

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 JULY 12, 2007

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 5:30 p.m. on Thursday, July
5 12, 2007, at City Hall, Commission Chambers,
6 Owensboro, Kentucky, and the proceedings were as
7 follows:

8 MEMBERS PRESENT: Drew Kirkland, Chairman
9 Becky Stone
10 Judy Dixon
11 Dave Appleby
12 Scott Jagoe
13 Tim Miller
14 Wally Taylor
15 Keith Evans
16 Madison Silvert, Attorney

17 * * * * *

18 CHAIRMAN: I would like to call our meeting to
19 order. Let us stand for our invocation.

20 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

21 CHAIRMAN: Our first order of business is to
22 consider the minutes of the June 12, 2007 meeting.
23 Are there any corrections, additions?

24 (NO RESPONSE)

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

MS. DIXON: Move to approve.

CHAIRMAN: Motion for approval by Ms. Dixon.

MR. EVANS: Second.

1 CHAIRMAN: Second by Mr. Evans. All in favor
2 raise your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: Motion carries unanimously.

5 Next item.

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7 ZONING CHANGES

8 ITEM 2

9 915, 917, 919 Frederica Street, 225 West 10th Street,
0.55 acres

10 Consider zoning change: From I-1 Light Industrial to
B-2 Central Business

11 Applicant: Owensboro Museum of Fine Art Foundation,
12 Inc.

13 MR. SILVERT: State your name, please.

14 MR. HOWARD: Brian Howard.

15 (MR. BRIAN HOWARD SWORN BY ATTORNEY.)

16 PLANNING STAFF RECOMMENDATIONS

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

22 CONDITIONS:

23 1. No access shall be permitted to Frederica
24 Street;

25 2. Access to West 10th Street shall be

1 located a minimum of 50 feet from the Frederica Street
2 right-of-way;

3 3. All vehicular use areas shall be paved;
4 and,

5 4. A plat shall be submitted to the OMPC to
6 consolidate the four separate tracts.

7 FINDINGS OF FACT:

8 1. The subject property is located in a
9 Central Business Plan Area where central business uses
10 are appropriate in general locations;

11 2. The request meets the specific criterion
12 of the Comprehensive Plan in that the use of the
13 property will be non-residential in nature;

14 3. The subject property will be used as part
15 of the Owensboro Museum of Fine Art which is located
16 immediately north of the subject property and is
17 currently zoned B-2; and,

18 4. The proposed zoning of B-2 Central
19 Business is a more appropriate zone within the Central
20 Business Plan Area than the existing I-1 Light
21 Industrial zone.

22 MR. HOWARD: We would like to enter the Staff
23 Report into the record.

24 MS. STONE: We would want to also announce
25 that this zoning recommendation that the Planning

1 Commission makes will become final in 21 days. If the
2 recommendation is for approval, it will approved
3 unless someone files an application with the city to
4 hear it and decide the application under our new
5 regulations..

6 CHAIRMAN: Thank you, Ms. Stone. Appreciate
7 you sitting in for Mr. Noffsinger who is on vacation.
8 Thank you very much.

9 Are there any questions?

10 (NO RESPONSE)

11 CHAIRMAN: Any questions from the audience?

12 (NO RESPONSE)

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

15 MR. APPLEBY: Motion for approval based on the
16 Staff Recommendations with Conditions 1 through 4 and
17 Findings of Fact 1 through 4.

18 CHAIRMAN: Motion for approval by Mr. Appleby.

19 MS. DIXON: Second.

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

22 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23 CHAIRMAN: Motion carries unanimously.

24 Next item, please.

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DEVELOPMENT PLAN

ITEM 3

205, 213 West Fourth Street, 0.03 +/- acres
Consider approval of final development plan.
Applicant: George and Glenda Thacker

MS. STONE: This is an existing building located at 205 West Fourth Street. The applicant is proposing to do a residential use on the first floor of this building. It currently has a residence above.

With the change in use, they are required to provide two parking spaces, which they're not able to locate on the lot. So this development plan ties two spaces from an adjacent building parking lot to service the required parking for this lot.

With that it's in order and ready for your approval.

CHAIRMAN: Are there 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.

MS. DIXON: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 CHAIRMAN: Motion carries unanimously.

2 Next item, please.

3 (MR. TIM MILLER JOINS OMPC MEETING AT THIS
4 TIME.)

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6 MAJOR SUBDIVISIONS

7 ITEM 4

8 The Village of Heartland, Phase 2, Units 405-413,
415-422, 2.181 acres
9 Consider approval of major subdivision final plat.
Surety (Certificate of Deposit) posted: \$10,577.00
10 Applicant: Jagoe Development, LLC

11 MS. STONE: The plat has been reviewed by the
12 Staff. It is in order. It meets all the zoning
13 ordinance and subdivision requirements. It's ready
14 for your consideration.

15 MR. JAGOE: Mr. Chairman, I need to disqualify
16 myself.

17 CHAIRMAN: Let the record show that Mr. Jagoe
18 is disqualifying himself.

19 Is there a motion for approval from Mr.
20 Miller?

21 MR. MILLER: Motion to approve.

22 CHAIRMAN: Mr. Miller has a motion for
23 approval. Is there a second?

24 MR. APPLEBY: Second.

25 CHAIRMAN: Second by Mr. Appleby. All in

1 favor raise your right hand.

2 (ALL BOARD MEMBERS PRESENT - WITH THE
3 DISQUALIFICATION OF SCOTT JAGOE - RESPONDED AYE.)

4 CHAIRMAN: Motion carries unanimously.

5 Next item, please.

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7 MINOR SUBDIVISIONS

8 ITEM 5

9 9039, 9051 Wall Road, 18.647 acres
10 Consider approval of minor subdivision plat.
11 Applicant: Loyd Bartlett

12 MS. STONE: This plat comes before you because
13 it takes an 18 acre tract and proposes to create two
14 tracts, neither of which meet the three to one ratio.
15 However, it is a large tract of property and there
16 would not be -- they could divide less than a nine
17 acre tract and meet the three to one ratio, but it's a
18 pretty even division of the property. I think the
19 applicant is here to explain what their division
20 entails.

21 CHAIRMAN: Does the applicant have a comment
22 that they'd like to make?

23 If you have a comment, you must come to the
24 podium and be sworn in. If you do not have a comment

25 --

26 APPLICANT REP: I don't have a comment.

1 CHAIRMAN: Are there any questions?

2 (NO RESPONSE)

3 CHAIRMAN: If there are no questions, the
4 chair is ready for a motion.

5 MR. APPLEBY: Motion for approval.

6 CHAIRMAN: Motion for approval by Mr. Appleby.

7 MR. TAYLOR: Second.

8 CHAIRMAN: Second by Mr. Taylor. All in favor
9 raise your right hand.

10 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

11 CHAIRMAN: Motion carries unanimously.

12 Is there anything else?

13 MS. STONE: That's all I have on the agenda.

14 CHAIRMAN: If there are no other items on the
15 agenda, the chair is ready for one final motion.

16 MS. DIXON: Move to adjourn.

17 CHAIRMAN: Motion to adjourn by Ms. Dixon.

18 MR. EVANS: Second.

19 CHAIRMAN: Second by Mr. Evans. All in favor
20 raise your right hand.

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: Motion carries unanimously.

23 We are adjourned.

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25

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 30 typewritten pages; and that no signature
15 was requested to the foregoing transcript.

16 WITNESS my hand and notary seal on this the
17 2nd day of August, 2007.

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

23

COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

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