

1 OWENSBORO METROPOLITAN BOARD OF ADJUSTMENT

2 FEBRUARY 4, 2010

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

8 MEMBERS PRESENT: C.A. Pantle, Chairman
9 Ward Pedley, Vice Chairman
10 Ruth Ann Mason, Secretary
11 Gary Noffsinger, Director
12 Madison Silvert, Attorney
13 Rev. Larry Hostetter
14 Marty Warren
15 Sean Dysinger
16 Clay Taylor

17 * * * * *

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

21 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

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

25 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.

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

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

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

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

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

14 We'll go ahead and start with the first item.
15 Consider the minutes of the last meeting on January
16 7th. They're on record in the office. I think
17 there's no mistakes or anything in them. Entertain a
18 motion to dispose of the item.

19 MR. DYSINGER: Move to approve.

20 MS. MASON: Second.

21 CHAIRMAN: All in favor raise your right
22 hand.

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: Motion carries.

25 Next item, please.

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2 CONDITIONAL USE PERMIT

3 ITEM 2

4 1328 West 3rd Street, zoned R-4DT

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

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

11 Applicant: St. Joseph's Peace Mission for Children,
12 Inc.

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

15 CHAIRMAN: So noted.

16 MR. SILVERT: Could you please state your
17 name.

18 MS. EVANS: Melissa Evans.

19 (MELISSA EVANS SWORN BY ATTORNEY.)

20 ZONING HISTORY

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

25 There was a Conditional Use Permit to operate

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

9 This Conditional Use Permit application is to
10 continue to operate the shelter for 10 children ages
11 0-18 years and to construct a detached residential
12 garage.

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

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

20 CHAIRMAN: Been any comments filed in the
21 office?

22 MR. NOFFSINGER: No, sir.

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

25 (NO RESPONSE)

1 CHAIRMAN: Board members have any questions of
2 the applicant?

3 (NO RESPONSE)

4 25 CHAIRMAN: Staff have any other comments?

5 MR. NOFFSINGER: No, sir.

6 CHAIRMAN: Entertain a motion to dispose of
7 the item.

8 MR. PEDLEY: Mr. Chairman, I make a motion for
9 approval based on its compatible use within the
10 neighborhood and the applicant has addressed all the
11 zoning ordinance requirements including parking and
12 landscaping.

13 CHAIRMAN: Is there a second?

14 MR. DYSINGER: Second.

15 CHAIRMAN: Any other comments or questions
16 from the board?

17 (NO RESPONSE)

18 CHAIRMAN: Staff have any other comments?

19 MR. NOFFSINGER: No, sir.

20 CHAIRMAN: Seeing none all in favor raise your
21 right hand.

22 (ALL BOARD MEMBERS - WITH THE DISQUALIFICATION
23 OF FATHER HOSTETTER - RESPONDED AYE.)

24 CHAIRMAN: Motion carries.

25 One final motion.

MR. DYSINGER: Move to adjourn.

1 MR. TAYLOR: Second.

2 CHAIRMAN: All in favor raise your right
3 hand.

4 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

5 CHAIRMAN: We are adjourned.

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1 STATE OF KENTUCKY)

)SS: REPORTER'S CERTIFICATE

2 COUNTY OF DAVIESS)

3 I, LYNNETTE KOLLER FUCHS, Notary Public in and
4 for the State of Kentucky at Large, do hereby certify
5 that the foregoing Owensboro Metropolitan Board of
6 Adjustment meeting was held at the time and place as
7 stated in the caption to the foregoing proceedings;
8 that each person commenting on issues under discussion
9 were duly sworn before testifying; that the Board
10 members present were as stated in the caption; that
11 said proceedings were taken by me in stenotype and
12 electronically recorded and was thereafter, by me,
13 accurately and correctly transcribed into the
14 foregoing 6 typewritten pages; and that no signature
15 was requested to the foregoing transcript.

16 WITNESS my hand and notary seal on this the
17 10th day of February, 2010.

18

19

LYNNETTE KOLLER FUCHS
OHIO VALLEY REPORTING SERVICES
202 WEST THIRD STREET, SUITE 12
21 OWENSBORO, KENTUCKY 42303
22

23 COMMISSION EXPIRES: DECEMBER 19, 2010

24 COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

25

Ohio Valley Reporting

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