The Owensboro Metropolitan Board of Adjustment met in regular session at 6:00 p.m. on Thursday, October 4, 2001, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: C. A. Pantle, Chairman
                      Gary Noffsinger, Planning Director
                      Marty Warren
                      Ruth Ann Mason
                      Tim Miller
                      Stewart Elliott
                      Attorney

CHAIRMAN: Call the Owensboro Metropolitan Board of Adjustment to order.

The first item on the business is to consider the minutes of the July 5th meeting. They're on file in the office and have been checked. I don't think any mistakes have been found in them.

CHAIRMAN: Call the meeting of the Owensboro Metropolitan Board of Adjustment to order.

Want to welcome you all this evening. Lay down a few ground rules that we operate under. If you want to speak on any of the items on the agenda, you...
need to come to one of the microphones, be sworn in by
our attorney because the court reporter can get all it
down for the record. You'll have the opportunity to
speak on any item you wish.

First item on the agenda this evening is
to consider the minutes of the September 6th meeting.
They're on file in the office. They've been checked
and there doesn't seem to be any problems with them.
Hearing that what's the pleasure of the commission?

MR. MILLER: Motion to approve the
minutes.

CHAIRMAN: A motion has been made. Is
there a second?

MS. MASON: Second.

CHAIRMAN: Motion been made and a second.
All in favor say aye.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.
First item on the agenda, please, sir.

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CONDITIONAL USE PERMIT

ITEM 2

5691 West 5th Street Road, in an A-U zone
Consider request for a Conditional Use Permit in order
to construct a 30-foot by 40-foot garage building to
be used by the Gospel Kingdom Church.
Reference: Zoning Ordinance, Article 8, Section 8.2B4
Applicant: Gospel Kingdom Church, Steve M. Wills
Ohio Valley Reporting
(270) 683-7383
MR. NOFFSINGER: Mr. Chairman, this application has been advertised for public hearing at this time. All adjoining property owners of record have been notified. The application has been reviewed by the Planning Staff. It's found to be in order. It is an addition to an existing garage for the storage of lawn equipment and the church van. With that it's ready for your consideration.

CHAIRMAN: Has there been any objections or anything filed in the office?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Is there anyone in the audience wishing to speak in opposition to this particular item?

(NO RESPONSE)

CHAIRMAN: Is the applicant here? Do they have anything they want to add to it?

(NO RESPONSE)

CHAIRMAN: What's the board's wishes? Do you have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Chair will entertain a motion to dispose of the item.

MR. MILLER: Mr. Chairman, motion to approve the Conditional Use Permit since there are no
objections from any of the adjoining property owners and based on staff's recommendation.

CHAIRMAN: Is there a second?

MR. WARREN: Second.

CHAIRMAN: Motion been made and a second.

Is there any other discussion?

(NO RESPONSE)

CHAIRMAN: Hearing none all in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 3

11235 Grandview Road, in an A-R zone
Consider request for a Conditional Use Permit in order to construct a 30-foot by 30-foot addition to the existing church building.
Reference: Zoning Ordinance, Article 8, Section 8.2B4
Applicant: Dawson Memorial Baptist Church, c/o Jane Chrisler

MR. NOFFSINGER: Mr. Chairman, I have a letter in the file from the applicant's legal counsel asking this item be postponed and considered again at the next meeting of the Board of Adjustment which will be held on the first Thursday in November at the same time and same place. We do need to take a vote on postponement.

CHAIRMAN: We need a motion to postpone
the item. Chair will entertain a motion.

MS. MASON: I make a motion to postpone due to the applicant's request.

CHAIRMAN: Is there a second?

MR. MILLER: Second.

CHAIRMAN: Motion been made and a second. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously. It will be heard next month.

Next item, please, sir.

ITEM 4

815 Triplett Street, in a P-1 zone
Consider request for a Conditional Use Permit in order to use a room in The Enrichment Center to provide day-care service for an additional five (5) disabled school-age children, increasing the total number of children served on the site from 56 to 61.

Reference: Zoning Ordinance, Article 8, Section 8.2B3
Applicant: Wendell Foster's Campus for Developmental Disabilities, Inc.

MR. NOFFSINGER: Mr. Chairman, this application has been reviewed by the Planning Staff. It's found to be in order. It has been advertised for public hearing at this time and all adjoining property owners of record have been notified. With that it's ready for your consideration.

CHAIRMAN: Has there been any objections or anything filed in the office?

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(270) 683-7383
MR. NOFFSINGER: No, sir.

CHAIRMAN: Is there anyone in the audience wishing to speak in objection to this?

(NO RESPONSE)

CHAIRMAN: Does the applicant have anything they want to add on it.

MR. PFEIFER I'm Mark Pfeifer here if anyone has any questions.

(MR. PFEIFER SWORN BY ATTORNEY.)

CHAIRMAN: Does any board member have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Hearing none the Chair will entertain a motion to dispose of the item.

MR. MILLER: Mr. Chairman, motion to approve the Conditional Use Permit at 815 Triplett based on the information in the Conditional Use Permit application.

CHAIRMAN: Is there a second?

MS. MASON: Second.

CHAIRMAN: Any other discussion?

(NO RESPONSE)

CHAIRMAN: Hearing none all in favor raise your right hand.

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

Next item, please.

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VARIANCES

ITEM 5

1079 Southgate Drive, in an R-1A zone
Consider request for a Variance to reduce the front
building setback from 25 feet from the property line
to 20 feet from the property line, and to reduce the
rear yard setback from 20 feet from the property line
to 5 feet from the property line in order to place a
manufactured home on the property.
Reference: Zoning Ordinance, Article 8, Section
8.5.5(c), Section 8.5.5(e)
Applicant: Jay White, Don Pearson

MR. NOFFSINGER: Mr. Chairman, this
application has been advertised for public hearing at
this time. All adjoining property owners of record
have been notified. The application has been reviewed
by the Planning Staff. It's found to be in order.
This is for the replacement of an existing home on the
property out near I believe or on Carpenter's Lake.
The way the property is oriented with easements and
the bank or the access easement for Carpenter's Lake
it makes it very difficult for this property to be
developed and meet the setbacks. The applicant is
requesting a variance. We have prepared a
recommendation to you of approval and attached
findings to that. Should you consider this favorably,
you should make your recommendation based upon the attached findings. Those would need to be read into the record.

CHAIRMAN: Has there been any objections filed on this in the office?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Anyone in the audience wishing to object to this?

(NO RESPONSE)

CHAIRMAN: Is the applicant here? Do you want to add anything?

APPLICANT: No.

CHAIRMAN: Does any board member have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: You understand the conditions? We will read those in the record. You've been explained those already in the office?

APPLICANT: Yes.

CHAIRMAN: Chair will entertain a motion to dispose of the item.

MR. MILLER: Mr. Chairman, I'll make a motion that the variance be granted. The application of the building setback would create a situation where the applicant cannot use the property. Granting this
variance will not adversely affect the public health, safety or welfare; it will not alter the essential character of the general vicinity; it will not cause a hazard or a nuisance to the public; it will not allow unreasonable circumvention of the requirements of the zoning regulation. With the condition that the existing lots must be consolidated.

CHAIRMAN: Is there a second to the motion?

MR. WARREN: I'll make a second.

CHAIRMAN: A motion has been made and a second. Is there any other questions from the applicant concerning the condition?

APPLICANT: No.

CHAIRMAN: Any board member have any other questions?

(NO RESPONSE)

CHAIRMAN: Hearing none all in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please, sir.

ITEM 6

2969 Turfway Drive, in an R-1C zone Consider request for a Variance to reduce the front building setback from 25 feet from the property line
to 23 feet from the property line in order to bring an existing structure into conformance with the Zoning Ordinance requirements.

Reference: Zoning Ordinance, Article 8, Section 8.5.7(c)

Applicant: Thompson Homes, Inc.

MR. NOFFSINGER: Mr. Chairman, this application has been advertised for public hearing at this time. All adjoining property owners of record have been notified. The application has been reviewed by the Planning Staff and is found to be in order.

This is the second variance request to come before this board in the Down Subdivision within just a few short months.

The Planning Staff has reviewed the application, has reviewed the request. We are not making a favorable recommendation at this site due to the fact that we feel it will allow an unreasonable circumvention under the requirements of the zoning regulations in that adequate room was available on this property for the home that's located there to meet the setback. What has happened the builder has crowded that front setback line too close and in doing so and once the block is laid and whatnot has caused this encroachment. We feel that based upon the site plans that were submitted for the building permit that clearly indicated there was to be a 25-foot front
building setback line, that the granting of the variance would unreasonably circumvent the ordinance and should not be granted. With that it's ready for your consideration.

CHAIRMAN: Has there been any objections filed in the office?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Anyone in the audience wishing to object?

(NO RESPONSE)

CHAIRMAN: Is anyone here representing the applicant?

MR. DeARMOND: Yes.

CHAIRMAN: Would you come forward and state your name for the record and be sworn in, please.

MR. ELLIOTT: State your name, please.

MR. DeARMOND: Terry DeArmond.

(MR. DeARMOND SWORN BY ATTORNEY.)

CHAIRMAN: I have a question. Being the size of that lot, why do you need a setback? I know what you've got in the minutes and the application.

MR. DeARMOND: Again, as Gary said it's a human error, but it wasn't found until the mortgage company sent the survey team out to survey the...
property, closing the loan, at the time of closing.

It's like the last one. It's in a radius. It's going
down to a cul-de-sac. There is a retention basin on
one side and it's only really affecting one lot in
front of this which the way the street runs it's
really not going to affect or hinder view of
anything. There's little houses past this. Again,
it's going into a cul-de-sac, a radius. Retention
basin on the one side of this lot.

We've gone to extensive measures, and I
talked to Jim maybe and with Jim's recommendation
maybe when we put footers in maybe we need to have
Riney - Hale, Riney & Gilmore does our surveying - to
verify the setbacks to assure this is not happening
again. The other situation was the same thing. It
was in a cul-de-sac and a radius.

Tommy has taken a little weight off of our
foundation crew on the back side to try to assure on
our part that they watch. Our superintendent is going
to double check before any foundations are poured, is
settled. I mean again we're at your mercy. We're
just asking for your help. The house is built and
ready to close.

CHAIRMAN: That seems to be the same
presentation you had last time.
MR. DeARMOND: I wasn't here. Tommy Thompson was here.

CHAIRMAN: Almost verbatim.

MR. DeARMOND: That's the only problem we've had. Again, it's been in the radius of those two particular lots. We've done a lot more radiuses and not had that problem. Again, Tommy --

CHAIRMAN: This almost sounds like a habit instead of an accident.

MR. DeARMOND: It's not, sir. I promise. I mean like they said there was enough room on the lot. If I can show you, I have a little demonstration to give.

CHAIRMAN: We have a copy of it right here.

MR. DeARMOND: He set the one corner 27 foot back and instead of finding -- he set the other corner 27-foot back and just a portion corner of the garage is into the setback about one foot eight inches, I believe. Not the whole house. Not the whole garage, but just the one corner.

CHAIRMAN: Thank you, sir. Any other board member have any questions or comments?

MR. MILLER: I'd like to ask something.

I just don't understand. Why do you crowd
the front so much when you have so much lot area in
the back? What's the purpose? I know you say he
didn't do it intentionally, but why not move it back
to make sure that you are in the acceptable area
rather than put it right up on the line?

MR. DeARMOND: A lot of those plats and
site plans they don't really show the topography or
exactly what's in the back either. On these
particular lots the pins are up a ten foot banking and
over some trees somewhere and the backs are crowding
the usable space on the lot. So we try to hold them
27-foot.

Again, we've built you know, close to 200
houses out there and this is twice. You know, it's
not trying to justify it, but it was a human error.
It wasn't -- that had a 50-foot easement in the back,
utility easement. With the patio and the way the
street was caught.

Again, we found our four corners, but the
one corner in the middle of the house, the garage
corner ended up with the one foot eight over. It
wasn't intentionally. Again, it was found at closing
when the mortgage company had it surveyed.

MR. NOFFSINGER: If I may.

Mr. DeArmond, as you know at that point
it's too late. You know, have you talked to Tommy Thompson about the requirement of a survey? Once that foundation walls goes in that you stop work and the surveyor comes out and performs a survey to verify that you are within the setbacks? Have you shared that with him?

MR. DeARMOND: I just talked to Jim about it. Hadn't got to talk to Tommy. Again, if that's the recommendation or requirement for us, if we're in a radius lot or any lot, but we'll gladly do that.

MR. NOFFSINGER: I think it's a good idea. It can prevent, help to prevent situations like this board and Thompson Homes and a perspective buyer is in right now. However, it's going to cost money. Someone is going to have to pay and there's going to be some down time. We're often criticized for increasing the cost of development for having to require this and that, but these are some of the reasons.

Now, this surveyor coming out is going to cost additional money and someone is going to pay for it. It appears that it is necessary to prevent situations like this because once the home is constructed and they go out to do a mortgage survey it's too late. I understand what Mr. DeArmond is
saying and given the fact that the home has been
finished and is constructed, you know, that is a
rather unique situation.

Could cause a hardship; however, if this
board approves or decides to approve this variance the
Planning Staff would ask for direction as to what do
we do in the future? Should we be requiring these
surveys in close situations when those foundation
walls go up?

CHAIRMAN: You have one other choice.

Take it down.

MR. NOFFSINGER: That's the other option.

CHAIRMAN: Any other board members have
any other questions of the applicant?

MR. DeARMOND: We realize that. At this
point it would be beneficial, even money-wise to have
a surveyor come out and check the lots from now on to
try to assure the board that we'll do what we need to
do. Again, we did not do this purposely or
intentionally. There was enough room on the back of
the lot. The two front corners, far exterior corner
are in the setback. It's just the one corner of the
garage. Again, it's human error that we're trying and
want to correct. I don't want to be here tonight I
promise you. I, again, just asking for your help on
this one and recommendations on it. We can take steps
not to let it happen again.

CHAIRMAN: Any other questions from the
board?

(NO RESPONSE)

CHAIRMAN: Hearing none the Chair will
entertain a motion to dispose of the item one way or
the other.

MR. MILLER: Mr. Chairman, I'll make a
motion with a comment. I think it tries the patience
of the Staff when this thing has not only happened
once but twice, especially by one of the more
prominent builders in town. It makes it tough on us
trying to uphold and stick to the rules and
regulations as they're written.

As builders and professional, surely you
all can do a better job. I think that's the bottom
line. In this case where the residence is positioned,
it's unlikely that the street will ever be widened.
As I see it it poses no hazard to the general public.
Does not alter the character of the general vicinity.
I'll make a motion that we grant the variance this
time.

CHAIRMAN: You've heard the motion. Is
there a second?
MR. WARREN: I'll second it.

CHAIRMAN: A motion has been made and a second. Is there any other comment by Staff?

MR. NOFFSINGER: Mr. Miller, did you intend as a part of that motion to give Staff some direction in terms of how to proceed in the future in these particular cases with a survey to verify where that building wall is?

MR. MILLER: Is that a condition we can attach?

MR. NOFFSINGER: Well, not a condition to give the Planning Staff some direction, Building Code Staff some direction in terms of what you see coming before this board and these cases on variances. If we can make a difference, if there's something we can be doing to perhaps reduce the number of these, no one wants to be here obviously for this particular reason. We need some direction in terms of what we should be requiring out in the field.

Now, we've made a recommendation to you. Mr. DeArmond has echoed that, that's probably what needs to be done will be agreeable to it and that our staff be following that procedure to in these close situations. That surveyor come out and verify the location of that foundation wall prior to them
continuing on with the house or with the building.

CHAIRMAN: I think it'd be correct to vote on this and then add the next item on the agenda stating a recommendation to the Staff proper procedure to handle situations like this, but the thing that makes it hard we turn somebody down that comes in before they may know and ask for a condition for a variance and we turn them down and they went to the trouble of being sure that they were right with the staff in trying to get a variance. They have it constructed and they don't get the opportunity to and they're not in hardship where you build and then ask for a variance. With that we'll proceed to vote. All in favor raise your right hand.

MR. ELLIOTT: Probably as far as this item is concerned, this particular builder as I understand this is the second time. We can give notice to him now that from any future construction that he should be required to have one of those.

CHAIRMAN: We can do that next?

MR. ELLIOTT: Yes, you can do that. I mean as far as this particular builder is concerned, if he acknowledged the fact that he understands that, that you have a survey done prior to construction.

MR. DeARMOND: Every, all 60, 70 houses,
every house or just in situations with radius?

MR. NOFFSINGER: In situations where it's close. We're going to be monitoring it as well. In other words, we don't want to see you back. You don't want to be here.

MR. DeARMOND: I agree. Condition is we're going to do what we need to do to not come back. I understand. I see your point. If it happens again, make us tear the house down. That's kind of where I'm at. That's how serious we are about not coming back.

MR. NOFFSINGER: Well said.

CHAIRMAN: Good deal. That is in the record.

We have a motion on the floor and second. All in favor of the motion raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Hopefully we don't see you any more, sir.

Now, lets from the board make a recommendation of the staff on proper way to handle these proceedings to maybe prevent this in the long run.

MS. MASON: I personally don't think it's fair to penalize other builders just because one builder has caused problems on two different
occasions. I agree with what Stewart may be saying.

Just maybe on -- if that's what I understood.

MR. ELLIOTT: While we had him here I

thought we'd make that clear to him.

MS. MASON: Yes. I don't know if we need
to do every house or just the houses that are --

MR. ELLIOTT: I think what Gary is saying
just on the close cases.

MR. NOFFSINGER: On the close cases. Not
to discriminate against builders. We don't want to do
that or certain ones, but in these close cases I feel
like that's what we need to be doing so we can reduce
the number of these. We're not going to catch all of
them. Mr. DeArmond is right. You have human error,
but where it's close like this we do need to verify
with a survey and it's not going to be a requirement
on every permit, but if you're going to build right up
at that building setback line you can expect it.

MS. MASON: So you're going to determine
the ones that are close?

MR. NOFFSINGER: Right. Mr. Mischel may
have something to say in regard to that.

(MR. JIM MISCHEL SWORN BY ATTORNEY.)

MR. MISCHEL: Jim Mischel. I think what
should be required is if you have a builder not only

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the front setback but a side or if there's a utility
easement or something, let's just say somebody
building on the side and there's a 6-foot utility
easement on the side and they want to build six feet
one inch off that side but yet on the other side they
might have 20 something feet. I think they ought to
be given the option. Either to scoot it over to where
we can tell or if they do want to crowd that side go
ahead and once they get that foundation in get a
surveyor to verify that.

Our guys out in the field probably run
into -- if they've got to be six feet, five feet off
the side property line and they're crowding it. When
they dig that footer it might be two foot wide.
They're standing out there and at the time the builder
is saying, well, our foundation is only going to be
whatever the block they use. We've got plenty of
room.

Of course, we're not out there when the
block layer is out there. So you don't. Block layer
he could move it over, shift it a little bit to try to
square the house up and mistakenly he might not know
but it's critical. If they do crowd, I think this
would be a good preventive measure to catch it right
then. Lots of times when you explain that to people
they will go ahead and move it over, but some people want it that way. There's reasons. Like he said sometimes the lay of the lot doesn't allow for that. Sometimes people want to drive on the side to go around to the back of the house and that's fine, but if it's that close we need to catch it then instead of, you know, and it's not easy unless you have a transit or something to shoot that all the time.

CHAIRMAN: I think the staff understands where the board is coming from and you all can take appropriate action in the future. Next item, please, sir.

ITEM 7

6762 Lamplite Circle, in a MHP zone Consider request for an administrative review concerning a request to place an educational classroom for the Head Start Program within the manufactured housing park as a community facility. Reference: Zoning Ordinance, Article 11, Section 11.32 Applicant: Audubon Area Community Services, Inc. (Head Start Program)

MR. NOFFSINGER: Mr. Chairman, this appeal has been advertised for public hearing at this time. All parties of record have been notified. The application has been reviewed by the Planning Staff. It's found to be in order. This as contained in the Ohio Valley Reporting (270) 683-7383
application is a program to serve the residents of Lamplite Manufactured Housing Park. It's ready for your consideration.

CHAIRMAN: Has there been any objections filed in the office?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Is there anyone in the audience wishing to object to this?

(NO RESPONSE)

CHAIRMAN: Is the applicant here?

MS. SMITH: Yes.

CHAIRMAN: Would you come forward and be sworn in.

MS. SMITH: Michelle Smith.

(MS. SMITH SWORN BY ATTORNEY.)

CHAIRMAN: Do you have anything you want to add?

MS. SMITH: No. We just hope we get to do it. Just providing some services out there.

MR. WARREN: Ms. Smith, who are you going to be providing these services for?

MS. SMITH: The children within the Lamplite Mobile Home Park. Right now we are pulling a lot of children and transporting them to the school system and the classrooms are overflowing. It's a
contract with the school systems. It's a good
opportunity here. They're willing to give us a place
if we can put a mobile in there so that we can provide
on-site child care and some social services out there
in the area through the facility. We're hoping to
serve 17 to 20, 3 and 4-year olds and then about eight
toddlers to parents who are working or going to
school. There's a lot of need out there. There are
400 mobile homes.

MR. WARREN: And these are parents in the
Lamplite Estate.

MS. SMITH: Yes.

CHAIRMAN: Does any other board member
have any questions of the applicant?

MR. NOFFSINGER: Mr. Chairman, I just
might state for the record the reason this is before
the board is there are specific uses that are allowed
by the Zoning Ordinance to occur in manufactured
housing parks and those uses are specifically listed.
In the event that we have a particular use that's not
specifically listed, then they have a right to request
that use before the Board of Adjustment. So that's
why it's here before you tonight.

CHAIRMAN: Is there anybody in the
audience have any other comments or questions?

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CHAIRMAN: Hearing none the Chair will entertain a motion to dispose of the item.

MR. MILLER: Mr. Chairman, I wanted to ask Mr. Noffsinger a question. Are there any parking requirements associated with this type of building?

MR. NOFFSINGER: This particular type use is somewhat reminds me of a child care facility. In a child care facility typically I think you're required to have two parking spaces plus one for every ten children you have; however, to my knowledge there's no particular parking requirement stated by the Zoning Ordinance for this use in this development.

The use as stated on record is strictly for residence of that development. With that there are a couple of parking spaces on the property. There's on street parking that is available there. We did not make an issue of parking. There are no problems brought to our attention. Felt like it could be handled within the complex itself.

CHAIRMAN: Chair will entertain a motion.

MR. WARREN: Mr. Chairman, since this development seems to meet the requirements for the zoning I make a motion that we approve the Administrative Appeal or grant the Administrative

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Apex.

CHAIRMAN: Is there a second to the 
motion?

MR. MILLER: Second.

CHAIRMAN: A motion has been made and a 
second. Any other questions by the Staff or comments 
from the audience?

(NO RESPONSE)

CHAIRMAN: Hearing none all in favor raise 
your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Anything else on the agenda this evening, 
sir?

MR. NOFFSINGER: No, sir.

MS. MASON: Make a motion for dismissal.

MR. MILLER: Second.

CHAIRMAN: All in favor raise your right 
hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Meeting is 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 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 27 typewritten pages; and that no signature
was requested to the foregoing transcript.

WITNESS my hand and notarial seal on this
the 17th day of October, 2001.

LYNNETTE KOLLER, NOTARY PUBLIC
OHIO VALLEY REPORTING SERVICE
202 WEST THIRD STREET, SUITE 2
OWENSBORO, KENTUCKY 42303

COMMISSION EXPIRES:
DECEMBER 19, 2002

COUNTY OF RESIDENCE:
DAVIESS COUNTY, KENTUCKY

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