The Owensboro Metropolitan Planning Commission met in regular session at 6:00 p.m. on Thursday, March 8, 2001, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Drew Kirkland, Chairman
Gary Noffsinger
Nick Cambron
Dave Appleby
Jimmy Gilles
Scott Jagoe
Irvin Rogers
Sister Vivian Bowles
Judy Dixon
Belinda Douglas
Martin Hayden

CHAIRMAN: I want to welcome everybody to the March 8th meeting of the Owensboro Metropolitan Planning Commission. Let's rise and have our invocation and pledge.

(INVOCATION AND PLEDGE OF ALLEGIANCE)

CHAIRMAN: Our first order of business tonight is we have a new commissioner, Mr. Jimmy Gilles.

Mr. Gilles, will you stand, raise your right hand as we swear you in.
(MR. JIMMY GILLES SWORN IN AS COMMISSIONER.)

CHAIRMAN: Our next action of business will be to elect a secretary. The floor is now open for nomination.

MR. CAMBRON: Mr. Chairman, I'd like to make a motion for Dave Appleby for secretary.

CHAIRMAN: We have a motion of Mr. Dave Appleby.

MR. HAYDEN: I'll second.

CHAIRMAN: We have a second by Mr. Martin Hayden. Are there any other nominations?

(NO RESPONSE)

CHAIRMAN: The nominations will cease. All in favor as Mr. Dave Appleby as our new secretary raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: It is unanimous. Mr. Appleby is our secretary.

Congratulations, Mr. Appleby.

Mr. Noffsinger.

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PUBLIC FACILITIES PLANS REVIEW FOR CONSISTENCY WITH COMPREHENSIVE PLAN

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ITEM 2

100 Block Ben Ford Road (Map CO-38)
Land Acquisition
Consider comments regarding the purchase of property
for realignment of Ben Ford Road to relocate its
intersection with US 431.
Referred by: Daviess County Fiscal Court

MR. NOFFSINGER: This application has been
reviewed by the Planning Staff. The application comes
to this board for consideration of its consistency
with the Comprehensive Plan. This realignment project
will involve state moneys. Will also involve
acquisition of property to realign the intersection.
The Planning Staff review finds no conflict with the
Comprehensive Plan and would recommend that this
commission forward a letter to that affect to the
Daviess County Fiscal Court.

CHAIRMAN: Do any of the commissioners
have any questions?

(NO RESPONSE)

CHAIRMAN: Chair is ready for a motion.

MR. JAGOE: Move for approval.

CHAIRMAN: Move for approval by Mr. Jagoe.

MR. APPLEBY: Second.

CHAIRMAN: Second by Mr. Appleby. All in
favor raise your right hand.

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

We have one other order. Since we’ve had our newly elected secretary we also need to consider the minutes of our February 8th meeting. Are there any questions, suggestions or additions to those minutes?

MR. NOFFSINGER: No, sir.

MS. DIXON: Move for approval.

SISTER VIVIAN: Second.

CHAIRMAN: We have a move for approval and a second. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: The motion carries. The minutes is approved.

ITEM 3

5054 Carter Road (Map N-68)
Land Disposition
Consider comments regarding the sale of property to Kenergy for the construction of an electrical substation.
Referred by: City of Owensboro

MR. NOFFSINGER: This application has been reviewed by the Planning Staff. We find that it’s not inconsistent with the Comprehensive Plan and recommend that you forward a letter to that affect to the City of Owensboro.

CHAIRMAN: Are there any questions?

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MR. APPLEBY: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Appleby.

MR. HAYDEN: Second.

CHAIRMAN: Second by Mr. Hayden. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 4

Portion 2631 South Griffith Avenue (Map N-16)
Land Acquisition and Street Construction
Consider comments regarding the acquisition of property for upgrading storm water facilities and reconstruction of a portion of Scherm Road.
Referred by: City of Owensboro

MR. NOFFSINGER: Mr. Chairman, the Planning Staff has reviewed this application. Find no conflicts with the Comprehensive Plan and would recommend that you forward a letter to that affect to the City of Owensboro.

CHAIRMAN: Any questions from the Commissioners?

(NO RESPONSE)

MR. ROGERS: Motion for approval.

CHAIRMAN: Mr. Rogers has a motion for
approval.

SISTER VIVIAN: Second.

CHAIRMAN: Second by Sister Vivian. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 5

1802 Leitchfield Road (Map N-7)
Land Acquisition and Street Construction
Consider comments regarding the acquisition of property for improvements to the intersection of East 18th Street and Leitchfield Road.
Referred by: City of Owensboro

MR. NOFFSINGER: Mr. Chairman, this project comes to us for consideration of the re-alignment of the intersection of 18th and Letichfield Road to do away with that triangle piece of property and that Y intersection. The Planning Staff has reviewed this application and find no conflicts with the Comprehensive Plan and would recommend you forward a letter of that affect to the City of Owensboro.

CHAIRMAN: Any questions or comments?

(NO RESPONSE)

CHAIRMAN: Chair is ready for a motion.

MS. DIXON: Move for approval.
CHAIRMAN: Judy move for approval.

MR. JAGOE: Second.

CHAIRMAN: Second by Mr. Jagoe. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

ITEM 6

302 East Third Street (Map N-4)
Land Acquisition and Street Construction
Consider comments regarding the acquisition of property for improvements to the intersection of J.R. Miller Boulevard, East Third Street and the Glover Cary Bridge (US 231).
Referred by: City of Owensboro

MR. NOFFSINGER: This application is to a re-alignment at the Glover Cary Bridge intersection. It would add a lane, one additional lane onto the bridge to the west and it would also move the J.R. Miller Boulevard intersection at Third Street to the east. It would make an improvement to that intersection. Planning Staff has reviewed the plan. We find no conflicts with the plan and would recommend you forward a letter to that affect to the City of Owensboro.

CHAIRMAN: Commissioners have any questions?

(NO RESPONSE)
MS. DIXON: Move for approval.

CHAIRMAN: Motion for approval.

MR. GILLES: Second.

CHAIRMAN: Mr. Gilles has a second. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item.

ITEM 7

917, 923, 925 West Fifth Street, 419 Sycamore Street
(Map N-3)

Land Disposition

Consider comments regarding the sale of property to an adjacent property owner, Mount Pisgah Lodge F&AM #20. Referred by: City of Owensboro

MR. NOFFSINGER: This application has been reviewed by the Planning Staff. We find no conflicts with the Comprehensive Plan and would recommend you forward a letter to that affect to the City of Owensboro.

CHAIRMAN: Commissioners have any questions?

(NO RESPONSE)

MS. DIXON: Motion for approval.

MR. CAMBRON: Second.

CHAIRMAN: We have a motion by Judy. Mr. Cambron had a second. All in favor raise your right hand.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

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ZONING CHANGE - CITY

ITEM 8

Portion 1117 Allen Street, amended to 0.221 acres (Map N-4) (POSTPONED)
Consider zoning change: From R-4DT Inner-City Residential to I-1 Light Industrial.
Applicant: Steve Mayton, John & Frieda Calhoun

(MS. BECKY WATSON SWORN BY CHAIRMAN.)

CHAIRMAN: State your name.

MS. WATSON: I'm Becky Watson.

PLANNING STAFF RECOMMENDATIONS

Staff recommends approval because the proposal is in compliance with the adopted Comprehensive Plan.

This recommendation is made subject to the findings of fact that follow:

FINDINGS OF FACT:

1. The subject property is located within a Central Residential Plan Area, where light industrial uses are appropriate in very-limited locations;

2. The subject property is bounded on the north, south and east across Daviess Street by I-1 Light Industrial zoned property;

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3. The expansion of an I-1 Light Industrial zone and use would not significantly increase the extent of industrial uses located within the 1100 block of Daviess Street;

4. The rezoning request is a logical expansion of light industrial uses located within this block of Daviess Street;

5. The expansion of an I-1 Light Industrial zone and use would not overburden the capacity of the roadway or other necessary urban services in the area; and

6. The pattern of lot development along the existing block fronts will be respected, thereby reducing the potential for conflicts with neighboring areas.

MS. WATSON: We would like to enter the Staff Report as Exhibit A, please.

(STAFF REPORT, ITEM 8 ON THE AGENDA, IS ATTACHED AND MADE A PART OF THE RECORD AT THIS TIME AS EXHIBIT A.)

CHAIRMAN: Is the applicant represented here?

MR. MAYTON: Yes.

CHAIRMAN: Do you have any comments you would like to make?
MR. MAYTON: Not at this time unless somebody objects to it being done.

CHAIRMAN: Is there anybody from the audience that would like to make any comments?

MR. HASTINGS: I'm Larry Hastings.

(MR. LARRY HASTINGS SWORN BY CHAIRMAN.)

CHAIRMAN: Give your name, please.

MR. HASTINGS: Larry Hastings.

CHAIRMAN: Thank you, Mr. Hastings.

MR. HASTINGS: Good evening, Commissioners.

I've been asked to speak for the J.Z. Moore Neighborhood Association. To avoid so many speakers we've combined most of our ideas into one dialogue. There will be other speakers on specific items. We are here tonight to oppose the rezoning of 1117 Allen Street east of Daviess Street, property belonging to John Calhoun, from inner-city residential to light industrial.

The plans are for an automotive restoration shop to be built and operated from this location.

Inner-city residential is the most appropriate zoning for this property. Our neighborhood supported Mr. Calhoun last year when he successfully had the property changed to residential
from light-industrial. We still believe that
inner-city residential is the most appropriate zone.
The property lies immediately adjacent to three homes;
two single-family homes and one duplex in close to a
fourth residence for two families.

Three-fourths of this block is part of the
local historic district originally approved by the
Historic Preservation Board and up for reviewed by the
city commissions.

The only property not included in historic
district is owned by John and Freida Calhoun who asked
the neighborhood not to include their property in the
application. The Calhouns no longer live in our
neighborhood. They have purchased a new home and
their Allen Street home is also for sale.

Residents of the neighborhood do not want
an automotive restoration shop so close to their
homes. We are the largest national historic district
in the city. We have worked hard with lots of help
from the city and to attain this recognition. We are
concerned with Mr. Calhoun's efforts to sale his
property. We are talking to local organizations to
promote interest in this land for beautification
spot. We have hopes that the property will become a
mini park or landscape green space as an alternative
to rezoning.

Old Owensboro Neighborhood Assocation and others have discussed the development of this property as an inner-city green space. We think of this property as being the doorway to our neighborhood. Why put an automotive shop at this location when there are more suitable industrial spaces available with room for expansion. An automotive restoration shop does not seem appropriate adjacent to our residence.

The J.Z. Moore Neighborhood is working to preserve our heritage, to keep part of the past of life for the future generations. We are asking for your help in keeping the neighborhood residential.

Thank you for listening to our request and at this time I ask the residents of the neighborhood who oppose of rezoning the property to stand, please.

(AUDIENCE COMPLIES WITH REQUEST.)

MR. HASTINGS: We stand together to say let's keep the property residential. Thank you.

CHAIRMAN: Thank you, Mr. Hastings. I appreciate you bundling up all your comments with one speaker. That makes our job much easier. Appreciate it.

CHAIRMAN: State your name, please.

MR. WHITAKER: Roger Whitaker.
MR. WHITAKER: My wife and I recently purchased the property at 115 East 12th Street. Our property basically touches the property that is currently being reconsidered for rezoning. The property that is currently being reconsidered for rezoning is -- since it is our backyard, we are naturally concerned about the rezoning from residential to light industrial.

We purchased our property with the intention, of course, of being able to use our backyard, but our concern about the possible traffic, the noises and the smells of a light industrial establishment that could potentially bring to a quiet community.

I'm certainly pro-business and I have no grievance with the Calhouns nor Mr. Mayton, but I don't believe that taking a city block where half the block or approximately half the block there are four residential houses and turning that portion of the block or a small portion of the block into light industrial based upon residents that currently live there.

It has also come to our attention, my wife and I, that our property is currently considered light
industrial. Our house that's on that property has been there for approximately 96 years and I'm not really sure why it was ever considered light industrial, but we are certainly looking into the possibility of rezoning our property from light industrial back to what it really should be as residential. I know that places part of a bearing of zoning in that particular block.

I guess the last thing I would like to say is since our house is 96 years old that I know it has seen a lot come and go, but I certainly hope that it does not see a light industrial come to its backyard.

Thank you.

MR. CHAIRMAN: Yes, ma'am, would you like to make a comment. State your name, please.

MS. COMBS: Vicki Combs.

(MS. VICKI COMBS SWORN BY CHAIRMAN.)

MS. COMBS: I just wanted to quickly address three of the points under the findings of fact.

Point Number 2, "The subject property is bounded on the north, south and east across Daviess Street by I-1 Light Industrial zoned property." I wanted to make a point particularly about the property owned by Smith Machine & Supply Company. That
property currently is not actually being used. It
certainly is zoned light industrial, but it is
currently not actually being used. It has been for
sale for more than a year I believe and the owners are
clearing the property completely. Mr. Arnell has
talked with me on several occasions and has assured me
that they're interested in doing something on the
property that is consistent with the neighborhood and
in particular with the historic district. So simply
wanted to make that point.

In addition points 3 and 4, I think I can
combine. It says the expansion of light industrial
use would not significantly increase the extent of
industrial uses that's located within the block.
Currently there are no industrial uses in the block at
all. The one small building which is zoned light
industrial has been vacant for some time and is
currently for rent. So we have no current industrial
uses. The only industrial use that I can remember
since living in the neighborhood since 1984 was when
that little building was a small cabinet shop and then
just after that it was a small automotive shop. When
that owner decided to expand he chose to relocate out
of the neighborhood. Thank you.

CHAIRMAN: Are there any more comments

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from the audience?

MS. BRIZENDINE: Janice Brizendine.

(MS. BRIZENDINE SWORN BY CHAIRMAN.)

MS. BRIZENDINE: I have some pictures that I would like to pass to you all.

The J.Z. Moore Neighborhood has changed a lot since that zoning to light industrial was passed. It has seen a large increase in private investment over the last several years and believe you me we have put a lot of sweat equity into our homes there.

Although some property is located near the site in question, our zoned industrial there is no harsh use in that area at the present time.

The following uses exist: There this is vacant property; there is a church; there is a police station; there is a teenage non-alcoholic night spot; there is a warehouse with really nice landscaping; and everything else is single-family residential except a duplex.

It is our understanding that the original zone change request has been amended as to not being to include the entire lot but just the one-half facing Daviess Street.

The reasons why the entire lot should not be rezoned to industrial would still carry to the
remaining piece. The lot is only roughly 80 by 135 feet. It would not be large enough to handle an automotive repair shop even if it did meet the planning requirements. Surely there will be more cars and car parts on the lot than could fit within the designated parking area.

Although the adjacent property located along West 12th Street is zoned light industrial, the lots are being used for residential. That's a repeat of what we've already said. We want to make sure that it's understood that that is all residential.

The bottom line is that if this rezoning application is approved, it will allow a possibly harsh industrial use to be placed right next to residential property.

Planning Commissioners, I feel that you can understand the investment and pride that we all take in our neighborhood and we ask you to deny this application based on the following findings: The existing zoning classifications of R-4DT is appropriate and the proposed zoning classification of light industrial is inappropriate. There has been major changes of economic physical and social nature within the revitalization of the J.Z. Moore residential neighborhood. These changes have
substantially altered the basic character of the area in question. The strength of viability of residential use within the neighborhood have had a huge impact on residential inner-city revitalization. The proposed light industrial zone and use such as an automotive repair shop would be an intrusive invasion of the residential character of our neighborhood. Thank you.

CHAIRMAN: Are there any more comments from any of the residents or audience?

Yes, sir, the applicant would like to make a statement. State your name, please.

MR. MAYTON: Steve Mayton.

(MR. STEVE MAYTON SWORN BY CHAIRMAN.)

MR. MAYTON: Do you all have this report that I have that shows the plot?

CHAIRMAN: Yes, we do.

MR. MAYTON: If you look at the plot drawing, half the lot that I'm wanting to rezone, there is an alley that separates it from the other residents. There's a ten-foot alley there. That separates that from the rest of the houses there that goes both directions. I'm not going past the other side of the alley.

As far as it being zoned residential, I have a letter from the Habitat for Humanity. They
would not even build a house there for residents. So it looks like to me the only thing that would be proper would be industrial use. I have that letter with me if you'd like to see a copy of it.

MR. CAMBRON: I'd like to.

MR. MAYTON: It was sent to Mr. Calhoun and not to me.

I don't plan on making a used car lot out of the place. When you restore antique cars everything stays inside. People aren't going to have them sitting outside. Put up a nice block building. I think it'd be an asset to the neighborhood. There are zoning laws to keep it from making it a junk mess. That's really all I have to say. If anybody have any questions, I'd be glad to answer them.

CHAIRMAN: Let's see. Does anybody on the commission have any questions?

MR. CAMBRON: What are your exact intent there? You're going to make a restoration shop?

MR. MAYTON: Restore antique cars. It's a one-man operation. You can't get a whole lot around there.

MR. CAMBRON: Will you be doing spray painting?

MR. MAYTON: Yes. I would have EPA
 approved just like suppose to have.

MR. CAMBRON: Will you be disposing of your hazardous waste in a proper way?

MR. MAYTON: Yes, sir.

MR. CAMBRON: Even though you don't have to?

MR. MAYTON: I assumed it was the law, but I would anyway.

MR. CAMBRON: It depends on how many employees you have.

MR. MAYTON: One. I can't fire myself.

MR. CAMBRON: How many cars do you plan on restoring a month, a year, a week, a day or whatever?

MR. MAYTON: Maybe 10 or 12 a year.

MR. CAMBRON: What type cars are you going to be restoring?

MR. MAYTON: I've done antique cars from 1928 models up. It just depends on what a person wants restored.

MR. CAMBRON: Are you going to add on to the building?

MR. MAYTON: I have no intention to. There's no building there. It's vacant, but what I build should be sufficient for what I want to do.

MR. CAMBRON: What size building are you

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going to build?

MR. MAYTON: Forty by sixty. That leaves me over 70 feet for a parking lot.

MR. CAMBRON: That's all the questions I have.

CHAIRMAN: Does anybody else, any of the other commissioners have any questions or comments they would like to make?

(NO RESPONSE)

CHAIRMAN: You are familiar with what the zoning requirements would be as far as your shielding and your screening of your property?

MR. MAYTON: Yes, sir

CHAIRMAN: Mrs. Watson, have you gone over that with him, the applicant?

MS. WATSON: We haven't reviewed a site plan.

CHAIRMAN: Let me ask her to step to the stand if we could to get her on record.

MS. WATSON: A site plan hasn't been submitted for review yet, but he is aware of screening and parking requirements that would be looked at from the zoning ordinance.

CHAIRMAN: Would you briefly, Ms. Watson, would you briefly outline some of the requirements,
you know, as far as screening and things that will be required.

MS. WATSON: I would rather Mr. Mischel do that since he's the enforcement officer on those type of issues.

CHAIRMAN: Would you state your name, please.

MR. MISCHEL: Jim Mischel.

(MR. JIM MISCHEL SWORN BY CHAIRMAN.)

MR. MISCHEL: As far as the screening and parking, the parking requirements for that type of use, restoring cars would be one for 600 or a minimum of five at least.

The screening to the south, which will be the houses close to 12th Street, there would be no screening since the property is zoned I-1. To the rear of the property, which would be zoned to the west, would be -- he'd have to have a ten foot buffer grass strip. You have to have a six foot solid element.

CHAIRMAN: Then to the north toward the railroad tracks?

MR. MISCHEL: He wouldn't have to have anything. It's not a street, official street so there would be no buffer there.
Now, on Daviess Street, which will be the east side, he would be required to have a landscape buffer between the street and his parking lot. If he has a 40 by 60, that would be 2400 square feet. He'd have to have four, but there's a minimum of five so he'd have to have five parking spaces which will have to be paved.

CHAIRMAN: Mr. Mischel, would you stay there just a minute.

Do you have a question, Mr. Cambron?

MR. CAMBRON: Yes. Would he have to provide an outdoor storage facility for these automobiles that he is not repairing that are waiting there to be repaired or place for storage?

MR. MISCHEL: He would only have to if he had outdoor storage. If he didn't have any outdoor storage, it wouldn't be required. If he did, he would be required to have a solid fence.

CHAIRMAN: Would you stay with us just a minute, Mr. Mischel.

Does anybody in the audience, do you all have any questions that you would like to ask of Mr. Mischel before we dismiss him?

Yes, ma'am.

MS. COMBS: Vicki Combs.
I wanted to clarify about the alley. It almost sounded as if Mr. Mayton was suggesting that the alley separates all of the homes in the property and it does not. It only separates -- in other words, it doesn't run behind the homes at 115 East 12th Street and 119 and 125. Those homes abut up immediately against that property. That's all.

MR. CAMBRON: It does show some type of setback there. What is that? Easement?

MR. MISCHEL: I think at one time it might have been used for an alley, but it's not a public alley. It was probably used for that, but it's probably private type alley, passway, from what I can tell. Since those three properties are zoned I-1, it would not be a buffer requirement by the zoning ordinance.

CHAIRMAN: Yes, ma'am, did you have a question or did she take care of your question?

State your name, please.

MS. HOWELL: Dorothy Howell.

(MS. DOROTHY HOWELL SWORN BY CHAIRMAN.)

MS. HOWELL: I wanted to have clarified. Did I did understand that there would be no screening at all to the south? The south is where the homes are.
MR. CAMBRON: That's because they're zoned I-1 when you abut up or near I-1.

Am I correct, Mr. Mischel?

MR. MISCHEL: That's correct. His property if it's rezoned will be I-1. Three houses to the south, they're currently zoned I-1 and there's no buffer requirement between I-1 zone.

MS. HOWELL: Even though they're used as residences and have been for eons? That wouldn't have a reflection on how they should be screened or protected?

MR. MISCHEL: The only time you require that is if he had some outdoor storage like we talked about before. If he did have outdoor storage, he'd have to put a six-foot solid element around that. The only other, his building itself, if it's built out of wood or metal, he would be required to at least stay ten feet off that property line with his building.

MS. HOWELL: That doesn't leave much space for operation of a business, does it? That's all, I guess. Thank you.

CHAIRMAN: Thank you very much.

Does anybody else have any other questions of Mr. Mischel?

State your name and come to the microphone.

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if you have a question. State your name, please.

MR. PHILIPS: My name is Mike Philips.

(MR. MIKE PHILIPS SWORN BY CHAIRMAN.)

MR. PHILIPS: I own the property in question on 1122 Daviess Street. We currently have for rent. I don't see any problem with what the gentleman is going to do. I understand what he's going to do because I'm in the business. He's going to build a building there and he's going to have to conform to beautification things that to me are absurd when you're beside a railroad track. It's going to look better most likely than the houses in the neighborhood when he gets done with them.

I have concerns if that's not left or not gone gone back to I-1 that maybe my property could be changed in some way to where I could not rent. We operated a machine shop there for 14 years. Do any of you people even know me?

(NO RESPONSE)

MR. PHILIPS: We didn't cause much trouble, did we? I was there for 14 years. We operated an automotive type machine shop. We probably built 500 engines in that building in 14 years, not to mention cleaning, valve jobs, and other things. Make ten times the noise, or not ten times the noise. At
least five times the noise and stuff of what one man
can do restoring old cars. We had five people
working in that building.

Anybody ever have any complaints out of
what we did there?

(NO RESPONSE)

MR. PHILIPS: I know you didn't.

I don't know there gentleman over here.

Me and Mr. Calhoun have had our differences and he's
the one that's going to benefit on the sale. He tried
to sell it as just a residential thing. These people
opposed to what he wanted to do there. Now he's
trying to sell it. Go back to I-1 and sell it.
They're opposing that. I don't know these people. I
don't have a problem with them, but I just don't
understand why this gentleman over here can't go in
there and put in a business that's like I say has to
conform to all the codes and stuff. That's all I have
to say.

CHAIRMAN: Let me say one thing. One, the
screening to the north that's next to the railroad
tracks, if I'm wrong, Mr. Mischel, I'm sure you'll
correct me. But the screening to the north, there's
no screening required there abutting the railroad
tracks. There is no screening there.
MR. MISCHEL: That's correct.

CHAIRMAN: As far as anything affecting your zoning of I-1, no. You are zoned I-1. You will be I-1. Anything that takes place here, will not affect your zone in any way.

MR. PHILIPS: That's my main concern right there. I think I have the building rented. We had a hard time trying to rent it. It's not something that's easy to rent because of what it is. You have to get more rental out of it because of what it is. The gentleman that's going to go in there to do what he's going to do has epoxy type business that has no smells that I know of. He's not going to make any more racket or noise than residential place, you know. The guy that's going in my property would be doing something similar to what this gentleman wants to go over there. As far as what I'm talking about, not the business but the noise factor and the smell or whatever, traffic or so forth like that.

CHAIRMAN: Thank you.

MS. DIXON: I have a question.

CHAIRMAN: Ms. Dixon.

MS. DIXON: Just to satisfy my curiosity. If all of these houses on Daviess and so forth have been houses forever, and I know that they have, I've
been in a good many of them, why are they zoned industrial? How did that happen?

CHAIRMAN: That would be a question for Mr. Mischel.

MS. DIXON: I mean did somebody just blanketly spread I's over a great deal of land 100 years ago?

CHAIRMAN: Mr. Adams is going to come to the microphone.

State your name, please?

MR. ADAMS: Gary Adams.

(MR. GARY ADAMS SWORN BY CHAIRMAN.)

MR. ADAMS: This as we've been hearing discussed is property immediately adjoining the railroad tracks. Back when Owensboro was first zoned in the late '40s and early '50s, we had pyramidal zoning which meant that when you had industrial zoning you could do anything you wanted from industrial on down to commercial on down to residential within that zone. So a lot of properties immediately adjoining railroad tracks were zoned industrial even down into some of the adjoining residential areas.

Subsequent to that though, the Kentucky Supreme Court said you can't have pyramidal zoning. You have to have discreet zone and you can't do
resident, industrial or vice versa. So you have some leftover situations where you have residential uses that are zoned light industrial because ever since 1980 when the new zoning ordinance was adopted, Planning Commission has not chosen to assertively go out and rezone properties assuming what the property wanted it to be.

There could be assumption here that those three houses or the two houses next to the small business the gentleman who just spoke, those owners may want some day to do light-industrial use on there. The Planning Commission is not presuming what their future interest is. But that's the reason that you'll have some situations near railroad tracks where you'll have houses zoned industrial because they were zoned industrial in 1947 when Owensboro first had zoning.

CHAIRMAN: Thank you, Mr. Adams.

Ms. Dixon, your continuation.

MS. DIXON: Can I follow up on that?

CHAIRMAN: Yes, ma'am.

MS. DIXON: What that's basically saying is if you buy an older home and you don't seek out some avenue to rezone it, then sooner or later that's going to come back and slap you in the face even if you didn't realize. That's going to work to your ---
I have a problem with that.

MR. APPLEBY: You're under some obligations to determine what the zone is before you buy the property.

MS. DIXON: I know, but --

MR. JAGOE: A lot of people don't inquire about that.

CHAIRMAN: Yes, sir. One more comment.

State your name, please.

MR. DARLING: Robert Darling.

(MR. ROBERT DARLING SWORN BY CHAIRMAN.)

MR. DARLING: I'm president of the Old Owensboro Neighborhood Alliance which services the area from Parrish Avenue North and Frederica Street East, which J.Z. Moore is in our area.

A question I'd like to bring up is really your own words and the issue that just got discussed a second ago. Once this is changed to light industrial, it will stay light industrial forever. If Mr. Myers meets all the codes and is a good neighbor and everything, will be in 5 or 14 years as a machine shop. All at once his business won't be there, but yet you'll have a piece of property that's light industrial. What would be the next business that might go in there in a light industrial area that you
don't know -- that would meet all the codes and everything because it would already be, you know, already be changed to light industrial.

So once you change -- you know, this property has already been changed to residential which we encourage commercial business too, but once you change it back it's kind of like, you know, every two or three years it's just going to go back and forth between the two. I would just question. I wanted to comment. Since the last time I was down here I see almost all new board members. In ten years from when there's another whole set of new board members, they'll say, well, that's light industrial. Whatever business is there can go there. You're making changes for the future. Not just today.

CHAIRMAN: I'll just address several of your comments.

One, this property has been before us before. It was light industrial. He did change it to residential and now he's coming back to put it back where it was before. As far as what businesses will be in or in a light industrial zone, it's spelled out what businesses can be in light industrial zone from now on.

This board if anyone of you all want to
change your classification of your house, you know, you make an application, come before this board and you can reclassify it as many times as you want, you know, assuming the board passes it. So there's no iron-clad thing, but if somebody is happy with light industrial and they're operating light industrial, they will be light industrial. That's the way the process works regardless who is on the board and what time.

SISTER VIVIAN: I have a question.

CHAIRMAN: Yes, ma'am.

SISTER VIVIAN: It was said that there didn't have to be a buffer between the proposed property and what is light industrial already. On our map it says Lynn Iler and Philips property. There are two sides to this story that I'm hearing tonight. One is the people that have property that are homes, they want the sanctity of that, but yet this is adjacent to the light industrial already. So there's an argument both ways. Would it be at all appeasing if it would be recommended by us that there be some kind of fencing, attractive fencing between that property and the homes that are already zoned light industrial?

MR. MISCHEL: Make it a condition upon the rezoning?
SISTER VIVIAN: I mean I don't know that it would appease them at all or not, but it would help me if I had a home and industry of any kind was going into the back of my home.

MR. MISCHEL: I would assume that the board could make conditions to the rezoning. As the zoning ordinance stands right now, when you have I-1 light industrial property abutting I-1 light industrial there is no screening requirement.

SISTER VIVIAN: I guess really my question is more it can be done. Like if Mr. Mayton buys the property and he would agree to do that, would that help at all the homeowners in the neighborhood?

MR. MISCHEL: I'm sure. That would be for them to discuss, but that might -- I can't answer for them.

MR. MAYTON: Can I comment on that?

CHAIRMAN: Please do.

MR. MAYTON: I've been down to the Planning & Zoning several times trying to figure exactly what I need to do to make everybody happy. If my understanding is correct, I have to have at least 30 feet in front of the building. That's going to be parking lot and set the building 30 feet off the street. Then you put a 60-foot long building there.
That's going to be up against the back of those houses or up against the alley. The building is going to be on that side of the lot towards the alley. Then at the end of the lot you might have 40 or 50 feet that wouldn't have a building or anything there that would be the vacant part of the lot. So if you've got a 60-foot building there and a 30-foot parking lot, why would you need a fence between there and the alley?

CHAIRMAN: I don't need to speak for you, Sister Vivian. You can handle it yourself.

SISTER VIVIAN: I was trying to protect the homeowners. That if your business was backing up to their homes, that if I lived in one of those houses I would like some kind of attractive fencing or something there to give any impression between the industry and the home. But you're saying that you're going to be so close to their property line that you couldn't even put a fence in there?

MR. MAYTON: I could put the building wherever I want to on the lot, but there's a ten foot alley there that separates these properties that's at least ten foot wide.

SISTER VIVIAN: I thought someone said awhile ago there was not an alley. It was only --

MR. APPLEBY: There's an easement there.
CHAIRMAN: Easement.

MR. MAYTON: There is gravel path there.
I don't know if you want to call it an alley or not.
I don't know if it's classified as an alley.

MR. CAMBRON: It's almost like a common
driveway?

MR. MAYTON: Yes. But if you put a
six-foot fence up beside a 12 foot building, what have
you gained? I don't care to put the fence up if
that's what you want.

MR. CAMBRON: If you had a bunch of scrap
material, drums of something, garbage.

MR. MAYTON: I'm not going to have that.

MR. CAMBRON: We don't know. That's what
we're saying. She may want you to do that if she
determines that she wants to make a recommendation and
that's the reason possibly.

Is that correct, Sister?

SISTER VIVIAN: Yes. I was just thinking
of the view. I don't know that that would even, you
know, that this group over here would even be amenable
to that. I was raising the question trying to get
some kind of compromise here.

MR. MAYTON: I'm planning on putting up a
nice block building and painting it, you know. To me
Collision shop has cars sitting around waiting to be repaired outside a lot of times because they don't have room. A restoration shop you work on one or two cars at a time and they stay inside for months at a time. You don't have cars sitting outside waiting to be worked on. You're only going to have 40 or 50 feet at the end of the lot that's not going to have a nice white wall there or clay color, whatever color I paint the outside of the wall.

CHAIRMAN: His block building can go right on the property line.

MR. MAYTON: Within three feet, I believe.

CHAIRMAN: Jim, how close to the block building?

MR. MISCHEL: If the building was built out of wood or metal, it would have to be 10-feet off the property line. If it's out of block, theoretically it could go up to the property line.

There's a grading for that.

At this time for what he's proposing I don't know. The most it would be probably be a --

CHAIRMAN: So a standard block he would be right on, he could be right on the property line, run back within 40 foot of the end and then he -- what
you were suggesting, Sister Vivian, is maybe a
continuation of that with maybe some solid fence
because I think your neighbor on Daviess Street would
not really care or desire for a fencing dividing your
two properties. I think that's what Sister Vivian is
proposing is a possible --

MR. MAYTON: The fence on the last 40
feet.

CHAIRMAN: Yes.

MR. MAYTON: No problem.

MR. NOFFSINGER: Mr. Mayton, this board
has not had the privilege to review your site plan.
Therefore they're working toward trying to understand
as they question you as to how that site is going to
develop. I think Sister Vivian is speak of is that
along that south property line if you had a building
wall that doesn't have any windows in it, if you will,
or along the property line between 115 and 119 East
12th Street where you had an area that is not, the
building doesn't extend to those properties, that that
area would be filled in by say a 6-foot high fence. I
think you indicated to the record that there would be
no outdoor storage on the site. Now, if there's any
outdoor storage on the site, that would need to be
enclosed on all sides by minimum 6-foot high solid
One other thing about the properties that they're talking about that would be next to this gentleman's place. When we moved in there 14 years ago, the grass on that railroad block was 3 foot high. We mowed that lot for six or seven years plumb back behind these houses that they wasn't mowing the grass. We did that. The railroad had left concrete blocks. There was trees. There was at one time a hermit living in this clump of area behind the houses that don't have an alley. Now, I'm telling the truth here now. When Mr. Calhoun bought this place he cleaned all that mess up and he started mowing that area back there. Anything he puts up is going to be a buffer between their houses and the railroad track. I guess I'm just ranting and raving, but I don't understand any kind of problem.

The only other thing I've got -- another thing I want to say about what he's going to do with his parking lot there. I have a garage door at my building there. The alley is on my property. I don't think he should be able to put up something that would
keep me from being able to back into that door because
that building has been able to back into that door for
almost 50 years since it was built in '56. I would
hope that his parking lot would be adjacent to that
alley right there where that if anybody wanted to back
into my building they could turn around there instead
of putting a fence up right on the property line and
not be able to get in there at all.

CHAIRMAN: Sister Vivian's suggestion is
for a fence which would be on the west side.

MR. PHILIPS: Right. I understand that.

CHAIRMAN: And I am sure he would not want
to put up any more fencing.

MR. PHILIPS: Well, his parking lot should
be open to my building and not closed. I don't know
how the codes are going to say that he's got to do the
shrubbery and stuff there on the parking lot which
would be on Daviess Street side.

CHAIRMAN: Between you and him, because
both of you are light industrial, there's no screening
required. You all are abutting.

MR. PHILIPS: Another thing that I think
that needs to be -- if he goes in there, I think the
city needs to pave beside it.

CHAIRMAN: You're beyond us right now.
That's not us.

MR. CAMBRON: Ready for a motion?

CHAIRMAN: The Chair is ready for a motion, Mr. Cambron.

MR. CAMBRON: Mr. Chairman, I make a motion for denial due to the changes in the economic and social conditions of the neighborhood and it being incompatible with the existing revitalization efforts of the neighborhood as incompatible with the historic district as it's designated, Mr. Chairman.

CHAIRMAN: Motion by Mr. Cambron.

MS. DIXON: Second.

CHAIRMAN: Second by Ms. Dixon. All in favor of the -- do we have any discussion or questions?

(NO RESPONSE)

CHAIRMAN: All in favor of the motion for denial raise your right hand.

(NICK CAMBRON, JUDY DIXON AND BELINDA DOUGLAS RESPONDED AYE.)

CHAIRMAN: Three.

All opposed to the motion for denial.

(DAVID APPLEBY, SCOTT JAGOE, JIMMY GILLES, IRVIN ROGERS, SISTER VIVIAN BOWLES, DREW KIRKLAND AND MARTIN HAYDEN RESPONDED NAY.)
CHAIRMAN: Seven. Motion fails.

The Chair is now ready for another motion.

MR. APPLEBY: Mr. Chairman, I would make a
motion for approval. I don't believe in my opinion
the property is ever going to develop residential. I
don't think it's suitable for residential use. I
think the Planning Staff's Recommendations and
Findings of Fact are accurate so I would make a motion
for approval based on those findings of fact.

MR. CAMBRON: Can I make a comment before
we --

CHAIRMAN: By Mr. Appleby we have a motion
on the floor for approval. Mr. Cambron would like to
make a comment.

MR. CAMBRON: One of the things that I see
happening, Dave, is that if we do rezone this and he
does put a restoration shop, that's great. I don't
have a problem with that at all, but whose to say in a
year if this gentleman gets sick, something happens,
okay, it's turned into a restoration. He has all the
facility there to be a collision facility and then all
of a sudden this particular piece of ground and this
building becomes a full fledged body shop with 15
employees and cars everywhere. There's where I stand.
We have no control after that's done. That's the only
problem I have, but I respect what you're telling.

        CHAIRMAN: I think you're incorrect there, Mr. Cambron. I think by virtue of the code, by virtue of the number of parking spots and the square footage, that this building would not be able to support that size of operation. If he did go into a, as Mr. Mischel had stated, if he did go into a body shop, there would be total screening required and then there would be parking requirements and there's also parking requirements, if I'm not mistaken, Mr. Mischel, on the number of employees that you have also.

        MR. CAMBRON: Well, there's not any requirements for that. They can't stipulate how many employees you have.

        Here is the thing: Once you've done the rezoning and you've built the building and you've done the screening, you're three-quarters of the way there to a body shop. Bottom line.

        MR. CHAIRMAN: Mr. Mischel, would you address that. Isn't there a requirement base don the number of employees also you have as far as the number parking spots be required?

        MR. MISCHEL: In some instances there are. In this there isn't. It's just one per 600 square feet.
CHAIRMAN: Thank you.

We've had comments. We have a motion on the floor by Mr. Appleby for approval.

MR. HAYDEN: Second.

CHAIRMAN: Second by Mr. Hayden. All in favor of the approval of the motion.

(DAVE APPLEBY, SCOTT JAGOE, JIMMY GILLES, IRVIN ROGERS, SISTER VIVIAN BOWLES, DREW KIRKLAND AND MARTIN HAYDEN RESPONDED AYE.)

CHAIRMAN: Seven. All opposed raise your right hand.

(NICK CAMBRON, JUDY DIXON AND BELINDA DOUGLAS RESPONDED NAY.)

CHAIRMAN: The motion carries seven to three.

Next item.

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MAJOR SUBDIVISIONS

ITEM 9

Creek Haven, Unit #1, 5.805 acres (Map N-22)
Consider approval of major subdivision final plat.
Surety (Certificate of Deposit) posted $25,068.20
Applicant: Creek Haven Development, Inc.

MR. NOFFSINGER: Mr. Chairman, this application has been reviewed by the Planning Staff.
It's found to be in order and ready for your
Consideration.

CHAIRMAN: Any comments or questions about this?

(NO RESPONSE)

CHAIRMAN: Chair is ready for a motion.

MR. APPLEBY: Motion for approval.

MR. CAMBRON: Second.

MR. CHAIRMAN: Motion for approval by Mr. Appleby. Mr. Cambron a second. Cambron. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

MR. JAGOE: Mr. Chairman, I need to disqualify myself for Item Number 10.

CHAIRMAN: Okay.

ITEM 10

Heritage Park, Unit #2, Lots 26-63, 9.460 acres (Map N-65)
Consider approval of major subdivision final plat. Surety (Certificate of Deposit) posted: $22,516.00
Applicant: Jagoe Homes & Construction Co., Inc.

MR. NOFFSINGER: Mr. Chairman, this application has been reviewed by the Planning Staff. It's found to be in order and ready for your consideration.

CHAIRMAN: Any questions?

(NO RESPONSE)
MS. DIXON: Move for approval.

CHAIRMAN: Motion for approval by Ms. Dixon.

MR. APPLEBY: Second.

MR. CHAIRMAN: Second by Mr. Appleby. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT WITH THE EXCEPTION OF SCOTT JAGOE'S DISQUALIFICATION RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next one.

ITEM 11

William R. LeMaster, Tracts 5-25, 65.98 acres (Map Co-3, 4, 11)
Consider approval of major subdivision preliminary plat.
Applicant: William LeMaster

MR. NOFFSINGER: Mr. Chairman, I have a letter in the application from the applicant's engineer asking that this item be postponed until the April 19, 2001, meeting of this commission.

CHAIRMAN: Mr. Noffsinger, do we need to vote on postponing of that?

MR. NOFFSINGER: Yes, sir.

MR. APPLEBY: Motion to postpone.

MR. CAMBRON: Second.

CHAIRMAN: Motion by Mr. Appleby. Mr.
Cambron seconds. All in favor raise right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Next item, please.

ITEM 12

Carl Westerfield, 14.63 acres (Map N-40)
Consider approval of major subdivision preliminary plat.
Applicant: Carl Westerfield

MR. NOFFSINGER: Mr. Chairman, I have a letter in this application from the applicant's engineer asking that this item be postponed until the April 19, 2001, meeting of this commission.

MS. DIXON: Move to postpone.

CHAIRMAN: Ms. Dixon motion for postponement.

MR. HAYDEN: Second.

CHAIRMAN: Mr. Hayden second. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Next item, please.

MINOR SUBDIVISION

ITEM 13

5054 Carter Road, 2.643 acres (Map N-68)
Consider approval of minor subdivision plat.
Applicant: Economic Development Properties, Inc., City of Owensboro to Kenergy Corp.

Ohio Valley Reporting
(270) 683-7383
MR. NOFFSINGER: Mr. Chairman, this application has been reviewed by the Planning Staff. It's found to be in order and ready for your consideration.

CHAIRMAN: Any questions?

(NO RESPONSE)

MR. APPLEBY: Motion for approval.

CHAIRMAN: Motion by Mr. Appleby for approval.

MR. HAYDEN: Second.

CHAIRMAN: Mr. Hayden has a second. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Next item.

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SURETY RELEASES

ITEM 14

Heritage Park, Unit #1, $12,780.02
Consider partial release of surety (Irrevocable Letter of Credit) for streets and sidewalks.
Surety retained (Irrevocable Letter of Credit) $1,735.80
Surety posted by: Jagoe Homes & Construction Company, Inc.

MR. JAGOE: I need to disqualify myself.

CHAIRMAN: So noted.

Chair is ready for a motion.
SISTER VIVIAN: Move for approval.

CHAIRMAN: Sister Vivian moves for approval.

MR. HAYDEN: Second.

MR. CHAIRMAN: Second by Mr. Hayden. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT WITH THE EXCEPTION OF MR. JAGOE'S DISQUALIFICATION RESPONDED AYE.)

CHAIRMAN: Next item, please.

ITEM 15

Old Hickory Restaurant, $2,272.00
Consider release of surety (Certified Check) for landscaping.
Surety posted by: Old Hickory Bar-B-Q, Inc.

CHAIRMAN: Chair is ready for a motion.

MR. JAGOE: Move to approve.

MR. ROGERS: Second.

CHAIRMAN: Second by Mr. Rogers. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item.

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SURETY TRANSFERS

Ohio Valley Reporting
(270) 683-7383
ITEM 16

Heritage Park Development, Unit #15, $1,980.00
Transfer of surety (Certificate of Deposit) for sidewalks to the City of Owensboro.
Surety posted by: O'Bryan Heirs

ITEM 17

Heritage Park Development, Unit #15, $1,048.60
Transfer of surety (Certificate of Deposit) for streets to the City of Owensboro.
Surety posted by: O'Bryan Heirs

ITEM 18

Lanham River Terminal, $14,000.00
Transfer of surety (Irrevocable Letter of Credit) for water mains & fire hydrants to the Daviess County Fiscal Court.
Surety posted by: Lanham River Terminal

ITEM 19

Tradewinds at Bon Harbo, Unit #4, $5,736.00
Transfer of surety (Certified Check) for sidewalks to the City of Owensboro.
Surety posted by: Jagoe Homes, Inc.

ITEM 20

Tradewinds at Bon Harbor, Unit #4, $2,881.20
Transfer of surety (Irrevocable Letter of Credit) for streets to the City of Owensboro.
Surety posted by: Robert H. Steele

MR. NOFFSINGER: Mr. Chairman, under Surety Transfers Item 16 through 20 are in order and can be transferred in toto; however, I think we may have some disqualification.

MR. CAMBRON: We can do 16 through 18 anyway, right?

MR. NOFFSINGER: No. We're going to have
16 and 17 -- no. We can do 16 through 18 in toto.

MR. CAMBRON: Motion for approval.

CHAIRMAN: Mr. Cambron has a motion for approval.

MS. DIXON: Second.

MR. CHAIRMAN: Second by Ms. Dixon. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item.

MR. JAGOE: I need to disqualify myself from Item 19.

CHAIRMAN: Mr. Jagoe is disqualified.

MR. APPLEBY: I need to disqualify myself on Number 20.

Motion for approval on Number 19.

MR. ROGERS: Second.

CHAIRMAN: Motion for approval by Mr. Appleby. Second by Mr. Rogers. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT WITH THE EXCEPTION OF MR. JAGOE'S DISQUALIFICATION RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Next item, please.

Ohio Valley Reporting
(270) 683-7383
MR. HAYDEN: Motion for approval on 20.

MR. JAGOE: Second.

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT WITH THE EXCEPTION OF MR. APPLEBY'S DISQUALIFICATION RESPONDED AYE.)

CHAIRMAN: Motion carries.

Mr. Noffsinger, is there any new business?

MR. NOFFSINGER: Yes, sir. I would like to pass out an updated copy of the OMPC Agency Information booklet. While I'm doing that I would like to announce for the public that the recently adopted Comprehensive Plan is available on the OMPC web site. That address is IOMPC.ORG. There's a link to the City of Owensboro's web site. If you'll go to that link, it will point you directly to a little button that you can click on and there you can view the Comprehensive Plan in its entirety.

That's all I have.

CHAIRMAN: The Chair is ready for one final motion.

MS. DIXON: Move to adjourn.

CHAIRMAN: Ms. Dixon has a motion for adjournment.
MR. APPLEBY: Second.

CHAIRMAN: Second by Mr. Appleby. All in favor raise you right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: This 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 Planning & Zoning
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 54 typewritten pages; and that no signature
was requested to the foregoing transcript.

WITNESS my hand and notarial seal on this
the 31st day of March, 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

Ohio Valley Reporting
(270) 683-7383