The Owensboro Metropolitan Board of Adjustment met in regular session at 5:30 p.m. on Thursday, February 7, 2019, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

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

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CHAIRMAN: We will call the Owensboro Metropolitan Board of Adjustment February 7, 2019 meeting to order.

First thing on the meeting agenda is for the pledge and the prayer. Mr. Jean is going to take care of that for us.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: First on the agenda are to consider the minutes of the January 3, 2019 meeting. Members have been mailed or received an e-mail copy of the minutes and have had time to peruse it. Does anybody have any question on the minutes?
CHAIRMAN: I'll entertain a motion.

MR. GLENN: Make a motion to approve the minutes.

CHAIRMAN: Motion by Mr. Glenn.

MS. MASON: Second.

CHAIRMAN: Second by Ms. Mason. Any questions?

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

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Number 2, Mr. Howard.

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CONDITIONAL USE PERMITS

ITEM 2

832 Higdon Road, zoned R-1A, Single-Family Residential Consider request for a Conditional Use Permit in order to install a class 2 manufactured home in an R-1A Single Family Residential zoning classification.

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

Applicant: Sheryl Evans; Troy J. Faught

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

MR. PEDLEY: Trey Pedley.

(TREY PEDLEY SWORN BY ATTORNEY.)

MR. PEDLEY: The subject property is a

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recently created lot that is zoned R-1A Single Family Residential. The property is surrounded by a variety of A-U Urban Agriculture and R-1A Single Family Residential zoning.

To the west along Higdon Road is single residential property, several of which contain class 2 manufactured homes that predate the zoning regulation.

To the north across Higdon Road is a large farming operation and an RWRA plant. To the south across the Wendell Ford Expressway is the Yeiser Excavating property on Veach Road which is zoned A-U Urban Agriculture.

The applicant would like to place a 56 by 16 Class 2 Manufactured Home on the subject property. Such a structure is conditionally permitted in an R-1A Single Family Residential zone so long as the site complies with all zoning ordinance requirements. The site plan submitted with the application indicates each of the zoning ordinance requires will be met with the exception of two requested waivers.

The applicant would like to request a waiver of sidewalk requirement to remain consistent with the remainder of Higdon Road where sidewalks are not present.

The applicant also request a waiver allowing
the two 9 by 10 parking spaces to be a gravel surface. Since the subject property is not in the city limits and many neighboring properties utilize gravel drives.

If approved special conditions include:

1. Obtain all necessary building, electrical and HVAC permits inspections and certificates of occupancy and compliance.

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

CHAIRMAN: Is there anyone here wishing to speak in opposition to this item?

(NO RESPONSE)

CHAIRMAN: Is the applicant here?

APPLICANT REP: Yes.

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

(NO RESPONSE)

CHAIRMAN: If not, I'll entertain a motion.

MR. JEAN: Madam Chairman, I would like to make a motion we approve this Conditional Use Permit request with the one special provision and subject to the zoning requirement, Number 2, 4, 5, 6, 7 and 8 zoning ordinance requirement, based on the Staff Report, the site visit, and with the three findings of
The findings of fact are:

1. This property is located within an R-1A Single Family Residential zone where class 2 manufactured homes are conditionally permitted.

2. It is in compliance with the neighborhood because there are other manufactured homes in the neighborhood and it will allow harmonious integration because there are similar living activities in the area.

3. The applicant shall meet the zoning ordinance requirements for a class 2 manufactured home; number 2, 4, 5, 6, 7 and 8. Item 1, A concrete or asphalt parking pad is waived in lieu of the gravel surface due to that this property not being in the city. Item 3, the concrete sidewalk is waived due to there’s no sidewalk on Higdon Road.

CHAIRMAN: Do I have a second?

MR. REEVES: Second.

CHAIRMAN: Second by Mr. Reeves. 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.

Next item, Mr. Howard.

ITEM 3

1308, 1314, 1320, 1324 & 1328 West 3rd Street, zoned R-4DT Inner-City Residential
Consider request for a Conditional Use Permit in order to expand an existing group housing development by constructing and operating an additional group home on the subject properties.
Reference: Zoning Ordinance, Article 8, Section 8.2A7/6a
Applicant: St. Joseph's Peace Mission

MR. PEDLEY: The subject properties are zoned R-4DT Inner-City Residential, are as the majority of the surrounding properties excluding Goose Egg Park, which is located to the northeast of the subject properties and zoned P-1 Professional Services, and the automobile sales business located at the intersection of Frayser Avenue and West Fourth Street which zoned B-4 general business.

On this property, previously approved Conditional Use Permits to allow an 8-bed residential treatment and support facility for boys ages 12 to 17 to operate from 1324 West Third Street in shelters for 10 children ages zero to 18 to operate from 1328 West Third Street.

Now the applicant would like to expand these developments by constructing a new building and consolidating all the subject properties.
Within this proposal the previously approved boy shelter located at 1324 West Third Street will remain unchanged. However, the site plan indicates the shelter located at 1328 West Third Street will become an emergency shelter with 12 beds. Meanwhile, the detached garage at 1328 West Third Street will be utilized as office space, an accessory use to the development.

The only new construction of building within this development will take place on what is currently 1320 West Third Street where the applicant intends to construct and operate a 3,012 square foot building which will house 8 beds for girls. Additionally, there is an 506 square foot garage on the subject property that encroaches into the building setback along Frayser Avenue. This structure shall be removed or relocated from the site as illustrated on the site plan.

The criteria for conditionally permitted housing has been addressed within the application.

Additional zoning ordinance requirements include:

1. Parking - 5 spaces plus 1 for every 5 beds, and one space per 400 square feet of office space. Total parking required is 15 spaces. All
parking shall be located on a hard surface, such as concrete or asphalt, and at least 1 space shall be handicap accessible.

2. Landscaping - Vehicular Use Area Screening consisting of a 3-toot-tall continuous element and 1 tree per 40-linear-feet shall be installed where the vehicular use area adjoins public right-of-way (excluding alleys) and residually zoned properties. If approved Special Conditions include:

1. Removal or relocation of the existing 506 square foot garage that is currently located within the building setback line along Frayser Avenue;

2. Obtain approval of a Minor Subdivision Plat;

3. Obtain approval of a Final Development Plan;

4. Obtain all necessary building, electrical and HVAC permits, inspections and certificates of occupancy and compliance.

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

CHAIRMAN: Thank you, Mr. Pedley.

Is there anyone here wishing to speak in opposition to this item.

(NO RESPONSE)
CHAIRMAN: Is there anyone here wishing to address this to the board from the applicant?

APPLICANT REP: No.

CHAIRMAN: Any member board members have any questions of the applicant?

(NO RESPONSE)

CHAIRMAN: If not, I'll entertain a motion.

MS. MASON: Madam Chairman, make a motion to approve as this is a logical expansion of a Conditional Use Permit that was approved in 2009, and it's compatible with the land use. It was noted earlier that Special Conditions are 1, 2, 3, 4 need to be met.

CHAIRMAN: Thank you, Ms. Mason.

Is there a second to the motion?

MR. HOWARD: Second.

CHAIRMAN: Any question on the motion?

(NO RESPONSE)

CHAIRMAN: Ready for a vote. All in favor of the motion raise your right hand.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

CHAIRMAN: Motion carries unanimously.

Anything else to come before the board?

MR. HOWARD: No, ma'am.

CHAIRMAN: I'll entertain one final motion.
MR. GLENN: Motion to adjourn.

CHAIRMAN: Motion to adjourn by Mr. Glenn.

MS. MASON: Second.

CHAIRMAN: Second by Ms. Mason. 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 foregoing 10 typewritten pages; and that no signature was requested to the foregoing transcript.

WITNESS my hand and notary seal on this the 1st day of March, 2019.

LYNETTE KOLLER FUCHS
NOTARY ID 613522
OHIO VALLEY REPORTING SERVICES
2200 E. PARRISH AVE, SUITE 106E
OWENSBORO, KY 42303

COMMISSION EXPIRES: DECEMBER 16, 2022
COUNTY OF RESIDENCE: DAVIESS COUNTY, KY

Ohio Valley Reporting
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