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OWENSBORO METROPOLITAN BOARD OF ADJUSTMENT

OCTOBER 4, 2018

The Owensboro Metropolitan Board of Adjustment met in regular session at 5:00 p.m. on Thursday, October 4, 2018, 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
- Terra Knight, Attorney
- Melissa Evans
- Bill Glenn

* * * * *

CHAIRMAN: We will call the meeting of the Owensboro Metropolitan Board of Adjustment October 4th meeting to order.

The first item on the agenda tonight will be the pledge to the flag and the prayer.

(INVOCATION AND PLEDGE OF ALLEGIANCE.)

CHAIRMAN: Item Number 1 is to consider the minutes of the September 6, 2018 meeting. All members have received a copy and we are ready to dispose of that item.

MS. MASON: Move for approval.

CHAIRMAN: Move for approval by Ms. Mason.

MR. GLENN: Second.

1 CHAIRMAN: Second by Mr. Glenn. All in favor
2 of the motion raise your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: Motion carries.

5 First item, Ms. Evans.

6 -----

7 CONDITIONAL USE PERMIT

8 ITEM 2

9 4255 Carter Road, zoned B-4 General Business
10 Consider request for a Conditional Use Permit in order
11 to construct and operate an individual self-storage
12 facility within a B-4 General Business zoning
13 classification located in unincorporated Daviess
14 County.

12 References: Zoning Ordinance, Article 8,
13 Section 8.2L7/48

13 Applicant: Floyd & Elaine Tapp

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

16 MR. PEDLEY: Trey Pedley.

17 (TREY PEDLEY SWORN BY ATTORNEY.)

18 MR. PEDLEY: The subject property is currently
19 a vacant lot within unincorporated Daviess County that
20 is zoned B-4 General Business.

21 OMPC records indicate that Development Plan
22 was approved in 2015 that illustrated a commercial
23 strip center to be located on the subject property
24 includes Dollar General that is located on a
25 neighboring property. Also in the general area, the

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1 property to the east and to the south are all zoned
2 R-1C Single-Family Residential and is residential in
3 nature. The property to the west, across Carter Road,
4 is zoned I-1 Light Industrial. However, the applicant
5 is now proposing to amend the aforementioned
6 Development Plan to construct individual storage
7 facilities on the subject property instead of the
8 originally planned strip center.

9 Individual storage is Conditionally Permitted
10 in a B-4 zone in unincorporated Daviess County with
11 specific site conditions, all of which are addressed
12 in the submitted site plan.

13 Additionally, the Zoning Ordinance does not
14 provide a minimal parking space requirement for
15 individual storage facilities; however, the site plan
16 that was submitted illustrated five regular parking
17 spaces, one handicap accessible space, as planned to
18 be on the site.

19 The Zoning Ordinance also requires a 3-foot
20 wide landscape easement with a 3-foot tall continuing
21 element, and one tree every 40-linear feet where the
22 vehicular use area adjoins public right-of-way.
23 Additionally, a 10-foot wide landscape easement with
24 an 8-foot tall solid wall or fence and one tree every
25 40-linear feet shall be installed and maintained where

1 the subject property adjoins neighboring residential
2 properties.

3 If approved, special conditions include:

4 1. Obtain approval of an Amended Development
5 Plan which shall demonstrate compliance with all of
6 the special conditions for a Conditional Use Permit
7 for an individual storage facility within
8 unincorporated Daviess County.

9 2. All necessary building, electrical and
10 HVAC permits, inspections and certificates of
11 occupancy and compliance shall be obtained.

12 We would like to enter the Staff Report into
13 the record as Exhibit A.

14 CHAIRMAN: Thank you, Mr. Pedley.

15 Is there someone here representing the
16 applicant?

17 APPLICANT REP: Yes.

18 CHAIRMAN: Do you have anything to add to what
19 Mr. Pedley has read into the record?

20 APPLICANT REP: Not at this time.

21 CHAIRMAN: Any members of the commission ready
22 to questions or have questions?

23 (NO RESPONSE)

24 CHAIRMAN: If not I'll entertain a motion to
25 dispose of this item.

1 MR. GLENN: Based on the information that's
2 been read to us this evening, I would make a motion to
3 approve this application assuming that the two special
4 conditions are met.

5 CHAIRMAN: We have a motion by Mr. Glenn. Is
6 there a second?

7 MS. CLARK: Second.

8 CHAIRMAN: Second by Ms. Clark. Any questions
9 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.

15 Anything else, Melissa?

16 MS. EVANS: I would just like to make an
17 announcement that the November Owensboro Metropolitan
18 Board of Adjustment meeting that is typically
19 scheduled for the first Thursday of November, which
20 would have been November 1st, has been moved to
21 November 8th, and will be a double meeting with the
22 Planning Commission. The Board of Adjustment meeting
23 will start at 5:00 p.m. on November 8th.

24 CHAIRMAN: Thank you.

25 One more motion.

1 MR. GLENN: Motion to adjourn.
2 CHAIRMAN: Move to adjourn by Mr. Glen.
3 MS. MASON: Second.
4 CHAIRMAN: Second by Ms. Mason. All in favor
5 of the motion raise your right hand.
6 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)
7 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 6 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 November, 2018.

18

19

20 LYNNETTE KOLLER FUCHS
21 NOTARY ID 524564
22 OHIO VALLEY REPORTING SERVICES
23 2200 E. PARRISH AVE., SUITE 106-E
24 OWENSBORO, KENTUCKY 42303

23 COMMISSION EXPIRES: DECEMBER 16, 2018

24 COUNTY OF RESIDENCE: DAVIESS COUNTY, KY

25

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