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OWENSBORO METROPOLITAN BOARD OF ADJUSTMENT

APRIL 5, 2001

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The Owensboro Metropolitan Board of Adjustment met in regular session at 6:00 p.m. on Thursday, April 5, 2000, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

MEMBERS PRESENT: C. A. Pantle, Chairman  
Judy Dixon  
Bill Williams  
Ward Pedley  
Gary Noffsinger,  
Planning Director  
Stewart Elliott  
Attorney

\* \* \* \* \*

CHAIRMAN: Call the meeting to order. I want to welcome everyone.

First item to be considered this evening is the minutes of the last meeting. They have been on record in the office and read. What's the board's pleasure?

MS. DIXON: Move to approve.

MR. WILLIAMS: Second.

CHAIRMAN: Motion has been made and a second. All in favor say aye.

(ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 CHAIRMAN: Motion carries unanimously.  
2 First item on the agenda, Mr. Noffsinger.

3 -----

4 CONDITIONAL USE PERMITS

5 ITEM 2

6 1 Executive Boulevard, in a B-4 zone  
(Map N-4)(Postponed)  
7 Consider request for a Conditional Use Permit for  
construction and operation of a marina facility for  
8 docking of pleasure boats.  
Reference: Zoning Ordinance, Article 8, Section  
9 8.2K7, Article 18, Section 18-6(b)(2)(f)  
Applicant: Executive Marina of Owensboro, Inc., John  
10 V. Bays and David Howerton

11 MR. NOFFSINGER: Mr. Chairman, this  
12 application was postponed from the last meeting  
13 awaiting the approval of the Division of Water and the  
14 Corp of Engineers. We have not received that  
15 approval; therefore Staff would recommend that this  
16 item be postponed until the May meeting of the Board  
17 of Adjustment. That will be the first Thursday in  
18 May.

19 MS. DIXON: Move to postpone until the May  
20 meeting.

21 CHAIRMAN: We have a motion to postpone.

22 MR. PEDLEY: Second.

23 CHAIRMAN: All in favor raise your right  
24 hand.

25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 CHAIRMAN: Motion carries unanimously.

2 Next item, please.

3 ITEM 3

4 1905 Hall Street, in a R-4DT zone (Map N-7)  
5 Consider request for a Conditional Use Permit for  
6 permanent placement of a 14'x70' Class B singlewide  
7 manufactured home.

8 Reference: Zoning Ordinance, Article 8, Section  
9 8.2A10B, Section 8.4/7

10 Applicant: Charlambos A. Pavlas and Nicholas Pavlas

11 MR. NOFFSINGER: Mr. Chairman, this  
12 application has been reviewed by the Planning Staff.

13 The application is found to be in order. It has been  
14 advertised for public hearing at this time and all  
15 adjoining property owners have been notified.

16 It is placement of a singlewide manufactured home on  
17 the property. The site plan indicates that there will  
18 be a home that will be five feet off of the south  
19 property line, 25 feet off of Hall Street. The  
20 property will have two on-site paved parking spaces.

21 It will be a 10 by 10 patio at the front door as well  
22 as a 4 foot sidewalk along the street frontage of Hall  
23 Street. With that it's ready for your consideration.

24 CHAIRMAN: Is the applicant here or anyone  
25 representing the applicant?

MR. PAVLAS: Yes.

CHAIRMAN: Come forward.

Before we get started I want to apologize

1 one thing I didn't say. When you want to speak on an  
2 item, please come before one of the podiums, speak  
3 into the microphone, state your name, and then our  
4 attorney will swear you in and then you'll be able to  
5 testify or state your feelings on any particular item.  
6 All people will be given the opportunity to speak on  
7 all items if you so desire.

8 State your name for the record and be  
9 sworn in.

10 MR. PAVLAS: Charlamobos Pavlas.

11 (MR. CHARLAMBOS PAVLAS SWORN BY ATTORNEY.)

12 CHAIRMAN: Is there anything you want to  
13 add to it?

14 MR. PAVLAS: No. I was just going to add  
15 that the trailer will be under the specifications that  
16 City Hall give us. They already told me. We'll go by  
17 those and when it's done I guess they'll let us - -  
18 unless there's any problem with the neighbor there.  
19 Will be one individual living there. There won't be  
20 any kids. The lot is empty. Might as well put it to  
21 some use. I appreciate it.

22 CHAIRMAN: Anyone else have anything to  
23 add on this in favor of this particular item?

24 (NO RESPONSE)

25 CHAIRMAN: Anyone objecting to the item?

1 MRS. NELSON: Can I ask him a question  
2 before he leaves?

3 CHAIRMAN: Ma'am, ask your question to the  
4 chair and then we'll get the answer. The main reason  
5 because we can get this in the record.

6 MR. ELLIOTT: State your name, please.

7 MRS. NELSON: Well, he sent the letter to  
8 James Nelson, but my husband has died and I still live  
9 there. So I'm Rosa Nelson.

10 (MRS. ROSA NELSON SWORN BY ATTORNEY.)

11 CHAIRMAN: Proceed with what you have to  
12 ask, please.

13 MRS. NELSON: Can I ask him if he owns  
14 that trailer next to where he's going to put this  
15 other trailer?

16 CHAIRMAN: We'll get that answer.

17 MRS. NELSON: If he puts another trailer  
18 in there because the trailer that's already there,  
19 there was a lot of garbage and stuff back in the  
20 backyard. There's a lot of bushes and trees growing  
21 all around the backyard and we tried I don't know how  
22 many months last year to get the city to take care of  
23 that. I called three times. Some of the other  
24 neighbors called about three or four times. They  
25 never did come out there and do anything.

1                   Also the house that's vacant on the other  
2 side where he's going to put that trailer, I live  
3 right back of that, across the little alley. They  
4 were remodeling that house. Now they have stopped  
5 that. I don't know whether they run out of money or  
6 what, but all this stuff they tore out of it is still  
7 laying in the backyard along one side of the fence.  
8 Right out the back door there's a lot of trash laying  
9 there and that's been six months it's been laying  
10 there.

11                   Now, if he puts another trailer in and if  
12 he owns the trailer that is next-door there, that  
13 thing has been there 15 years. They've not done  
14 anything to it. The underpin, it's got all openings  
15 under it and it's never been painted. It's real -  
16 -the sun has faded it and it depreciates our property  
17 around there. It's not the idea that I don't want a  
18 trailer there, but they're not kept up. Between that  
19 house and that other trailer, and if he puts another  
20 trailer there and it's not kept up it's a junky place  
21 back there. It's not in good shape and I don't think  
22 there's really enough room there for that house and  
23 that two trailers because at one time I thought there  
24 was only two lots there. Now, I may be wrong. There  
25 might be three. This is a pretty good house on the

1 other side. It's not that I don't want his trailer  
2 there, but I want that stuff kept up. I keep my home  
3 as good as I can. That's about all I've got to say.

4 CHAIRMAN: We'll get the answers for you.  
5 Thank you.

6 MR. NOFFSINGER: Mr. Chairman, if I might  
7 before we bring Mr. Pavlas to the podium.

8 Address the installation standards for  
9 this home. If this board approves the Conditional Use  
10 Permit and he places the manufactured home on the  
11 property, he will be required to remove the tires,  
12 tongue, wheels and axles from this unit. It will be  
13 required to skirt that manufactured home with a  
14 concrete or masonry type skirting around the floor  
15 perimeter of that trailer.

16 So, yes, it will have to be underpinned.  
17 It will not be the vinyl or the fiberglass  
18 underpinning. It will have to be the concrete or  
19 masonry type skirting. If there's a problem on one of  
20 those lots with trash, debris, junk vehicles, whatever  
21 there will be, then there is an agency in the city  
22 that can handle those complaints and will respond to  
23 those complaints. That goes through the Community  
24 Development Department of the City of Owensboro. Your  
25 contact person is Keith Free. You can call the City

1 of Owensboro, City Action Line.

2 MRS. NELSON: Yes. That's what we called,  
3 but that didn't do no good.

4 MR. NOFFSINGER: I recommend you keep  
5 calling.

6 MRS. NELSON: I can do that, but I don't  
7 know if it will help or not.

8 CHAIRMAN: You want to answer those  
9 questions, please?

10 MR. PAVLAS: They were remodeling the  
11 houses around there and they put most of the stuff  
12 around there and there was not really unless I, you  
13 know, noticed it wasn't my house that they were  
14 remodeling, but were using the lot there I guess  
15 because I didn't say anything about it. They were  
16 using it to put their stuff there. They are still  
17 remodeling, I guess. They haven't moved everything  
18 out of there. I can see to it that they - - I'm going  
19 to go over there tomorrow as a matter of fact and make  
20 sure that they take everything out that's not mine.

21 MRS. NELSON: Well, it's not on the lot  
22 you're going to put the trailer on.

23 MR. PAVLAS: No, but it's next to the  
24 other trailer.

25 MRS. NELSON: Is that your trailer?



1 MR. PAVLAS: Yes. It belongs to the same.  
2 There's two lots there that belong to us.

3 MRS. NELSON: Well, that trailer has been  
4 a mess since it's been put in there and I've lived  
5 there for 37 years.

6 CHAIRMAN: Then the lot, you own two lots;  
7 is that correct, sir?

8 MR. PAVLAS: Yes. Have two lots there.

9 CHAIRMAN: Then the lot where the house is  
10 is owned by - -

11 MR. PAVLAS: It's not ours. It's on the  
12 side. I'll make sure. I'll go over there tomorrow.  
13 I wish you had called me. I'll take care of it.

14 MRS. NELSON: We didn't know who to call.

15 CHAIRMAN: We appreciate it.

16 MR. PAVLAS: I've got property around that  
17 home.

18 CHAIRMAN: Anyone else have any questions  
19 or comments?

20 MR. WILLIAMS: How do you intend on  
21 underpinning this?

22 MR. PAVLAS: Like they - - I went over to  
23 city hall and they gave me specification what I have  
24 to do. I guess if we don't do it, they won't turn the  
25 utilities on or anything. They've got to be either

1 blocked up to the trailer or sealed around. I don't  
2 have the specifications with me, but there has to be a  
3 foundation there. It's like a house. It's going to  
4 be expensive, but my friends are there. I'm going to  
5 put one on theirs.

6 MR. NOFFSINGER: Mr. Williams, as I  
7 understand the inspection process, they will not turn  
8 the - - given the final on the electrical until such  
9 time as the improvements are made. That includes the  
10 skirting.

11 MR. PAVLAS: Nobody can live in that  
12 house, you know, Mr. Mischel knows, can live in that  
13 trailer unless all the specifications are met because  
14 they won't turn the utilities on. They won't turn  
15 anything on.

16 CHAIRMAN: Thank you. I think that's most  
17 of the questions we've got so far.

18 MR. PAVLAS: I told them it's not worth -  
19 - lot of expense just for the trailer, but my friend  
20 there wants to put his trailer there and I'm trying to  
21 help him put it there.

22 CHAIRMAN: Thank you. See whether anyone  
23 else has anything to add, sir. You can be seated,  
24 please.

25 MR. ELLIOTT: State your name, please.

1 MR. BAKER: Ronald Baker. I'm going to be  
2 owning the trailer that's going to be put in there.

3 (MR. RONALD BAKER SWORN BY ATTORNEY.)

4 MR. BAKER: I just want to assure these  
5 ladies here that the property will be kept up. It'll  
6 look better than it does now. I grant you you'll have  
7 a neighbor in there - - the one next-door don't keep  
8 it straight they're going to have to deal with me too.  
9 I bought a nice trailer and I want it to look nice.  
10 Me and Harry has talked over how we're going to block  
11 it in and make it look right and that's the way it's  
12 going to be.

13 CHAIRMAN: Thank you.

14 Anyone else have any other comment you'd  
15 like to make?

16 Please come forward.

17 CHAIRMAN: State your name for the record.

18 MS. CORNETT: Thelma Cornett.

19 (MS. THELMA CORNETT SWORN BY ATTORNEY.)

20 MS. CORNETT: I just want to second what  
21 Mrs. Nelson just said in referring to the other  
22 trailer that this gentleman said he also owned. It  
23 looks like a pig pen. Trees come up in the fence out  
24 from the alley. As she said we can't get the city to  
25 cut them. Last summer I went out there and trimmed

1       them back where we could get on the blacktop without  
2       it scrapping our cars. It would be nice if he could  
3       get all of those taken out of those fence rows because  
4       there's no reason for them to be there. My husband  
5       and I sold a house adjoining that trailer about two,  
6       three, four years ago and we did take a big  
7       depreciation because that trailer was sitting locked  
8       up. We've owned our home for 30 to 35 years there on  
9       Stonewall Court. Everybody takes pride in their  
10      property and pride in their yard. We like it. We  
11      hate to look over there and see this all the time.  
12      One of these days we're not going to be there and  
13      it'll be sold to someone else. We'd like to get it to  
14      be nice while we're there. Thank you very much.

15                   CHAIRMAN: Appreciate it.

16                   Any other comments?

17                   MR. ELLIOTT: State your name, please.

18                   MR. MISCHEL: Jim Mischel.

19                   (MR. JIM MISCHEL SWORN BY ATTORNEY.)

20                   MR. MISCHEL: I just wanted to make one  
21      comment.

22                   We've dealt in the past with Mr. Pavlas  
23      and usually he's always done what we've asked him to  
24      do. I believe he'll go over there and take care of  
25      that. If he doesn't, Ladies, you don't need to call.

1 If you want to, you can come down to the second floor  
2 of city hall and we'll take you to the people who will  
3 take care of that and they'll send somebody out there  
4 to inspect it.

5 MRS. NELSON: If he takes care of it now,  
6 then it will back up and all of that junk will be put  
7 back again.

8 MR. MISCHEL: If he does, second floor of  
9 city hall.

10 MRS. NELSON: All this is always bought  
11 and rented out. That's the problem there. See, it's  
12 been there all them years and he's not done nothing.  
13 Now, he says he's going to do it, but that don't mean  
14 he will.

15 MR. MISCHEL: Just come down. Like I  
16 said, don't worry about the telephone. Just come down  
17 to the second floor. If you can find me, I'll take  
18 you. We'll have somebody out there.

19 CHAIRMAN: Any other comments from anybody  
20 in the audience?

21 (NO RESPONSE)

22 CHAIRMAN: Any board member have any  
23 comments?

24 (NO RESPONSE)

25 CHAIRMAN: Hearing none the chair will

1 entertain a motion.

2 MR. WILLIAMS: Move to make a motion that  
3 we approve this application.

4 CHAIRMAN: You've heard the motion. Is  
5 there a second.

6 MR. PEDLEY: Second.

7 CHAIRMAN: Any other discussion?

8 (NO RESPONSE)

9 CHAIRMAN: Hearing none all in favor raise  
10 your right hand.

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 CHAIRMAN: Motion carries unanimously.

13 Next item, please.

14 ITEM 4

15 3825 Riverside Drive, in an R-1A zone  
(Map N-36)(POSTPONED)

16 Consider request for a Conditional Use Permit for  
17 construction of a private boat dock and stairs to  
descend to the Ohio River.

18 Reference: Zoning Ordinance, Article 18, Section  
18-6(b)(2)

19 Applicant: David Howerton and Georgine Howerton

20 MR. NOFFSINGER: Mr. Chairman, this  
21 application was postponed from the last meeting  
22 pending the Corp of Engineer and Division of Water  
23 approval. We have not received any information that  
24 being approved so staff will recommend that this item  
25 be postponed until the May meeting of the Board of

1 Adjustment.

2 CHAIRMAN: You've heard the staff's  
3 recommendation.

4 MR. WILLIAMS: So moved.

5 CHAIRMAN: You've heard the motion. Is  
6 there a second?

7 MS. DIXON: Second.

8 CHAIRMAN: All in favor raise your right  
9 hand.

10 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

11 CHAIRMAN: Motion carries unanimously.

12 Next item, please, sir.

13 ITEM 5

14 5001 US 60 East, in an I-2 zone (Map N-35)  
15 Consider request for a Conditional Use Permit to  
16 locate and operate a portable concrete batch plant to  
17 produce concrete for Kentucky Department of Highways  
18 Project NH 10-1(9), Owensboro-Maceo Road project.  
Reference: Zoning Ordinance, Article 8, Section 8.2G4  
Applicant: Gohmann Asphalt and Construction, Inc.,  
Yager Materials

19 MR. NOFFSINGER: Mr. Chairman, this  
20 application has been reviewed by the Planning Staff.  
21 It's found to be in order. The application has been  
22 advertised for public hearing at this time and all  
23 adjoining property owners have been notified.

24 CHAIRMAN: Anyone here representing the  
25 applicant?

1 State your name for the record, please,  
2 sir.

3 MR. FIELD: My name is Joel Field.

4 (MR. JOEL FIELD SWORN BY ATTORNEY.)

5 CHAIRMAN: You have anything you want to  
6 add to what the staff stated in the reading of the  
7 application?

8 MR. FIELD: No, sir. The only thing I  
9 would like to point out is this is a temporary set up  
10 for us. This highway project will be done sometime in  
11 the fall, we hope to have it done sooner than that, of  
12 this year and at that time this batch plant will be  
13 taken down and removed from the property.

14 CHAIRMAN: How long are you saying you'll  
15 be there?

16 MR. FIELD: The end of the fall, sir. I  
17 would say we should be done by November 1st.

18 CHAIRMAN: Less than nine months, nine  
19 months or less?

20 MR. FIELD: Yes, sir.

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

23 (NO RESPONSE)

24 CHAIRMAN: Anyone in the audience have any  
25 objections?



1 MR. PEDLEY: Mr. chairman, I have a  
2 question for Mr. Noffsinger about dust control.

3 Will they be monitored and required to - -  
4 there is a lot of dust from portable batch plants.

5 What sort of control will you have?

6 MR. FIELD: We have - - it's really quite  
7 an extensive dust control system on our batch plants.  
8 In fact, we've already received the pollution permit  
9 for this location, this particular batch plant at this  
10 location from the State of Kentucky. This is a common  
11 incident. We have four of these batch plants. Some  
12 are in urban settings. We're very conscientious and  
13 careful about dust control not only on the batch plant  
14 but on the roads and stuff around as well.

15 MR. PEDLEY: Thank you.

16 CHAIRMAN: Any other board member have any  
17 questions?

18 MR. WILLIAMS: What's required in clean up  
19 after this plant is being torn down?

20 MR. FIELD: We are sitting in Yager  
21 Material's unloading facility, there where they stock  
22 off sand and gravel. In fact, we're sitting right by  
23 one of their piles to where we can feed directly from  
24 the pile. We've actually developed kind of a little  
25 bit more bigger area for Yager by putting this

1 facility in there. When we're done we'll remove  
2 everything. The only thing maybe a concrete pad upon  
3 which we sit this batch plant on. If you require us  
4 to remove it, we will. That's not an issue with us at  
5 all.

6 CHAIRMAN: Any other board members have  
7 any questions?

8 (NO RESPONSE)

9 CHAIRMAN: Thank you, sir. Appreciate it.  
10 Chair will entertain a motion to dispose  
11 of the item.

12 MR. PEDLEY: Hearing no opposition I make  
13 a motion for approval.

14 CHAIRMAN: You've heard the motion.

15 MS. DIXON: Second.

16 CHAIRMAN: Second been made. Any other  
17 discussion?

18 (NO RESPONSE)

19 CHAIRMAN: Hearing none all in favor raise  
20 your right hand.

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: Motion carries unanimously.

23 Next item, please.

24 ITEM 6

25 6135 US 60 East, in an I-2 zone (Map N-26)

1 Consider request for a Conditional Use Permit to place  
2 an 8'x20' mobile office unit in a floodway.  
3 Reference: Zoning Ordinance, Article 18, Section  
4 18.6(b)2  
5 Applicant: PetroCoke, Inc., Hawesway, Inc.

6 MR. NOFFSINGER: Mr. Chairman, this  
7 application has been reviewed by the Planning Staff.  
8 It's found to be in order. It has been advertised for  
9 public hearing at this time and all adjoining property  
10 owners have been notified. This is for a mobile  
11 office unit in a floodway. We have a letter here from  
12 the Division of Water, Natural Resources giving an  
13 okay to the project as well as a letter from Mr. Jim  
14 Riney stating that he finds that there would be no  
15 significant flooding impact anticipated with the  
16 placement of this unit on the property. With that  
17 it's ready for your consideration.

18 CHAIRMAN: Is anyone here representing the  
19 applicant?

20 Come forward and state your name.

21 MR. GORDON: Ed Gray Gordon.

22 (MR. ED GORDON SWORN BY ATTORNEY.)

23 CHAIRMAN: You have anything you want to  
24 add?

25 MR. GORDON: No. Basically we're just  
26 trying to improve our operation. We've been  
27 processing there for 16 years and we're updating our

1 office trailer with a new one.

2 CHAIRMAN: Thank you, sir.

3 Any board members have any questions?

4 (NO RESPONSE)

5 CHAIRMAN: Anyone in the audience

6 objecting or have any comments?

7 (NO RESPONSE)

8 CHAIRMAN: Hearing none the chair will

9 entertain a motion to dispose of the item.

10 MR. WILLIAMS: Make a motion we approve

11 the application.

12 MS. DIXON: Second.

13 CHAIRMAN: We have a second. Any other

14 questions or discussions?

15 (NO RESPONSE)

16 CHAIRMAN: Hearing none all in favor raise

17 your right hand.

18 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

19 CHAIRMAN: Motion carries unanimously.

20 Next item, please, sir.

21 -----

22 VARIANCE

23 ITEM 7

24 5447 Red Mile Loop, in an MHP zone (Map N-31)  
25 Consider request for a Variance to reduce the rear  
park boundary setback from 15 feet to 10 feet in order

1 to locate a manufactured home on the lot.  
Reference: Zoning Ordinance, Article 11, Section  
2 11.35  
Applicant: David and Jacquelin Henry  
3

4 MR. NOFFSINGER: Mr. Chairman, this  
5 application has been reviewed by the Planning Staff.  
6 It's found to be in order. The application has been  
7 advertised for public hearing at this time and all  
8 adjoining property owners have been notified.

9 CHAIRMAN: Is the applicant here?  
10 Would you come forward and state your name  
11 for the record, please?

12 MR. HENRY: David Henry.

13 (MR. DAVID HENRY SWORN BY ATTORNEY.)

14 CHAIRMAN: Anything you want to add to  
15 what the staff has stated so far?

16 MR. HENRY: No. We've met our  
17 requirements that they've set before us about the ten  
18 feet in the back. We've made some adjustments to the  
19 mobile home concerning the land. The plumbing and  
20 everything was messed up. I had to redo, but  
21 everything right now has been done as the Planning  
22 Commission has instructed me to do.

23 CHAIRMAN: Does the staff have any  
24 comments?

25 MR. NOFFSINGER: Mr. Chairman, we are not

1 requiring the 10 foot setback. The home has been  
2 placed on the property encroaches upon the 15 foot  
3 rear yard setback by 5 feet. It's my understanding  
4 that this is a replacement of a home in the same  
5 location and of the same size. That home had existed  
6 in that location for a number of years.

7           They're not changing anything from what  
8 has been located on this property in the past;  
9 however, your zoning enforcement officers and building  
10 inspectors that you have working for you are out there  
11 doing their job. They're inspecting these sites and  
12 they're finding something that may have occurred in  
13 the past is probably a violation or it wasn't  
14 carefully inspected, but when our guys go out today  
15 and there's a permit issued and they make an  
16 inspection, they make every effort and attempt to make  
17 sure that the proper setbacks are adhere to. This is  
18 the board that if there's a setback encroachment this  
19 board listens to those setback encroachments and makes  
20 a decision.

21           With what has occurred on this property in  
22 the past and the fact that they're replacing the home  
23 in the same location, staff would make a  
24 recommendation for approval based upon the findings  
25 that we have presented to this board. Any board

1 member make any recommendation needs to make sure they  
2 attached findings to it.

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

5 (NO RESPONSE)

6 CHAIRMAN: Hearing none and seeing no one  
7 else in the audience. Was there any objections filed  
8 in the office?

9 MR. NOFFSINGER: Not to my knowledge.

10 CHAIRMAN: What's the board's pleasure?

11 MRS. HENRY: I just have one comment.

12 CHAIRMAN: Ma'am, state your name for the  
13 record.

14 MRS. HENRY: My name is Jacquelin Henry.

15 (MRS. JACQUELIN HENRY SWORN BY ATTORNEY.)

16 MRS. HENRY: What we have to add also is  
17 that we were asked to take pictures of the other  
18 mobile homes in the area. So we're just kind of  
19 paving the way for everybody else. There are several  
20 mobile homes in this park that is not sitting quite  
21 legal so when they either sell their home or replace  
22 it they're going to have to go through the same  
23 stipulations that we have gone through. It's just  
24 going to be kind of a snowball effect here. So I just  
25 wanted you to know we were asked to take pictures and

1 bring them before the board.

2 CHAIRMAN: Do you want to put those in the  
3 record for any reason of your own? Would you like to  
4 have those entered into the record for future  
5 references of your own?

6 MRS. HENRY: Not particularly

7 CHAIRMAN: That will be fine. Not  
8 necessary. Just thought you might want them.

9 MRS. HENRY: No. We were just asked to  
10 take pictures and bring them down.

11 CHAIRMAN: Thank you, ma'am.

12 MR. PEDLEY: Mr. Chairman, I'd like to  
13 make a motion if you're ready.

14 CHAIRMAN: Chair is ready to entertain  
15 one, sir.

16 MR. PEDLEY: I make a motion for approval  
17 for reason that it will not adversely affect the  
18 public health, safety or welfare; will not alter the  
19 essential character of the general vicinity; will not  
20 cause a hazard or a nuisance to the public; and will  
21 not allow unreasonable circumvention of the  
22 requirements of the zoning ordinance.

23 CHAIRMAN: You've heard the motion. Is  
24 there a second?

25 MR. WILLIAMS: Second.



1                   CHAIRMAN: I have a second. Any other  
2 questions or discussion by the board?

3                   (NO RESPONSE)

4                   CHAIRMAN: Hearing none all in favor raise  
5 your right hand.

6                   (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7                   CHAIRMAN: Motion carries unanimously.

8                   Entertain one last motion.

9                   MR. WILLIAMS: Motion we adjourn.

10                  MR. PEDLEY: Second.

11                  CHAIRMAN: All in favor raise your right  
12 hand.

13                  (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14                  CHAIRMAN: Meeting is adjourned.

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

3 I, LYNNETTE KOLLER, Notary Public in and for  
4 the State of Kentucky at Large, do hereby certify that  
5 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 25 typewritten pages; and that no signature  
15 was requested to the foregoing transcript.

16 WITNESS my hand and notarial seal on this  
17 the 19th day of April, 2001.

18

19

\_\_\_\_\_  
LYNNETTE KOLLER, NOTARY PUBLIC  
OHIO VALLEY REPORTING SERVICE  
202 WEST THIRD STREET, SUITE 2  
21 OWENSBORO, KENTUCKY 42303

22 COMMISSION EXPIRES:  
DECEMBER 19, 2002

23

24 COUNTY OF RESIDENCE:  
DAVIESS COUNTY, KENTUCKY

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