The Owensboro Metropolitan Planning Commission met in regular session at 6:00 p.m. on Thursday, July 8, 2003, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Drew Kirkland, Chairman
                 Gary Noffsinger
                 Nick Cambron
                 Jimmy Gilles
                 Scott Jagoe
                 Irvin Rogers
                 Sister Vivian Bowles
                 Judy Dixon
                 Dr. Mark Bothwell
                 Stewart Elliott,
                 Attorney

CHAIRMAN: I would like to welcome everyone to the Planning & Zoning meeting of July 8th. Let's stand and our invocation will be given by Irvin Rogers.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Our first order of business is to consider the minutes of the June 10, 2004 meeting. Are there any questions or additions?

(NO RESPONSE)

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

MR. CAMBRON: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Cambron.

MS. DIXON: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, Mr. Noffsinger.

ITEM 2

Recognition of retiring staff members, Gary Adams, Associate Director and Soni Brown, Executive Secretary.

- - (PRESENTATION) - -

CHAIRMAN: Mr. Noffsinger, our next item of business.

PUBLIC FACILITIES PLANS
REVIEW FOR CONSISTENCY WITH COMPREHENSIVE PLAN

ITEM 3

2 Plum Street
Land Disposition
Consider comments regarding the closing of approximately 82.10 feet of a 10-foot wide alley right-of-way running in a north/south direction along the rear of 2 Plum Street.

Referred by: City of Owensboro

MR. NOFFSINGER: Mr. Chairman, Planning Staff has reviewed this application. We find no Ohio Valley Reporting
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conflict with the adopted comprehensive plan and would recommend we forward a letter to that affect to the City of Owensboro.

CHAIRMAN: Is anybody here representing the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody have any questions?

(NO RESPONSE)

CHAIRMAN: Does anybody from the commission have a question?

(NO RESPONSE)

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

MR. JAGOE: Move to approve.

CHAIRMAN: Motion for approval by Mr. Jagoe.

SISTER VIVIAN: Second.

CHAIRMAN: Second by Sister Vivian. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 4

219 Saint Ann Street

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Building Demolition

Consider comments regarding the demolition of the structure and construction of surface parking.
Referred by: Daviess County Fiscal Court

MR. NOFFSINGER: Mr. Chairman, Planning Staff has reviewed this application. We find no conflict with the Comprehensive Plan.

This property is better known as the Holly Berry or formerly Holly Berry Restaurant. It is the Holly Berry building only that will be part of the demolition. This item has been reviewed by Downtown Owensboro, Incorporated. Is recommended that we forward a letter of no conflict to the Daviess County Fiscal Court.

CHAIRMAN: Is anybody representing the applicant?

(NO RESPONSE)

CHAIRMAN: Any questions from anybody?

(NO RESPONSE)

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

MS. DIXON: Move to approve.

CHAIRMAN: Motion for approval by Ms. Dixon.

MR. CAMBRON: Second.

CHAIRMAN: Second by Mr. Cambron. All in
fear raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

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CELLULAR TELECOMMUNICATIONS FACILITIES
FOR KRS 100.987

ITEM 5

1409 Reid Road
Consider approval of a wireless telecommunications
tower.
Applicant: Bill & Kathy Reid

MR. NOFFSINGER: Mr. Chairman, this
application has been reviewed by the Planning Staff
and found to be in order.

This application is for a cellular antenna
tower to be constructed. It will be a mono-pole type
tower meaning it will be non-supported by guy wires or
it will not be a lattice type tower. It will be a
mono-pole. I believe the height on that is 160 feet
and it will not be illuminated. We do have a very
extensive application of materials that are included.
We have reviewed and would recommend that the item be
approved.

CHAIRMAN: Is anybody here representing
the applicant?

MR. ELLIOTT: State your name, please.

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MR. EVANS: My name is Jason Evans.

(MR. JASON EVANS SWORN BY ATTORNEY.)

MR. EVANS: My name is Jason Evans. I represent Bill and Kathy Reid as well as UbiquiTel. UbiquiTel is sprint affiliated in this area. We have been working for the past few years to develop our network in this area. Over the past year we've realized that we are a network that is lacking in coverage in certain areas and have been working with the Reids since last October to develop this site. Just finish a few weeks ago. Met with Ms. Stone and filled out the application and submitted it to the counsel. We do feel that the location of the proposed tower is a good spot. It works well for us as well as being set back from the road and any major areas. We feel that this is a good location for us as well as for the neighborhood.

CHAIRMAN: Let's see if there are any questions of anybody.

Does anybody in the audience have a question of the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have a question of the applicant?

(NO RESPONSE)

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CHAIRMAN: If the application has no further statement, the chair is ready for a motion.

DR. BOTHWELL: Motion for approval.

CHAIRMAN: Motion for approval by Dr. Bothwell.

SISTER VIVIAN: Second.

CHAIRMAN: Second by Sister Vivian. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ZONING CHANGE - COUNTY

ITEM 6

5240 Frederica Street, 15.72 acres
Consider zoning change: From B-3 Highway Business Center to B-3 Highway Business Center (Revised Conditions)
Applicant: Site, Inc., Katherine Burns (John Burns) and Cecil R. Burns Estate, Mary Katherine Burns, Executrix

MR. ELLIOTT: State your name for the record, please.

MS. STONE: Becky Stone.

PLANNING STAFF RECOMMENDATIONS

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. This recommendation is made.

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subject to the conditions and findings of fact that follow:

Conditions:

1. Approval of a final development plan that shall limit the access to the subject property to the existing south access drive on the Home Depot development; and,

2. Surety for landscaping, storm water improvements and improvements to Frederica Street shall be posted prior to the issuance of initial building permit. Improvements to Frederica Street will include the widening of Frederica Street to a five-lane section along the subject property frontage.

Findings of Fact:

1. The subject property is located in a Business Plan Area, where highway business uses are appropriate in general locations;

2. The applicant has submitted a formal development plan;

3. The applicant's proposal is a logical expansion of the existing B-3 Highway Business Center zone to the north;

4. Proposed improvements to Frederica Street will maintain traffic flow at an acceptable level of service without overburdening the capacity of the
roadways in the affected area.

MS. STONE: We would like the Staff Report entered as Exhibit A into the record.

CHAIRMAN: Is anybody here to represent the applicant?

MR. ELLIOTT: State your name, please.

MS. HENRY: Kim Henry.

(MS. KIM HENRY SWORN BY ATTORNEY.)

MS. HENRY: I'm with Site, Incorporated, the civil engineering firm representing the applicants and the user of the property. I can answer any questions that you might have about the rezoning.

CHAIRMAN: Does anybody in the audience have a question of the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have a question of the applicant?

(NO RESPONSE)

CHAIRMAN: If you have no further statement, chair is ready for a motion.

MR. CAMBRON: Motion for approval, Mr. Chairman, based on Conditions 1 and 2 and Findings of Fact 1, 2, 3, and 4.

CHAIRMAN: Motion for approval by Mr. Cambron.
MR. JAGOE: Second.

CHAIRMAN: Second by Mr. Jagoe. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 6A - RELATED ITEM

5240 Frederica Street, 15.72 acres
Consider approval of amended final development plan.
Applicant: Site, Inc., Katherine Burns (John Burns) and Cecil R. Burns Estate, Mary Katherine Burns

MR. NOFFSINGER: Mr. Chairman, Planning Staff has reviewed this application. The application is not in order. The applicant has requested via e-mail that the item be postponed until the August 12th meeting of the Planning Commission. The applicant's representative is here tonight to confirm that request for postponement.

CHAIRMAN: Would you step to the microphone and just confirm that, please.

MS. HENRY: Yes, sir. We would like to request postponement. There were two outstanding items issues on the joint easement and some issues with the detention basin.

CHAIRMAN: Would you just state your client, please.
MS. HENRY: Sam's.

CHAIRMAN: Does anybody have any question of the applicant?

(NO RESPONSE)

CHAIRMAN: We'll need a motion on their behalf for postponement.

MR. CAMBRON: Motion for postponement, Mr. Chairman.

CHAIRMAN: Motion for postponement by Mr. Cambron.

MS. DIXON: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion was unanimous.

ITEM 7

9517 US 231, 9554 Old Hartford Road, 22.257 acres
Consider zoning change: From A-R Rural Agriculture, R-1A Single-Family Residential to A-R Rural Agricultural
Applicant: Equity Trade & Relocation Company

PLANNING STAFF RECOMMENDATIONS

Staff recommends approval because the request is in compliance with the community's Comprehensive Plan.

This recommendation is made subject to the findings of fact that follow:

1. The subject property is located in a Rural

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Maintenance Plan Area, where rural large-lot residential uses are appropriate in limited locations;

2. The subject property contains adequate road frontage to support separate, large, well-proportioned lots that front on a public road;

3. No new streets are being proposed for the creation of additional lots; and

4. The majority of the subject property is currently zoned A-R Rural Agriculture.

MS. STONE: We would like to enter the Staff Report as Exhibit B.

CHAIRMAN: Is anybody here representing the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody in the audience have any questions?

Yes, sir. Please step to the microphone.

MR. ELLIOT: State your name, please.

MR. TURNER: C.J. Turner.

(MR. C.J. TURNER SWORN BY ATTORNEY.)

MR. TURNER: I have a question. I haven't seen a map of what is planned for this property, but on Old Hartford there's only two inch water line. If you're going to split this up in small lots, then I think you need to look at that.
CHAIRMAN: Ms. Stone.

MS. STONE: I believe the proposal currently is to create one lot where a manufactured home sits on the property and then to create two ten-acre tracts which would be agricultural tracts if this zoning were approved for sale. There's a property for sale sign on the property. Now, once those agricultural tracts are created, they could become parent tracts in 12 months after their creation and then someone could divide another lot off of those, but in order to divide more than one lot per every 12 months, sufficient water supply would have to be installed and a fire hydrant installed to serve those lots.

MR. TURNER: Well, take one lot and make it three right off the bat. If you're going to make two —

MR. NOFFSINGER: Let me just state that the zoning change will be going to a zone that would allow lots to be created that are one acre in size. The existing R-1A zoning allows lots that are three-quarters of acre in size. So we're actually moving to a zone that would allow for a lower density than what's currently there now. The result could be fewer lots through this rezoning. They're going
through this process because an issue that they had
mixed zoning on the property. To create ten-acre
tracts they had to have it all zoned agricultural and
not residential. It could happen, but they're
actually moving to a zone that would allow development
at a lower density.

MR. TURNER: Has a site plan been
submitted on what's actually planning here or does it
have to be rezoning before anything is done?

MR. NOFFSINGER: No. They could develop
the property under the current zoning scheme they have
and this commission would only possibly review a
subdivision plat, but that would only be if new
streets were involved. They could come in and
actually create in that R-1A portion lots of
three-quarters of an acre in size all the way up and
down that roadway right now, but you're right. They
would have to put in a larger water main. That
probably won't happen. They will most likely do it
over a period of several years. They could do that
under the current zoning or the zone they're
requesting either way.

MR. TURNER: With the current criteria
for length and width on a lot, that will still follow
even though it's in the county, won't it?
MR. NOFFSINGER: Yes. There are requirements. In an A-R zone, you have to have at least 50 feet of road frontage. Then at the building setback line the lot has to widen out to at least 100 feet and one acre minimum lot size and then their depth to width ratios that they have to meet and that's a three to one ratio. So for every 100 feet of road frontage they have, they go back no more than 300 feet. So you end up with an acre lot that's about 123 by 366, something like that. I'm pretty close on the frontage I know. I'm not sure about the depth.

MR. TURNER: Thank you. That answers my question.

CHAIRMAN: Thank you.

Does anybody else have any questions?

(NO RESPONSE)

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

MR. CAMBRON: Motion for approval, Mr. Chairman, based upon the Staff Recommendations and Findings of Fact 1 through 4.

CHAIRMAN: Motion for approval by Mr. Cambron.

MS. DIXON: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

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COMBINED DEVELOPMENT PLAN/MAJOR SUBDIVISION

ITEM 8

C.A. Pantle, Jr., 9.840 acres
Consider approval of amended major subdivision
preliminary plat/final development plan.
Applicant: C.A. Pantle, Jr.

MR. NOFFSINGER: Mr. Chairman, this
application has been reviewed by the Planning Staff
and Engineering Staff. It's found to meet the minimum
requirements of the subdivision regulations and zoning
ordinance and is ready for your consideration.

CHAIRMAN: Is anybody here representing
the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Does anybody have any question
of the applicant?

(NO RESPONSE)

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

DR. BOTHWELL: Motion for approval, Mr.
Chairman.
CHAIRMAN: Motion for approval by Dr. Bothwell.

MR. ROGERS: Second.

CHAIRMAN: Second by Mr. Rogers. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

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MAJOR SUBDIVISIONS

ITEM 9

Cross Creek, Unit #4, Lots 55-58, 61-64, 2.466+ acres
Consider approval of major subdivision final plat.
Surety (Certificate of Deposit) posted: $15,448.40
Applicant: Pedley Developers, LLC

MR. NOFFSINGER: Mr. Chairman, Planning Staff has reviewed this application and Engineering Staff. It's found to be in order. The plan is found to meet the minimum requirements of the subdivision regulations and zoning ordinance and is recommended for approval.

CHAIRMAN: Is anybody representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Any questions of the applicant?

(NO RESPONSE)
CHAIRMAN: If not the chair is ready for a motion.

MR. CAMBRON: Motion for approval, Mr. Chairman.

CHAIRMAN: Motion for approval by Mr. Cambron.

MS. DIXON: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 10

John D. & Ione Miller Jones, Unit #3, Lot 20, 1.578 acres
Consider approval of major subdivision final plat.
Surety (Certificate of Deposit) posted: $1,980.00
Applicant: John D. & Ione Miller Jones

MR. NOFFSINGER: Mr. Chairman, this plan has been reviewed by the Planning Staff and Engineering Staff. It's found to be in order. It's found to meet the minimum requirements of the subdivision regulations and zoning ordinance.

CHAIRMAN: Is anybody here representing the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody have a question?
1. (NO RESPONSE)

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

3. MS. DIXON: Move to approve.

4. CHAIRMAN: Motion for approval by Ms. Dixon.

5. MR. CAMBRON: Second.

6. CHAIRMAN: Second by Mr. Cambron. All in favor raise your right hand.

7. (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

8. CHAIRMAN: Motion carries unanimously.

9. ITEM 11

10. 3101 Block, 3135 Settles Road, 41.306 acres

11. Consider approval of major subdivision final plat (for development transfer only, so surety required).

12. Applicant: George Wallace Thacker Trust "B", George Thacker, Mary Thacker Silver, JMP Lake Forest, Inc., George and Glenda Thacker

13. MR. NOFFSINGER: Mr. Chairman, this plat has been reviewed by the Planning Staff and Engineering Staff. It's found to be in order. It does not meet all of the requirements for a subdivision plat; however, this is for land transfer only. There's a preliminary plat that has been approved for the property and development would be consistent with that, but again this is for a transfer of property from the current owner to the developer.

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and this is in keeping with other plats that have been approved by this commission for development purposes.

CHAIRMAN: Is anybody here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Are there any questions of the applicant?

(NO RESPONSE)

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

MS. DIXON: Move to approve.

CHAIRMAN: Motion for approval by Ms. Dixon.

SISTER VIVIAN: Second.

CHAIRMAN: Second by Sister Vivian. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

ITEM 12

Tanglewood Park, Unit 1, 8.376 acres
Consider approval of major subdivision final plat.
Surety (Certificate of Deposit) posted: $36,814.10
Applicant: Pagan Enterprises, Inc.

MR. CHAIRMAN: Mr. Chairman, this plat has been reviewed by the Planning Staff and Engineering Staff. It's found to meet the minimum requirements of

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the subdivision regulations and the zoning ordinance
and is recommended for approval.

CHAIRMAN: Anybody here representing the
applicant?

APPLICANT REP: Yes.

CHAIRMAN: Does anyone have any questions
of the applicant?

(NO RESPONSE)

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

MR. ROGERS: Motion to approve.

CHAIRMAN: Motion for approval by Mr.
Rogers.

SISTER VIVIAN: Second.

CHAIRMAN: Second by Sister Vivian. All
in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Mr. Noffsinger, on Item Number 13 I'm
going to pass the gavel to Mr. Cambron. I'll remove
myself from voting on this item.

ITEM 13

Woodlands Plaza, LLC, 32.62 acres
Consider approval of revised major subdivision
preliminary plat.
Applicant: Envision Contractors
MR. NOFFSINGER: Mr. Chairman, this plat has been reviewed by the Planning Staff and Engineering Staff. It’s found to be in order. It’s found to meet the minimum requirements of the subdivision regulations and zoning ordinance and is ready for consideration.

MR. CAMBRON: Thank you, Mr. Noffsinger. Is anybody here representing the applicant?

(NO RESPONSE)

MR. CAMBRON: Does anybody have a question of the application?

(NO RESPONSE)

MR. CAMBRON: If not the chair will entertain a motion for approval.

SISTER VIVIAN: Motion for approval.

CHAIRMAN: Motion for approval by Sister Vivian.

DR. BOTHWELL: Second.

CHAIRMAN: Second by Dr. Bothwell. All those in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT - WITH THE DISQUALIFICATION OF MR. KIRKLAND - RESPONDED AYE.)

MR. CAMBRON: It is unanimously approved.

Return the gavel to you, Mr. Kirkland.
MINOR SUBDIVISIONS

ITEM 14

2810, 2816 Blueberry Lane, 2820, 2834, 2842 Garden Drive, 2.036 acres
Consider approval of minor subdivision plat.
Applicant: David W., Sr. & Mary Patton, Randall E. Sr. & Rebecca A. Kingkade, Bryan K. & Janice Hodges

MR. NOFFSINGER: Mr. Chairman, this plat has been reviewed by the Planning Staff and Engineering Staff. The plat is found to meet with the minimum requirements of the subdivision regulations and zoning ordinance with the exception that it does create at least one lot that has two lots that had double frontage; meaning the lot has frontage on both ends. Ms. Stone has an explanation for that.

MS. STONE: There's a large tract that was jointly purchased by these three applicants because it was not developed as building lots due to some physical constraints on the property regarding some underground springs. So these people got together and purchase this so it could be maintained. Apparently it was pretty much of an eye sore and they've been keeping the grass cut and doing that type of maintenance on the property.

They're now wishing to divide it equally. They all adjoin the property and in doing so they
created one regularly shaped lot and two that would
create double frontage, both on Blueberry Lane and
Garden Drive.

One of the applicants is looking at
possibly putting a carport on the property. In order
to do that, it has to be consolidated with their lot.
We would recommend under the circumstances that this
be approved for continued maintenance of this property
that has not been developed.

CHAIRMAN: Is anybody here representing
the applicant?

APPLICANT REP: Yes.

CHAIRMAN: If there are no comments from
the applicant, Ms. Stone, I want to thank you for
working with the applicants and working this situation
out. Even though it's somewhat irregular, you did a
very nice job in doing that. We appreciate it.

If there are no further comments or
questions, the chair is ready for a motion.

MS. DIXON: Move to approve.

CHAIRMAN: Motion for approval by Ms.
Dixon.

SISTER VIVIAN: Second.

CHAIRMAN: Second by Sister Vivian. All
in favor raise your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 15

1409 Reid Road, .08266 acres
Consider approval of minor subdivision plat.
Applicant: Bill & Kathy Reid

MR. NOFFSINGER: Mr. Chairman, Planning Staff and Engineering Staff we've reviewed this application. The application is in order; however, it does not meet the minimum requirements for a traditional lot as defined in the zoning ordinance and subdivision regulations. However, the exception here is that this lot is going to be for a cell tower and it does not have frontage on the public right-of-way.

It is undersized; however, the Planning Commission has in the past approved lots that do not meet the standards for traditional lots for utility purposes. So we would recommend this division be approved.

MR. CAMBRON: Is there a permanent easement back to that? I can't read this.

MR. NOFFSINGER: Yes, sir. Access easement, yes, sir.

MR. CAMBRON: I'm sorry, what did you say?

MR. NOFFSINGER: Yes, sir, there is a

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permanent access easement to this lot.

CHAIRMAN: We have somebody representing
the applicant.

Does anybody have any questions of the
applicant?

(NO RESPONSE)

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

MR. JAGOE: Move to approve.

CHAIRMAN: Motion for approval by Mr.
Jagoe.

MR. CAMBRON: Second.

CHAIRMAN: Second by Mr. Cambron. All in
favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item.

ITEM 16

414 East Seventh Street, 712 Clay Street,
0.192+ acres
Consider approval of minor subdivision plat.
Applicant: John L. Smith, Ethel Daugherty

MR. NOFFSINGER: Mr. Chairman, the
Planning Commission has reviewed this application as
well as the Engineering Staff. The application or the
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plat creates a lot that does not meet the minimum requirements of the zoning ordinance or subdivision regulations. However, it puts the properties back in the configuration they were in prior to the Planning Commission approving an exception at our last meeting. So Staff would recommend that you approve this plat so we can put the lots back to their original configuration or at least the way they were last month.

CHAIRMAN: Is anybody here representing the applicant?

(NO RESPONSE)

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

MR. JAGOE: Why are we doing this again?

MR. NOFFSINGER: The applicant is requesting this because of an issue regarding the title to one of the properties that was being consolidated. I believe there's a lien on the property and it had not been released, could not be consolidated. So they just want to take it back to the way it was.

MR. JAGOE: Is chair ready for a motion?

CHAIRMAN: Yes, sir, we are ready for a
CHAIRMAN: Motion for approval by Mr. Jagoe.

MR. CAMBRON: Second.

CHAIRMAN: Second by Mr. Cambron. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item please.

MR. NOFFSINGER: I have one new business item and I'll turn it over to Stewart Elliott.

MR. ELLIOTT: The commissioners are aware the Principal Financial Group issued shares of stock through the Planning Commission. This was based upon life insurance policies that were issued for employees.

The Planning Commission voted to sell those shares of stock. We could not own them. We have gotten the money now. We have to disburse it.

What we have done is determined on the issue of the date of the stock being December 2001. The eligible employees, I think there were 13 of them, and the money will be disbursed. It would be my recommendation that you disburse the money to those employees. It would be their benefit and they would
be entitled to it. We need to do that.

MR. CAMBRON: You need a motion for that?

MR. ELLIOTT: Yes.

MR. CAMBRON: I make a motion that we do it based upon what Stewart has said, what Mr. Elliott has told us at this point in time.

CHAIRMAN: Recommendation based on the advice of counsel?

MR. CAMBRON: Yes.

CHAIRMAN: Mr. Cambron has made a motion for approval based on counsel's recommendation. Do we have a second?

MS. DIXON: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

The chair is now ready for one final motion.

DR. BOTHWELL: Motion to adjourn.

CHAIRMAN: Motion for adjournment by Dr. Bothwell.

MR. JAGOE: Second.

CHAIRMAN: Second by Mr. Jagoe. All in favor raise your right hand.

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(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

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

I, LYNETTE KOLLER, Notary Public in and for
the State of Kentucky at Large, do hereby certify that
the foregoing Owensboro Metropolitan Planning & Zoning
meeting was held at the time and place as stated in
the caption to the foregoing proceedings; that each
person commenting on issues under discussion were duly
sworn before testifying; that the Board members
present were as stated in the caption; that said
proceedings were taken by me in stenotype and
electronically recorded and was thereafter, by me,
accurately and correctly transcribed into the
foregoing 30 typewritten pages; and that no signature
was requested to the foregoing transcript.

WITNESS my hand and notarial seal on this

LYNETTE KOLLER, NOTARY PUBLIC
OHIO VALLEY REPORTING SERVICE
202 WEST THIRD STREET, SUITE 12
OWENSBORO, KENTUCKY 42303

COMMISSION EXPIRES:
DECEMBER 19, 2006

COUNTY OF RESIDENCE:
DAVIESS COUNTY, KENTUCKY

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