

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 NOVEMBER 11, 2004

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4 The Owensboro Metropolitan Planning  
5 Commission met in regular session at 6:00 p.m. on  
6 Thursday, November 11, 2004, at City Hall, Commission  
7 Chambers, Owensboro, Kentucky, and the proceedings  
8 were as follows:

9 MEMBERS PRESENT: Drew Kirkland, Chairman  
10 Gary Noffsinger  
11 Nick Cambron  
12 Dave Appleby  
13 Scott Jagoe  
14 Irvin Rogers  
15 Sister Vivian Bowles  
16 Judy Dixon  
17 Martin Hayden  
18 Stewart Elliott,  
19 Attorney

20 \* \* \* \* \*

21 CHAIRMAN: I would like to welcome  
22 everybody to the November 11th Owensboro Metropolitan  
23 Planning Commission meeting. Let everybody stand and  
24 our invocation and pledge of allegiance will be given  
25 by Mr. Scott Jagoe.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Our first action of business is  
to consider the minutes of the October 14th meeting.  
Are there any corrections, additions?

(NO RESPONSE)

1 CHAIRMAN: Any comments by the commission?

2 (NO RESPONSE)

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

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

7 CHAIRMAN: Motion for approval by Mr.  
8 Cambron.

9 MS. DIXON: Second.

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

12 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

13 CHAIRMAN: Motion carries unanimously.

14 Next item, Mr. Noffsinger.

15 -----

16 PUBLIC FACILITIES PLANS  
17 REVIEW FOR CONSISTENCY WITH COMPREHENSIVE PLAN

18 ITEM 2

19 1 Carter Road  
20 Building Construction  
21 Consider comments regarding the construction of an  
22 equipment storage building and the addition to and  
23 remodeling of an existing concession/restroom building  
24 located at Thompson-Berry Park.  
25 Referred by: City of Owensboro

MR. NOFFSINGER: Mr. Chairman, the  
Planning Staff has reviewed this application. The  
application is just what it says. It is an existing

1 city park. It's the soccer complex. We reviewed.  
2 Find no conflict with the Comprehensive Plan and would  
3 recommend you forward a letter to that affect to the  
4 City of Owensboro.

5 CHAIRMAN: Is anybody here representing  
6 the City of Owensboro?

7 (NO RESPONSE)

8 CHAIRMAN: Does anybody have any  
9 questions?

10 (NO RESPONSE)

11 CHAIRMAN: If there are no questions,  
12 Chair is ready for a motion.

13 MR. APPLEBY: Motion for approval.

14 CHAIRMAN: Motion for approval by Mr.  
15 Appleby.

16 MR. JAGOE: Second.

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

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 CHAIRMAN: Motion carries unanimously.

21 Next item, please.

22 ITEM 3

23 9, 25 Carter Road  
24 Building Construction, Facilities Construction  
25 Consider comments regarding the relocation of a  
12'x24' historic building to the property and consider  
comments regarding the construction of an access

1 driveway and parking lot on the property.  
2 Referred by: Western Kentucky Botanical Garden, Inc.

3 MR. NOFFSINGER: Mr. Chairman, the  
4 Planning Staff has reviewed this application. We find  
5 no conflict with the Comprehensive Plan. Would  
6 recommend you forward a letter to that affect to the  
7 Western Kentucky Botanical Garden, Inc.

8 CHAIRMAN: Is anybody here representing  
9 the applicant?

10 (NO RESPONSE)

11 CHAIRMAN: Does anybody in the audience  
12 have a question?

13 APPLICANT REP: I'm here for the Garden.

14 CHAIRMAN: If you're going to make a  
15 comment you need to step - -

16 APPLICANT REP: No.

17 CHAIRMAN: Does anybody have any  
18 questions?

19 (NO RESPONSE)

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

22 MS. DIXON: Move to approve.

23 MR. CAMBRON: Second.

24 CHAIRMAN: Motion for approval by Ms.  
25 Dixon. Second by Mr. Cambron. All in favor raise

1 your right hand.

2 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

3 CHAIRMAN: Motion carries unanimously.

4 Next item, please.

5 -----

6 ZONING CHANGES - CITY

7 ITEM 4

8 2020 East Tenth Street  
9 Consider zoning change: From I-2 Heavy Industrial  
10 to R-4DT Inner-City Residential  
11 Applicant: Quince D. Stroud

12 MR. ELLIOTT: State your name, please.

13 MR. HOWARD: Brian Howard.

14 (MR. BRIAN HOWARD SWORN BY ATTORNEY.)

15 PLANNING STAFF RECOMMENDATIONS

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

20 Findings of Fact:

21 1. The subject property is located in a  
22 Central Residential Plan Area, where urban low-density  
23 residential uses are appropriate in general locations;

24 2. An urban low-density residential use  
25 currently exists on the subject property with access  
to a public street; and,

1                   3. Properties joining the subject  
2 property are residential and the proposed zoning of  
3 R-4DT is appropriate for the subject property.

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

6                   CHAIRMAN: Is anybody here representing  
7 the applicant?

8                   APPLICANT REP: Yes.

9                   CHAIRMAN: Does anybody have a question of  
10 the applicant?

11                   (NO RESPONSE)

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

14                   MS. DIXON: Move to approve based upon  
15 Planning Staff Recommendations and Findings of Fact 1  
16 through 3.

17                   CHAIRMAN: Got a motion for approval by  
18 Ms. Dixon.

19                   MR. HAYDEN: Second.

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

22                   (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23                   CHAIRMAN: Motion carries unanimously  
24 Next item, please.

25 -----

1 ZONING CHANGES - COUNTY

2 ITEM 5

3 10301, 10401 Blks Jackson Road North  
4 Consider zoning change: From EX-1 Coal Mining to  
5 A-R Rural Agriculture  
6 Applicant: Shirley Burns, Shirley D. & Sue Shelton

7 PLANNING STAFF RECOMMENDATIONS

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

12 Findings of Fact:

13 1. The subject property is located in a  
14 Rural Maintenance Plan Area, where agricultural uses  
15 are appropriate in general locations;

16 2. The subject property is currently  
17 being used for agricultural purposes as cropland;

18 3. Mining activities on the subject  
19 property have ceased; and,

20 4. The Owensboro Metropolitan Zoning  
21 Ordinance Article 12a.31 requires that property shall  
22 revert to its original zoning classification after  
23 mining.

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

CHAIRMAN: Is anybody representing the

1 applicant?

2 (NO RESPONSE)

3 CHAIRMAN: Does anybody in the audience  
4 have a question?

5 (NO RESPONSE)

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

8 MS. DIXON: Move to approve based upon  
9 Planning Staff Recommendation and Findings of Fact 1,  
10 2, 3 and 4.

11 CHAIRMAN: Motion for approval by Ms.  
12 Dixon.

13 MR. CAMBRON: Second.

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

16 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

17 CHAIRMAN: Motion carries unanimously.

18 Next item, please.

19 ITEM 6

20 6139 Old KY 54  
21 Consider zoning change: From R-1A Single-Family  
22 Residential to B-4 General Business  
23 Applicant: James C. Howard

24 PLANNING STAFF RECOMMENDATIONS

25 Staff recommends approval because the  
proposal is in compliance with the community's adopted

1 Comprehensive Plan. The condition and findings of  
2 fact that support this recommendation include the  
3 following:

4 Condition:

5 Access shall be limited to Old KY 54 and  
6 KY 142 with no direct access to KY 54.

7 Findings of Fact:

8 1. The subject property is located in a  
9 Rural Community Plan Area, where general business uses  
10 are appropriate in limited locations;

11 2. The subject property is immediately  
12 adjacent to existing B-4 General Business zones to the  
13 north, east, south and west; and,

14 3. The applicant's proposal is a logical  
15 expansion of the existing B-4 zoning onto contiguous  
16 land abutting the same street that will not  
17 significantly increase the extent of the B-4 zone in  
18 the vicinity and will not overburden the capacity of  
19 roadways and other necessary urban services that are  
20 available in the affected area.

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

23 CHAIRMAN: Is there anybody here  
24 representing the applicant?

25 (NO RESPONSE)

1 CHAIRMAN: Any questions?

2 MR. NOFFSINGER: I do have one question.

3 CHAIRMAN: Mr. Noffsinger.

4 MR. NOFFSINGER: Was there an amendment to  
5 the condition on this particular item?

6 MR. HOWARD: The way the condition was  
7 stated it includes the amendment to the condition.

8 MR. NOFFSINGER: So we're clear that  
9 access would be allowed on Kentucky - -

10 MR. HOWARD: Old KY 54 and KY 142, no  
11 direct access to KY 54.

12 MR. NOFFSINGER: That was due to what  
13 reason?

14 MR. HOWARD: We had communications with  
15 the Kentucky Transportation Cabinet. There is a  
16 significant hill on the frontage along Kentucky 142.  
17 When we first looked at the site, we assumed that they  
18 would propose access from there, but they're planning  
19 on removing the dirt that would be required to level  
20 out the site. They would like access there. The  
21 state felt that access at that location would be  
22 sufficient and would like them to limit it to only Old  
23 54 and 142 with no direct access to 54.

24 MR. NOFFSINGER: Would access on KY 142 be  
25 in conflict with any locally adopted regulation?

1 MR. HOWARD: It would not.

2 MR. CAMBRON: What's the distance from 54  
3 back on 142 where an access be allowed?

4 MR. HOWARD: The total frontage along that  
5 portion I think was 211 feet. I think that's right.  
6 The state said they would like it to be around 150  
7 feet back from the intersection, if possible, looking  
8 as close back to Old 54 as possible without it  
9 actually being too close to that intersection where it  
10 might create conflicts.

11 MR. CAMBRON: That's my concern. That  
12 you're going to have the access too close back to the  
13 Old 54 and, if anything, maybe put it right in the  
14 middle.

15 MR. HOWARD: Right. That would be, I  
16 guess, up to the state if this location, since it is  
17 on state facility, wherever they feel would be the  
18 best location per the issue of the permit.

19 CHAIRMAN: If there are no further  
20 questions, the Chair is ready for a motion.

21 MR. CAMBRON: Motion for approval, Mr.  
22 Chairman, based on Planning Staff Recommendations and  
23 Findings of Fact 1, 2 and 3, and the condition that no  
24 access shall be limited to Old 54 with no direct  
25 access to Kentucky 54 and access to Kentucky 142.

1 CHAIRMAN: Motion for approval by Mr.  
2 Cambron.

3 MS. DIXON: Second.

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

6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: Motion carries unanimously.

8 Next item, please.

9 ITEM 7

10 6617 Stevens School Road  
11 Consider Zoning change: From EX-1 Coal Mining to  
12 A-R Rural Agriculture  
13 Applicant: Dennis & Donna Mills

14 PLANNING STAFF RECOMMENDATIONS

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

19 Findings of Fact:

20 1. The subject property is located in a  
21 rural Maintenance Plan Area, where rural large-lot  
22 residential uses are appropriate in limited locations;

23 2. The subject property is a separate lot  
24 of record with frontage on a public road and no new  
25 roads or streets are proposed;

3. Mining activities on the subject

1 property have ceased; and,

2 4. The Owensboro Metropolitan Zoning  
3 Ordinance Article 12a.31 requires that the property  
4 shall revert to its original zoning classification  
5 after mining.

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

8 CHAIRMAN: Is anybody representing the  
9 applicant?

10 (NO RESPONSE)

11 CHAIRMAN: Does anybody have any  
12 questions?

13 (NO RESPONSE)

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

16 MS. DIXON: Move to approve based upon  
17 Planning Staff Recommendations 1 through 4.

18 CHAIRMAN: Motion for approval by Ms.  
19 Dixon.

20 SISTER VIVIAN: Second.

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

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: Motion carries unanimously.

25 Next item, please.

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MAJOR SUBDIVISIONS

ITEM 8

Stewart Court, 0.633 acres  
Consider approval of major subdivision preliminary plat.  
Applicant: Jeff Danhauer

MR. NOFFSINGER: Mr. Chairman, this is a preliminary subdivision plat because it extends Stewart Court somewhat and terminates it in a cul-de-sac and then it creates one additional lot over what is there now. It meets with the requirements of the subdivision regulations and zoning ordinance and is ready for consideration.

CHAIRMAN: Is anybody here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Does anybody have 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.

1 MR. HAYDEN: Second.

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

4 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

5 CHAIRMAN: Motion carries unanimously.

6 Next item, please.

7 ITEM 9

8 James C. Roby, 9.295 acres  
9 Consider approval of major subdivision preliminary  
10 plat.  
11 Applicant: James C. Roby

12 MR. NOFFSINGER: Mr. Chairman, Planning  
13 Staff and Engineering Staff have reviewed this  
14 application. We find it to be in order with the  
15 subdivision regulations and the zoning ordinance.  
16 It's ready for your consideration.

17 CHAIRMAN: Is anybody here representing  
18 the applicant?

19 APPLICANT REP: Yes.

20 CHAIRMAN: Does anybody have a question of  
21 the applicant?

22 (NO RESPONSE)

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

25 MR. ROGERS: Motion for approval.

CHAIRMAN: Motion for approval by Mr.

1 Rogers.

2 MR. JAGOE: Second.

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

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

7 Next item, please.

8 ITEM 10

9 Lake Forest, Phase IV, Lots 239-347, 52.122 acres  
10 Consider approval of amended major subdivision  
11 preliminary plat.  
12 Applicant: Lake Forest Community, LLC

13 MR. NOFFSINGER: Mr. Chairman, this plat  
14 has been reviewed by the Planning Staff and  
15 Engineering Staff. It's found to meet the minimum  
16 requirements of the local adopted regulations and is  
17 consistent with the Adopted Comprehensive Plan.

18 CHAIRMAN: Anybody here representing the  
19 applicant?

20 APPLICANT REP: Yes.

21 CHAIRMAN: Does anybody have any questions  
22 of the applicant?

23 (NO RESPONSE)

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

MR. CAMBRON: Motion for approval.

1 CHAIRMAN: Motion for approval by Mr.  
2 Cambron.

3 SISTER VIVIAN: Second.

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

6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: Motion carries unanimously.

8 Next item, please.

9 ITEM 11

10 4901, 5001 Blocks Lee Rudy Road, 21.093 acres  
11 Consider approval of major subdivision final plat.  
12 No surety required.  
13 Applicant: Jagoe Land Corporation

14 MR. JAGOE: Mr. Chairman, I need to  
15 disqualify myself on Items 11 and 12.

16 CHAIRMAN: Mr. Jagoe asked to be  
17 disqualified on Items 11 and 12. Please note that in  
18 the minutes.

19 Is there anybody here representing the  
20 applicant?

21 APPLICANT REP: Yes.

22 CHAIRMAN: Does anybody have any questions  
23 of the applicant?

24 (NO RESPONSE)

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

1 CHAIRMAN: Motion for approval by Mr.  
2 Cambron.

3 MS. DIXON: Second.

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

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

8 CHAIRMAN: Motion carries unanimously,  
9 with Mr. Jagoe being excused.

10 ITEM 12

11 2400-2500 Blks East Byers Avenue, 0.435 acres  
12 Consider approval of major subdivision final plat.  
13 No surety required.  
14 Applicant: National City Bank, KY, Jagoe Land  
15 Corporation

16 CHAIRMAN: Is there anybody here  
17 representing the applicant?

18 APPLICANT REP: Yes.

19 CHAIRMAN: Does anybody have any questions  
20 of the applicant?

21 MR. JAGOE: Mr. Chairman, even though I'm  
22 disqualified, this probably should be Jagoe  
23 Development, LLC as the applicant.

24 CHAIRMAN: Mr. Jagoe as a member of the  
25 audience.

MR. JAGOE: May have been a misprint on  
the agenda.

1 CHAIRMAN: Mr. Noffsinger.

2 MR. NOFFSINGER: Jagoe Development  
3 Corporation.

4 CHAIRMAN: Mr. Jagoe, are you satisfied?

5 MR. JAGOE: If the Chair is.

6 CHAIRMAN: The Chair is more than  
7 satisfied.

8 MR. CAMBRON: Motion for approval.

9 CHAIRMAN: Motion for approval by Mr.  
10 Cambron.

11 MS. DIXON: Second.

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

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

16 CHAIRMAN: Motion carries unanimously,  
17 with Mr. Jagoe being excused.

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19 MINOR SUBDIVISIONS

20 ITEM 13

21 2221 US 60 East, 308 Brown Court, 1.456 acres  
22 Consider approval of minor subdivision plat.  
23 Applicant: William T. Westerfield

24 MR. NOFFSINGER: Mr. Chairman, this plat  
25 comes to the Planning Commission as an exception. I  
believe Ms. Stone is here to describe what is taking

1 place.

2 MR. ELLIOTT: State your name, please.

3 MS. STONE: Becky Stone.

4 (MS. BECKY STONE SWORN BY ATTORNEY.)

5 MS. STONE: The applicant is proposing to  
6 divide an existing lot at this location. It's zoned  
7 R-1A. The lot that they're proposing to divide does  
8 not meet the requirement for the minimum area. It's  
9 about 7700 square feet with the other lot being over  
10 10,000 square feet. Because of how the garage is  
11 positioned it's forcing that property line back a  
12 little further on the property. They could get closer  
13 than that if it weren't for that existing building  
14 there; however, they are here to present evidence that  
15 this is typical of lot pattern divisions in the  
16 neighborhood. If the Board finds that this is a  
17 typical lot division, they could approve this lot in  
18 this location with the square footage. I think Mr.  
19 Riney is here to represent the client.

20 MR. ELLIOTT: State your name, please.

21 MR. RINEY: Jim Riney.

22 (MR. JIM RINEY SWORN BY ATTORNEY.)

23 MR. RINEY: If you all give me a minute,  
24 let me pass out a handout. A picture is worth a  
25 thousand words.

1                   What we have color-coded there is just a  
2 simple representation of lots within the Brown  
3 Court/Hubert Court area that are less than 10,000  
4 square feet.

5                   The basis of this is the standard  
6 neighborhood map, the map that's in the Planning  
7 Office. There are ten lots there that are shaded in  
8 yellow. Those lots represent lots that vary in an  
9 area from about 7700 square feet up to about 9900  
10 square feet. All of them obviously less than then  
11 10,000, which is the criteria.

12                   The orange represents the area where the  
13 Westerfield, the lot in question is situated. It just  
14 happened to be just off the break on this particular  
15 map. At least you can get a relative perspective.

16                   Obviously there are a substantial number  
17 of lots that are less than the 10,000 square feet  
18 historically. They were either created or developed.  
19 I don't have the history on each lot, but we do know  
20 that the pattern exist within the neighborhood. When  
21 we reviewed this with Staff, they felt like there was  
22 more than abundant number to establish that historic  
23 pattern.

24                   With that we would ask that you consider  
25 this approval. All urban services are available to

1 the two sites. We request your approval for the lot  
2 division as proposed.

3 MR. JAGOE: I have a question.

4 CHAIRMAN: Yes, sir, Mr. Jagoe.

5 MR. JAGOE: Is the south line, southwest  
6 line maybe, is that the rear line? Is there a setback  
7 there? Would there be a rear yard setback?

8 MR. APPLEBY: Be the west.

9 MR. JAGOE: The west line.

10 MR. RINEY: On the west line there is a  
11 rear yard setback. Typically we don't show those on  
12 the plat, but normally in that zone it would be 20  
13 feet.

14 MR. JAGOE: That's considered the rear  
15 yard setback there?

16 MR. RINEY: Yes, sir, for the 100 foot  
17 wide lot. The lot was to the north toward the river.  
18 I'm just making sure I'm understanding your question.

19 CHAIRMAN: Mr. Cambron, do you have a  
20 question?

21 MR. CAMBRON: I'm just curious. What's  
22 the purpose of the division?

23 MR. RINEY: Mr. Westerfield and his wife  
24 are elderly and have some health situations. His son,  
25 David Westerfield, has sold his home and wants to move

1 and build here so he can take care of his mother and  
2 father. Even David's wife has some health problems.  
3 They're all getting to be - - it's a family situation,  
4 but it creates a separate lot.

5 MR. CAMBRON: Are they going to put a  
6 mobile home there or what?

7 MR. RINEY: No, sir. They're going to  
8 build a home. He's been working with some home  
9 planners.

10 MR. CAMBRON: Not that I care.

11 MR. RINEY: It will be a constructed home,  
12 yes, sir.

13 MR. JAGOE: Is Chair ready for a motion?

14 CHAIRMAN: Chair is ready for a motion,  
15 Mr. Jagoe.

16 MR. JAGOE: Move to approve.

17 CHAIRMAN: Motion for approval by Mr.  
18 Jagoe.

19 MR. CAMBRON: Second.

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

22 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23 CHAIRMAN: Motion carries unanimously.

24 Next item, please.

25 MR. NOFFSINGER: You're ready for one

1 final motion.

2 CHAIRMAN: We're ready for one final  
3 motion.

4 MS. DIXON: Move to adjourn.

5 CHAIRMAN: Motion for adjournment by Ms.  
6 Dixon.

7 SISTER VIVIAN: Second.

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

10 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

11 CHAIRMAN: We are adjourned.

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

3 I, LYNNETTE KOLLER, Notary Public in and for  
4 the State of Kentucky at Large, do hereby certify that  
5 the foregoing Owensboro Metropolitan Planning & Zoning  
6 meeting was held at the time and place as stated in  
7 the caption to the foregoing proceedings; that each  
8 person commenting on issues under discussion were duly  
9 sworn before testifying; that the Board members  
10 present were as stated in the caption; that said  
11 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 24 typewritten pages; and that no signature  
15 was requested to the foregoing transcript.

16 WITNESS my hand and notarial seal on this  
17 the 23rd day of November, 2004.

18

19

\_\_\_\_\_  
LYNNETTE KOLLER, NOTARY PUBLIC  
OHIO VALLEY REPORTING SERVICE  
202 WEST THIRD STREET, SUITE 12  
21 OWENSBORO, KENTUCKY 42303

22 COMMISSION EXPIRES:  
DECEMBER 19, 2006

23

24 COUNTY OF RESIDENCE:  
DAVIESS COUNTY, KENTUCKY

25