The Owensboro Metropolitan Planning Commission

met in regular session at 5:30 p.m. on Thursday, August 2, 2007, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: C.A. Pantle, Chairman
Gary Noffsinger
Ward Pedley
Marty Warren
Ruth Ann Mason
Judy Dixon
Clay Taylor
Madison Silvert, Attorney

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CHAIRMAN: Call the meeting to order. We start each one of our meetings with a prayer and also the pledge to allegiance. We invite you all to join us if you so desire. With that would you stand for the prayer.

(INVOCATION AND PLEDGE TO ALLEGIANCE.)

CHAIRMAN: Again, I want to welcome you to the Owensboro Metropolitan Board of Adjustment meeting this evening. If you have comments on any item, please come to one of the podiums. State your name so we'll swear you in for the record.

With that we'll go to the first item which are
the minutes of the last meeting. They're in the
office. I don't think there's any problems with them.

MR. NOFFSINGER: No, sir.

CHAIRMANN: Does anybody got any comments?

(NO RESPONSE)

CHAIRMANN: If not entertain a motion to
dispose of them.

MR. WARRENN: Motion to approve the minutes as
written.

MR. TAYLORN: Second.

CHAIRMANN: A motion has been made and a
second. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMANN: Motion carries.

Next item, please, sir.

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CONDITIONAL USE PERMITS

ITEM 2

1370 South Chestnut Grove Road, zoned A-R
Consider request to amend a Conditional Use Permit in
order to construct a 30' x 50' pole building for
storage at an existing approved outdoor recreational
facility.
Reference: Zoning Ordinance, Article 8,
Section 8.2K7/42
Applicant: Daviess County Fish and Game Association

MR. SILVERT: State your name please.

MR. HOWARD: Brian Howard.
ZONING HISTORY

The subject property is currently zoned A-R Rural Agricultural and a major outdoor recreational facility is conditionally permitted in an A-R zone. Two Conditional Use Permits have been approved for the subject property in the past. The first was in October 1997 and the second in November 2003. The 1997 permit approved the construction of a maintenance building and shower house at the existing outdoor recreational facility. The November 2003 permit allowed the construction of 18 additional campsites at the facility.

LAND USE IN SURROUNDING AREA

All surrounding property is currently zoned A-R rural agricultural with farm tracts and scattered large-lot rural residences.

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

CHAIRMAN: Is there any objections filed in the office?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Anyone interested to object to this particular item this evening?

(NO RESPONSE)
CHAIRMAN: Is the applicant here to add anything to it?

MR. BOWERS: I'm Bob Bowers and I'm the lawyer for the folks here for the Fish & Game Association.

MR. SILVERT: Let me swear you in, Mr. Bowers.

(MR. BOB BOWERS SWORN BY ATTORNEY.)

MR. BOWERS: David Payne and the president, Steve Harmon, are here to answer any concerns or questions you may have.

It is my understanding that at least two of the neighbors upon receiving notification have contacted David when they learned we intend to put up a pole barn. They said, fine, thank you. That's the end of it. So we've heard no objection from anyone.

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

(NO RESPONSE)

CHAIRMAN: Staff have anything else to add.

MR. NOFFSINGER: No, sir.

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

MR. PEDLEY: Motion to approve based on findings the facility is an old established recreational use and it's compatible in the rural agricultural zone and will not have an adverse
influence on the neighborhood.

CHAIRMAN: Is there a second?

MS. DIXON: Second.

CHAIRMAN: Any other questions or comments from the board?

(NO RESPONSE)

CHAIRMAN: Anything else from the staff?

MR. NOFFSINGER: No, sir.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Next item, please.

ITEM 3

2501 Harbor Road, zoned I-2
Consider request for a Conditional Use Permit to construct a 50' x 50' building to contain two 8,000 gallon n-pentate recovery vessels and one 700 gallon collection tank at an existing industry.
Reference: Zoning Ordinance, Article 8, Section 8.2G4/27
Applicant: Dart Polymers, Inc.

ZONING HISTORY

The subject property is currently zoned I-2 Heavy Industrial. According to OMPC records, seven conditional use permits have been approved for the subject property between December 1984 and October 2005. The previous applications have been for
construction of industrial buildings and storage tanks within the boundary of the existing industrial operation.

LAND USES IN SURROUNDING AREA

All surrounding property is currently zoned I-2 Heavy Industrial with various industrial operations and vacant tracts.

ZONING ORDINANCE REQUIREMENTS

A Division of Water stream construction permit may be required prior to construction activity on the site.

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

CHAIRMAN: Any objections in the office?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Is anyone wishing to opposition of this item?

(NO RESPONSE)

CHAIRMAN: Does the applicant have anything you want to add at this time?

MR. SILVERT: State your name, please.

MR. GILLILAND: I'm David Gilliland, plant engineer for Dart Polymers, Inc.

(MR. DAVID GILLILAND SWORN BY ATTORNEY.)

MR. GILLILAND: One quick item. On the
Conditional Use Permit agenda, it's a typo I'm sure.

It's n-pentane. That's all.

CHAIRMAN: Staff have any comment?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Board have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Do you have anything else you want to add?

MR. GILLILAND: No, sir.

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

MS. MASON: Mr. Chairman, I move for approval. The Findings of Facts since there's no opposition and it's compatible with the current use of the property and seven conditional use permits have been approved for the property in the past and they're similar to this current conditional use that's before us today.

CHAIRMAN: Is there a second?

MR. PEDLEY: Second.

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

MR. NOFFSINGER: No, sir.

CHAIRMAN: Board members have any other questions or comments?
ITEM 4

6133 US 60 East, zoned I-2
Consider request for a Conditional Use Permit to construct an additional 80' x 240' pole building for the storage of low-hazardous products and noncombustible materials.
Reference: Zoning Ordinance, Article 8, Section 8.2G4/27
Applicant: Yellow Banks River Terminal, LLC; HawesWay, Inc.

ZONING HISTORY

The subject property is currently zone I-2 Heavy Industrial. OMPC records show that one conditional use permit was approved for the subject property in June 1997 for the construction of a storage building.
Since the new building location is within a special flood hazard area, a stream construction permit is required. The applicant received approval of the required permit (Permit #16557) for the construction of the new building on July 11, 2007.

LAND USES IN SURROUNDING AREA

The majority of the surrounding zoning is I-2
Heavy Industrial with some B-4 General Business zoning to the north and east. Land uses in the vicinity include a concrete plant, sand and gravel operation, and a coal recovery system.

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

CHAIRMAN: Any objections filed in the office?

MR. NOFFSINGER: No, sir.

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

(NO RESPONSE)

CHAIRMAN: Hearing none does the applicant have anything you would like to add at this time?

(NO RESPONSE)

CHAIRMAN: Board members have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Staff any other comments?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Entertain a motion to dispose of the item.

MR. TAYLOR: Mr. Chairman, I vote to approve the conditional use permit based upon the findings that this condition be permitted in this zone. They are in compliance with the flood hazard permit at the
state level and we have approved a similar condition
and permit in the past.

CHAIRMAN: Is there a second to the motion?

MS. DIXON: Second.

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

MR. NOFFSINGER: No, sir.

CHAIRMAN: Board members have any other
questions of the applicant?

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Next item.

ITEM 5

710, 714 East Third Street, Zoned R-4DT
Consider request to amend a Conditional Use Permit to
provide care for up to 30 children ages six weeks to
12 years old and to operate 24 hours per day Sunday
through Saturday at the existing daycare facility.
Reference: Zoning Ordinance, Article 8, Section 8.2B3
Applicant: Duane C. Ward, III and Bridgett Ward,
Owensboro Grain Company, LLC

ZONING HISTORY

The subject property is currently zoned R-4DT
Inner-City Residential. OMPC records show that one
conditional use permit was approved for the subject
property in December 2004 for the operation of a child
care center for 27 to 28 children ages six weeks to 12
years old with operating hours from 6 a.m. to
midnight. The current application would amend the
previous approval for a total of 30 children and allow
the child care center to operate 24 hours a day, seven
days a week.

LAND USES IN SURROUNDING AREA

The property to the east and west are zoned
R-4DT Inner-City Residential, the property to the
north is zoned I-1 Light Industrial and the property
to the south is zoned B-4 General Business. Land uses
in the vicinity include residences, Kentucky Mirror
and Plate Glass, and a car lot.

ZONING ORDINANCE REQUIREMENTS

The proposed amendment to the conditional use
permit will not alter the required parking or any
other zoning ordinance requirements as established
under the December 2004 approval.

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

CHAIRMAN: Any objection filed in the office?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Anyone in the audience wishing to
object to this item?
CHAIRMAN: The applicant have anything you would like to add at this time?

APPLICANT REP: That's us. He said it all pretty much, everything we wanted to get approved.

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

(NO RESPONSE).

CHAIRMAN: Staff have any other questions?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Entertain a motion to dispose of the item.

MR. WARREN: Motion to approve the Conditional Use Permit based on the findings that the business is already in operation and that we have approved a permit in the past and that this use is acceptable in the R-4DT Inner-City zone.

CHAIRMAN: Is there a second to the motion?

MR. PEDLEY: Second.

CHAIRMAN: A motion has been made and seconded. Any other comments or questions from the board?

(NO RESPONSE)

CHAIRMAN: Staff have anything else?

MR. NOFFSINGER: No, sir.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Next item, please, sir.

ITEM 6

1324 West Third Street, zoned R-4DT
Consider request for a Conditional Use Permit to
construct and operate a residential treatment and
support facility for a maximum of eight (8) boys ages
12-17.
Reference: Zoning Ordinance, Article 8, Section
8.2A7/6a
Applicant: St. Joseph's Peace Mission for Children,
Inc.

ZONING HISTORY

The subject property is currently zoned R-4DT
Inner-City Residential. The use of the property as a
residential transitional home is a conditionally
permitted under the current zoning classification.

LAND USES IN SURROUNDING AREA

All property adjacent to the subject property
is currently zoned R-4DT Inner-City Residential. Land
uses are residential including the St. Joseph's Peace
Mission located at 1328 West Third Street.

ZONING ORDINANCE REQUIREMENTS

The following criteria apply to a conditional
use permit for a residential transitional home:

1. Any person residing in the referenced
housing situation shall be subject to all state,
2. The facility shall be located within 1/2 mile of public transit.

3. The facility shall not be located within an identified historic district recognized by the legislative body.

4. The facility shall employ an on-site administrator, who is directly responsible for the supervision of the residents and the implementation of house rules.

5. The applicant shall provide the Board of Adjustment, the Zoning Administrator, the public and the residents a phone number and address of the responsible person or agency managing the facility.

6. A fire exit plan shall be permitted with the conditional use application showing the layout of the premises, escape routes, location operation of each means of egress, location of portable fire extinguishers, and location of the electric main. The fire exit plan shall be prominently displayed within a common area within the facility.

7. Hallways, stairs and other means of egress shall be kept clear of obstructions.

8. The facility shall comply with all applicable building and electrical codes.
9. A list of house rules shall be submitted to the Board of Adjustment with the application for a conditional use permit and shall be prominently displayed in a common area within the facility. The rules should be adequate to address the following: Noise control, disorderly behavior, property garbage disposal, and cleanliness of sleeping areas and common areas.

10. The Owensboro Metropolitan Board of Adjustment may impose additional conditions as may be necessary for the proper integration of the use into the planning area.

The applicant has submitted material with the application that addresses each of these items. Also, based on zoning ordinance requirements, a total of seven parking spaces are required. The site plan submitted, which is in the file as well, with the application shows seven parking places to the rear of the proposed building with access to the parking from an alley.

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

CHAIRMAN: Is there any objections filed in the office?

MR. NOFFSINGER: No, sir.
CHAIRMAN: Anyone in the audience objecting to this item.

You have objection?

MR. GARVIN: I have a question.

CHAIRMAN: Just a second.

Is the applicant here?

MS. BELL: Yes.

CHAIRMAN: Come forward and be sworn in.

MS. BELL: My name is June Bell. I'm the executive director of St. Joseph's Peace Mission, Incorporated.

(NEE BELL SWORN BY ATTORNEY.)

CHAIRMAN: Do you have anything you want to add?

MS. BELL: I can either answer his question or could update you a little bit.

We own the property. We currently own the property next-door to the 1328 West Third Street, which is 1324 West Third Street, and it's free of all debt at this point.

We had a very old house that is my understanding was built in 1909 and was in very much disrepair. We have had that house demolished. We have had the basement concrete walls dug out. We have filled that in appropriately. We have contracted and
already have had an impaction study done, which makes
the ground level for building a one-story house.

Actually the children that we would like to
house in that facility -- I'm also a member of the
foster care review board. I know for a fact that boys
ages 12 to 17 are the most difficult children to place
when they have to be put into a foster home. Many
boys, and that's not to say anything against you
gentlemen or any gentlemen here, but they often have
difficulty placing them in a foster home and they end
up in a group home.

For any child that comes into foster care
there is a state regulation that says, before adoption
can be done or they age out into independent living,
these children have to spend 15 out of 22 months out
of their home. During that time the goal is always
return to parent.

As a psychiatric nurse and the executive
director of the facility, I know for a fact that these
children are being placed no closer than two hours
away. If we want to reunite these family, if we want
viable members of society to come back into our
schools and our local community, we either have to
allow that process to happen or we have to provide
someplace for them to stay. These are not necessarily
encourageable kids. They just are the least likely
population at this point to fit or to be given a
foster home.

St. Joseph's has a seven year history of
already providing emergency shelter to children age
birth to 18. We have already shown that we can take
care of with responsibility children who have children
and children that are pregnant.

We would like to be able -- there is no one
else here in the Owensboro area that provides
residential services for boys. We are not, this is
not a competitive thing between us and any other
service provider here in town. The Mary Kendall Home
does the same emergency shelter that we do. They
provide emergency shelter for girls, but they do not
take boys that need more than 30 days of care in some
type of a facility.

These are not psychiatric patients. They may
have some mental health issues. Some of them may be
on medication. They will not be home-schooled or
anything like that. They will be in a regular school
system. We meet the criteria for all of our children
being in the city schools, unless they are from here
in Owensboro. Then they are allowed to remain in the
school, if think qualify to one of the county schools
or one of Christian programs.

I welcome any questions.

CHAIRMAN: Board members have any questions of
the applicant?

(NO RESPONSE).

CHAIRMAN: Staff have any questions at this
time?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Would you want to come forward and
address your question to the board.

MR. SILVERT: State your name, please.

MR. GARVIN: John Garvin.

(MR. JOHN GARVIN SWORN BY ATTORNEY.)

MR. GARVIN: The exist facility that they
operate has been a good neighbor. I lived directly
south of them across the alley. I just have a couple
of questions. Hopefully we can resolve any issues
before.

I don't oppose the facility, but I do have
some questions since this is going to be different
than say a residential house.

Right now it's a vacant lot with bare ground.

We know in 95 degree weather you can't get grass to
grow. We'd like to see them do something up to
construction and during such as a fence. The last two
rains our alleys into a brown river.

The second is if they're going to seven parking spots, is there some way to address surface drainage? Because they're taking up quite a bit of green space. I don't want to see the alley turn into a river when it rains.

Is the city possibly doing any additional work to the alley? Because there's going to be more traffic.

CHAIRMAN: We'll try to get your answers.

MS. BELL: I agree with you, you can't get grass to grow in this kind of weather.

We did have a solid layer of straw on it and that did get washed away with one of the heavy things. We expect that if we're allowed to do this, we expect to start construction as soon as we can get approval from the state on the physical drawing that I gave you all of the house. We already have our architectural drawings and all.

If we need to do that, you know, we can do whatever makes our neighbors happy because we feel like they have been good neighbors to us and we would like to continue to be good neighbors to them.

CHAIRMAN: Does that answer your questions?

MR. GARVIN: Yes.
CHAIRMAN: Staff have any other comments?

MR. NOFFSINGER: Since the questions were answered, I'm not going to say --

MR. TRODGEN: I have a question.

CHAIRMAN: Come forward and state your name.

MR. TRODGEN: My name is Joseph Trodgen and I live next door.

(MR. JOSEPH TRODGEN SWORN BY ATTORNEY.)

MR. TRODGEN: Also, you've been good neighbors. No. Problems. I'm probably a bad neighbor. My only concern is you had a fence on the other property. I have a lot of wood working machinery. I would like to make sure we're going to have a good fence. The kids so far have been very well behaved. They haven't been any problem. I guess that's really the only issue I see. Just that we have a good privacy fence between the two.

MS. BELL: I do not see that as an issue. One of the reasons that we took that fence down was because it was a gift from a boy scout here in town who was doing an Eagle Scout project. I can tell you that it was not the most expensive lumber that was available, but it did meet our needs when we did not own the property next-door to us.

Mr. Trodgen has already approached us that
he'd like to participate in what kind of fence has to be built. It would be to our advantage also to have a fence up there. We're probably going to have to replace, we're probably going to have to put a fence on each side of it because the emergency shelter children will not be interchanged with the children in the residential program. They will be two entirely different programs.

CHAIRMAN: Does that answer your question?

MR. TRODGEN: Yes. That was my only concern. Like I say they've been very well behaved up to this point.

MS. BELL: So has he.

CHAIRMAN: If you all will work with the staff.

MS. BELL: I can't promise him that the fence will go up before the construction is finished because we have to make sure that we can get our equipment --

MR. TRODGEN: The longer the better right now.

CHAIRMAN: Any questions from the board?

(NO RESPONSE)

CHAIRMAN: Staff have any other comments?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Hearing none entertain a motion to dispose of the item.
MR. PEDLEY: Mr. Chairman, I make a motion to approve the conditional use permit based on the findings the proposed use is compatible in a residential zone and will allow property integration in the neighborhood; will not have an adverse influence on the neighborhood. The application estimated in the application to meeting the requirements of the zoning ordinance criteria for residential transitional home, and the applicant will meet the required parking, with the condition that the fence be installed according to the agreement.

CHAIRMAN: Is there a second to the motion?

MR. TAYLOR: Second.

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

(NO RESPONSE)

CHAIRMAN: Staff have anything else?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Hearing none all in favor raise your right.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Next item, please, sir.
ITEM 7

126, 128 West 19th Street, zoned R-4DT
Consider request for a Conditional Use Permit to construct a parking lot.
Reference: Zoning Ordinance, Article 8, Section 8.2F11
Applicant: Frederica 1900 Partners, LLC and James Dinning

ZONING HISTORY

The subject property is currently zoned R-4DT Inner-City Residential and OMPC records indicate that the subject property has always been zoned R-4DT.

LAND USES IN SURROUNDING AREA

The property to the north, east and south are all zoned R-4DT Inner-City Residential with residential structures on the lots. The property to the west is zoned P-1 Professional/Service and is used as an insurance office. The parking lot will be used as overflow parking for the existing business but is not required to meet minimum parking requirements of the zoning ordinance.

ZONING ORDINANCE REQUIREMENTS

1. Vehicular use area screening shall be installed along the north and west boundaries where the parking lot adjoins road right-of-way and residential zoning. The screening should include a three foot element with one tree every 40 linear feet.

SPECIAL CONDITIONS
The applicant has agreed to the following conditions as stated in their application:

1. The applicant shall consolidate 126 & 128 West 19th Street.

2. No direct access to West 19th Street is proposed. All access shall be via the existing alleys to the west and south of the subject property.

3. The applicant will construct a landscape buffer with an average width of 10' to include a 3' high continuous element and deciduous trees 40' on center along the east side of the subject property where the vehicular use area will adjoin an existing R-4DT zoning classification.

MR. HOWARD: We would like to enter the Staff report into the record.

CHAIRMAN: Any objections filed in the office?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Anyone in the audience wishing to object?

MS. VINEYARD: No. I want to ask questions.

CHAIRMAN: You have an objection?

MS. VINEYARD: No. I want to ask some questions.

CHAIRMAN: Is the applicant here?

MR. DENNING: Yes.
CHAIRMAN:  Go ahead and we'll take your questions.

MS. VINEYARD:  Linda Vineyard.

(MS. LINDA VINEYARD SWORN BY ATTORNEY.)

MS. VINEYARD:  I heard there's going to be a fence constructed. That was my concern. I live at 120, which is right next-door. There's about 10 or 12 foot between my house and 128. I was concerned about whether there was going to be a fence put up there or something to keep them from coming, you know, somebody was to lose control and come through my house. It's going to be an insurance company parking there, is that what you said?

MR. NOFFSINGER:  It will be parking for the adjoining use which is the Hocker building, where David Hocker & Associates is located as well as Andy Anderson. They propose to use this property for parking. Then along your common boundary line they're going to have a ten foot buffer before the asphalt parking starts. Within that 10 foot buffer there will be it looks like a three foot high continuous element. So usually that's landscape shrub area. Now, there might have been mention of a fence.

No. The Staff has told me no. They have not proposed a fence at this time. It's a three foot
hedge row along your common boundary.

MS. VINEYARD: I just want to make sure that if there's any kind of accident or something my house wouldn't be hit because it's going to be close to it. That's my concern. Thank you.

CHAIRMAN: The applicant have any comments at this time?

MR. SILVERT: State your name, please.

MR. BRYANT: Don Bryant.

(MR. DON BRYANT SWORN BY ATTORNEY.)

MR. BRYANT: The proposed site plan for the parking lot includes a curb around the entire perimeter. Has a six inch vertical face. I think that would provide the protection that's been requested. Plus there will be a landscape area between the two properties as well that will sit immediately behind. That is an eight foot wide strip at the narrowest point. Average is ten foot. No fence, but it will be shrubbery with trees.

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

(NO RESPONSE).

CHAIRMAN: Staff have any other comments?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Anything else.
MR. BRYANT: No.

CHAIRMAN: You understand the conditions?

MR. BRYANT: Yes. We've already agreed with those.

CHAIRMAN: Entertain a motion to dispose of the item.

MR. PEDLEY: Motion to approve based on the findings with proper screening according to the zoning ordinance it will allow proper integration into the neighborhood. Will not have an adverse influence on the surrounding properties. With the conditions:

1. The applicant shall consolidate 126 & 128 West 19th Street.

2. No direct access to West 19th Street. All access shall be via the existing alleys to the west and south of the subject property.

3. The applicant will construct a landscape buffer with an average width of 10' to include a 3' high continuous element and deciduous trees 40' on center along the east side of the subject property where the vehicular use area will adjoin an existing R-4DT zoning classification.

CHAIRMAN: Is there a second?

MS. MASON: Second.

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

(NO RESPONSE)

CHAIRMAN: Staff have anything else to add?

MR. NOFFSINGER: No, sir.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Entertain one final motion.

MS. MASON: Move to adjourn.

MR. WARREN: Second.

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are 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 29 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 29th day of August, 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