The Owensboro Metropolitan Planning Commission met in regular session at 6:00 p.m. on Thursday, October 14, 2004, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT:  Drew Kirkland, Chairman
Gary Noffsinger
Dave Appleby
Jimmy Gilles
Scott Jagoe
Irvin Rogers
Sister Vivian Bowles
Judy Dixon
Martin Hayden
Stewart Elliott, Attorney

CHAIRMAN:  I would like to welcome everybody to the October 14th meeting of the Owensboro Metropolitan Planning Commission.

Let us stand. Our invocation and pledge of allegiance will be given by Sister Vivian Bowles.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN:  Our first order of business will be to consider the minutes of the September 9, 2004 meeting. Are there any corrections, or additions, or questions?

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CHAIRMAN: If not, the Chair is ready for a motion.

MS. DIXON: Move to approve.

CHAIRMAN: Motion for approval by Ms. Dixon.

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, Mr. Noffsinger.

ITEM 2

PRESENTATION OF FISCAL YEAR 2004 AUDIT by Robert Kuphal.

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

MR. KUPHAL: My name is Robert Kuphal. (MR. ROBERT KUPHAL SWORN BY ATTORNEY.)

MR. KUPHAL: Robert Kuphal. I'm a CPA and I'm owner of Robert F. Kuphal, CPA, here in Owensboro. We were engaged to audit the financial statements of the Owensboro Metropolitan Planning Commission as of and for the year end June 30, 2004. We conducted our audit in accordance with Ohio Valley Reporting (270) 683-7383
the Auditing Standards generally accepted in the
United States of America and Governmental Auditing
Standards.

The objective of the audit was an
expression of an opinion as to whether the financial
statements are fairly presented and in conformity
which is generally accepted and common principals.

We stated in our report that in our
opinion the financial statements presented fairly in
all materials respects the financial position of the
Owensboro Metropolitan Planning Commission and the
results of its operation and cash flows for the year
then ended in accordance with U.S. generally accepted
accounting principals.

A major change from last year's annual
report and audit was due to the implementation of
GASPE 34. The changes were as follows:
We presented comparative financial
statements, cash flow statements. There was
capitalizing of fixed assets instead of expensing in
departmental expenses.

Also appreciation was booked into
departmental expenses. Also there was a switch from
fund accounting to showing restrictive and
unrestrictive retained earnings in equity section of

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the balance sheet.

Now, each one of you should have received a copy of the audit report. I submit it for your approval and I'll be glad to answer any questions.

CHAIRMAN: Does anybody on the commission have any questions?

(NO RESPONSE)

CHAIRMAN: Does anybody in the audience have any questions?

(NO RESPONSE)

CHAIRMAN: If there are no 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.

Thank you very much.

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PUBLIC FACILITIES PLANS
REVIEW FOR CONSISTENCY WITH COMPREHENSIVE PLAN

Ohio Valley Reporting
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ITEM 3

1501 West Second Street, Rear Alley
Land Disposition
Consider comments regarding the closing of
approximately 173 feet of a 10-foot wide alley
right-of-way running in an east/west direction
Referred by: City of Owensboro

MR. NOFFSINGER: Mr. Chairman, this plan
has been reviewed by the Planning Staff and
Engineering Staff. We find no conflict with the
adopted Comprehensive Plan and would recommend you
forward a letter to that affect to the City of
Owensboro.

CHAIRMAN: Are there any questions?
(NO RESPONSE)

CHAIRMAN: If not, the Chair is a ready
for a motion.

MR. JAGOE: Move for approval.

CHAIRMAN: Motion for approval by Mr.
Jagoe.

MR. GILLES: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item.

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ITEM 4

Consider zoning change: From B-4 General Business, R-4DT Inner-City Residential to I-1 Light Industrial

Applicant: James Gregory Wimsatt

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

MR. HOWARD: Brian Howard.

(MR. BRIAN HOWARD SWORN BY ATTORNEY.)

PLANNING STAFF RECOMMENDATIONS

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

Findings of Fact:

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

2. The subject property is immediately adjacent to I-1 zoning to the north; and

3. The applicant's request is a logical expansion of the I-1 Light Industrial zone that will not significantly increase the extent of the zone in the vicinity and will not overburden the capacity of

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roadways and other necessary urban services that are available in the affected area.

MR. HOWARD: We would like to enter the Staff Report as Exhibit A.

CHAIRMAN: Is anybody representing the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have any questions?

(NO RESPONSE)

CHAIRMAN: Anybody in the audience have any questions?

(NO RESPONSE)

CHAIRMAN: If not, the Chair is ready for a motion.

MS. DIXON: Move for approval based upon Findings of Fact 1, 2, and 3.

CHAIRMAN: Motion for approval by Ms. Dixon

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.

Ohio Valley Reporting
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Related Item:

ITEM 4A

506 Breckenridge Street (POSTPONED)
Consider approval of final development plan.
Applicant: James Gregory Wimsatt

MR. NOFFSINGER: Mr. Chairman, the Planning Staff and Engineering Staff have reviewed this application. It's found to be in order and it's found to meet the minimum specifications of the zoning ordinance. With that it's ready for your approval.

CHAIRMAN: Are there any questions from the audience?

(NO RESPONSE)

CHAIRMAN: From the commission?

(NO RESPONSE)

CHAIRMAN: Chair is ready for a motion.

MR. ROGERS: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Rogers.

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 4B

506 Breckenridge Street, 525, 529 Hathaway Street
Consider approval of minor subdivision plat.
Applicant: James Gregory Wimsatt, Dorothy Harley

MR. NOFFSINGER: Mr. Chairman, Planning Staff and Engineering Staff have reviewed this plat. The plat is found to be in order, but it is an exception to the adopted subdivision regulations in that it involves a non-conforming lot or two non-conforming lots. It moves the property lines in such a manner that makes non-conformity on one lot a little less, reduces it, but on the other one it increases it. It's a plat that I could not sign, but the Planning Staff is recommending that you consider it favorably.

CHAIRMAN: Do we have anybody representing the applicant?

APPLICANT REP: Yes.

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 not, the Chair is ready for a motion.

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MS. DIXON: Move for approval.

CHAIRMAN: Motion for approval by Ms. Dixon.

MR. HAYDEN: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 5

206 West 17th Street
Consider zoning change: From R-4DT Inner-City Residential to P-1 Professional/Service
Applicant: The Junior League of Owensboro

PLANNING STAFF RECOMMENDATIONS

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

Conditions:

1. Provide landscaping buffer for parking area adjacent to residential zones; and,

2. Install sufficient parking according to zoning standards.

Findings of Fact:

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1. The subject property is located in a Central Residential Plan Area, where professional-service uses are appropriate in limited locations;

2. The subject property adjoins existing P-1 Professional/Service zoning to the west; and,

3. The applicant's request is a logical expansion of existing professional/service use onto contiguous land along the same street that will not overburden the capacity of roadways and other necessary urban services in the affected area.

MR. HOWARD: We would like to enter the Staff Report as Exhibit B.

CHAIRMAN: Is there anybody here representing the applicant?

MR. ELLIOTT: State your name, please.

MS. TRUITT: My name is Allison Truitt.

(MS. ALLISON TRUITT SWORN BY ATTORNEY.)

MS. TRUITT: The question is that you prefer that we have shrubbery, landscaping put in and then parking, is that what I gathered out of the report?

MR. HOWARD: What was your question again, I'm sorry?

MS. TRUITT: So out of the report it was -
- your questioning that we need landscaping and more parking?

    MR. HOWARD: Right. You will have to install landscaping and shrubbery along the property that joins residential zoning and that the parking be sufficient for the use. We've looked at the parking based on the previous application that was done on the same property in 1994, I believe. Based on the paved area, I believe the parking can be obtained on site.

    CHAIRMAN: Ms. Truitt, do you have any other comments you'd like to make?

    MS. TRUITT: No. Actually we're not real sure what we're going to be doing with the facility so we don't know or anticipate having a large number of spaces needed at this point in time. Is there a way that we could find out, know exactly how many parking spaces that is needed because right now we have about six to seven spaces available. How many more would be needed?

    MR. HOWARD: Based on what we've been told, the required parking would be five spaces that's utilized on the first floor of your building as office and conference room area. Then I was told the second floor at this point would be used for storage --

    MS. TRUITT: That's correct.
MR. HOWARD: -- of records and calendars and whatever else. It would be five. Based on the amount area you have set out, you could fit five on it.

MS. TRUITT: Thank you.

CHAIRMAN: Are there any questions from anyone else in the audience?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have a question?

(NO RESPONSE)

CHAIRMAN: If not, the Chair is ready for a motion.

MS. DIXON: Move to approve subject to Conditions 1 and 2 and based upon Findings of Fact 1, 2 and 3.

CHAIRMAN: Motion for approval by Ms. Dixon.

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.

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ITEM 6

3201 Alvey Park Drive West
Consider zoning change: From I-1 Light Industrial
to B-4 General Business
Applicant: Daniel Caslin

PLANNING STAFF RECOMMENDATIONS

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

Condition:

Install curb and gutter along property frontage or post surety prior to issuance of a building permit.

Findings of Fact:

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

2. A number of properties have been rezoned to B-4 in the affected area along the same street; and,

3. The applicant's request is a logical expansion of existing B-4 commercial zoning along Alvey Park Drive that will not significantly increase
the extent of the zone in the vicinity and will not
overburden the capacity of roadways and other
necessary urban services available in the affected
area.

MR. HOWARD: We would like to enter the
Staff Report as Exhibit C.

CHAIRMAN: Do we have somebody
representing the applicant?

(NO RESPONSE)

CHAIRMAN: Do we have any questions from
anybody in the audience?

(NO RESPONSE)

CHAIRMAN: Have any questions from anybody
on the commission?

(NO RESPONSE)

CHAIRMAN: If not, the Chair is ready for
a motion.

MR. HAYDEN: I make a motion for approval
with Staff Recommendation and Findings of Fact 1, 2
and 3.

CHAIRMAN: Motion for approval by Mr.
Hayden.

SISTER VIVIAN: Second.

CHAIRMAN: Second by Sister Vivian. All
in favor raise your right hand.
ITEM 7

Portion 1600 River Road
Consider zoning change: From I-2 Heavy Industrial to I-1 Light Industrial
Applicant: Marnic, LLC

PLANNING STAFF RECOMMENDATIONS

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

Condition:

Record subdivision plat for the property consolidation.

Findings of Fact:

1. The subject property is located in an Industrial Plan Area, where light industrial uses are appropriate in general locations;

2. The applicant proposes to consolidate the subject property to adjacent property to the north that is currently zoned I-1 Light Industrial; and,

3. The applicant's request is a logical expansion of existing light industrial use onto

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contiguous land that will not significantly increase the extent of light industrial use in the vicinity and will not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

MR. HOWARD: We would like to enter the Staff Report as Exhibit D.

CHAIRMAN: Do we have anybody here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Any questions from the audience or from the commission?

(NO RESPONSE)

CHAIRMAN: If not, the Chair is ready for a motion.

SISTER VIVIAN: Motion for approval based on one condition and Findings of Fact 1 through 3.

CHAIRMAN: Motion for approval by Sister Vivian.

MS. DIXON: Second.

CHAIRMAN: Second by Ms. Dixon. All in favor raise your right hand.
ITEM 8

Portion 1646 River Road
Consider zoning change: From I-1 Light Industrial
to I-2 Heavy Industrial
Applicant: Miles Construction Managers, Inc.

PLANNING STAFF RECOMMENDATIONS

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

Condition:
Record subdivision plat for the property consolidation.

Findings of Fact:

1. The subject property is located in an Industrial Plan Area, where heavy industrial uses are appropriate in limited locations;

2. The applicant proposes to consolidate the subject property to adjacent property to the south that is currently zoned I-2 Heavy Industrial; and,

3. The applicant's request is a logical expansion of existing heavy industrial zone and use.
onto contiguous land that will not significantly
increase the extent of heavy industrial use located in
the vicinity and will not overburden the capacity of
roadways and other necessary urban services that are
available in the affected area.

MR. HOWARD: We would like to enter the
Staff Report as Exhibit E.

CHAIRMAN: Do we have anybody representing
the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the
applicant?

(NO RESPONSE)

CHAIRMAN: If there are no questions of
the applicant, the Chair is ready for a motion.

MR. ROGERS: Motion for approval based on
Planning Staff Recommendations and with one Condition
and Findings of Facts 1 through 3.

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

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 9

9838 US 231
Consider zoning change:  From EX-1 Coal Mining to
A-R Rural Agriculture
Applicant:  Donald T. Taylor

PLANNING STAFF RECOMMENDATIONS

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

Findings of Fact:

1.  The subject property is located in a
   Rural Maintenance Plan Area, where agricultural uses
   are appropriate in general locations;
   2.  The subject property is currently
   being used for agricultural purposes as cropland;
   3.  Mining activities on the subject
   property have ceased; and,
   4.  The Owensboro Metropolitan Zoning
   Ordinance Article 12a.31 requires that property shall
   revert to its original zoning classification after
   mining.

MR. HOWARD:  We would like to enter the
Staff Report as Exhibit F.

CHAIRMAN:  Do we have somebody here

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representing the applicant?

(NO RESPONSE)

CHAIRMAN: Do we have any questions from the audience or from the commission?

(NO RESPONSE)

CHAIRMAN: If not, the Chair is ready for a motion.

MS. DIXON: Move for approval based upon Findings of 1, 2, 3, and 4.

CHAIRMAN: Motion for approval by Ms. Dixon.

MR. HAYDEN: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

COMBINED DEVELOPMENT PLANS
MAJOR SUBDIVISIONS

ITEM 10

Olde Stone on Griffith Avenue, 1.806 acres
Consider approval of combined final development plan/major subdivision preliminary plat
Applicant: Jagoe Homes, Inc.; Kentucky Wesleyan College

MR. NOFFSINGER: Mr. Chairman, Planning

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Staff and Engineering Staff has reviewed this application. It's found to be in order. It's found to meet the minimum requirements of the zoning ordinance and subdivision regulations. It's found to be consistent with the adopted Comprehensive Plan which recommends a residential use for the subject property.

The development that's proposed will include seven lots with a home on each of the seven lots. The gross residential area would be 3.87 dwelling units per acre. With that it's ready for your consideration.

MR. JAGOE: Mr. Chairman, I need to remove myself on this.

CHAIRMAN: The record will so record.

(MR. SCOTT JAGOE LEAVES ROOM AT THIS TIME.)

CHAIRMAN: Do we have anybody here representing the applicant?

MR. JAGOE: Yes.

CHAIRMAN: Do we have any questions of the applicant?

MR. PAYNE: Yes.

CHAIRMAN: Step to the podium, please.

MR. ELLIOTT: State your name, please.
MR. PAYNE: Tom Payne.

(MR. TOM PAYNE SWORN BY ATTORNEY.)

MR. PAYNE: This is my wife.

(MRS. PAYNE SWORN BY ATTORNEY.)

MR. PAYNE: I just wonder if you had a plat available.

CHAIRMAN: Mr. Payne, do you have any questions?

MR. PAYNE: I haven't had time to really formulate them. I just want to know what's going on. We live across the street. I wanted to know what the story is.

MRS. PAYNE: We're concerned about the volume of housing going into the area, in that small little area. We've tried in the past to find out what was going on. We haven't seen any other notices in the paper.

CHAIRMAN: We have two parties representing the applicant. If you would state, if you've got some other questions, if you'd state your questions we'll bring the applicant to the podium and then they'll answer them in that order. One is the density. What's your second question?

MRS. PAYNE: The amount of construction that will be going on at one time, if this should
pass, and the amount of people that will be involved
once it is passed, which I'm assuming it probably will
be. How many people will be living there; therefore,
how much more traffic will increase. Those are our
basic concerns.

CHAIRMAN: Let me ask you all to sit down
and we'll bring one of the representatives of the
project to the podium.

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

MR. JAGOE: My name is Bill Jagoe.

(MR. BILL JAGOE SWORN BY ATTORNEY.)

MR. JAGOE: To answer the first question,
there are seven homes here. To guess how many people
will live in each home I don't know. The community's
develop is more of an empty nester type product. The
homes will have three to four bedrooms. We ask the
plat be approved because it does meet all the
requirements.

Construction time, that would depend on
actually sales so I can't promise anything. Whether
all the homes will be built at once or will be built
through a period of time

CHAIRMAN: So, Mr. Jagoe, it is correct to
assume that each home will be individually sold and
you're not just going to build-up the whole area at one time, correct?

MR. JAGOE: That is correct.

CHAIRMAN: The third question they had was about the traffic situation.

MR. JAGOE: Well, I can't necessarily give you how many traffic will come out of there. I'm not sure what figures you all use for this type of development, how many trips per day.

CHAIRMAN: Mr. Jagoe, I think we have a staff member that could address that question, if you would not mind yielding to him at this time.

MR. HOWARD: Based on the Institute of Transportation Engineers Trip Generation Handbook, generally a single-family residence will average around ten trips per day. So for the seven lots you would be looking at approximately 70 new trips per day with this development, which would not be a significant increase compared to the existing traffic on the roadway.

CHAIRMAN: Thank you.

Would you like to return to the podium?

MR. PAYNE: Do we know what the existing traffic is?

MR. HOWARD: We don't have those numbers
with us this evening. That's something that we could probably gather, but I didn't bring that with me.

MR. PAYNE: You're going on a general hunch that it's not a significant addition.

MR. HOWARD: Well, you're looking at 70 new trips a day on even a road that has 10,000 trips. Seventy in relation is --

MR. PAYNE: So you're assuming around 10,000?

MR. HOWARD: I'm using 10,000 as a general number.

MR. PAYNE: I don't know. I just wondered.

MR. HOWARD: I'm not sure either. Seventy trip a day in the overall scheme of things is not a significant number. If we were looking at a 200 lot subdivision that would be a lot. This is just 70.

MR. PAYNE: Just curious.

CHAIRMAN: Yes, ma'am.

MRS. PAYNE: Are these going to be separate dwellings or are they going to be connecting dwellings?

MR. ELLIOTT: State your name.

MR. KAMUF: Charles Kamuf.

(MR. CHARLES KAMUF SWORN BY ATTORNEY.)

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MR. KAMUF: They will be seven individual lots with parking to the rear. There will be seven parking spaces which are not adjoined to the property which will be on the side. All of this will be directed, as you can see, through the -- you all have the plat in front of you. As you can see the parking, the driveway will come in from Bittle Road. To the west of the property will be seven parking places and there will be four parking places behind each individual lot. I have the plat. You know I'll probably always have some exhibit here. I have a plat showing the parking and showing the street, if you'd like to see it.

CHAIRMAN: Thank you, Mr. Kamuf.

MR. KAMUF: I'll give a copy of this to the court reporter.

As you can see, according to those pass outs that you have, there will be parking to the west of the property. There will be seven parking spaces. You can see the driveway. There will be seven parking places to the west. That will be screened. The other property is not necessary under the R-1A residential. There will not be any other screening or landscaping required. We intend to use whatever landscaping that is there at the present time.
as far as trees. We can't guarantee you exactly how
many will have to be removed.

Does that help you just a little bit?

MRS. PAYNE: Do the screening again.

MR. KAMUF: The screening. As you can see
on the little plat that I've just given you, and I
would like to file a copy of that in the record.

In other words, there will be seven
parking places in the middle. If you see in the
middle of the Old Stone area, and then to the rear of
each parking, each individual lot we have parking for
four individual cars. So there will be a total
parking area of 35 cars in this unit development.

CHAIRMAN: Mr. Kamuf, I think we have one
more question.

MRS. PAYNE: It would appear that includes
the garages?

MR. KAMUF: That's correct, yes, ma'am.

There will be two to the garage and two to the rear
and then there will be seven --

MRS. PAYNE: These are guest parking
spaces?

MR. KAMUF: Yes, ma'am.

MRS. PAYNE: So they're not outside
parking places. They'll put their cars in the garage.

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Not really parking places.

MR. KAMUF: That's right. Two in the garage, two outside, and seven unrestricted.

MRS. PAYNE: How large will each -- do you have a plat as to how large each lot will be?

MR. KAMUF: If you have a copy of the plat in front of you, ma'am, each lot, the lots front on Griffith Avenue. There will be one 66 foot lot, 55 foot lot, and the rest are 55, and another 154. Along the other street they're designated on that plat.

CHAIRMAN: Does anybody else in the audience have a question?

(NO RESPONSE)

CHAIRMAN: Mr. and Mrs. Payne, are you all finished with your questions?

MR. PAYNE: I'm sure there will be more. I'm just interested, you know. Thank you very much. I appreciate it.

CHAIRMAN: Glad to have you. That's what the meeting is about.

Does anybody on the commission have any questions?

(NO RESPONSE)

CHAIRMAN: If not, the Chair is ready for a motion.
MR. APPLEBY: I make a motion for approval as the plan is in compliance with all zoning regulations.

MR. HAYDEN: Second.

CHAIRMAN: We've got a motion for approval by Mr. Appleby. We've got a second by Mr. Hayden. All in favor raise your right hand.

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

CHAIRMAN: Motion carries unanimously. Next item.

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MAJOR SUBDIVISIONS

ITEM 11

Hunters Ridge, 7.383 acres
Consider approval of major subdivision preliminary plat.
Applicant: Hunters Ridge Development, Inc.

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 adopted subdivision regulations and zoning ordinance, consistent with the adopted Comprehensive Plan. Is ready for consideration.

CHAIRMAN: Is anybody here representing

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the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Anybody from the commission have a question of the applicant?

(NO RESPONSE)

CHAIRMAN: If not, the Chair is ready for a motion.

MR. APPLEBY: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Appleby.

MR. GILLES: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 12

Summer Wind of Heartland, 4.653 acres
Consider approval of major subdivision final plat.
Applicant: Jagoe Development, LLC
Surety (Certificate of Deposit) Posted: $23,578.80

MR. NOFFSINGER: Mr. Chairman, this plat has been reviewed by the Planning Staff and

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Engineering Staff. It's found to be in order. It's found to meet the minimum requirements of the adopted subdivision regulations and zoning ordinance and consistent with the adopted Comprehensive Plan.

CHAIRMAN: Do we have anybody representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Any questions from the commission?

(NO RESPONSE)

CHAIRMAN: If not, the Chair is ready for a motion.

MR. APPLEBY: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Appleby.

MR. GILLES: Second.

CHAIRMAN: Second by Mr. Gilles. All in favor raise you right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

(MR. JAGOE JOINS MEETING ONCE AGAIN AT Ohio Valley Reporting (270) 683-7383)
ITEM 13

Hialeah Park of Lakeside of the Downs, 17.790 acres
Consider approval of major subdivision final plat.
Applicant: Thompson Homes, Inc.
Surety (Letter of Credit) Posted $93,050.68

MR. NOFFSINGER: Mr. Chairman, this plat
has been reviewed by the Planning Staff and
Engineering Staff. It's found to meet the minimum
requirements of the adopted subdivision regulations
and the zoning ordinance and is consistent with the
adopted Comprehensive Plan.

CHAIRMAN: Do we have anybody here
representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the
applicant?

(NO RESPONSE)

CHAIRMAN: Anybody on the commission have
any questions?

(NO RESPONSE)

CHAIRMAN: The Chair is ready for a
motion.

MS. DIXON: Move to approve.

CHAIRMAN: Motion for approval by Ms.
Dixon.
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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MINOR SUBDIVISIONS

ITEM 14

5200 - 5300 Blks Frederica Street
Consider approval of minor subdivision plat.
Applicant: Patrick L. & Lucille K. Fulkerson, Charles E. & Mary C. Fulkerson

MR. NOFFSINGER: Mr. Chairman, this is a plat to dedicate right-of-way for a portion of the Martin Luther King West Loop that is currently being designed and soon to be under construction by the City of Owensboro and the State of Kentucky. It's a plat that did not meet the minimum requirements of the subdivision regulations; however, it is for right-of-way and we would recommend you give it a favorable approval.

CHAIRMAN: Anybody representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Does anybody in the audience
CHAIRMAN: Does anybody on the commission have a question 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.

Next item, please.

ITEM 15

3374 Pleasant Valley Road
Consider approval of minor subdivision plat.
Applicant: Victoria L. Mills

MR. NOFFSINGER: Mr. Chairman, the Planning Staff and Engineering Staff has reviewed this application. It comes to you as an exception to the subdivision regulations in that the two properties being created do not meet the three to one depth to width ratio. One of the properties is slightly over

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that ratio. However, the two tracts of land that are being created are over 10 acres in size and would generally qualify under an agricultural division; however, the frontage of this property is zoned residential and therefore it was a plat that I could not sign because the entire partial had to be zoned agricultural for the agricultural exemption, but because of the nature of these tracts, the size, and the characteristics Staff would recommend that you give it a favorable approval.

CHAIRMAN: Do we have somebody representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have any questions?

(NO RESPONSE)

CHAIRMAN: If not, the Chair is ready for a motion.

MR. APPLEBY: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Appleby.

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.

Is there any new business or old business?

(NO RESPONSE)

CHAIRMAN: The Chair is ready for one final motion.

MS. DIXON: Move to adjourn.

CHAIRMAN: Motion for adjournment by Ms. Dixon.

MR. HAYDEN: Second.

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

(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, LYNNETTE 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 37 typewritten pages; and that no signature
was requested to the foregoing transcript.

WITNESS my hand and notarial seal on this
the 1st day of November, 2004.

LYNNETTE 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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