The Owensboro Metropolitan Board of Adjustment met in regular session at 5:00 p.m. on Thursday, November 8, 2018, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: Judy Dixon, Chairman
Ruth Ann Mason, Secretary
Brian Howard, Director
Terra Knight, Attorney
Fred Reeves
Bill Glenn
Lewis Jean

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CHAIRMAN: Call the November 8, 2018 Owensboro Metropolitan Board of Adjustment to order.

First order of the business will be a prayer from Mr. Reeves and pledge to the flag.

(INVOCATION AND PLEDGE TO THE FLAG.)

CHAIRMAN: First item on the agenda is to consider the minutes of the October 4, 2018 meeting. Members have received a copy and have had time to look it over.

At this time I will entertain a motion.

MS. MASON: Motion to approve.

MR. GLENN: Second.

CHAIRMAN: A motion has been made by Ms. Mason
and seconded by Mr. Glenn. Any question 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 unanimously.

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VARIANCES

ITEM 2

6836 Highway 81, zoned A-U Urban Agriculture
Consider request for a Variance in order to reduce the required rear street yard building setback from 30-feet from the property line to 17-feet from the property line.
Reference: Zoning Ordinance, Article 8, Section 8.5.2(c)
Applicant: Mark A. McCarty & Karen McCarty

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

MR. PEDLEY: Trey Pedley.

(TREY PEDLEY SWORN BY ATTORNEY.)

MR. PEDLEY: The subject property is zoned A-U Urban Agriculture and is located near the southern intersection of Highway 81 and Old Highway 81 north with frontage along both roads. This double-frontage lot configuration is a common theme within the area creating 30-foot street yard building setback from Ohio Valley Reporting

(270) 683-7383
both ends of the property. All the houses within this area appear to primarily access their homes from Highway 81. This couples with the orientation of the home insinuates that the portion of each lot that adjoins Old Highway 81 North is thought of as the rear yard.

The applicant would like to construct a detached building approximately 45 by 50 within the rear yard at the end of the existing driveway on the subject property. Consequentially, the building will be encroaching into the required 30 foot setback along Old Highway 81 North, and so the applicant has requested a variance to reduce the required rear street yard building setback from 30-feet from the property line to 17-feet from the property line.

Granting this variance will not adversely affect the public safety or cause a public nuisance because all the homes within this area are primarily accessed from Highway 81, and so the location of the rear yard detached structure will not interfere with a driver's visibility regarding situations involving the neighboring driveways. However, granting the variance may alter the essential character of the general vicinity and may allow unreasonable circumvention of the zoning regulation because there are no other
Staff recommends approval with the condition that all necessary building, electrical and HVAC permits, inspections and certificates of occupancy and compliance are obtained.

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

CHAIRMAN: Thank you, Mr. Pedley.

Is there anyone here representing the applicant?

APPLICANT REP: Yes.

CHAIRMAN: Does anybody on the commission have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: Hearing none I'll entertain a motion.

MR. GLENN: I'll make a motion to approve this application and request based on the findings presented here and also on Condition Number 1 which is obtain all necessary building, electrical and HVAC permits, inspections and certificates of occupancy and compliance.

MR. JEAN: Second.

CHAIRMAN: Motion by Mr. Glenn and seconded by Ohio Valley Reporting (270) 683-7383
Mr. Jean. Any questions on the motion?

(NO RESPONSE)

CHAIRMAN: All in favor raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries.

Mr. Howard, anything else?

MR. HOWARD: No, ma'am.

CHAIRMAN: I have one more motion.

MS. MASON: Motion to adjourn.

CHAIRMAN: Motion to adjourn by Ms. Mason. Is there a second?

MR. GLENN: Second.

CHAIRMAN: Second by Mr. Glenn. 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 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 1st day of December, 2018.

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

COMMISSION EXPIRES: DECEMBER 16, 2018

COUNTY OF RESIDENCE: DAVIESS COUNTY, KY

Ohio Valley Reporting
(270) 683-7383