

1 OWENSBORO METROPOLITAN PLANNING COMMISSION

2 MARCH 10, 2005

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4 The Owensboro Metropolitan Planning
5 Commission met in regular session at 6:00 p.m. on
6 Thursday, March 10, 2005, at City Hall, Commission
7 Chambers, Owensboro, Kentucky, and the proceedings
8 were as follows:

9 MEMBERS PRESENT: Drew Kirkland, Chairman
10 Gary Noffsinger
11 Nick Cambron
12 Scott Jagoe
13 Irvin Rogers
14 Sister Vivian Bowles
15 Judy Dixon
16 Dr. Bothwell
17 Martin Hayden
18 Stewart Elliott,
19 Attorney

20 * * * * *

21 CHAIRMAN: I would like to call the
22 Owensboro Metropolitan Planning & Zoning March 10,
23 2005 meeting to order.

24 Our invocation tonight will be given by
25 Mr. Irvin Roger. Please stand.

26 (INVOCATION AND PLEDGE OF ALLEGIANCE.)

27 CHAIRMAN: Our next order of business is
28 consider the minutes of the February 10, 2005
29 meeting. Are there any additions, corrections?

30 (NO RESPONSE)

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1 CHAIRMAN: Any questions by the
2 commission?

3 (NO RESPONSE)

4 CHAIRMAN: If not, the Chair is ready for
5 a motion.

6 MR. JAGOE: Move to approve.

7 CHAIRMAN: Motion for approval by Mr.
8 Jagoe.

9 MS. DIXON: Second.

10 CHAIRMAN: Second by Ms. Dixon. All in
11 favor raise your right hand.

12 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

13 CHAIRMAN: Motion carries unanimously.

14 Next item.

15 -----

16 PUBLIC HEARING

17 ITEM 2

18 Consider text amendments to the Owensboro Metropolitan
19 Zoning Ordinance Article 8 and Article 14, regarding
 criteria for Group Housing.

20 MR. NOFFSINGER: Mr. Chairman, Planning
21 Staff has been working with direction of the Owensboro
22 Metropolitan Board of Adjustment to come up with some
23 guidelines and criteria that can be used to evaluate
24 group type housing situations.

25 We have Becky Stone here tonight that will

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1 provide a power-point presentation as to what has
2 taken place, give you some history and what's being
3 recommended.

4 Tonight is a public hearing. The Planning
5 Commission will consider comments and may wish to
6 postpone taking action on the item. They may wish to
7 not move forward with the proposal text amendments or
8 they can recommend adoption to the legislative bodies.

9 With that Becky Stone will give the
10 presentation.

11 MR. ELLIOTT: State your name for the
12 record, please.

13 MS. STONE: Becky Stone.

14 (MS. BECKY STONE SWORN BY ATTORNEY.)

15 - - (POWER-POINT PRESENTATION) - -

16 FINDINGS OF FACT:

17 The Staff recommends approval of the
18 proposed zoning text amendments because the proposal
19 is in compliance with the community's adopted
20 Comprehensive Plan. Findings in support of this
21 proposal are as follows:

22 1. Boarding homes, lodging homes,
23 fraternity houses, sorority houses, and dormitories
24 currently require a conditional use permit in
25 identified zones and are not principally permitted in

1 any zone;

2 2. Group homes including boarding homes,
3 lodging homes, fraternities, sororities, dormitories
4 (including rehabilitation homes and transitional
5 homes) and seasonal farm worker housing are housing
6 types that are essential to our community and promote
7 the public health, safety or welfare and should be
8 conditionally permitted in identified zones;

9 3. Conditional use as defined in KRS
10 100.111(6) recognizes that a conditionally permitted
11 use would impair the integrity and character of the
12 zone in which it is located unless restrictions are
13 imposed to assure its proper integration;

14 4. The Owensboro Metropolitan Board of
15 Adjustment has been challenged in their ability to set
16 conditions on a case by case basis due to litigation
17 involving the Fair Housing Act;

18 5. Criteria proposed are reasonable and
19 will allow for the proper integration of group housing
20 accommodations in the community; and,

21 6. The proposed criteria support the
22 following goals and objectives of the community's
23 Comprehensive Plan.

24 a. Protect citizens from crime;

25 b. Provide public transit for those

1 who choose to use this means of transportation or can
2 afford no alternatives;

3 c. Deliver services efficiently;

4 d. Encourage increase in inner-city
5 housing density;

6 e. Preserve historic buildings;

7 f. Preserve existing housing and
8 neighborhoods;

9 g. Provide high quality social
10 services as the lowest possible cost for all citizens;

11 h. Provide objective, current and
12 relevant information to community decision makers
13 about the quality and success of community services;

14 i. Protect citizens and property from
15 damage and destruction by fire;

16 j. Enforce housing maintenance; and,

17 k. Provide each resident with a
18 structurally sound, sanitary and affordable dwelling
19 unit.

20 In allowing for a variety of housing types
21 within the Owensboro Metropolitan Zoning Ordinance,
22 hopefully every citizen of our community can obtain
23 safe, sound and sanitary housing.

24 That's the end of the presentation. We'd
25 also like to enter the Staff Report as Exhibit A into

1 the record.

2 CHAIRMAN: Thank you. It was a very nice,
3 precise report. We appreciate you updating the board.

4 Are there any questions or comments from
5 anybody on the commission?

6 (NO RESPONSE)

7 CHAIRMAN: Does anybody in the audience
8 have any questions or comments?

9 MS. ROBERTS: Yes.

10 MR. ELLIOTT: State your name, please.

11 MS. ROBERTS: Forest Roberts.

12 (MS. FOREST ROBERTS SWORN BY ATTORNEY.)

13 MS. ROBERTS: I'm here on behalf of the
14 MISA. I just have a few questions because I'm not
15 quite sure I understand all of this.

16 I noticed that in Section B or Housing
17 Zoning B-2 through B-5, dormitories, fraternities and
18 sorority houses are allowed in these areas, but
19 seasonal farm worker housing is not. I need to know
20 the reason for that.

21 CHAIRMAN: Mr. Noffsinger.

22 MR. NOFFSINGER: Ms. Stone can address
23 that. What we tried to do was break that down to
24 where seasonal farm worker housing would also be
25 allowed in the agricultural zones in addition to some

1 other zones, but Ms. Stone can better address that.

2 MS. STONE: I think the reason for
3 dormitories, fraternities and sororities houses being
4 allowed in the commercial zones as well is because
5 many times that's where universities are located.
6 They need to often be close to those university
7 settings.

8 The seasonal farm worker housing would be
9 allowed in the agricultural zone as an additional zone
10 to the R-3, R-4DT zone and that would be conflict with
11 where lodging houses and boarding housing are
12 currently allowed.

13 CHAIRMAN: Thank you.

14 MS. ROBERTS: I also noticed in 6-A of the
15 proposed ordinance it says "The following criteria
16 shall apply for an application for a conditional use
17 permit for boarding house, sorority, dormitory or
18 rehabilitation facility." Seasonal farm worker
19 housing is not included in that. I need to know the
20 reasoning for that.

21 MS. STONE: We had categorized that under
22 dormitory initially so that should be an inclusion.
23 Seasonal farm worker housing should be included in
24 that topic. Thank you.

25 CHAIRMAN: Do we need to make a

1 correction, Ms. Stone?

2 MS. STONE: Yes.

3 MS. ROBERTS: Those are my questions, but
4 I had one comment.

5 Even though this ordinance is not
6 discriminatory in spaced, if in fact have a category
7 which is singled out and every person in the community
8 in that category of workers is from one particular
9 nation and has one particular national origin, then
10 this could come very close to discriminating on the
11 base of national origin.

12 My point being, if all the seasonal farm
13 workers in the area are Hispanic or are immigrants,
14 then you are in fact discriminating against them if
15 you treat them differently than anybody else in the
16 ordinance. Just want to point that out.

17 CHAIRMAN: Ms. Stone, do you want to
18 address that, please?

19 MS. STONE: Our attempt was to treat all
20 of those group housing situations the same. We have
21 made a separate category for seasonal farm worker
22 housing in order to allow that category to be
23 permitted in agricultural and not allow the student
24 dormitories and those other types of group housing
25 that are not conducive to that agricultural setting

1 not to be permitted in that agricultural setting. The
2 criteria for all those will be the same. So we think
3 that we're consistently applying the same regulations
4 to all group housing situations.

5 CHAIRMAN: Mr. Elliott, would you comment
6 to the issue, please?

7 MR. ELLIOTT: I agree with what she said.
8 We talked about it. I looked at these and I would
9 agree with that. I think that we're okay with it.

10 CHAIRMAN: Do we need to formally make a
11 correction of the proposal?

12 MR. ELLIOTT: Yes, we do.

13 CHAIRMAN: I think maybe we should have
14 Ms. Stone make the correction in the record.

15 MR. ELLIOTT: Yes.

16 MS. STONE: Item 6(a) where it says, "The
17 following criteria shall apply for an application for
18 conditional use permit for a boarding house, sorority,
19 dormitory or rehabilitation facility were not allow as
20 an accessory use to a principally permitted use"
21 should read, "The following criteria shall apply for
22 an application for a conditional use permit for
23 boarding house, sorority house, fraternity house,
24 dormitory or seasonal farm worker housing when not
25 allowed as an accessory use to a principally permitted

1 use."

2 CHAIRMAN: Thank you, Mrs. Stone.

3 MR. CAMBRON: The housing that's out there
4 now, will it be brought up to some standard of this
5 right now?

6 MS. STONE: The group housing that has
7 been conditional permitted in the past will just
8 continue to exist. We will not go back and apply.

9 MR. CAMBRON: None of the stipulations?

10 MS. STONE: Right.

11 MR. CAMBRON: Thank you.

12 CHAIRMAN: Ms. Roberts, thanks for your
13 addition and correction.

14 MS. ROBERTS: She didn't include
15 rehabilitation facility in the correction.

16 MS. STONE: The reason I didn't is because
17 rehabilitation home is under dormitory. We've added
18 some definitions to include that under dormitory. So
19 this was a vestige from a previous draft that we had
20 not corrected, had not caught that language on.

21 CHAIRMAN: Thank you, Mrs. Stone.

22 Are there any other questions or comments?

23 MR. ELLIOTT: State your name, please.

24 MS. MULLIGAN: Anne Glahn Mulligan, Chair
25 of the Old Owensboro Neighborhood Alliance.

1 (MS. ANNE MULLIGAN SWORN BY ATTORNEY.)

2 MS. MULLIGAN: The Old Owensboro
3 Neighborhood Alliance geographic area includes
4 Frederica Street east to Barton Brands, Parrish Avenue
5 north to the Ohio River, and the J.Z. Moore Historic
6 Neighborhood. OONA is very grateful to the Owensboro
7 Metropolitan Board of Adjustment for the thoughtful
8 consideration to all parties involved in the
9 development of the revised proposed criteria.

10 At the March 8, 2005, OONA meeting, a
11 motion was made and carried to support the revised
12 criteria, with the exception of item #4, which we
13 would like to be further clarified to read:

14 "The facility shall employ a 24 hour a day
15 on-site management system, who is directly responsible
16 for the supervision of the residents, properties, and
17 the implementation of house rules."

18 Since OONA's inception over five years
19 ago, we have constantly dealt with concerns that are
20 addressed in the revised criteria. The types of
21 housing addressed in the criteria are inherit to
22 specific problems within our alliance.

23 In 2003 and 2004 individuals and small
24 groups of neighbors hired attorneys to address two
25 separate but similar issues with zoning. City

1 employees and boards would spend less time dealing
2 with the same issues over and over if regulations were
3 in place to protect neighborhoods. OONA has
4 historically and continues to be a very diverse area.
5 We embrace ethnic, economic, religious and social
6 diversity in our alliance. We want to be good
7 neighbors. We feel that none of the criteria is
8 unreasonable or anything that is not expected of us
9 all. As residents, we are responsible to obey laws
10 and regulations for noise control, disorderly conduct,
11 garbage disposal, etcetera, as set forth whether in
12 city, county, state or federal laws regulations.

13 In closing, we thank you for your time and
14 energy spent developing these desperately needed
15 criteria to protect our residential and historic
16 neighborhoods.

17 This is a prime example of neighborhood
18 alliances and city agencies working together to create
19 a better Owensboro.

20 Respectfully Submitted by: The Old
21 Owensboro Neighborhood Alliance.

22 CHAIRMAN: Thank you, Ms. Mulligan. Let
23 me see if Ms. Stone can address that question or
24 issue.

25 MS. STONE: We had had this comment

1 previously about the 24 hour management. We had
2 included a criteria for an on-site administrator as
3 well as a criteria for a provision that the person or
4 agency sponsoring the facility give us a phone number
5 of a contact. We feel like we've adequately covered
6 that.

7 If you ask for someone to be on site for
8 24 hours, number one, that's really hard to enforce,
9 and number two, it may not be required in all cases.
10 This group housing covers a broad category of housing
11 types from seasonal farm worker housing to lodging
12 houses where you just have random people renting
13 rooms. So there's a different level of supervision
14 that may be needed depending on what the facility is.
15 We felt it best to require an on-site administrator so
16 that someone is controlling the supervision of that
17 house, but to allow that sponsoring agency or entity
18 to determine what level of supervision is appropriate
19 for that facility.

20 MS. MULLIGAN: We were mostly concerned
21 with if there is a problem to have a number or person
22 we could get ahold of and that number or person
23 readily available.

24 CHAIRMAN: I think that's provided.

25 MS. STONE: Yes. That's one of the

1 criteria. To provide that to the board and that will
2 be provided at the public hearing. We will have that
3 on record.

4 MS. MULLIGAN: The reason we want the word
5 "properties" inserted after residents and before the
6 implementation of house rules simply is some of these
7 groups own several properties. They are adherent to
8 having visitors and more traffic and people coming and
9 going. We were just concerned about the owners of the
10 property being responsible for their properties
11 outside of the house as well as inside.

12 CHAIRMAN: I think in the criteria there
13 were rules that had to be posted and I think they have
14 to provide a phone number of a local person that is
15 responsible for that. I believe she stated that in
16 the criteria.

17 MS. MULLIGAN: Thank you.

18 MS. STONE: The city also has a property
19 maintenance code that if there was a complaint on
20 something on the property, weeds or garbage or
21 anything like that, there is an avenue available for
22 that to be cited just like any other structure.

23 CHAIRMAN: Are there any other comments
24 or questions?

25 (NO RESPONSE)

1 CHAIRMAN: If not, the Chair is ready for
2 a motion.

3 MR. CAMBRON: Motion for approval with the
4 amendment to the text that Ms. Stone read and the
5 Findings of Fact 1 through 6 and that's it.

6 CHAIRMAN: We have a motion for approval
7 by Mr. Cambron.

8 DR. BOTHWELL: Second.

9 CHAIRMAN: Second by Dr. Bothwell. All in
10 favor raise your right hand.

11 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

12 CHAIRMAN: Motion carries unanimously.

13 Next item, please.

14 ITEM 3

15 Consider text amendments to the Owensboro Metropolitan
16 Zoning Ordinance Article 9, Sign Regulations.

17 MS. STONE: This is an amendment to the
18 Sign Regulations that the City of Owensboro asked us
19 to look at in an effort to help encourage
20 redevelopment downtown.

21 It's proposed to allow banners in a B-2
22 Central Business district to be attached to a
23 principal building and extend out over the sidewalk a
24 distance of 3 feet.

25 There's a height requirement of being 8

1 feet underneath the banner. There's also a
2 requirement proposed that would make the legislative
3 body grant approval and give the Planning Commission a
4 letter stating that they're held harmless from any
5 injury that may result from that banner, which is not
6 likely, but that provides protection in the event that
7 something on that right of way would fall and the city
8 is assuming that responsibility.

9 FINDINGS:

10 The Staff recommends approval of this
11 because the proposed text amendment is in compliance
12 with the community's Comprehensive Plan. Findings in
13 support of this recommendation include:

14 1. The proposal supports the promotion of
15 adequate, attractive and accessible shopping service
16 facilities by allowing another method of identifying
17 businesses in the B-2 Central Business District;

18 2. The proposal will help to promote the
19 revitalization and strengthening of older downtown
20 commercial areas; and,

21 3. With specific conditions and
22 requirements imposed, the proposal does not pose a
23 threat to the public health, safety and welfare and
24 will not constitute a hazard.

25 We would like this Staff Report entered as

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1 Exhibit B in the record.

2 CHAIRMAN: Are there any questions or
3 comments from the audience?

4 (NO RESPONSE)

5 CHAIRMAN: Anybody from the commission?

6 (NO RESPONSE)

7 CHAIRMAN: If not, the Chair is ready for
8 a motion.

9 MS. DIXON: Move to approve based upon
10 Planning Staff Recommendations and Findings in support
11 1, 2 and 3.

12 CHAIRMAN: Motion for approval by Ms.
13 Dixon.

14 SISTER VIVIAN: Second.

15 CHAIRMAN: Second by Sister Vivian. All
16 in favor raise your right hand.

17 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

18 CHAIRMAN: Motion carries unanimously.

19 Next item, please.

20 -----

21 PUBLIC FACILITIES PLANS
22 REVIEW FOR CONSISTENCY WITH COMPREHENSIVE PLAN

23 ITEM 4

24 3300, 3301, 3405 Daviess Street, 3300, 3301 Allen
25 Street, 3401 St. Ann Street, 200-300 Blocks Park Ave.
Land Acquisition
Consider request for the acquisition of property in

1 order to make improvements to the Harsh Ditch drainage
system.

2 Referred by: City of Owensboro

3 MR. NOFFSINGER: Mr. Chairman, Planning
4 Staff has reviewed this application. We find it to be
5 consistent with the adopted Storm Water Master Plan
6 and would recommend that you forward a letter to that
7 affect to the City of Owensboro.

8 CHAIRMAN: Is anybody here representing
9 the city?

10 (NO RESPONSE)

11 CHAIRMAN: Does anybody in the audience
12 have a question?

13 (NO RESPONSE)

14 CHAIRMAN: If not, the Chair is ready for
15 a motion.

16 MS. DIXON: Move to approve.

17 CHAIRMAN: Motion for approval by Ms.
18 Dixon.

19 MR. CAMBRON: Second.

20 CHAIRMAN: Second by Mr. Cambron. All in
21 favor raise your right hand.

22 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23 CHAIRMAN: Motion carries unanimously.

24 Next item, please.

25

1 ITEM 5

2 9661 KY 56, 7900-8000 Blocks Cecil Road
3 Facilities Construction
4 Consider request for the construction of an embankment
5 fill slope on the southern limits of the West
6 Louisville Elementary School property
7 Referred by: Daviess County Public Schools

8 MR. NOFFSINGER: Mr. Chairman, Planning
9 Staff has reviewed. We find no conflict with the
10 adopted Comprehensive Plan.

11 CHAIRMAN: Is anybody here representing
12 the Daviess County Schools?

13 (NO RESPONSE)

14 CHAIRMAN: Does anybody have any
15 questions?

16 (NO RESPONSE)

17 CHAIRMAN: Anybody from the commission
18 have any questions?

19 (NO RESPONSE)

20 CHAIRMAN: If not, the Chair is ready for
21 a motion.

22 MR. HAYDEN: Motion for approval.

23 CHAIRMAN: Motion for approval by Mr.
24 Hayden.

25 SISTER VIVIAN: Second.

 CHAIRMAN: Second by Sister Vivian. All
 in favor raise your right hand.

1 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

2 CHAIRMAN: Motion carried unanimously.

3 Next item, please.

4 ITEM 6

5 101 Block East Veterans Boulevard, 101-301 Blocks West
6 Veterans Boulevard

7 Facilities Construction

8 Consider request for the construction of an MSE wall
9 from the RiverPark Center patio to west of the
10 Executive Inn Convention Center

11 Referred by: City of Owensboro

12 MR. NOFFSINGER: Mr. Chairman, Planning

13 Staff has reviewed this request. The request is

14 consistent with the River Front Master Plan. Mr.

15 Cecil of the City of Owensboro is here tonight to

16 answer any question you might have.

17 CHAIRMAN: Does anybody from the audience

18 have any questions?

19 (NO RESPONSE)

20 CHAIRMAN: Does anybody from the

21 commission have any questions?

22 (NO RESPONSE)

23 CHAIRMAN: If not, the Chair is ready for

24 a motion.

25 MR. CAMBRON: Motion for approval, Mr.

Chairman.

CHAIRMAN: Motion for approval by Mr.

Cambron.

1 MS. DIXON: Second.

2 CHAIRMAN: Second by Ms. Dixon. All in
3 favor raise your right hand.

4 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

5 CHAIRMAN: Motion carried unanimously.

6 Next item, please.

7 ITEM 7

8 122 East 18th Street
9 Land Disposition
10 Consider request for the sale of property
11 Referred by: City of Owensboro

12 MR. NOFFSINGER: Mr. Chairman, Planning
13 Staff has reviewed this application. We find no
14 conflict with the adopted Comprehensive Plan.

15 CHAIRMAN: Does anybody in the audience
16 have a question?

17 (NO RESPONSE)

18 CHAIRMAN: Does anybody from the
19 commission?

20 (NO RESPONSE)

21 CHAIRMAN: If not, the Chair is ready for
22 a motion.

23 MR. ROGERS: Motion for approval.

24 CHAIRMAN: Motion for approval by Mr.
25 Rogers.

MR. JAGOE: Second.

1 CHAIRMAN: Second by Mr. Jagoe. All in
2 favor raise your right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 CHAIRMAN: Motion carried unanimously.

5 Next item, please.

6 -----

7 ZONING CHANGES - COUNTY

8 ITEM 8

9 3050 Fairview Drive
10 Consider zoning change: From I-2 Heavy Industrial
11 to P-1 Professional/Service
12 Applicant: Envision Contractors, Gulfstream
13 Development, LLC

14 ME. ELLIOT: State your name, please.

15 MR. HOWARD: Brian Howard.

16 (MR. BRIAN HOWARD SWORN BY ATTORNEY.)

17 PLANNING STAFF RECOMMENDATIONS

18 Staff recommends approval because the
19 proposal is in compliance with the community's adopted
20 Comprehensive Plan. The conditions and findings of
21 fact that support this recommendation include the
22 following:

23 Conditions:

24 1. Submittal of a final development plan
25 prior to the issuance of any building permits.

26 2. Installation of a left turn lane on
27 Fairview Drive at the entrance to the proposed

1 development.

2 Findings of Fact:

3 1. The subject property is located in an
4 Industrial Plan Area, where Professional/Service uses
5 are appropriate in limited locations;

6 2. The subject property will be
7 nonresidential development;

8 3. The subject property is larger than
9 one acre, is major street oriented and will serve as a
10 buffer as required for new locations and
11 Professional/Service use in an Industrial Plan area;
12 and,

13 4. The installation of a left turn lane
14 on Fairview Drive, the subject property will not
15 overburden the capacity of roadways and other
16 necessary urban services in the affected area.

17 We would like to enter the Staff Report as
18 Exhibit C.

19 CHAIRMAN: Is anybody here representing
20 the applicant?

21 APPLICANT REP: Yes.

22 CHAIRMAN: Does anybody in the audience
23 have a question of the applicant?

24 (NO RESPONSE)

25 CHAIRMAN: If not, the Chair is ready for

1 a motion.

2 MS. DIXON: Move to approve based upon
3 Planning Staff Recommendation and Findings of Fact 1
4 through 4 and subject to Conditions 1 and 2.

5 MR. CAMBRON: Second.

6 CHAIRMAN: Motion for approval by Ms.
7 Dixon. Second by Mr. Cambron. All in favor raise
8 your right hand.

9 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

10 CHAIRMAN: Motion carries unanimously.

11 Next item, please.

12 -----

13 DEVELOPMENT PLANS

14 ITEM 9

15 420, 422 East Third Street, 0.30 acres
16 Consider approval of final development plan
17 Applicant: Owensboro Christian Church, Kenny & Susan
McPherson

18 MR. NOFFSINGER: Mr. Chairman, this plan
19 has been reviewed by the Planning Staff. It's found
20 to meet the minimum requirements of the subdivision
21 regulations and the adopted zoning ordinance.

22 The Board of Adjustment approved this
23 conditional use permit for two group housing
24 facilities located on each property involved in this
25 development plan. The parking for one of the

1 facilities will be on the opposite tract. It's not to
2 be consolidated in with the other tract.

3 Anyhow, this type of situation is allowed
4 in the zoning ordinance based upon the revisions that
5 occurred some time ago this committee approved to
6 allow some flexibility in terms of parking. The
7 development plan ties the parking on one lot to where
8 the other lot could not be sold without re-addressing
9 the parking situation. So with that it's in order.

10 CHAIRMAN: Anybody here representing the
11 church?

12 APPLICANT REP: Yes.

13 CHAIRMAN: Does anybody have any questions
14 of the applicant?

15 (NO RESPONSE)

16 CHAIRMAN: Does anybody from the
17 commission have any questions?

18 (NO RESPONSE)

19 CHAIRMAN: If not, the Chair is ready for a
20 motion.

21 MS. DIXON: Move to approve.

22 CHAIRMAN: Motion for approval by Ms.
23 Dixon.

24 SISTER VIVIAN: Second.

25 CHAIRMAN: Second by Sister Vivian. All

1 in favor raise your right hand.

2 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

3 CHAIRMAN: Motion carries unanimously.

4 Next item.

5 -----

6 MAJOR SUBDIVISIONS

7 ITEM 10

8 2801, 2851, 2901, 2923, 2945 Bittel Road, 13.322 acres
9 Consider approval of major subdivision final plat.
Applicant: Covenant Health Properties, LLC

10 MR. NOFFSINGER: Mr. Chairman, Planning
11 Staff has reviewed this application. The application
12 is found to be in order; however, the proposed
13 development, if approved as submitted, would require a
14 number of exceptions to be granted by the Planning
15 Commission. Staff is not recommending approval of
16 this plat and Brian Howard will give a presentation in
17 terms of what has taken place thus far.

18 MR. HOWARD: I will start by showing a
19 plat of the proposed development. As you can see, it
20 has five lots with frontage on Bittel Road for
21 reference purposes.

22 Shively Park is in this area and then God
23 Shepherd Church is back here. Parrish Avenue would be
24 up in front.

25 What I will be talking about this evening

1 is the Staff comments pertaining to the subdivision
2 plat filed by Covenant Health Properties for this
3 property.

4 As submitted, as Mr. Noffsinger said, the
5 plat is not in order and it does not meet the
6 regulations of the subdivision ordinance.

7 First I will address Thompson Drive.
8 Thompson Drive is a stub street that has access on
9 Parrish Avenue currently. According to the zoning or
10 the subdivision regulations, dead end streets are
11 similar to cul-de-sacs in that they provide access
12 without - - except they don't have a proper - - it's a
13 circular ending on a street. They're not permitted in
14 any subdivision.

15 Stub streets, which are planned for future
16 continuation, are not considered dead end streets and
17 are appropriate for developments.

18 Also in subdivision regulations, proposed
19 subdivision streets show integrate and align with
20 existing streets and proposed streets within the
21 vicinity. It's also with the comprehensive plan to
22 encourage the logical expansion and maintenance of the
23 present transportation system.

24 This is a copy of a plan that was
25 submitted in 1984. This is Thompson Drive that shows

1 where a stub extension of the property. Then as you
2 can see the right of way was proposed to extend all
3 the way to Bittel Road and that there would be an
4 intersection there.

5 Thompson Drive currently is approximately
6 1335 feet in length. It states in the public
7 improvement specifications that cul-de-sacs should be
8 limited to 1,000 feet in length. So based upon all
9 these factors, Thompson Drive should be extended to an
10 intersection with Bittel Road. Since Triple Crown Way
11 is a type of subdivision that is across the street,
12 that extension and connection with Bittel Road should
13 be in alignment with Triple Crown Way.

14 The applicant is aware of the requirement
15 to extend Thompson Drive from previous discussions
16 with the planning department pertaining to the
17 development of this parcel.

18 Access is also concern. Bittel Road is
19 classified as a major collector roadway, which means
20 that there is a space requirement of 250 feet for any
21 streets or drives.

22 As submitted there are no provisions for
23 access limitation shown on the plat. As we previously
24 stated, where that access is it should be in alignment
25 with Triple Crown Way.

1 Lot size and shape is also a concern with
2 this plat. The subdivision regulations state that
3 lots with excessive depth compared to width should be
4 avoided. What we use is a three to one length to
5 width ratio requirement. That basically means if the
6 lot is 100 feet wide it should be no deeper than 300
7 feet. Also point for irregular shape lots should be
8 avoid unless there are topography concerns that might
9 prohibit that from happening.

10 As this plat is proposed, every lot
11 exceeds the three to one ratio. Lots 1 and 2 are very
12 irregular in shape. It has been brought to our
13 attention that the Owensboro Independent School
14 District has plans to purchase this property; however,
15 without them being the applicant and the public
16 facility review being done, there's no guarantee that
17 they will purchase this property. If that's the case,
18 then we will have created five lots that are not in
19 conformance with any regulations that could be sold to
20 anyone at any time. So if this proceeds forward, one
21 lot should be submitted. As the school - - if they
22 are on say a five year plan to purchase property, one
23 lot each year, then they could consolidate the
24 existing lot with the new lot and do that under a
25 consolidation division plat.

1 I'll show a copy of the plat again just to
2 kind of show you what I'm talking about.

3 Lot 1 is on the right side of the screen.
4 As you can see, it has narrow frontage and then
5 extends out to a wide four and a half acre parcel.
6 Lot 2 is regular in shape and Lots 3, 4 and 5 are
7 narrow and long in length.

8 As I just said, Lot 1 has narrow frontage.
9 The property is zoned A-U, which is an urban
10 agricultural zone. In that zone the minimum road
11 front required is 100 feet. Lot 1 currently has
12 approximately 56 feet of road frontage.

13 Also along the rear of the entire
14 property, which is currently attached to Lot 1, is a
15 30 foot strip which is to be dedicated for Greenbelt
16 construction. If that is the case, then the 30 foot
17 strip should be zoned separate parcel and be dedicated
18 as part of this plat.

19 Again, the subdivision plat, it's the long
20 narrow strip along the back of the property. That
21 should all be consolidated into one tract and
22 dedicated at one time with the subdivision plat.

23 If the school system is to purchase the
24 property, a public facility reviewed will have to be
25 completed. It's a requirement that any public entity,

1 and that can be the school system, the city or county,
2 RWRA, and utilities, if they have plans to purchase
3 property, sell property, build buildings, whatever it
4 may be, they're required to come before the Planning
5 Commission, submit their plans, and have the Planning
6 Commission review whether or not it's in compliance
7 with the community's Comprehensive Plan.

8 Before this plat should be approved, a
9 public facility review should be completed. Because
10 as I say previously, without that there is no
11 guarantee the school corporation or the school would
12 purchase this property and it wouldn't be sold to any
13 other people at this time.

14 That's a basic overview of our comments.
15 As submitted the plat is not in order and Planning
16 Staff recommends that the plat be denied.

17 CHAIRMAN: Do we have anybody here
18 representing the school system?

19 MR. ELLIOTT: State your name, please.

20 MR. WILSON: Bill Wilson here on behalf of
21 Owensboro Board of Education.

22 (MR. BILL WILSON SWORN BY ATTORNEY.)

23 MR. WILSON: The plat that we have just
24 been hearing about has obvious problems that we've
25 just learned about in the last day or so. Quite

1 frankly Dr. Vick and I are here to apologize to the
2 Commission, but also to talk about this Thompson Drive
3 thing which is a serious problem.

4 We would gladly take a withdrawal of the
5 proposal on the plat tonight. Quite frankly I did
6 think it was going to have initial 4 acre lot with a
7 balance 9 acres. It's two lot plat. Didn't even
8 realize the Greenbelt was going to be on the back of
9 it. Talked to Jim Riney late this afternoon. I think
10 he's in Baltimore for some reason. He's out of town.
11 He thought the school district was under a contract
12 obligation to purchase all this property. That's why
13 he divided all of these lots, so each year - - but
14 it's not a contract to buy. They're contractually
15 obligated to the first four-acres to purchase. After
16 that it's a continuing automatically renewable option.

17 So they're going to buy it, but we can't
18 obligate future boards. We quite frankly don't have
19 the money to buy more than the first segment.

20 The odd shape of that first segment was
21 known with the exception of that finger at the
22 Greenbelt. We agreed with the city back when we just
23 recently released Shively Park for a 20, 25 year term.
24 Paid a lot of money to the city in order to build a
25 soccer complex out there; baseball, softball, soccer.

1 Of course, we've taken over the Shively Park area. We
2 will be using it this spring for baseball. We're
3 trying very hard to put together a big enough piece of
4 ground to make a nice soccer complex for our students.

5 That's the reason for the odd shape of
6 that tract 1, in conjunction with Shiveley Park that
7 we have. We have sufficient ground there to make an
8 adequate soccer facility. Still utilize what's there
9 that the city has put there over the years.

10 That's the only one that we're
11 contractually obligated to purchase. It doesn't have
12 be that exact drawing, but it's got to be four acres
13 or more. We can reconfigure that and certainly will
14 reconfigure it to meet whatever your requirements are
15 as frontage on Bittel Road.

16 The problem we're going to have, which I
17 didn't hear about until yesterday afternoon, is this
18 Thompson Drive thing. We can't do the project with a
19 street running through the middle of it obviously.
20 We're really sorry that whoever approved put Thompson
21 Drive the way they did and left it like that. We
22 don't see how that can be a problem with the school
23 district. We may just buy 13 1/2 acres of just bare
24 ground. There's nothing in the records that I knew
25 of. I've heard today that perhaps Jack Wells and his

1 people were talked to about that previously. I never
2 heard that until today.

3 We're here tonight and I would like for
4 Dr. Vick, Superintendent Vick to explain to you all
5 what we hope to do out there for the students of our
6 school district. Admittedly we got the cart before
7 the horse with this plat and all these lots that don't
8 need to be on there. It needs to be an addition 4, 4
9 1/2 acres, another lot of some 9 acres. If we take
10 every year - - we had a drawing attached to our letter
11 agreement, it was basically what you've seen in this
12 plat. Every year we take another 2.3 acres and
13 something and pay so much money. It's a continuing
14 option. Automatically renewable, but our board does
15 have the right to opt out at any time. Certainly
16 correct that if that plat were approved you'd have a
17 lot of new legal descriptions created. I acknowledge
18 would not be right.

19 If I could, I'd like for Dr. Vick to
20 explain to you as to what we hope to do out there and
21 what we hope to have it look like once it's over with.
22 We realize that the public facilities plan has not
23 been presented. It needs to be presented. What we're
24 trying to do is get this deal where we've got a place
25 for kids to play soccer in the fall. We've been under

1 a lot of pressure from our own constituents. We try
2 to find a really nice place and get a deal with the
3 city, a long-term deal which in conjunction with a few
4 acres. We can make it happen with just four acres,
5 but it would be nice to incorporate the whole thing.
6 I'd like for Dr. Vick to explain to you what we hope
7 to do

8 MR. ELLIOTT: State your name, please.

9 MR. VICK: Larry Vick.

10 (MR. LARRY VICK SWORN BY ATTORNEY.)

11 Again, as Mr. Wilson stated, we apologize
12 that we brought to you something that was not suitable
13 for approval.

14 Our board has requested that we in all
15 diligence work toward getting a soccer complex for our
16 students as soon as possible. That's what we're
17 trying to do. We'll try to expedite the process.

18 We contracted with Mr. Riney at HRG to
19 design this soccer field even before we had title to
20 the land in order to possibly have that facility ready
21 for our students for this fall.

22 Again, we apologize for that. I think you
23 understand that we were trying to do something for our
24 kids.

25 The Kentucky Department of Education in

1 coming down and reviewing this cite with us
2 recommended to the board that we purchase this entire
3 tract of land from Mr. and Mrs. Wells. They suggested
4 that our newest elementary school was built in '57 and
5 that in the future we would need to consider a space
6 for additional new facility at some point in time.
7 They suggested that this would be an idea site for a
8 future new elementary school for our students.

9 That's where we really have problems with
10 the road running through there because we would not
11 want a road intersecting this property for a school to
12 be located because we would - - it would be barely
13 large enough. You're very familiar with the shape of
14 Owensboro Public School District and the available
15 land within this district in order to have adequate
16 facilities, particularly athletic fields for our
17 students, or space to build any new buildings.
18 There's not another 14 acres adjoining our school
19 district anywhere in the city that would be
20 satisfactory for our future needs. So we would very
21 much like to acquire all of this property and reserve
22 what we don't use for the soccer field for a future
23 elementary school. For being able for the students to
24 utilize the soccer field and the park area for play
25 area for our students. So we wouldn't even have to

1 cross a road in order to get to this area.

2 Again, as Mr. Wilson explained, we will
3 fix the realign of the property and leave it all in
4 one parcel, but we think what we need to acquire this
5 new land. We had agreed the easement and they want a
6 deed to the city for the Greenbelt. So we had offered
7 to buy that and donate that to the city as part of our
8 agreement to develop Shiveley Park and the soccer
9 facility for our kids. Again, the road situation
10 would be critical that we not have to extend this road
11 through this property because it will destroy - - I'm
12 sorry that we got the cart before the horse. Again,
13 we were just trying to expedite things so we can get
14 the field hopefully ready for our kids for this fall.
15 Thank you.

16 CHAIRMAN: Thank you, Dr. Vick and Mr.
17 Wilson.

18 I was made aware of this situation
19 Thursday afternoon. The commission and the board has
20 always been very favorable toward all of our schools
21 and our facilities and trying to expand your
22 facilities.

23 Mr. Noffsinger and I talked about the
24 possibilities of an alternative to the situation. You
25 all realize that we're faced with the land use plan

1 and the stubbing of Thompson Road coming right in to
2 this area. There's some other alternatives that we've
3 discussed and would like to discuss with you all at a
4 later date. Possibly postponing this for now and then
5 having both of you meet with the Staff to try to work
6 out a situation where all parties will be in agreement
7 with what happens.

8 Obviously the project is going to require
9 compromise on both parts, but I think there is a
10 workable solution in this situation.

11 Mr. Wilson, did you formally request a
12 postponement?

13 MR. WILSON: Yes, Mr. Chairman. Withdraw
14 the application. We will resubmit.

15 CHAIRMAN: Would you step to the podium
16 just to state that, Mr. Wilson.

17 MR. WILSON: Yes, Mr. Chairman. You can
18 withdrawal that application for approval of that plat,
19 subdivision plat. We will resubmit it on public
20 facility plan.

21 CHAIRMAN: Would you and Dr. Vick be
22 willing to meet and work with the Staff so that we can
23 put together a total package for the next meeting?

24 MR. WILSON: Certainly. We need to meet
25 with the Staff and probably the people we're buying

1 the property from. I'm sure we can work something
2 out.

3 CHAIRMAN: Thank you very much.

4 MR. NOFFSINGER: Make sure we take the
5 appropriate action.

6 Mr. Wilson, are you also representing the
7 applicant, because the applicant is - -

8 MR. WILSON: I'm not legally representing
9 the applicant, but John Bickel and Jack Wells know
10 we're here tonight and verbally told us to come speak
11 on behalf of the school district.

12 MR. NOFFSINGER: If you withdrawal the
13 application, that requires no action by this board.

14 MR. WILSON: I think that's what they
15 want. I do not represent them legally.

16 CHAIRMAN: So we do not need to take a
17 vote on a withdrawal.

18 DR. BOTHWELL: Let's postpone it instead
19 of withdrawing it.

20 CHAIRMAN: Stewart, which is the easiest?

21 MR. ELLIOTT: Well, the applicant has
22 asked that it be withdrawn.

23 MR. JAGOE: He doesn't represent them.

24 MR. ELLIOTT: Well, in a way he is. He
25 says that he has their permission.

1 MR. WILSON: We don't have title to this
2 real estate yet. We are obligated to purchase it.

3 CHAIRMAN: What we want to do is just get
4 it done correctly even though we don't have the
5 applicant here.

6 DR. BOTHWELL: Do we postpone or do we
7 withdrawal?

8 MR. ELLIOTT: He says he would like to
9 have it withdrawn and resubmitted so I think that
10 would probably be the best.

11 CHAIRMAN: Do we need to vote on a
12 withdrawal?

13 MR. ELLIOTT: No. He's done it on the
14 record officially.

15 CHAIRMAN: Thank you, Mr. Wilson and Dr.
16 Vick.

17 Next item.

18 ITEM 11

19 The Highlands of Heartland, Phase 1, Lots 508-520,
20 528-537, 596, 636, 7.450 acres
21 Consider approval of major subdivision final plat.
22 Surety (Certificate of Deposit) posted: \$54,796.20
23 Applicant: Jagoe Development, LLC

24 MR. JAGOE: Mr. Chairman, I need to
25 withdraw from this.

26 CHAIRMAN: Have the record note that Mr.
27 Jagoe is withdrawing from this.

1 MR. NOFFSINGER: This plat is in order and
2 meets with the minimum requirements of the adopted
3 subdivision regulations and the zoning ordinance.
4 With that it is ready for consideration.

5 SISTER VIVIAN: Move for approval.

6 CHAIRMAN: Motion for approval by Sister
7 Vivian.

8 MR. CAMBRON: Second.

9 CHAIRMAN: Second by Mr. Cambron. All in
10 favor raise your right hand.

11 (ALL BOARD MEMBERS PRESENT - WITH THE
12 DISQUALIFICATION OF SCOTT JAGOE - RESPONDED AYE)

13 CHAIRMAN: Motion carries unanimous. Mr.
14 Jagoe not voting.

15 -----

16 MINOR SUBDIVISIONS

17 ITEM 12

18 11334, 11380 KY 662, 16.858 acres
19 Consider approval of minor subdivision plat.
20 Applicant: James F. Howard

21 MR. NOFFSINGER: Mr. Chairman, Mr. Brian
22 Howard is here briefly to describe what's taking place
23 here.

24 MR. HOWARD: This plat comes before you
25 because a smaller lot that will be created or in
 addition from the larger tract will be added to a

1 smaller lot which is currently in compliance with the
2 three to one length to width ratio requirement;
3 however, the addition of another acre and a half on
4 the back side of the property will throw it over the
5 minimum requirement. The part that will be added to
6 this lot is far away from road frontage and it really
7 won't have an impact on the overall development in the
8 area.

9 CHAIRMAN: Is there anybody here
10 representing the applicant?

11 (NO RESPONSE)

12 CHAIRMAN: Does anybody have any
13 questions?

14 (NO RESPONSE)

15 CHAIRMAN: If not, the Chair is ready for
16 a motion.

17 MR. CAMBRON: Motion for approval.

18 CHAIRMAN: Motion for approval by Mr.
19 Cambron.

20 MS. DIXON: Second.

21 CHAIRMAN: Second by Ms. Dixon. All in
22 favor raise your right hand.

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: Motion carries unanimously.

25 Next item, please.

1 ITEM 13

2 1622, 1624 Payne Avenue, 0.22 acres (POSTPONED)
3 Consider approval of minor subdivision plat.
4 Applicant: Jeffery L. Parrish

5 MR. NOFFSINGER: Mr. Chairman, this plat
6 involves two existing lots of record. It does create
7 a situation where we're moving the property line to
8 get it away or out of or there's a building, two
9 buildings sitting on top of the line or in close
10 proximity with the property line. This will correct
11 that situation. So we're recommending it be approved.

12 CHAIRMAN: Does anybody have any
13 questions?

14 (NO RESPONSE)

15 CHAIRMAN: If not, the Chair is ready for
16 a motion.

17 MS. DIXON: Move to approve.

18 CHAIRMAN: Motion for approval by Ms.
19 Dixon.

20 SISTER VIVIAN: Second.

21 CHAIRMAN: Second by Sister Vivian. All
22 in favor raise your right hand.

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: Motion carries unanimously.

25 Next item.

26 ITEM 14

1 11601, 11611, US 431, 2.381 acres
Consider approval of minor subdivision plat.
2 Applicant: Federal Home Loan Mortgage Corp., Scott
Richmond
3

4 MR. NOFFSINGER: Mr. Chairman, this plat
5 has been reviewed by the Planning Staff. The plat is
6 in order. This plat does create a lot that will be
7 undersized. It's the 0.776 acre tract that's being
8 created. This property is in an A-R zone which
9 requires a minimum one acre lot size. The reason for
10 this division is to put a lot line back where it
11 originally was.

12 This area of the property, this 0.776
13 acres was consolidated in with the adjoining larger
14 tract. There's a mortgage on that larger tract. The
15 mortgage company is now taking over the property.
16 Because of the way the mortgage is written, the
17 mortgage company cannot take over the entire property,
18 the 1.605 acres and the 0.776 acres because they do
19 not have a mortgage on the 0.776 acres.

20 So we talked with the applicant and said
21 to rectify this situation to go in and put the
22 property line back where it was originally located.
23 There should be a note on the plat stating that there
24 should be no building permits issued on that
25 particular piece of property.

1 The question of how that property will be
2 used in the future or what happened to it or what will
3 happen to it will be addressed for another day, but
4 this allows the bank to go ahead and follow through
5 with the sell of the 1.605 acre tract to get it past
6 the mortgage.

7 MR. CAMBRON: Haven't we visited this
8 before, on this particular property?

9 MR. NOFFSINGER: We probably did when it
10 was consolidated in with the larger tract.

11 MR. HOWARD: This probably was brought
12 before you a few months ago. The property owner who
13 owns the .7 acre tract was not willing to sign the
14 plat at that time since they were losing the larger
15 portion. They have now signed.

16 MR. JAGOE: Is Chair ready for a motion?

17 CHAIRMAN: Chair is ready for a motion,
18 Mr. Jagoe.

19 MR. JAGOE: Move for approval.

20 CHAIRMAN: Motion for approval by Mr.
21 Jagoe.

22 MR. ROGERS: Second.

23 CHAIRMAN: Second by Mr. Rogers. All in
24 favor raise your right hand.

25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 CHAIRMAN: Motion carries unanimously.

2 Next item.

3 ITEM 15

4 5103, 5109 US 60 West, 34.855 acres
5 Consider approval of minor subdivision plat.
6 Applicant: Thomas & Myra Weis

7 MR. NOFFSINGER: Mr. Chairman, Mr. Howard
8 will explain this plat.

9 MR. HOWARD: This plat comes before you
10 because a rather narrow, long lot is being proposed of
11 approximately two, a little over two acres with the
12 remaining large agricultural tract remaining. It is
13 not in compliance with the subdivision regulations.
14 That's why it has to be presented before this
15 committee. There is a shared access requirement on
16 U.S. 60 that this lot and the remaining tract sharing
17 access. That's a basic overview of the plat. If you
18 have any questions, I'll be happy to answer them.

19 CHAIRMAN: Is anybody here representing
20 the applicant?

21 APPLICANT REP: Yes.

22 CHAIRMAN: Does anybody have any questions
23 of the applicant?

24 DR. BOTHWELL: Mr. Chairman, is that part
25 of the plat that is written in, that it is a shared
entrance off of 60?

1 MR. HOWARD: Yes.

2 DR. BOTHWELL: That is part of the plat
3 then?

4 MR. HOWARD: Right.

5 MR. CAMBRON: It does allow for access
6 back to the cemetery plot back there?

7 MR. HOWARD: Yes.

8 MR. JAGOE: Is Chair ready for a motion?

9 CHAIRMAN: Chair is ready for a motion,
10 Mr. Jagoe.

11 MR. JAGOE: Move to approve.

12 CHAIRMAN: Motion for approval by Mr.
13 Jagoe.

14 MR. CAMBRON: Second.

15 CHAIRMAN: Second by Mr. Cambron. All in
16 favor raise your right hand.

17 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

18 CHAIRMAN: Motion carries unanimously.

19 Next item.

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21 NEW BUSINESS

22 ITEM 16

23 Consider revision to the Owensboro Metropolitan
24 Planning Commission planning filing fees.

25 MR. NOFFSINGER: Mr. Chairman, each member

Ohio Valley Reporting
(270) 683-7383

1 has been made aware of the increase that's being
2 proposed to certain planning filing fees. This
3 increase applies only to plats that are being recorded
4 in the Daviess County Clerk's office. It is an
5 increase of \$20 per plat. That increase will go
6 toward the recording of the plat by the Planning Staff
7 in the clerk's office that will cover their fee and
8 the Staff's time for actually going over and making
9 the recording. All plats once they're approved by
10 this commission or by the Planning Staff will be
11 recorded by the Planning Staff rather than being
12 returned unrecorded to the surveyor. They will be
13 recorded.

14 CHAIRMAN: Does anybody have any
15 questions?

16 (NO RESPONSE)

17 CHAIRMAN: If not, the Chair is ready for
18 a motion.

19 DR. BOTHWELL: Motion to approve.

20 CHAIRMAN: Motion for approval by Dr.
21 Bothwell.

22 MR. HAYDEN: Second.

23 CHAIRMAN: Second by Mr. Hayden. All in
24 favor raise your right hand.

25 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

1 CHAIRMAN: Motion carries unanimously.

2 Next item, please.

3 ITEM 17

4 Increase petty cash from \$150 to \$350.

5 MR. NOFFSINGER: This will be the amount
6 of money that the planning office keeps on hand. This
7 increase is necessary due to since we're going to be
8 recording plats we need to make sure we have enough
9 money on hand so that once a plat is recorded we can
10 go over to the Daviess County Clerk's office and pay
11 to have that plat recorded.

12 We did talk with the clerk's office to see
13 if they would except another manner of payment such as
14 billing the planning office or acceptance of credit
15 cards; however, the Daviess County Clerk was unwilling
16 to work with us on that so we are proposing to
17 increase the petty cash amount and will be paying cash
18 for those plat recordings.

19 CHAIRMAN: Any questions?

20 (NO RESPONSE)

21 CHAIRMAN: Chair is ready for a motion.

22 MR. CAMBRON: Motion for approval, Mr.
23 Chairman.

24 CHAIRMAN: Motion for approval by Mr.
25 Cambron.

1 MS. DIXON: Second.

2 CHAIRMAN: Second by Ms. Dixon. All in
3 favor raise your right hand.

4 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

5 CHAIRMAN: Motion carries unanimously.

6 We're ready for one final motion.

7 MS. DIXON: Move to adjourn.

8 DR. BOTHWELL: Second.

9 CHAIRMAN: Motion for approval by Ms.
10 Dixon. Second by Dr. Bothwell. All in favor raise
11 your right hand.

12 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

13 CHAIRMAN: We are adjourned.

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