The Owensboro Metropolitan Board of Adjustment met in regular session at 5:00 p.m. on Thursday, July 11, 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
Judy Dixon
Tim Miller
Bill Williams
Ward Pedley
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 or

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

Want to welcome you all this evening. A few guidelines. If you want to speak on any item,
come to one of microphone. State your name and be
sworn in because we'll have your name and testimony on
record.

With that the first thing is to consider
the minutes of the last meeting of June 6. They're on
record in the office. I don't think there's any
mistakes or anything, corrections that need to be
made, is there, sir?

MR. NOFFSINGER: I'm not aware of any, no,
sir.

CHAIRMAN: Entertain a motion to dispose
of the item.

MS. DIXON: Move to approve.

CHAIRMAN: Is there a second?

MR. MILLER: Second.

CHAIRMAN: All in favor raise your right
hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

First item on the agenda please, sir.

-----------------------------------------
CONDITIONAL USE PERMITS

ITEM 2

11235 Grandview Road, in an A-R zone
Consider request for a Conditional Use Permit to
construct a 30-foot by 30-foot addition to an existing
church in a floodway.
Reference: Zoning Ordinance, Article 18, Section
18-5(b)(4)(a), 18-6(b)(2)
Applicant: Dawson Memorial Baptist Church, c/o Jane
Chrisler

MR. NOFFSINGER: Mr. Chairman, this
application has been advertised for public hearing at
this time and all adjoining property owners have been
notified. The applicant has submitted a permit from
the Division of Water as well as an engineer statement
that in their professional judgment there will be no
impact on flood or floodway elevations or floodway
widths. So given the materials that are submitted in
the application, the Staff is recommending approval.

CHAIRMAN: Any objections filed in the
office?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Anyone in the audience have any
objections and would like to cite them?

(NO RESPONSE)

CHAIRMAN: Does the applicant have
anything they want to add to the record?

APPLICANT: I think we've said
everything.

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

(NO RESPONSE)
CHAIRMAN: Hearing none I'll entertain a motion to dispose of the item.

MR. MILLER: Mr. Chairman, based on Staff findings and recommendations, motion to approve.

CHAIRMAN: A motion has been made. 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.

ITEM 3

3350 South Hampton Road, in an A-R zone
Consider request for a Conditional Use Permit to construct a 30-foot by 40-foot addition to an existing bunkhouse to house a maximum of 15 farm workers.
Reference: Zoning Ordinance, Article 8, Section 8.2A7
Applicant: Robert T. Elliott, Joseph T. Elliott, d/b/a Elliott Farms

MR. NOFFSINGER: Mr. Chairman, this application has been advertised for public hearing at this time and all adjoining property owners 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 dormitory facility. This
Board considered a Conditional Use Permit back some time ago and this is to expand a facility that's already been approved by this board. With that it's ready for your consideration.

CHAIRMAN: Any objections on record?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Anyone wishing to object in the audience?

(NO RESPONSE)

CHAIRMAN: Does the applicant have anything he'd like to add to it?

MR. ELLIOTT: State your name, please.

MR. JOSEPH ELLIOTT: My name is Joseph T. Elliott.

(MR. JOSEPH T. ELLIOTT SWORN BY ATTORNEY.)

MR. JOSEPH ELLIOTT: It's trying to improve the living standards of what I've already got there. A little bit where they can sleep and maybe not watching TV or have some watching TV and some to go to sleep. Just improve the living conditions and I'd appreciate the improvements.

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

(NO RESPONSE)

CHAIRMAN: Hearing none I'll entertain a
6

motion to dispose of the item?

MR. WILLIAMS: Motion to approve.

CHAIRMAN: Is there a second?

MR. WARREN: Second.

CHAIRMAN: Any question or 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, sir.

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

VARIANCE

ITEM 4

3415 Buckland Square, in an R-3MF zone
Consider request for a Variance to increase the allowed building height for the structure from 36 feet to 41.5 feet (mean height level).

Reference: Zoning Ordinance, Article 8, Section 8.5.10(f)

Applicant: Cliff Hagan Boys & Girls, Inc.

MR. NOFFSINGER: Mr. Chairman, this application has been advertised for public hearing at this time and all adjoining property owners have been notified. The application has been reviewed by the Planning Staff. Found to be in order. The maximum height in this zone is 36 feet and they are requesting
a height variance to allow for the greater height. Planning Staff is recommending approval in that it will not adversely affect the public health, safety or welfare; will not alter the essential character of the general vicinity; will not cause a hazard or nuisance to the public; will not allow an unreasonable circumvention of the requirements of the zoning ordinance.

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

MR. NOFFSINGER: No, sir.

CHAIRMAN: Anyone else wishing to speak on the item?

(NO RESPONSE)

CHAIRMAN: Hearing none and seeing no discussion, entertain a motion to dispose of the item.

MR. PEDLEY: Mr. Chairman, I make a motion for approval based on findings stated by Mr. Noffsinger.

CHAIRMAN: Is there a second?

MR. WILLIAMS: Second.

CHAIRMAN: Any other discussion?

(NO RESPONSE)

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

CHAIRMAN: Motion carries.

Any other item on the agenda?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Hearing none will hear one final motion.

MR. WARREN: Motion to adjourn.

MS. MASON: Second.

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Meeting is adjourned.

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

WITNESS my hand and notarial seal on this the 19th day of July, 2002.

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  

Ohio Valley Reporting  
(270) 683-7383