

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 MAY 14, 2009

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 5:30 p.m. on Thursday, May
5 14, 2009, at City Hall, Commission Chambers,
6 Owensboro, Kentucky, and the proceedings were as
7 follows:

- 8 MEMBERS PRESENT: Drew Kirkland, Chairman
- 9 Judy Dixon, Vice Chairman
- 10 David Appleby, Secretary
- 11 Gary Noffsinger, Director
- 12 Mark Starnes, Attorney
- 13 Tim Miller
- 14 Irvin Rogers
- 15 Wally Taylor
- 16 Keith Evans
- 17 Martin Hayden
- 18 Rita Moorman

19 * * * * *

20 CHAIRMAN: I'd like to welcome everyone to the
21 May 14th Planning & Zoning Commission. Will you
22 please rise while our invocation and pledge is given
23 by Mr. Ward Pedley.

24 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

25 CHAIRMAN: Our first item of business is to
consider the minutes of the April 9, 2009 Planning
meeting. Are there any questions, corrections?

(NO RESPONSE)

CHAIRMAN: Any questions from the commission?

(NO RESPONSE)

1 CHAIRMAN: If not the chair is ready for a
2 motion.

3 MS. DIXON: Move to approve.

4 CHAIRMAN: Motion for approval by Ms. Dixon.

5 MS. MOORMAN: Second.

6 CHAIRMAN: Second by Ms. Moorman. All in
7 favor raise your right hand.

8 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

9 CHAIRMAN: Motion carries unanimously.

10 Next item, Mr. Noffsinger.

11

12 ZONING CHANGE

13 ITEM 2

14 1805 Frederica Street, 0.22 acres
15 Consider zoning change: From R-4DT Inner-City
16 Residential to P-1 Professional/Service
Applicant: JMN Ventures, LLC

17

18 MR. STARNES: Could you state your name,
19 please.

20 MR. HOWARD: Brian Howard.

21 (BRIAN HOWARD SWORN BY ATTORNEY.)

22 MR. HOWARD: With all the rezonings that
23 you'll hear tonight they will become final 21 days
24 after the meeting unless an appeal is filed. In that
25 case, it will be forwarded to the appropriate
legislative body for their consideration. The appeal

1 forms are available on the back table and in our
2 office and on our web site.

3 PLANNING STAFF RECOMMENDATIONS

4 Staff recommends approval because the proposal
5 is in compliance with the community's adopted
6 Comprehensive Plan. The condition and findings of
7 fact that support this recommendation include the
8 following:

9 CONDITION:

10 No access shall be permitted to Frederica
11 Street. The existing curb cut to Frederica Street
12 shall be physically closed with the grass strip
13 restored, sidewalk installed and curb and gutter
14 replaced.

15 FINDINGS OF FACT:

16 1. The subject property is located in a
17 Central Residential Plan Area, where
18 professional/service uses are appropriate in limited
19 locations;

20 2. The proposed use as an office meets the
21 requirements for nonresidential development;

22 3. The proposed zoning change is a logical
23 expansion of existing P-1 zoning located to the north;
24 and,

25 4. With no access to Frederica Street and

1 indirect access to West 18th Street via an existing
2 alley, the expansion of P-1 zoning should not
3 overburden the capacity of roadway and other necessary
4 urban services that are available in the affected
5 area.

6 MR. HOWARD: We would like to enter the Staff
7 Report into the record as Exhibit A.

8 CHAIRMAN: Is anybody representing the
9 applicant?

10 APPLICANT REP: Yes.

11 CHAIRMAN: Do we have any questions of
12 anybody?

13 (NO RESPONSE)

14 CHAIRMAN: Commission have a question?

15 (NO RESPONSE)

16 CHAIRMAN: If not the chair is ready for a
17 motion.

18 MR. ROGERS: Motion for approval based on
19 Planning Staff Recommendations with the one condition
20 and the Findings of Facts 1 through 4.

21 CHAIRMAN: We've got a motion for approval by
22 Mr. Rogers.

23 MR. MILLER: Second.

24 CHAIRMAN: Second by Mr. Miller. All in favor
25 raise your right hand.

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 CHAIRMAN: Motion carries unanimously.

3 Next item, please.

4 ITEM 3

5 Portion of 4906 Old Hartford Road, 1.68 acres
6 Consider zoning change: From A-U Urban Agriculture to
7 R-1A Single-Family Residential
8 Applicant: Kishor N. Vora; Independence Bank, Trustee
9 of the Marian H. Floor Trust U/W

10 PLANNING STAFF RECOMMENDATIONS

11 Staff recommends approval because the proposal
12 is in compliance with the community's adopted
13 Comprehensive Plan. The condition and findings of
14 fact that support this recommendation include the
15 following:

16 CONDITION:

17 Approval of a consolidation plat to
18 consolidate the subject property with 27 Stone Creek
19 Park.

20 FINDINGS OF FACT:

21 1. The subject property is located in an
22 Urban Residential Plan Area, where single-family
23 residential uses are appropriate in limited locations;

24 2. The proposed use meets the requirements
25 for urban residential development;

26 3. The proposed zoning change is a logical
27 expansion of existing R-1A zoning located to the west;

1 and,

2 4. The consolidated lot will be served by
3 sanitary sewer.

4 MR. HOWARD: We would like to enter the Staff
5 Report into the record as Exhibit B.

6 CHAIRMAN: Is anybody here representing the
7 applicant?

8 APPLICANT REP: Yes.

9 CHAIRMAN: Does anybody have any questions of
10 the applicant?

11 (NO RESPONSE)

12 CHAIRMAN: Does any of the commissions have
13 any questions?

14 (NO RESPONSE)

15 CHAIRMAN: If not the chair is ready for a
16 motion.

17 MR. APPLEBY: Motion for approval based on the
18 Staff Recommendations with the single condition and
19 Findings of Fact 1 through 4.

20 CHAIRMAN: Motion for approval by Mr. Appleby.

21 MS. DIXON: Second.

22 CHAIRMAN: Second by Ms. Dixon. All in favor
23 raise your right hand.

24 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

25 CHAIRMAN: Motion carries unanimously.

1 Next item, please.

2 ITEM 4

3 2225 Ragu Drive, 2.239 acres (Postponed at the April
4 9, 2009 meeting)

5 Consider zoning change: From I-1 Light Industrial to
6 B-4 General Business

7 Applicant: Martin & Bayley, Inc.; Owensboro Daviess
8 County Industrial Foundation, Inc.

9 PLANNING STAFF RECOMMENDATION

10 Staff recommends approval because the proposal
11 is in compliance with the community's adopted
12 Comprehensive Plan. The conditions and findings of
13 fact that support this recommendation include the
14 following:

15 CONDITIONS:

16 1. No access shall be permitted to East
17 Parrish Avenue;

18 2. Access to Ragu Drive shall be limited to
19 the right-in only and full access point as shown on
20 the preliminary development plan submitted in
21 conjunction with the rezoning request;

22 3. Approval of a final development plan prior
23 to the issuance of building permits; and,

24 4. Sidewalks shall be installed along all
25 public rights-of-way.

FINDINGS OF FACT:

1. The subject property is located in an

1 Industrial Plan Area, where general business uses are
2 appropriate in very-limited locations;

3 2. The proposed use as a convenient store
4 meets the requirements for nonresidential development;

5 3. The proposed zoning change is a logical
6 expansion of existing B-4 zoning located to the south
7 across East Parrish Avenue; and,

8 4. With no access to East Parrish Avenue and
9 access on Ragu Drive evaluated by a traffic access
10 study, the expansion of B-4 zoning should not
11 overburden the capacity of roadways and other
12 necessary urban services that are available in the
13 affected area.

14 MR. HOWARD: We would like to enter the Staff
15 Report into the record as Exhibit C.

16 CHAIRMAN: Do we have anybody here
17 representing the applicant?

18 MR. KAMUF: Mr. Chairman, we're here to answer
19 any questions.

20 MR. STARNES: Would you state your name,
21 please.

22 MR. KAMUF: Charles Kamuf.

23 MR. STARNES: My understanding, Mr. Kamuf, is
24 you're an attorney so we recognize your oath in that
25 capacity.

1 MR. KAMUF: Thank you.

2 Yes, sir, Mr. Chairman.

3 CHAIRMAN: Mr. Kamuf, we just wanted to make
4 sure if you did step to the mike we have you sworn in
5 or identified properly.

6 MR. KAMUF: Thank you.

7 CHAIRMAN: Does anybody have any questions of
8 the applicant?

9 (NO RESPONSE)

10 CHAIRMAN: Any of the commission have any
11 questions?

12 (NO RESPONSE)

13 CHAIRMAN: If not the chair is ready for a
14 motion.

15 MR. HAYDEN: I make a motion for approval with
16 Conditions 1 through 4 and the Staff Recommendation
17 and Findings of Fact 1 through 4.

18 CHAIRMAN: We have a motion for approval by
19 Mr. Hayden.

20 MS. DIXON: Second.

21 CHAIRMAN: Second by Ms. Dixon. All in favor
22 raise your right hand.

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: Motion carries unanimously.

25 Next item, please.

1 Related Item:

2 ITEM 4A

3 2225 Ragu Drive, 2.239 acres (Postponed at the April
4 9, 2009 meeting)

5 Consider approval of preliminary development plan.
Applicant: Martin & Bayley, Inc.

6 MR. NOFFSINGER: Mr. Chairman, this plan has
7 been reviewed by the Planning Staff and Engineering
8 Staff. The plan is found to be in order. The
9 proposed use is consistent with the rezoning that you
10 just heard.

11 The applicant does come to you asking for an
12 exception to the access spacing standards along Ragu
13 Drive to allow -- they have enough frontage for two
14 driveways on the property; however, due to the
15 topography reasons they need to locate the access
16 points somewhat closer to Kentucky 54 than the Access
17 Management Manual will allow.

18 They have made a part of the application a
19 traffic study prepared by an engineer. That traffic
20 study indicates that the way they had the access
21 proposed would be safe and provide for efficient
22 access to the site.

23 So with that we do recommend that you grant
24 permission for the second access point and to waive
25 the access management standards and to approve the

1 plan.

2 CHAIRMAN: Is anybody here representing the
3 applicant?

4 MR. KAMUF: Yes, sir. The same.

5 CHAIRMAN: Thank you.

6 Do we have any questions of the applicant?

7 MR. MILLER: Mr. Chairman, I've got just for
8 clarification.

9 Can I assume by the drawing that the, I guess
10 the east entrance, the one closest to Highway 54, is
11 that entry only?

12 MR. NOFFSINGER: Yes, sir. That would be
13 right-hand only. That is as recommended by the
14 traffic study.

15 MR. MILLER: Okay.

16 CHAIRMAN: Are there any other questions?

17 (NO RESPONSE)

18 CHAIRMAN: If not the chair is ready for a
19 motion.

20 MS. DIXON: Move to approve.

21 CHAIRMAN: Motion for approval by Ms. Dixon.

22 MR. TAYLOR: Second.

23 CHAIRMAN: Second by Mr. Taylor. All in favor
24 raise your right hand.

25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 CHAIRMAN: Motion carries unanimously.

2 Next item, please.

3 ITEM 5

4 1000, 1006 East Fifth Street, 517 Hathaway Street,
0.379 +/- acres

5 Consider zoning change: From B-4 General Business to
I-1 Light Industrial

6 Applicant: James Gregory Wimsatt

7 PLANNING STAFF RECOMMENDATIONS

8 Staff recommends approval because the proposal

9 is in compliance with the community's adopted

10 Comprehensive Plan. The conditions and findings of

11 fact that support this recommendation include the

12 following:

13 CONDITIONS:

14 1. No access shall be permitted to East Fifth
15 Street. Access shall be limited to Hathaway Street
16 only;

17 2. Access to Hathaway Street shall be a
18 minimum of 50 feet from the property line;

19 3. All outdoor storage areas shall be
20 screened with a six foot solid element with one tree
21 every 40 linear feet.

22 FINDINGS OF FACT:

23 1. The subject property is located in a
24 Central Residential Plan Area, where light industrial
25 uses are appropriate in very-limited locations;

1 2. The proposed use as a parking/storage area
2 meets the requirements for nonresidential development;

3 3. The proposed zoning change is a logical
4 expansion of existing I-1 zoning located to the east
5 and south;

6 4. At 0.379 acres, the proposed rezoning will
7 not significantly increase the extent of industrial
8 zoning in the area and outside of industrial parks;
9 and,

10 5. With no access to East Fifth Street the
11 expansion of I-1 zoning should not overburden the
12 capacity of roadways and other necessary urban
13 services that are available in the affected area.

14 MR. HOWARD: We would like to enter the Staff
15 Report into the record as Exhibit D.

16 CHAIRMAN: Do we have anybody here
17 representing the applicant?

18 MR. WIMSATT: Yes.

19 CHAIRMAN: Do we have any questions of the
20 applicant?

21 (NO RESPONSE)

22 CHAIRMAN: If not the chair is ready for a
23 motion.

24 MR. MILLER: Mr. Chairman, I'm full of
25 questions tonight. One more.

1 The proposed use is temporary parking?

2 CHAIRMAN: Yes, sir.

3 MR. MILLER: So what's down the road? I mean
4 what's the use after the parking?

5 CHAIRMAN: Mr. Noffsinger.

6 MR. MILLER: Maybe I'm just misunderstanding
7 that.

8 CHAIRMAN: How do you want to handle that?

9 MR. NOFFSINGER: I think we probably need to
10 hear from the applicant since it regards use of the
11 property.

12 CHAIRMAN: Step forward, please.

13 MR. STARNES: Could you state your name,
14 please.

15 MR. WIMSATT: James Gregory Wimsatt.

16 (JAMES GREGORY WIMSATT SWORN BY ATTORNEY.)

17 MR. WIMSATT: We're planning an expansion on
18 the rest of that block. This will be parking for
19 anybody that needs parking while we're building that
20 expansion.

21 We have a development plan, but we haven't got
22 the architect, you know, the drawing of the building
23 yet. So it will be a parking lot until then. Then
24 after that it will still be a parking lot. I'm not
25 too sure how much it will be used after that.

1 CHAIRMAN: I see Mr. Mischel moving to the
2 stand.

3 Mr. Wimsatt, would you mind Mr. Mischel taking
4 the stand.

5 MR. STARNES: Could you state your name,
6 please.

7 MR. MISCHEL: Jim Mischel.

8 (JIM MISCHEL SWORN BY ATTORNEY.)

9 MR. MISCHEL: One reason why we kind of call
10 it temporary parking too is basically they work on
11 vehicles that have been wrecked. If you go with the
12 City of Owensboro's Wrecker Ordinance, to tow cars to
13 a location you have to be in an I-2 Heavy Industrial
14 zone with a Conditional Use Permit, which means you
15 have to be like 300 feet away from a residential zone,
16 100 feet away from a commercial zone.

17 In his case, they work on cars and stuff like
18 that. They can have cars there, you know, if they're
19 working and it might be a week or two weeks before
20 they can get to it, that's fine. They can have the
21 car parked there waiting to be serviced, but they
22 shouldn't be bringing cars there just from the wrecker
23 and just parked there and they're collecting fees on
24 it and then they go someplace else to get it fixed.
25 If the car is there to be fixed, that's okay to park

1 it there or put it in storage behind the fence.
2 That's kind of his purpose here. Just for the
3 vehicles he's working on to have them there.

4 CHAIRMAN: Mr. Miller.

5 MR. MILLER: Thank you.

6 CHAIRMAN: Mr. Wimsatt, would you step back to
7 the podium, please.

8 You totally understood your classification of
9 temporary parking?

10 MR. WIMSATT: Yes.

11 CHAIRMAN: I just wanted to make sure. Thank
12 you.

13 Does anybody else have any further questions?

14 (NO RESPONSE)

15 CHAIRMAN: If not the chair is ready for a
16 motion.

17 MR. ROGERS: Motion for approval based on
18 Planning Staff Recommendation with Conditions 1
19 through 3 and Findings of Fact 1 through 5.

20 CHAIRMAN: We have a motion for approval by
21 Mr. Rogers.

22 MR. MILLER: Second.

23 CHAIRMAN: Second by Mr. Miller. All in favor
24 raise your right hand.

25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 CHAIRMAN: Motion carries unanimously.

2 Thank you very much.

3 Next item, please.

4 ITEM 6

5 Portion of 104 West Ninth Street, 1.29 +/- acres
6 Consider zoning change: From I-1 Light Industrial and
7 B-4 General Business to B-2 Central Business
8 Applicant: City of Owensboro, Bryant Commercial
9 Multiple, LLC

10 PLANNING STAFF RECOMMENDATION

11 Staff recommends approval because the proposal
12 is in compliance with the community's adopted
13 Comprehensive Plan. The conditions and findings of
14 fact that support this recommendation include the
15 following:

16 CONDITIONS:

17 1. Access to West Ninth Street shall be
18 limited to the existing access point. No additional
19 access to West Ninth Street shall be permitted;

20 2. Approval of a final development plan for
21 the subject property; and,

22 3. All vehicular use areas shall be paved
23 with appropriate vehicular use area screening
24 installed on private property between the parking and
25 the road right-of-way.

FINDINGS OF FACT:

1. The subject property is partially located

1 in a Business Plan Area, where central business uses
2 are appropriate in very-limited locations and
3 partially located in an Industrial Plan Area, where
4 central business uses are appropriate in very-limited
5 locations;

6 2. The subject property is a component of the
7 Downtown Owensboro Place Making Initiative Master
8 Illustrative Plan adopted by the OMPC in March 2009
9 and the request is consistent with the concepts of the
10 plan;

11 3. The use of the property for laboratories
12 and office space will be nonresidential in nature;

13 4. The proposed zoning change is a logical
14 expansion of existing B-2 zoning located north of the
15 subject property across West Ninth Street;

16 5. The B-2 zoning classification will promote
17 the redevelopment of an existing building on the site
18 to provide office and laboratory space for start-up
19 businesses in the near-downtown area; and,

20 6. The proposed rezoning is an integral part
21 of a City of Owensboro initiative to provide new
22 business opportunities and jobs that will serve the
23 area.

24 MR. HOWARD: We would like to enter the Staff
25 Report into the record as Exhibit E.

1 CHAIRMAN: Do we have anybody representing the
2 applicant?

3 APPLICANT REP: Yes.

4 CHAIRMAN: Do we have any questions of the
5 applicant?

6 (NO RESPONSE)

7 CHAIRMAN: If there are no questions, chair is
8 ready for a motion.

9 MS. DIXON: Move to approve based upon
10 Planning Staff Recommendations, the Conditions 1, 2, 3
11 and the Findings of Fact 1 through 6.

12 CHAIRMAN: We've got a motion for approval by
13 Ms. Dixon.

14 MR. TAYLOR: Second.

15 CHAIRMAN: Second by Mr. Taylor. All in favor
16 raise your right hand.

17 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

18 CHAIRMAN: Motion carries unanimously.

19 Next item, please.

20 ITEM 7

21 1031 East 18th Street, 0.554 +/- acres
22 Consider zoning change: From I-1 Light Industrial to
23 B-5 Business/Industrial
Applicant: Jim Wieder Enterprises, LLC

24 PLANNING STAFF RECOMMENDATIONS

25 Staff recommends approval because the proposal

1 is in compliance with the community's adopted
2 Comprehensive Plan. The conditions and findings of
3 fact that support this recommendation include the
4 following:

5 CONDITION:

6 1. Access to East 18th Street shall be
7 limited to the existing access point only. No
8 additional access to East 18th Street shall be
9 permitted;

10 2. All vehicular use areas shall be paved
11 with appropriate vehicular use area screening
12 provided;

13 3. All outdoor storage areas shall be
14 screened with a six foot solid element with one tree
15 every 40 linear feet;

16 4. A six foot tall element with one tree
17 every 40 linear feet within a 10 foot landscape
18 easement shall be installed along the west boundary
19 where adjoining residential zoning; and,

20 5. Due to the proximity to residential
21 zoning, all lighting on the site shall be directed
22 away from the residences.

23 FINDINGS OF FACT:

24 1. The subject property is located within a
25 Business/Industrial Plan Area, where general business

1 and light industrial uses are appropriate in general
2 locations;

3 2. The subject property lies within an
4 existing area of mixed industrial and commercial land
5 uses;

6 3. The Comprehensive Plan provides for the
7 continuance of mixed use areas; and,

8 4. The proposed land use for the subject
9 property is in compliance with the criteria for a
10 Business/Industrial Plan Area and a B-5
11 Business/Industrial zoning classification.

12 MR. HOWARD: We would like to enter the Staff
13 Report into the record as Exhibit F.

14 CHAIRMAN: Is anybody representing the
15 applicant?

16 MR. YECKERING: Yes. I'm Jim Yeckering.

17 MR. STARNES: Could you state your name again,
18 please.

19 JIM YECKERING: Jim Yeckering.

20 (JIM YECKERING SWORN BY ATTORNEY.)

21 MR. YECKERING: I just had a question about
22 Condition Number 4. I think there might be something
23 you could do, some sort of variance on part of that.

24 We already have the 40 linear feet with 6
25 foot tall wall there, fence, but I was wondering if

1 you could do something with that 10 foot landscape
2 easement. It's an existing commercial type. Part of
3 it is parking lot. I don't know if I'm asking this
4 right.

5 MR. NOFFSINGER: What we might do is we would
6 amend this language to read that it would be an
7 average 10 foot landscape easement unless a variance
8 is approved by the Owensboro Metropolitan Board of
9 Adjustment. Is that what you're asking for? To have
10 an option that you not have to do it?

11 MR. YECKERING: I don't really know. If
12 there's a way to not do it at all would be great, but
13 to get through here tonight if you could do an
14 average, I guess that would be one thing and then
15 could we try to get a variance later?

16 MR. NOFFSINGER: Yes. I believe the ordinance
17 would allow you to average that easement. Then if
18 that doesn't work for you, then you would have the
19 opportunity to go to the Board of Adjustment for a
20 Variance. That would be an application to a separate
21 board, but that doesn't pin you down having to having
22 to provide this as a condition to the rezoning.

23 MR. YECKERING: That would be great. We could
24 do an average then. Thank you.

25 CHAIRMAN: Mr. Mischel.

1 Mr. Yeckering, I think Mr. Mischel is walking
2 this way to the podium to address this.

3 MR. MISCHEL: Jim Mischel gain.

4 Sound like you have it worked out. I was
5 going to give you a little history on it.

6 That's where the Diamond Rental place used to
7 be is the property he's talking about. So a lot of
8 people might not know that, but it's the old Diamond
9 Rental place. They have concrete parking lot up to
10 that. It was developed years ago. They do have a
11 fence along there for a buffer of residential. It's
12 in need of repair. He's agreed to make those repairs
13 to the fence. I guess his question is the parking lot
14 that goes up to it. I thought just let you know it's
15 the old Diamond Rental place.

16 CHAIRMAN: And your opinion, Mr. Mischel, on
17 his request?

18 MR. MISCHEL: I would say we'll work with him
19 to see if we can average. It might be something in
20 the back. The parking lot only extends up to the
21 front of the building. I would have to talk with him
22 beyond that fence what's back there. He might be able
23 to average that. It's just something we have to work
24 with him. Then potentially go for a variance.

25 CHAIRMAN: Thank you, Mr. Mischel.

1 Mr. Yeckering, you understood what he said?

2 MR. YECKERING: Yes.

3 CHAIRMAN: Are there any further questions of
4 the applicant?

5 (NO RESPONSE)

6 CHAIRMAN: If not the chair is ready for a
7 motion.

8 MR. PEDLEY: Mr. Chairman, I make a motion for
9 approval based on Findings of Fact by Staff 1 through
10 4, and Conditions 1, 2, 3, and 5, and amend item 4 to
11 allow an average 10 foot landscape easement.

12 Is that what you're asking for, Mr.
13 Noffsinger?

14 MR. NOFFSINGER: Yes, sir.

15 MR. PEDLEY: Or come before the Board of
16 Adjustment for a variance.

17 CHAIRMAN: Does he also have the option to
18 work it out with the Staff in-house?

19 MR. NOFFSINGER: Yes. That's what we're going
20 to work with him on the average to make sure. If he
21 can meet ordinance, it's great and we won't have to do
22 the Board of Adjustment.

23 MR. APPLEBY: Second.

24 CHAIRMAN: We've got a motion by Mr. Pedley
25 for approval. We've got a second by Mr. Appleby. All

1 in favor raise your right hand.

2 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

3 CHAIRMAN: The motion carries unanimously.

4 We have one final item.

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6 NEW BUSINESS

7 ITEM 8

8 Consider for approval Fiscal Year 2010 OMPC budget and
9 salary chart.

10 CHAIRMAN: Everybody received a copy of this
11 for your review. Does anybody have any comments or
12 questions?

13 (NO RESPONSE)

14 CHAIRMAN: If there are no comments or
15 questions, the chair is ready for a motion.

16 MR. TAYLOR: Make a motion to approve.

17 CHAIRMAN: Motion for approval by Mr. Taylor.

18 MS. MOORMAN: Second.

19 CHAIRMAN: Second by Ms. Moorman. All in
20 favor raise your right hand.

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: The motion carries unanimously.

23 We're ready for one final motion.

24 MS. DIXON: Move to adjourn.

25 CHAIRMAN: Motion for adjournment by Ms.

1 Dixon.

2 MR. HAYDEN: Second.

3 CHAIRMAN: Second by Mr. Hayden. All in favor
4 raise your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: We are adjourned.

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1 STATE OF KENTUCKY)
)SS: REPORTER'S CERTIFICATE
2 COUNTY OF DAVIESS)

3 I, LYNNETTE KOLLER FUCHS, Notary Public in and
4 for the State of Kentucky at Large, do hereby certify
5 that the foregoing Owensboro Metropolitan Planning
6 Commission meeting was held at the time and place as
7 stated in the caption to the foregoing proceedings;
8 that each person commenting on issues under discussion
9 were duly sworn before testifying; that the Board
10 members present were as stated in the caption; that
11 said proceedings were taken by me in stenotype and
12 electronically recorded and was thereafter, by me,
13 accurately and correctly transcribed into the
14 foregoing 26 typewritten pages; and that no signature
15 was requested to the foregoing transcript.

16 WITNESS my hand and notary seal on this the
17 30th day of May, 2009.

18

19

LYNNETTE KOLLER FUCHS
OHIO VALLEY REPORTING SERVICES
202 WEST THIRD STREET, SUITE 12
21 OWENSBORO, KENTUCKY 42303

22

COMMISSION EXPIRES: DECEMBER 19, 2010

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COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

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