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OWENSBORO METROPOLITAN BOARD OF ADJUSTMENT

JULY 7, 2016

The Owensboro Metropolitan Board of Adjustment met in regular session at 5:30 p.m. on Thursday, July 7, 2016, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

- MEMBERS PRESENT: Judy Dixon, Chairman
- Robynn Clark, Vice Chairman
- Ruth Ann Mason, Secretary
- Brian Howard, Director
- Terra Knight, Attorney
- Jerry Yeiser
- Bill Glenn
- Fred Reeves
- Lewis Jean

* * * * *

CHAIRMAN: We will call the July 7, 2016 Owensboro Metropolitan Board of Adjustment to order. We will begin with the prayer and pledge to the flag.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: The first item on the agenda is to consider the minutes of the June 2, 2016 meeting. You should all have a copy of the minutes and have had time to peruse them. I will entertain a motion.

MS. MASON: I move for approval.

MR. GLENN: Second.

CHAIRMAN: Move for approval by Ms. Mason. Second by Mr. Glenn. Any questions on the motion?

(NO RESPONSE)

1 CHAIRMAN: All in favor of the motion raise
2 your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: Motion carries unanimously.

5 -----

6 CONDITIONAL USE PERMITS

7 ITEM 2

8 3138 Fairview Drive, zoned R-3MF
9 Consider a request for a Conditional Use Permit in
10 order to construct and operate an assisted living
11 facility.
12 Reference: Zoning Ordinance, Article 8, Section 8.2C1
13 Applicant: FMU, LLC

14 MS. KNIGHT: Please state your name for the
15 record.

16 MR. HILL: Mike Hill.

17 (MIKE HILL SWORN BY ATTORNEY.)

18 ZONING HISTORY

19 The subject property is a portion of a 24-acre
20 parcel that was rezoned to R-3MF Multi-Family
21 Residential in 2009 and was originally intended to be
22 developed as multi-family residential, but that
23 development never occurred. The applicant proposes to
24 construct a 4-story, 33,513 square foot, 120-bed
25 assisted living facility on one parcel in a proposed
preliminary subdivision that will be reviewed by the
Planning Commission under a separate application. The

1 concept plan provided by the applicant shows 70
2 parking spaces, which is 15 more than the minimum for
3 an assisted living facility. The zoning ordinance
4 also requires, and the concept plan shows, which are
5 on the screens in front of you, also shows the
6 required landscaping around the parking lot, proposed
7 parking area where it's adjacent to residential
8 zoning.

9 The applicant will be required to submit a
10 site plan, if the Conditional Use Permit is approved.
11 That will demonstrate compliance with various zoning
12 ordinance requirements related to parking,
13 landscaping, signage, building setbacks, etcetera,
14 before any permits can be issued.

15 LAND USE IN SURROUNDING AREA

16 The northern part of this parcel is going to
17 be the subject of a proposed apartment complex, which
18 is under a separate application not under
19 consideration or part of the application that you're
20 considering tonight.

21 Adjacent parcels to the east you have a
22 recently constructed Chandler Park Apartment which are
23 also zoned R-3MF. To the west you have P-1 zone
24 property. To the south is the Greenbelt, and beyond
25 that is residential single-family subdivision.

1 ZONING ORDINANCE REQUIREMENTS

2 1. Parking - Assisted Living Facilities - 1
3 space for every 4 beds plus 1 space for each employee
4 on maximum shift.

5 2. Landscaping - Where the vehicle use area
6 adjoins neighboring residential property a 3'
7 landscape easement with a 3' tall continuous element
8 and 1 tree per 40 linear feet will be required.

9 SPECIAL CONDITIONS

10 1. Approval of a Site Plan.

11 2. Obtain all necessary building, electrical
12 and HVAC permits, inspections and certificates of
13 occupancy and compliance as required.

14 MR. HILL: Staff request that the Staff Report
15 be entered into the record as Exhibit A.

16 CHAIRMAN: Do we have someone here speaking on
17 behalf of the applicant?

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

20 MR. HAYDEN: Matt Hayden.

21 (MATT HAYDEN SWORN BY ATTORNEY.)

22 MR. HAYDEN: If there's any questions, I'm
23 here representing the landowner. We're actually
24 selling it to this group, if this is approved.

25 CHAIRMAN: Thank you.

1 Mr. Howard, have we had any questions from the
2 public?

3 MR. HOWARD: No, ma'am.

4 CHAIRMAN: Anyone in the audience that has a
5 question of Mr. Hayden or Mr. Hill or Staff?

6 MR. SYRA: I do.

7 CHAIRMAN: Would you step the microphone,
8 please.

9 MS. KNIGHT: Would you please state your name
10 for the record?

11 MR. SYRA: My name is Stan Syra.

12 (STAN SYRA SWORN BY ATTORNEY.)

13 MR. SYRA: The only concern I have is I live
14 at 2849 Silver Creek Loop right across from the
15 Greenbelt. When Chandler Apartments came in they
16 raised everything, all trees and everything clear to
17 the creek that runs behind our house. I was just
18 wanting to see if, you know, in consideration they
19 would leave some of the large trees that are in
20 existence at this point in time, which Gateway did
21 when they came and cleared that. Just to kind of
22 create a buffer between the residential area and the
23 new commercial development.

24 CHAIRMAN: We'll see if we can get that
25 answered.

1 Mr. Hayden, you want to come back up and
2 address his concern or question?

3 MR. HAYDEN: We do plan to meet all buffering
4 requirements per the plan as it will be approved. I
5 think buffering will be required on that side.

6 CHAIRMAN: Mr. Hill.

7 MR. HILL: The subject property is zoned R-3MF
8 residential. The property to the south, which is the
9 Greenbelt, and then the single-family residential
10 property is also zoned single-family residential. So
11 there's no perimeter buffer required between the two
12 properties. The only landscaping required would be
13 around the parking lot where it's adjacent to the
14 residential property, but as far as the entire
15 property perimeter with The Brooks and the Greenbelt,
16 there would not be a buffered required.

17 CHAIRMAN: Do you have anything else you want
18 to add to that? That doesn't seem to be exactly what
19 you asked, is it?

20 MR. SYRA: Not exactly.

21 CHAIRMAN: You want to step back up, please.

22 MR. SYRA: I understand the requirements
23 according to the zoning. You know, as a residents we
24 like to have that aesthetic beauty in our
25 neighborhood. You know, a four-story building right

1 behind us is not that aesthetic, you know. That is my
2 concern, you know. I know that our neighbor at the
3 end of the street moved out of his house when the
4 Chandler Apartments came in. When you have a
5 four-story building and everybody is staring down into
6 your backyard, you know, that you come home and want
7 to enjoy the privacy of your own backyard. That's my
8 only concern. I didn't think it would be that
9 difficult to leave some of the larger trees that are
10 there at the creek at this point in time in the
11 easement, I'm sure. That's my only concern.

12 CHAIRMAN: Thank you.

13 Mr. Hayden, do you have anything to add?

14 MR. HAYDEN: I would be happy to look at it on
15 site. I know a lot of the trees that remain in that
16 area are in bad shape due to the erosion of the ditch
17 that is in that area. So I'll just be open to try to
18 look into that concern as we develop the site plan,
19 but as far as what could be kept and what could safely
20 be kept, obviously that will have to be determined as
21 the site plan evolves.

22 CHAIRMAN: Any commission members have
23 questions or comments on this particular item?

24 MR. REEVES: Question for Mr. Hayden, please,
25 if I could.

1 This assisted living facility, I assume it's
2 similar to the one in Heritage Park? Is that what you
3 envision?

4 MR. HAYDEN: Yes.

5 MR. REEVES: Okay.

6 CHAIRMAN: Did you have anything else you were
7 going to ask him?

8 MR. REEVES: No. That was it.

9 CHAIRMAN: Thank you. Anyone else?

10 (NO RESPONSE)

11 CHAIRMAN: Anybody else have anything else
12 they want to say on this matter?

13 (NO RESPONSE)

14 CHAIRMAN: I'll entertain a motion.

15 MR. REEVES: Madam Chairman, I move to approve
16 the application based on the fact that this
17 development would not alter the essential character of
18 this neighborhood as there's similar kinds of
19 developments in other parts of the city; also that the
20 two conditions listed by the Staff be met.

21 CHAIRMAN: We have a motion by Mr. Reeves. Do
22 I have a second?

23 MR. JEAN: Second.

24 CHAIRMAN: Second by Mr. Jean. Any questions
25 on the motion?

1 (NO RESPONSE)

2 CHAIRMAN: All in favor of the motion raise
3 your right hand?

4 (NO RESPONSE)

5 CHAIRMAN: Motion carries unanimously.

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7 VARIANCE

8 ITEM 3

9 3801-3953 (Odd) Brookfield Drive, 4061 Little Bluestem
10 Drive, 4077-4127 (Odd) Red Clover Drive, zoned R-1A
11 Consider request for a Variance in order to eliminate
12 the required 6 foot tall solid wall or fence along the
13 northern boundary of Brookfield Subdivision.
14 Reference: Zoning Ordinance, Article 17,
15 Section 17.311
16 Applicant: Deer Valley Subdivision, LLC

17 MR. HILL: Recently a preliminary subdivision
18 plan for Brookfield Subdivision has been approved with
19 131 lots contained within it. The applicant, as a
20 part of that plan, is required to provide 6-foot tall
21 solid wall or fence and one tree every 40 feet along
22 the northern boundary of the development where it's
23 adjacent to I-1 zoning. The screening is required in
24 this case to screen the industrial use from the
25 residential. The applicant is requesting the 6-foot
tall solid wall or fence be eliminated; however they
are proposing to abide by the requirement of one tree
every 40 liner feet of the boundary.

1 The applicant argues that because of the large
2 utility easements along the northern property line
3 where no construction can take place on the adjoining
4 industrial properties, the solid fence is not
5 necessary. By not installing the fence, the developer
6 will be providing more open space for the residents of
7 the planned subdivision.

8 In looking at the exhibit on the screen, the
9 applicant has highlighted in various colors the
10 different easements that run along the northern
11 property line. The pink easement is 100-foot overhead
12 electric easement. The yellow is an 80-foot Kentucky
13 Utility overhead easement. The green is a 50-foot
14 pipeline easement. The orange is a 115-foot OMU
15 easement. Some of these easements overlap, as you can
16 see. Their width on the western edge varies from 260
17 feet and it goes on up as you move eastward, to give
18 you an idea of what the easements are adjacent to
19 their site that the applicant is referring to.

20 Staff does not feel that there is a hardship
21 in this case. The installation of the fence required
22 by the ordinance, the fence could be installed if the
23 variance was denied. So we don't feel that there's a
24 hardship, as far as that component of the request.

25 Staff feels that the applicant did not take

1 willful actions in violation of the zoning
2 regulations.

3 Granting of this Variance Staff believes will
4 not adversely affect the public health, safety or
5 welfare because the existing easements will provide a
6 natural buffer between the industrial and residential
7 uses.

8 Granting the Variance will not alter the
9 essential character of the general vicinity because
10 the subject property is located in an area that
11 includes a variety of land uses such as residential,
12 agricultural, industrial and professional.

13 Granting the Variance will not cause a hazard
14 or a nuisance to the public because required trees
15 will still be installed.

16 Granting the Variance will not allow an
17 unreasonable circumvention of the requirements of the
18 zoning regulations because although there will be no
19 fence, some screening will be provided by the
20 installation of the required trees and the distance
21 created by the easements.

22 Staff recommends approval and Staff request
23 that the Staff Report be entered into the record as
24 Exhibit B.

25 CHAIRMAN: Is there anyone here wishing to

1 speak on behalf of the applicant?

2 MR. KAMUF: Yes. Charlie Kamuf.

3 MR. KNIGHT: Mr. Kamuf, you're sworn as an
4 attorney.

5 MR. KAMUF: I'm here to answer any questions
6 that you have. We have Bill Jagoe here. He owns Deer
7 Valley Subdivision. We are here to answer any
8 questions. We have exhibits if you want to see them,
9 but we're here to answer any questions.

10 CHAIRMAN: Let's hold off and see if we have
11 any questions before you pull it all out.

12 Do we have any questions from anyone in the
13 audience?

14 (NO RESPONSE)

15 CHAIRMAN: Have there been any questions in
16 the office?

17 MR. HOWARD: No.

18 CHAIRMAN: Do any commission members have any
19 questions of the applicant?

20 (NO RESPONSE)

21 CHAIRMAN: Looks like we're good to go for a
22 motion.

23 MS. MASON: Ms. Chairman, I move for approval
24 based on the findings that Mr. Hill mentioned earlier,
25 1 through 4. It will not adversely affect the public

1 health, safety or welfare because the existing
2 easement will provide a natural buffer between the
3 industrial and residential uses; it will not alter the
4 essential character of the general vicinity because
5 the subject property is located in an area that
6 includes a variety of land uses such as residential,
7 agricultural, industrial and professional; it will not
8 cause a hazard or nuisance to the public because the
9 required trees will be installed; and it will not
10 allow an unreasonable circumvention of the
11 requirements of the zoning regulations because
12 although there will be no fence, some screening will
13 be provided by the installation of the required trees
14 and the distance created by the easements.

15 CHAIRMAN: We have a motion by Ms. Mason. Is
16 there a second on the motion?

17 MR. GLENN: Second.

18 CHAIRMAN: Second by Mr. Glenn. Any questions
19 on the motion?

20 (NO RESPONSE)

21 CHAIRMAN: If not all those in favor of the
22 motion raise your right hand.

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: Motion carries unanimously.

25 ITEM 4

1 101 Frederica Street, zoned B-2, Riverfront Crossing
Overlay District
2 Consider request for Variances in order to eliminate
the required 10 foot building setback along Veterans
3 Boulevard, to reduce the required setback at the
corner of Veterans Boulevard and the Paseo from 30
4 feet to 15 feet, to eliminate the required setback for
the 4th floor along the Paseo frontage and to increase
5 the maximum encroachment over the Paseo from 3 feet to
6 feet.
6 Reference: Zoning Ordinance, Article 21, Sections
21.84(a)(ii), 21.84(b)(ii)#4, 21.84(f)(i)#11
7 Applicant: Riverfront Jam, LLC; Robert Glycer

8 MR. HILL: The subject property is located
9 within the Riverfront Crossing Overlay District.
10 Article 21 of the Zoning Ordinance establishes minimum
11 setback and build to zones for buildings in the
12 Downtown Overlay District. The purpose of this
13 requirement is to insure infill development would be
14 in character with the existing building and allow for
15 walkability within the downtown area.

16 In this case, the applicant is proposing the
17 construction of a new building known as The Enclave at
18 Riverfront, that will include a restaurant and
19 residential uses. The design of the building requires
20 approval of the four dimensional variances listed
21 above. Variances within the Downtown Overlay
22 Districts are required to receive a recommendation
23 from the Historic Preservation Board before the Board
24 of Adjustment can act on them.

25 The Historic Preservation Board met on June 1,

1 2016 and made favorable recommendations to approve the
2 dimensional variances finding that the building meets
3 the overall goals and intent of the Downtown Master
4 Plan as it promotes downtown development and
5 encourages mixed-use commercial and residential
6 property.

7 Your packet on the screen includes a layout, I
8 think it's just the first floor layout, but it shows,
9 for those that are curious, three restaurant spaces.
10 The upper floors, 2 through 4, and the proposed
11 building is proposed to be 6 condominium units.

12 As far as the hardship with this case, the
13 Staff does not feel there's a hardship related to the
14 request.

15 If the application is denied, the applicant
16 could design another structure that complies with the
17 Zoning Ordinance requirements.

18 The Staff also does not feel that the
19 applicant took any willful actions to violate Zoning
20 Ordinance regulations.

21 The Staff believes that granting these
22 Variances will not adversely affect the public health,
23 safety or welfare because the building as designed
24 will provide much needed residential and restaurant
25 space available in the downtown area.

1 Granting the Variances will not alter the
2 essential character of the general vicinity because
3 the proposed building fits within the adjoining design
4 context by making appropriate transitions to existing
5 structures, many of which also maintain a zero lot
6 line development pattern.

7 Granting the Variances will not cause a hazard
8 or a nuisance to the public as there will be more than
9 adequate sidewalk room for pedestrians to maneuver
10 around the building even with the reduced setbacks.

11 Granting these Variances will not allow an
12 unreasonable circumvention of the requirements of the
13 zoning regulations because the design complies with
14 the goals and the intent of the Downtown Master Plan
15 and similar variance requests have been approved in
16 the downtown area in the past.

17 Staff recommends approval of the four
18 variances and we request that the Staff Report be
19 entered into the record as Exhibit C.

20 CHAIRMAN: Is there anyone here wishing to
21 speak on behalf of the applicant?

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

23 MR. WELLS: David Wells.

24 MS. KNIGHT: Mr. Wells, are you an attorney?

25 MR. WELLS: No. I'm an architect.

1 (DAVID WELLS SWORN BY ATTORNEY.)

2 MR. WELLS: Like Mr. Kamuf before me, I'm here
3 to answer any questions the commissioners may have on
4 this matter.

5 I do have copies of the information that was
6 provided to the Historic Preservation Commission which
7 has a much better picture of the building, if you're
8 interested. With that I'll answer any questions.

9 CHAIRMAN: Thank you.

10 Is there anyone in the audience that has
11 questions?

12 (NO RESPONSE)

13 CHAIRMAN: Any commission members have
14 questions?

15 MR. REEVES: Just a comment.

16 In my position when this particular plan was
17 written, as far as downtown, as far as what the
18 requirements were going to be, while they are asking
19 for Variances, this is very consistent with the
20 outcome we were hoping for. I would say that it is
21 not anything that we wouldn't be pleased to have
22 happen to downtown.

23 CHAIRMAN: I agree with you.

24 All right. I think we're ready for our
25 motion.

1 MR. REEVES: I move to approve this Variance,
2 the four Variances that have been applied for based on
3 the findings read into the record by Mr. Hill.

4 CHAIRMAN: Do we have a second for the motion?

5 MS. MASON: Second.

6 CHAIRMAN: Motion by Mr. Reeves and second by
7 Ms. Mason. Any questions on the motion?

8 (NO RESPONSE)

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

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 CHAIRMAN: Motion carries unanimously.

13 MR. WELLS: Thank you very much.

14 ITEM 5

15 1564 River Road, zoned I-2
16 Consider request for a Variance in order to eliminate
17 the required screening along the south and west
18 property lines and to remove the stacking height
19 restriction approved on a previous Conditional Use
20 Permit.

21 Reference: Zoning Ordinance, Article 17,
22 Section 17.311

23 Applicant: Dixieland Properties, LLC

24 MR. HILL: The applicant in this case has
25 recently acquired this 7.445 acre parcel and proposes
to expand their existing recycling business which is
located at 1600 River Road just south of the subject
property.

In 2009, a variance was approved for this

1 property to eliminate all screening requirements with
2 a condition that no material may be stacked above 8
3 feet tall. The applicant is now requesting the
4 condition limiting the stacking to 8 feet high be
5 eliminated with this new variance request.

6 The applicant has submitted letters from the
7 Owensboro Riverport Authority and Helena Chemical, the
8 adjoining property owners, voicing their approval of
9 the request.

10 Staff does not feel there is a hardship in
11 this case. The installation of the screening as
12 required by ordinance would not create an unnecessary
13 hardship on the applicant nor would abiding by the
14 required stacking height.

15 Staff feels that the applicant did not take
16 willful actions in violating the Zoning Ordinance.

17 Staff feels that the granting of this Variance
18 will not adversely affect the public health, safety or
19 welfare because this is an existing ongoing use
20 separated from neighboring properties by topography
21 and existing screening.

22 It will not alter the essential character of
23 the general vicinity because this is an expansion of
24 an existing use in an industrial area.

25 The Variance will not cause a hazard or a

1 nuisance to the public because this is an existing
2 industrial use and an industrial area where the
3 adjoining property owners are supportive of the
4 request.

5 Granting the Variance will not allow an
6 unreasonable circumvention of the requirements of the
7 zoning regulations because of the tree and fence
8 waiver in the past and the similar land uses in the
9 area.

10 Staff recommends approval of the request and
11 request that the Staff Report be entered into the
12 record as Exhibit D.

13 CHAIRMAN: Thank you, Mr. Hill.

14 Is there anyone here wishing to speak on
15 behalf of the applicant?

16 MR. KIRKLAND: Yes.

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

19 MR. KIRKLAND: I'm John Drew Kirkland.

20 (DREW KIRKLAND SWORN BY ATTORNEY.)

21 MR. KIRKLAND: I'm John Drew Kirkland. I'm
22 president of Dahl & Groezinger and also part of
23 Dixieland Properties or helping them do their
24 application.

25 I want to thank the Board or the Commission.

1 I want to thank Brian Howard. We were on a very, very
2 tight time frame to get this done and Brian and his
3 office was very good in working with us in getting
4 this application prepared and ready for you all.
5 That's my only comments.

6 I want to thank Mr. Howard for doing that. I
7 think the Commission should be well aware of how much
8 they do help, and in this case was very helpful on a
9 very, very tight time frame.

10 If anybody has any questions, I'm willing to
11 answer those questions, but I wanted to make that
12 statement.

13 CHAIRMAN: I don't think there's anyone in the
14 audience left to ask a question, but does anyone on
15 the Board have a question?

16 MS. CLARK: I have a question.

17 On the property, do you guys have certain
18 stacking requirements that you abide by there; that
19 you won't stack any material higher than any certain
20 feet?

21 MR. KIRKLAND: On the other property we have
22 or on this property?

23 MS. CLARK: On this property and on previous
24 property.

25 MR. KIRKLAND: The previous property we do not

1 have a stacking requirement at all. We can stack it
2 to the sky.

3 MS. CLARK: I was just concerned about safety.
4 If somebody were to walk through there and something
5 were to tumble over.

6 MR. HOWARD: So are you asking do they have --
7 do you all have your own standard that you say, not a
8 requirement from anybody else, but do you all say,
9 well, just for safety purposes we won't go above 20
10 feet or something like that in your operations.

11 MR. KIRKLAND: Just to answer that very
12 simply, every year we have a voluntary OSHA
13 inspection. We have OSHA come into our entire
14 premises and go completely through all of our
15 operations and spend one whole day there. So they
16 pretty much oversee our safety requirements, and we
17 have two ring-binders about this full of all our
18 safety requirements. So we're very much aware of
19 that. No, we don't stack it where it would be unsafe.

20 CHAIRMAN: Does that answer your question?

21 MS. CLARK: Yes, ma'am.

22 CHAIRMAN: Anyone else have a question,
23 comment?

24 (NO RESPONSE)

25 CHAIRMAN: If not I'll entertain a motion.

1 MR. GLENN: I'll make a motion we approve this
2 request based on Staff Findings that 1) it won't
3 adversely affect the public health, safety or welfare
4 because this is an existing ongoing use separated from
5 neighborhood properties like topography and existing
6 screening; and 2) it will not alter the essential
7 character of the general vicinity because this is an
8 expansion of an existing use in an industrial area; 3)
9 it will not cause a hazard or a nuisance to the public
10 because this is an existing industrial use in an
11 industrial area where the adjoining property owners
12 are supportive of the request; and 4) it will not
13 allow an unreasonable circumvention of the
14 requirements of the zoning regulations because of the
15 tree and the fence waiver in the past and the similar
16 land uses in this area.

17 CHAIRMAN: We have a motion by Mr. Glenn. Is
18 there a second to the motion?

19 MR. JEAN: Second.

20 CHAIRMAN: Second by Mr. Jean. Any questions
21 on the motion?

22 (NO RESPONSE)

23 CHAIRMAN: Seeing none all in favor of the
24 motion raise your right hand.

25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 CHAIRMAN: Motion carries unanimously.
2 Is there any more business, Mr. Howard?
3 MR. HOWARD: Not that I'm aware of.
4 CHAIRMAN: Seeing none I'll entertain one more
5 motion.
6 MR. GLENN: Move to adjourn.
7 CHAIRMAN: Move to adjourn by Mr. Glenn.
8 MS. MASON: Second.
9 CHAIRMAN: Second by Ms. Mason. All in favor
10 raise your right hand.
11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
12 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 Board of
 6 Adjustment meeting was held at the time and place as
 7 stated in the caption to the foregoing proceedings;
 8 that each person commenting on issues under discussion
 9 were duly sworn before testifying; that the Board
 10 members present were as stated in the caption; that
 11 said proceedings were taken by me in stenotype and
 12 electronically recorded and was thereafter, by me,
 13 accurately and correctly transcribed into the
 14 foregoing 24 typewritten pages; and that no signature
 15 was requested to the foregoing transcript.

16 WITNESS my hand and notary seal on this the
 17 30th day of JULY, 2015.

18

19

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

22

23 COMMISSION EXPIRES: DECEMBER 16, 2018

24 COUNTY OF RESIDENCE: DAVIESS COUNTY, KY

25