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OWENSBORO METROPOLITAN BOARD OF ADJUSTMENT

JULY 11, 2002

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The Owensboro Metropolitan Board of Adjustment met in regular session at 5:00 p.m. on Thursday, July 11, 2001, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

- MEMBERS PRESENT: C.A. Pantle, Chairman
- Gary Noffsinger,
- Planning Director
- Marty Warren
- Ruth Ann Mason
- Judy Dixon
- Tim Miller
- Bill Williams
- Ward Pedley
- Stewart Elliott
- Attorney

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CHAIRMAN: Call the Owensboro Metropolitan Board of Adjustment to order.

The first item on the business is to consider the minutes of the July 5th meeting. They're on file in the office and have been checked. I don't think any mistakes have been found in them or

CHAIRMAN: Call the Owensboro Metropolitan Board of Adjustment to order.

Want to welcome you all this evening. A few guidelines. If you want to speak on any item,

1 come to one of microphone. State your name and be
2 sworn in because we'll have your name and testimony on
3 record.

4 With that the first thing is to consider
5 the minutes of the last meeting of June 6. They're on
6 record in the office. I don't think there's any
7 mistakes or anything, corrections that need to be
8 made, is there, sir?

9 MR. NOFFSINGER: I'm not aware of any, no,
10 sir.

11 CHAIRMAN: Entertain a motion to dispose
12 of the item.

13 MS. DIXON: Move to approve.

14 CHAIRMAN: Is there a second?

15 MR. MILLER: Second.

16 CHAIRMAN: All in favor raise your right
17 hand.

18 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

19 CHAIRMAN: Motion carries unanimously.

20 First item on the agenda please, sir.

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22 CONDITIONAL USE PERMITS

23 ITEM 2

24 11235 Grandview Road, in an A-R zone
25 Consider request for a Conditional Use Permit to
 construct a 30-foot by 30-foot addition to an existing

1 church in a floodway.
Reference: Zoning Ordinance, Article 18, Section
2 18-5(b)(4)(a), 18-6(b)(2)
Applicant: Dawson Memorial Baptist Church, c/o Jane
3 Chrisler

4 MR. NOFFSINGER: Mr. Chairman, this
5 application has been advertised for public hearing at
6 this time and all adjoining property owners have been
7 notified. The applicant has submitted a permit from
8 the Division of Water as well as an engineer statement
9 that in their professional judgment there will be no
10 impact on flood or floodway elevations or floodway
11 widths. So given the materials that are submitted in
12 the application, the Staff is recommending approval.

13 CHAIRMAN: Any objections filed in the
14 office?

15 MR. NOFFSINGER: No, sir.

16 CHAIRMAN: Anyone in the audience have any
17 objections and would like to cite them?

18 (NO RESPONSE)

19 CHAIRMAN: Does the applicant have
20 anything they want to add to the record?

21 APPLICANT: I think we've said
22 everything.

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

25 (NO RESPONSE)

1 CHAIRMAN: Hearing none I'll entertain a
2 motion to dispose of the item.

3 MR. MILLER: Mr. Chairman, based on Staff
4 findings and recommendations, motion to approve.

5 CHAIRMAN: A motion has been made. Is
6 there a second?

7 MS. MASON: Second.

8 CHAIRMAN: Any other discussion?

9 (NO RESPONSE)

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

12 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

13 CHAIRMAN: Motion carries unanimously.

14 Next item, please.

15 ITEM 3

16 3350 South Hampton Road, in an A-R zone
17 Consider request for a Conditional Use Permit to
18 construct a 30-foot by 40-foot addition to an existing
19 bunkhouse to house a maximum of 15 farm workers.
20 Reference: Zoning Ordinance, Article 8, Section 8.2A7
21 Applicant: Robert T. Elliott, Joseph T. Elliott,
22 d/b/a Elliott Farms

23 MR. NOFFSINGER: Mr. Chairman, this
24 application has been advertised for public hearing at
25 this time and all adjoining property owners have been
26 notified. The application has been reviewed by the
27 Planning Staff. It's found to be in order. It is an
28 addition to an existing dormitory facility. This

1 Board considered a Conditional Use Permit back some
2 time ago and this is to expand a facility that's
3 already been approved by this board. With that it's
4 ready for your consideration.

5 CHAIRMAN: Any objections on record?

6 MR. NOFFSINGER: No, sir.

7 CHAIRMAN: Anyone wishing to object in the
8 audience?

9 (NO RESPONSE)

10 CHAIRMAN: Does the applicant have
11 anything he'd like to add to it?

12 MR. ELLIOTT: State your name, please.

13 MR. JOSEPH ELLIOTT: My name is Joseph T.
14 Elliott.

15 (MR. JOSEPH T. ELLIOTT SWORN BY ATTORNEY.)

16 MR. JOSEPH ELLIOTT: It's trying to
17 improve the living standards of what I've already got
18 there. A little bit where they can sleep and maybe
19 not watching TV or have some watching TV and some to
20 go to sleep. Just improve the living conditions and
21 I'd appreciate the improvements.

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

24 (NO RESPONSE)

25 CHAIRMAN: Hearing none I'll entertain a

1 motion to dispose of the item?

2 MR. WILLIAMS: Motion to approve.

3 CHAIRMAN: Is there a second?

4 MR. WARREN: Second.

5 CHAIRMAN: Any question or other
6 discussion?

7 (NO RESPONSE)

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

10 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

11 CHAIRMAN: Motion carries unanimously.

12 Next item, please, sir.

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14 VARIANCE

15 ITEM 4

16 3415 Buckland Square, in an R-3MF zone
17 Consider request for a Variance to increase the
18 allowed building height for the structure from 36 feet
19 to 41.5 feet (mean height level).

20 Reference: Zoning Ordinance, Article 8, Section
21 8.5.10(f)

22 Applicant: Cliff Hagan Boys & Girls, Inc.

23 MR. NOFFSINGER: Mr. Chairman, this
24 application has been advertised for public hearing at
25 this time and all adjoining property owners have been
26 notified. The application has been reviewed by the
27 Planning Staff. Found to be in order. The maximum
28 height in this zone is 36 feet and they are requesting

1 a height variance to allow for the greater height.
2 Planning Staff is recommending approval in that it
3 will not adversely affect the public health, safety or
4 welfare; will not alter the essential character of the
5 general vicinity; will not cause a hazard or nuisance
6 to the public; will not allow an unreasonable
7 circumvention of the requirements of the zoning
8 ordinance.

9 CHAIRMAN: Has there been any objections
10 on this one filed in the office?

11 MR. NOFFSINGER: No, sir.

12 CHAIRMAN: Anyone else wishing to speak on
13 the item?

14 (NO RESPONSE)

15 CHAIRMAN: Hearing none and seeing no
16 discussion, entertain a motion to dispose of the item.

17 MR. PEDLEY: Mr. Chairman, I make a motion
18 for approval based on findings stated by Mr.
19 Noffsinger.

20 CHAIRMAN: Is there a second?

21 MR. WILLIAMS: Second.

22 CHAIRMAN: Any other discussion?

23 (NO RESPONSE)

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

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 CHAIRMAN: Motion carries.

3 Any other item on the agenda?

4 MR. NOFFSINGER: No, sir.

5 CHAIRMAN: Hearing none will hear one
6 final motion.

7 MR. WARREN: Motion to adjourn.

8 MS. MASON: Second.

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

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 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 8 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 July, 2002.

18

19

20 _____
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

25