

CAMPBELL COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION
MARCH 12, 2013
7:00 PM
AGENDA

1. Meeting called to order
2. Roll call and determination of quorum
3. Approval of the January 8, 2013 minutes

PUBLIC HEARING

4. **FILE NUMBER:** 118-13-ZMA-01
APPLICANT: Vincent & Renai Keairns
LOCATION: An 8.4378 acre located at 10622 Woeste Road, Unincorporated Campbell County.
REQUEST: The submitted request is for approval of a zone map amendment proposing a change in zoning from R-RE(P) to A-1 for the purpose of creating a vineyard.
5. Director's Report
6. Adjournment

**IF YOU CANNOT ATTEND THE MEETING,
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The Commission will make every reasonable accommodation to assist qualified persons attending the meeting,
if there is a need for the Commission to be aware of, contact the office.

**CAMPBELL COUNTY & MUNICIPAL PLANNING & ZONING COMMISSION
MINUTES OF THE MARCH 12, 2013 MEETING**

MEMBERS PRESENT:

Mr. Larry Barrow
Mr. Dennis Bass
Ms. Deborah Blake
Mr. Tony Pfeffer
Mr. Michael Williams, TPO
Mr. Justin Verst, Vice Chair
Ms. Cindy Minter, Chair

MEMBERS ABSENT:

Ms. Lauri Harding
Mr. Edward Stubbs

STAFF PRESENT:

Mr. Ryan Hutchinson, Planner
Mr. Matt Smith, Legal Counsel
Ms. Stephanie Turner, Secretary

Ms. Minter called the meeting to order at 7:05 PM. Following roll call, a quorum was found to be present. Ms. Minter asked if everyone had reviewed the January 8, 2013 meeting minutes and asked if there were any additions or corrections. There being none, Ms. Minter called for a motion. Mr. Williams made a motion to approve the January 8th meeting minutes as submitted. Mr. Barrow seconded the motion. A roll call vote found Mr. Barrow, Mr. Bass, Mr. Pfeffer and Mr. Williams in favor of the motion. Ms. Blake, Mr. Verst and Ms. Minter abstained. Motion passed.

Ms. Minter introduced case #118-13-ZMA-01, Vincent & Renai Keairns, with a request to approve a zone map amendment proposing a change in zoning from R-RE (P) to A-1 and asked Mr. Hutchinson to present the staff report and staff's recommendation to the Commission.

FILE NUMBER: 118-13-ZMA-01
APPLICANT: Vincent & Renai Keairns
LOCATION: 8.43 acre tract of land located at 10622 Woeste Road Campbell County KY.
REQUEST: Approval of a zone map amendment proposing a change in zoning from R-RE (P) to A-1.

Considerations:

1. The 2008 Campbell County Comprehensive Plan Update designates the area for rural mixed use and mixed office industrial. The Campbell County Zoning Ordinance classifies the area within the R-RE (P) Zone.
2. The site in question is occupied by 3 lots, a barn and lake.
3. The surrounding land use to the north and west is R-RE (P). To the west is R-1A to and to the south is A-1.
3. The request is to rezone the three lots from R-RE (P) to A-1.

4. CAMPBELL COUNTY ZONING CLASSIFICATIONS:

A-1

The A-1 Zone is a single family detached zone.

Zone Requirements

A-1

Minimum lot area	- 1 acre.
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	- 25 total 10 minimum
Minimum rear yard	- Thirty Five (35) feet
Maximum building height	- Thirty Five (35) feet

5. The submitted plan indicates the following:
- a. The plan indicates a proposed vineyard on Lot #1.
 - b. The plan indicates an existing garage on Lot #2.
 - c. The Plan indicates Lot #3 is vacant land.
 - d. The plan indicates an existing water easement on Lot #1 serving Lot #2.
 - e. The plan indicates an existing electric easement crossing all three properties.
 - f. The plan indicates an existing lake touching all three properties.

Campbell County Staff Recommendation:

To recommend approval of the Map Amendment subject to the following conditions:

1. That the Legislative Body adopts the map amendment portion of the submitted request.
2. That the applicant submits a site development plan to Staff for review and approval prior to construction.
3. That the applicant complies with all applicable building, subdivision and zoning ordinance regulations.
4. That the site development plan provide access to adjacent lots through ingress / egress easement.

Bases for Recommendation:

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

When Mr. Hutchinson concluded his presentation, he stated the bases for the recommendation is as stated in the staff report. Mr. Hutchinson asked if there were any questions he could answer for the Commission. Ms. Minter asked Mr. Hutchinson to confirm that the bases for the recommendation are that "The proposed map amendment is consistent with the recommendations of the 2008 Campbell County Comprehensive Plan Update, the Campbell County Subdivision Regulations and Zoning Ordinance." Mr. Hutchinson stated that was correct. Mr. Williams asked if the same owner held title to all three properties. Mr. Hutchinson stated that they were all three owned by the applicant. Mr. Williams asked, if it was a single owner, why they would need the easement. If it is a single owner, he can legally drive wherever he wants across the lots. Mr. Hutchinson replied that because the lots were not combined so if one of the lots were to be sold off or maybe placed in foreclosure then an easement would be easier to establish now rather than later and for the general betterment of the lots. Mr. Williams asked if the easement would come off Woeste Road. Mr. Hutchinson replied that each of the lots have the road frontage required, but if they want to come off Woeste Road and drive across another lot to access the lots then an easement should be established now. If a lot gets sold and the neighbors aren't so friendly with each other, it would protect them to have the easement established now. If they want to release the easement at a later date, they can, but it would be best to establish it now. Mr. Williams agreed that it would.

Mr. Williams asked if the applicant had any issues with the easement. Ms. Minter stated that it would be best to save that question for the applicant themselves. Mr. Williams agreed. Ms. Minter asked if there were any other questions for staff. Mr. Pfeffer commented that Mr. Hutchinson had stated the property to the south was zoned A-1. Mr. Pfeffer asked how many miles to the south did the A-1 zone extend. Is it

just their neighbor's property that is zoned A-1? Mr. Hutchinson stated that he did not have the information available tonight and could not accurately estimate the number of miles that were A-1. Mr. Pfeffer asked Mr. Hutchinson to confirm the zone to the north of the property. Mr. Hutchinson stated the zone to the north was R-RE.

Ms. Minter asked if there were any additional questions for staff. There being none, Ms. Minter asked the applicant to step forward and state their names for the record. The applicants identified themselves as Vincent & Renai Keairns. Ms. Minter asked if the applicants had an opportunity to review the conditions stated in the staff report. Both applicants stated that they had read and understood the conditions. Ms. Keairns stated that she just wanted to state for the record that the purpose or intent of their application is that they want to build a home on the property – specifically lot 3. In the meantime, they started touring the wineries in the area on the “backyard tour”. During their conversations with the owners of the wineries, they were informed that there was a shortage of grapes and how they purchased grapes from other vineyards to assist with their supply. Mrs. Keairns stated that their intent was never to subdivide the property. They began just thinking that they have this beautiful property and their intent was never to subdivide it. They have two children that they can hand it down to. They thought they could put a vineyard on lot 1 and make it look pretty. Their purpose was to help with the supply and demand. Mrs. Keairns continued that they also want to put in a small orchard with some fruit trees and berry bushes with the intent to leave it to their family. Ms. Minter thanked them for their comments. Ms. Minter read the conditions that were listed in the staff report and asked the applicants if they had any issues with any of them. Mr. Keairns stated that they had no problem meeting the conditions stated in the staff report. Ms. Minter thanked them again.

Mr. Hutchinson asked to be recognized by the chair. Ms. Minter did so. Mr. Hutchinson stated he just wanted to emphasize again that the request they are hearing tonight is for a zone map amendment not for a vineyard. We are not reviewing and approving this site for a vineyard. It is just a potential use that they have mentioned. We are just looking at their request to change from the R-RE (P) zone to the A-1 zone tonight. Mr. Williams asked if there were any prohibition against vineyards in that zone. Mr. Hutchinson stated that the A-1 zone is for the growth of products and sale of such products on their property. Mr. Williams asked if a vineyard would be ok. Mr. Hutchinson stated that it would be something that is permitted.

Ms. Minter asked if the Commission had any questions for the applicant. There being none, Ms. Minter announced that she would like to open the public comment portion of the hearing. Ms. Minter had been previously given the sign-in sheet for this hearing. Ms. Minter advised that she would not place a time limit on the speakers at this point.

Ms. Minter called Hazel Murphy. Ms. Hazel Murphy stepped forward and introduced herself. She stated that she resides at 10581 Woeste Road. She opposes this zone change because the road is so narrow that they don't need anything growing there that needs to be sold. They have small children on that road. She has been there for eighteen years and she likes it just the way it is.

Ms. Minter called Thomas Murphy. Mr. Thomas Murphy stepped forward and introduced himself as the resident of 10581 Woeste Road. He stated that he does not want any zoning change on that road. If you know anything about Woeste Road, it is that the road is a one lane road and the County doesn't even keep that up. There is no sense in recommending increasing traffic on a road that they don't even fool with. They don't even trim the bushes or weeds on the side of the road. They don't need to change the zone. If they do, how can they when one car has to pull off to the side of the road so the other car can go by? As a matter of fact, we had people move here from Michigan a few years ago. They said they didn't know that there was a place where they still made one lane roads. Mr. Murphy went to sit down.

Ms. Blake asked if she could ask Mr. Murphy a question. Ms. Minter acknowledged that she could. Ms. Blake started that Mr. Murphy mentioned Michigan. Ms. Blake moved here from North Carolina. She drove out to Woeste Road to see the area we would be discussing tonight and found Woeste Road to be a

beautiful area. Ms. Blake asked if Woeste Road used to be called by an old state route number. Where does the road go? What is the purpose of it now? Woeste is a state maintained road. Is that what you are stating? Mr. Murphy corrected her that he stated previously that the *county* does not maintain the road. It is a county road, not a state road. It was just called Old State Route #4, but it was always a county maintained road. The county just seems to keep skipping it. Ms. Blake thanked him for explaining it. Mr. Murphy stated that it used to be an old wagon trail and then over time came to be called Old State Route #4.

Mr. Williams asked if he could ask a question. Ms. Minter stated that he could. Mr. Williams stated that we have had two speakers talk about the increased traffic. What kind of traffic are you concerned about? Ms. Minter asked if it would be appropriate to save the question for the applicant. Mr. Williams stated that he wants to know what traffic the residents are so concerned about. Mrs. Murphy stated that they were going to be selling grapes and that affects the traffic on the road. Ms. Minter asked her to please approach the podium if she wanted to answer that question which Mrs. Murphy did go to the podium. However, Mr. Murphy answered the question stating that you are going to have traffic. You are going to have cars moving. We've done explained that it is a one lane road. If you meet anybody on the road, the UPS truck or anybody, you have to pull over the side to let them pass – to the side of the road or even a ditch. Mr. Williams stated that he doesn't know much about harvesting grapes, but he just figured that they are not selling them by the handful. They are probably selling them by bulk and that would be like one time a year, maybe twice. We are not talking about a regular traffic of people buying grapes off the vine. Are we? Ms. Minter stated that we have to remember what Mr. Hutchinson advised us. We are considering changing from R-RE (P) to A-1. We know the applicant has made a note of their intent to make it a vineyard, but this is not an application to approve the vineyard. This is just an application to change zones. Mr. Smith supported Ms. Minter stating that we do not have a site development plan in front of us.

Mr. Murphy stated that if they come for a vineyard, then we leave it open for other stuff. Mr. Smith stated that, as staff had mentioned, we are not looking at that. All we have before us is a request for a zone map amendment to the A-1 zone. Mr. & Mrs. Murphy sat down. Mr. Williams stated that, just so he could wrap his mind around it, the anticipated traffic that is of concern to the residents is the proposed traffic from the proposed vineyard. He asked Mr. & Mrs. Murphy to confirm and they did so. Mr. Williams asked if they get the change and don't put a vineyard in there, you are not concerned by any other traffic other than grapes? Mrs. Murphy stated that to sell the grapes you've got to have carts to move them. Ms. Minter requested again that, if we were going to have dialogue, the speaker needs to go to the microphone. Mr. Williams stated that the thing he wants confirmed is that the traffic concern is with that of a proposed vineyard. Mrs. Murphy stated that was correct, but also if the applicant is allowed to do what they want to do then others will do what they want and then you are going to have more traffic. Mr. Williams asked if she was concerned about the applicants building a home there. Mrs. Murphy stated that was not her concern at all. Mr. Williams stated that it was just the possibility of a vineyard. Mrs. Murphy stated that it was the road period. She does not want the extra traffic. Having a house down the road is nothing, but if they are going to be growing grapes then they are going to have to transport them somehow. They're not just going to keep them on their property. Mr. Williams asked if anyone else on Woeste Road grew any crops at all. Mrs. Murphy was confused by his question. Mr. Williams asked if anyone down there grew anything on their lots. Mrs. Murphy stated that they grew for their own use. They grow tomatoes and corn and stuff like that, but they grow it for their own use. They don't grow it to sell it. Mr. Williams asked about livestock of any kind. Mrs. Murphy stated that a neighbor has a few, but he doesn't take them to market or anything.

Ms. Minter called Ms. Bernice Kramer. Ms. Bernice Kramer stepped forward and introduced herself. Ms. Kramer stated that she agreed with Mr. & Mrs. Murphy. With the traffic, there are school buses and UPS. It's just like they said. Other people have tried to have businesses on that road and they were turned down. It would just be busy. You're a vineyard. You're there all year long. There would be traffic and not just once or twice a year.

Ms. Minter called Michael Keitz. Mr. Michael Keitz stepped forward and introduced himself. Mr. Keitz stated that he owned the property adjacent to the applicants. It is hard to talk about the zone change without also talking about the vineyard. First, he would have to disagree with staff stating that the two zones are very similar. From what he has seen, it opens up the door to many new opportunities such as gun clubs, kennels, and veterinarians. In other words, we are opening up a residential area for business capabilities. The next thing Mr. Keitz wanted to talk about was the traffic which we have already discussed. Even if they are harvesting one time a year, there will be traffic. Mr. Keitz had other questions as well. Who is going to be harvesting these grapes? Who is going to be coming in? Who is going to be working the farm? Who is going to be working the vines? What type of people are we looking at? Are we looking at illegal immigrants? Are we looking at a variety of different people coming in and out? We have already had documented cases where cars have been broken into all up and down this road. There have been police reports made for that all up and down Woeste Road. There have been attempts already for people to break in to his detached garage. There are a lot of concerns regarding people working and coming in and out. There has already been an influx of people coming in and out of that property – approximately six to seven people. It is concerning on where this is going.

Ms. Minter called John Murphy. Mr. John Murphy stepped forward and introduced himself. Mr. Murphy stated that he lives directly across the road from the property we are talking about today. His front door is about sixty yards from the road in front of this property. He believes a lot of concerns have already been brought up about Woeste Road and the size of the road and the traffic. Keep in mind that with a zoning change here we are also talking about agriculture sales. A person could do whatever they wanted. They could grow grapes, strawberries or whatever they wanted and sell them in a roadside stand there and have traffic coming in and out. It is always a big concern for him as well because of pesticides. He has children he is concerned about. He can tell when the wind blows exactly where the wind is going to go and the pesticides would blow directly across his land. He passed about forty homes on that road when he came to the meeting tonight. There is only about 1.2 miles between Lickert Road and Craft Road. So it is not overly long, but as we mentioned, as far as the upkeep of the road, it has been kind of poor. It is only about eight to twelve feet across in parts. He lives there is the main thing. It was not made for anything outside of a residential use. Even if they only harvest once or twice a year or if they only sell on Saturdays, the road is just not made for it. At this point in time, he came here about five or six years ago and they can't even get access off US 27 off the back rear of it. If you change the zone and force everything back out to Woeste Road, it is just not made for it.

Ms. Minter called Jackie Kramer. Mrs. Jackie Kramer stepped forward and introduced herself. She has lived there for about twenty-five years. The road is very narrow. There have been a lot of mailboxes just knocked over or whatever. Mrs. Kramer stated that when she thinks of a vineyard, she pictures the vineyards down around State Route 8 where there is a small restaurant with the vineyard attached. What if these people didn't build a house? Could this be a possibility on the property if the zone change is approved? She doesn't know the answer to that, but she sure wouldn't love it. She doesn't have small children, but the road is not feasible for any additional traffic. The road is skinny, very little. It's not that she minds them living on the road, but to bring in a business or grapes, it just wouldn't be a good idea.

Ms. Minter called Allan Kramer. Mr. Kramer stated that he supported his wife's statement and felt she expressed both their concerns.

Ms. Minter asked if there was anyone else that wanted to speak. There being none, Ms. Minter closed the public comment portion of the hearing. Ms. Minter opened the floor for comment and discussion among the Commission. The applicant asked to be recognized which Ms. Minter did so. Mr. Keairns began to address the audience members when Ms. Minter requested that Mr. Keairns direct his comments to the Commission only. Mr. Keairns apologized and began again. He stated that he understands the concerns of the audience, but there is nothing that he can do about the road. That is a county issue. The intent to do the vineyard is still very primitive. His wife is still taking classes to learn the business. It would take at least two years before grapes could go into the ground. Anyone that knows grapes knows it will take about five years for the grapes to start producing. Mr. Keairns stated that this is something that they had

in mind to do with the property. It is a very pretty piece of land. They have no intention to harm anyone. Mr. Keairns stated that he owns his own business right now and he can tell you that when they do something, they will do it to 110 percent of their ability. He understands their concerns because they don't know him from Adam, but he has nothing but the best intentions for this piece of property. He does understand their concerns, but he is not going to do anything to harm their right-of-way or property. Mrs. Keairns added that should this come about, they have no intentions of putting up a roadside stand. There are several local farmers' markets where they could sell their products. She continued that the harvest would occur once a year and she will have help from family members and close friends. Mrs. Keairns stated that she has no intentions to hire immigrants or whatever to come over. Ms. Minter indicated that the Commission anticipates that any business would be conducted appropriately and legally. Mrs. Keairns stated that she thinks the vineyard will cover approximately three acres. It is not being designed to cover the entire property. This is just something for her to do as she leaves one business and as she learns another. She likes to work in the yard. Her grandfather had a farm where he grew grapes and she has just wanted to get back into that. Her hope is that her children would like to participate as well. Mr. Keairns wanted to make it known that they do anticipate building a home and living on the property. Their intention is to build on the lot. They are just waiting for the sale of a building to begin that process. He thinks the property looks very good the way it is now. The gentleman that owned the property before them was a landscaper and he stored his equipment in the barn on the property. Mr. Keairns wanted to clarify the comment made by one of the speakers about so many people being on their property. Mr. Keairns stated that they did have a mechanic working in the barn on several cars from their company, but they have nixed that and haven't had a lot of people on the driveway.

Ms. Minter thanked Mr. & Mrs. Keairns for their comments. Before they could sit down, Ms. Blake asked if she could ask the applicants a question. Ms. Minter recognized her to do so. Ms. Blake asked about Mrs. Keairns' experience growing grapes. Mrs. Keairns stated that she only had the experience as a child working with her grandfather, but confirmed that she is currently taking classes regarding grape production. Ms. Blake asked if a decision had been reached about the approximate yield they will be producing or the types of grapes. Mrs. Keairns stated they had not made definite decisions. She is working with Dennis Walters at Stoneybrook Wineries. She will be learning about the types of grapes he grows and what kind he buys because he does buy grapes from growers in his production process. Ms. Blake asked if Mrs. Keairns was talking about "table" grapes. Mrs. Keairns stated no, she is talking about "wine" grapes. Ms. Blake asked her to clarify her comment about selling at farmers' markets. Mrs. Keairns stated that was in regards to the produce from her proposed orchard of fruit trees, strawberries and berry bushes. Ms. Blake asked if she thought that property was sufficient for the activities that she has planned. Mrs. Keairns stated that she does not plan to have acres and acres of it. She is just talking about a dozen or so fruit trees. Ms. Blake began to ask about the harvest time of the orchard. Mr. Smith started to make a reminder that the information Ms. Blake was asking for was part of a site development plan application and did not pertain to a zone change request. Ms. Blake clarified that she was only asking on behalf of those audience members who may be interested. Mrs. Keairns stated that they only harvested in the fall.

Ms. Minter asked if they had any questions. Mr. Verst started to ask a question when Ms. Hazel Murphy asked to be recognized. Ms. Minter advised her that she would be recognized at a later time, but right now Mr. Verst had a question of staff. Mr. Verst asked in the current zone of R-RE (P) what the limitations were for the growing of crops. Are they allowed to grow any crops in the R-RE? Can they be sold or are they strictly for personal use? Mr. Hutchinson replied that you could grow crops for personal use, but you could not grow and then sell your produce. Mr. Verst asked him to clarify if in the R-RE that you absolutely could not sell the produce or just could not sell it from that property. Could they sell their produce at a farmers' market? Mr. Hutchinson confirmed they could grow any crop they wanted, but that they could not sell what was harvested. That would constitute a business and there is no business activity allowed in a residential zone.

Ms. Minter asked the Commission if they had a desire to re-open the public comment portion of the hearing. Mr. Williams made a motion to re-open the public hearing portion of the hearing. Ms. Blake

seconded that motion. A roll call vote found Mr. Barrow, Mr. Bass, Ms. Blake, Mr. Pfeffer, Mr. Williams and Mr. Verst in favor of the motion. Ms. Minter abstained. Motion passed.

Ms. Hazel Murphy stepped forward to state that her disagreement with the request had nothing to do with the people involved. Her objection is to the fact that if you change the zone then if anyone else moved into the area or even the people that are living there right now may want to operate a business there. Ms. Murphy stated she simply did not want the change. It is nothing to do with the people. Let them move to another road where that activity would be permitted. They just want it to remain as it is.

Ms. Minter asked if anyone else wanted to speak. There being none, Ms. Minter closed the public comment portion of the hearing again. Ms. Minter returned the meeting to the discussion of the issue by the Commission. Mr. Williams asked legal counsel what the criteria for recommending approval of a zone map amendment was exactly. Mr. Smith replied that there were several factors. The first factor being foremost if the request was appropriate. As staff had indicated in their report, our Comprehensive Plan does designate this area for agricultural use and based on that Comprehensive Plan, staff is recommending approval of the request to move from the residential zone to the agricultural zone. Mr. Williams asked if that was it. Mr. Smith stated that because it was in our Comprehensive Plan that is the basis.

Mr. Barrow asked what other uses were allowed in the A-1 zone. Mr. Hutchinson stated there are several permitted uses. As one of the audience members previously pointed out, you could have a gun range, a park, a hospital.. Ms. Minter interrupted to ask for the page number of the Zoning Ordinance this information was located on. Mr. Hutchinson stated he did not have the Ordinance in front of him, but it was part of Article 10.1. There is a permitted use which in both the R-RE and A-1 is for single family dwelling only. Then there is a conditional use. You cannot just do a conditional use. There is additional oversight for these activities. Even for the permitted uses other than a single family home, you have to review a site plan and based on that site plan either approve, approve with conditions or deny that request. If you recall, we had an archery club that came in a few years ago and it was denied. That was in the A-1 zone. Mr. Barrow asked if those were conditional uses if it would have to come back before the Commission. Mr. Hutchinson replied that the only thing allowed in these zones was single family dwellings. Any use other than that would have to come before the Commission for approval. Agricultural is permitted use, but that is why we require a site plan. This way we know what they are doing, that it is being done right and can insure that the use is not going to be harmful to the public. Mr. Bass interrupted at this point and stated that was an "if". Mr. Hutchinson started to comment when Mr. Bass continued to ask who the Commission thought they were that they could stop people from planting grapes or trees on their own property. Mr. Verst stated that they currently could. Mr. Bass asked for clarification. Mr. Verst replied that they could grow grapes and trees on their property. They just can't sell it. Mr. Bass commented that as long as they don't sell anything, then they can plant whatever they want. Mr. Verst confirmed that and continued to add that the request before us was to change the zone so that they would have the opportunity to sell their produce. Mr. Bass stated that he understood.

Mr. Verst asked Mr. Hutchinson what the current minimum lot size was in the R-RE zone. Mr. Hutchinson replied it was one acre. Mr. Barrow stated that his point was that all this other stuff they had to say could come up when they come before us for the conditional use permit. The conditional use permit is a completely different item than what they are allowed to do right now. They have to come back before us to talk about the conditional use as a vineyard. Mr. Hutchinson confirmed that conditional uses do need to have additional oversight. Mr. Barrow stated that they don't need to show definite "things" for everything right now. They have a whole other set of requirements and restrictions to meet when they apply for the conditional use permit. Mr. Hutchinson agreed.

Ms. Minter asked if there were any additional comments or questions. Mr. Verst asked to be able to make a comment. Ms. Minter recognized Mr. Verst to do so. Mr. Verst started reflecting that they currently have a little over eight acres in the R-RE zone. Theoretically, they could put six to eight houses on this property if they wanted. If you considered the average trips per household for the husband and wife

working, kids, school buses, and garbage trucks, that comes to about five trips at least per house per day. So you are looking at thirty to forty trips on that road in a residential area. Mr. Verst stated he appreciated the folks on that road not wanting to see more traffic. He is familiar with Woeste Road and he understands their concerns. The property to the south of this area is zoned agricultural. They can do that. They can grow crops and sell them. Mr. Verst stated this was the first time he has ever heard of traffic being used as an argument against zoning anything agricultural. Mr. Verst stated he could understand if someone wanted to sell produce from their farm directly at the roadside. That would be problematic, but there isn't much traffic on Craft Road as it is so it is not likely that you would have a fruit stand there anyway. Mr. Verst's opinion is that you have the land to the south already zoned agricultural and it fits within our Comprehensive Plan. His opinion is if it does not generate more traffic than the residential development of the property allowed then it is an appropriate use of the property considering the properties around it. Mr. Verst appreciates the concerns about traffic and would agree that Woeste Road would need additional improvements. But Mr. Verst does not believe that this use would generate an unnatural increase in traffic on Woeste Road or be a substantial detriment to the community.

Ms. Minter asked if there were any other comments for discussion. Mr. Williams stated that he would second everything Mr. Verst just said. How long have we had Camp Springs and the vineyards there? Mr. Williams stated he has never heard of a traffic issue or an increase in crime as a result of a vineyard. Mr. Williams stated that was a new one for him and he would need to see some real evidence of that and he has not seen any of that tonight. Mr. Williams continued that he guesses anything is possible.

Ms. Minter thanked Mr. Williams for his comments and asked if there were any additional comments at this time. There being none, Ms. Minter advised the Commission that once again there was a member of the audience wanting to provide additional comment. Mr. Williams stated he had no problem hearing anyone's concern especially if they made the point to be present tonight. Mr. Williams made a motion to re-open the public hearing portion of the hearing. Mr. Verst seconded that motion. A roll call vote found Mr. Barrow, Mr. Bass, Ms. Blake, Mr. Pfeffer, Mr. Williams and Mr. Verst in favor of the motion. Ms. Minter abstained. Motion passed.

Ms. Minter re-opened the public comment portion of the hearing. Mr. Michael Keitz stepped forward. Mr. Keitz wanted to comment so that it would be on record as to what other uses the A-1 zone could have. Mr. Keitz read that besides a single family dwelling the permitted uses include mobile homes; sale of products that are raised, produced, and processed on the premises; greenhouses and nurseries; stables and riding academies; sanitary landfills as regulated by Section 9.25; taxidermy; and animal hospitals and veterinarian clinics. This is a residential area that would be opened up for businesses to come. That is what this boils down to is that you would be opening up this area for businesses to come in. Mr. Keitz continued that we talked about traffic on the road and the number of houses that could go in is theory only. Because of setback requirements, you are not going to get six or seven residences in there. These are the things that we are opening up our area to if this zone change goes through. We all moved there so we could have our homes there - not any businesses.

Ms. Minter asked if anyone else wanted to speak. There being none, Ms. Minter closed the public comment portion of the hearing again. Ms. Minter opened the floor for discussion among the Commission. Ms. Minter asked if there were any other comments or questions for discussion. Mr. Pfeffer asked Mr. Hutchinson to go to the slide that shows the site in relation to the overall County. Mr. Pfeffer asked for confirmation that there is A-1 to the south of the property in question even though we don't know exactly how far down the A-1 zone goes in that area. Mr. Pfeffer added that there is R-RE to the north of the property. Mr. Hutchinson confirmed all this. Mr. Pfeffer asked if we approve this request then the eight acres would move from the R-RE zone on the north side of the property to the A-1 zone which already exists to the south adjacent to this property. Mr. Smith wanted to emphasize again that it is designated in our Comprehensive Plan for rural mixed use. Mr. Pfeffer thanked Mr. Smith and Mr. Hutchinson for their patience. He just wanted to make sure he understood it properly.

Ms. Minter asked if there were any additional comments, questions for staff or points for discussion. There being none, Ms. Minter asked if anyone desired to make a motion. Mr. Verst made a motion for case #118-13-ZMA-01, Vincent & Renai Keairns, to recommend to approve the zone change request from R-RE zone to A-1 zone. The bases for his motion being the information presented by staff tonight, as well as by the applicant and the public. It is Mr. Verst belief that the zone map amendment is consistent with the Campbell County Comprehensive Plan. Mr. Williams seconded the motion. Mr. Smith wanted to clarify that the motion included the conditions as recommended by staff. Mr. Verst agreed. Mr. Williams seconded. Ms. Minter stated we have a motion and a second and called for a roll call vote. A roll call vote found Mr. Barrow, Mr. Bass, Ms. Blake, Mr. Pfeffer, Mr. Williams and Mr. Verst in favor of the motion. Ms. Minter abstained. Motion passed.

DIRECTOR'S REPORT

There being no other cases to come before the Planning Commission, Ms. Minter asked if there was a Director's Report this evening. Mr. Hutchinson replied that there was no Director's Report this evening.

Ms. Minter asked if there was any other business to discuss. There being none, Ms. Minter asked for a motion to adjourn. Mr. Bass made a motion to adjourn. Mr. Williams seconded the motion. An oral vote found everyone in favor, none opposed. Motion passed. Meeting adjourned at 7:56 PM.

Respectfully Submitted,

Approved:



Peter J. Klear, AICP
Director of P&Z



Cynthia Minter
Justin M. Verst
Chair