

1 OWENSBORO METROPOLITAN PLANNING COMMISSION
2 APRIL 12, 2012
3 THE OWENSBORO METROPOLITAN PLANNING COMMISSION
4 MET IN REGULAR SESSION AT 5:30 P.M. ON THURSDAY, APRIL
5 12, 2012, AT CITY HALL, COMMISSION CHAMBERS,
6 OWENSBORO, KENTUCKY, AND THE PROCEEDINGS WERE AS
7 FOLLOWS:
8 MEMBERS PRESENT: DREW KIRKLAND, CHAIRMAN
9 WARD PEDLEY, VICE CHAIRMAN
10 DAVID APPLEBY, SECRETARY
11 GARY NOFFSINGER, DIRECTOR
12 MADISON SILVERT, ATTORNEY
13 REV. LARRY HOSTETTER
14 TIM ALLEN
15 IRVIN ROGERS
16 WALLY TAYLOR
17 JOHN KAZLAUSKAS
18 JASON STRODE
19 FRED REEVES
20 * * * * *
21
22 CHAIRMAN: I WANT TO WELCOME EVERYONE TO THE
23 APRIL 12, 2012 OWENSBORO METROPOLITAN PLANNING
24 COMMISSION. WILL YOU PLEASE RISE WHILE FRED REEVES
25 GIVES OUR INVOCATION AND PLEDGE OF ALLEGIANCE.
(INVOCATION AND PLEDGE OF ALLEGIANCE.)
CHAIRMAN: OUR FIRST ORDER OF BUSINESS WILL BE
TO CONSIDER THE MINUTES OF THE MARCH 8, 2012 MEETING.
ARE THERE ANY QUESTIONS, CORRECTIONS, ADDITIONS?
(NO RESPONSE)
CHAIRMAN: IF NOT THE CHAIR IS READY FOR A

1 MOTION.

2 MR. PEDLEY: MOTION FOR APPROVAL.

3 CHAIRMAN: MOTION FOR APPROVAL BY MR. PEDLEY.

4 MR. ALLEN: SECOND.

5 CHAIRMAN: SECOND BY MR. ALLEN. ALL IN FAVOR

6 RAISE YOUR RIGHT HAND.

7 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

8 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

9 NEXT ITEM, MR. NOFFSINGER.

10 MR. NOFFSINGER: MR. CHAIRMAN, I WOULD LIKE TO

11 ADVISE EVERYONE THAT IF YOU DO WISH TO SPEAK, PLEASE

12 LEAN FORWARD INTO THE MICROPHONE AND SPEAK INTO THE

13 MICROPHONE. WE'VE HAD SOME FOLKS INDICATE FROM OUR

14 TELEVISION VIEWING AUDIENCE THAT THEY'VE HAD TROUBLE

15 HEARING US. MAKE SURE IF YOU DO WISH TO SPEAK, LEAN

16 FORWARD TO THE MICROPHONE, SPEAK INTO THE MICROPHONE.

17 -----

18 ZONING CHANGES

19 ITEM 2

20 PORTION OF 10565 HIGHWAY 81, 0.217 ACRES

21 CONSIDER ZONING CHANGE: FROM R-1A SINGLE-FAMILY

22 RESIDENTIAL TO A-R RURAL AGRICULTURE

23 APPLICANT: JERRY C. BAIRD

24 MR. SILVERT: WOULD YOU STATE YOUR NAME,

25 PLEASE?

MS. EVANS: MELISSA EVANS.

1 (MELISSA EVANS SWORN BY ATTORNEY.)

2 MS. EVANS: FIRST OF ALL, THE REZONINGS HEARD
3 HERE TONIGHT WILL BECOME FINAL 21 DAYS AFTER THE
4 MEETING UNLESS AN APPEAL IS FILED. IF AN APPEAL IS
5 FILED, THE APPLICATION WILL BE FORWARDED TO THE
6 APPROPRIATE LEGISLATIVE BODY FOR FINAL ACTION. THE
7 APPEAL FORMS ARE LOCATED ON THE BACK TABLE, ON OUR
8 WEBSITE AND IN THE OFFICE.
9 PLANNING STAFF RECOMMENDATIONS

10 THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
11 TO THE FINDINGS OF FACT THAT FOLLOW:
12 FINDINGS OF FACT:

13 1. STAFF RECOMMENDS APPROVAL BECAUSE THE
14 PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED
15 COMPREHENSIVE PLAN:

16 2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL
17 MAINTENANCE PLAN AREA WHERE AGRICULTURAL USES ARE
18 APPROPRIATE IN GENERAL LOCATIONS;

19 3. AGRICULTURAL PRACTICES IN PLACE SHOULD
20 CONSERVE TOPSOIL;

21 4. THE SUBJECT PROPERTY IS SPLIT ZONED AND
22 THIS WILL ALLOW A CONSISTENT ZONING FOR THE ENTIRE
23 FARM.

24 MS. EVANS: WE WOULD LIKE TO ENTER THE STAFF
25 REPORT INTO THE RECORD AS EXHIBIT A.

1 CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE
2 APPLICANT?

3 (NO RESPONSE)

4 CHAIRMAN: DO WE HAVE ANY QUESTIONS?

5 (NO RESPONSE)

6 CHAIRMAN: DOES ANYBODY HAVE ANY QUESTIONS BY
7 THE COMMISSION?

8 (NO RESPONSE)

9 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
10 MOTION.

11 MR. PEDLEY: MOTION FOR APPROVAL BASED ON
12 STAFF RECOMMENDATIONS AND FINDINGS OF FACT 1 THROUGH
13 4.

14 CHAIRMAN: MOTION FOR APPROVAL BY MR. PEDLEY.

15 MR. STRODE: SECOND.

16 CHAIRMAN: SECOND BY MR. STRODE. ALL IN FAVOR
17 RAISE YOUR RIGHT HAND.

18 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

19 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

20 NEXT ITEM, PLEASE.

21 BEFORE WE BRING UP THE NEXT ITEM, I WANT TO
22 MAKE A STATEMENT. MR. HOWARD HAD AN ARTICLE PUBLISHED
23 IN THE PLANNING MAGAZINE. IT WAS ABOUT OWENSBORO AND
24 ABOUT OUR PLANNING AND ABOUT THE JOB THAT THE STAFF,
25 THE STATE AND CITY DID IN WORKING TOGETHER TO GET THE

1 OFF AND ON RAMP OUT BY MENARD'S GOING ONTO THE BYPASS
2 AND OFF OF THE BUSY HIGHWAY OUT THERE.

3 MR. HOWARD, THANK YOU. IT WAS A GOOD ARTICLE.
4 WELL DONE.

5 IN FRONT OF IT FEATURED A PICTURE OF COLBY'S.
6 WE WERE VERY PLEASED TO HAVE YOU PUBLISHED IN OUR
7 HONOR.

8 NOW WE WILL PROCEED ON.

9 ITEM 3

10 10808, 10810, 10814-10822, 10826-10836, 10902 HIGHWAY
11 144, 154 ACRES
12 CONSIDER ZONING CHANGE: FROM EX-1 COAL MINING TO A-R
13 RURAL AGRICULTURE
14 APPLICANT: UNITED MINERALS COMPANY, LLC; FRANCIS &
15 MICHELLE CARRICO; JUDY BIELEFELD; GREGORY & KAREN
16 GILMORE; ROBERT CARRICO, SR.; THOMAS GOETZ, CAROL
17 CARRICO; PHILLIP CARRICO; JANICE WALKER; CHARLES &
18 MARY SMITH; WILLIAM & JANICE WALKER; CHARLES &
19 JEANETTE SMITH; CHRIS & JAMIE CARRICO; MARK CARRICO;
20 FRANK CARRICO; JERRY & TAMARA HOWARD

21 PLANNING STAFF RECOMMENDATIONS

22 THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
23 TO THE FINDINGS OF FACT THAT FOLLOW:

24 FINDINGS OF FACT:

25 1. STAFF RECOMMENDS APPROVAL BECAUSE THE
PROPOSAL IS SUBSTANTIALLY IN COMPLIANCE WITH THE
COMMUNITY'S ADOPTED COMPREHENSIVE PLAN;

2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL
MAINTENANCE PLAN AREA, WHERE RURAL FARM RESIDENTIAL
USES ARE APPROPRIATE IN GENERAL LOCATIONS;

1 3. THE SUBJECT PROPERTY CONSISTS OF 14 LARGE
2 TRACTS WITH AGRICULTURAL AND FORESTRY POTENTIAL;

3 4. THE SUBJECT PROPERTIES HAVE ACCESS TO
4 HIGHWAY 144 VIA A PRIVATE DRIVE WITH NO NEW ROADS
5 PROPOSED;

6 5. ALL STRIP-MINING ACTIVITY HAS CEASED ON
7 THE SUBJECT PROPERTY; AND,

8 6. THE OWENSBORO METROPOLITAN ZONING
9 ORDINANCE ARTICLE 12A.31 REQUIRES THAT PROPERTY SHALL
10 REVERT TO ITS ORIGINAL ZONING CLASSIFICATION AFTER
11 MINING.

12 MS. EVANS: WE WOULD LIKE TO ENTER THE STAFF
13 REPORT INTO THE RECORD AS EXHIBIT B.

14 CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE
15 APPLICANT?

16 (NO RESPONSE)

17 CHAIRMAN: DO WE HAVE ANY QUESTIONS?

18 (NO RESPONSE)

19 CHAIRMAN: QUESTIONS FROM THE COMMISSION?

20 (NO RESPONSE)

21 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
22 MOTION.

23 MR. ROGERS: MOTION FOR APPROVAL BASED ON
24 PLANNING STAFF RECOMMENDATIONS WITH FINDINGS OF FACT 1
25 THROUGH 6.

1 CHAIRMAN: WE HAVE A MOTION FOR APPROVAL BY
2 MR. ROGERS.

3 FATHER HOSTETTER: SECOND.

4 CHAIRMAN: SECOND BY FATHER LARRY. ALL IN
5 FAVOR RAISE YOUR RIGHT HAND.

6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

8 ITEM 4

9 6020 US HIGHWAY 231, 7.987 ACRES
10 CONSIDER ZONING CHANGE: FROM A-R RURAL AGRICULTURE TO
11 B-4 GENERAL BUSINESS
12 APPLICANT: EQUITY TRADE & RELOCATION COMPANY; MARNIC,
13 LLC; ASN INVESTMENTS, LLC

14 MR. SILVERT: WOULD YOU STATE YOUR NAME,
15 PLEASE?

16 MR. HOWARD: BRIAN HOWARD.

17 (BRIAN HOWARD SWORN BY ATTORNEY.)

18 PLANNING STAFF RECOMMENDATIONS

19 THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
20 TO THE CONDITION AND FINDINGS OF FACT THAT FOLLOW:
21 CONDITION:

22 ROADWAY IMPROVEMENTS WILL BE REQUIRED TO
23 MITIGATE THE IMPACT OF THE DEVELOPMENT ON THE ROADWAY
24 NETWORK. THE REQUIRED IMPROVEMENTS ARE OUTLINED IN
25 THE TRAFFIC IMPACT STUDY SUBMITTED IN CONJUNCTION WITH
THE REZONING REQUEST AND SHALL BE IMPLEMENTED AS
APPROVED, INCLUDING ANY POTENTIAL ADDITIONAL

1 REQUIREMENTS, BY THE KENTUCKY TRANSPORTATION CABINET.

2 FINDINGS OF FACT:

3 1. STAFF RECOMMENDS APPROVAL BECAUSE THE
4 PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED
5 COMPREHENSIVE PLAN;

6 2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL
7 COMMUNITY PLAN AREA WHERE GENERAL BUSINESS USES ARE
8 APPROPRIATE IN LIMITED LOCATIONS;

9 3. THE USE FOR COMMERCIAL DEVELOPMENT WILL BE
10 NONRESIDENTIAL IN NATURE;

11 4. THE PROPOSAL IS MAJOR-STREET ORIENTED WITH
12 FRONTAGE ON US 231;

13 5. ALTHOUGH A NEW LOCATION OF COMMERCIAL
14 DEVELOPMENT WITHIN THE RURAL COMMUNITY, THE PROPOSAL
15 IS AT THE COMER OF INTERSECTION STREETS AS RECOMMENDED
16 IN THE COMPREHENSIVE PLAN; AND,

17 6. WITH A COMMITMENT BY THE DEVELOPERS TO
18 MAKE ROADWAY IMPROVEMENTS OUTLINED IN THE TRAFFIC
19 IMPACT STUDY, THE DEVELOPMENT SHOULD NOT OVERBURDEN
20 THE CAPACITY OF ROADWAYS AND OTHER NECESSARY URBAN
21 SERVICES THAT ARE AVAILABLE IN THE AFFECTED AREA.

22 MR. HOWARD: WE WOULD LIKE TO ENTER THE STAFF
23 REPORT INTO THE RECORD AS EXHIBIT C.

24 CHAIRMAN: DO WE HAVE SOMEONE HERE
25 REPRESENTING THE APPLICANT?

1 (NO RESPONSE)

2 CHAIRMAN: DOES ANYBODY FROM THE AUDIENCE HAVE
3 ANY QUESTIONS?

4 (NO RESPONSE)

5 CHAIRMAN: ANYBODY FROM THE COMMISSION?

6 (NO RESPONSE)

7 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
8 MOTION.

9 MR. ALLEN: MOTION FOR APPROVAL.

10 CHAIRMAN: MOTION FOR APPROVAL BY MR. ALLEN.

11 MR. ROGERS: SECOND.

12 CHAIRMAN: SECOND BY MR. ROGERS.

13 MR. NOFFSINGER: WE NEED FINDINGS OF FACT
14 ATTACHED TO THAT RECOMMENDATION.

15 MR. ALLEN: MOTION FOR APPROVAL WITH PLANNING
16 STAFF RECOMMENDATIONS WITH FINDINGS OF FACT 1 THROUGH
17 6.

18 MR. SILVERT: AND ARE THERE ANY CONDITIONS ON
19 THAT?

20 MR. ALLEN: AND WITH THE CONDITION THE ROADWAY
21 IMPROVEMENTS WILL BE REQUIRED TO MITIGATE THE IMPACT
22 OF THE DEVELOPMENT ON THE ROADWAY NETWORK, AND THE
23 REQUIRED IMPROVEMENTS ARE OUTLINED IN THE TRAFFIC
24 IMPACT STUDY SUBMITTED IN CONJUNCTION WITH THE
25 REZONING REQUEST AND SHALL BE IMPLEMENTED AS APPROVED,

1 INCLUDING ANY POTENTIAL ADDITIONAL REQUIREMENTS, BY
2 THE KENTUCKY TRANSPORTATION CABINET.

3 CHAIRMAN: THANK YOU, MR. ALLEN.

4 MR. ROGERS, DO YOU STILL HAVE A SECOND?

5 MR. ROGERS: YES.

6 CHAIRMAN: WE HAVE A MOTION FOR APPROVAL BY
7 MR. ALLEN AND A SECOND BY MR. ROGERS. ALL IN FAVOR
8 RAISE YOUR RIGHT HAND.

9 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

10 CHAIRMAN: MOTION CARRY UNANIMOUSLY.

11 NEXT ITEM, PLEASE.

12 ITEM 5

13 6025 US HIGHWAY 231, 5.228 ACRES
14 CONSIDER ZONING CHANGE: FROM A-R RURAL AGRICULTURE TO
15 B-4 GENERAL BUSINESS
16 APPLICANT: EQUITY TRADE & RELOCATION COMPANY; MARNIC,
17 LLC; ASN INVESTMENTS, LLC

18 PLANNING STAFF RECOMMENDATIONS

19 THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
20 TO THE CONDITION AND FINDINGS OF FACT THAT FOLLOW:
21 CONDITION:

22 ROADWAY IMPROVEMENTS WILL BE REQUIRED TO
23 MITIGATE THE IMPACT OF THE DEVELOPMENT ON THE ROADWAY
24 NETWORK. THE REQUIRED IMPROVEMENTS ARE OUTLINED IN
25 THE TRAFFIC IMPACT STUDY SUBMITTED IN CONJUNCTION WITH
THE REZONING REQUEST AND SHALL BE IMPLEMENTED AS
APPROVED, INCLUDING ANY POTENTIAL ADDITIONAL

1 REQUIREMENTS, BY THE KENTUCKY TRANSPORTATION CABINET.

2 FINDINGS OF FACT:

3 1. STAFF RECOMMENDS APPROVAL BECAUSE THE
4 PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED
5 COMPREHENSIVE PLAN;

6 2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL
7 COMMUNITY PLAN AREA WHERE GENERAL BUSINESS USES ARE
8 APPROPRIATE IN LIMITED LOCATIONS:

9 3. THE USE FOR COMMERCIAL DEVELOPMENT WILL BE
10 NONRESIDENTIAL IN NATURE;

11 4. THE PROPOSAL IS MAJOR-STREET ORIENTED WITH
12 FRONTAGE ON US 231;

13 5. ALTHOUGH A NEW LOCATION OF COMMERCIAL
14 DEVELOPMENT WITHIN THE RURAL COMMUNITY, THE PROPOSAL
15 IS LOCATED AT THE CORNER OF INTERSECTING STREETS AS
16 RECOMMENDED IN THE COMPREHENSIVE PLAN; AND,

17 6. WITH A COMMITMENT BY THE DEVELOPERS TO
18 MAKE ROADWAY IMPROVEMENTS OUTLINED IN THE TRAFFIC
19 IMPACT STUDY, THE DEVELOPMENT SHOULD NOT OVERBURDEN
20 THE CAPACITY OF ROADWAYS AND OTHER NECESSARY URBAN
21 SERVICES THAT ARE AVAILABLE IN THE AFFECTED AREA.

22 MR. HOWARD: WE WOULD LIKE TO ENTER THE STAFF
23 REPORT INTO THE RECORD AS EXHIBIT D.

24 CHAIRMAN: IS ANYBODY IN THE AUDIENCE
25 REPRESENTING THE APPLICANT?

1 APPLICANT REP: YES.

2 CHAIRMAN: DOES ANYBODY HAVE ANY QUESTIONS OF
3 THE APPLICANT?

4 (NO RESPONSE)

5 CHAIRMAN: ANYBODY FROM THE COMMISSION?

6 (NO RESPONSE)

7 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
8 MOTION.

9 MR. PEDLEY: MOTION FOR APPROVAL BASED ON
10 STAFF RECOMMENDATIONS AND FINDINGS OF FACT 1 THROUGH
11 6.

12 MR. NOFFSINGER: AND THE CONDITION.

13 CHAIRMAN: MR. PEDLEY, A CONDITION.

14 MR. PEDLEY: CONDITION: ROADWAY IMPROVEMENTS
15 WILL BE REQUIRED TO MITIGATE THE IMPACT OF THE
16 DEVELOPMENT ON THE ROADWAY NETWORK. THE REQUIRED
17 IMPROVEMENTS ARE OUTLINED IN THE TRAFFIC IMPACT STUDY
18 SUBMITTED IN CONJUNCTION WITH THE REZONING REQUEST AND
19 SHALL BE IMPLEMENTED AS APPROVED, INCLUDING ANY
20 POTENTIAL ADDITIONAL REQUIREMENTS, BY THE KENTUCKY
21 TRANSPORTATION CABINET.

22 CHAIRMAN: THANK YOU.

23 WE HAVE A MOTION FOR APPROVAL BY MR. PEDLEY
24 WITH FINDINGS OF FACT AND THE CONDITION. DO WE HAVE A
25 SECOND?

1 MR. TAYLOR: SECOND.

2 CHAIRMAN: SECOND BY MR. TAYLOR. ALL IN FAVOR
3 RAISE YOUR RIGHT HAND.

4 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

5 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

6 ITEM 6

7 8351 WARD ROAD, 1.0 ACRES
8 CONSIDER ZONING CHANGE: FROM I-1 LIGHT INDUSTRIAL TO
9 A-U URBAN AGRICULTURE
APPLICANT: BRUCE A & SHEILA J. POOLE

10 PLANNING STAFF RECOMMENDATIONS

11 THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
12 TO THE CONDITION AND FINDINGS OF FACT THAT FOLLOW:
13 CONDITION:

14 THE APPLICANT MUST OBTAIN REQUIRED BUILDING
15 AND ELECTRICAL PERMITS FOR THE PLACEMENT OF THE HOME
16 ON THE PROPERTY.

17 FINDINGS OF FACT:

18 1. STAFF RECOMMENDS APPROVAL BECAUSE THE
19 PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED
20 COMPREHENSIVE PLAN;

21 2. THE SUBJECT PROPERTY IS LOCATED IN A
22 FUTURE URBAN PLAN AREA WHERE RURAL SMALL-LOT
23 RESIDENTIAL USES ARE APPROPRIATE IN GENERAL LOCATIONS;

24 3. THE SUBJECT PROPERTY IS AN EXISTING LOT
25 WITH FRONTAGE ON WARD ROAD WHICH IS A COUNTY

1 MAINTAINED ROADWAY;

2 4. THERE IS AN EXISTING SEPTIC SYSTEM ON THE
3 PROPERTY AND THE SITE EXCEEDS THE 0.75 ACRE MINIMUM
4 FOR A RESIDENCE ON A SEPTIC SYSTEM; AND

5 5. THE INDUSTRIAL USE ON THE PROPERTY HAS
6 CEASED WITH THE EXISTING RESIDENCE AS THE PRINCIPAL
7 USE ON THE PROPERTY.

8 MR. HOWARD: WE WOULD LIKE TO ENTER THE STAFF
9 REPORT INTO THE RECORD AS EXHIBIT E.

10 CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE
11 APPLICANT?

12 (NO RESPONSE)

13 CHAIRMAN: DO WE HAVE ANY QUESTIONS FROM
14 ANYONE IN THE AUDIENCE?

15 (NO RESPONSE)

16 CHAIRMAN: ANY QUESTIONS FROM THE COMMISSION?

17 (NO RESPONSE)

18 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
19 MOTION.

20 FATHER HOSTETTER: MR. CHAIRMAN, MOVE TO
21 APPROVE BASED ON PLANNING STAFF RECOMMENDATIONS AND
22 FINDINGS OF FACT 1 THROUGH 5 AND THE CONDITION THAT
23 THE APPLICANT MUST OBTAIN REQUIRED BUILDING AND
24 ELECTRICAL PERMITS FOR THE PLACEMENT OF THE HOME ON
25 THE PROPERTY.

1 CHAIRMAN: WE HAVE A MOTION FOR APPROVAL BY
2 FATHER LARRY.

3 MR. REEVES: SECOND.

4 CHAIRMAN: WE HAVE A SECOND BY MR. REEVES.
5 ALL IN FAVOR RAISE YOUR RIGHT HAND.

6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

8 NEXT ITEM, PLEASE.

9 ITEM 7

10 600, 624 WEST SECOND STREET; 239 CEDAR STREET,
1.863 ACRES
11 CONSIDER ZONING CHANGE: FROM I-2 HEAVY INDUSTRIAL TO
B-2 CENTRAL BUSINESS
12 APPLICANT: RIVERFRONT JAM, LLC; MOORE PROPERTIES

13 PLANNING STAFF RECOMMENDATION

14 THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
15 TO THE FINDINGS OF FACT THAT FOLLOW:

16 FINDINGS OF FACT:

17 1. STAFF RECOMMENDS APPROVAL BECAUSE THE
18 PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED
19 COMPREHENSIVE PLAN;

20 2. THE SUBJECT PROPERTY IS LOCATED IN A
21 BUSINESS/INDUSTRIAL PLAN AREA, WHERE CENTRAL BUSINESS
22 USES ARE APPROPRIATE IN VERY-LIMITED LOCATIONS;

23 3. THE SUBJECT PROPERTY IS LOCATED WITHIN THE
24 DOWNTOWN OVERLAY DISTRICTS AS ADOPTED BY THE CITY OF
25 OWENSBORO AND THE REQUEST IS CONSISTENT WITH THE

1 CONCEPTS OF THE PLAN;

2 4. THE USE OF THE PROPERTY FOR BUSINESS
3 OFFICES WILL BE NONRESIDENTIAL IN NATURE;

4 5. THE PROPOSED ZONING CHANGE IS A LOGICAL
5 EXPANSION OF EXISTING B-2 ZONING ON ALL SIDES; AND,

6 6. THE B-2 ZONING CLASSIFICATION WILL PROMOTE
7 THE REDEVELOPMENT OF THE DOWNTOWN CONSISTENT WITH THE
8 DOWNTOWN MASTER PLAN.

9 MR. HOWARD: WE WOULD LIKE TO ENTER THE STAFF
10 REPORT INTO THE RECORD AS EXHIBIT F.

11 CHAIRMAN: IS ANYBODY HERE REPRESENTING THE
12 APPLICANT?

13 APPLICANT REP: YES.

14 CHAIRMAN: DOES ANYBODY HAVE A QUESTION?

15 (NO RESPONSE)

16 CHAIRMAN: DOES ANYBODY FROM THE COMMISSION
17 HAVE A QUESTION?

18 (NO RESPONSE)

19 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
20 MOTION.

21 MR. KAZLAUSKAS: MAKE A MOTION THAT THE
22 APPLICATION BE APPROVED BASED ON PLANNING STAFF
23 RECOMMENDATION AND FINDINGS OF FACT 1 THROUGH 6.

24 CHAIRMAN: WE HAVE A MOTION BY MR. KAZLAUSKAS.
25 DO WE HAVE A SECOND?

1 MR. STRODE: SECOND.

2 CHAIRMAN: SECOND BY MR. STRODE. ALL IN FAVOR
3 RAISE YOUR RIGHT HAND.

4 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

5 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

6 NEXT ITEM, PLEASE.

7 ITEM 8

8 4600 FREE SILVER ROAD, 14.91 ACRES
9 CONSIDER ZONING CHANGE: FROM A-R RURAL AGRICULTURE TO
EX-1 COAL MINING
10 APPLICANT: WESTERN KENTUCKY MINERALS, INC.; TERRY &
LINDA PAYNE

11 PLANNING STAFF RECOMMENDATIONS

12 THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
13 TO THE FINDINGS OF FACT THAT FOLLOW:

14 FINDINGS OF FACT:

15 1. STAFF RECOMMENDS APPROVAL BECAUSE THE
16 PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED
17 COMPREHENSIVE PLAN;

18 2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL
19 MAINTENANCE PLAN AREA WHERE COAL MINING USES ARE
20 APPROPRIATE IN GENERAL LOCATIONS;

21 3. THE SUBJECT PROPERTY IS LOCATED IN THE
22 RURAL SERVICE AREA OUTSIDE OF A RURAL COMMUNITY PLAN
23 AREA;

24 4. THE SUBJECT PROPERTY ADJOINS EXISTING
25 AREAS OF EX-1 COAL MINING ZONING;

1 5. THE PHILPOT-MACEO QUADRANGLE MAP INDICATES
2 THE PRESENCE OF COAL DEPOSITS ON THE SITE; AND,

3 6. STATE AND COUNTY ROADS PROPOSED TO BE USED
4 FOR THE TRANSPORTATION OF COAL HAVE BEEN APPROVED BY
5 THE APPROPRIATE OFFICIALS.

6 MS. EVANS: WE WOULD LIKE TO ENTER THE STAFF
7 REPORT INTO THE RECORD AS EXHIBIT G.

8 CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE
9 APPLICANT?

10 MR. SILVERT: WOULD YOU STATE YOUR NAME,
11 PLEASE?

12 MR. LANHAM: BRANDON LANHAM.

13 (BRANDON LANHAM SWORN BY ATTORNEY.)

14 MR. LANHAM: I'M REPRESENTING WESTERN KENTUCKY
15 MINERALS AS THE SPOKESPERSON THIS EVENING.

16 JUST TO GIVE YOU A QUICK LAYOUT. IF THERE'S
17 ANY QUESTIONS AND CONCERNS FOR WESTERN KENTUCKY
18 MINERALS, WE'VE RESTRUCTURED OUR APPROACH HERE WITH
19 SOME INDIVIDUALS FROM WESTERN KENTUCKY MINERALS AS FAR
20 AS THE TEAM GOES TO TAKE ON ANY QUESTIONS AND THEY CAN
21 SPEAK ON THEIR AREA OF EXPERTISE ON ANY QUESTIONS
22 PERTAINING TO THAT PARTICULAR SUBJECT. SO IF YOU GUYS
23 HAVE ANY QUESTIONS I CAN DIRECT THAT TO THESE
24 INDIVIDUALS RIGHT HERE.

25 CHAIRMAN: MR. LANHAM, I APPRECIATE YOUR BRIEF

1 OVERVIEW. THANK YOU. YOU MAY BE SEATED UNTIL WE HAVE
2 SOME QUESTIONS.

3 ARE THERE ANY QUESTIONS OF THE APPLICANT?

4 (NO RESPONSE)

5 CHAIRMAN: ANY QUESTIONS FROM THE COMMISSION?

6 (NO RESPONSE)

7 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
8 MOTION.

9 MR. REEVES: WITH FINDINGS OF FACT 1 THROUGH 6
10 WITH STAFF RECOMMENDATION I RECOMMEND THAT THIS
11 REZONING BE APPROVED.

12 CHAIRMAN: WE HAVE A MOTION FOR APPROVAL BY
13 MR. REEVES.

14 MR. ROGERS: SECOND.

15 CHAIRMAN: SECOND BY MR. ROGERS. ALL IN FAVOR
16 RAISE YOUR RIGHT HAND.

17 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

18 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

19 NEXT ITEM, PLEASE.

20 ITEM 9

21 4651, 4667, 4681, 4690, 4716, 4730, 4751 FREE SILVER
22 ROAD, 38.037 ACRES
23 CONSIDER ZONING CHANGE: FROM A-R RURAL AGRICULTURE TO
24 EX-1 COAL MINING
25 APPLICANT: WESTERN KENTUCKY MINERALS, INC.; WESTERN
KENTUCKY LEASING, LLC; WILLIAM & REGINA TOON

PLANNING STAFF RECOMMENDATION

1 THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
2 TO THE FINDINGS OF FACT THAT FOLLOW:
3 FINDINGS OF FACT:

4 1. STAFF RECOMMENDS APPROVAL BECAUSE THE
5 PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED
6 COMPREHENSIVE PLAN;

7 2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL
8 MAINTENANCE PLAN AREA WHERE COAL MINING USES ARE
9 APPROPRIATE IN GENERAL LOCATIONS;

10 3. THE SUBJECT PROPERTY IS LOCATED IN THE
11 RURAL SERVICE AREA OUTSIDE OF A RURAL COMMUNITY PLAN
12 AREA;

13 4. THE SUBJECT PROPERTY ADJOINS EXISTING
14 AREAS OF EX-1 COAL MINING ZONING;

15 5. THE PHILPOT-MACEO QUADRANGLE MAP INDICATES
16 THE PRESENCE OF COAL DEPOSITS ON THE SITE; AND,

17 6. STATE AND COUNTY ROADS PROPOSED TO BE USED
18 FOR THE TRANSPORTATION OF COAL HAVE BEEN APPROVED BY
19 THE APPROPRIATE OFFICIALS.

20 MS. EVANS: WE WOULD LIKE TO ENTER THE STAFF
21 REPORT INTO THE RECORD AS EXHIBIT H.

22 CHAIRMAN: WE HAVE SOMEBODY HERE REPRESENTING
23 THE APPLICANT. DO WE HAVE ANY QUESTIONS OF THE
24 APPLICANT?

25 (NO RESPONSE)

1 CHAIRMAN: COMMISSION HAVE ANY QUESTIONS?

2 (NO RESPONSE)

3 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
4 MOTION.

5 MR. STRODE: MOTION TO APPROVE BASED ON
6 FINDINGS OF FACT 1 THROUGH 6.

7 CHAIRMAN: MOTION FOR APPROVAL BY MR. STRODE.

8 MR. REEVES: SECOND.

9 CHAIRMAN: SECOND BY MR. REEVES. ALL IN FAVOR
10 RAISE YOUR RIGHT HAND.

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

13 NEXT ITEM, PLEASE.

14 ITEM 10

15 4319, 4349, 4401, 4435, 4555 RIDGE ROAD, 62.43 ACRES
16 CONSIDER ZONING CHANGE: FROM A-R RURAL AGRICULTURE TO
17 EX-1 COAL MINING
18 APPLICANT: WESTERN KENTUCKY MINERALS, INC.; MORGAN &
19 KATHY PALMITER; RICHARD & AGNES JOHNSON; EILEEN PAYNE;
20 CLINT AND AMY LANHAM; JIMMY L. & MARGERY DAVIS

21 PLANNING STAFF RECOMMENDATION

22 THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
23 TO THE FINDINGS OF FACT THAT FOLLOW:

24 FINDINGS OF FACT:

25 1. STAFF RECOMMENDS APPROVAL BECAUSE THE
PROPOSAL IS IN COMPLIANCE WITH THE COMMUNITY'S ADOPTED
COMPREHENSIVE PLAN;

1 2. THE SUBJECT PROPERTY IS LOCATED IN A RURAL
2 MAINTENANCE PLAN AREA WHERE COAL MINING USES ARE
3 APPROPRIATE IN GENERAL LOCATIONS;

4 3. THE SUBJECT PROPERTY IS LOCATED IN THE
5 RURAL SERVICE AREA OUTSIDE OF A RURAL COMMUNITY PLAN
6 AREA;

7 4. THE SUBJECT PROPERTY ADJOINS EXISTING
8 AREAS OF EX-1 COAL MINING ZONING;

9 5. THE PHILPOT-MACEO QUADRANGLE MAP INDICATES
10 THE PRESENCE OF COAL DEPOSITS ON THE SITE; AND,

11 6. STATE AND COUNTY ROADS PROPOSED TO BE USED
12 FOR THE TRANSPORTATION OF COAL HAVE BEEN APPROVED BY
13 THE APPROPRIATE OFFICIALS.

14 MS. EVANS: WE WOULD LIKE TO ENTER THE STAFF
15 REPORT INTO THE RECORD AS EXHIBIT I.

16 CHAIRMAN: WE HAVE SOMEBODY HERE REPRESENTING
17 THE APPLICANT. DO WE HAVE ANY QUESTIONS OF THE
18 APPLICANT?

19 (NO RESPONSE)

20 CHAIRMAN: FROM THE COMMISSION?

21 (NO RESPONSE)

22 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
23 MOTION.

24 MR. ROGERS: MOTION FOR APPROVAL BASED ON
25 PLANNING STAFF RECOMMENDATIONS WITH FINDINGS OF FACT 1

1 THROUGH 6.

2 CHAIRMAN: WE HAVE A MOTION FOR APPROVAL WITH
3 FINDINGS OF FACT BY MR. ROGERS.

4 MR. TAYLOR: SECOND.

5 CHAIRMAN: WE HAVE A SECOND BY MR. TAYLOR.
6 ALL IN FAVOR RAISE YOUR RIGHT HAND.

7 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

8 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

9 NEXT ITEM, PLEASE.

10 -----

11 COMBINED DEVELOPMENT PLAN/MAJOR SUBDIVISIONS

12 ITEM 11

13 DEER VALLEY, 48.542 ACRES
14 CONSIDER APPROVAL OF AMENDED MAJOR SUBDIVISION
15 PRELIMINARY PLAT/FINAL DEVELOPMENT PLAN.
16 APPLICANT: DEER VALLEY SUBDIVISION, LLC

17 MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAN HAS
18 BEEN REVIEWED BY THE PLANNING STAFF AND ENGINEERING
19 STAFF. IT'S FOUND TO BE IN ORDER. THE USE IS
20 CONSISTENT WITH THE UNDERLYING ZONING AND IS FOUND TO
21 BE CONSISTENT WITH THE ADOPTED REGULATIONS. SO WITH
22 THAT IT'S READY FOR YOUR CONSIDERATION.

23 CHAIRMAN: DO WE HAVE SOMEBODY HERE
24 REPRESENTING THE APPLICANT?

25 APPLICANT REP: YES.

26 CHAIRMAN: DO WE HAVE ANY QUESTIONS OF THE

1 APPLICANT?

2 (NO RESPONSE)

3 CHAIRMAN: ANY QUESTIONS FROM THE COMMISSION?

4 (NO RESPONSE)

5 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A

6 MOTION.

7 MR. PEDLEY: MOTION FOR APPROVAL.

8 CHAIRMAN: MOTION FOR APPROVAL BY MR. PEDLEY.

9 FATHER HOSTETTER: SECOND.

10 CHAIRMAN: SECOND BY FATHER LARRY. ALL IN

11 FAVOR RAISE YOUR RIGHT HAND.

12 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

13 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

14 NEXT ITEM, PLEASE.

15 ITEM 12

16 KEENELAND TRACE, 105.733 ACRES
17 CONSIDER APPROVAL OF AMENDED MAJOR SUBDIVISION
18 PRELIMINARY PLAT/FINAL DEVELOPMENT PLAN.
19 APPLICANT: THOMPSON HOMES, INC.

19 MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAN HAS

20 BEEN REVIEWED BY THE PLANNING STAFF AND ENGINEERING

21 STAFF. IT'S FOUND TO BE IN ORDER. THE USE IS

22 CONSISTENT WITH THE UNDERLYING ZONING AND THE PLAN IS

23 CONSISTENT WITH THE ADOPTED REGULATIONS.

24 CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE

25 APPLICANT?

1 APPLICANT REP: YES.

2 CHAIRMAN: DO WE HAVE ANY QUESTIONS OF THE
3 APPLICANT?

4 (NO RESPONSE)

5 CHAIRMAN: ANY QUESTIONS FROM THE COMMISSION?

6 (NO RESPONSE)

7 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
8 MOTION.

9 MR. KAZLAUSKAS: SO MOVE.

10 CHAIRMAN: WE HAVE A MOTION FOR APPROVAL BY
11 MR. KAZLAUSKAS.

12 MR. STRODE: SECOND.

13 CHAIRMAN: SECOND BY MR. STRODE. ALL IN FAVOR
14 RAISE YOUR RIGHT HAND.

15 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

16 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

17 NEXT ITEM, PLEASE.

18 -----

19 MAJOR SUBDIVISIONS

20 ITEM 13

21 COTTAGES OF MECHANICSVILLE, 2.86 ACRES
22 CONSIDER APPROVAL OF MAJOR SUBDIVISION PRELIMINARY
23 PLAT.

24 APPLICANT: THE CITY OF OWENSBORO, KENTUCKY

25 MR. NOFFSINGER: MR. CHAIRMAN, THE CITY
ENGINEER AS WELL AS THE PLANNING STAFF HAS REVIEWED

1 THIS PLAN. IT'S FOUND TO BE IN ORDER. THE USE IS
2 CONSISTENT WITH THE UNDERLYING ZONING AND IS
3 CONSISTENT WITH THE ADOPTED REGULATIONS.

4 CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE
5 APPLICANT?

6 APPLICANT REP: YES.

7 CHAIRMAN: DO WE HAVE ANY QUESTIONS FROM THE
8 AUDIENCE OR FROM THE COMMISSION?

9 (NO RESPONSE)

10 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
11 MOTION.

12 FATHER HOSTETTER: MOVE TO APPROVE.

13 CHAIRMAN: MOTION FOR APPROVAL BY FATHER
14 LARRY.

15 MR. ALLEN: SECOND.

16 CHAIRMAN: SECOND BY MR. ALLEN. ALL IN FAVOR
17 RAISE YOUR RIGHT HAND.

18 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

19 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

20 NEXT ITEM, PLEASE.

21 ITEM 14

22 EVENTS CENTER AND MCCONNELL PLAZA, 25.674 ACRES
23 CONSIDER APPROVAL OF MAJOR SUBDIVISION PRELIMINARY
24 PLAT.

25 APPLICANT: CITY OF OWENSBORO

26 MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAN HAS

1 BEEN REVIEWED BY THE CITY ENGINEER AND PLANNING STAFF.
2 ITS FOUND TO BE IN ORDER. IT IS PROPOSED AS YOU KNOW
3 FOR THE EVENTS CENTER AS WELL AS FUTURE DEVELOPMENT
4 ALONG THE RIVERFRONT. ITS UNDERLYING USE IS
5 CONSISTENT WITH THE DOWNTOWN PLAN AS WELL AS THE PLAN
6 IS CONSISTENT WITH THE ADOPTED REGULATIONS.

7 CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE
8 APPLICANT?

9 APPLICANT REP: YES.

10 CHAIRMAN: DO WE HAVE ANY QUESTIONS?

11 (NO RESPONSE)

12 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
13 MOTION.

14 MR. REEVES: RECOMMEND APPROVAL.

15 CHAIRMAN: MOTION FOR APPROVAL BY MR. REEVES.

16 MR. STRODE: SECOND.

17 CHAIRMAN: SECOND BY MR. STRODE. ALL IN FAVOR
18 RAISE YOUR RIGHT HAND.

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

21 NEXT ITEM, PLEASE.

22 ITEM 15

23 FAIRHAVEN, 6.661 ACRES
24 CONSIDER APPROVAL OF MAJOR SUBDIVISION PRELIMINARY
25 PLAT.

APPLICANT: THOMAS DUGGINS

1 MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAN HAS
2 BEEN REVIEWED BY THE ENGINEER AND BY THE PLANNING
3 STAFF. IT'S FOUND TO BE IN ORDER. ITS USE IS
4 CONSISTENT WITH THE UNDERLYING ZONING AND THE
5 DEVELOPMENT IS CONSISTENT WITH THE ADOPTED
6 REGULATIONS.

7 CHAIRMAN: DO WE HAVE SOMEBODY REPRESENTING
8 THE APPLICANT?

9 (NO RESPONSE)

10 CHAIRMAN: DO WE HAVE ANY QUESTIONS FROM THE
11 COMMISSION?

12 (NO RESPONSE)

13 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
14 MOTION.

15 FATHER HOSTETTER: MOVE TO APPROVE.

16 CHAIRMAN: MOTION FOR APPROVAL BY FATHER
17 LARRY.

18 MR. KAZLAUSKAS: SECOND.

19 CHAIRMAN: SECOND BY MR. KAZLAUSKAS. ALL IN
20 FAVOR RAISE YOUR RIGHT HAND.

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

23 NEXT ITEM, PLEASE.

24 -----

25 MINOR SUBDIVISIONS

1 ITEM 16

2 1485 WEST HARMONS FERRY ROAD, 1.062 ACRES
3 CONSIDER APPROVAL OF MINOR SUBDIVISION PLAT.
4 APPLICANT: JOHN HARRELL CROWE

5 MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAT COMES
6 TO YOU AS AN EXCEPTION TO THE SUBDIVISION REGULATION
7 IN THAT IT DOES NOT MEET THE THREE TO ONE DEPTH TO
8 WIDTH RATIO. THE LOT IS BEING CREATED AS IT IS WITH
9 LIMITED FRONTAGE TO MISS A LAKE THAT IS LOCATED ON THE
10 REMAINDER OF THE PROPERTY. THE APPLICANT HAS ATTACHED
11 A NOTE TO THE PLAT STATING THERE WILL BE NO FURTHER
12 DIVISIONS OF EITHER PROPERTY UNLESS ALL REQUIREMENTS
13 OF THE SUBDIVISION REGULATIONS ARE MET. SO WITH THAT
14 PLANNING STAFF WOULD ASK THAT YOU GRANT THE EXCEPTION
15 AND APPROVE THE PLAT.

16 CHAIRMAN: HAVE SOMEBODY REPRESENTING THE
17 APPLICANT?

18 APPLICANT REP: YES.

19 CHAIRMAN: DO WE HAVE ANY QUESTIONS OF THE
20 APPLICANT FROM THE AUDIENCE?

21 (NO RESPONSE)

22 CHAIRMAN: FROM THE COMMISSION?

23 (NO RESPONSE)

24 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
25 MOTION.

26 MR. PEDLEY: MOTION FOR APPROVAL.

1 CHAIRMAN: MOTION FOR APPROVAL BY MR. PEDLEY.

2 MR. TAYLOR: SECOND.

3 CHAIRMAN: SECOND BY MR. TAYLOR. ALL IN FAVOR
4 RAISE YOUR RIGHT HAND.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

7 NEXT ITEM, PLEASE.

8 ITEM 17

9 5321 PLEASANT VALLEY ROAD, 2.80 ACRES
10 CONSIDER APPROVAL OF MINOR SUBDIVISION PLAT.
11 APPLICANT: KAYE TRUNNEL

12 MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAT COMES
13 TO YOU AS AN EXCEPTION TO THE SUBDIVISION REGULATION
14 IN THAT IT EXCEEDS THE THREE TO ONE DEPTH TO WIDTH
15 RATIO; HOWEVER, PLANNING STAFF DOES RECOMMEND THAT YOU
16 GRANT THE EXCEPTION AND APPROVE THE PLAT BECAUSE THE
17 DIVISION IS NOT BEING DONE TO MAXIMIZE THE NUMBER OF
18 LOTS ON THE PROPERTY. IT'S SIMPLY BEING DONE TO
19 FOLLOW AN EXISTING DITCH THAT'S LOCATED ON THE
20 PROPERTY. THIS WOULD BE A LOGICAL WAY TO DIVIDE THE
21 PROPERTY. SO WE WOULD RECOMMEND YOU GRANT THE
22 EXCEPTION.

23 CHAIRMAN: DO WE HAVE ANYBODY REPRESENTING THE
24 APPLICANT?

25 (NO RESPONSE)

CHAIRMAN: DO WE HAVE ANY QUESTIONS?

1 (NO RESPONSE)

2 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
3 MOTION.

4 MR. ROGERS: MOVE TO APPROVE.

5 CHAIRMAN: MOTION FOR APPROVAL BY MR. ROGERS.

6 MR. TAYLOR: SECOND.

7 CHAIRMAN: SECOND BY MR. TAYLOR. ALL IN FAVOR
8 RAISE YOUR RIGHT HAND.

9 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

10 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

11 NEXT ITEM, PLEASE.

12 ITEM 18

13 2019, 2027 WRIGHTS LANDING ROAD, 5.972 ACRES
14 CONSIDER APPROVAL OF MINOR SUBDIVISION PLAT.
15 APPLICANT: MICHAEL W. & MELISSA D. RUDD

16 MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAN OR
17 PLAT COMES TO YOU AS AN EXCEPTION TO THE SUBDIVISION
18 REGULATIONS. BRIAN HOWARD IS HERE TO EXPLAIN THIS
19 ITEM TO YOU.

20 MR. HOWARD: THE APPLICANT ASKED APPROXIMATELY
21 6 ACRES AND THERE IS AN EXISTING HOME ON THIS SITE.
22 THE PROPOSAL WILL CREATE BASICALLY A ONE ACRE LOT
23 AROUND THE EXISTING HOME SITE WITH THE REMAINDER
24 EXCEEDING THE THREE TO ONE DEPTH TO WIDTH RATIO
25 REQUIREMENT. THIS IS REALLY ABOUT THE ONLY WAY THAT
THE PROPERTY COULD BE SPLIT. WE DID PUT ON NOTE ON

1 THE PLAT THAT WOULD STATE THAT THE PROPERTY CAN'T BE
2 FURTHER SUBDIVIDED EITHER TRACT WITHOUT IT MEETING
3 SUBDIVISION REGULATIONS. WITH IT BEING LIMITED TO
4 THAT WE WOULD RECOMMEND THAT YOU CONSIDER THE PLAT FOR
5 APPROVAL.

6 CHAIRMAN: IS ANYBODY HERE REPRESENTING THE
7 APPLICANT?

8 (NO RESPONSE)

9 CHAIRMAN: DOES ANYBODY HAVE ANY QUESTIONS?

10 (NO RESPONSE)

11 CHAIRMAN: ANYBODY FROM THE COMMISSION?

12 (NO RESPONSE)

13 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A
14 MOTION.

15 MR. STRODE: MOTION TO APPROVE.

16 CHAIRMAN: MOTION FOR APPROVAL BY MR. STRODE.

17 MR. REEVES: SECOND.

18 CHAIRMAN: SECOND BY MR. REEVES. ALL IN FAVOR
19 RAISE YOUR RIGHT HAND.

20 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

21 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

22 THE CHAIR IS READY FOR ONE FINAL MOTION.

23 FATHER HOSTETTER: MOVE TO ADJOURN.

24 CHAIRMAN: MOTION FOR ADJOURNMENT BY FATHER
25 LARRY.

1 MR. PEDLEY: SECOND.

2 CHAIRMAN: SECOND BY MR. PEDLEY. ALL IN FAVOR
3 RAISE YOUR RIGHT HAND.

4 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

5 CHAIRMAN: WE ARE ADJOURNED.

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COMMISSION EXPIRES: DECEMBER 16, 2014

COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY