

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 MARCH 12, 2015

3 The Owensboro Metropolitan Planning Commission
4 met in regular session at 5:30 p.m. on Thursday, March
5 12, 2015, at City Hall, Commission Chambers,
6 Owensboro, Kentucky, and the proceedings were as
7 follows:

8 MEMBERS PRESENT: Fred Reeves, Chairman
9 Larry Boswell, Vice Chairman
10 Steve Frey, Secretary
11 Brian Howard, Director
12 Terra Knight, Attorney
13 Ward Pedley
14 John Kazlauskas
15 Lewis Jean
16 Beverly McEnroe
17 Larry Moore
18 Manuel Ball

19 * * * * *

20 CHAIRMAN: Call the March meeting of the
21 Owensboro Metropolitan Planning Commission to order.

22 Welcome everybody here and our TV audience.
23 Welcome to have you with us tonight. We always start
24 our meeting with a prayer and pledge of the flag. We
25 have a new board member tonight and the person who he
is succeeding has volunteered to do the prayer and the
pledge. Our new board member, Manuel Ball --

MR. BALL: I'm actually going to give that to
Mr. Brian Howard for this meeting.

CHAIRMAN: Somebody is going to pray.

1 Everybody stand for the prayer and the pledge.

2 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

3 CHAIRMAN: Thank you, Mr. Howard.

4 I do want to welcome Manuel. Manuel comes to
5 us appointed from the county. Manual was a former
6 employee here and was a wonderful employee and he'll
7 make a wonderful board member.

8 Manuel, we're excited to have you here.

9 MR. BALL: Thank you.

10 CHAIRMAN: Thank you for agreeing to serve
11 because you know about how much fun it is to serve.

12 I want to remind everybody, and our board
13 members also, please speak into the mike. If you come
14 to the podium, please speak into the mike so that our
15 reporter can hear you and our enormous TV audience can
16 hear you also.

17 We had a board member resign, a long time
18 board member, David Appleby. David in addition to
19 being a board member also served as
20 secretary/treasurer to the Planning Commission. So
21 that office is vacant. We need to fill that office
22 tonight.

23 At this time the floor is open for nominations
24 for secretary/treasurer.

25 MR. MOORE: Mr. Chairman, I'd like to nominate

1 John Kazlauskas for that position, please.

2 CHAIRMAN: Nomination by Mr. Moore. Do we
3 have a second?

4 MS. McENROE: Second.

5 CHAIRMAN: Second by Ms. McEnroe.

6 Mr. Kazlauskas, are you willing to accept the
7 nomination?

8 MR. KAZLAUSKAS: Yes.

9 CHAIRMAN: Are there any other nominations?

10 MR. BOSWELL: Yes. I'd like to nominate Steve
11 Frey for the secretary/treasurer position.

12 CHAIRMAN: Is there a second to that?

13 MR. PEDLEY: I second that.

14 CHAIRMAN: Mr. Frey, are you willing to accept
15 the nomination?

16 MR. FREY: As long as there's not a political
17 battle.

18 CHAIRMAN: Are there other nominations?

19 (NO RESPONSE)

20 MR. KAZLAUSKAS: Mr. Chairman, if Mr. Frey
21 wants to tackle that assignment, I'd be more than
22 willing to let him do that. So I'll withdraw my name
23 from consideration.

24 CHAIRMAN: Thank you, Mr. Kazlauskas.

25 Mr. Frey, we know there are no other

1 nominations on the floor.

2 Thank you very much, Mr. Kazlauskas.

3 Any other nominations.

4 (NO RESPONSE)

5 CHAIRMAN: We'll vote. All in favor of Mr.
6 Frey as secretary/treasurer please raise your right
7 hand.

8 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

9 CHAIRMAN: Mr. Frey, you will now be called on
10 quite often to sign checks. More often than you
11 realize.

12 The next item is to consider the minutes of
13 the February 12, 2015 meeting. All of you received a
14 copy of those minutes in the mail. Are there any
15 corrections or additions to those minutes?

16 (NO RESPONSE)

17 CHAIRMAN: If not the chair will entertain a
18 motion to approve the minutes.

19 MR. PEDLEY: Motion to approve.

20 CHAIRMAN: Motion by Mr. Pedley.

21 MR. FREY: Second.

22 CHAIRMAN: Second by Mr. Frey. Questions or
23 comments?

24 (NO RESPONSE)

25 CHAIRMAN: All in favor please raise your

1 right hand.

2 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

3 CHAIRMAN: Unanimous approval.

4 Item Number 4 needs an explanation given
5 before we act on anything this evening. So I'm going
6 to turn this over to Mr. Howard.

7 Mr. Howard, would you give us a briefing on
8 behalf of that issue, please.

9 MR. HOWARD: Sure. Be glad to. That under
10 Zoning Changes.

11 First I'll say any zoning changes heard
12 tonight will become final 21 days after the meeting
13 unless an appeal is filed. If an appeal is filed, we
14 will forward that recommendation to the appropriate
15 legislative body for them to take final action. The
16 appeal forms are on the back table, on our website and
17 in our office. That will be for any zoning change
18 heard.

19 -----

20 GENERAL BUSINESS

21 ZONING CHANGES

22 ITEM 4

23 516 Ewing Court, 0.14 acre
24 Consider zoning change: From R-4DT Inner City
25 Residential to B-4 General Business
Applicant: Lifetime Companion, LLC; Haley McGinnis
Funeral Home

1 MR. HOWARD: For Item 4, that's 516 Ewing
2 Court, it's a zoning request. We have received a
3 request by the applicant's attorney to postpone that
4 item until the meeting next month. There's an issue
5 that's being resolved potentially with that, that
6 needs to be resolved in some capacity before this
7 board could consider taking action on it.

8 With that we would ask that you all postpone
9 this item until the meeting in April.

10 CHAIRMAN: We would need a motion to postpone
11 that.

12 MR. PEDLEY: Motion to postpone.

13 MR. BOSWELL: Second.

14 CHAIRMAN: Motion by Mr. Pedley. Second by
15 Mr. Boswell. Any questions from anybody in the
16 audience?

17 (NO RESPONSE)

18 CHAIRMAN: All in favor raise your right
19 hand.

20 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

21 CHAIRMAN: Unanimously passes.

22 ITEM 5

23 Portion of 6110 Highway 81, 0.08 acres
24 Consider zoning change: From A-R Rural Agriculture to
25 R-1A Single-Family Residential
Applicant: Martin & Carrie Krampe; James & Patricia
Krampe

1 MS. KNIGHT: State your name for the record.

2 MR. HILL: Mike Hill.

3 (MIKE HILL SWORN BY ATTORNEY.)

4 PLANNING STAFF RECOMMENDATIONS

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

7 CONDITION:

8 1. Approval of the minor subdivision plat
9 consolidating the 0.312 acre portion with 6100 Highway
10 81.

11 FINDINGS OF FACT:

12 1. Staff recommends approval because the
13 proposal is in compliance with the community's adopted
14 Comprehensive Plan;

15 2. The subject property is located in a Rural
16 Preference Plan Area where Rural Small-lot Residential
17 uses are appropriate in very limited locations;

18 3. The proposal only adds 0.08 acre of new
19 R-1A zoning to an existing lot that contains one
20 residential dwelling and fronts on a public road;

21 4. The proposal adds area to an existing
22 parcel that is already large enough to assure
23 satisfactory operation of a conventional septic tank
24 system;

25 5. The proposal is a logical expansion of

1 adjacent R-1A zoning to the east;

2 6. At 0.08 acre, the proposal is not a
3 significant increase in R-1A zoning in the vicinity
4 and should not overburden the capacity of roadways and
5 other necessary urban services that are available in
6 the affected area; and,

7 7. The proposal does not create any new
8 parcels; therefore there will not be any potential new
9 property owners who need to be advised of potential
10 coal mining activities in the rural area.

11 MR. HILL: Staff would request that the Staff
12 Report be entered into the record as Exhibit A.

13 CHAIRMAN: Anyone here representing the
14 applicant?

15 MR. KRAMPE: Yes.

16 CHAIRMAN: Would you step to the podium,
17 please.

18 MS. KNIGHT: Please state your name for the
19 record.

20 MR. KRAMPE: Mark Krampe.

21 (MARK KRAMPE SWORN BY ATTORNEY.)

22 CHAIRMAN: Mr. Krampe, you don't have to make
23 any comments, but I just wanted to get you on the
24 record in case there were. Would you like to make any
25 comments about your application?

1 MR. KRAMPE: No, sir.

2 CHAIRMAN: Is there anyone in the audience who
3 has a question about the application?

4 (NO RESPONSE)

5 CHAIRMAN: Any commissioners have any
6 questions about the application?

7 Mr. Kazlauskas.

8 MR. KAZLAUSKAS: It would be nice to know why
9 such a small parcel of land is asking to be rezoned.

10 MR. HOWARD: I will glad to answer that.

11 If you look on the property identification
12 map, they're proposing to do a consolidation. There's
13 a metal building on the back of the property that
14 they're intending to consolidate with his existing
15 residential property, I believe. Unfortunately, there
16 is a zoning through there, a split zoning situation.
17 Based on the subdivision regulations and the
18 requirements for that, we can't create a new lot with
19 split zoning on it. So the 0.08 acre bit, it's very
20 small, is a small portion of that rear bit that's
21 zoned unlike the rest of it. It needs to be rezoned
22 in order for that consolidation to take place.

23 MR. KAZLAUSKAS: Okay.

24 CHAIRMAN: Is that satisfactory, Mr.
25 Kazlauskas?

1 MR. KAZLAUSKAS: Yes.

2 CHAIRMAN: Any other commissioners have any
3 questions?

4 (NO RESPONSE)

5 CHAIRMAN: If not the chair will entertain a
6 motion.

7 MR. PEDLEY: Mr. Chairman, I make a motion for
8 approval based on Planning Staff Recommendation with
9 Condition 1 and Findings of Fact 1 through 7.

10 MS. McENROE: Second.

11 CHAIRMAN: We have a motion by Mr. Pedley and
12 a second by Ms. McEnroe.

13 Any questions or concerns by the
14 commissioners?

15 (NO RESPONSE)

16 CHAIRMAN: All in favor raise your right hand.

17 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

18 CHAIRMAN: That is approved.

19 Thank you, Mr. Krampe, for coming this
20 evening. We appreciate it very, very much.

21 MAJOR SUBDIVISION PRELIMINARY PLATS

22 ITEM 6

23 Heartland Crossing, 66.708 acres
24 Consider approval of amended major subdivision
25 preliminary plat.
Applicant: Heartland Crossing, LLC

1 MR. HOWARD: Mr. Chairman and Commissioners,
2 this plat has been reviewed by the Planning Staff and
3 Engineering Staff. It's found to be in order. It
4 complies with the requirement of the subdivision
5 regulations and the Comprehensive Plan. The basic
6 change on this from the original was that there was an
7 extension of road right-of-way that's been eliminated
8 based on the demand of lots and potential buildable
9 area in that kind of northeast portion of the
10 property. So it's ready for your consideration and we
11 would recommend that you consider it for approval.

12 CHAIRMAN: Any questions by any of the
13 commissioners?

14 (NO RESPONSE)

15 CHAIRMAN: Questions by anyone in the
16 audience?

17 (NO RESPONSE)

18 CHAIRMAN: Chair will entertain a motion.

19 MR. BOSWELL: Motion for approval.

20 CHAIRMAN: Motion for approval by Mr. Boswell.

21 MR. JEAN: Second.

22 CHAIRMAN: Second by Mr. Lewis Jean. Any
23 other questions?

24 (NO RESPONSE)

25 CHAIRMAN: All in favor raise your right hand.

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 CHAIRMAN: Motion passes unanimously.

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4 NEW BUSINESS

5 ITEM 7

6 Consider approval of February 2015 financial
7 statements

8 CHAIRMAN: All of you received a copy of the
9 February financial statement in the mail and has had a
10 chance to review it. Are there any questions or
11 concerns about the financial statement?

12 (NO RESPONSE)

13 CHAIRMAN: If not I will entertain a motion
14 for approval.

15 MR. MOORE: Move to approve.

16 CHAIRMAN: Motion by Mr. Moore.

17 MR. KAZLAUSKAS: Second.

18 CHAIRMAN: Second by Mr. Kazlauskas. Any
19 questions from the commissioners or the audience?

20 (NO RESPONSE)

21 CHAIRMAN: All in favor raise your right
22 hand.

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: Passes unanimously.

25 ITEM 8

1 Comments by the Chairman

2 CHAIRMAN: My comments this evening will only
3 be to welcome Mr. Ball on board. You'll make a great
4 addition to the group. I think you'll enjoy it and we
5 look forward to working with you.

6 MR. BALL: Thank you.

7 CHAIRMAN: Mr. Frey, congratulations on your
8 successfully election. We will be sending checks your
9 way.

10 ITEM 9

11 Comments by the Planning Commissioners

12 CHAIRMAN: Any planning commissioners have any
13 comments?

14 (NO RESPONSE)

15 ITEM 10

16 Comments by the Director

17 CHAIRMAN: Mr. Howard.

18 MR. HOWARD: I don't have any tonight.

19 CHAIRMAN: I think we're ready to entertain
20 one final motion.

21 MR. MOORE: Move to adjourn.

22 CHAIRMAN: Motion by Mr. Moore.

23 MS. MCENROE: Second.

24 CHAIRMAN: Second by Ms. McEnroe. All in
25 favor raise your right hand.

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 CHAIRMAN: We are adjourned.

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

16 WITNESS my hand and notary seal on this the
17 1st day of April, 2015.

18

19

20

21

22

LYNNETTE KOLLER FUCHS
NOTARY ID 524564
OHIO VALLEY REPORTING SERVICES
2200 E. PARRISH AVE, SUITE 106E
OWENSBORO, KENTUCKY 42303

23

COMMISSION EXPIRES: DECEMBER 16, 2018

24

COUNTY OF RESIDENCE: DAVIESS COUNTY, KENTUCKY

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