The Owensboro Metropolitan Board of Adjustment met in regular session at 5:30 p.m. on Thursday, February 4, 2010, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: C.A. Pantle, Chairman
Ward Pedley, Vice Chairman
Ruth Ann Mason, Secretary
Gary Noffsinger, Director
Madison Silvert, Attorney
Rev. Larry Hostetter
Marty Warren
Sean Dysinger
Clay Taylor

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CHAIRMAN: Call the meeting to order. Welcome you. We start our meeting with the prayer and pledge of allegiance.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: With that the first thing we have on our agenda this evening, Madison, will you take the oath for our newest member, Father Larry.

MR. SILVERT: Certainly. Thank you, Mr. Chairman.

First before I administer the oath because I know that Father Larry very much admires this oath. Just briefly.

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This oath came into parlance in 1850 during a time when so many of the state leaders were being killed in affairs of honor that lawmakers placed what was then an unenforced law into the constitution so it will be enforced.

Father Larry, if you'll raise your right hand.

(REV. LARRY HOSTETTER BEING SWORN IN AS NEW BOARD MEMBER.)

CHAIRMAN: Father Larry, welcome to our meeting, our agenda. We look forward to working with you for a number of years. Good to have you with us.

With that, again, welcome to all of you this evening.

We'll go ahead and start with the first item. Consider the minutes of the last meeting on January 7th. They're on record in the office. I think there's no mistakes or anything in them. Entertain a motion to dispose of the item.

MR. DYSINGER: Move to approve.

MS. MASON: Second.

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Next item, please.
CONDITIONAL USE PERMIT

ITEM 2

1328 West 3rd Street, zoned R-4DT

Consider request for a Conditional Use Permit in order to operate a shelter for 10 children ages 0-18 years within the principle structure and construct a detached residential garage.

Reference: Zoning Ordinance, Article 8, Section 8.2A7/6a


FATHER HOSTETTER: Mr. Chairman, I would like to recuse myself from this item.

CHAIRMAN: So noted.

MR. SILVERT: Could you please state your name.

MS. EVANS: Melissa Evans.

(MELISSA EVANS SWORN BY ATTORNEY.)

ZONING HISTORY

The subject property is currently zoned R-4DT Inner City Residential. OMPC records indicate there have been no Zoning Map Amendments for the subject property.

There was a Conditional Use Permit to operate

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a shelter for teenage women age 17 or younger with
cchildren approved in 1997. A minor subdivision plat
was approved for the property in December of 2009.
The applicant states that even though the
previous Conditional Use Permit was approved for women
age 17 or younger with children, the shelter has
always housed no more than 10 children ages 0-18 years
old.

This Conditional Use Permit application is to
continue to operate the shelter for 10 children ages
0-18 years and to construct a detached residential
garage.

The applicant has submitted all of the
material as required by the zoning ordinance. Also
they have submitted a site plan that meets the parking
requirements of seven parking spaces and shows all of
the required vehicular use area landscaping.

MS. EVANS: We would like to enter the Staff
Report into the record as Exhibit A.

CHAIRMAN: Been any comments filed in the
office?

MR. NOFFSINGER: No, sir.

CHAIRMAN: Is anyone in the audience wishing
to make any comments at this time on the item?

(NO RESPONSE)
CHAIRMAN: Board members have any questions of
the applicant?
(NO RESPONSE)
CHAIRMAN: Staff have any other comments?
MR. NOFFSINGER: No, sir.
CHAIRMAN: Entertain a motion to dispose of
the item.
MR. PEDLEY: Mr. Chairman, I make a motion for
approval based on its compatible use within the
neighborhood and the applicant has addressed all the
zoning ordinance requirements including parking and
landscaping.
CHAIRMAN: Is there a second?
MR. DYSINGER: Second.
CHAIRMAN: Any other comments or questions
from the board?
(NO RESPONSE)
CHAIRMAN: Staff have any other comments?
MR. NOFFSINGER: No, sir.
CHAIRMAN: Seeing none all in favor raise your
right hand.
(ALL BOARD MEMBERS - WITH THE DISQUALIFICATION
OF FATHER HOSTETTER - RESPONDED AYE.)
CHAIRMAN: Motion carries.
One final motion.
MR. DYSINGER: Move to adjourn.
MR. TAYLOR: Second.

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

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)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 6 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 10th day of February, 2010.

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

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