP zone, a 2012 density increase on the northern property from 120 to 124 homes, and a withdrawn 2025 application for a nearly identical 68-home proposal on this same site.

He next described the applicant's submitted concept plan for 68 single-family homes served by five new streets, four cul-de-sacs, and two stormwater detention/retention areas, with homes priced between \$350,000 and \$400,000. He pointed out that a traffic analysis using ITE standards projected 52 morning and 69 afternoon peak trips, both below the threshold requiring a traffic impact study. He added that the applicant is requesting a straight R1-F zone with a 6,000-square-foot minimum lot size, without any Planned-development or cluster overlay.

In reviewing consistency with the Comprehensive Plan, Mr. Videkovich identified several consistent elements, including improved housing variety, proximity to employment corridors via Dixie Highway and I-75, support for aging-in-place housing at an attainable price point, and capacity for higher-density development. He stated that relevant considerations included the need for coordination with the county on the entrance location and road improvements along Maher Road, as well as mandatory sidewalk installation. However, he stated that Staff found

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the proposal inconsistent with the Comprehensive Plan in several respects: it does not qualify as "income-aligned" housing under the Income-Aligned Housing Implementation Strategies and Action Plan for Kenton County housing study, which showed no deficit in this housing type for the area and identified poor walkability and amenity access despite good vehicular access; it conflicts with the recommended land-use density of under two dwellings per net acre; and it is inconsistent with the South Banklick Small Area Study, which recommends conservation subdivisions at no more than one dwelling unit per net acre to preserve rural character.

Based on these findings and noting the statutory requirement that map amendments align with the Comprehensive Plan unless specific exceptions apply, Mr. Videkovich provided an unfavorable recommendation, since the proposed 4.31 dwellings per net acre substantially exceeds the recommended density and the project does not qualify for the Plan's income-aligned density bonus. He noted that a development Plan is not technically required for straight residential rezoning, though one was provided, and that the applicant has committed in writing to a density cap of 4.31 units per net acre, which staff recommended as a condition should the Commission or fiscal court choose to approve the amendment despite the unfavorable recommendation. He also flagged several administrative items requiring future attention if approved, including lot area/width/setback details, front-yard pavement standards (an issue on past pie-shaped cul-de-sac lots, though recently relaxed by new county regulations), signage requirements, mandatory sidewalks on all interior streets and along Maher Road, review of reasonable access to adjacent parcels given the cul-de-sac layout, and compliance of the two proposed stormwater ponds with subdivision and SD-1 requirements.

This segment covered an extended commissioner question-and-answer period with Mr. Videkovich following his staff presentation.

Chairman Dunham opened by asking about the dollar amount a home would need to sell for to move into a less-deficit ("blue" or "gray") category on the income-aligned housing chart for a three-bedroom home, but Mr. Videkovich did not have those specific figures available.

Commissioner France then asked for help understanding the chart's methodology, noting confusion over how a three-bedroom deficit of -1,125 could be smaller in magnitude for four-bedroom homes at -470. Mr. Videkovich explained that the chart reflects not just what income levels can afford, but current supply-and-demand dynamics countywide, and that deficits appear across both lower-income categories and larger home sizes, meaning income-aligned housing is not strictly defined by HUD-style affordability guidelines. Commissioner France also asked about specific figures shown in deep red (4,800 and 901), which Mr. Videkovich clarified represented an existing countywide surplus of roughly 4,500 homes based on current demand, not necessarily homes currently for sale.

Commissioner Heidrich sought clarification on terminology, confirming that "homes" refers to single-family/ownership units while "units" applies to rentals, that condominiums could fall into either category depending on tenure, and that the data reflects the entire county rather than being localized to the subject site — spanning from unincorporated areas to cities like Covington or Park Hills. Mr. Videkovich confirmed this as correct.

Commissioner France asked who determines whether a project qualifies as "income-aligned," and Mr. Videkovich explained it is not a subjective staff decision but is based on applicant-provided data combined with standard assumptions such as 20% down payments and prevailing area interest rates. Commissioner France also pointed out an apparent contradiction in the staff report, which stated the development would support aging-in-place at

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an attainable price point while also stating it was not income-aligned; Mr. Videkovich clarified that income-alignment refers specifically to the deficit/surplus chart, while aging-in-place considerations are addressed separately in the broader housing study based on demographic demand.

Commissioner Dicke and Commissioner France both questioned the aging-in-place characterization further, noting that three- to four-bedroom homes seem inconsistent with typical downsizing patterns for buyers 65 and older, and that the concept Plan doesn't specify actual housing product types beyond generic site-Plan squares; Mr. Videkovich deferred to the applicant to address the specific product and demand rationale.

Commissioner Heidrich asked what density increase might be permitted for income-aligned projects under the Comprehensive Plan, and Mr. Videkovich noted there is no fixed cap, with such determinations made on a case-by-case basis on surrounding conditions; by comparison, conservation subdivisions are capped at one dwelling unit per net acre.

Commissioner Darpel asked whether the applicant had taken a position on the required statutory finding — whether existing zoning is inappropriate, whether the proposed zoning is appropriate, or whether a major unanticipated change has occurred — and Mr. Videkovich noted the applicant submitted a detailed letter and would address this directly.

Commissioner Conway asked about the density of the Glenhurst development across the street, stating it was 2.55 units per net acre and Mr. Videkovich clarifying that the interior phase of the Glenhurst subdivision actually exceeded 3 units per net acre.

Commissioner Vaughn asked whether the over-65 focus was based on applicant intent or should be expected as a standard consideration going forward; Mr. Videkovich confirmed it stemmed primarily from applicant statements, though the underlying housing study also addresses aging-in-place, and Chairman Dunham noted the Comprehensive Plan calls for a mix of housing types generally, with Mr. Videkovich adding that aging-in-place policies are specifically referenced in the Plan.

Finally, Commissioner France asked about the accuracy of a 40% front-yard pavement cap; Mr. Videkovich confirmed the county had loosened this standard for narrower cul-de-sac lots, though compliance could not be assessed without more specific Plans, and noted that if a lot could not meet the standard, the applicant would need to either widen the lot or seek relief through the Board of Adjustment.

There were no further questions and Chairman Dunham read aloud the list of attendees who signed up to speak on the matter:

**OPPONENTS**

Jessie Dalton (487 Maher Rd)  
Heather Grothaus (991 Maher Rd)  
Tim Grothaus (991 Maher Rd)  
Stephanie Kimberlin (877 Maher Rd)  
Jerry Bach (Maher Rd)  
Karla Palmer (Maher Rd) – Opposed but does not wish to speak.  
Donald Barth (946 Maher Rd)

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**PROPOSERS**

Steve Berling (1671 Park Rd, Fort Wright, KY)  
Matt Mains (211 Grandview Dr, Fort Mitchell, KY)  
J.J. Miller (Owner – Maher Rd Property)

**NEUTRAL**

There were none.

Chairman Dunham noted he had emails to read into the record, initially mentioning two but then clarifying that only one — from Benjamin Bach — was needed, as the other pertained to the amended part of the application. He then called the applicant up to speak.

**APPLICANT COMMENTS**

Mr. Steve Berling, (1671 Park Rd, Fort Wright, KY), the project engineer, presented on behalf of the applicant, following the same points Mr. Videkovich covered, with Matt Mains from Drees Company to follow on housing specifics. He explained the project was first submitted in 2025 during the county's industrial site-ready initiative for Maher Road, but since that industrial Plan shifted away from the site, the applicant returned with this residential proposal where the Plan uses 52-foot lots (vs. the 50-foot minimum), originally requested by a prior builder. Mr. Berling acknowledged a density error: he had calculated 3.69 units/acre, not realizing Kenton County uses net acreage (excluding roads/right-of-way), which raised the figure to 4.3; he is aiming to get back under 4 and is open to cutting units to roughly 62–63 to do so.

Mr. Berling commented in reference to traffic, existing turn lanes across the street would support left turns , with only a new right-turn deceleration lane needed, which the applicant will provide. He described the target buyers as first-time, second-time, or downsizing homeowners wanting new construction with minimal yard upkeep. He argued the site is actually more land-efficient than the neighboring Glenhurst development, which achieves lower density only by counting unusable valleys and hillsides toward its acreage, and distinguished the project from nearby special-zoned developments (The Meadows & Glenhurst), noting his applicant was pursuing straight zoning. He also pushed back on labeling the area "southern" Kenton County, calling it more accurately western.

Addressing Staff's inconsistency findings, Mr. Berling argued the housing study's targets are essentially unachievable for any single-family product and only apartments/condos could meet it, with no market interest, and that the 2006 [South Banklick] Small Area Study — now 20 years old — was focused on industrial development between Ryle Road and Highway 16, with this site only in the study area's extreme corner. He noted the site's natural buffers (a southern ravine, an adjacent utility substation to the east, from which the land was purchased) and offered potential mitigations with conservation buffers/easements to the west and south, reduced unit count, and a possible pocket park.

Mr. Berling also cited a strong demand for this type of housing, referring to his own Walton development (16 of 34 lots sold since January) and a similar project by Mr. Miller (16 of 26 sold since December). He stated that with 52-foot lots, homes could be built as narrow as 38–42 feet wide, and Mr. Mains would provide further detail.

He confirmed the applicant could supply additional required information (building heights, etc.), would not front homes on Maher Road, and would provide connectivity to adjacent properties.

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On stormwater, he explained two lakes (rather than dry ponds) were intentionally chosen for aesthetics, self-maintenance, and recreational value, while still meeting all detention and water-quality requirements with no increase in the runoff rate.

He closed by noting the proposal aligns with the Comprehensive Plan except for the three flagged items, reiterated doubt that the housing study could be met by any new construction given current home prices and said he would be available for questions after Mr. Mains spoke.

Chairman Dunham suggested hearing from Mr. Mains before continuing questions for Mr. Berling, but discussion continued with Mr. Berling first.

Commissioner France asked whether, if the 40% paved front-yard requirement could not be met, the solution would simply be moving the house back on the lot. Mr. Berling explained that zoning requires a minimum 50-foot lot width and 6,000-square-foot lot size, and while his smallest designed lot is 52 feet with a 25-foot setback, most lots exceed the 6,000-square-foot minimum; he confirmed he could adjust the cul-de-sac layout as needed to meet the paving percentage requirement.

Commissioner Darpel sought confirmation that Mr. Berling had already agreed to accept the 4.3 dwelling-units-per-acre density, and Mr. Berling confirmed this, explaining that when Mr. Videkovich originally called to ask about accepting that figure, he agreed based on the calculation provided — but only later realized the discrepancy stemmed from Kenton County's use of net acreage (excluding roads and infrastructure dedicated to the county) rather than gross acreage, which is how he normally calculates density elsewhere. He indicated willingness to work toward a lower density now that he understands the calculation difference.

This led to an extended exchange about whether the submitted concept Plan would become a binding part of the zoning approval. Mr. Smith, KCPC Legal Counsel, confirmed that if the concept Plan is submitted as representing intended construction, it would become part of the zoning. Mr. Berling noted that accommodating Commissioner France's concerns and adjusting the roadway layout would keep roughly 90–95% of the lot widths and layout intact, but would require reducing density somewhat, potentially from 68 down to around 62 units.

Commissioner Darpel emphasized the importance of clarifying upfront whether such adjustments would require a full concept Plan review, noting that most map amendments reviewed by the Commission require adherence to a fixed development Plan, and that failing to settle this now could lead to disputes later. Mr. Berling requested flexibility to make minor adjustments — such as losing a few lots or dedicating some to a park — without triggering a full review process, while acknowledging that material changes would appropriately require returning to the Commission. Commissioner Darpel and Mr. Berling discussed distinguishing "minor" from "material" changes, with Mr. Berling suggesting [PDS] Staff could determine which category a given change falls into; he offered an example of a potential staff-requested road connection to a neighboring property as the type of minor adjustment that should not require full reprocessing. Mr. Smith agreed with this characterization.

Chairman Dunham asked Mr. Smith whether flexibility of roughly six lots, based on historical staff interpretation, would qualify as a minor administrative change, and Mr. Smith indicated it would be acceptable. Commissioner Darpel added that Staff generally have little concern when density changes represent a decrease, such as around 10%. Mr. Berling reiterated that he was not trying to be difficult but was responding to Staff's report by returning

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to the project's original intent of matching the density across the street at under 4 units per acre, noting that the 4.3 figure had been submitted before the net-versus-gross-acreage issue was identified.

Chairman Dunham then asked which counties calculate density using gross rather than net acreage, and Mr. Berling responded that Boone County uses gross acreage, along with several others, and that Campbell County has also historically used gross acreage, though he had not worked there recently.

The discussion closed with Chairman Dunham asking if there were further questions for Mr. Berling before calling up Mr. Mains. There were none.

Mr. Matt Mains, (Drees Homes, 211 Grandview Drive, Fort Mitchell, KY), noted he was speaking on behalf of the interested homebuilder, though he also attends such meetings as a developer.

Mr. Mains explained the proposed homes would be Drees' "Curated" style product, designed to deliver a quality detached single-family home at the targeted \$350,000–\$400,000 price point. He stated that since attached housing like condominiums or townhomes is not well-suited to this location, the feasible options narrow to detached three- or four-bedroom homes at that price — a housing type he said is in short supply locally. He pointed out that the curated product is built around a roughly 40-foot-wide footprint, making it ideal for this lot size (though less visually effective on larger lots), and he cited its proven success elsewhere in southern Kenton County, including a proposed Everett Ridge development and completed homes at Villages of Decoursey.

He noted the cost savings partly come from a streamlined, curated selection process that, while still build-to-order, is simplified for both affordability and buyer convenience. He pointed out that target buyers are largely first-time homebuyers seeking an attainable detached home; he suggested earlier aging-in-place comments were really about lot size rather than price, since smaller lots appeal to those avoiding larger-lot maintenance, though the product is not marketed to any specific age group — it's primarily a price-sensitive offering. He closed by emphasizing the strong area demand and the product's contribution to an attractive streetscape, expressing enthusiasm about building in the community, if approved, and made himself available for questions.

Commissioner Herrmann asked whether an HOA would be in place, since these are not patio homes, and whether there would be any HOA-maintained green space beyond the two detention ponds. Mr. Mains deferred the HOA question to the developer, and Mr. Berling confirmed an HOA would be established, adding that reducing density would create additional green space; he also noted he had realized since sitting down that he would likely lose more land to roadway and right-of-way than initially accounted for, meaning his stated figure of 62 lots could still shift downward, though his natural instinct is to maximize lot count rather than reduce it.

Chairman Dunham then raised a question tied to Commissioner Sketch's submitted email regarding the application, noting that under the statutory framework, the applicant must either show consistency with the Comprehensive Plan or establish one of two alternative findings: that the existing zoning is inappropriate and the proposed zoning is appropriate, or that unanticipated major economic, physical, or social changes have substantially altered the area's character since the Plan's adoption. Chairman Dunham observed that the applicant's submittal appeared to lean toward the latter finding but lacked detailed support, and asked Mr. Berling to elaborate. Mr. Berling responded by citing significant changes over the past 20 years, including the widening of Maher Road, construction of a new interchange, highway extension to Independence, and new commercial development (restaurants, grocery stores, shops) near Richwood and Dixie Highway, as well as broader growth in Independence such as breweries and restaurants near the long-standing Kroger. He characterized the site's location — between Independence, Richwood, and Mount Zion, near industrial and manufacturing growth along

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Mount Zion and the Richwood exit — as favorable, with Maher Road's only drawback being its position between railroad tracks. He reiterated that the proposal aligns with the Comprehensive Plan except for the three previously discussed inconsistencies, one of which he believes cannot realistically be satisfied by any project.

Chairman Dunham then asked Mr. Mains whether Drees offers any detached single-family product at a materially lower price point, given ongoing concerns about income-aligned housing affordability. Mr. Mains responded that affordability generally requires either incentives (not applicable here), increased density through attached products like condominiums or townhomes (which Drees does sell successfully in appropriate markets), or reduced quality, which the company is unwilling to pursue and does not believe the area desires. He explained that achieving a quality home at this price point requires infrastructure efficiency through smaller lot sizes, a trend he said consumers increasingly accept and often prefer.

Commissioner Herrmann asked whether the \$350,000–\$400,000 figure represented a base price before upgrades, noting that option selections typically drive costs higher; Mr. Mains confirmed this is generally true but explained that for the curated product, the \$350,000–\$400,000 range represents the average anticipated price, since the product intentionally limits the number of available options (unlike larger 80-to-100-foot-lot homes, where buyers might add \$50,000 to \$250,000 in upgrades), keeping final prices consistently within that target range.

Commissioner Bridges asked whether this was Drees' lowest-priced detached single-family product, which Mr. Mains confirmed.

There were no further questions and Chairman Dunham invited Mr. J.J. Miller to address the Commission.

Mr. Miller, (10847 Omaha Trace in Union, KY), noted over 40 years of experience developing more than a dozen single-family subdivisions. He said he would be proud to add this project to that list; framing the proposal as simply meeting market demand — arguing large, expensive lots do not sell. He cited a nearby Independence development with unsold 100-foot lots priced around \$140,000, contrasted with his own new Independence development of 70-foot lots selling for \$450,000-plus, where he had just closed his 16th sale, exceeding expectations. He described buyers as mostly first-time purchasers moving out of apartments, plus some retirees, though he does not track individual buyer details closely.

Mr. Miller stressed flexibility on lot size and his willingness to reduce lot count if larger lots were required and committing to honor whatever terms are agreed on with Staff or the Commission. However, he said one-acre or half-acre lots would make the project financially unworkable and he would not proceed under those terms. He closed by thanking the Commission for the opportunity, after which Chairman Dunham opened the floor for questions.

### **OPPONENTS**

Chairman Dunham moved to speakers opposed, starting with Jessie Dalton, (487 Maher Rd) a 32-year resident, who argued the development does not fit the area's character of large (7+ acre) single-family lots. Her main objection concerned the "aging in place" framing: she cited the Kenton County Age Well initiative's finding that 75% of seniors prefer staying in their current homes, questioned whether fixed-income seniors would realistically buy new \$350,000–\$400,000 homes given ongoing taxes, HOA, insurance, and maintenance costs, and noted the proposed three-to-four-bedroom homes don't match the smaller, accessible layouts seniors typically seek when downsizing.

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On traffic, she disputed that existing turn/deceleration lanes could serve the new development, noting they were actually built for the Meadow Glen entrance across the street, and argued that any needed improvements should not burden taxpayers. She also challenged the housing-need justification, pointing out the staff report itself identifies this housing type as oversupplied and recommends denying the rezoning — undercutting the applicant's claim of filling a genuine gap. She raised cumulative traffic concerns tied to a planned 312-unit Boone County apartment complex near the Maher Road/Dixie Highway intersection and questioned whether school and public service capacity had accounted for this project plus another 261 homes under construction nearby. She closed by thanking the commission for considering her concerns.

Chairman Dunham then called on Heather Grothaus, (991 Maher Rd), who stated she had lived on the road for 33 years. She said she initially thought the proposal was satire given prior overdevelopment concerns in southern Kenton County but confirmed it was real and called the density of 68 lots at 4.31 houses per acre a poor fit for the area. Using photos, she illustrated the area's character: her own 6.27-acre property holds one house (versus 27 under the proposed ratio), and her lot plus neighbors' roughly matching the development's 18 acres — holds just three houses versus the 68 proposed. She noted the subdivision across the street was approved at just 2.5 dwellings per acre, and this proposal would nearly double that, calling it "a clown car of development."

She raised environmental concerns about added impermeable surface, noting that despite planned retention ponds, the site's streams drain into a valley behind the property and ultimately into Banklick Creek, arguing against further paving of open grassland. She also challenged the required sidewalks as impractical given the road's zero walk score and rural, non-walkable character, undermining the aging-in-place rationale.

Ms. Grothaus cited dangerous traffic conditions at both ends of the road — railroad crossings with poor sightlines near US 25 and Banklick Road, and a hazardous turn from Maher onto Route 25 toward Richwood — and described the corridor's roads as poorly maintained, with collapsing shoulders and failing patch repairs, echoing the concerns raised by Jesse Dalton. She argued that the streamlined, lower-cost housing product does not resolve these infrastructure and safety issues. She closed by stating this proposal, or any development exceeding one to two houses per acre, is unsuitable for the location. Chairman Dunham thanked her after confirming there were no questions.

Tim Grothaus, (991 Maher Road), spoke in opposition to the rezoning, opposing this and any other dense development on the south side of Maher Road. He argued the project does not fit the surrounding area of multiple acre lots, and that Maher Road already cannot handle current traffic. Referring to the earlier point that no traffic study was required due to low projected trips, he questioned when a traffic study had last actually been done on the road, noting it keeps getting busier.

He argued that other parts of Kenton County — like growing areas of Independence — would better suit this type of housing, offering better walkability, shopping, and job access. He also raised concern about the industrial-zoned land directly behind the site, questioning whether future home buyers would be informed of that risk and whether it would eventually hurt home values once developed. He closed by reiterating his opposition to the rezoning. There were no questions from Commissioners.

Next, Mr. Don Barth, (946 Maher Rd), spoke in opposition, saying he would prefer the area to stay undeveloped though he knows that is unrealistic, and argued the Commission should control the pace and scale of growth, calling this proposal too dense. He did not repeat prior concerns but flagged traffic as a major issue.

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Mr. Barth also raised a flooding concern: land east of the site slopes toward a creek that he has seen flooding up to halfway toward a nearby house, and his own property near the same creek floods periodically. Though not an engineer, and acknowledging the two planned retention ponds, he argued the cumulative impermeable surface from roads, driveways, and houses will worsen existing flooding. He also disputed the applicant's claim that the site is more "efficient" for lacking unusable terrain like hills and valleys, arguing that terrain actually helps absorb water during heavy rain.

Chairman Dunham noted developers are required to retain stormwater on-site so as not to discharge more than current conditions produce. Mr. Barth also pointed out the Plan's lack of green space, which Chairman Dunham agreed was a fair point, and Mr. Barth reiterated his core argument that density should be reduced to preserve more green space. There were no questions from Commissioners.

Next, Ms. Stephanie Kimberlin, (877 Maher Rd), spoke in opposition, noting her family's working farm shares the development's entire southern property line. She described the farm as industrial-zoned and active — raising hay, cattle, and chickens — and raised concerns about existing trespassing by neighbors who treat the farm's private gravel road as public parkland. She noted the farm borders utility-owned land to the east and a private farm road and identified the nearby creek, Wolf Pen Branch, as a real flowing waterway feeding into Banklick Creek.

She echoed prior opposition concerns but stressed her family's more direct stake, questioning where sewer infrastructure would route given that water flows downhill through her property, and reiterated that the proposal exceeds the Comprehensive Plan's 2.2-dwelling-per-acre limit, which the Commission had discussed as recently as last year. She noted that if her family ever sold their land, it would go toward industrial use, which she argued would be a better neighbor since it could access the Richwood Industrial Park directly rather than via Maher Road.

She also questioned the development's fiscal benefit to the county, offering rough math suggesting property taxes on a \$400,000 home would generate only about 44 cents per student for schools. Commissioner Darpel clarified that tax revenue is not part of the Commission's zoning analysis, and Ms. Kimberlin accepted that but wanted the question left on record. She closed by reiterating her core concern — the shared property line — combined with runoff, sewer, trespassing, and density issues, saying these alone were enough without even considering traffic. Asked by Commissioner Vaughn about her farm's size, she said it spans roughly 88–100 acres, has been in her husband's family for generations, and borders the Richwood Industrial Park; and she has farmed it for 28 years. There were no further questions.

Mr. Jerry Bach, (725 Maher Rd), who lives directly next door to the property, spoke in opposition. He and his wife moved there 24 years ago, though he has been associated with the property closer to 29 years. Rather than repeat prior facts, he spoke from personal experience, acknowledging he understands progress and that Maher Road has many good qualities.

Mr. Bach recalled the area was entirely open space when they moved in, describing himself as "born a farmer" despite 43 years working in a factory. He emphasized his appreciation for the area's green space and wildlife, asking the Commission to weigh that loss against the development, while acknowledging Mr. Miller's interest in getting value from his land. Referring to an earlier comment calling Maher Road "a great place to be," he agreed that's exactly why he moved there, and said he could not picture the road handling this many new houses given already bad traffic — recalling his retired father-in-law once counting cars on the road some 20 years ago and estimating traffic has likely doubled since. He closed by asking the Commission to weigh the loss of green space carefully in its final decision.

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Chairman Dunham noted that all speakers signed up to address the Commission had been heard, and he then summarized into the record an email submitted by Benjamin Bach, a resident of Independence. In the email, Mr. Bach expressed support for Staff's unfavorable recommendation on the proposal, citing several considerations he found valid: the development's lack of alignment with the Northern Kentucky Area Development District's housing needs assessment, the small area study's recommendation of one acre or more per unit for conservation purposes, inconsistency with the surrounding area's density of two dwelling units per acre, and the inappropriateness of the development's location relative to the county's industrial area. The email also referenced concerns about stub cul-de-sacs in the site Plan and stated that neighbors would prefer the property to remain agricultural, which better matches their expectations than the proposed density of 4.3 units per acre. Mr. Bach further noted that the surrounding intersections are already problematic and argued that adding traffic from this development would be irresponsible. Chairman Dunham confirmed the email would be entered into the record as Exhibit A.

Chairman Dunham, noting no neutral speakers, invited the applicant to respond to public comments.

Mr. Berling addressed several points from his notes. On "aging in place," he clarified his intended meaning differed from Ms. Dalton's framing — not retirees moving in to age there, but younger buyers (30s-40s) who purchase and stay for decades, aging in place through long-term residency.

On road improvements, he explained sufficient width already exists at the site; it would just need striping, improvement, and a deceleration lane, since no left-turn lane exists today simply because there is nothing to turn into yet. He noted stormwater detention had already been covered, and that green space (raised by Mr. Barth) could be increased through concept Plan adjustments and HOA management. On the sewer concern raised by Ms. Kimberlin, he clarified no infrastructure is planned along her southern property line, since Mr. Miller holds a guaranteed easement running east to connect to the sewer via the utility company, he purchased the land from. Regarding western neighbor Mr. Bach, Mr. Berling noted Mr. Bach told Mr. Miller he didn't want the cul-de-sac extended, though the applicant would comply if required; he added that the Bach family had historically owned this parcel and the adjacent utility parcel before selling to the utility company, from which Mr. Miller later bought this portion.

Commissioner France asked whether reaching the Comprehensive Plan's conservation target of 2.0 units/acre (roughly 30 lots, down from the proposed 60) would be financially feasible; Mr. Berling said no. He contrasted this with Glenhurst's incremental phased rezonings across the road, questioning why they do not rezone the whole property at once rather than returning repeatedly for 124-lot increments. He emphasized that whatever final lot count is approved for this request would be a permanent, complete build-out with no room for future expansion — a self-contained community with proper entrances, a small park to offset density, natural buffering to the west/south/east, and appropriate signage. He closed by stressing the applicant's intent to build a genuinely well-maintained neighborhood, hoping people would not assume it would simply bring in residents without regard for long-term quality.

Following public testimony, Chairman Dunham recessed the hearing for commissioner discussion.

Commissioner Bridges raised two points. First, he noted that developments typically brand unbuildable terrain—steep slopes, creek beds—as "preserved green space," while building out every usable acre elsewhere; since this development had no unbuildable land to begin with, it included no green space at

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all. Second, he argued that approving lower-end housing tends to attract matching lower-end commercial development, citing a project he had criticized the previous month as an example.

Commissioner Darpel said his core concern was the lack of evidence for either statutory justification needed to approve the amendment — an inappropriate existing designation, or an unanticipated major change — noting the proposal jumps from one unit per acre to four, well beyond even the Comprehensive Plan's allowed 2.2.

Commissioner France acknowledged Independence's suburban growth is spreading into unincorporated Kenton County, with Maher Road as the dividing line, but argued density limits must hold somewhere, calling the proposed 4.0 units/acre roughly four times current zoning and twice the Comprehensive Plan's recommendation; he called it a strong product on the wrong side of that line.

Commissioner Dicke countered that the area's rural character is already eroding due to adjacent industrial zoning likely to bring warehouses within a few years, suggesting further development in the area is somewhat inevitable given the surrounding approved zoning.

Commissioner Heidrich questioned whether a moderate density (60–64 units) might be preferable to an even higher-density outcome if the project qualified as income-aligned, though he acknowledged neither would satisfy neighbors. He asked what evidence would satisfy the "material change" standard; after Commissioners Bridges and Darpel noted the Comprehensive Plan was updated only a year or two ago, he clarified he meant change within that recent window, not the full 20-year study period.

Commissioner Vaughn stated no evidence of such unanticipated change was presented, and while she found the product well-designed, she felt it was in the wrong location and did not meet the statutory standard. She also clarified the income-alignment provision permits deviation from the Comprehensive Plan but does not require it.

Commissioner Darpel reiterated the core issue was the lack of demonstrated justification for deviating from the Comprehensive Plan, offering examples of what might qualify (e.g., new adjacent warehouse development or a policy shift), while noting he liked the Plan and the applicant team's work.

Chairman Dunham agreed, clarifying neighbor preferences are not part of the statutory analysis, and while acknowledging some change in the area, said he had not heard evidence specific enough to meet the statutory threshold. He noted Comprehensive Plan designations often go unexamined unless clearly outdated, and that 2 units/acre may be conservative by today's standards given the 20-year-old underlying study — but that does not justify jumping to 4.3, and sufficient evidence was not presented.

Commissioner Conway agreed the product was good but the location inappropriate, citing traffic concerns and the lack of a traffic study.

Commissioner Vaughn clarified her earlier remarks were not dismissing neighbors' concerns, just that a "not in my backyard" sentiment cannot be the controlling standard.

With no further discussion, Chairman Dunham reopened the public hearing and asked for clarifications before calling for a motion. None were needed and he closed the public hearing and *Commissioner Vaughn moved to deny the map amendment, FILE: PC-2026-0008-MA, submitted by James W. Berling Engineering for the developers, seeking to rezone the site from agricultural to R-1F for a 68-lot subdivision at approximately 4.31 dwelling units*

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*per net acre, exceeding the Comprehensive Plan's allowed density. She based the denial on the staff report and testimony from staff, the development team, and the public, concluding the amendment does not meet the requirements of KRS 100.213; seconded by Commissioner Flem. A roll call vote found Commissioners Vaughn, Flem, France, Heidrich, Herrmann, Martin, Snyder, Wichmann, Bridges, Conway, Darpel, Dicke, and Dunham in favor. None were opposed and the motion carried. (Commissioner Sketch had recused himself from the case.)*

(Commissioner Sketch returned to chambers at approximately 8:23 p.m.)

Chairman Dunham introduced **FILE NUMBER: PC-26-0007-TX**

**APPLICANT:** City of Lakeside Park

**REQUEST:** Proposed text amendments to the Lakeside Park Zoning Ordinance to (1) relocate existing language relating to the one-time removal and replacement of existing free-standing garages, and (2) add language allowing the one-time removal and replacement of existing nonconforming freestanding or attached permanent storage buildings constructed prior to 1994 with specific requirements for replacement.

Mr. Cody Sheets, PDS Principal Planner, presented two proposed text amendments to the Lakeside Park Zoning Ordinance: one relocating existing language on the one-time removal/replacement of freestanding garages, and one adding similar language allowing the one-time removal/replacement of nonconforming freestanding or attached permanent storage buildings built before 1994, under specific conditions.

Mr. Sheets reviewed the ordinance's history: in 1994 the city expanded accessory uses beyond four original categories (pools, tennis courts, decks/patios, gazebos) to include customary accessory structures generally; in 1995 swing sets were added as a permitted use; in 2003 the city further broadened accessory structures while prohibiting above-ground pools, detached garages, and detached storage buildings, per Staff's recommended simplified wording; in 2007 the city added language on repairing nonconforming garages despite Staff's recommendation against it, since it treated garages inconsistently versus other nonconforming structures; and in 2024 the city adopted the Z21 zoning ordinance, choosing to retain existing accessory structure rules.

He stated the current proposal's first part simply relocates and cleans up existing garage-replacement language; the second allows similar one-time replacement rights for nonconforming storage buildings, with some differences (a construction-date threshold, footprint-based rather than square-footage limits). He provided a GIS/Google Maps survey which identified roughly 45 nonconforming garages and 10 nonconforming storage buildings citywide, concentrated along Buttermilk Pike, Dixie Highway, Arcadia Avenue, and Belmont Avenue.

He noted that Comprehensive Plan compliance isn't required for text amendments, and stated that Staff provided a favorable recommendation, citing the proposal's narrow, measurable limits (no footprint expansion, architectural compatibility required), the city's 20+ year history with these accessory rules, and the value of preventing undue hardship and protecting property values without broadly expanding nonconforming rights. However, he recommended dropping the proposed pre-1994 construction-date requirement, since historical records and aerial imagery from that era are often poor quality — illustrated by comparing clear 2025 and 1999 aerial images to a grainy, hard-to-interpret 1989 image — and noting the date restriction may have been unintentionally carried over from earlier drafts. Mr. Sheets closed by offering to answer questions.

Commissioner France asked whether a garage or shed could only be replaced at its existing size. Mr. Sheets clarified that under the existing ordinance, freestanding garages can be replaced up to 650 square feet — meaning

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a smaller garage could actually be rebuilt larger, up to that cap — while storage buildings cannot exceed their existing size when replaced. Commissioner France pushed back, having understood replacement to be limited to the existing footprint (e.g., no converting a one-car garage to two-car); Mr. Sheets clarified that garages may actually be rebuilt up to 150% of their prior size, capped at 600 square feet or 10%-yard coverage, though this specific provision applies only to garages.

Commissioner Heidrich noted the amendment mainly cleans up existing 1994-era language rather than creating new standards and asked if the city had any concerns with Staff's recommendation; Mr. Sheets confirmed it did not.

Commissioner Darpel asked who determines whether a replacement structure is "architecturally and aesthetically compatible," and Mr. Sheets identified the zoning administrator. When asked if he were comfortable with that kind of judgment call, Mr. Sheets acknowledged it could be difficult, prompting Commissioner Darpel to voice concern that the ordinance embeds a subjective, unascertainable standard — which he felt was not a sound approach.

Chairman Dunham then called on those signed up to speak.

**PROPONENTS**

Mr. Thomas Bernheimer, (57 Locust Ave, Lakeside Park, KY), a City Council member, spoke on behalf of Mayor Markgraf, who had a scheduling conflict. He thanked the Commission for its work, along with Staff members for preparing and clarifying the proposal, and confirmed the Council, Mayor, and administration all support it.

Commissioner Darpel reiterated his concern about the "architecturally and aesthetically compatible" standard, suggesting the city instead leave that determination fully to the zoning administrator's discretion, warning that a subjective standard could open the door to legal challenge. Mr. Smith agreed tightening the language would help. Mr. Bernheimer proposed simply requiring replacement structures to match the existing structure on the property, which Commissioner Darpel said was far preferable, reiterating that subjective standards invite challenges. Mr. Bernheimer agreed, said he did not want to complicate the process unnecessarily, and committed to relaying the suggestion to the Council.

Chairman Dunham then called on Mr. Mike Lippert who had no comment. He noted there were no other attendees who signed up to speak as opposed or neutral and he recessed the public hearing for discussion amongst the Commissioners.

Chairman Dunham characterized the item as straightforward, praising the earlier feedback on the ascertainable-standard concern regarding the "architecturally and aesthetically compatible" language, as well as Mr. Sheets' point about the practical enforcement challenges tied to poor-quality historical aerial imagery, otherwise indicating the proposal made sense.

There was no further discussion and Chairman Dunham then returned to the public hearing. There were no further clarifications needed, he closed the hearing and called for a motion.

*Commissioner Heidrich made a motion regarding **FILE: PC-26-0007-TX**, the proposed text amendment to the Lakeside Park Zoning Ordinance would, first, relocate existing language relating to the one-time removal and*

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*replacement of existing freestanding garages, and second, add language allowing the one-time removal and replacement of existing nonconforming freestanding or attached permanent storage buildings — with the removal of the language stating "prior to 1994," consistent with Staff's recommendation and moved for approval of that text amendment, based on the facts and considerations contained in the staff report, and based on the testimony of staff and witnesses present at the public hearing, and further finding the proposed text amendment to be a reasonable regulation; seconded by Commissioner Martin. A roll call vote found Commissioners Heidrich, Martin, Sketch, Snyder, Vaughn, Wichmann, Bridges, Conway, Darpel, Dicke, Dunham, Flem, and France in favor. None were opposed and the motion carried.*

Chairman Dunham then closed the public hearing portion of the meeting and opened Reports from Committees, noting the Executive Committee update was mainly welcoming Commissioner Snyder as treasurer.

**DIRECTION 2030 IMPLEMENTATION COMMITTEE**

Mr. Videkovich reported the countywide housing study is complete and will be posted online, with a joint presentation alongside Commissioner Simpson Planned for next month once Commissioner Simpson can attend.

Commissioner Sketch questioned the study's countywide scope, arguing housing needs differ significantly by area and citing a Covington site labeled income-aligned that he felt did not meet that standard. Chairman Dunham cautioned against treating income-alignment as a binary factor rather than one consideration among several (location, product type, size, cost). Commissioner Sketch argued it was becoming binary in practice, potentially forcing developers into a conflict between zoning density caps and income-aligned targets — which he likened to a taking. Chairman Dunham clarified that projects can still be approved if consistent with the Comprehensive Plan regardless of income-alignment; that designation only unlocks the option to exceed density caps. Commissioner Sketch accepted the distinction but felt the housing element was getting outsized weight, and questioned the "affordability" concept itself, arguing the strong market sales of the current product vs. a struggling large-lot development — already determines affordability, citing an Independence project labeled unaffordable that he found inconsistent with actual demand.

Commissioner Flem clarified the discussion concerned "income-aligned," not general "affordable," housing, confirmed by Mr. Videkovich, who also confirmed a smaller, pricier version of that evening's project would have qualified as income-aligned. Commissioner Flem asked whether the upcoming presentation could clarify how to weigh income alignment against overall Comprehensive Plan consistency; Mr. Videkovich agreed to address this. Commissioner Vaughn noted Mr. Videkovich's past explanations had been helpful given the data's complexity, and that broader affordability concerns stem from overall construction costs. Commissioner Sketch added that current lower-cost housing is selling quickly, showing the market itself sets affordability. Mr. Videkovich reiterated that income-aligned status adds flexibility on density but does not override other Comprehensive Plan considerations.

Commissioner Martin questioned the chart's logic — how a "deficit" at a higher income level could coexist with a "surplus" at a lower price point a buyer might simply choose instead; Mr. Videkovich clarified the numbers reflect current supply, not literal listings, and that buyers often settle for available options rather than ideal ones.

Commissioner Heidrich framed the key question as how much weight this data should carry in decisions; Mr. Videkovich said Staff try to present balanced information since overall compliance must be judged holistically. Commissioner Heidrich noted the night's discussion stemmed largely from reaction to the proposal missing the

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income-aligned standard, raising the broader question of how the Commission and Staff should weigh and apply this data going forward.

Chairman Dunham closed the discussion noting it was more involved than expected, but a good and useful one to have early.

SUBDIVISION REVIEW COMMITTEE

Commissioner Darpel reported the committee had met and identified development access as a key concern — specifically, developments with hundreds or thousands of residents relying on a single, sometimes questionable access point — and is exploring whether subdivision regulations could address this, along with improving enforcement and follow-through on traffic studies, which currently often go unchecked after being promised. He said he wants to push further on incorporating access requirements, citing a recent situation where the fire chief raised access safety concerns at the preliminary plat stage with no clear mechanism to act on them. He hopes updated regulations could give the Commission tools to address such concerns when they arise, noting Commissioner Sketch is helping research the issue further, with updates to follow.

Chairman Dunham then asked for updates on Z21, along with any reports from Commission members, legal counsel, staff, or correspondence, and any new business. There were none and with nothing further he called for a motion to adjourn. So moved by Commissioner Vaughn; seconded by Commissioner Darpel. The motion carried by acclamation and the meeting adjourned at 8:55 p.m.

APPROVED:

Chair



Date



