

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 MARCH 9, 2023

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 5:30 p.m. on Thursday, March
5 9, 2023, at City Hall, Commission Chambers, Owensboro,
6 Kentucky, and the proceedings were as follows:

7 MEMBERS PRESENT: Brian Howard, Director
8 Terra Knight, Attorney
9 Sharla Wells
10 Jason Strode
11 Laina Strehl
12 Greg Raque
13 Jason Gasser
14 Sharla Wells

15 * * * * *

16 MR. HOWARD: I call to the order the March 9,
17 2023 Owensboro Metropolitan Planning Commission
18 meeting.

19 First item is a prayer and pledge.

20 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

21 MR. HOWARD: Next item is to consider the
22 minutes of the February 9, 2023 meeting. Each member
23 should have received a copy in your packet. If there
24 are any questions on these, we can answer them;
25 otherwise, look for a motion.

MS. STREHL: I'll make a motion to accept the
minutes.

MR. STRODE: Second.

1 MR. HOWARD: Any question on the motion?

2 (NO RESPONSE)

3 MR. HOWARD: If not all those in favor signify
4 by raising your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 MR. HOWARD: Motion carries unanimously.

7 Next are the zoning changes. I will note that
8 the zoning changes heard tonight will become final in
9 21 days after the meeting unless an appeal is filed.
10 If an appeal is filed, we will forward the record of
11 this meeting along with all applicable materials to
12 the appropriate legislative body for them to take
13 final action.

14 -----

15 GENERAL BUSINESS

16 ZONING CHANGES

17 ITEM 3

18 10700 Pup Creek Lane, 54.991 acres
19 Consider zoning change: From EX-1 Coal Mining to A-R
20 Rural Agriculture
Applicant: Christopher D. Hodskins & Carrie A.
Hodskins

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

23 MS. ZOGLMANN: Emily Zoglmann.

24 (EMILY ZOGLMANN SWORN BY ATTORNEY.)

25 PLANNING STAFF RECOMMENDATIONS

1 The Planning Staff recommends approval subject
2 to the condition and findings of fact that follow:

3 CONDITIONS:

4 1. The subject property shall not be
5 subdivided so as to create any new lots that do not
6 comply with the subdivision regulations.

7 FINDINGS OF FACT:

8 1. Staff recommends approval because the
9 proposal is in compliance with the community's adopted
10 Comprehensive Plan;

11 2. The subject property is located in a Rural
12 Maintenance Plan Area, where rural large-lot
13 residential uses are appropriate in limited locations;

14 3. At 54.991 acres and 204.42-feet of road
15 frontage, the subject property is large enough to
16 ensure that any proposed dwellings shall be located on
17 their own individual lot with frontage along a public
18 road, Pup Creek Lane;

19 4. No new roads are proposed with this
20 request;

21 5. Coal mining activity on the property has
22 ceased; and,

23 6. The Owensboro Metropolitan Zoning
24 Ordinance Article 12a.31 requires that the property
25 shall revert to its original zoning classification

1 after mining.

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

4 MR. HOWARD: Thank you, Ms. Zoglmann.

5 Seeing that there's no one in the audience we
6 will ask anyone in the audience if they have questions
7 on this application?

8 (NO RESPONSE)

9 MR. HOWARD: Any commissioners have any
10 questions or comments on this application?

11 (NO RESPONSE)

12 MR. HOWARD: Seeing none we will take a motion
13 to dispose of the item, please.

14 MR. STRODE: Motion to approve based on
15 Planning Staff Recommendations, Condition 1 and
16 Findings of Fact 1 through 6.

17 MR. HOWARD: Thank you, Commissioner Strode.

18 Is there a second?

19 MS. STREHL: I'll second.

20 MR. HOWARD: Thank you. We have a motion and
21 a second. Any question on the motion?

22 (NO RESPONSE)

23 MR. HOWARD: If not all in favor signify by
24 raising your right hand please.

25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 MR. HOWARD: Motion carries.

2 Next item will be postponed tonight. I will
3 read the addresses in the record, but it will be
4 postponed.

5 ITEM 4

6 1602, 1610, 1616, 1620, 1624, 1640 Sweeney Street,
7 1621, 1633 Moseley Street; 406, 410, 414, 416 East
8 16th Street, 3.703 acres (POSTPONED TO THE APRIL 13,
2023 OMPC MEETING)

9 MR. HOWARD: This item needs to be postponed
10 tonight so we'll take a motion to postpone the item,
11 please.

12 MS. STREHL: I'll make a motion to postpone
13 the item.

14 MR. HOWARD: We have a motion to postpone. Is
15 there a second?

16 MS. WELLS: I'll second.

17 MR. HOWARD: We have a motion and a second.
18 Any question on the motion?

19 (NO RESPONSE)

20 MR. HOWARD: If not all those in favor signify
21 by raising your right hand.

22 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23 MR. HOWARD: Motion carries.

24 Next under Minor Subdivision Plats we have
25 four. As noted I'm running the meeting tonight

1 because some of our officers were unable to attend due
2 to conflicts so I would ask, if it's your pleasure,
3 they're out of town or unable to meet up with us.
4 Tomorrow, if it's your pleasure, if you do make a
5 motion to approve, would you add to it that it would
6 allow me to sign the plats so that we don't have to
7 wait for them to be back in town next week. We can
8 keep these people moving forward.

9 MINOR SUBDIVISION PLATS

10 ITEM 5

11 9828 & 9840 Oak Street, 13.696 acres (POSTPONED AT THE
12 FEBRUARY 9, 2023 OMPC MEETING)
13 Consider approval of a minor subdivision plat
14 Applicant; Carrie Wilkerson; Jeffery M. & Miranda
15 Ward

16 MR. HOWARD: This plat comes before you as an
17 exception. There's an existing parcel that they are
18 adding to make it deeper. That's tract 2 that you see
19 on your plat, which brings it out of compliance with
20 the three to one requirement. We were waiting on
21 Whitesville to take action on an annexation and that
22 was been complete. They are not adding any additional
23 buildable lots, not maximizing the number of buildable
24 lots and with the notations on the plat that they
25 cannot be further subdivided without meeting the
26 requirements of the subdivision regulations. We would
27 recommend that you consider it for approval.

1 MR. STRODE: Mr. Chairman, make a motion for
2 approval and like to give you the authority to sign
3 that.

4 MR. HOWARD: Thank you. Is there a second?

5 MR. RAQUE: Second.

6 MR. HOWARD: Commissioner Raque has a second.

7 Any questions on that motion to approve?

8 (NO RESPONSE)

9 MR. HOWARD: Seeing none all in favor signify
10 by raising your right hand.

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 MR. HOWARD: Motion carries unanimously.

13 Thank you.

14 ITEM 6

15 6485 & 6499 Boston Laffoon Road, 10.506 acres
16 Consider approval of a minor subdivision plat.
17 Applicant: Cecilia Montgomery

18 MR. HOWARD: This plat comes before you as an
19 exception to the three to one requirement as well. If
20 you see tract 2, the southern tract on this parcel,
21 which they are creating with this division, does not
22 comply with the three to one requirement, but it is
23 coming out of a 10-acre parcel and with notation on
24 there about no further subdivision without meeting the
25 requirements for both parcels. We would recommend
that you consider it for approval. Any questions on

1 that plat?

2 (NO RESPONSE)

3 MR. HOWARD: Seeing none is there a motion to
4 dispose of the item, please?

5 MS. WELLS: I'll make a motion to approve and
6 that your signature be allowed.

7 MR. HOWARD: Thank you. We have a motion.

8 MR. STREHL: Second.

9 MR. HOWARD: Thank you. We have a motion and
10 a second. Any question on the motion?

11 (NO RESPONSE)

12 MR. HOWARD: If not all those in favor signify
13 by raising your right hand.

14 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

15 MR. HOWARD: Motion carries. Thank you.

16 ITEM 7

17 10018 McIntyre Road West, 2.300 acres
18 Consider approval of a minor subdivision plat.
19 Applicant: Mike & Vickie McIntyre

19 MR. HOWARD: This plat comes before you as an
20 exception to not only the three to one requirement,
21 but the minimum road frontage requirement. It is a
22 long and deep lot that they're proposing. It is being
23 created around an existing residence. There is a
24 notation on the plat that this parcel certainly cannot
25 be further subdivided. Doesn't have the road frontage

1 to do so. With that it's not pretty, but we recommend
2 for approval, I guess. It's not a great looking plat,
3 but whatever.

4 Any questions on that or anybody want to make
5 a motion on it?

6 MS. STREHL: I'll make a motion to approve and
7 granting Brian Howard authorization to sign on the
8 plat.

9 MR. HOWARD: Thank you. Is there a second,
10 please?

11 MR. STRODE: Second.

12 MR. HOWARD: Thank you, Commissioner Strode.
13 Any question on the motion?

14 (NO RESPONSE)

15 MR. HOWARD: If not all those in favor signify
16 by raising your right hand.

17 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

18 MR. HOWARD: Motion carries.

19 ITEM 8

20 118 West Byers Avenue & 3219 St. Ann Street, 0.374
21 acres
22 Consider approval of a minor subdivision plat.
Applicant: Samquest Global, LLC

23 MR. HOWARD: This plat comes before you as an
24 exception. This is a type of plat that we rarely see,
25 but what the proposal is or what's happening is there

1 is an existing parcel that it's a corner lot. There
2 are building setbacks that take up a good bit of it.
3 It used to be two parcels. The proposal is to take it
4 back to two parcels. They don't comply with the
5 current regulations; however, the zoning ordinance
6 does allow that if there are other existing lots that
7 are in the vicinity of similar size that you all as a
8 commission could waive the zoning ordinance
9 requirements and approve them. So this isn't your
10 typical three to one or minimum road frontage
11 requirement type thing. It's actually a minimum lot
12 size and minimum road frontage issue. Being as how it
13 is, on the aerial they just pulled up, you can see how
14 there are many other lots that are in the vicinity of
15 this property that are of similar size to what they
16 are proposing to create here. Again, you all don't
17 see many of these. In 18 years that I've been here,
18 we've had maybe three or four that are like this.
19 Staff doesn't have an issue with it if you're so
20 incline to make a motion to approve.

21 Any questions on that one?

22 (NO RESPONSE)

23 MR. HOWARD: Seeing none is there a motion to
24 dispose of the item, please?

25 MR. STRODE: Make a motion for approve and

1 giving Brian the authority to sign.

2 MR. HOWARD: Thank you. Is there a second?

3 MS. BOARMAN: I'll second.

4 MR. HOWARD: Any question on the motion?

5 (NO RESPONSE)

6 MR. HOWARD: If not all those in favor signify

7 by raising your right hand.

8 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

9 MR. HOWARD: Motion carries unanimously.

10 -----

11 NEW BUSINESS

12 ITEM 9

13 Consider approval of January 2022 financial statements

14 MR. HOWARD: Each of you should have received

15 a copy of those. If are there any questions, I'll be

16 glad to attempt to answer those. If not, I'll take a

17 motion to approve, please.

18 MR. RAQUE: Motion to approve.

19 MR. HOWARD: Thank you. Is there a second?

20 MS. WELLS: Second.

21 MR. HOWARD: Thank you. A motion and a

22 second. Any question on the motion?

23 (NO RESPONSE)

24 MR. HOWARD: If not all those in favor signify

25 by raising your right hand.

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 MR. HOWARD: Motion carries.

3 ITEM 10

4 Comments by the Chair.

5 MR. HOWARD: The Chair is not here.

6 ITEM 11

7 Comments by the Planning Commissioners

8 (NO RESPONSE)

9 ITEM 12

10 Comments by the Director

11 * Aaron Isom - Regular, full-time appointment
to the position of Development Liason

12 * Emily Zoglmann - Regular, full-time
appointment to the position of Secretary

13 MR. HOWARD: A couple of things. One, our
14 personnel policy states that new hires come in and
15 serve in a probationary term until we as Staff or me,
16 I guess, but our Staff deems that they're ready to be
17 appointed to a full-time position. So we have two
18 employees tonight that we are proposing to appoint to
19 a full-time regular employee appointment.

20 Aaron Isom, he is our Development Liason and
21 then Emily Zoglmann who is, her title is secretary,
22 but she's really developing and progressing along the
23 path to become a planner. They both have been doing a
24 great job and would recommend that you all approve
25 them as regular full-time employees. We would need a

1 motion to accept those.

2 MR. STRODE: Mr. Chairman, I'll make a motion
3 for approval.

4 MR. HOWARD: Is there a second?

5 MR. RAQUE: Second.

6 MR. HOWARD: Thank you, sir.

7 Any questions on that motion?

8 (NO RESPONSE)

9 MR. HOWARD: If not all of those in favor
10 signify by raising your right hand.

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 MR. HOWARD: The other item is we will
13 introduce Ms. Teresa Boarman. She is our newest, she
14 filled out the planning commission. We had an empty
15 spot that the county filled I guess at the end of last
16 month.

17 This is your first meeting. Welcome aboard.
18 Look forward to getting to know you. Any comments or
19 anything you would like to say?

20 MS. BOARMAN: No.

21 MR. HOWARD: Glad to have you.

22 A special thanks to Sharla for zooming in from
23 Frankfort to get here in time. Appreciate it.

24 If there are no other questions, comments or
25 anything tonight, we will look for a motion to

1 adjourn.

2 MS. STREHL: Motion to adjourn.

3 MR. HOWARD: Thank you. Is there a second?

4 MR. STRODE: Second.

5 MR. HOWARD: All those in favor raise your
6 right hand.

7 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

8 MR. HOWARD: We are adjourned.

9 -----

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

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 Planning
6 Commission 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 foregoing 14
14 typewritten pages; and that no signature was requested
15 to the foregoing transcript.

16 WITNESS my hand and notary seal on this the
17 10th day of April, 2023.

18

19

20 _____
 LYNNETTE KOLLER FUCHS
 OHIO VALLEY REPORTING SERVICES
21 COMMISSION NO. KYNP63124
 2200 EAST PARRISH AVE., SUITE 205-C
22 OWENSBORO, KENTUCKY 42303

23 COMMISSION EXPIRES: DECEMBER 16, 2026

24 COUNTY OF RESIDENCE: DAVIESS COUNTY, KY

25