

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 AUGUST 8, 2013

3 THE OWENSBORO METROPOLITAN PLANNING COMMISSION

4 MET IN REGULAR SESSION AT 5:40 P.M. ON THURSDAY,

5 AUGUST 8, 2013, AT CITY HALL, COMMISSION CHAMBERS,

6 OWENSBORO, KENTUCKY, AND THE PROCEEDINGS WERE AS

7 FOLLOWS:

8 MEMBERS PRESENT: WARD PEDLEY, CHAIRMAN
9 IRVIN ROGERS, VICE CHAIRMAN
10 DAVID APPLEBY, SECRETARY
11 GARY NOFFSINGER, DIRECTOR
12 CLAUD PORTER, ATTORNEY
WALLY TAYLOR
JOHN KAZLAUSKAS
FRED REEVES
LARRY BOSWELL

13 * * * * *

14 CHAIRMAN: CALL THE OWENSBORO METROPOLITAN
15 PLANNING COMMISSION AUGUST 8, 2013 MEETING TO ORDER.
16 WE'LL BEGIN OUR MEETING WITH A PRAYER AND PLEDGE OF
17 ALLEGIANCE TO THE FLAG. MR. HOWARD WILL LEAD US.

18 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

19 CHAIRMAN: I WOULD LIKE TO WELCOME EVERYONE.
20 ANYONE WISHING TO SPEAK ON ANY ITEM, MAKE ANY COMMENTS
21 OR QUESTIONS WE WELCOME THOSE. WE ASK THAT YOU COME
22 TO ONE OF THE PODIUMS AND STATE YOUR NAME AND BE SWORN
23 IN. PLEASE, IF YOU WILL, SPEAK INTO THE MICROPHONE.

24 COMMISSIONERS, IF YOU WOULD DO THE SAME.

25 WITH THAT THE FIRST ITEM ON THE AGENDA IS TO

1 CONSIDER THE MINUTES OF THE JULY 11, 2013 MEETING.

2 ARE THERE ANY ADDITIONS OR CORRECTIONS?

3 (NO RESPONSE)

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

6 MR. KAZLAUSKAS: SO MOVE.

7 CHAIRMAN: WE HAVE A MOTION FOR APPROVAL.

8 MR. APPLEBY: SECOND.

9 CHAIRMAN: WE HAVE A SECOND. ALL IN FAVOR OF
10 THE MOTION RAISE YOUR RIGHT HAND.

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 CHAIRMAN: MOTION CARRIES UNANIMOUSLY.

13 NEXT ITEM.

14 ITEM 2

15 EXECUTIVE DIRECTOR REPORT: OMPC FISCAL YEAR 2013
16 ACTIVITY REPORT AND SURVEY RESPONSES

17 MR. NOFFSINGER: MR. CHAIRMAN, THIS IS A
18 REPORT THAT I TRY TO DO EACH YEAR IN AUGUST WHICH IS A
19 COMPILATION OF THE ACTIVITIES THAT'S TAKING PLACE IN
20 THE OFFICE ON A DAILY BASIS.

21 LIKE MANY OF YOU, IN FACT, THE PUBLIC
22 CERTAINLY NOT AWARE OF, AND THEN TOO THE SURVEYS THAT
23 I SEND OUT. WE'VE BEEN DOING THIS REPORT AND SURVEYS
24 FOR ABOUT 12 TO 13 YEARS NOW.

25 FIRST, I WILL TALK ABOUT THE DESCRIPTION OF

1 THE ACTIVITY OF THE STAFF OVER THE PAST FISCAL YEAR
2 WHICH RUNS FROM JULY 1 TO JUNE 30 EACH YEAR.

3 IN TERMS OF ZONING CHANGES, WE HAD A TOTAL OF
4 35 ZONING CHANGE APPLICATIONS COME BEFORE THIS
5 COMMISSION. WE HAD 10 WITHIN THE CITY OF OWENSBORO,
6 AND 25 OUTSIDE OF THE CORPORATE LIMITS OF OWENSBORO.
7 OUT OF THOSE 35 APPLICATIONS, THERE WAS ONE
8 APPLICATION THAT WAS RECOMMENDED FOR DENIAL. NOW,
9 THAT'S NOT A FINAL ACTION. THAT DENIAL WAS APPEALED
10 TO THE DAVIESS COUNTY FISCAL COURT AND IT'S ONE THAT
11 JUST HAPPENED RECENTLY WHERE THE DAVIESS COUNTY FISCAL
12 COURT ACTUALLY OVERTURNED THE ACTION OF THE PLANNING
13 COMMISSION.

14 SO IF YOU TAKE A LOOK AT THE NUMBER OF
15 APPLICATIONS WE'VE HAD IN THIS COMMUNITY, 35 REZONING
16 APPLICATIONS, WE'VE HAD 35 REZONING APPLICATIONS
17 APPROVED.

18 ALSO, WITH THE BOARD OF ADJUSTMENT THEY
19 CONSIDERED CONDITIONAL USE PERMIT APPLICATIONS AND
20 THAT'S FOR PARTICULAR USES THAT REQUIRE A SPECIAL
21 PERMIT IN ORDER TO BE INTEGRATED INTO A NEIGHBORHOOD
22 AND MUST GO BEFORE THE BOARD OF ADJUSTMENT FOR
23 CONSIDERATION. WE HAD 13 OF THOSE APPLICATIONS.
24 THERE WAS ONE DENIAL.

25 IN TERMS OF VARIANCE APPLICATIONS, THOSE GO

1 BEFORE THE BOARD OF ADJUSTMENT. THAT'S WHEN SOMEONE
2 WANTS TO BUILDER CLOSER TO THE PROPERTY LINE THAN WHAT
3 THE ZONING ORDINANCE WOULD ALLOW. THE BOARD OF
4 ADJUSTMENT IS A RELIEF VALVE AND THE APPLICANT IS ABLE
5 TO TAKE THEIR APPLICATION TO THAT BOARD OF ADJUSTMENT
6 AND THEY CONSIDER WHETHER OR NOT THE PLACEMENT OF THE
7 STRUCTURE, FOR EXAMPLE, WOULD BE IN KEEPING WITH THE
8 CHARACTER OF THE NEIGHBORHOOD. WE HAD 19 OF THOSE
9 APPLICATIONS. ONLY ONE OF THOSE APPLICATIONS WAS
10 DENIED.

11 IN TERMS OF THE BUILDING DEPARTMENT, WE HAD A
12 TOTAL OF 892 BUILDING PERMITS ISSUED WITHIN OWENSBORO
13 AND DAVIESS COUNTY. 491 OF THOSE BUILDING PERMITS
14 WERE ISSUED FOR THE CITY OF OWENSBORO, AND WE HAD 465
15 OF THOSE PERMITS OUTSIDE OF THE CITY OF OWENSBORO. SO
16 IT'S PRETTY BALANCED BETWEEN THE CITY AND COUNTY IN
17 TERMS OF NUMBER OF PERMITS WE ISSUE.

18 WE DO NOT ISSUE PERMITS FOR THE CITY OF
19 WHITESVILLE SO THEY WOULD NOT BE INCLUDED.

20 IN TERMS OF ELECTRICAL PERMITS, WE'VE HAD A
21 TOTAL OF 1,409, AND FOR HEATING, VENTILATION AND
22 COOLING WE HAD A TOTAL OF 327 PERMITS ISSUED.

23 WE HAD 118 PLAN REVIEW APPLICATIONS. NOW,
24 THESE PLAN REVIEW APPLICATIONS WOULD BE APPLICATIONS
25 THAT WE REVIEW HERE AT THE LOCAL LEVEL SO THAT A

1 BUSINESS DOES NOT HAVE TO GO TO THE STATE OF KENTUCKY
2 OR FRANKFORT TO HAVE THEIR BUILDING PLANS REVIEWED.
3 118 OF THOSE PLANS WERE REVIEWED AND RECEIVED
4 APPROVAL.

5 IN TERMS OF THE NUMBER OF INSPECTIONS, I WON'T
6 GO INTO ANY GREAT DETAIL ON THOSE, BUT THE TOTAL
7 BUILDING, ELECTRICAL AND MECHANICAL INSPECTIONS WE HAD
8 6,956. THAT'S UP SLIGHTLY FROM LAST YEAR. SO WE'RE
9 DOING ABOUT 7,000 INSPECTIONS PER YEAR AND WE
10 CURRENTLY HAVE FOUR FULL-TIME INSPECTORS. THESE
11 INSPECTORS ARE CROSS-TRAINED IN BUILDING, ELECTRICAL
12 AND HV/AC. SO ALL OF OUR INSPECTORS HAVE THE ABILITY
13 WHEN THEY GO OUT ON A JOB TO LOOK AT THE COMPLETE JOB
14 AND TEST TO SEE IF THE BUILDING IS CONSTRUCTED TO THE
15 CODES THAT HAVE BEEN HANDED DOWN TO US AT THE FEDERAL
16 LEVEL AND THE STATE LEVEL.

17 THEY ARE NOT ADOPTING ANY BUILDING CODES OR
18 ELECTRICAL CODES THAT ARE APPROVED AT THE LOCAL LEVEL
19 OR WRITTEN AT THE LOCAL LEVEL. ALL THESE CODES
20 THEY'RE ENFORCING GO BEYOND THE LOCAL JURISDICTION.

21 THE NEXT ITEM I WOULD LIKE TO TALK ABOUT WOULD
22 BE THE PERFORMANCE EVALUATION. WE SENT THESE
23 PERFORMANCE EVALUATIONS WITH ALL ELECTRICAL
24 CERTIFICATES, AS WELL AS ALL BUILDING OCCUPANCY
25 PERMITS. WE SEND A NUMBER OF THESE OUT, ACTUALLY

1 SEVERAL THOUSAND. WE RECEIVED 197 SURVEYS BACK.

2 NOW, THIS ALSO INCLUDES AN IN-HOUSE OR
3 IN-OFFICE SURVEY, IT'S AN EXIT SURVEY, THAT WE HAND
4 OUT TO PEOPLE. WE HAVE A COMMENT BOX OUT FRONT.
5 THEY'RE ABLE TO FILL OUT A SURVEY AND TELL US ABOUT
6 OUR PERFORMANCE.

7 OF THE 197 SURVEYS THAT I RECEIVED BACK, WE
8 HAD 100 PERCENT POSITIVE RATING ON THE TWO QUESTIONS.

9 THE FIRST QUESTION WAS, "WERE YOU TREATED IN A
10 PROFESSIONAL MANNER WHILE IN OUR OFFICE AND/OR OUT IN
11 THE FIELD?" ON ALL 197 OF THOSE SURVEYS, THE ANSWER
12 WAS "YES."

13 THE NEXT QUESTION, "WERE ALL ISSUE EXPLAINED
14 IN A SATISFACTORY MANNER?" ON ALL 197 OF THOSE
15 SURVEYS, THE ANSWER WAS "YES."

16 I'VE ALSO INCLUDED A SUMMARY OF THE RESPONSES
17 OR THE COMMENTS THAT WERE MADE ON EACH OF THE SURVEYS.
18 THE CUSTOMER IS GIVEN AN OPPORTUNITY TO MAKE NOTES OR
19 TO STATE ITEMS THAT NEED IMPROVING OR THAT THEY MAY
20 WANT TO SEE CHANGE OR JUST ISSUES THEY HAVE. I'VE
21 MADE A COPY OF ALL OF THOSE COMMENTS. I DO NOT EDIT
22 THEM. WHAT'S ON THE COMMENT SHEET IS WHAT WE HAVE ON
23 THIS SURVEY OR SUMMARY FORM FOR EACH COMMISSIONER. SO
24 YOU WILL HAVE AN OPPORTUNITY TO READ THOSE. I'M NOT
25 GOING TO GO INTO THOSE COMMENTS, BUT THEY ARE THERE

1 FOR THE COMMISSION.

2 WHAT I WILL DO, I WILL ALSO SHARE THE ACTIVITY
3 REPORT, AS WELL AS THE SURVEYS WITH THE ELECTED
4 OFFICIALS. THEY WILL ALL RECEIVE A COPY OF THESE
5 SURVEYS, AND CERTAINLY ANYONE THAT WOULD LIKE TO TAKE
6 A LOOK AT THOSE SURVEYS IN THE OFFICE IN COMPLETE
7 DETAIL, YOU'RE CERTAINLY WELCOME TO DO SO.

8 AT THIS TIME I'LL TAKE ANY QUESTIONS ANYONE
9 MIGHT HAVE.

10 CHAIRMAN: ANY COMMISSIONERS HAVE ANY
11 QUESTIONS OF MR. NOFFSINGER?

12 (NO RESPONSE)

13 CHAIRMAN: IF NOT I HAVE SOME COMMENTS I WOULD
14 LIKE TO MAKE.

15 SINCE I'M A USER OF MOST EVERYTHING HE STATED
16 HERE, I'M A BUILDER AND A FOUNDATION CONTRACTOR, ALSO
17 A DEVELOPER. I USE THE CODES DEPARTMENT QUITE OFTEN.
18 EVERY TIME I GET A CO, I GET A QUESTIONNAIRE FROM THE
19 PLANNING OFFICE ASKING THE VERY QUESTIONS THAT MR.
20 NOFFSINGER JUST STATED, I'VE READ ALL THE RESPONSES
21 HERE THAT PEOPLE WROTE IN ON THOSE SURVEYS AND I AGREE
22 WITH IT ABSOLUTELY 100 PERCENT. I'M 100 PERCENT HAPPY
23 WITH THE CODES DEPARTMENT. THEY DO A GREAT JOB. IT'S
24 JUST AMAZING TO ME THAT THEY CAN DO WHAT THEY DO WITH
25 THE STAFF AS SMALL AS IT IS. THEY'RE VERY, VERY

1 EFFICIENT. EVERYONE IN THE PLANNING OFFICE IS VERY
2 PLEASED. IT'S JUST ABSOLUTELY AMAZING THE SERVICE
3 THAT WE GET WITH THAT SMALL OFFICE. SOME OF THE OTHER
4 OFFICES AROUND THE COMMUNITY AND STATE ARE MUCH
5 LARGER. I JUST WANT TO STATE THAT. I AM A USER. I
6 HAVE BEEN A USER FOR MANY, MANY YEARS, AND I AGREE
7 WITH THE SURVEY AND REPORT THAT PEOPLE SEND IN. I'M
8 GUILTY. I NEVER FILL IT OUT. I SHOULD. I'M GUILTY.
9 I WISH EVERYONE WOULD, BUT WHAT I READ HERE AND
10 REVIEWED I AGREE WITH IT 100 PERCENT.

11 GARY, THANK YOU VERY MUCH FOR THAT REPORT.
12 THE STAFF, THANK YOU. YOU TELL ALL YOUR INSPECTORS
13 AND EVERYONE IN THE CODES DEPARTMENT WE APPRECIATE
14 THEM VERY MUCH.

15 MR. NOFFSINGER: THANK YOU, MR. CHAIRMAN.

16 CHAIRMAN: ANYONE ELSE HAVE ANY COMMENTS?

17 MR. BOSWELL: I JUST WANTED TO ALSO MERE YOUR
18 COMMENTS ABOUT WHAT I SEE HERE.

19 AS A NEW MEMBER OF THE COMMISSION, IN READING
20 THROUGH THIS INFORMATION, IT TELLS ME THAT THE
21 COMMISSION AND STAFF AND THE DIRECTOR ARE ALL DOING A
22 GREAT JOB. I MEAN THESE ARE REALLY SOME POSITIVE
23 RESPONSES FROM THE PEOPLE THAT UTILIZE THE SERVICES ON
24 A DAY-TO-DAY BASIS. I WAS REALLY IMPRESSED AS A NEW
25 MEMBER OF THE COMMISSION TO SEE ALL OF THESE TYPE OF

1 RESPONSES.

2 THE ONLY ONE I WAS CURIOUS ABOUT, AND MAYBE
3 THE DIRECTOR CAN SPEAK TO THIS ONE, IS THE ONE THAT
4 SAID "PUT A BOOT CLEANER AT THE ENTRY DOOR OUTSIDE."
5 WASN'T SURE ABOUT THAT ONE.

6 MR. NOFFSINGER: RIGHT. YES. I THINK YOU CAN
7 FIGURE OUT THAT THAT WAS PROBABLY FROM ONE OF OUR
8 CONTRACTORS THAT WORKS IN THE FIELD AND USUALLY HAS
9 THE MUDDY BOOTS. WHEN THEY COME INTO OUR OFFICE ON
10 THE SECOND FLOOR, THEY LEAVE A TRAIL. IT MIGHT BE
11 NICE TO HAVE THAT BOOT CLEANER OUTSIDE.

12 MR. BOSWELL: THAT'S THE ONLY COMMENT I HAVE.
13 THANK YOU.

14 CHAIRMAN: ANYONE ELSE HAVE ANY COMMENTS?

15 (NO RESPONSE)

16 CHAIRMAN: WITH THAT WE'LL MOVE ON TO THE NEXT
17 ITEM.

18 -----

19 ZONING CHANGES

20 ITEM 3

21 224 EWING ROAD, 0.42+/- ACRES
22 CONSIDER ZONING CHANGE: FROM I-1 LIGHT INDUSTRIAL TO
23 B-5 BUSINESS/INDUSTRIAL
24 APPLICANT: OWENSBORO ELECTRICAL JOINT APPRENTICESHIP
25 & TRAINING TRUST

26 (MS. MELISSA EVANS SWORN BY ATTORNEY.)

27 MR. PORTER: WILL YOU STATE YOUR NAME FOR THE

1 RECORD, PLEASE?

2 MS. EVANS: MELISSA EVANS.

3 PLANNING STAFF RECOMMENDATIONS

4 THE PLANNING STAFF RECOMMENDS APPROVAL SUBJECT
5 TO THE CONDITION AND FINDINGS OF FACT THAT FOLLOW:
6 CONDITIONS:

7 ACCESS TO EWING ROAD SHALL BE LIMITED TO THE
8 EXISTING SHARED ACCESS EASEMENT AS SHOWN ON THE MINOR
9 SUBDIVISION PLAT APPROVED 3-11-2002.

10 FINDINGS OF FACT:

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

14 2. THE SUBJECT PROPERTY IS LOCATED WITHIN A
15 BUSINESS/INDUSTRIAL PLAN AREA, WHERE GENERAL BUSINESS
16 AND LIGHT INDUSTRIAL USES ARE APPROPRIATE IN GENERAL
17 LOCATIONS;

18 3. THE SUBJECT PROPERTY LIES WITHIN AN
19 EXISTING AREA OF MIXED GENERAL BUSINESS AND LIGHT
20 INDUSTRIAL USES;

21 4. THE COMPREHENSIVE PLAN PROVIDES FOR THE
22 CONTINUANCE OF MIXED USE AREAS; AND,

23 5. THE PROPOSED LAND USE FOR THE SUBJECT
24 PROPERTY IS IN COMPLIANCE WITH THE CRITERIA FOR A
25 BUSINESS/INDUSTRIAL PLAN AREA AND A B-5

1 BUSINESS/INDUSTRIAL ZONING CLASSIFICATION.

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

4 I WOULD ALSO LIKE TO STATE THAT ANY REZONINGS
5 HEARD HERE TONIGHT WILL BE FINANCIAL 21 DAYS AFTER THE
6 MEETING DATE, UNLESS AN APPEAL. IF AN APPEAL IS
7 FILED, THEY WILL BE FORWARDED TO THE APPROPRIATE
8 LEGISLATIVE BODY FOR FINAL ACTION. THE APPEAL FORMS
9 CAN BE PICKED UP IN OUR OFFICE, ON OUR WEBSITE OR ON
10 THE BACK TABLE.

11 CHAIRMAN: THANK YOU.

12 ANYONE HAVE ANY COMMENTS OR QUESTIONS ON THIS
13 ITEM?

14 (NO RESPONSE)

15 CHAIRMAN: ANY COMMISSIONERS HAVE ANY COMMENTS
16 OR QUESTIONS?

17 (NO RESPONSE)

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

20 MR. APPLEBY: MOTION FOR APPROVAL BASED ON
21 STAFF'S RECOMMENDATIONS WITH THE ACCESS CONDITION AND
22 THE FINDINGS OF FACT 1 THROUGH 5.

23 CHAIRMAN: WE HAVE A MOTION BY MR. APPLEBY.

24 MR. REEVES: SECOND.

25 CHAIRMAN: WE HAVE A SECOND BY MR. REEVES.

1 COMMENTS OR QUESTIONS ON THE MOTION?

2 (NO RESPONSE)

3 CHAIRMAN: IF NOT ALL IN FAVOR RAISE YOUR
4 RIGHT HAND.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: MOTION CARRIES UNANIMOUS.

7 NEXT ITEM, PLEASE.

8 ITEM 4

9 323 WEST 8TH STREET, 0.087 ACRES
10 CONSIDER ZONING CHANGE: FROM R-4DT INNER-CITY
11 RESIDENTIAL TO B-2 CENTRAL BUSINESS
12 APPLICANT: GEORGE J. SPARKS

12 PLANNING STAFF RECOMMENDATION

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

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

19 2. THE SUBJECT PROPERTY IS LOCATED IN A
20 CENTRAL BUSINESS PLAN AREA, WHERE CENTRAL BUSINESS
21 USES ARE APPROPRIATE IN GENERAL LOCATIONS;

22 3. THE SUBJECT PROPERTY IS LOCATED WITHIN THE
23 DOWNTOWN OVERLAY DISTRICT AS ADOPTED BY THE CITY OF
24 OWENSBORO AND THE REQUEST IS CONSISTENT WITH THE
25 CONCEPTS OF THE PLAN;

1 4. THE USE OF THE PROPERTY FOR PARKING, OPEN
2 SPACE OR DETENTION WILL BE NONRESIDENTIAL IN NATURE;

3 5. THE B-2 ZONING CLASSIFICATION WILL PROMOTE
4 THE REDEVELOPMENT OF THE DOWNTOWN CONSISTENT WITH THE
5 DOWNTOWN MASTER PLAN.

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

8 CHAIRMAN: ANYONE HERE REPRESENTING THE
9 APPLICANT?

10 APPLICANT REP: YES.

11 CHAIRMAN: ANYONE HERE HAVE ANY COMMENTS OR
12 QUESTIONS ON THE APPLICATION?

13 (NO RESPONSE)

14 CHAIRMAN: ANY COMMISSION MEMBERS HAVE ANY
15 QUESTIONS?

16 (NO RESPONSE)

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

19 MR. ROGERS: MOTION FOR APPROVAL BASED ON
20 PLANNING STAFF RECOMMENDATIONS AND FINDINGS OF FACT 1
21 THROUGH 5.

22 CHAIRMAN: WE HAVE A MOTION FOR APPROVAL BY
23 MR. ROGERS.

24 MR. APPLEBY: SECOND.

25 CHAIRMAN: SECOND BY MR. APPLEBY. COMMENTS OR

1 QUESTIONS ON THE MOTION?

2 (NO RESPONSE)

3 CHAIRMAN: ALL IN FAVOR RAISE YOUR RIGHT HAND.

4 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

5 CHAIRMAN: MOTION CARRIES UNANIMOUS.

6 NEXT ITEM, PLEASE.

7 -----

8 MINOR SUBDIVISIONS

9 ITEM 5

10 6350 DITTO ROAD, 3.816 ACRES
11 CONSIDER APPROVAL OF MINOR SUBDIVISION PLAT.
12 APPLICANT: TIMOTHY W. HORN

13 MR. NOFFSINGER: MR. CHAIRMAN, THE PLANNING
14 STAFF AND ENGINEERING STAFF HAS REVIEWED THIS ITEM.
15 IT'S FOUND TO BE IN ORDER. IT DOES COME TO YOU AS AN
16 EXCEPTION TO THE SUBDIVISION REGULATIONS IN THAT THE
17 RESULTING LOT WOULD EXCEED THE THREE TO ONE DEPTH TO
18 LOT RATIO. HOWEVER, IT IS ADDING TO AN EXISTING LOT
19 OF RECORD AN AREA THAT WOULDN'T RESULT IN ANY ISSUES
20 REGARDING TRYING TO MAXIMIZE THE NUMBER OF LOTS IN
21 CREATING ODD-SHAPE LOTS. IT'S LOCATED TO THE REAR OF
22 AN EXISTING LOT. I THINK IT'S REALLY A LOGICAL
23 EXTENSION OF THAT EXISTING LOT.

24 SO WITH THAT STAFF WOULD RECOMMEND THAT YOU
25 GIVE THIS A FAVORABLE ACTION.

CHAIRMAN: ANYONE HERE REPRESENTING THE

1 APPLICANT?

2 (NO RESPONSE)

3 CHAIRMAN: ANYONE HAVE ANY COMMENTS OR

4 QUESTIONS ON THE APPLICATION?

5 (NO RESPONSE)

6 CHAIRMAN: COMMISSIONERS HAVE ANY COMMENTS OR

7 QUESTIONS?

8 (NO RESPONSE)

9 CHAIRMAN: IF NOT THE CHAIR IS READY FOR A

10 MOTION.

11 MR. BOSWELL: MOTION FOR APPROVAL.

12 CHAIRMAN: MOTION FOR APPROVAL BY MR. BOSWELL.

13 MR. TAYLOR: SECOND.

14 CHAIRMAN: SECOND BY MR. TAYLOR. COMMENTS OR

15 QUESTIONS ON THE MOTION?

16 (NO RESPONSE)

17 CHAIRMAN: ALL IN FAVOR OF THE MOTION RAISE

18 YOUR RIGHT HAND.

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 CHAIRMAN: MOTION CARRIES.

21 NEXT ITEM, PLEASE.

22 ITEM 6

23 7114 STEVENS SCHOOL ROAD, 2.732 ACRES

24 CONSIDER APPROVAL OF MINOR SUBDIVISION PLAT.

24 APPLICANT: DONALD RAY & WANDA R. MILLS

25 MR. NOFFSINGER: MR. CHAIRMAN, THIS PLAT HAS

1 BEEN REVIEWED BY THE PLANNING STAFF AND ENGINEERING
2 STAFF. IT TOO IS FOUND TO BE IN ORDER. IT DOES COME
3 TO YOU AS AN EXCEPTION TO THE ADOPTED SUBDIVISION
4 REGULATIONS IN THAT THE RESULTING LOT WOULD END UP IN
5 EXCEEDING THE THREE TO ONE DEPTH TO LOT RATIO, AS WELL
6 AS IT WOULD LEAVE A REMAINDER WITH LIMITED AMOUNT OF
7 FRONTAGE. WE DO NOT BELIEVE THEY'RE CREATING THIS LOT
8 IN A FASHION WHERE IT WOULD LEAD TO AN EXCESSIVE
9 NUMBER OF LOTS FOR THE AREA. CURRENTLY THE PARENT
10 TRACT IS AN ODD-SHAPE. YOU MIGHT BE ABLE TO CONFIGURE
11 IT WHERE YOU COULD MEET THE THREE TO ONE DEPTH TO
12 WIDTH RATIO; HOWEVER, DUE TO THE FEATURES ON THE
13 PROPERTY THAT THEY'RE TRYING TO RESPECT, THAT PROBABLY
14 WOULD BE OUT OF CHARACTER WITH THAT AREA. THERE IS A
15 NOTATION ON THE PLAT THAT THE REMAINDER WOULD NOT BE
16 FURTHER SUBDIVIDED SO AS TO CREATE ODD-SHAPED LOTS.

17 I THINK WITH THAT STAFF WOULD RECOMMEND THAT
18 YOU GIVE THIS A FAVORABLE ACTION.

19 CHAIRMAN: ANYONE HERE REPRESENTING THE
20 APPLICANT?

21 (NO RESPONSE)

22 CHAIRMAN: ANYONE HAVE ANY COMMENTS OR
23 QUESTIONS ON THE APPLICATION?

24 (NO RESPONSE)

25 CHAIRMAN: COMMISSION MEMBERS HAVE ANY

1 COMMENTS OR QUESTIONS?

2 (NO RESPONSE)

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

5 MR. APPLEBY: MOTION FOR APPROVAL.

6 CHAIRMAN: MOTION FOR APPROVAL BY MR. APPLEBY.

7 MR. KAZLAUSKAS: SECOND.

8 CHAIRMAN: WE HAVE A SECOND BY MR. JOHN K.

9 COMMENTS OR QUESTIONS ON THE MOTION?

10 (NO RESPONSE)

11 CHAIRMAN: ALL IN FAVOR OF THE MOTION RAISE
12 YOUR RIGHT HAND.

13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14 CHAIRMAN: MOTION CARRIES UNANIMOUS.

15 -----

16 NEW BUSINESS

17 ITEM 7

18 CONSIDER APPROVAL OF THE MAY AND JUNE 2013 FINANCIAL
19 STATEMENTS.

20 MR. NOFFSINGER: MR. CHAIRMAN, EACH MEMBER HAS
21 BEEN MAILED A COPY OF THE FINANCIAL STATEMENT. I'D BE
22 GLAD TO ANSWER ANY QUESTIONS THAT YOU MIGHT HAVE.

23 I WOULD LIKE TO SAY BEFORE YOU TAKE A VOTE ON
24 THIS, OUR AUDIT FOR THE PAST FISCAL YEAR IS CURRENTLY
25 UNDER WAY. WE EXPECT THAT AUDIT TO BE FINALIZED THIS

1 MONTH.

2 I DO REGRET TO INFORM THE COMMISSION AND THE
3 PUBLIC THAT MR. GENE BOAZ, THE GENTLEMAN THAT HAD BEEN
4 DOING OUR AUDIT FOR A NUMBER OF YEARS, PASSED AWAY IN
5 JUNE. CERTAINLY THE COMMISSION DID RECOGNIZE THE
6 PASSING. WE SENT OUR REGRETS TO THE FAMILY OF MR.
7 BOAZ.

8 WE DID SEND OUT A REQUEST FOR PROPOSALS FOR
9 NEW AUDITORS. THE WINNER OF THAT BID WAS MYRIAD CPA
10 GROUP. THEY WILL BE CONDUCTING THE AUDIT. THEY'VE
11 ALREADY STARTED.

12 AS I SAY, I HOPE TO HAVE A REPORT FOR YOU IN
13 SEPTEMBER. NO LATER THAN OCTOBER.

14 WITH THAT IT'S READY FOR YOUR CONSIDERATION.

15 CHAIRMAN: ANY COMMISSIONERS HAVE ANY COMMENTS
16 OR QUESTIONS ON THE FINANCIAL STATEMENT?

17 (NO RESPONSE)

18 CHAIRMAN: I WOULD LIKE TO STATE IT'S JUST
19 VERY AMAZING TO ME WHAT IT COST TO DOING BUSINESS
20 THESE DAYS, AND THAT MR. NOFFSINGER AND HIS STAFF AND
21 THE CODES DEPARTMENT HAS BEEN ABLE TO STAY UNDER
22 BUDGET. THE COST OF DOING BUSINESS HAS BEEN RAISING
23 THE LAST YEAR. I'VE NOTICED IT QUITE A BIT.

24 MR. NOFFSINGER, YOU AND YOUR STAFF AND THE
25 CODES DEPARTMENT IS DOING AN EXCELLENT JOB OF KEEPING

1 THE COST DOWN. VERY, VERY EFFICIENT. WE THANK YOU
2 FOR THAT.

3 MR. NOFFSINGER: THANK YOU.

4 CHAIRMAN: ANY OTHER COMMENTS OR QUESTIONS?

5 (NO RESPONSE)

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

8 MR. APPLEBY: MOVE TO APPROVE.

9 CHAIRMAN: MOTION FOR APPROVAL BY MR. APPLEBY.

10 MR. BOSWELL: SECOND.

11 CHAIRMAN: SECOND BY MR. BOSWELL. ALL IN
12 FAVOR OF THE MOTION RAISE YOUR RIGHT HAND.

13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14 CHAIRMAN: MOTION CARRIES UNANIMOUS.

15 WE NEED ONE MORE MOTION.

16 MR. APPLEBY: MOVE TO ADJOURN.

17 CHAIRMAN: MOTION TO ADJOURN BY MR. APPLEBY.

18 MR. REEVES: SECOND.

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

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: MOTION CARRIES.

23 WE ARE ADJOURNED.

24 -----

25

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

3 I, LYNNETTE KOLLER FUCHS, NOTARY PUBLIC IN AND
4 FOR THE STATE OF KENTUCKY AT LARGE, DO HEREBY CERTIFY
5 THAT THE FOREGOING OWENSBORO METROPOLITAN PLANNING
6 COMMISSION MEETING WAS HELD AT THE TIME AND PLACE AS
7 STATED IN THE CAPTION TO THE FOREGOING PROCEEDINGS;
8 THAT EACH PERSON COMMENTING ON ISSUES UNDER DISCUSSION
9 WERE DULY SWORN BEFORE TESTIFYING; THAT THE BOARD
10 MEMBERS PRESENT WERE AS STATED IN THE CAPTION; THAT
11 SAID PROCEEDINGS WERE TAKEN BY ME IN STENOGRAPHY AND
12 ELECTRONICALLY RECORDED AND WAS THEREAFTER, BY ME,
13 ACCURATELY AND CORRECTLY TRANSCRIBED INTO THE
14 FOREGOING 19 TYPEWRITTEN PAGES; AND THAT NO SIGNATURE
15 WAS REQUESTED TO THE FOREGOING TRANSCRIPT.

16 WITNESS MY HAND AND NOTARY SEAL ON THIS THE
17 12TH DAY OF AUGUST, 2013.

18

19

LYNNETTE KOLLER FUCHS
NOTARY ID 433397
OHIO VALLEY REPORTING SERVICES
2200 E. PARRISH AVE, SUITE 106E
OWENSBORO, KENTUCKY 42303

22

23 COMMISSION EXPIRES: DECEMBER 16, 2014

24 COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

25