The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, June 12, 2008, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Drew Kirkland, Chairman
Judy Dixon, Vice Chairman
David Appleby, Secretary
Gary Noffsinger, Director
Madison Silvert, Attorney
Tim Miller
Irvin Rogers
Wally Taylor
Keith Evans
Rita Moorman

* * * * * * * * * * * * * * * * *

CHAIRMAN: Want to welcome everyone to the June 12, 2008, Owensboro Metropolitan Planning Commission meeting. Would you please rise. Our invocation will be given by Ms. Moorman.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Our first order of business we're going to recognize Mr. Gary Noffsinger. This is his 20th year of service to the Owensboro Metropolitan Planning Commission.

Our next order of business is to consider the minutes of the May 8th meeting. Are there any
additions, corrections?

(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. EVANS: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

----------------------------------------------

ZONING CHANGES

ITEM 2

300 Ewing Road, 0.689 acres
Consider zoning change: From B-4 General Business to B-5 Business/Industrial
Applicant: Johnny Goodman; Kenneth L. & Sherry D. Crandall

MR. SILVERT: State your name, please.

MR. HOWARD: Brian Howard.

(BRIAN HOWARD SWORN BY ATTORNEY.)

MR. HOWARD: As a reminder, all the rezonings that are on the agenda tonight, the Planning Commission's recommendation will become final 21 days after the meeting, unless an appeal is filed. The
appeal forms are on the back table and they're available in our office or they're available on-line.

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. Access to Ewing Road shall be limited to a single access point; and,

2. The minimum dimension of the paved drive should be 50 feet from the edge of pavement on Ewing Road to the entrance gate of the storage area to prevent gravel from spilling out into the road and to prevent vehicles entering the site from blocking traffic on Ewing Road.

FINDINGS OF FACT:

1. The subject property is located within a Business/Industrial Plan Area, where general business and light industrial uses are appropriate in general locations;

2. The subject property lies within an existing area of mixed industrial and commercial land uses;
3. The Comprehensive Plan provides for the continuance of mixed use areas; and,

4. The proposed land use for the subject property is in compliance with the criteria for a Business/Industrial Plan Area and a B-5 Business/Industrial zoning classification.

MR. HOWARD: I 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?

(NO RESPONSE)

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

MR. APPLEBY: Move to approve, Mr. Chairman, based on Staff Recommendations with Conditions 1 and 2 and Findings of Fact 1 through 4.

CHAIRMAN: We've got a 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 RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.
Next item, please.

ITEM 3

1518 Hall Street, 0.15 acres
Consider zoning change: From B-4 General Business to B-5 Business/Industrial
Applicant: Maurice L. Drury, Jr.

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 within a Business/Industrial Plan Area, where general business and light industrial uses are appropriate in general locations;

2. The subject property lies within an existing area of mixed industrial and commercial land uses;

3. The Comprehensive Plan provides for continuance of mixed use areas; and,

4. The proposed land use for the subject property is in compliance with the criteria for a Business/Industrial Plan Area and a B-5 Business/Industrial zoning classification.

MR. HOWARD: I would like to enter the Staff
Report into the record as Exhibit B.

CHAIRMAN: Do we have anybody here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions?

(NO RESPONSE)

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

MR. ROGERS: Motion for approval based on Planning Staff Recommendations with the Findings of Facts 1 through 4.

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

MR. APPLEBY: Second.

CHAIRMAN: 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 4

1900 Block River Road, 3500-4100 Blocks Griffith Station Road, 316.19 acres

Consider zoning change: From A-R Rural Agriculture and EX-1 Coal Mining to A-R Rural Agriculture

Applicant: Bon Harbor Hills II, LLC c/o Pat McNulty; Lisa C. Wimsatt

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:

CONDITIONS

Access to River Road shall be in compliance with the requirements of the access management manual.

FINDINGS OF FACT

1. The subject property is partially located in a Future Urban Plan Area, where agricultural/forestry uses are appropriate in general locations and partially located in an Industrial Plan Area, where agricultural/forestry uses are generally not recommended;

2. A small portion of the subject property is designated as prime agricultural farmland according to the "Important Farmlands" map created by the US Department of Agriculture Soil Conservation Service dated March 1980;

3. All strip-mining activity has been completed and all disturbed areas have been reclaimed as open grasslands and woodland; and,

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

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

CHAIRMAN: Do we have anybody representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the applicant?

(NO RESPONSE)

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

MS. DIXON: Move to approve based upon Planning Staff Recommendations with the Condition and Findings of Fact 1 through 4.

CHAIRMAN: Motion for approval by Ms. Dixon.

MR. TAYLOR: Second.

CHAIRMAN: Second by Mr. Taylor. 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 5
Bluegrass Professional Center, 2.171 acres (Postponed May 8, 2008)
Consider approval of major subdivision preliminary plat/final development plan.
Applicant: Steven Block/SMB Properties, LLC

MR. NOFFSINGER: Mr. Chairman, this plan has been reviewed by the Planning Staff and Engineering Staff. It's found to be in order. Its use is found to be consisted with the adopted comprehensive plan and the plan is in compliance with the adopted zoning ordinance and subdivision regulations.

CHAIRMAN: Do we have anybody representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the applicant?

(NO RESPONSE)

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

MS. DIXON: Move to approve.

MS. MOORMAN: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.
MAJOR SUBDIVISIONS

ITEM 6

Hunters Ridge, Unit 10, Lots 56-58, 61, 74, 3.336 +/- acres

Consider approval of major subdivision final plat.
Surety (Certificate of Deposit) posted: $63,498.10
Applicant: Hunters Ridge, LLC

MR. NOFFSINGER: Mr. Chairman, Planning Staff and Engineering Staff has reviewed this item. We find it to be in compliance with the adopted zoning ordinance and subdivision regulations. The proposed use is consistent with the underlying zone and the comprehensive plan.

CHAIRMAN: Anybody here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions?

(NO RESPONSE)

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

MR. MILLER: Move to approve.

CHAIRMAN: Motion for approval by Mr. Miller.

MR. APPLEBY: Second.

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

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

Next item, please.

----------------------------------------------

MINOR SUBDIVISIONS

ITEM 7

3970 Medley Road, 958 Turtle Creek Drive, 2.184 acres
Consider approval of minor subdivision plat.
Applicant: Joseph & Tamara Alvey; Shaun P. & Cheri L. Cecil

MR. NOFFSINGER: Mr. Chairman, this plat comes to you as an exception to the subdivision regulations in that one of the lots is being reduced in size and the other being increased in size. They both meet minimum square footage requirements; however, one of the lots will be extended beyond the depth to width ratio of three to one. That's provided for the subdivision regulations. However, they're doing this just to trade some property so one lot, I guess, will have a larger back yard than the other. They're not doing it to maximize the number of lots. Both lots are already existing lots of record. However, they're just changing the configuration of the two existing lots. I think with that Staff would recommend that you make an exception and approve the plat.

CHAIRMAN: Is anybody here representing the applicant?
APPLICANT REP: Yes.

CHAIRMAN: Does anybody 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. EVANS: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 8

1544, 1546 Yelvington Knottsville Road, 6.825 acres
Consider approval of minor subdivision plat.
Applicant: Steven W. & Delores A. Brown

MR. NOFFSINGER: Mr. Chairman, this plat comes to you as an exception to the subdivision regulation in that it will convert an existing tract of land that meets all the requirements of the subdivision regulation and turn it into two lots that would not meet the depth to width ratio of three to one. However, we have noted in the area there are some other lots that were created back several years ago that do not meet the three to one depth to width ratio
either. Although we're not excited about the narrow frontage and the large amount of depth that the lots will have, we do think it's one that you may consider and approve.

CHAIRMAN: Is anybody here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Do we have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Does the applicant want to make a statement?

APPLICANT REP: No.

CHAIRMAN: 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 RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

NEW BUSINESS

ITEM 9

Consider for approval FY 2009 OMPC budget and salary chart.
MR. NOFFSINGER: Mr. Chairman, each Planning Commissioner has been mailed a copy of this. I'm available to answer any questions which you might have.

CHAIRMAN: Does anybody have any questions of the budget?

(NO RESPONSE)

CHAIRMAN: Everybody has a chance to review it. If nobody has any questions, the chair is ready for a motion.

MS. DIXON: Move to approve.

CHAIRMAN: Motion for approval by Ms. Dixon.

MS. MOORMAN: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

I believe the chair is final for one final motion.

MS. DIXON: Move to adjourn.

CHAIRMAN: Motion for adjournment by Ms. Dixon.

MR. MILLER: Second.

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

CHAIRMAN: We are adjourned.

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

WITNESS my hand and notary seal on this the
26th day of June, 2008.

JANE BELCHER
OHIO VALLEY REPORTING SERVICES
202 WEST THIRD STREET, SUITE 12
OWENSBORO, KENTUCKY 42303

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