The Owensboro Metropolitan Board of Adjustment met in regular session at 5:30 p.m. on Thursday, July 2, 2015, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Ward Pedley, Chairman
            Judy Dixon, Vice Chairman
            Ruth Ann Mason, Secretary
            Brian Howard, Director
            Terra Knight, Attorney
            Jerry Yeiser
            Susan Free
            Fred Reeves
            Robynn Clark

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CHAIRMAN: Call to order the Owensboro Metropolitan Board of Adjustment July 2, 2015 meeting.

We will begin our meeting with a prayer and pledge of allegiance to the flag. Mrs. Free will lead us. Will you stand, please.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: I would like to welcome everyone.

Anyone wishing to speak we ask that you come to one of the podiums and state your name and be sworn in.

With that the first item on the agenda is to consider the minutes of June 4, 2015 meeting.

Board members, you have a copy of the minutes in your packet. Are there any additions, corrections?
CHAIRMAN: If not the chair is ready for a motion.

MS. MASON: Move for approval.

CHAIRMAN: Motion for approval.

MR. REEVES: Second.

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimous.

Next item, please.

ITEM 2

722 West Byers Avenue, zoned B-4
Consider a request for a Conditional Use Permit in order to operate a child daycare facility
Reference: Zoning Ordinance, Article 8, Section 8.2B3
Applicant: Zachery & Sarah Barnes; Massie-Clarke Development Company, Inc.

MS. KNIGHT: State your name for the record, please.

MS. EVANS: Melissa Evans.

(MELISSA EVANS SWORN BY ATTORNEY.)

ZONING HISTORY

The subject property is zoned B-4. OMPC records indicate there have been no zoning map
amendments for the property. A conditional use permit was approved to operate a child daycare facility on the subject property in February 2008. However that daycare closed in 2013; since it has been closed for more than 12 months this conditional use permit approved in 2008 is no longer valid.

Done and Daisy's Pharmacy is also located on the subject property and an approved development plan is on file documenting the two uses and the site development requirements such as parking and landscaping.

The applicant proposes to operate a child daycare facility for up to 70 children from 6 a.m. to 12 a.m. Parking shown on the approved development plan and the site plan submitted with this application show the parking is sufficient to accommodate 70 children.

LAND USES IN SURROUNDING AREA

The properties to the north are zoned R-3MF Multi-Family Residential and are a duplex and apartment complex. The properties to the south and west are zoned B-4 General Business and are commercial developments. The properties to the east are zoned R-1B Single-Family Residential and are single-family residential structures.
ZONING ORDINANCE REQUIREMENTS

Zoning Ordinance requirements shall be in accordance with the site plan submitted and the previously approved Final Development date March 6, 2008.

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

CHAIRMAN: Anyone here representing the applicant?

APPLICANT REP: We are.

CHAIRMAN: Do you have anything you want to share with us?

APPLICANT REP: No.

CHAIRMAN: Anyone here like to speak in opposition?

(NO RESPONSE)

CHAIRMAN: Any board members have any comments or questions?

(NO RESPONSE)

CHAIRMAN: If not the chair is ready for a motion.

MS. DIXON: Mr. Chairman, I make a motion that we approve the conditional use permit based upon the fact that it has been used similarly in the past and it just had a lapse in service; therefore, the need
for it and it's surrounded by compatible properties
and that it meet the zoning ordinance requirements and
the site plan that's been submitted and approved in
the past.

CHAIRMAN: We have a motion for approval by
Ms. Dixon.

MR. REEVES: Second.

CHAIRMAN: We have a second by Mr. Reeves.

Any comments or questions on the motion?

(NO RESPONSE)

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Any news business?

MR. HOWARD: No, sir.

CHAIRMAN: We need one more motion.

MS. DIXON: Move to adjourn.

MS. MASON: Second.

CHAIRMAN: We have a motion and a second to
adjourn. All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: We are adjourned.

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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 Board of Adjustment meeting was held at the time and place as stated in the caption to the foregoing proceedings; that each person commenting on issues under discussion were duly sworn before testifying; that the Board members present were as stated in the caption; that said proceedings were taken by me in stenotype and electronically recorded and was thereafter, by me, accurately and correctly transcribed into the foregoing 5 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 21st day of July, 2015.

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

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

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