

**CAMPBELL COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION
MINUTES OF THE MARCH 10, 2015 MEETING**

MEMBERS PRESENT:

Mr. Dennis Bass
Ms. Deborah Blake
Ms. Lauri Harding
Mr. Steve Stapleton
Mr. Edward Stubbs
Mr. Michael Williams, TPO *Arrived at 7:04 PM*
Mr. Larry Barrow, Vice Chair

MEMBERS ABSENT:

Mr. Justin Verst, Chair

STAFF PRESENT:

Ms. Cynthia Minter, Director
Ms. Stephanie Turner, Secretary
Mr. Paul Wisher, Legal Counsel

STAFF ABSENT:

Mr. Ryan Hutchinson, Planner

Mr. Barrow called the meeting to order at 7:01 PM. Following roll call, a quorum was found to be present. Mr. Barrow asked if everyone had reviewed the February 10, 2015 meeting minutes and asked if there were any additions or corrections. There being none, Mr. Barrow called for a motion. Mr. Stubbs made a motion to approve the February 10th meeting minutes as submitted. Mr. Stapleton seconded the motion. Mr. Barrow called for a roll call vote. A roll call vote found Mr. Bass, Ms. Blake, Ms. Harding, Mr. Stapleton, Mr. Stubbs, and Mr. Barrow in favor of the motion. Motion passed.

Ms. Minter asked the record to reflect that Mr. Williams arrived at 7:04 PM. Mr. Barrow asked Ms. Minter if there was any unfinished business item to discuss. Ms. Minter stated there were none. There being no unfinished business to discuss. Mr. Barrow introduced case #153-15-ZMA-01, a request by Louis E. Hoffman to recommend approval of a zone map amendment proposing a change in zoning from R-1C to R-RE. Ms. Minter presented the staff report as follows:

FILE NUMBER: 153-15-ZMA-01
APPLICANT: Louis E. Hoffman
LOCATION: A 12.3 acre area located at 5403 Weaver Ln, Unincorporated Campbell County KY.
REQUEST: Approval of a zone map amendment proposing a change in zoning from R-1C to R-RE.

Considerations:

1. The 2008 Campbell County Comprehensive Plan Update designates the area for Lower Density Single Family. The Campbell County Zoning Ordinance classifies the area within the R-1C (Residential-1C) Zone.
2. The site in question is occupied by a single family home with outbuildings.
3. The request is to rezone the lot from R-1C to R-RE. This would allow the applicant to divide the property and have an outbuilding without a principal structure.
4. CAMPBELL COUNTY ZONING CLASSIFICATIONS:

R-RE Residential Rural Estates Zone
The R-RE Zone is a single family detached zone.

<u>Zone Requirements</u>	<u>R-RE Zone</u>
Minimum lot area	- 1 AC.
Minimum lot width at building setback line	- One Hundred (100) feet
Minimum front yard depth	- Fifty (50) feet
Minimum side yard width on each side of lot	- Twenty Five & Ten (25 / 10) feet
Minimum rear yard	- Twenty Five (25) feet
Maximum building height	- Thirty Five (35) feet

5. The submitted plan indicates the following:

- a. The plan indicates a proposal to rezone 4 of the identified lots (9 acres) excluding the 2 acre land addition to Smith.
- b. The applicant intends to split a lot and build a new house on that lot.
- c. The applicant intends to take one of the outbuildings with the new division.
- d. The site plans shows two land additions will also occur.
- e. The surrounding zoning is R-1C.

Staff Recommendation:

The CC&MP&ZC recommend approval of the Map Amendment to subject to the following conditions:

1. That the Legislative Body adopts the map amendment portion of the submitted request.
2. That the applicant complies with all applicable building, subdivision and zoning ordinance regulations.
3. That the applicant submits to Campbell County Planning staff an application to split the proposed building lot off the remainder tract.

Bases for Recommendation:

The proposed subdivision is consistent with the recommendations of the 2008 Campbell County Comprehensive Plan Update, the Campbell County Subdivision Regulations and Zoning Ordinance.

Ms. Minter asked if there were any questions that she could answer for the Commission. Mr. Barrow asked the Commissioners if there were any questions. Ms. Harding asked what the reason was for the long spike in the shape of the lot for the Watson's. Ms. Minter stated that while the lot out lined shows a long spike, it is intended to be a land addition to the property already owned by the Watsons'. Once the land addition is complete, the site will be a more trapezoid shaped lot and will be more in conformance with designs preferred in our Subdivision Regulations. Ms. Harding stated that the existing zoning of R-1C had to do with a shared sewage system. Ms. Minter agreed with her. Ms. Harding continued to ask, with the land additions and the creation of a flag lot, if the flag lot will share the septic system. Ms. Minter replied that in the R-RE Zone we do not allow homes to share septic systems. Each home would need their own. However, Ms. Minter encouraged Ms. Harding to ask this question of the applicant.

Mr. Barrow asked if there were any other questions of staff. There being none, Mr. Barrow asked the applicant if they wanted to address the Commission. He did. Mr. Barrow asked the applicant to come forward and state his name and address for the record. Mr. Lou Hoffman of 5469 Weaver Lane came forward. Mr. Hoffman stated that to give the Commission a little bit of history. This is the family home. Back in the 70's, his father carved out a 1 acre lot for his sister Diane. When he passed in 1986, his mother carved out another lot for his sister Rose. Mr. Hoffman's mother died recently at the age of 97 so they are just trying to subdivide the property.

The family, together, came up with this plan to divide the property so that both of his sisters, Diane and Rose will be getting additional acreage as land additions to their current properties. They would like to carve out an area so that his nephew, Mike, can live in the existing house and will get 2 existing out buildings. The newly created flag lot area will be Mr. Hoffman's portion.

Mr. Hoffman stated that his intentions were to be able to construct a pole barn building to store farm equipment and tools. The farm could still be used for farming as it always has been. The way it has been explained to Mr. Hoffman is that if he changes to the R-RE Zone, he would be able to build the pole barn

without actually building a new home on the lot, but that he does have to site a location on the lot where a home could be situated. It is not Mr. Hoffman's intention to build a home there at this time, but it would be possible in the future if he decided to do so. His real reason is just to be able to build a new pole barn to relocate the farm equipment and that is what is driving this zone change request. Mr. Hoffman stated they would like to keep the whole property in the same zone instead of excluding Diane's property. They would like the whole original farm in one zone and the lot lines would be a lot cleaner. The proposed lot lines are flexible in that if, during the survey, they need to add a little more to one person or the other then it can be done.

Mr. Barrow asked Mr. Hoffman about the sewage systems. Mr. Hoffman replied that every home had its own septic system. Mr. Hoffman stated that if he built a house he would have a new septic system installed as well. Mr. Barrow asked if anyone else had questions for the applicant. Ms. Blake asked if the property at the bottom of the drawing that was given to them with the staff report was part of the zone change or not. She does not think it is according to the drawing. Ms. Minter replied that the property Ms. Blake was referring to was the Smith home. Staff has been working back and forth with the applicant as to if that property should be included or not. The issue being that there is a small shed that sits inside the tree line and we hadn't measured it, but we didn't think it was going to be able to meet the 10 foot side yard setback. Mr. Hoffman stated that the family did measure it and it was located 17 feet from where they think the property line is. Ms. Minter stated that was the only reason that property was not originally included. She is appreciative of the family measuring the distance and would like to see the surveyor to confirm that when they go out to do field measurements.

Ms. Harding stated that she likes the layout. She asked Mr. Hoffman about the private drives accessing the sites. To her it looks like there are only 2 drives to access all the different properties. Mr. Hoffman stated that Diane has her own driveway. There is also an entrance where his Mom's farmhouse was. Ms. Harding asked Mr. Hoffman to point it out on the slide and he did so. Mr. Hoffman stated that you entered at one point and exited out the other side. The flag lot would also be using that driveway. Ms. Harding stated that was what she thought. Ms. Harding stated that it would be necessary to obtain some type of easement to secure use of that driveway for the flag lot in the future. Ms. Minter stated that any easements that would be required would be reviewed during the conveyance plat process. At this point, the applicant is just giving the Commission an idea of what it is they intend to do. Ms. Harding thanked Mr. Hoffman for his input.

Mr. Barrow asked if there were any other questions of the applicant. Mr. Barrow confirmed this was a public hearing and asked if there were any other audience members that wished to speak. No one stepped forward to speak. Ms. Blake asked if the Smith property is part of this zone change or not. Ms. Minter asked for a representative from the family to specify if they wanted that property as part of this zone change. Mr. Hoffman stated that they did want to include the Smith property in the zone change request if at all possible. Mr. Barrow asked Mr. Hoffman if he had any problems with the conditions that staff has placed on this approval. Ms. Minter reviewed what those conditions were. Mr. Hoffman stated they did not have any issues with the conditions requested by staff. Mr. Barrow asked that the record reflect that the applicant did agree with the conditions as stated by staff.

Mr. Barrow asked if there were any other questions or comments concerning this request. There being none, Mr. Barrow called for a motion. Ms. Harding made a motion in the matter of case #153-15-ZMA-01, a request by Louis E. Hoffman, to recommend that the Fiscal Court approve a zone map amendment changing the zoning from R-1C to R-RE. Ms. Harding stated that her approval includes the conditions as stated in the staff report. Ms. Harding stated that the basis for her motion is that she believes the applicant it is a rational and reasonable request. The applicant has done a good showing staff what the request is for. Ms. Harding stated that she feels it is consistent with the comprehensive plan and conforms to our county ordinances. Mr. Stapleton seconded the motion. Mr. Barrow stated that a motion had been made and seconded and asked if there were any questions on the motion. There being none, Mr. Barrow called for a roll call vote. A roll call vote found Mr. Bass, Ms. Blake, Ms. Harding, Mr. Stapleton, Mr. Stubbs and Mr. Williams in favor of the motion. Mr. Barrow abstained. Motion passed.

Ms. Minter thanked the Commission for their recommendation to approve the proposed zone change. She continued that the next item for consideration by the Commission is the approval of training obtained by staff:

- Ryan Hutchinson [7.0 Hours] 2015 David J. Allor Planning & Zoning Workshop (7.0 Hours)
- Cindy Minter [12.0 Hours] 2015 David J. Allor Planning & Zoning Workshop (6.0 Hours)
OKI: OKI Solar Ready Workshop (6.0 Hours)

Ms. Minter gave the Commission a summary of the solar training she received. She advised the Commission a motion would be required to approve the training. Mr. Barrow asked if anyone wanted to make a motion to approve the training. Ms. Harding made a motion to approve the training obtained by staff. Mr. Barrow called for a second to the motion. Mr. Stapleton seconded the motion. Mr. Barrow called for a roll call vote. A roll call vote found Mr. Bass, Ms. Blake, Ms. Harding, Mr. Stapleton, Mr. Stubbs, Mr. Williams and Mr. Barrow in favor of the motion. Motion passed.

Mr. Barrow called for the Director's Report.

DIRECTOR'S REPORT

Ms. Minter thanked the Commission for those that came out and supported staff when presenting the update of the Vision, Goals and Objectives to the different cities. She encouraged them to continue to attend if they were available in support of the changes. We will likely not have a meeting in April, but will come back in May to review the comments from the cities and work on those items again. Ms. Minter had distributed flyers to the Commissioners for some training opportunities coming up:

1. March 16th: Right to Farm: PVA & P&Z
2. March 16th: OKI: Fiscal Year 2016-2019 Transportation Improvement Program
3. March 24th: OKI: KY 536 Scoping Study East-West Connectivity Public Open House
4. April 13th: Right to Farm: Goals and Objectives

Mr. Barrow asked if there was any other business to discuss. Mr. Barrow wanted to thank staff for attaching the easement information that was discussed at our last meeting to the minutes. There being no other comments, Mr. Barrow called for a motion to adjourn. Mr. Bass made a motion to adjourn. Mr. Stubbs seconded the motion. An oral vote found everyone in favor, none opposed. Motion passed. Meeting adjourned at 7:30 PM.

Respectfully Submitted,

Approved:

Cynthia Minter
Director of Planning & Zoning

Larry Barrow
Vice Chair