OWENSBORO METROPOLITAN PLANNING COMMISSION

MARCH 12, 2015

The Owensboro Metropolitan Planning Commission met in regular session at 5:30 p.m. on Thursday, March 12, 2015, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Fred Reeves, Chairman
Larry Boswell, Vice Chairman
Steve Frey, Secretary
Brian Howard, Director
Terra Knight, Attorney
Ward Pedley
John Kazlauskas
Lewis Jean
Beverly McEnroe
Larry Moore
Manuel Ball

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CHAIRMAN: Call the March meeting of the Owensboro Metropolitan Planning Commission to order.

Welcome everybody here and our TV audience. Welcome to have you with us tonight. We always start our meeting with a prayer and pledge of the flag. We have a new board member tonight and the person who he is succeeding has volunteered to do the prayer and the pledge. Our new board member, Manuel Ball --

MR. BALL: I'm actually going to give that to Mr. Brian Howard for this meeting.

CHAIRMAN: Somebody is going to pray.
Everybody stand for the prayer and the pledge.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Thank you, Mr. Howard.

I do want to welcome Manuel. Manuel comes to
us appointed from the county. Manual was a former
employee here and was a wonderful employee and he'll
make a wonderful board member.

Manuel, we're excited to have you here.

MR. BALL: Thank you.

CHAIRMAN: Thank you for agreeing to serve
because you know about how much fun it is to serve.

I want to remind everybody, and our board
members also, please speak into the mike. If you come
to the podium, please speak into the mike so that our
reporter can hear you and our enormous TV audience can
hear you also.

We had a board member resign, a long time
board member, David Appleby. David in addition to
being a board member also served as
secretary/treasurer to the Planning Commission. So
that office is vacant. We need to fill that office
tonight.

At this time the floor is open for nominations
for secretary/treasurer.

MR. MOORE: Mr. Chairman, I'd like to nominate
John Kazlauskas for that position, please.

CHAIRMAN: Nomination by Mr. Moore. Do we have a second?

MS. McENROE: Second.

CHAIRMAN: Second by Ms. McEnroe.

Mr. Kazlauskas, are you willing to accept the nomination?

MR. KAZLAUSKAS: Yes.

CHAIRMAN: Are there any other nominations?

MR. BOSWELL: Yes. I'd like to nominate Steve Frey for the secretary/treasurer position.

CHAIRMAN: Is there a second to that?

MR. PEDLEY: I second that.

CHAIRMAN: Mr. Frey, are you willing to accept the nomination?

MR. FREY: As long as there's not a political battle.

CHAIRMAN: Are there other nominations?

(NO RESPONSE)

MR. KAZLAUSKAS: Mr. Chairman, if Mr. Frey wants to tackle that assignment, I'd be more than willing to let him do that. So I'll withdraw my name from consideration.

CHAIRMAN: Thank you, Mr. Kazlauskas.

Mr. Frey, we know there are no other
nominations on the floor.

Thank you very much, Mr. Kazlauskas.

Any other nominations.

(NO RESPONSE)

CHAIRMAN: We'll vote. All in favor of Mr. Frey as secretary/treasurer please raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Mr. Frey, you will now be called on quite often to sign checks. More often than you realize.

The next item is to consider the minutes of the February 12, 2015 meeting. All of you received a copy of those minutes in the mail. Are there any corrections or additions to those minutes?

(NO RESPONSE)

CHAIRMAN: If not the chair will entertain a motion to approve the minutes.

MR. PEDLEY: Motion to approve.

CHAIRMAN: Motion by Mr. Pedley.

MR. FREY: Second.

CHAIRMAN: Second by Mr. Frey. Questions or comments?

(NO RESPONSE)

CHAIRMAN: All in favor please raise your
right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Unanimous approval.

Item Number 4 needs an explanation given before we act on anything this evening. So I'm going to turn this over to Mr. Howard.

Mr. Howard, would you give us a briefing on behalf of that issue, please.


First I'll say any zoning changes heard tonight will become final 21 days after the meeting unless an appeal is filed. If an appeal is filed, we will forward that recommendation to the appropriate legislative body for them to take final action. The appeal forms are on the back table, on our website and in our office. That will be for any zoning change heard.

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GENERAL BUSINESS

ZONING CHANGES

ITEM 4

516 Ewing Court, 0.14 acre
Consider zoning change: From R-4DT Inner City Residential to B-4 General Business
Applicant: Lifetime Companion, LLC; Haley McGinnis Funeral Home
MR. HOWARD: For Item 4, that's 516 Ewing Court, it's a zoning request. We have received a request by the applicant's attorney to postpone that item until the meeting next month. There's an issue that's being resolved potentially with that, that needs to be resolved in some capacity before this board could consider taking action on it.

With that we would ask that you all postpone this item until the meeting in April.

CHAIRMAN: We would need a motion to postpone that.

MR. PEDLEY: Motion to postpone.

MR. BOSWELL: Second.

CHAIRMAN: Motion by Mr. Pedley. Second by Mr. Boswell. Any questions from anybody in the audience?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Unanimously passes.

ITEM 5

Portion of 6110 Highway 81, 0.08 acres Consider zoning change: From A-R Rural Agriculture to R-1A Single-Family Residential Applicant: Martin & Carrie Krampe; James & Patricia Krampe
MS. KNIGHT: State your name for the record.

MR. HILL: Mike Hill.

(MIKE HILL SWORN BY ATTORNEY.)

PLANNING STAFF RECOMMENDATIONS

The Planning Staff recommends approval subject to the condition and findings of fact that follow:

CONDITION:

1. Approval of the minor subdivision plat consolidating the 0.312 acre portion with 6100 Highway 81.

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 Preference Plan Area where Rural Small-lot Residential uses are appropriate in very limited locations;

3. The proposal only adds 0.08 acre of new R-1A zoning to an existing lot that contains one residential dwelling and fronts on a public road;

4. The proposal adds area to an existing parcel that is already large enough to assure satisfactory operation of a conventional septic tank system;

5. The proposal is a logical expansion of
adjacent R-1A zoning to the east;

6. At 0.08 acre, the proposal is not a significant increase in R-1A zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area; and,

7. The proposal does not create any new parcels; therefore there will not be any potential new property owners who need to be advised of potential coal mining activities in the rural area.

MR. HILL: Staff would request that the Staff Report be entered into the record as Exhibit A.

CHAIRMAN: Anyone here representing the applicant?

MR. KRAMPE: Yes.

CHAIRMAN: Would you step to the podium, please.

MS. KNIGHT: Please state your name for the record.

MR. KRAMPE: Mark Krampe.

(MARK KRAMPE SWORN BY ATTORNEY.)

CHAIRMAN: Mr. Krampe, you don't have to make any comments, but I just wanted to get you on the record in case there were. Would you like to make any comments about your application?
MR. KRAMPE: No, sir.

CHAIRMAN: Is there anyone in the audience who has a question about the application?

(NO RESPONSE)

CHAIRMAN: Any commissioners have any questions about the application?

Mr. Kazlauskas.

MR. KAZLAUSKAS: It would be nice to know why such a small parcel of land is asking to be rezoned.

MR. HOWARD: I will glad to answer that.

If you look on the property identification map, they're proposing to do a consolidation. There's a metal building on the back of the property that they're intending to consolidate with his existing residential property, I believe. Unfortunately, there is a zoning through there, a split zoning situation. Based on the subdivision regulations and the requirements for that, we can't create a new lot with split zoning on it. So the 0.08 acre bit, it's very small, is a small portion of that rear bit that's zoned unlike the rest of it. It needs to be rezoned in order for that consolidation to take place.

MR. KAZLAUSKAS: Okay.

CHAIRMAN: Is that satisfactory, Mr. Kazlauskas?
MR. KAZLAUSKAS: Yes.

CHAIRMAN: Any other commissioners have any questions?

(NO RESPONSE)

CHAIRMAN: If not the chair will entertain a motion.

MR. PEDLEY: Mr. Chairman, I make a motion for approval based on Planning Staff Recommendation with Condition 1 and Findings of Fact 1 through 7.

MS. McENROE: Second.

CHAIRMAN: We have a motion by Mr. Pedley and a second by Ms. McEnroe.

Any questions or concerns by the commissioners?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: That is approved.

Thank you, Mr. Krampe, for coming this evening. We appreciate it very, very much.

MAJOR SUBDIVISION PRELIMINARY PLATS

ITEM 6

Heartland Crossing, 66.708 acres
Consider approval of amended major subdivision preliminary plat.
Applicant: Heartland Crossing, LLC
MR. HOWARD: Mr. Chairman and Commissioners,

this plat has been reviewed by the Planning Staff and Engineering Staff. It's found to be in order. It complies with the requirement of the subdivision regulations and the Comprehensive Plan. The basic change on this from the original was that there was an extension of road right-of-way that's been eliminated based on the demand of lots and potential buildable area in that kind of northeast portion of the property. So it's ready for your consideration and we would recommend that you consider it for approval.

CHAIRMAN: Any questions by any of the commissioners?

(NO RESPONSE)

CHAIRMAN: Questions by anyone in the audience?

(NO RESPONSE)

CHAIRMAN: Chair will entertain a motion.

MR. BOSWELL: Motion for approval.

CHAIRMAN: Motion for approval by Mr. Boswell.

MR. JEAN: Second.

CHAIRMAN: Second by Mr. Lewis Jean. Any other questions?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.
ITEM 7
Consider approval of February 2015 financial statements

CHAIRMAN: All of you received a copy of the February financial statement in the mail and has had a chance to review it. Are there any questions or concerns about the financial statement?

(NO RESPONSE)

CHAIRMAN: If not I will entertain a motion for approval.

MR. MOORE: Move to approve.

CHAIRMAN: Motion by Mr. Moore.

MR. KAZLAUSKAS: Second.

CHAIRMAN: Second by Mr. Kazlauskas. Any questions from the commissioners or the audience?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Passes unanimously.

ITEM 8
Comments by the Chairman

CHAIRMAN: My comments this evening will only be to welcome Mr. Ball on board. You'll make a great addition to the group. I think you'll enjoy it and we look forward to working with you.

MR. BALL: Thank you.

CHAIRMAN: Mr. Frey, congratulations on your successfully election. We will be sending checks your way.

ITEM 9

Comments by the Planning Commissioners

CHAIRMAN: Any planning commissioners have any comments?

(NO RESPONSE)

ITEM 10

Comments by the Director

CHAIRMAN: Mr. Howard.

MR. HOWARD: I don't have any tonight.

CHAIRMAN: I think we're ready to entertain one final motion.

MR. MOORE: Move to adjourn.

CHAIRMAN: Motion by Mr. Moore.

MS. McENROE: Second.

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

Ohio Valley Reporting
(270) 683-7383
(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

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STATE OF KENTUCKY 
COUNTY OF DAVIESS 

I, LYNNETTE KOLLER FUCHS, Notary Public in and for the State of Kentucky at Large, do hereby certify that the foregoing Owensboro Metropolitan 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 electronically recorded and was thereafter, by me, accurately and correctly transcribed into the foregoing 14 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 1st day of April, 2015.

LYNNETTE KOLLER FUCHS
NOTARY ID 524564
OHIO VALLEY REPORTING SERVICES
2200 E. PARRISH AVE, SUITE 106E
OWENSBORO, KENTUCKY 42303

COMMISSION EXPIRES: DECEMBER 16, 2018
COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

Ohio Valley Reporting
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