The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, November 8, 2007, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT:  Drew Kirkland, Chairman
                     Gary Noffsinger
                     Judy Dixon
                     Dave Appleby
                     Scott Jagoe
                     Tim Miller
                     Jimmy Gilles
                     Irvin Rogers
                     Wally Taylor
                     Keith Evans
                     Martin Hayden
                     Madison Silvert, Attorney

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CHAIRMAN:  I would like to welcome everyone to the November 8, 2007, Owensboro Metropolitan Planning and Zoning Commission.

Would you please rise and our invocation will be given by Mr. Jagoe.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN:  Our first order of business is to consider the minutes of the October 11, 2007 meeting. Are there any questions, corrections, additions?

(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. 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, Mr. Noffsinger.

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ZONING CHANGES

ITEM 2

2401 Grimes Avenue, 2.79 +/- acres
Consider zoning change: From I-1 Light Industrial to
I-2 Heavy Industrial
Applicant: Dennis A. Knott Testamentary Trust, et al

MR. SILVERT: State your name, please.

MR. HOWARD: Brian Howard.

(MR. BRIAN HOWARD SWORN BY ATTORNEY.)

MR. HOWARD: Before I enter the Staff Report
into the record, I would like to note that the
rezonings for tonight of the meeting will become final
21 days after the meeting tonight unless a petition is
filed by an agreed person or the appropriate
legislative body. It would require approval from the
First is an amended Staff Report. The Staff Report is amended due to the need for truck maneuvering on site. I'll read that into the record at this point.

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. A consolidation plat shall be submitted to the OMPC to consolidate the subject property;

2. The existing access on the west side of the property should remain as is in order to provide sufficient room for truck maneuvering. The 120 foot plus opening on the east side of the property should be narrowed to a 50 foot maximum width as far east along the property frontage as possible. Curb and gutter along with a grass strip shall be restored along the remainder of the frontage;

3. The entire storage area around the wrecking yard must be screened with a 10 foot easement with an eight foot continuous wall or fence with one
tree every 40 feet; and,

4. Vehicles stacked within the storage yard shall not exceed the height of the fence.

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 Comprehensive Plan recognizes the need for both light and heavy industrial uses within industrial parks;

3. The subject property is an integral part of the industrial area including and surrounding the East Industrial Park;

4. The proposed rezoning does not expand the extent of the industrial area, but merely increases the potential intensity of uses of the subject property;

5. The subject property is located away from the fringes of the industrial area and does not adjoin any incompatible land uses; and,

6. Although not adjacent, the subject property is close to existing I-2 Heavy Industrial zoning to the north and east.

MR. HOWARD: We would like to enter the Staff Report into the record as Exhibit A.
CHAIRMAN: Is there anybody representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Does anybody 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 based on Staff Recommendations with Conditions 1 through 4 and Findings of Fact 1 through 6.

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.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 3

1937 Leitchfield Road, 2050 East Parrish Avenue, 3.46 acres
Consider zoning change: From A-U Urban Agriculture and P-1 Professional/Service to P-1 Professional/Service
Applicant: Dale Buskill, SMB Properties, LLC

MR. NOFFSINGER: Mr. Chairman, I have a letter from Steven Block with SMB Properties and Dale Buskill asking that you consider postponing hearing on this matter until the December meeting of the Planning Commission.

There may be some folks in the audience here wishing to speak tonight. If you do decide to postpone, that needs to come before a vote.

CHAIRMAN: There's been a request for a postponement. Do we have a motion?

MR. MILLER: So moved.

CHAIRMAN: Motion by Mr. Miller.

MR. JAGOE: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 4

1711 East Parrish Avenue, 1.51 +/- acres
Consider zoning change: From I-1 Light Industrial to P-1 Professional/Service
Applicant: Brio, LLC, Lloyd E. Hinton

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:

The existing access to East Parrish Avenue shall be closed and access shall be limited to Wing Avenue.

FINDINGS OF FACT:

1. The subject property is located in an Industrial Plan Area where professional/service uses are appropriate in limited locations;

2. The character and use of the property will be nonresidential;

3. The proposed professional/service use will serve as a buffer of the adjoining industrial uses and is located on the fringes of the industrial use;

4. The subject property is major-street oriented with frontage on East Parrish Avenue;

5. The property is over one acre in size;

and,

6. With no access to East Parrish Avenue, the rezoning should not overburden the capacity of roadway and other necessary urban services that are available in the affected area.
MR. HOWARD: We would like to enter the Staff Report into the record as Exhibit B.

CHAIRMAN: Is there anybody representing the applicant?

MR. CAMBRON: Yes.

CHAIRMAN: Does anybody have any questions of the applicant?

(NO RESPONSE)

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

Yes, sir.

MR. CAMBRON: I would like to say something if I could, Mr. Chairman.

CHAIRMAN: Step forward, please.

MR. SILVERT: State your name, please.

MR. CAMBRON: Nick Cambron.

(MR. NICK CAMBRON SWORN BY ATTORNEY.)

MR. CAMBRON: Mr. Chairman, my client was looking at this property to purchase, but he did not realize that the entrance on Parrish Avenue would need to be closed. It's really going to be detrimental to his construction on this property.

As we look back, this entrance to this property was already designed and engineered back in '87 by the state. We would like to take a second look
at this and not be able to have to close the entrance of Parrish. I would be glad to answer any questions from any commissioners.

    CHAIRMAN: Mr. Cambron, how wide is the entrance there?

    MR. CAMBRON: The entrance is 39 feet, Mr. Chairman.

    CHAIRMAN: You're requesting that instead of that entrance being closed that entrance remain open?

    MR. CAMBRON: Yes, sir. Due to what Dr. Briones is going to be building there, he will need two entrances to be able to leave the property as soon as possible. One is going to be an OB-GYN doctor so they need to be able to leave in case one entrance is closed. So he'll have one already on Wing Avenue, but he's like to have this one here because it's part of the design. He had no idea going into this that this entrance would possibly have to be closed.

    CHAIRMAN: Thank you, Mr. Cambron. Let me bring Mr. Howard back to the mike.

    Mr. Howard, would you address Mr. Cambron's concerns about the closing of that entrance on Parrish Avenue?

    MR. HOWARD: Certainly.

    As it was mentioned in the Staff Report and as
our condition stated, Staff would feel that, and we do this with any rezoning that comes forwards.
Properties currently zoned light industrial that are proposing a professional/service zone, the Access Management Manual would dictate that no access should be approved in this location as the property redevelops. That was the reason that we made the condition.

With access on Wing Avenue, the access, since the Access Management Manual would typically dictate that access would be limited to the street of lower classification. Parrish Avenue is a major.

One other concerns that we had as well is that if you're familiar with the site, that it's kind of in a curve and it's kind of downhill, which we had questions as to whether or not that would be the safest location for a drive. Mainly just due to the fact that the Access Management Manual would dictate that it be closed as it redevelops.

CHAIRMAN: Mr. Howard, would you say that the Staff's position is really dictated more by the manual than by the situation that this entrance there? I am familiar with the property. This entrance there has been there since '89 or whenever the state came in and did the road, made the improvements, and put the
MR. HOWARD: Right. The access Management Manual, if I remember right, was adopted in 1991. Yes, the recommendation was based solely upon that. We didn't have a development plan or any other type of plan submitted that we could base the judgment on that it might be an acceptable location due to traffic flow and things like that. That's why we made the recommendation that we did.

CHAIRMAN: My question would have to be back to the original statement. It's been there in that curve for 18 years. I can certainly see the applicant's point of view. It is there. If has been there. It has operated and has functioned for quite some time.

MR. HOWARD: Certainly. The Planning Commission has every right to approve the access point if you choose to go against what would be recommended in the access manual. As far as its use, when I was out posting the signs it's actually physically blocked off at this point. So I don't know to the extent of its use at present, but you do have the ability to disregard that condition if you choose.

CHAIRMAN: Does the Staff have any real extensive reason, other than the manual reasons for
not?

MR. HOWARD: No.

CHAIRMAN: Thank you.

Does anybody else have any questions? I was just concerned that was there.

Mr. Miller.

MR. MILLER: If there a possibility for a deceleration lane there or is the property limited such that there's not room for that?

MR. HOWARD: I don't have the drawing.

MR. CAMBRON: Here.

MR. HOWARD: You're looking at approximately 200 feet from the edge of the drive to their property line. Typically, and I say typically a lot would depend upon speed and the engineering of it, which I wouldn't want to speak necessarily. A lot of times you'll see the decel lane and the neighborhood of 180 foot worth of full width and then a 100 foot taper or 180 foot taper depending upon speed. There could be some potential for that, but I don't know how it might be engineered into the curb and into the site. An engineer would be better suited to answer that.

CHAIRMAN: Does anybody else have any other questions of Mr. Howard?

MR. APPLEBY: Have you got a preliminary
development plan? Do you know how it's going to lay on the lot?

MR. HOWARD: We don't have any type of plan.

CHAIRMAN: Does anybody else have any other questions of Mr. Howard?

(NO RESPONSE)

CHAIRMAN: I want to ask one more question of the person representing the applicant.

MR. CAMBRON: Yes.

CHAIRMAN: Mr. Cambron, obviously we're wanting to encourage development and encourage property improvement, which this would obviously be for that piece of property. Would the applicant be able to operate with the one entrance and exit without having Parrish Avenue exit the situation for them?

MR. CAMBRON: Not really because the other entrance and exit, however you want to call it, coming off Wing Avenue is only -- just one second. It's a shared entrance that's only 20 foot wide. I've got a diagram if you all would like to see it. I'll be more than happy to show it to you.

MR. NOFFSINGER: I have a question.

CHAIRMAN: Mr. Noffsinger.

MR. NOFFSINGER: Are there any other access points to Parrish Avenue in this location or are they
limited to the intersecting side streets?

MR. CAMBRON: I'm sorry?

MR. NOFFSINGER: What's the character of the access in this particular area? Is this the only access point on Parrish Avenue or --

MR. CAMBRON: That is correct, yes.

MR. NOFFSINGER: -- are there some across the street?

MR. CAMBRON: There are some across the street, yes.

MR. APPLEBY: That Wholesale Petroleum have two access points right across the street there on East Parrish Avenue?

MR. CAMBRON: Yes. The Country Cupboard I think, but it has two access points along with the petroleum company there also.

MR. NOFFSINGER: Does that property have access to I guess it's Wing Avenue as well?

MR. CAMBRON: Which one?

MR. NOFFSINGER: Petroleum..

MR. CAMBRON: Yes, it does.

MR. NOFFSINGER: To Wing and to Parrish?

MR. CAMBRON: Yes. Wing Avenue access that they have is almost 35, maybe 40 foot wide. It's pretty wide there.
CHAIRMAN: You've one 20-foot entrance there on Wing Avenue? Is that what it was, Mr. Cambron?

MR. CAMBRON: Yes. It's actually a 50 foot entrance, but the property line splits it and allows over 20 foot on the property that we're discussing tonight.

MR. APPLEBY: Would your access point line with one of those access points across the road?

MR. CAMBRON: It's real close. It is real close. I don't think I brought that diagram.

I do have the diagram here. Can I approach, please?

CHAIRMAN: Come forward.

MR. NOFFSINGER: Mr. Chairman, I have one more question of Mr. Cambron.

What about the property adjoining this to the east, RWRA? Have you looked at maybe sharing an access point with them if they don't have one to Parrish Avenue?

MR. CAMBRON: Well, the issue comes in -- I mean it's a possibility, but the issue is that on the diagram that you probably have submitted with the application you'll see that there's drainage already been constructed by the state there. There's really not an easy way to make that happen.
RWRA seem to have two entrances. One on to Parrish there and one on Grimes Avenue, but it looks like as the state was engineering that, I can't understand why they allowed for an entrance there for RWRA just right beside it because they were engineering entrances on the property as it laid along Grimes Avenue. There was never an entrance there.

I have the construction plan from '87, I think it is, that shows the original entrances off of Grimes Avenue.

CHAIRMAN: How wide is the original entrance off of Parrish Avenue, Mr. Cambron?

MR. CAMBRON: The one we're talking about tonight?

CHAIRMAN: Yes.

MR. CAMBRON: It's about 39 foot. The original entrance that was on that property in '87 off of Grimes was 30 feet.

CHAIRMAN: So you're actually losing the 39 plus 10 of the 30 foot?

MR. CAMBRON: That is correct.

CHAIRMAN: You'd be willing to say with the 20 foot on to Wing Avenue, but you're requesting that we allow you to add the 39 foot onto East Parrish Avenue; is that correct?
MR. CAMBRON: Yes. It's already been engineered there. It already has the report for it. Everything seems to be ready for that entrance other than just going there and doing their -- providing development plan within the next month or so.

CHAIRMAN: Mr. Noffsinger.

MR. NOFFSINGER: I have one final question. Mr. Cambron, are you telling this commission that each lot fronting Parrish Avenue currently has an access point onto East Parrish Avenue that we see in the exhibit drawing?

MR. CAMBRON: Yes. I can show you that on another diagram here too if you'd like me to.

MR. NOFFSINGER: If this access point is to be close, then this would be the only lot that is --

MR. CAMBRON: That is correct. The only lot.

CHAIRMAN: Mr. Appleby.

MR. APPLEBY: Chair ready for a motion?

CHAIRMAN: Yes, sir.

MR. APPLEBY: I make a motion for approval based on Staff's Recommendations, but without the condition in light of the fact that all existing lots both across the street and adjoining this property have access to East Parrish Avenue. I'd like to remove that condition, but with the Findings of Fact
CHAIRMAN: Would you sort of clean up your motion a little bit.

MR. APPLEBY: Make a motion for approval based on Staff's Recommendation without the condition and based on Findings of Fact 1 through 6. One through five, I guess. We drop six. We drop Findings of Fact Number 6.

MR. NOFFSINGER: Excuse me.

MR. HAYDEN: Leave the entrance like it is is what you're saying?

MR. NOFFSINGER: You could leave six, but take out "with no access to East Parrish Avenue." Just Number 6 says, "The rezoning should not overburden the capacity of roadways," if that's your finding.

MR. APPLEBY: That's what I'm finding.

MR. NOFFSINGER: Under his motion they would be allowed to keep the access point onto East Parrish Avenue.

CHAIRMAN: Would it be easier to say with Findings of Facts 1 through 5 omitting?

MR. APPLEBY: One through six. Number 6 is amended to read "The rezoning should not overburden the capacity of roadways and other necessary urban services that are available in the affected area."
MR. NOFFSINGER: That's correct.

CHAIRMAN: Everybody on the commission understand Mr. Appleby's motion. The chair will entertain a second.

MR. HAYDEN: I'll second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The motion carries unanimously.

Next item, please.

ITEM 5

1501 West Second Street, 1.32 +/- acres
Consider zoning change: From B-4 General Business with conditions to B-4 General Business
Applicant: FD Sturgis, LLC

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. An ingress/egress easement shall be provided to the adjoining property to the west to provide future interconnection as shown on the development plan submitted in conjunction with the
rezoning;

2. A ten foot landscape buffer with a six foot element and one tree every 40 feet shall be installed along the entire west property line where adjoining residential zoning; and,

3. Due to the proximity to existing residential zones, all lighting for the subject property shall be directed away from the residential property to reduce the glare and impact on the lighting on the residential uses.

FINDINGS OF FACT:

1. The subject property is partially located in a Business Plan Area where general business uses are appropriate in limited locations and partially located in a Central Residential Plan Area where general business uses are appropriate in very limited locations;

2. The proposed use of the property as a Dollar Store will be nonresidential in use;

3. The subject property is currently completely zoned B-4 General Business; and,

4. The elimination of two access points along the West Second Street road frontage and the ingress/egress easement provided to the property to the west for future interconnection will bring the
site significantly more in compliance with the standards of the Access Management Manual.

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

CHAIRMAN: Is somebody here representing the applicant?

MR. KAMUF: We're here. Also have the developer here in case there's any questions.

CHAIRMAN: Does anybody have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody on the commission have any questions of the applicant?

(NO RESPONSE)

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

MR. ROGERS: Motion for approval based on Planning Staff Recommendations, Conditions 1, 2 and 3 and Findings of Fact 1 through 4.

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

MR. APPLEBY: Second.

CHAIRMAN: We have a second by Mr. Appleby.

All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
CHAIRMAN: Motion carries unanimously.

Next item, please.

Related Item:

ITEM 5A

1501 West Second Street, 1.32 +/- acres
Consider approval of final development plan.
Applicant: FD Sturgis, LLC

MR. NOFFSINGER: Mr. Chairman, this plan has been reviewed by the Planning Staff and Engineering Staff. It's found to be consistent with the proposed land use as well as the adopted comprehensive plan, subdivision regulations and zoning ordinance.

CHAIRMAN: Is anybody here representing the applicant?

MR. KAMUF: Yes. If you have any questions, we're here to answer them.

CHAIRMAN: Thank you, Mr. Kamuf. I don't think we need to swear him in, Mr. Silvert.

MR. SILVERT: No.

CHAIRMAN: Does anybody have any question of the applicant?

(NO RESPONSE)

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

MR. MILLER: Motion to approve.
MR. APPLEBY: Second.

CHAIRMAN: Motion for approval by Mr. Miller.

We've got a second by Mr. Appleby. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 6

9664 KY 144, 13 +/- acres
Consider zoning change: From R-1A Single-Family Residential to A-U Urban Agriculture
Applicant: Frances T. Ballard

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 Community Plan Area, where rural small-lot residential uses and agricultural/forestry uses are appropriate in general locations;

2. The subject property has road frontage on a publicly maintained roadway; and,

3. At 13 +/- acres in size, the subject property is large enough to accommodate an on-site
MR. HOWARD: We would like to enter the Staff Report into the record as Exhibit D.

CHAIRMAN: Is anybody here representing the applicant?

(NO RESPONSE)

CHAIRMAN: Does anybody have any questions?

(NO RESPONSE)

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

MR. HAYDEN: I make a motion to approve with the Staff Recommendations and Findings of Fact 1 through 3.

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

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.

COMBINED DEVELOPMENT PLAN/MAJOR SUBDIVISIONS

ITEM 7

Independence Heights, 9.27 acres
Consider approval of major subdivision preliminary plat/final development plan.
Applicant: Independence Heights, LTD; Kenneth & Kelly Westerfield

MR. NOFFSINGER: Mr. Chairman, this plan has been reviewed by the Engineering Staff and Planning Staff. It's found be in order. It has been reviewed for consistency with the adopted comprehensive plan as well as the adopted zoning ordinance and subdivision regulations.

CHAIRMAN: 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.

MS. DIXON: Move to approve.

MR. TAYLOR: Second.

CHAIRMAN: Motion for approval by Ms. Dixon. Second by Mr. Taylor. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.
MAJOR SUBDIVISIONS

ITEM 8

Heartland, Phase III, 17.76 acres
Consider approval of amended major subdivision
preliminary plat.
Applicant: Jagoe Development, LLC

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 adopted comprehensive plan as well as the zoning
ordinance and subdivision regulations.

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

CHAIRMAN: Let the record show Mr. Jagoe
disqualified himself.

Anybody here representing 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. MILLER: Second.

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

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

CHAIRMAN: Motion carries unanimously.

NEW BUSINESS

ITEM 9

Consider approval of 2008 Filing Dates and Deadlines

MR. NOFFSINGER: Mr. Chairman, each member has been mailed a copy of our 2008 calendar. You'll notice that you'll have back to back meetings with the Board of Adjustment on April 10th and January 8th. The April meeting is due to scheduling during KEA week or spring break. The January 8th is due to the new years following January 1. Board of Adjustment will not meet on that holiday.

We'll take care of the logistics a little closer to time, but the rest of it is keeping with the second Thursday of each month.

Ready for your approval.

CHAIRMAN: Are there any questions by any of the commissioners?

(NO RESPONSE)

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

MS. DIXON: Move to approve.

CHAIRMAN: Motion to approve 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.

I believe we're ready for one final motion.

MS. DIXON: Move to adjourn.

CHAIRMAN: Motion for adjournment by Ms. Dixon.

MR. GILLES: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We're adjourned.

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

I, LYNNETTE KOLLER FUCHS, Notary Public in and for the State of Kentucky at Large, do hereby certify that the foregoing Owensboro Metropolitan Board of Adjustment 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 28 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 4th day of DECEMBER, 2007.

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

COMMISSION EXPIRES: DECEMBER 19, 2010
COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY