

**MINUTES OF A MEETING OF THE
FORT THOMAS PLANNING COMMISSION
HELD AT THE CITY BUILDING
ON WEDNESDAY, NOVEMBER 18, 2020
6:30 P.M.**

PRESENT: Dan Fehler, Chairman
Dan Gorman, Vice Chairman
Dave Wormald, Secretary
Tim Michel
Jerry Noran
Larry Schultz
Hans Tinkler

ABSENT: Kevin Barbian, Building & Zoning Administrator

ALSO PRESENT: Julie Rice, Administrative Assistant
Jann Seidenfaden, City Attorney
Debbie Buckley, Renaissance Manager/Economic Development Director

Dan Fehler presided and called the business meeting to order at 6:30 p.m.

Minutes – October 21, 2020

Members reviewed the minutes from the October 21, 2020 meeting. A motion was made by Jerry Noran and seconded by Tim Michel to approve the minutes as written. Motion carried 5-0.

**Lot Division – 21 Beechwood Avenue
Peter and Patricia Koeninger, Owners/Applicants**

Ms. Seidenfaden reported that this property consists of lots 7, 8 and 9 and they wish to break off part of Lot 8 and all of Lot 9 to create a buildable lot. In correspondence that Mr. Barbian had with the owners, he learned that they have a deck and swimming pool on the property. Before the plat is released for recording, staff will need verification that the deck and swimming pool have been removed.

There is one call on the submitted plat that is incorrect. Ms. Seidenfaden will work with staff to have this corrected. The plat should also be labeled as “Subdivision of Lots 8 and 9”. In the legal description for Lot 7 and part of Lot 8, in the fifth line down of the second paragraph, the reference to North 64°43’24” should be corrected to read 64°43’25”.

A motion was made by Jerry Noran and seconded by Tim Michel to approve the plat with the correction to the one call, the legal description of Lot 7 and part of Lot 8, and the removal of the pool and deck. Motion carried 5-0.

Land Addition - 163 Capri Drive to 159 Capri Drive
Rose Marie Abbott, Owner
Mark Babey, Applicant

Ms. Seidenfaden reported that Ms. Abbott, who owns the home at 163 Capri Drive, is going to be selling her property. The back two thirds of her property is a wooded, hilly area and the next door neighbor at 159 Capri Drive, Mark Babey, would like to purchase that portion of 163 Capri Drive and maintain it as a wooded hillside. Mr. Barbian did verify that the remaining lot of 163 Capri Drive would be of sufficient size to support the existing house.

Mr. Noran pointed out the absence of a land hook on the plat. Ms. Seidenfaden agreed that the land hook is too faint to be seen on the photo copies, but it is visible on the original plat.

Following discussion, a motion was made by Jerry Noran and seconded by Tim Michel to approve the Land Addition Plat for 163 Capri Drive. Motion carried 5-0.

Land Addition - 10 Oak Ridge Drive to 4 Oak Ridge Drive
Corey Plybon & Sonya Lichtenstein, Owners
Richard & Jenny Rice, Owners

Ms. Seidenfaden reported that Lot 121 and part of Lot 120 (10 Oak Ridge) previously had a home on it. The Rice's bought the property and razed the existing home creating a vacant lot. The owners of Lot 119 (4 Oak Ridge), Sonya Lichtenstein and Corey Plybon, would like to purchase a 15-foot strip of land from the Rice's to create a wider side yard between the two properties. The Rice's agreed to sell them the 15-foot wide strip of land.

A motion was made by Tim Michel and seconded by Jerry Noran to approve the Land Addition Plat for 4 Oak Ridge Drive as submitted. Motion carried 6-0.

Mr. Gorman arrived at this time.

Discussion – Set Public Hearing

Continued discussion to set public hearing for a proposed Text Amendment to include “Short-Term Rentals”

Mr. Fehler stated his comments and concerns regarding the potential impact of short-term rental properties on the City. He provided the results of a general calculation he did related to any financial benefit the city could see by allowing short-term rentals. He concluded that permitting short-term rentals would not generate a substantial amount of revenue for the City and he is not sure allowing this type of rental property is best for the character of Fort Thomas.

Mr. Noran read members the official duties of the Planning Commission. A lengthy discussion took place regarding the duties of the Planning Commission when recommending an amendment to the text of the Official Zoning Ordinance to City Council.

A lengthy discussion included parking conditions, owner occupied vs. non-owner occupied property, rental terms, enforcement actions, zoning ordinance vs. municipal ordinance, Bed and Breakfast vs. Airbnb type rentals. It was the consensus of the commission not to differentiate between Bed and Breakfast and Airbnb type rentals. Both types of rentals would fall under the same “short-term rental” category.

Members concluded that the role of the Planning Commission is to recommend to City

Council the zoning districts which they feel are appropriate for short-term rental properties and a definition of “short term rental”. Other aspects of regulating short-term rentals will be determined by City Council.

Mr. Fehler left the meeting at this time.

Following additional discussion regarding required off-street parking for short term rental properties, a motion was made by Jerry Noran and seconded by Tim Michel directing staff and legal counsel to complete a draft revision of the Fort Thomas Official Zoning Ordinance to reflect the following amendments:

To the text of the Official Zoning Ordinance of the City of Fort Thomas add “SHORT TERM RENTAL” as an “Permitted Use” within the following Residential Zoning Districts: R-1AA, R-1A, R-1B, R-1C, R-1D, R-2, R-3, R-5, RCD, as well as the Central Business District (CBD) and General Commercial (GC) zones.

To Article VII – Definitions – Words and Phrases:

SHORT TERM RENTAL PROPERTY – The accessory use of any residential dwelling that is advertised for rent for transient occupancy by guests for less than 30 consecutive days. A Short Term Rental shall be clearly incidental and subordinate to the use of a dwelling for residential purposes. This definition is specific to this section and other entities, such as “hotels”, “motels”, and “boarding house”, are defined elsewhere in this code.

Article VII – Definitions, eliminate the definition of:

BOARDING HOUSE, TOURIST COURT, TOURIST HOME and strike any reference thereof.

Article XIII – Off-Street Parking and Access Control Regulations, Section 13.2 – Specific Off-Street Parking Requirements, Types of Uses: add “Short Term Rental Property” – “One (1) off-street parking space per rental unit”.

Motion carried 6-0.

Adjournment

With no further business to discuss, a motion was made by Tim Michel and seconded by Jerry Noran to adjourn the meeting at 8:20 P.M. Motion carried 6-0.

Approved: _____
Dan Fehler, Chair

Secretary: _____
Dave Wormald