

**OWENSBORO METROPOLITAN BOARD OF ADJUSTMENT****DECEMBER 1, 2022**

The Owensboro Metropolitan Board of Adjustment met in regular session at 5:30 p.m. on Thursday, December 1, 2022, at City Hall, Commission Chambers, Owensboro, Kentucky; and the proceedings were as follows:

MEMBERS PRESENT: Judy Dixon, Chairman  
Brian Howard, Director  
Ruth Ann Mason, Secretary  
Terra Knight, Attorney  
Bill Glenn  
Lewis Jean  
Laurna Strehl  
Tori Thompson

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CHAIRMAN: We'll call the Owensboro Metropolitan Board of Adjustment December 1, 2022, meeting to order. And at this time, we'll stand and have a prayer and our pledge to the flag.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: First item on the agenda is to consider the minutes of the November 3rd, 2022, meeting. All members have been mailed or have a digital copy. So, at this time we will entertain a motion.

MR. GLENN: Motion to approve.

CHAIRMAN: Motion to approve.

MS. MASON: Second.

1 CHAIRMAN: Second by Ms. Mason.

2 Any questions on the motion?

3 (NO RESPONSE.)

4 CHAIRMAN: All in favor, raise your right  
5 hand.

6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: Chair votes aye. Motion carries  
8 unanimously.

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10 CONDITIONAL USE PERMITS

11 ITEM 2

12 4705 Winkler Road, zoned A-U, Urban Agriculture

13 Consider request for a Conditional Use Permit in order  
14 to operate indoor recreational activities and accessory  
15 outdoor activities from the subject property, including,  
16 but not limited to, activities related to horse riding.

17 References: Zoning Ordinance, Article 8, Sections  
18 8.2B11/13

19 Applicant: Dream Riders of Kentucky, Inc.; Daviess  
20 County Lions Club Fair, Inc.

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

23 MR. PEDLEY: Trey Pedley.

24 (MR. PEDLEY SWORN BY THE ATTORNEY.)

25 MR. PEDLEY: The subject property, and all  
adjoining properties, is agricultural. This property  
was previously utilized by the Daviess County Lions Club

1 for various events. Now the applicant wishes to utilize  
2 the site to operate both indoor and outdoor recreational  
3 activities that are related to horse riding.

4 The proposal consists of various activities,  
5 including therapeutic riding and horsemanship, assisted  
6 learning and psychotherapy programs, as well as mental  
7 health and well-being programs.

8 All of the aforementioned activities will take  
9 place within the existing building. However, when  
10 weather permits, all activities may go outside,  
11 especially on the existing arena located to the rear of  
12 the building.

13 In total, the activities are expected to take  
14 place on Tuesdays, Wednesdays, Thursdays, and Saturdays.  
15 Some programs may require times outside of those times  
16 mentioned.

17 The zoning ordinance for this use would  
18 require 22 parking spaces. On a site this size, with  
19 existing gravel and paved surfaces, staff is confident  
20 that the site can support the required parking spaces.  
21 However, if approved, such compliance shall be  
22 documented on an official site plan or final development  
23 plan.

24 Also, for this use within this zone, the  
25 landscaping, no landscaping is required by ordinance.

1       However, the Board of Adjustment may require additional  
2       landscaping elements to be installed if deemed  
3       necessary.

4               If approved, special conditions include:

5       SPECIAL CONDITIONS:

6               1. It is recommended that the OMBA establish  
7       conditions pertaining to specific days and hours of  
8       operation that the outdoor activities shall be permitted  
9       to operate;

10              2. The first 50 feet of the access point  
11       shall be paved, measured from the edge of pavement along  
12       Winkler Road;

13              3. No outdoor overhead arena-style lighting  
14       shall be installed in conjunction with this Conditional  
15       Use Permit;

16              4. Obtain approval of a site plan or final  
17       development plan; and,

18              5. Obtain all necessary building, electrical,  
19       and HVAC permits, inspections, and certificates of  
20       occupancy and compliance.

21              We'd like to enter the staff report into the  
22       record as Exhibit A.

23              CHAIRMAN: Thank you. Is there anyone here  
24       representing the applicant?

25              (NO RESPONSE.)

1           CHAIRMAN: No one? Have we had any calls on  
2 this item, Mr. Howard?

3           MR. HOWARD: No.

4           CHAIRMAN: None?

5           MR. HOWARD: No.

6           CHAIRMAN: Okay. Anyone on the board have a  
7 question? Mr. Jean?

8           MR. JEAN: My question is for the director.  
9 With them not being here, can we just establish an  
10 outdoor time on our own and just let them comply with  
11 it?

12          MR. HOWARD: Yes.

13          MR. JEAN: Thank you.

14          CHAIRMAN: Hearing that, do you want to make a  
15 motion?

16          MR. JEAN: I can.

17          CHAIRMAN: Do it.

18          MR. JEAN: I'd like to make a motion to  
19 approve the Conditional Use Permit based on the staff  
20 report, the site visit, the two zoning ordinance  
21 requirements, and five special conditions with four  
22 findings of fact:

23               One, the property is zoned rural agriculture,  
24 where indoor and outdoor riding stables are allowed by  
25 Conditional Use Permit.

1           The use is compatible with the area, as there  
2           are other agriculture-related facilities in the  
3           neighborhood.

4           With 22 parking spaces required, the existing  
5           parking area will easily support the parking  
6           requirements of the entire facility.

7           And the outdoor dates and times of operations  
8           are Monday through Saturday, 6 a.m. to 6 p.m.

9           CHAIRMAN: We have a motion.

10          MS. THOMPSON: I have a question. Can I  
11          question his motion?

12          CHAIRMAN: Sure.

13          MS. THOMPSON: The schedule that they  
14          included, they have dates where they were riding at  
15          6:15.

16          MR. JEAN: Riding what?

17          MS. THOMPSON: That they were doing  
18          therapeutic riding at 6:15.

19          MR. JEAN: But that was inside.

20          MS. THOMPSON: That was inside? Okay.

21          MS. KNIGHT: So your hours of operation are  
22          for outdoor activities, correct?

23          MR. JEAN: Right.

24          CHAIRMAN: Anyone else have a question?

25          (NO RESPONSE.)

1 CHAIRMAN: Do we have a second on the motion?

2 MR. GLENN: Second.

3 CHAIRMAN: Second by Mr. Glenn. Anybody else  
4 have questions?

5 (NO RESPONSE.)

6 CHAIRMAN: Ready to vote. All in favor of the  
7 motion, raise your right hand.

8 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

9 CHAIRMAN: Opposed, like sign.

10 (NO RESPONSE.)

11 CHAIRMAN: Motion carries unanimously.

12 Anything else, Mr. Howard?

13 (NO RESPONSE.)

14 CHAIRMAN: One more motion.

15 MS. MASON: Motion to adjourn.

16 CHAIRMAN: Motion to adjourn.

17 MR. GLENN: Second.

18 CHAIRMAN: Second. All in favor, gather your  
19 things and leave.

20 (The meeting concluded at 5:35 p.m.)

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

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

16 WITNESS my hand and notary seal on this the  
17 15th day of December 2022.

18  
19 \_\_\_\_\_  
20 RHONDA SIMPSON, NOTARY PUBLIC  
21 STATE-AT-LARGE  
22 OHIO VALLEY REPORTING SERVICE  
23 2200 E. PARRISH AVENUE, SUITE 205C  
24 OWENSBORO, KENTUCKY 42303

25 COMMISSION EXPIRES:  
AUGUST 14, 2023  
COUNTY OF RESIDENCE:  
DAVIESS COUNTY, KENTUCKY