

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 AUGUST 9, 2012

3 The Owensboro Metropolitan Planning Commission  
4 met in regular session at 5:30 p.m. on Thursday,  
5 August 9, 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  
Margaret Cambron  
13 Irvin Rogers  
Wally Taylor  
14 John Kazlauskas  
Fred Reeves

13

\* \* \* \* \*

14

15 CHAIRMAN: I would like to welcome everybody  
16 to the August 9, 2012 meeting of the Owensboro  
17 Metropolitan Planning Commission.

18 Would you please rise. Mr. Madison Silvert  
19 will give our invocation and pledge of allegiance.

20 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

21 CHAIRMAN: Our first order of business is to  
22 consider the minutes of our July 12, 2012 meeting.  
23 Are there any additions, corrections, questions?

24 (NO RESPONSE)

25 CHAIRMAN: If not the chair is ready for a  
Ohio Valley Reporting

(270) 683-7383

1 motion.  
2 MR. APPLEBY: Motion for approval.  
3 CHAIRMAN: Motion for approval by Mr. Appleby.  
4 MR. PEDLEY: Second.  
5 CHAIRMAN: Second by Mr. Pedley. All in favor  
6 raise your right hand.  
7 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)  
8 CHAIRMAN: Motion carries unanimously.  
9 Next item, please.

10 -----

11 ZONING CHANGES

12 ITEM 2  
13 5540 Highway 54, 3.200 acres  
Consider zoning change: From A-U Urban Agriculture  
14 and R-1A Single-Family Residential to B-4 General  
Business  
15 Applicant: Francis Hagan; Estate of Eva E. Smith,  
Robert Smith Executor

16  
17 MR. SILVERT: Would you state your name,  
18 please?  
19 MR. HOWARD: Brian Howard.  
20 (BRIAN HOWARD SWORN BY ATTORNEY.)  
21 MR. HOWARD: I will note that the rezonings  
22 heard here tonight will become final 21 days after the  
23 meeting unless an appeal is filed. If an appeal is  
24 filed, we will forward the record of the meeting along  
25 with all the relative documents to the appropriate

1 legislative body for their final action.

2 PLANNING STAFF RECOMMENDATIONS

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

5 CONDITION:

6 No access shall be permitted to Highway 54.

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 Community Plan Area, where general business uses are  
13 appropriate in limited locations;

14 3. The proposal is a logical expansion of B-4  
15 zoning to the east; and,

16 4. With no access to Highway 54, the proposal  
17 should not overburden the capacity of roadways and  
18 other necessary urban services that are available in  
19 the affected area.

20 MR. HOWARD: We would like to enter the Staff  
21 Report into the record as Exhibit A.

22 CHAIRMAN: Is there anybody here representing  
23 the applicant?

24 MS. KNIGHT: Yes, Your Honor.

25 MR. SILVERT: Would you state your name.

Ohio Valley Reporting

(270) 683-7383

1 MS. KNIGHT: Tera Knight representing the  
2 applicant.

3 CHAIRMAN: Does anybody have any questions of  
4 the applicant?

5 (NO RESPONSE)

6 CHAIRMAN: Does anybody have any questions  
7 from the Commission?

8 (NO RESPONSE)

9 MS. KNIGHT: I would like to make a statement,  
10 please, on behalf of the applicant.

11 CHAIRMAN: Yes, ma'am.

12 MS. KNIGHT: My client appreciates the Staff's  
13 recommendation to approve the rezoning, but would ask  
14 that the Commission reconsider the condition  
15 recommended to deny access to 54.

16 My client would ask that at this point the  
17 access option be left open to be addressed when a site  
18 plan or development plan is filed so that all  
19 interested parties can review it and all access  
20 options can be considered in order to find the best  
21 access solution.

22 As noted in the report, Ed Foster Road may be  
23 considered at the discretion of the county. The  
24 Kentucky Transportation Cabinet would review any  
25 access proposal to Highway 54.

Ohio Valley Reporting

(270) 683-7383

1           My client would be concerned that a blanket  
2       denial at this point would restrict his ability to  
3       make the best possible use of the property for any  
4       possible future development.

5           Again, he would just ask that at this time  
6       that condition not be made a part of the approval so  
7       that the access can be made as a part of the entire  
8       site plan and find the best possible solution for that  
9       matter.

10          CHAIRMAN:   Thank you.

11          Let me bring one of the Staff members.

12          Who worked on this case?

13          MR. HOWARD:   Me.

14          CHAIRMAN:   Would you step to the podium.

15          Mr. Howard, what's your thought on the  
16       request?

17          MR. HOWARD:   When we were looking at this, the  
18       site and working through the Staff Report, you know,  
19       Highway 54 is a busy corridor.  You're looking at  
20       approximately 170 feet or road frontage that this  
21       property has.

22          Typically on a road like this in an urban  
23       service area you have a 500 foot spacing standard for  
24       access.  The property that adjoins it to the east has  
25       access and directly through Old Highway 54.  Our

            Ohio Valley Reporting

            (270) 683-7383

1 thoughts were they would have the option of using that  
2 access point and connecting through the existing  
3 property and then access from Ed Foster Road, and  
4 eliminating another conflict point on Highway 54 with  
5 it being the busy corridor that it is.

6 We would stand by our recommendation to  
7 eliminate access potentially at that point, but  
8 certainly you all as the Commission have the right to  
9 reconsider that.

10 CHAIRMAN: If I understood her request  
11 correctly, she wanted to leave open the option for 54  
12 and Ed Foster Road. If that would be correct, what  
13 would you think about eliminating an option on 54 and  
14 just giving them the option on Ed Foster Road?

15 MR. HOWARD: That was the intent of the Staff  
16 Report. That they would not have access to 54. They  
17 could have indirect through Old 54 or on Ed Foster.  
18 That certainly would be fine with us. That's not what  
19 they're interested in based on her statement.

20 CHAIRMAN: Thank you, Mr. Howard.

21 MR. NOFFSINGER: I do have a question, Mr.  
22 Chairman, of Mr. Howard.

23 If they were to propose an access point to  
24 Kentucky 54, the state would be required to review  
25 that access point?

Ohio Valley Reporting

(270) 683-7383

1 MR. HOWARD: Correct.

2 MR. NOFFSINGER: Would they require a Traffic  
3 Impact Study?

4 MR. HOWARD: It depends. At 3.2 acres a lot  
5 of it would depend on what the use on the property is.  
6 Their Traffic Impact Study requirements have changed  
7 greatly over the, I guess, about two, two and a half  
8 years ago. The threshold to require a Traffic Impact  
9 Study is much less than it used to be; however,  
10 depending on the use they may or may not require one.  
11 They may just require an encroachment permit that  
12 would have to be bonded to allow an access point.

13 CHAIRMAN: Would requiring a traffic study,  
14 would that slow down a permitting process by virtue of  
15 the length of time to get a traffic study?

16 MR. HOWARD: If a Traffic Impact Study were  
17 required, yes, the state would take their time and  
18 review that. My understanding is, I can't really  
19 speak for them, but sitting through some of the  
20 meetings we've had here recently on larger  
21 developments, the regional office in Madisonville  
22 reviews the Traffic Impact Study, but now they have to  
23 get approval through Frankfort before they'll sign off  
24 on the findings of a Traffic Impact Study. It's not  
25 unheard of for them to require it.

Ohio Valley Reporting

(270) 683-7383

1           MR. KAZLAUSKAS: Mr. Chairman, I would like to  
2 ask Mr. Howard.

3           I want to ask you a question, and you probably  
4 don't know it. Do you know what the state's  
5 requirement is to put an access point in that close to  
6 an intersection?

7           MR. HOWARD: They review them on a case by  
8 case basis. They do have spacing standards that they  
9 look at. They'll look at the fact that it does have,  
10 it is a corner lot so you do have an alternative road  
11 that you could have access from that is a lower  
12 classification, Ed Foster Road, but as far as exactly  
13 what they would look at, no, I wouldn't feel  
14 comfortable speaking for them on that.

15          MR. KAZLAUSKAS: In your opinion, they would  
16 be able to put an access point on Ed Foster Road  
17 probably without much problem, right?

18          MR. HOWARD: I talked with the county engineer  
19 just to verify. I guess it's just to the south,  
20 there's Ed Foster Spur that was recently vacated as a  
21 county road. Just verifying that Ed Foster is still  
22 in the county maintenance system and mentioned to them  
23 a potential development here. I did not get  
24 indication from him that they would not to be able to  
25 have potential access.

Ohio Valley Reporting

(270) 683-7383



1           MR. KAZLAUSKAS: One last question. Old 54  
2       where it comes off the Hines property right there,  
3       would you consider that to be a busy road into that  
4       intersection where it comes in there, certain times of  
5       the day?

6           MR. HOWARD: Maybe during the shift. There is  
7       times that it may be busy, but overall, no, that's  
8       certainly not on a level of traffic generation and  
9       shouldn't create great issues at Highway 54 I wouldn't  
10      think, no.

11          MR. KAZLAUSKAS: Thank you.

12          CHAIRMAN: Does anybody else have any  
13      questions of Mr. Howard?

14          MR. REEVES: One quick one.

15                I'm trying to recall that property. Does that  
16      curve fairly soon after you pass the saw shop or is it  
17      pretty straight? I'm trying to recall what that road  
18      looks like.

19          MR. APPLEBY: It's pretty straight.

20          MR. REEVES: That's what I was thinking. It  
21      kind of goes up a little hill like?

22          MR. APPLEBY: You have a lot of access points  
23      up and down through there right now.

24          MR. REEVES: Thank you.

25          MR. NOFFSINGER: Mr. Chairman, Staff's concern

Ohio Valley Reporting

(270) 683-7383

1 too is that potentially the only time we have to  
2 address access to the property on 54 is at the time of  
3 rezoning. Once the rezoning is approved, we may not  
4 have another opportunity. A development plan is not  
5 necessarily required that has to come back before this  
6 board. The development may occur with a site plan. A  
7 site plan requirement only would not give the Staff an  
8 opportunity to evaluate the access to the property.  
9 It would just be based upon the standards that are  
10 contained in the zoning ordinance and the zoning  
11 ordinance would allow an access point; in fact,  
12 multiple access points to 54 on this property.

13 Our concern is that once its zoned B-4 General  
14 Business and you have the additional trips to this  
15 property, that it's too close to the interaction of  
16 142 and Old Kentucky 54 for an additional access  
17 point.

18 MR. APPLEBY: Gary, at this point, not knowing  
19 what the use of the property is, now has some concerns  
20 with allowing an additional access point there, but I  
21 suppose we could attach an additional condition that  
22 -- I don't want to just arbitrarily say, limit them.  
23 Force them to have to go through a rezoning to remove  
24 the condition. What additional condition can we put  
25 on there that would allow us, assure us we'd have an

Ohio Valley Reporting

(270) 683-7383

1 opportunity to review it, to require a development  
2 plan on this?

3 MR. NOFFSINGER: Right. Of course, in doing  
4 that, that increases the applicant's cost to the  
5 development. However, that would be one way to  
6 address the issue, is to require a development plan to  
7 be approved, which would have to be approved by the  
8 Planning Director or the Planning Commission and that  
9 an emphasis be placed on the study of access on  
10 Kentucky 54.

11 CHAIRMAN: Yes, ma'am.

12 MS. KNIGHT: If I may. It seems like there's  
13 a lot of players here; again, with the county and the  
14 state. I don't think my client would have an issue  
15 bringing this back or making that a condition, that it  
16 be reviewed once against. Again, I think if everybody  
17 could come to the table and, again, decide what the  
18 best solution to the access issue would be, I think  
19 that would be something my client would appreciate and  
20 want. He doesn't want to create an unsafe situation  
21 out there.

22 I would like to know that if -- he does own  
23 the adjoining lot. If it were all consolidated, it  
24 would be about 270 feet, I think, of frontage on  
25 Highway 54. That's an option that he could consider

Ohio Valley Reporting

(270) 683-7383

1 or might present as part of a development plan or  
2 whatever the case may be.

3 CHAIRMAN: With your 270 feet total, you're  
4 still inside of the requirement.

5 What is it, Mr. Noffsinger, 500?

6 MR. NOFFSINGER: Well, this property is  
7 outside of the urban service area so we do not have  
8 the standards of the Access Management Manual to apply  
9 to this property. We feel that the standards  
10 contained in the Zoning Ordinance, which would allow  
11 multiple access points to the property, are not  
12 desirable due to the traffic volume on Kentucky 54.  
13 We do not have a set of plans as to how they're going  
14 to develop the property. Certainly any time where you  
15 have even one access point on a major street like this  
16 within a distance of 270 feet and you have street  
17 intersections on both sides, we feel that they can  
18 certainly create an unsafe situation.

19 Staff likely would not recommend an access  
20 point between them, but we have to have a mechanism in  
21 order to be able to evaluate and review the access.  
22 That's why we made the recommendation no direct access  
23 to 54. Because once the property is zoned, we lose  
24 the opportunity to take a look at access and to apply  
25 a standard to that property.

Ohio Valley Reporting

(270) 683-7383

1           CHAIRMAN: Is there a time factor? I mean is  
2 your client, are they wanting to go ahead and get this  
3 project going?

4           MS. KNIGHT: There's really no time factor at  
5 this point. He's not in a hurry. I'm not sure what  
6 the use will be, but he's afraid if this condition is  
7 placed on the property that it does limit his options.  
8 I think the requirement of a development plan, again,  
9 with all parties involved, whether it be county,  
10 state, Planning & Zoning Commission again, would be a  
11 much less restrictive alternative than just a blanket  
12 denial of access completely to Highway 54. That would  
13 be more a desirable option for my client obviously.

14          CHAIRMAN: Mr. Noffsinger, then we need to, if  
15 we vote for approval we have to have additional  
16 conditions?

17          MR. NOFFSINGER: Well, Staff stands behind  
18 their recommendation; however, an alternate condition  
19 would be to require that a final development plan be  
20 submitted to the Planning office and be signed by the  
21 director for the Planning Commission which addresses  
22 all aspects of what a financial development plan  
23 would, including a study of the access to Kentucky  
24 Highway 54 and the possible requirement of no direct  
25 access to 54.

Ohio Valley Reporting

(270) 683-7383

1           CHAIRMAN: What kind of cost would the  
2           applicant incur with that?

3           MR. NOFFSINGER: I can't state that because  
4           you're going to have to have an engineering firm  
5           prepare that development plan. There will be  
6           considerable cost involved. A site plan is not as  
7           involved as a final development plan. You're talking  
8           about several thousand dollars to do a final  
9           development plan and then you're also talking about a  
10          potential for a Traffic Impact Study to be prepared  
11          for the State of Kentucky. I can't address that.

12          Our filing fees somewhere probably around  
13          \$250, \$400, but I can't state what the fees would be  
14          for the engineer.

15          CHAIRMAN: I just wanted to review so your  
16          client would be aware of additional cost they would  
17          face. This commission I'm sure would attach, I can  
18          only speak for myself, but I assume the commission  
19          would be willing to attach additional conditions where  
20          your wishes can be met, but I just wanted to make sure  
21          that you realize what your client would incur, as far  
22          as extra cost, extra time, and we still may be right  
23          back to our original recommendation.

24          MS. KNIGHT: Right. I don't know that he's  
25          aware of all the cost associated with that or what

Ohio Valley Reporting

(270) 683-7383

1       that might entail. Obviously, I feel like if there  
2       are options, he would want to be explore those, even  
3       at some cost. Again, because of a blanket denial  
4       access is not what he wants.

5               Again, he doesn't want to create an unsafe  
6       situation out there or whatever, but he wants to make  
7       the best possible use of his property and have all the  
8       options open for, again, all players that might be  
9       involved, whether it be the county, the state, the  
10      city, whatever the case may be to have it.

11             MR. NOFFSINGER: Another option might be, if  
12      the applicant is agreeable, would be to postpone  
13      action on this tonight. Because I was certainly  
14      unaware that there was an issue. If we had an  
15      opportunity to sit down with the applicant and discuss  
16      what the options are, then we might all get on the  
17      same page and we might have a better recommendation  
18      for you, if he's not in a hurry to move forward with  
19      the zoning.

20             MS. KNIGHT: And he would be here tonight, but  
21      Ed had to leave for Indianapolis for the birth of a  
22      grandbaby. Kind of last minute.

23             Yes, I think that would be a great option, for  
24      postponement, maybe have a meeting.

25             CHAIRMAN: Are you making that request?

Ohio Valley Reporting

(270) 683-7383

1 MS. KNIGHT: I would make that request, yes.

2 CHAIRMAN: Be noted that the applicant wants  
3 to make a request for a postpone.

4 MR. APPLEBY: Motion for postponement.

5 CHAIRMAN: Motion for postponement by Mr.  
6 Appleby.

7 MR. REEVES: Second.

8 CHAIRMAN: Second by Mr. Reeves. All in favor  
9 raise your right hand.

10 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

11 CHAIRMAN: Motion to postpone.

12 Next item, please.

13 MR. NOFFSINGER: Before I read Item 3 in the  
14 record, I just wanted to state that Item 4 at Harbor  
15 Ridge Drive and Harbor Crest and Silent Doe Crossing  
16 has been withdrawn and there will be no testimony  
17 taken on that item.

18 ITEM 3

19 Portion of 10088 Highway 144, 0.036 acres  
Consider zoning change: From B-4 General Business to  
20 A-R Rural Agriculture  
Applicant: Thomas E. Bickett; Everett L. Padgett

21

22 MR. SILVERT: Would you state your name,  
23 please?

24 MS. EVANS: Melissa Evans.

25 (MELISSA EVANS SWORN BY ATTORNEY.)

Ohio Valley Reporting

(270) 683-7383



1 PLANNING STAFF RECOMMENDATIONS

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

4 CONDITION:

5 Submission of a division and consolidation  
6 plat to consolidate the subject property with the  
7 adjoining tract.

8 FINDINGS OF FACT

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

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

15 3. The subject property will be consolidated  
16 with an existing, adjoining tract;

17 4. Once consolidated, the tract will be a  
18 separate, well-proportioned lot; and,

19 5. The consolidated property will have road  
20 frontage on a state maintained roadway and no new  
21 streets are proposed as part of this rezoning.

22 MS. EVANS: We would like to enter the Staff  
23 Report into the record as Exhibit B.

24 CHAIRMAN: Do we have anybody here  
25 representing the applicant?

Ohio Valley Reporting

(270) 683-7383

1 (NO RESPONSE)

2 CHAIRMAN: Do we have any questions?

3 (NO RESPONSE)

4 CHAIRMAN: Questions from the commission?

5 (NO RESPONSE)

6 CHAIRMAN: If not the chair is ready for a  
7 motion.

8 MR. ROGERS: Motion for approval based on  
9 Planning Staff Recommendations with the one condition  
10 and Findings of Fact 1 through 5.

11 CHAIRMAN: We have a motion for approval with  
12 conditions and findings of fact by Mr. Rogers.

13 MR. TAYLOR: Second.

14 CHAIRMAN: Second by Mr. Taylor. All in favor  
15 raise your right hand.

16 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

17 CHAIRMAN: Motion carries unanimously.

18 Next item, please.

19 ITEM 5

20 Portion of 137 Weikel Drive, 0.31+/- acres  
Consider zoning change: From B-4 General Business to  
21 R-2MF Multi-Family Residential  
Applicant: Goetz Development, LLC

22

23 MR. REEVES: Mr. Chairman, I think these folks  
24 back here didn't understand what you said awhile ago.

25 Were you all here for the Item 4?

Ohio Valley Reporting

(270) 683-7383

1 I'm not sure they understood what you said  
2 about it being withdrawn. They were kind of quizzed  
3 back there.

4 MR. NOFFSINGER: Yes, that item has been  
5 withdrawn. There will be no testimony.

6 MS. CRABTREE: Permanently withdrawn?

7 MR. NOFFSINGER: Until such time as another  
8 application comes before us, but this application,  
9 there will be no action taken on it. There would have  
10 to be a new application submitted, new notification  
11 before it could be reheard.

12 MS. CRABTREE: And they would send letters out  
13 to the neighborhood again?

14 MR. NOFFSINGER: Yes, ma'am.

15 CHAIRMAN: Just for the record let me bring  
16 you up.

17 MR. SILVERT: Let's get your name for the  
18 record and get you sworn in.

19 MS. CRABTREE: My name is Lavonne Crabtree.

20 (LAVONNE CRABTREE SWORN BY ATTORNEY.)

21 CHAIRMAN: Now, Ms. Crabtree, would you repeat  
22 your questions.

23 MS. CRABTREE: We just wanted to know if this  
24 was a permanent withdrawal or if it was going to be  
25 postponed to another date, and if we would be notified

Ohio Valley Reporting

(270) 683-7383

1 of another meeting.

2 MR. NOFFSINGER: Yes, it has been withdrawn.

3 If there is another meeting, you will be notified.

4 MS. CRABTREE: Thank you.

5 MR. NOFFSINGER: You're welcome.

6 MR. SILVERT: Would you state your name,  
7 please?

8 MR. WARD: Neil Ward.

9 (NEIL WARD SWORN BY ATTORNEY.)

10 MR. WARD: I just have a question. Regardless  
11 of who does this, whose name is attached to this, you  
12 said there should be or there definitely will be  
13 notification?

14 MR. NOFFSINGER: Will be.

15 MR. WARD: And this Commission has to hear  
16 this before this goes forward regardless; is that a  
17 true statement? This can't be done without your all's  
18 vote. Is that the way I understand it?

19 MR. NOFFSINGER: Correct.

20 MR. WARD: That's all. I just wanted to  
21 clarify that. Thanks.

22 CHAIRMAN: All right.

23 PLANNING STAFF RECOMMENDATIONS

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

Ohio Valley Reporting

(270) 683-7383

1       CONDITION:

2               Approval of a revised preliminary subdivision  
3 plat.

4       FINDINGS OF FACT:

5               1. Staff recommends approval because the  
6 proposal is in compliance with the community's adopted  
7 Comprehensive Plan;

8               2. The subject property is located in an  
9 Urban Residential Plan Area, where urban mid-density  
10 residential uses are appropriate in limited locations;

11              3. Sanitary sewer service is available for  
12 extension to the site; and,

13              4. The proposal is a logical expansion of  
14 existing R-2MF Multi-Family Residential zoning located  
15 immediately west of the subject property.

16              MS. EVANS: We would like to enter the Staff  
17 Report into the record as Exhibit C.

18              CHAIRMAN: Do we have anybody here  
19 representing the applicant?

20              MR. KAMUF: Mr. Chairman, I'm here to answer  
21 any questions that you have.

22              CHAIRMAN: Thank you. Mr. Kamuf is here.  
23 Do we have any questions from the audience?

24              (NO RESPONSE)

25              CHAIRMAN: Any questions from the commission?

Ohio Valley Reporting

(270) 683-7383

1 (NO RESPONSE)

2 CHAIRMAN: If not the chair is ready for a  
3 motion.

4 MR. APPLEBY: Motion for approval based on  
5 Staff Recommendations with the single condition and  
6 Findings of Fact 1 through 4.

7 CHAIRMAN: We have a motion for approval by  
8 Mr. Appleby.

9 MR. ROGERS: Second.

10 CHAIRMAN: Second by Mr. Rogers. All in favor  
11 raise your right hand.

12 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

13 CHAIRMAN: Motion carries unanimously.

14 Next item, please.

15 Related Item:

16 ITEM 5A

17 Dutch Banks, 7.07 acres

Consider approval of amended major subdivision  
18 preliminary plat.

Applicant: Goetz Development, LLC

19

20 MR. NOFFSINGER: Mr. Chairman, this plat has  
21 been reviewed by the Planning Staff and Engineering  
22 Staff. It's found to be in order. Its use is  
23 consistent with the underlying zoning and its ready  
24 for consideration.

25 CHAIRMAN: Are there any questions from the  
Ohio Valley Reporting

(270) 683-7383

1 audience?

2 (NO RESPONSE)

3 CHAIRMAN: Questions from the commission?

4 (NO RESPONSE)

5 CHAIRMAN: If not the chair is ready for a  
6 motion.

7 MR. APPLEBY: Motion for approval.

8 CHAIRMAN: Motion for approval by Mr. Appleby.

9 MR. REEVES: Second.

10 CHAIRMAN: Second by Mr. Reeves. All in favor  
11 raise your right hand.

12 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

13 CHAIRMAN: Motion carries unanimously.

14 Next item.

15 -----

16 MINOR SUBDIVISIONS

17 ITEM 6

18 8450, 8462 Highway 815, 34.645 acres

Consider approval of minor subdivision plat.

19 Applicant: Jean B. Moore

20 MR. NOFFSINGER: Mr. Chairman, this plat has  
21 been reviewed by the Planning Staff and Engineering  
22 Staff. It's found to be in order. It does come to  
23 you as an exception to the subdivision regulations in  
24 that it does not meet the three to one depth to width  
25 ratio; however, the property is being divided for an

Ohio Valley Reporting

(270) 683-7383

1 existing home and the property follows the natural  
2 boundaries of the crop activity that's occurring on  
3 the property.

4 With that the Planning Staff does not feel  
5 that they're trying to maximum the number of lots.  
6 They're trying to respect the pattern of the  
7 development and use on the property and trying to also  
8 conform with the standards as much as possible. They  
9 do have a note stating that the property hereon would  
10 not be further subdivided unless they've met the  
11 minimum requirements of the subdivision regulations.

12 So with that Staff believes it's ready for  
13 consideration.

14 CHAIRMAN: Do we have anybody representing the  
15 applicant?

16 APPLICANT REP: Yes.

17 CHAIRMAN: Do we have any questions?

18 (NO RESPONSE)

19 CHAIRMAN: Any questions from the audience?

20 (NO RESPONSE)

21 CHAIRMAN: Hearing none the chair is ready for  
22 a motion.

23 MR. APPLEBY: Motion for approval.

24 CHAIRMAN: Motion for approval by Mr. Appleby.

25 MS. CAMBRON: Second.

Ohio Valley Reporting

(270) 683-7383



1 CHAIRMAN: Second by Ms. Cambron. All in  
2 favor raise your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: Motion carries unanimously.

5 Next item.

6 -----

7 NEW BUSINESS

8 ITEM 7

9 Consider approval of the June 2012 financial  
10 statements.

10

11 MR. NOFFSINGER: Mr. Chairman, all members  
12 have been mailed a copy of the financial statements  
13 and they're ready for consideration.

14 CHAIRMAN: Are there any questions?

15 (NO RESPONSE)

16 CHAIRMAN: If not the chair is ready for a  
17 motion.

18 MR. PEDLEY: Motion for approval.

19 CHAIRMAN: Motion for approval by Mr. Pedley.

20 MR. KAZLAUSKAS: Second.

21 CHAIRMAN: Second by Mr. Kazlauskas. All in  
22 favor raise your right hand.

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: Motion carries unanimously.

25 The chair is ready for one final motion.

Ohio Valley Reporting

(270) 683-7383

00026

1 MR. PEDLEY: Motion to adjourn.

2 CHAIRMAN: Motion to adjourn by Mr. Pedley.

3 MR. APPLEBY: Second.

4 CHAIRMAN: Second by Mr. Appleby. All in  
5 favor raise your right hand.

6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

7 CHAIRMAN: Motion carries unanimously. We are  
8 adjourned.

9 -----

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Ohio Valley Reporting

(270) 683-7383

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 the  
14      foregoing 26 typewritten pages; and that no signature  
15      was requested to the foregoing transcript.

16               WITNESS my hand and notary seal on this the  
17      5th day of September, 2012.

18

19

---

LYNNETTE KOLLER FUCHS  
NOTARY ID 433397  
OHIO VALLEY REPORTING SERVICES  
202 WEST THIRD STREET, SUITE 12  
OWENSBORO, KENTUCKY 42303

22

23      COMMISSION EXPIRES:   DECEMBER 16, 2014

24      COUNTY OF RESIDENCE:   DAVIESS COUNTY, KENTUCKY

25

Ohio Valley Reporting

(270) 683-7383