OWENSBORO METROPOLITAN PLANNING COMMISSION

APRIL 12, 2012

THE OWENSBORO METROPOLITAN PLANNING COMMISSION

MET IN REGULAR SESSION AT 5:30 P.M. ON THURSDAY, APRIL

12, 2012, AT CITY HALL, COMMISSION CHAMBERS,

OWENSBORO, KENTUCKY, AND THE PROCEEDINGS WERE AS

FOLLOWS:

MEMBERS PRESENT:  DREW KIRKLAND, CHAIRMAN
WARD PEDLEY, VICE CHAIRMAN
DAVID APPLEBY, SECRETARY
GARY NOFFSINGER, DIRECTOR
MADISON SILVERT, ATTORNEY
REV. LARRY HOSTETTER
TIM ALLEN
IRVIN ROGERS
WALLY TAYLOR
JOHN KAZLAUSKAS
JASON STRODE
FRED REEVES

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CHAIRMAN:  I WANT TO WELCOME EVERYONE TO THE
APRIL 12, 2012 OWENSBORO METROPOLITAN PLANNING
COMMISSION. WILL YOU PLEASE RISE WHILE FRED REEVES
GIVES OUR INVOCATION AND PLEDGE OF ALLEGIANCE.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN:  OUR FIRST ORDER OF BUSINESS WILL BE
TO CONSIDER THE MINUTES OF THE MARCH 8, 2012 MEETING.
ARE THERE ANY QUESTIONS, CORRECTIONS, ADDITIONS?
(NO RESPONSE)

CHAIRMAN:  IF NOT THE CHAIR IS READY FOR A

OHIO VALLEY REPORTING
(270) 683-7383
MOTION.

MR. PEDLEY: MOTION FOR APPROVAL.

CHAIRMAN: MOTION FOR APPROVAL BY MR. PEDLEY.

MR. ALLEN: SECOND.

CHAIRMAN: SECOND BY MR. ALLEN. ALL IN FAVOR RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

NEXT ITEM, MR. NOFFSINGER.

MR. NOFFSINGER: MR. CHAIRMAN, I WOULD LIKE TO ADVISE EVERYONE THAT IF YOU DO WISH TO SPEAK, PLEASE LEAN FORWARD INTO THE MICROPHONE AND SPEAK INTO THE MICROPHONE. WE'VE HAD SOME FOLKS INDICATE FROM OUR TELEVISION VIEWING AUDIENCE THAT THEY'VE HAD TROUBLE HEARING US. MAKE SURE IF YOU DO WISH TO SPEAK, LEAN FORWARD TO THE MICROPHONE, SPEAK INTO THE MICROPHONE.

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ZONING CHANGES

ITEM 2

PORTION OF 10565 HIGHWAY 81, 0.217 ACRES CONSIDER ZONING CHANGE: FROM R-1A SINGLE-FAMILY RESIDENTIAL TO A-R RURAL AGRICULTURE APPLICANT: JERRY C. BAIRD

MR. SILVERT: WOULD YOU STATE YOUR NAME, PLEASE?

MS. EVANS: MELISSA EVANS.
1 (MELISSA EVANS SWORN BY ATTORNEY.)
2 MS. EVANS: FIRST OF ALL, THE REZONINGS HEARD
3 HERE TONIGHT WILL BECOME FINAL 21 DAYS AFTER THE
4 MEETING UNLESS AN APPEAL IS FILED. IF AN APPEAL IS
5 FILED, THE APPLICATION WILL BE FORWARDED TO THE
6 APPROPRIATE LEGISLATIVE BODY FOR FINAL ACTION. THE
7 APPEAL FORMS ARE LOCATED ON THE BACK TABLE, ON OUR
8 WEBSITE AND IN THE OFFICE.
9 PLANNING STAFF RECOMMENDATIONS
10 THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
11 TO THE FINDINGS OF FACT THAT FOLLOW:
12 FINDINGS OF FACT:
13 1. STAFF RECOMMENDS APPROVAL BECAUSE THE
14 PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED
15 COMPREHENSIVE PLAN:
16 2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL
17 MAINTENANCE PLAN AREA WHERE AGRICULTURAL USES ARE
18 APPROPRIATE IN GENERAL LOCATIONS;
19 3. AGRICULTURAL PRACTICES IN PLACE SHOULD
20 CONSERVE TOPSOIL;
21 4. THE SUBJECT PROPERTY IS SPLIT ZONED AND
22 THIS WILL ALLOW A CONSISTENT ZONING FOR THE ENTIRE
23 FARM.
24 MS. EVANS: WE WOULD LIKE TO ENTER THE STAFF
25 REPORT INTO THE RECORD AS EXHIBIT A.

OHIO VALLEY REPORTING
(270) 683-7383
CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE APPLICANT?
(NO RESPONSE)
CHAIRMAN: DO WE HAVE ANY QUESTIONS?
(NO RESPONSE)
CHAIRMAN: DOES ANYBODY HAVE ANY QUESTIONS BY THE COMMISSION?
(NO RESPONSE)
CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.
MR. PEDLEY: MOTION FOR APPROVAL BASED ON STAFF RECOMMENDATIONS AND FINDINGS OF FACT 1 THROUGH 4.
CHAIRMAN: MOTION FOR APPROVAL BY MR. PEDLEY.
MR. STRODE: SECOND.
CHAIRMAN: SECOND BY MR. STRODE. ALL IN FAVOR RAISE YOUR RIGHT HAND.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
CHAIRMAN: MOTION CARRIES UNANIMOUSLY.
NEXT ITEM, PLEASE.
BEFORE WE BRING UP THE NEXT ITEM, I WANT TO MAKE A STATEMENT. MR. HOWARD HAD AN ARTICLE PUBLISHED IN THE PLANNING MAGAZINE. IT WAS ABOUT OWENSBORO AND ABOUT OUR PLANNING AND ABOUT THE JOB THAT THE STAFF, THE STATE AND CITY DID IN WORKING TOGETHER TO GET THE OHIO VALLEY REPORTING (270) 683-7383
OFF AND ON RAMP OUT BY MENARD’S GOING ONTO THE BYPASS
AND OFF OF THE BUSY HIGHWAY OUT THERE.

MR. HOWARD, THANK YOU. IT WAS A GOOD ARTICLE.

WELL DONE.

IN FRONT OF IT FEATURED A PICTURE OF COLBY’S.

WE WERE VERY PLEASED TO HAVE YOU PUBLISHED IN OUR
HONOR.

NOW WE WILL PROCEED ON.

ITEM 3

10808, 10810, 10814-10822, 10826-10836, 10902 HIGHWAY
144, 154 ACRES

CONSIDER ZONING CHANGE: FROM EX-1 COAL MINING TO A-R
RURAL AGRICULTURE

APPLICANT: UNITED MINERALS COMPANY, LLC; FRANCIS &
MICHELLE CARRICO; JUDY BIELEFELD; GREGORY & KAREN
GILMORE; ROBERT CARRICO, SR.; THOMAS GOETZ, CAROL
CARRICO; PHILLIP CARRICO; JANICE WALKER; CHARLES &
MARY SMITH; WILLIAM & JANICE WALKER; CHARLES &
JEANETTE SMITH; CHRIS & JAMIE CARRICO; MARK CARRICO;
FRANK CARRICO; JERRY & TAMARA HOWARD

PLANNING STAFF RECOMMENDATIONS

THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT

TO THE FINDINGS OF FACT THAT FOLLOW:

FINDINGS OF FACT:

1. STAFF RECOMMENDS APPROVAL BECAUSE THE

PROPOSAL IS SUBSTANTIALLY IN COMPLIANCE WITH THE

COMMUNITY’S ADOPTED COMPREHENSIVE PLAN;

2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL

MAINTENANCE PLAN AREA, WHERE RURAL FARM RESIDENTIAL

USES ARE APPROPRIATE IN GENERAL LOCATIONS;

OHIO VALLEY REPORTING
(270) 683-7383
3. THE SUBJECT PROPERTY CONSISTS OF 14 LARGE
TRACTS WITH AGRICULTURAL AND FORESTRY POTENTIAL;
4. THE SUBJECT PROPERTIES HAVE ACCESS TO
HIGHWAY 144 VIA A PRIVATE DRIVE WITH NO NEW ROADS
PROPOSED;
5. ALL STRIP-MINING ACTIVITY HAS CEASED ON
THE SUBJECT PROPERTY; AND,
6. THE OWENSBORO METROPOLITAN ZONING
ORDINANCE ARTICLE 12A.31 REQUIRES THAT PROPERTY SHALL
REVERT TO ITS ORIGINAL ZONING CLASSIFICATION AFTER
MINING.

MS. EVANS: WE WOULD LIKE TO ENTER THE STAFF
REPORT INTO THE RECORD AS EXHIBIT B.

CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE
APPLICANT?

(NO RESPONSE)

CHAIRMAN: DO WE HAVE ANY QUESTIONS?

(NO RESPONSE)

CHAIRMAN: QUESTIONS FROM THE COMMISSION?

(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
MOTION.

MR. ROGERS: MOTION FOR APPROVAL BASED ON
PLANNING STAFF RECOMMENDATIONS WITH FINDINGS OF FACT 1
THROUGH 6.
CHAIRMAN: WE HAVE A MOTION FOR APPROVAL BY
MR. ROGERS.

FATHER HOSTETTER: SECOND.

CHAIRMAN: SECOND BY FATHER LARRY. ALL IN
FAVOR RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

ITEM 4

6020 US HIGHWAY 231, 7.987 ACRES
CONSIDER ZONING CHANGE: FROM A-R RURAL AGRICULTURE TO
B-4 GENERAL BUSINESS
APPLICANT: EQUITY TRADE & RELOCATION COMPANY; MARNIC,
LLC; ASN INVESTMENTS, LLC

MR. SILVERT: WOULD YOU STATE YOUR NAME, PLEASE?

MR. HOWARD: BRIAN HOWARD.

(BRIAN HOWARD SWORN BY ATTORNEY.)

PLANNING STAFF RECOMMENDATIONS

THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
TO THE CONDITION AND FINDINGS OF FACT THAT FOLLOW:

CONDITION:

ROADWAY IMPROVEMENTS WILL BE REQUIRED TO
MITIGATE THE IMPACT OF THE DEVELOPMENT ON THE ROADWAY
NETWORK. THE REQUIRED IMPROVEMENTS ARE OUTLINED IN
THE TRAFFIC IMPACT STUDY SUBMITTED IN CONJUNCTION WITH
THE REZONING REQUEST AND SHALL BE IMPLEMENTED AS
APPROVED, INCLUDING ANY POTENTIAL ADDITIONAL

OHIO VALLEY REPORTING
(270) 683-7383
REQUIREMENTS, BY THE KENTUCKY TRANSPORTATION CABINET.

FINDINGS OF FACT:

1. STAFF RECOMMENDS APPROVAL BECAUSE THE PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY’S ADOPTED COMPREHENSIVE PLAN;

2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL COMMUNITY PLAN AREA WHERE GENERAL BUSINESS USES ARE APPROPRIATE IN LIMITED LOCATIONS;

3. THE USE FOR COMMERCIAL DEVELOPMENT WILL BE NONRESIDENTIAL IN NATURE;

4. THE PROPOSAL IS MAJOR-STREET ORIENTED WITH FRONTAGE ON US 231;

5. ALTHOUGH A NEW LOCATION OF COMMERCIAL DEVELOPMENT WITHIN THE RURAL COMMUNITY, THE PROPOSAL IS AT THE CORNER OF INTERSECTION STREETS AS RECOMMENDED IN THE COMPREHENSIVE PLAN; AND,

6. WITH A COMMITMENT BY THE DEVELOPERS TO MAKE ROADWAY IMPROVEMENTS OUTLINED IN THE TRAFFIC IMPACT STUDY, THE DEVELOPMENT SHOULD NOT OVERBURDEN THE CAPACITY OF ROADWAYS AND OTHER NECESSARY URBAN SERVICES THAT ARE AVAILABLE IN THE AFFECTED AREA.

MR. HOWARD: WE WOULD LIKE TO ENTER THE STAFF REPORT INTO THE RECORD AS EXHIBIT C.

CHAIRMAN: DO WE HAVE SOMEONE HERE REPRESENTING THE APPLICANT?
CHAIRMAN: DOES ANYBODY FROM THE AUDIENCE HAVE ANY QUESTIONS?

CHAIRMAN: ANYBODY FROM THE COMMISSION?

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.

MR. ALLEN: MOTION FOR APPROVAL.

CHAIRMAN: MOTION FOR APPROVAL BY MR. ALLEN.

MR. ROGERS: SECOND.

CHAIRMAN: SECOND BY MR. ROGERS.

MR. NOFFSINGER: WE NEED FINDINGS OF FACT ATTACHED TO THAT RECOMMENDATION.

MR. ALLEN: MOTION FOR APPROVAL WITH PLANNING STAFF RECOMMENDATIONS WITH FINDINGS OF FACT 1 THROUGH 6.

MR. SILVERT: AND ARE THERE ANY CONDITIONS ON THAT?

MR. ALLEN: AND WITH THE CONDITION THE ROADWAY IMPROVEMENTS WILL BE REQUIRED TO MITIGATE THE IMPACT OF THE DEVELOPMENT ON THE ROADWAY NETWORK, AND THE REQUIRED IMPROVEMENTS ARE OUTLINED IN THE TRAFFIC IMPACT STUDY SUBMITTED IN CONJUNCTION WITH THE REZONING REQUEST AND SHALL BE IMPLEMENTED AS APPROVED,
INCLUDING ANY POTENTIAL ADDITIONAL REQUIREMENTS, BY
THE KENTUCKY TRANSPORTATION CABINET.

CHAIRMAN: THANK YOU, MR. ALLEN.

MR. ROGERS, DO YOU STILL HAVE A SECOND?

MR. ROGERS: YES.

CHAIRMAN: WE HAVE A MOTION FOR APPROVAL BY
MR. ALLEN AND A SECOND BY MR. ROGERS. ALL IN FAVOR
RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRY UNANIMOUSLY.

NEXT ITEM, PLEASE.

ITEM 5

6025 US HIGHWAY 231, 5.228 ACRES
CONSIDER ZONING CHANGE: FROM A-R RURAL AGRICULTURE TO
B-4 GENERAL BUSINESS
APPLICANT: EQUITY TRADE & RELOCATION COMPANY; MARNIC,
LLC; ASN INVESTMENTS, LLC

PLANNING STAFF RECOMMENDATIONS

THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
TO THE CONDITION AND FINDINGS OF FACT THAT FOLLOW:

CONDITION:

ROADWAY IMPROVEMENTS WILL BE REQUIRED TO
MITIGATE THE IMPACT OF THE DEVELOPMENT ON THE ROADWAY
NETWORK. THE REQUIRED IMPROVEMENTS ARE OUTLINED IN
THE TRAFFIC IMPACT STUDY SUBMITTED IN CONJUNCTION WITH
THE REZONING REQUEST AND SHALL BE IMPLEMENTED AS
APPROVED, INCLUDING ANY POTENTIAL ADDITIONAL

OHIO VALLEY REPORTING
(270) 683-7383
REQUIREMENTS, by the Kentucky Transportation Cabinet.

FINDINGS OF FACT:

1. STAFF RECOMMENDS APPROVAL BECAUSE THE
   PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED
   COMPREHENSIVE PLAN;

2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL
   COMMUNITY PLAN AREA WHERE GENERAL BUSINESS USES ARE
   APPROPRIATE IN LIMITED LOCATIONS:

3. THE USE FOR COMMERCIAL DEVELOPMENT WILL BE
   NONRESIDENTIAL IN NATURE;

4. THE PROPOSAL IS MAJOR-STREET ORIENTED WITH
   FRONTAGE ON US 231;

5.ALTHOUGH A NEW LOCATION OF COMMERCIAL
   DEVELOPMENT WITHIN THE RURAL COMMUNITY, THE PROPOSAL
   IS LOCATED AT THE CORNER OF INTERSECTING STREETS AS
   RECOMMENDED IN THE COMPREHENSIVE PLAN; AND,

6. WITH A COMMITMENT BY THE DEVELOPERS TO
   MAKE ROADWAY IMPROVEMENTS OUTLINED IN THE TRAFFIC
   IMPACT STUDY, THE DEVELOPMENT SHOULD NOT OVERBURDEN
   THE CAPACITY OF ROADWAYS AND OTHER NECESSARY URBAN
   SERVICES THAT ARE AVAILABLE IN THE AFFECTED AREA.

MR. HOWARD: WE WOULD LIKE TO ENTER THE STAFF
REPORT INTO THE RECORD AS EXHIBIT D.

CHAIRMAN: IS ANYBODY IN THE AUDIENCE
REPRESENTING THE APPLICANT?
APPLICANT REP: YES.

CHAIRMAN: DOES ANYBODY HAVE ANY QUESTIONS OF THE APPLICANT?

(NO RESPONSE)

CHAIRMAN: ANYBODY FROM THE COMMISSION?

(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.

MR. PEDLEY: MOTION FOR APPROVAL BASED ON STAFF RECOMMENDATIONS AND FINDINGS OF FACT 1 THROUGH 6.

MR. NOFFSINGER: AND THE CONDITION.

CHAIRMAN: MR. PEDLEY, A CONDITION.

MR. PEDLEY: CONDITION: ROADWAY IMPROVEMENTS WILL BE REQUIRED TO MITIGATE THE IMPACT OF THE DEVELOPMENT ON THE ROADWAY NETWORK. THE REQUIRED IMPROVEMENTS ARE OUTLINED IN THE TRAFFIC IMPACT STUDY SUBMITTED IN CONJUNCTION WITH THE REZONING REQUEST AND SHALL BE IMPLEMENTED AS APPROVED, INCLUDING ANY POTENTIAL ADDITIONAL REQUIREMENTS, BY THE KENTUCKY TRANSPORTATION CABINET.

CHAIRMAN: THANK YOU.

WE HAVE A MOTION FOR APPROVAL BY MR. PEDLEY WITH FINDINGS OF FACT AND THE CONDITION. DO WE HAVE A SECOND?
MR. TAYLOR: SECOND.

CHAIRMAN: SECOND BY MR. TAYLOR. ALL IN FAVOR

RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

ITEM 6

8351 WARD ROAD, 1.0 ACRES
CONSIDER ZONING CHANGE: FROM I-1 LIGHT INDUSTRIAL TO
A-U URBAN AGRICULTURE
APPLICANT: BRUCE A & SHEILA J. POOLE

PLANNING STAFF RECOMMENDATIONS

THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
TO THE CONDITION AND FINDINGS OF FACT THAT FOLLOW:

CONDITION:

THE APPLICANT MUST OBTAIN REQUIRED BUILDING
AND ELECTRICAL PERMITS FOR THE PLACEMENT OF THE HOME
ON THE PROPERTY.

FINDINGS OF FACT:

1. STAFF RECOMMENDS APPROVAL BECAUSE THE
PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED
COMPREHENSIVE PLAN;

2. THE SUBJECT PROPERTY IS LOCATED IN A
FUTURE URBAN PLAN AREA WHERE RURAL SMALL-LOT
RESIDENTIAL USES ARE APPROPRIATE IN GENERAL LOCATIONS;

3. THE SUBJECT PROPERTY IS AN EXISTING LOT
WITH FRONTAGE ON WARD ROAD WHICH IS A COUNTY

OHIO VALLEY REPORTING
(270) 683-7383
MAINTAINED ROADWAY;

4. THERE IS AN EXISTING SEPTIC SYSTEM ON THE
PROPERTY AND THE SITE EXCEEDS THE 0.75 ACRE MINIMUM
FOR A RESIDENCE ON A SEPTIC SYSTEM; AND

5. THE INDUSTRIAL USE ON THE PROPERTY HAS
CEASED WITH THE EXISTING RESIDENCE AS THE PRINCIPAL
USE ON THE PROPERTY.

MR. HOWARD: WE WOULD LIKE TO ENTER THE STAFF
REPORT INTO THE RECORD AS EXHIBIT E.

CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE
APPLICANT?

(NO RESPONSE)

CHAIRMAN: DO WE HAVE ANY QUESTIONS FROM
ANYONE IN THE AUDIENCE?

(NO RESPONSE)

CHAIRMAN: ANY QUESTIONS FROM THE COMMISSION?

(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
MOTION.

FATHER HOSTETTER: MR. CHAIRMAN, MOVE TO
APPROVE BASED ON PLANNING STAFF RECOMMENDATIONS AND
FINDINGS OF FACT 1 THROUGH 5 AND THE CONDITION THAT
THE APPLICANT MUST OBTAIN REQUIRED BUILDING AND
ELECTRICAL PERMITS FOR THE PLACEMENT OF THE HOME ON
THE PROPERTY.
CHAIRMAN: WE HAVE A MOTION FOR APPROVAL BY
FATHER LARRY.

MR. REEVES: SECOND.

CHAIRMAN: WE HAVE A SECOND BY MR. REEVES.

ALL IN FAVOR RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

NEXT ITEM, PLEASE.

ITEM 7

600, 624 WEST SECOND STREET; 239 CEDAR STREET,
1.863 ACRES
CONSIDER ZONING CHANGE: FROM I-2 HEAVY INDUSTRIAL TO
B-2 CENTRAL BUSINESS
APPLICANT: RIVERFRONT JAM, LLC; MOORE PROPERTIES

PLANNING STAFF RECOMMENDATION

THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
TO THE FINDINGS OF FACT THAT FOLLOW:

FINDINGS OF FACT:

1. STAFF RECOMMENDS APPROVAL BECAUSE THE
PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY’S ADOPTED
COMPREHENSIVE PLAN;

2. THE SUBJECT PROPERTY IS LOCATED IN A
BUSINESS/INDUSTRIAL PLAN AREA, WHERE CENTRAL BUSINESS
USES ARE APPROPRIATE IN VERY-LIMITED LOCATIONS;

3. THE SUBJECT PROPERTY IS LOCATED WITHIN THE
DOWNTOWN OVERLAY DISTRICTS AS ADOPTED BY THE CITY OF
OWENSBORO AND THE REQUEST IS CONSISTENT WITH THE

OHIO VALLEY REPORTING
(270) 683-7383
CONCEPTS OF THE PLAN;

4. THE USE OF THE PROPERTY FOR BUSINESS OFFICES WILL BE NONRESIDENTIAL IN NATURE;

5. THE PROPOSED ZONING CHANGE IS A LOGICAL EXPANSION OF EXISTING B-2 ZONING ON ALL SIDES; AND,

6. THE B-2 ZONING CLASSIFICATION WILL PROMOTE THE REDEVELOPMENT OF THE DOWNTOWN CONSISTENT WITH THE DOWNTOWN MASTER PLAN.

MR. HOWARD: WE WOULD LIKE TO ENTER THE STAFF REPORT INTO THE RECORD AS EXHIBIT F.

CHAIRMAN: IS ANYBODY HERE REPRESENTING THE APPLICANT?

APPLICANT REP: YES.

CHAIRMAN: DOES ANYBODY HAVE A QUESTION?

(NO RESPONSE)

CHAIRMAN: DOES ANYBODY FROM THE COMMISSION HAVE A QUESTION?

(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.

MR. KAZLAUSKAS: MAKE A MOTION THAT THE APPLICATION BE APPROVED BASED ON PLANNING STAFF RECOMMENDATION AND FINDINGS OF FACT 1 THROUGH 6.

CHAIRMAN: WE HAVE A MOTION BY MR. KAZLAUSKAS. DO WE HAVE A SECOND?
MR. STRODE: SECOND.

CHAIRMAN: SECOND BY MR. STRODE. ALL IN FAVOR

RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

NEXT ITEM, PLEASE.

ITEM 8

4600 FREE SILVER ROAD, 14.91 ACRES

CONSIDER ZONING CHANGE: FROM A-R RURAL AGRICULTURE TO

EX-1 COAL MINING

APPLICANT: WESTERN KENTUCKY MINERALS, INC.; TERRY &
LINDA PAYNE

PLANNING STAFF RECOMMENDATIONS

THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT

TO THE FINDINGS OF FACT THAT FOLLOW:

FINDINGS OF FACT:

1. STAFF RECOMMENDS APPROVAL BECAUSE THE

PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED

COMPREHENSIVE PLAN;

2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL

MAINTENANCE PLAN AREA WHERE COAL MINING USES ARE

APPROPRIATE IN GENERAL LOCATIONS;

3. THE SUBJECT PROPERTY IS LOCATED IN THE

RURAL SERVICE AREA OUTSIDE OF A RURAL COMMUNITY PLAN

AREA;

4. THE SUBJECT PROPERTY ADJOINS EXISTING

AREAS OF EX-1 COAL MINING ZONING;

OHIO VALLEY REPORTING
(270) 683-7383
5. THE PHILPOT-MACEO QUADRANGLE MAP INDICATES
   THE PRESENCE OF COAL DEPOSITS ON THE SITE; AND,

6. STATE AND COUNTY ROADS PROPOSED TO BE USED
   FOR THE TRANSPORTATION OF COAL HAVE BEEN APPROVED BY
   THE APPROPRIATE OFFICIALS.

MS. EVANS: WE WOULD LIKE TO ENTER THE STAFF
REPORT INTO THE RECORD AS EXHIBIT G.

CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE
APPLICANT?

MR. SILVERT: WOULD YOU STATE YOUR NAME,
PLEASE?

MR. LANHAM: BRANDON LANHAM.

(BRANDON LANHAM SWORN BY ATTORNEY.)

MR. LANHAM: I'M REPRESENTING WESTERN KENTUCKY
MINERALS AS THE SPOKESPERSON THIS EVENING.

JUST TO GIVE YOU A QUICK LAYOUT. IF THERE'S
ANY QUESTIONS AND CONCERNS FOR WESTERN KENTUCKY
MINERALS, WE'VE RESTRUCTURED OUR APPROACH HERE WITH
SOME INDIVIDUALS FROM WESTERN KENTUCKY MINERALS AS FAR
AS THE TEAM GOES TO TAKE ON ANY QUESTIONS AND THEY CAN
SPEAK ON THEIR AREA OF EXPERTISE ON ANY QUESTIONS
PERTAINING TO THAT PARTICULAR SUBJECT. SO IF YOU GUYS
HAVE ANY QUESTIONS I CAN DIRECT THAT TO THESE
INDIVIDUALS RIGHT HERE.

CHAIRMAN: MR. LANHAM, I APPRECIATE YOUR BRIEF
OVERVIEW. THANK YOU. YOU MAY BE SEATED UNTIL WE HAVE SOME QUESTIONS.

ARE THERE ANY QUESTIONS OF THE APPLICANT?

(NO RESPONSE)

CHAIRMAN: ANY QUESTIONS FROM THE COMMISSION?

(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.

MR. REEVES: WITH FINDINGS OF FACT 1 THROUGH 6 WITH STAFF RECOMMENDATION I RECOMMEND THAT THIS REZONING BE APPROVED.

CHAIRMAN: WE HAVE A MOTION FOR APPROVAL BY MR. REEVES.

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, PLEASE.

ITEM 9

4651, 4667, 4681, 4690, 4716, 4730, 4751 FREE SILVER ROAD, 38.037 ACRES CONSIDER ZONING CHANGE: FROM A-R RURAL AGRICULTURE TO EX-1 COAL MINING APPLICANT: WESTERN KENTUCKY MINERALS, INC.; WESTERN KENTUCKY LEASING, LLC; WILLIAM & REGINA TOON

PLANNING STAFF RECOMMENDATION

OHIO VALLEY REPORTING
(270) 683-7383
THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT

TO THE FINDINGS OF FACT THAT FOLLOW:

FINDINGS OF FACT:

1. STAFF RECOMMENDS APPROVAL BECAUSE THE

PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED

COMPREHENSIVE PLAN;

2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL

MAINTENANCE PLAN AREA WHERE COAL MINING USES ARE

APPROPRIATE IN GENERAL LOCATIONS;

3. THE SUBJECT PROPERTY IS LOCATED IN THE

RURAL SERVICE AREA OUTSIDE OF A RURAL COMMUNITY PLAN

AREA;

4. THE SUBJECT PROPERTY ADJOINS EXISTING

AREAS OF EX-1 COAL MINING ZONING;

5. THE PHILPOT-MACEO QUADRANGLE MAP INDICATES

THE PRESENCE OF COAL DEPOSITS ON THE SITE; AND,

6. STATE AND COUNTY ROADS PROPOSED TO BE USED

FOR THE TRANSPORTATION OF COAL HAVE BEEN APPROVED BY

THE APPROPRIATE OFFICIALS.

MS. EVANS: WE WOULD LIKE TO ENTER THE STAFF

REPORT INTO THE RECORD AS EXHIBIT H.

CHAIRMAN: WE HAVE SOMEBODY HERE REPRESENTING

THE APPLICANT. DO WE HAVE ANY QUESTIONS OF THE

APPLICANT?

(NO RESPONSE)
CHAIRMAN: COMMISSION HAVE ANY QUESTIONS?
(NO RESPONSE)
CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.
MR. STRODE: MOTION TO APPROVE BASED ON FINDINGS OF FACT 1 THROUGH 6.
CHAIRMAN: MOTION FOR APPROVAL BY MR. STRODE.
MR. REEVES: SECOND.
CHAIRMAN: SECOND BY MR. REEVES. ALL IN FAVOR RAISE YOUR RIGHT HAND.
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
CHAIRMAN: MOTION CARRIES UNANIMOUSLY.
NEXT ITEM, PLEASE.

ITEM 10
4319, 4349, 4401, 4435, 4555 RIDGE ROAD, 62.43 ACRES CONSIDER ZONING CHANGE: FROM A-R RURAL AGRICULTURE TO EX-1 COAL MINING
APPLICANT: WESTERN KENTUCKY MINERALS, INC.; MORGAN & KATHY PALMITER; RICHARD & AGNES JOHNSON; EILEEN PAYNE; CLINT AND AMY LANHAM; JIMMY L. & MARGERY DAVIS

PLANNING STAFF RECOMMENDATION
THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT TO THE FINDINGS OF FACT THAT FOLLOW:

FINDINGS OF FACT:

1. STAFF RECOMMENDS APPROVAL BECAUSE THE PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED COMPREHENSIVE PLAN;

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2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL MAINTENANCE PLAN AREA WHERE COAL MINING USES ARE APPROPRIATE IN GENERAL LOCATIONS;

3. THE SUBJECT PROPERTY IS LOCATED IN THE RURAL SERVICE AREA OUTSIDE OF A RURAL COMMUNITY PLAN AREA;

4. THE SUBJECT PROPERTY ADJOINS EXISTING AREAS OF EX-1 COAL MINING ZONING;

5. THE PHILPOT-MACEO QUADRANGLE MAP INDICATES THE PRESENCE OF COAL DEPOSITS ON THE SITE; AND,

6. STATE AND COUNTY ROADS PROPOSED TO BE USED FOR THE TRANSPORTATION OF COAL HAVE BEEN APPROVED BY THE APPROPRIATE OFFICIALS.

MS. EVANS: WE WOULD LIKE TO ENTER THE STAFF REPORT INTO THE RECORD AS EXHIBIT I.

CHAIRMAN: WE HAVE SOMEBODY HERE REPRESENTING THE APPLICANT. DO WE HAVE ANY QUESTIONS OF THE APPLICANT?

(NO RESPONSE)

CHAIRMAN: FROM THE COMMISSION?

(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.

MR. ROGERS: MOTION FOR APPROVAL BASED ON PLANNING STAFF RECOMMENDATIONS WITH FINDINGS OF FACT 1

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THROUGH 6.

CHAIRMAN: WE HAVE A MOTION FOR APPROVAL WITH FINDINGS OF FACT BY MR. ROGERS.

MR. TAYLOR: SECOND.

CHAIRMAN: WE HAVE A SECOND BY MR. TAYLOR.

ALL IN FAVOR RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

NEXT ITEM, PLEASE.

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COMBINED DEVELOPMENT PLAN/MAJOR SUBDIVISIONS

ITEM 11

DEER VALLEY, 48.542 ACRES

CONSIDER APPROVAL OF AMENDED MAJOR SUBDIVISION PRELIMINARY PLAT/FINAL DEVELOPMENT PLAN.

APPLICANT: DEER VALLEY SUBDIVISION, LLC

MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAN HAS BEEN REVIEWED BY THE PLANNING STAFF AND ENGINEERING STAFF. IT'S FOUND TO BE IN ORDER. THE USE IS CONSISTENT WITH THE UNDERLYING ZONING AND IS FOUND TO BE CONSISTENT WITH THE ADOPTED REGULATIONS. SO WITH THAT IT'S READY FOR YOUR CONSIDERATION.

CHAIRMAN: DO WE HAVE SOMEBODY HERE REPRESENTING THE APPLICANT?

APPLICANT REP: YES.

CHAIRMAN: DO WE HAVE ANY QUESTIONS OF THE OHIO VALLEY REPORTING (270) 683-7383
APPLICANT?
(NO RESPONSE)

CHAIRMAN: ANY QUESTIONS FROM THE COMMISSION?
(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.

MR. PEDLEY: MOTION FOR APPROVAL.

CHAIRMAN: MOTION FOR APPROVAL BY MR. PEDLEY.

FATHER HOSTETTER: SECOND.

CHAIRMAN: SECOND BY FATHER LARRY. ALL IN FAVOR RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

NEXT ITEM, PLEASE.

ITEM 12
KEENELAND TRACE, 105.733 ACRES
CONSIDER APPROVAL OF AMENDED MAJOR SUBDIVISION PRELIMINARY PLAT/FINAL DEVELOPMENT PLAN.
APPLICANT: THOMPSON HOMES, INC.

MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAN HAS BEEN REVIEWED BY THE PLANNING STAFF AND ENGINEERING STAFF. IT'S FOUND TO BE IN ORDER. THE USE IS CONSISTENT WITH THE UNDERLYING ZONING AND THE PLAN IS CONSISTENT WITH THE ADOPTED REGULATIONS.

CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE APPLICANT?

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APPLICANT REP: YES.

CHAIRMAN: DO WE HAVE ANY QUESTIONS OF THE APPLICANT?

(NO RESPONSE)

CHAIRMAN: ANY QUESTIONS FROM THE COMMISSION?

(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.

MR. KAZLAUSKAS: SO MOVE.

CHAIRMAN: WE HAVE A MOTION FOR APPROVAL BY MR. KAZLAUSKAS.

MR. STRODE: SECOND.

CHAIRMAN: SECOND BY MR. STRODE. ALL IN FAVOR RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

NEXT ITEM, PLEASE.

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MAJOR SUBDIVISIONS

ITEM 13

COTTAGES OF MECHANICSVILLE, 2.86 ACRES
CONSIDER APPROVAL OF MAJOR SUBDIVISION PRELIMINARY PLAT.
APPLICANT: THE CITY OF OWENSBORO, KENTUCKY

MR. NOFFSINGER: MR. CHAIRMAN, THE CITY ENGINEER AS WELL AS THE PLANNING STAFF HAS REVIEWED OHIO VALLEY REPORTING (270) 683-7383
THIS PLAN. IT'S FOUND TO BE IN ORDER. THE USE IS
CONSISTENT WITH THE UNDERLYING ZONING AND IS
CONSISTENT WITH THE ADOPTED REGULATIONS.

CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE
APPLICANT?

APPLICANT REP: YES.

CHAIRMAN: DO WE HAVE ANY QUESTIONS FROM THE
AUDIENCE OR FROM THE COMMISSION?

(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
MOTION.

FATHER HOSTETTER: MOVE TO APPROVE.

CHAIRMAN: MOTION FOR APPROVAL BY FATHER
LARRY.

MR. ALLEN: SECOND.

CHAIRMAN: SECOND BY MR. ALLEN. ALL IN FAVOR
RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

NEXT ITEM, PLEASE.

ITEM 14

EVENTS CENTER AND MCCONNELL PLAZA, 25.674 ACRES
CONSIDER APPROVAL OF MAJOR SUBDIVISION PRELIMINARY
PLAT.

APPLICANT: CITY OF OWENSBORO

MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAN HAS

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BEEN REVIEWED BY THE CITY ENGINEER AND PLANNING STAFF. ITS FOUND TO BE IN ORDER. IT IS PROPOSED AS YOU KNOW FOR THE EVENTS CENTER AS WELL AS FUTURE DEVELOPMENT ALONG THE RIVERFRONT. ITS UNDERLYING USE IS CONSISTENT WITH THE DOWNTOWN PLAN AS WELL AS THE PLAN IS CONSISTENT WITH THE ADOPTED REGULATIONS.

CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE APPLICANT?

APPLICANT REP: YES.

CHAIRMAN: DO WE HAVE ANY QUESTIONS?

(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.

MR. REEVES: RECOMMEND APPROVAL.

CHAIRMAN: MOTION FOR APPROVAL BY MR. REEVES.

MR. STRODE: SECOND.

CHAIRMAN: SECOND BY MR. STRODE. ALL IN FAVOR RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

NEXT ITEM, PLEASE.

ITEM 15

FAIRHAVEN, 6.661 ACRES CONSIDER APPROVAL OF MAJOR SUBDIVISION PRELIMINARY PLAT.

APPLICANT: THOMAS DUGGINS

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MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAN HAS BEEN REVIEWED BY THE ENGINEER AND BY THE PLANNING STAFF. IT'S FOUND TO BE IN ORDER. ITS USE IS CONSISTENT WITH THE UNDERLYING ZONING AND THE DEVELOPMENT IS CONSISTENT WITH THE ADOPTED REGULATIONS.

CHAIRMAN: DO WE HAVE SOMEBODY REPRESENTING THE APPLICANT?

(NO RESPONSE)

CHAIRMAN: DO WE HAVE ANY QUESTIONS FROM THE COMMISSION?

(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.

FATHER HOSTETTER: MOVE TO APPROVE.

CHAIRMAN: MOTION FOR APPROVAL BY FATHER LARRY.

MR. KAZLAUSKAS: SECOND.

CHAIRMAN: SECOND BY MR. KAZLAUSKAS. ALL IN FAVOR RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

NEXT ITEM, PLEASE.

MINOR SUBDIVISIONS

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ITEM 16

1485 WEST HARMONS FERRY ROAD, 1.062 ACRES

CONSIDER APPROVAL OF MINOR SUBDIVISION PLAT.

APPLICANT:  JOHN HARRELL CROWE

MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAT COMES TO YOU AS AN EXCEPTION TO THE SUBDIVISION REGULATION IN THAT IT DOES NOT MEET THE THREE TO ONE DEPTH TO WIDTH RATIO. THE LOT IS BEING CREATED AS IT IS WITH LIMITED FRONTAGE TO MISS A LAKE THAT IS LOCATED ON THE REMAINDER OF THE PROPERTY. THE APPLICANT HAS ATTACHED A NOTE TO THE PLAT STATING THERE WILL BE NO FURTHER DIVISIONS OF EITHER PROPERTY UNLESS ALL REQUIREMENTS OF THE SUBDIVISION REGULATIONS ARE MET. SO WITH THAT PLANNING STAFF WOULD ASK THAT YOU GRANT THE EXCEPTION AND APPROVE THE PLAT.

CHAIRMAN: HAVE SOMEBODY REPRESENTING THE APPLICANT?

APPLICANT REP: YES.

CHAIRMAN: DO WE HAVE ANY QUESTIONS OF THE APPLICANT FROM THE AUDIENCE?

(NO RESPONSE)

CHAIRMAN: FROM THE COMMISSION?

(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.

MR. PEDLEY: MOTION FOR APPROVAL.
CHAIRMAN: MOTION FOR APPROVAL BY MR. PEDLEY.

MR. TAYLOR: SECOND.

CHAIRMAN: SECOND BY MR. TAYLOR. ALL IN FAVOR RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

NEXT ITEM, PLEASE.

ITEM 17

5321 PLEASANT VALLEY ROAD, 2.80 ACRES CONSIDER APPROVAL OF MINOR SUBDIVISION PLAT.

APPLICANT: KAYE TRUNNEL

MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAT COMES TO YOU AS AN EXCEPTION TO THE SUBDIVISION REGULATION IN THAT IT EXCEEDS THE THREE TO ONE DEPTH TO WIDTH RATIO; HOWEVER, PLANNING STAFF DOES RECOMMEND THAT YOU GRANT THE EXCEPTION AND APPROVE THE PLAT BECAUSE THE DIVISION IS NOT BEING DONE TO MAXIMIZE THE NUMBER OF LOTS ON THE PROPERTY. IT'S SIMPLY BEING DONE TO FOLLOW AN EXISTING DITCH THAT'S LOCATED ON THE PROPERTY. THIS WOULD BE A LOGICAL WAY TO DIVIDE THE PROPERTY. SO WE WOULD RECOMMEND YOU GRANT THE EXCEPTION.

CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE APPLICANT?

(NO RESPONSE)

CHAIRMAN: DO WE HAVE ANY QUESTIONS?
1 (NO RESPONSE)

2 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A

3 MOTION.

4 MR. ROGERS: MOVE TO APPROVE.

5 CHAIRMAN: MOTION FOR APPROVAL BY MR. ROGERS.

6 MR. TAYLOR: SECOND.

7 CHAIRMAN: SECOND BY MR. TAYLOR. ALL IN FAVOR

8 RAISE YOUR RIGHT HAND.

9 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

10 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

11 NEXT ITEM, PLEASE.

12 ITEM 18

13 2019, 2027 WRIGHTS LANDING ROAD, 5.972 ACRES
14 CONSIDER APPROVAL OF MINOR SUBDIVISION PLAT.
15 APPLICANT: MICHAEL W. & MELISSA D. RUDD

16 MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAN OR
17 PLAT COMES TO YOU AS AN EXCEPTION TO THE SUBDIVISION
18 REGULATIONS. BRIAN HOWARD IS HERE TO EXPLAIN THIS
19 ITEM TO YOU.

20 MR. HOWARD: THE APPLICANT ASKED APPROXIMATELY
21 6 ACRES AND THERE IS AN EXISTING HOME ON THIS SITE.
22 THE PROPOSAL WILL CREATE BASICALLY A ONE ACRE LOT
23 AROUND THE EXISTING HOME SITE WITH THE REMAINDER
24 EXCEEDING THE THREE TO ONE DEPTH TO WIDTH RATIO
25 REQUIREMENT. THIS IS REALLY ABOUT THE ONLY WAY THAT
THE PROPERTY COULD BE SPLIT. WE DID PUT ON NOTE ON
THE PLAT THAT WOULD STATE THAT THE PROPERTY CAN'T BE FURTHER SUBDIVIDED EITHER TRACT WITHOUT IT MEETING SUBDIVISION REGULATIONS. WITH IT BEING LIMITED TO THAT WE WOULD RECOMMEND THAT YOU CONSIDER THE PLAT FOR APPROVAL.

CHAIRMAN: IS ANYBODY HERE REPRESENTING THE APPLICANT?

(NO RESPONSE)

CHAIRMAN: DOES ANYBODY HAVE ANY QUESTIONS?

(NO RESPONSE)

CHAIRMAN: ANYBODY FROM THE COMMISSION?

(NO RESPONSE)

CHAIRMAN: IF NOT THE CHAIR IS READY FOR A MOTION.

MR. STRODE: MOTION TO APPROVE.

CHAIRMAN: MOTION FOR APPROVAL BY MR. STRODE.

MR. REEVES: SECOND.

CHAIRMAN: SECOND BY MR. REEVES. ALL IN FAVOR RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

THE CHAIR IS READY FOR ONE FINAL MOTION.

FATHER HOSTETTER: MOVE TO ADJOURN.

CHAIRMAN: MOTION FOR ADJOURNMENT BY FATHER LARRY.
MR. PEDLEY: SECOND.

CHAIRMAN: SECOND BY MR. PEDLEY. ALL IN FAVOR
RAISE YOUR RIGHT HAND.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: WE ARE ADJOURNED.

----------------------------------------------
STATE OF KENTUCKY )
)SS: REPORTER'S CERTIFICATE

COUNTY OF DAVIESS )

I, LYNETTE KOLLER FUCHS, NOTARY PUBLIC IN AND
FOR THE STATE OF KENTUCKY AT LARGE, DO HEREBY CERTIFY

THAT THE FOREGOING OWENSBORO METROPOLITAN PLANNING
COMMISSION 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
ELECTRONICALLYRecorded AND WAS THEREAFTER, BY ME,
ACCURATELY AND CORRECTLY TRANSCRIBED INTO THE
FOREGOING 33 TYPEWRITTEN PAGES; AND THAT NO SIGNATURE
WAS REQUESTED TO THE FOREGOING TRANSCRIPT.

WITNESS MY HAND AND NOTARY SEAL ON THIS THE
1ST DAY OF MAY, 2012.

LYNETTE KOLLER FUCHS
NOTARY ID 433397
OHIO VALLEY REPORTING SERVICES
202 WEST THIRD STREET, SUITE 12
OWENSBORO, KENTUCKY 42303

COMMISSION EXPIRES: DECEMBER 16, 2014
COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

OHIO VALLEY REPORTING
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