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OWENSBORO METROPOLITAN BOARD OF ADJUSTMENT

OCTOBER 5, 2017

The Owensboro Metropolitan Board of Adjustment met in regular session at 5:30 p.m. on Thursday, October 5, 2017, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

- MEMBERS PRESENT: Judy Dixon, Chairman
- Robynn Clark, Vice Chairman
- Brian Howard, Director
- Terra Knight, Attorney
- Jerry Yeiser
- Fred Reeves
- Bill Glenn
- Lewis Jean

* * * * *

CHAIRMAN: I call the Owensboro Metropolitan Board of Adjustment October 5, 2017 meeting to order.

The first item on the agenda is the flag and prayer. It will be led by Mr. Reeves.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: The first item on the agenda is to consider the minutes of the September 7, 2017 meeting. All members have been mailed and received a copy and have had time to look them over.

At this time I'll entertain a motion to dispose of this item.

MR. REEVES: Motion to approve.

1 CHAIRMAN: Motion to approve by Mr. Reeves.

2 MS. CLARK: Second.

3 CHAIRMAN: Second by Ms. Clark. All in favor
4 of the motion raise your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

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8 CONDITIONAL USE PERMITS

9 ITEM 2

10 420 Cedar Street, zoned R-4DT (postponed from the
11 September 7, 2017 meeting)
12 Consider a request for a Conditional Use Permit in
13 order to install a class 2 manufactured home in an
14 R-4DT zone.

15 Reference: Zoning Ordinance, Article 8,
16 Section 8.2A10B/7

17 Applicant: Kentucky Dream Homes; Hestia Properties

18 CHAIRMAN: Mr. Howard, I need to recuse myself
19 from this item and ask my co-chair to take over.

20 MR. HOWARD: Thank you very.

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

23 MS. EVANS: Melissa Evans.

24 (MELISSA EVANS SWORN BY ATTORNEY.)

25 ZONING HISTORY

The subject property is currently zoned R-4DT
Inner-City Residential. OMPC records indicate there
have been no zoning map amendments for the subject
property.

1 The property is located within the Downtown
2 Transition Overlay District and does not meet a number
3 of the design requirements in Article 21 of the Zoning
4 Ordinance.

5 The applicant requested The Historic
6 Preservation Board grant exceptions to those
7 requirements. The Historic Preservation Board met on
8 September 28, 2017 and decided to forward
9 recommendations of denial of the exceptions to the
10 Board of Adjustment.

11 Staff research of the area via site visit and
12 file research resulted in the determination that there
13 are no other single-wide manufactured homes in the
14 vicinity.

15 The applicant is proposing to install a new
16 2017, 14' by 66' manufactured home on the subject
17 property and is seeking to install a gravel apron for
18 the parking pad but install a concrete parking pad off
19 the alley. The City of Owensboro does not allow
20 gravel driveways or aprons in the public right-of-way.
21 Also, as shown on the applicant's site plan, the deck
22 will not be 10 by 10 but will be 100 square feet.
23 There are existing mature trees on the site; however,
24 they're not shown on the site plan that was submitted.

25 LAND USES IN SURROUNDING AREA

1 All surrounding properties are zoned R-4DT
2 Inner-City Residential.

3 ZONING ORDINANCE

4 The class-2 manufactured home site standards
5 based on the requirements of the Zoning Ordinance are
6 as follows:

- 7 1. A concrete or asphalt parking pad to
8 accommodate two 9' by 18' spaces as required.
- 9 2. A minimum 10' by 10' deck or patio is
10 required.
- 11 3. A concrete sidewalk is required, but may
12 be waived along rural roads without curbs.
- 13 4. The driveway apron shall not exceed 40
14 percent of the lot width.
- 15 5. The property is required to have at least
16 three trees.
- 17 6. Manufactured home shall be permanently
18 installed on a permanent foundation. A poured
19 concrete or masonry block skirting wall shall be
20 constructed beneath and along the entire perimeter of
21 the manufactured home.
- 22 7. All wheel, trailer-tongue and hitch
23 assemblies shall be removed upon installation.
- 24 8. The manufactured home shall be permanently
25 connected to an approved water and sewer system when

1 available.

2 The applicant has requested the required
3 driveway apron to be gravel, although the City of
4 Owensboro does not allow gravel driveways or aprons in
5 the public right-of-way.

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

8 CHAIRMAN: Is there anyone here on behalf of
9 the applicant?

10 (NO RESPONSE)

11 CHAIRMAN: Anyone in opposition?

12 MS. KNIGHT: If you could state your name,
13 please.

14 MR. DIXON: Tom Dixon.

15 (TOM DIXON SWORN BY ATTORNEY.)

16 MR. DIXON: Try to bear with me. It's been a
17 while since I've been down here. Been a while since
18 I've spoke before a group. Kind of bear with me.

19 Again, I am Tom Dixon. I live at 416 West
20 Seventh Street. I've been there be 46 years in
21 December. I've been waiting over 40 years for things
22 to happen downtown and now they are. Things are
23 really popping.

24 Back in the early '80 during the Miller
25 administration we formed Neighborhood Associations.

1 We had four of them going through the core area.
2 That's before the ones that they have now, the new
3 ones they have formed. During that time we came to
4 the conclusion in order to rehab the downtown housing
5 area that mobile home placement was not conducive to
6 our goals. We fought for this and to my knowledge I
7 guess, at least last 35 years, there has not been one
8 placed within the core area; not to my knowledge.

9 When the downtown plan was adopted a few years
10 ago, there were additional guidelines placed on the
11 ordinances.

12 Cedar Street is an opening to new parking
13 garage they're going to be opening, new hotel they're
14 going to build and, of course, it runs right straight
15 into the Civic Center and all, the new development.

16 The next block up The Diocese of Owensboro has
17 built two or three new houses. Across the street from
18 that Rick Pitino Shelter has built two or three new
19 structures, and the rest of that block, which is 500
20 to 700 block of Cedar, has greatly improved.

21 Another thing is that mobile homes are taxed
22 differently than I guess you'd say real property. So
23 it really doesn't raise the housing stock in Owensboro
24 or in the downtown area. The rehabilitation of these
25 homes have brought up the tax in this area. Of

1 course, homeownership has increased in this area.
2 Young couples are moving back in; they see the
3 commercial and entertainment district. When people
4 move in, they follow the guidelines of the Downtown
5 Overlay District to meet the standards set by Article
6 21 of the Zoning Ordinance.

7 Let me just give you an example of a few
8 things. The street I live on runs from Frederica
9 Street right in the front doors of St. Stephens. I
10 live on the south side, and the building that's
11 closest to St. Stephens on the corner of Locust and
12 Seventh has been completely gutted and renovated. The
13 next house coming up has been. It's an older couple;
14 he's an engineer. Next to my house it's been
15 renovated. Then the next building a young man moved
16 in works at Joe Berry in economic development. He
17 moved in there about three or four or five months ago.
18 Across the street on the corner, on the north side
19 next to St. Stephens a young funeral director lives
20 there, and that house has been renovated, wife and new
21 baby. The next house up has been renovated. A young
22 man, a stockbroker, and wife, they have a new baby.
23 Next house up a young gentleman and his wife, I
24 believe he's assistant pastor out here at Pleasant
25 Valley Church. That shows you what's going on, what's

1 happening.

2 Right around the corner Rod Berry's home was
3 put on the market Monday and sold Wednesday. That's
4 right on the corner off of Seventh and Locust. It's
5 not happening just here in this area. You go over on
6 the east end and drive around and look at some of the
7 property and things, they're really hopping, you know,
8 since they put in the River Park Center, the new park,
9 Civic Center and all. Things, it's like a
10 steamroller. It's really beginning to grow. That's
11 the point I'm going to bring up.

12 The Historic Preservation Board, my
13 understanding, has recommended denial of this because
14 it doesn't meet these standards. The Chair was quoted
15 by the newspaper that there are reasons that these
16 standards were set.

17 So I ask you to deny the Conditional Use
18 request at 420 Cedar Street and help us continue on
19 with this progress that we're making downtown.

20 Thank you, Ladies and Gentlemen.

21 MS. CLARK: Does anyone have any questions of
22 Mr. Dixon?

23 (NO RESPONSE)

24 MS. CLARK: Does any board members have any
25 further questions?

1 (NO RESPONSE)

2 MS. CLARK: If not we'll entertain a motion.

3 MR. REEVES: I move to deny this application
4 based on the facts that it's already been heard by the
5 Historic Preservation Board, considered by them, and
6 they feel like that it's appropriate to deny this.
7 Also, this is in a historic neighborhood and to put in
8 a manufactured home there would likely set a
9 precedence that would alter the character of the
10 neighborhood.

11 MS. CLARK: Motion to deny by Mr. Reeves.

12 MR. JEAN: Second.

13 MS. CLARK: Second by Mr. Jean. All in favor
14 please raise your right hand.

15 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

16 MS. CLARK: Motion carries.

17 I'll take one more motion.

18 MR. GLENN: Motion to adjourn.

19 MS. CLARK: Motion to adjourn by Mr. Glenn.

20 MR. REEVES: Second.

21 MS. CLARK: Second by Mr. Reeves. All those
22 in favor raise your right hand.

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 MS. CLARK: We are adjourned.

25 -----

1 STATE OF KENTUCKY)
)SS: REPORTER'S CERTIFICATE
2 COUNTY OF DAVIESS)

3 I, LYNNETTE KOLLER FUCHS, Notary Public in and
4 for the State of Kentucky at Large, do hereby certify
5 that the foregoing Owensboro Metropolitan Board of
6 Adjustment meeting was held at the time and place as
7 stated in the caption to the foregoing proceedings;
8 that each person commenting on issues under discussion
9 were duly sworn before testifying; that the Board
10 members present were as stated in the caption; that
11 said proceedings were taken by me in stenotype and
12 electronically recorded and was thereafter, by me,
13 accurately and correctly transcribed into the
14 foregoing 30 typewritten pages; and that no signature
15 was requested to the foregoing transcript.

16 WITNESS my hand and notary seal on this the
17 30th day of October, 2017.

18

19

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

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23 COMMISSION EXPIRES: DECEMBER 16, 2018

24 COUNTY OF RESIDENCE: DAVIESS COUNTY, KY

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