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OWENSBORO METROPOLITAN PLANNING COMMISSION

JANUARY 11, 2001

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The Owensboro Metropolitan Planning Commission met in regular session at 6:00 p.m. on Thursday, January 11, 2001, at City Hall, Commission Chambers, Owensboro, Kentucky, and the proceedings were as follows:

- MEMBERS PRESENT: Drew Kirkland, Chairman
- Gary Noffsinger
- Nick Cambron
- Dave Appleby
- Mike Armstrong
- Irvin Rogers
- Sister Vivian Bowles
- Judy Dixon
- Belinda Douglas
- Martin Hayden
- Stewart Elliott,
Attorney

* * * * *

CHAIRMAN: I would like to welcome everybody to our January 11, 2001 meeting of the Planning & Zoning Commission.

Let us stand and our invocation will be given by Belinda Douglas.

- - (INVOCATION) - -

CHAIRMAN: Our first thing on the agenda tonight is to consider the minutes of the December 14th meeting. Does anybody have any questions, or

1 corrections, or additions to the minutes?

2 MR. CAMBRON: Make a motion for approval.

3 CHAIRMAN: We've got a motion for approval
4 by Mr. Cambron.

5 MS. DIXON: Second.

6 CHAIRMAN: We've got a second by Ms.
7 Dixon. All in favor raise your right hand.

8 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

9 CHAIRMAN: The minutes are approved.

10 Next item on the agenda is the election of
11 officers and for that I'll turn it over to the
12 attorney, Stewart Elliott.

13 MR. ELLIOTT: Mr. Chairman, in accordance
14 with our bylaws, the first meeting of the year we are
15 to hold an election of officers. Those officers will
16 be chairman, vice chairman and secretary.

17 At this time the floor is now open for
18 nominations for the office of chairman.

19 MR. CAMBRON: I'd like to make a
20 nomination of Drew Kirkland.

21 MR. APPLEBY: Second.

22 MR. ELLIOTT: Are there any other
23 nominations?

24 (NO RESPONSE)

25 MR. ELLIOTT: Do we have a motion for the

1 nomination to cease?

2 MS. DIXON: So moved.

3 MR. ELLIOTT: I have a motion that
4 nomination cease. Is there a second?

5 MR. APPLEBY: Second.

6 MR. ELLIOTT: All in favor of Mr. Kirkland
7 signify by raising your right hand.

8 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

9 MR. ELLIOTT: Mr. Kirkland, you are our
10 chairman.

11 The floor is now open for nomination for
12 the office of vice chairman.

13 MR. KIRKLAND: I'd like to nominate Nick
14 Camborn as vice chairman.

15 MR. ELLIOTT: We have a nomination for Mr.
16 Cambron. Do we have a second?

17 MR. HAYDEN: Second.

18 MR. ELLIOTT: Are there any other
19 nominations?

20 (NO RESPONSE)

21 MR. KIRKLAND: I'd like to make a motion
22 that the nomination cease.

23 MR. ELLIOTT: Do we have a second?

24 MS. HAYDEN: Second.

25 MR. ELLIOTT: All those in favor of Mr.

1 Nick Cambron for vice chairman signify by raising your
2 right hand.

3 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

4 MR. ELLIOTT: The floor is now open for
5 the nomination for the office of secretary.

6 MR. APPLEBY: Move to nominate Mike
7 Armstrong for secretary.

8 MR. CAMBRON: Second.

9 MR. ELLIOTT: Are there any other
10 nominations?

11 (NO RESPONSE)

12 MR. APPLEBY: Move that the nomination
13 cease.

14 MR. ELLIOTT: I have a motion that the
15 nomination cease. Do I have a second?

16 MR. CAMBRON: Second.

17 MR. ELLIOTT: All in favor of Mr.
18 Armstrong for secretary signify by raising your right
19 hand.

20 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

21 MR. ELLIOTT: Mr. Armstrong is secretary.

22 That concludes the election, Mr. Chairman.

23 I turn it back over to you.

24 CHAIRMAN: Thank you, Mr. Elliott.

25 The next item on the agenda is consider

1 the adoption of the Comprehensive Plan updated parts
2 200 to 700 including Population, Economy, Employment,
3 Land Use, Transportation, Community Facilities and
4 Environment. Mr. Noffsinger.

5 MR. NOFFSINGER: Mr. Chairman, tonight we
6 will consider the adoption of the Comprehensive Plan,
7 the remaining elements of the Comprehensive Plan with
8 the exception of the overview section. In January of
9 2000, the goals and objectives for the communities
10 Comprehensive Plan was adopted by the legislative
11 bodies. That will be the City of Owensboro, City of
12 Whitesville, and the County of Daviess.

13 Since that time the Planning Staff have
14 been preparing updates to the remaining elements of
15 the Comprehensive Plan which were only adopted by this
16 commission. These elements pertain to the Land Use
17 Plan, Transportation Plan, the environment and many
18 other aspects that effect the development and the
19 growth within this community.

20 Tonight we have a power point presentation
21 fashion by Mr. Gary Adams in our office and he will go
22 through the history of the Comprehensive Plan for this
23 community as well as provide some insight as to the
24 2001 Plan Update and what that includes. So at this
25 time if the Planning Commission would step down and go

1 into the audience, we would like to make that
2 presentation.

3 MR. ADAMS: Thank you, Gary.

4 As Gary said I'm Gary Adams, Associate
5 Director of Planning with the Owensboro Metropolitan
6 Planning Commission. I'm going to read the
7 Comprehensive Plan Update from beginning to end.
8 We'll only be here for about three hours. That's my
9 joke to start out with.

10 What I want to do is just summarize the
11 process or some of the major issues in the 2001 Update
12 of the Comprehensive Plan.

13 This has been a two and a half year
14 process starting in June of 1998. There's a lot to a
15 Comprehensive Plan which you'll see as we go through
16 this presentation.

17 What is the Comprehensive Plan? Well,
18 it's a local decision making tool that the state
19 enables. It's the basis for this community to be able
20 to regulate land use through zoning and other land
21 management regulations. We're able by the state to be
22 able to regulate land use in Daviess County only
23 because we have the Comprehensive Plan. It's
24 community vision for future plan use. It recommends
25 patterns for future growth and land development for

1 all of Owensboro, Whitesville and Daviess County, and
2 it looks ahead 20 years into the future.

3 It's a compendium of supporting data too.
4 It includes trends and projections about population,
5 our economics, our infrastructure, utilities, roads,
6 etcetera, and the environment, floodplains, etcetera.
7 It's a guide that has a history to it. This plan
8 just didn't happen overnight. This is the second full
9 update process to a plan that has been in effect for
10 20 years.

11 The first in-house Comprehensive Plan that
12 was performed for this community by the Owensboro
13 Metropolitan Planning Commission was in 1979. Was
14 called Community Directions.

15 In 1979 some of the big elements that came
16 about as part of that community planning process with
17 Community Directions was the Urban Service Area
18 Concept was adopted. That was when Daviess County
19 first adopted the concept of Urban Service Area.
20 That's the area, and it happens to surround Owensboro,
21 but it goes about three miles outside the City of
22 Owensboro also. That's the area of Daviess County
23 that's covered by infrastructure plains that can
24 accommodate - - that's the area of the county that has
25 been planned for sewer expansions, for major

1 transportation improvements to highways, new major
2 streets, and things of that nature, and other
3 facilities. It is a 71 square mile area of Daviess
4 County, about one-sixth of the land area of the
5 county.

6 In that same plan the remainder of Daviess
7 County was identified as the Rural Service Area.
8 That's the remaining area of the county without full
9 Urban Service Plans in which preservation of
10 agricultural land would be the focus, but there still
11 will be an accommodation for some rural residential
12 growth.

13 Also it was recognized at that time in the
14 Rural Service Area that there are about 240
15 traditional villages or crossroad communities like
16 Sorgho, Knottsville, etcetera, including the City of
17 Whitesville which is an incorporated place and also
18 has the Urban Service of sewers, sanitary sewers.
19 With those 20 communities all together, those we call
20 rural communities. They're the areas of the rural
21 area that are provided for additional housing and
22 other urban uses that might be desired in rural areas.
23 So if you go to Mosleyville, you know, there might be
24 a little commercial use there plus you can get a
25 hamburger, etcetera, and that is out in the Rural

1 Service Area, but it's in that rural community of
2 Mosleyville.

3 Now we come forward about 10 years from
4 that time into the 1991 Plan Update, and that's the
5 plan we've been operating now since 1991. The
6 significance of that plan was after the Planning
7 Commission's experience for ten years under Community
8 Directions, we learned that the specific map plan that
9 we have and said, you know, if your color is red then
10 your property is recommended for commercial, was not
11 necessarily the kind of plan that we needed for
12 Owensboro and Daviess County. Because the types of
13 zoning approvals that the Planning Commission went
14 through we decided that it would be better to have a
15 general guided map that would color 12 different
16 colors on a map and say those are plan areas; meaning
17 that a violet area is generally an industrial type of
18 area, and a blue area is generally a professional
19 service type of area. Identify the general
20 characteristic of a particular area and then define 16
21 different land uses from the most rural type of
22 residential that you might have in the county all the
23 way up to an industrial use. There are 16 different
24 definitions for different kinds of land use and have a
25 land use criteria listing. So what you can do is you

1 say, well, I want to do this use. The color on the
2 map is this color. What are the criterias? What is
3 the likelihood that the plan will endorse me doing
4 that on that particular piece of property? That can
5 be determined. It's almost like a menu.

6 What it does is it articulates what's
7 important in that question of whether or not it would
8 make sense for a particular piece of property to be
9 used for a particular use, and it can change over time
10 because of what's happening in the vicinity because
11 the criteria takes that into account.

12 Part of the process of establishing those
13 criterias is, say, well, what's important? What is
14 really important to make a decision of what land uses
15 go where?

16 One of the very important things is
17 capacity and availability of urban services because
18 for urban development, fairly dense urban development
19 you need adequate highways, streets and roads, you
20 need electricity, you need water supply. Those are
21 essential for urban development. If you want to have
22 denser urban development, smaller lots that you can't
23 really use septic tanks on, sanitary sewers are
24 essential.

25 Also when you get into more condensed

1 urban areas you have to deal with the issue of
2 compatibility between urban land uses. If you have
3 commercial, you'll see commercial is generally
4 oriented to major streets. That's typical because
5 businesses want to have that exposure, but the plan
6 says if you're going to go out and create new
7 commercial areas, then you need to establish those on
8 those major streets rather than back in the middle of
9 a residential subdivision where all the traffic coming
10 to your business would have to pass through lesser
11 intensity uses, plus it explains the concept of
12 buffering between incompatible urban plan uses.

13 When you have commercial uses up next to
14 residential, it make sense to have some kind of
15 buffering between those and encourages the idea of
16 stair-stepping for more intense uses to less intense
17 uses because you minimize the buffer between them.

18 If you have a shopping center and then you
19 have some offices next to that and then it goes down
20 to say single-family residential, you don't need as
21 much buffering between the uses because the uses
22 themselves step down in intensity.

23 The '91 Plan Update also dealt with a lot
24 of the issues that were then very prevalent with coal
25 mining activity which was pretty active ten years ago

1 and is much less so now in Daviess County. It dealt
2 with rural land development issues and policies. The
3 result of that process was the Planning Commission
4 argued that, yes, we should accommodate rural
5 residential development, but only to the extent it
6 doesn't significantly impinge on agricultural mineral
7 extraction or natural resource activities and to help
8 implement that strategy discourage excessive numbers
9 of lots and odd-shaped lots.

10 I know there's been some news in the last
11 few years about the Planning Commission adopting water
12 supply requirements for remote parts of Daviess County
13 to create lots and dimensional standards for lots no
14 more than three times the depth in width. Those
15 standards the Planning Commission has brought into
16 affect in the last two years were in the 1991 Plan
17 Update, recommended in that plan update.

18 Now we come up to today, the 2001 Plan
19 Update. There's been a lot of citizen involvement in
20 this process for the last two and a half years.
21 There's been a dozen work sessions with community
22 agencies and utilities such as Regional Water Resource
23 Agency, with the airport board, with the school
24 representatives, etcetera, several more. There were
25 solicitation of input from governments in the

1 surrounding region and that's really statutory
2 requirement. We have to give McLean County, Ohio
3 County, etcetera, a chance to comment on our land use
4 activities in Daviess County.

5 We have had a few formal public hearing to
6 accept citizen input on the plan. We also have gone
7 out into the county and had town hall meetings in
8 Sorgho and Whitesville.

9 Gary mentioned before that the goals and
10 objectives of the Comprehensive Plan were adopted by
11 the legislative bodies in January of 2000. Well, the
12 draft of getting to the point of those goals and
13 objectives to adopt took about a year in conversations
14 back and forth between Planning Commission, Planning
15 Staff, the elected officials. The updated version was
16 finally adopted in January 2000.

17 Under the statutes the elected officials
18 adopt the goals and objectives, then those adopted
19 goals and objectives guide the preparation of the
20 other elements of the Comprehensive Plan which was
21 being adopted only by the Planning Commission based on
22 those goals and objectives.

23 So the 2001 Plan Update includes updates
24 on population trends and projections. We've updated
25 all of that information that's been happening in the

1 last 10 years and what's projected to happen to the
2 population in Daviess County in the next 20 years.
3 What's been happening is steady growth, but it tends
4 to be moving out into the county, dispersion from the
5 inner part of the county in Owensboro on out into
6 suburban areas and the urban service area and into
7 expanding, ever expanding rural residential
8 development and more than the plan had anticipated ten
9 years ago.

10 Also we have updates to employment trends
11 and projections. Retail and service jobs are growing.
12 Manufacturing jobs are stable generally fluctuating
13 between 6,000 to 7,000 in Daviess County.

14 We have updates to the transportation
15 plans. The highways and major streets plans are the
16 ones people think of a lot because "When are they
17 going to widen my roadway?" etcetera.

18 We have a more updated airport master
19 plan. We have the transit routes that currently
20 exist. We have the bike-way plans. We have updates
21 to a whole bunch of community facilities.

22 The city and county school facility plan,
23 the parks needs analysis which is going to be utilized
24 by the city and county master planning for the new
25 master plan for all of city and county park systems.

1 We updated telecommunications policies dealing with
2 the issue now today of wireless cell towers and we've
3 worked to develop a tower inventory to help keep down
4 the number of cell towers, new cell towers that are
5 necessary. We have incorporated a new storm water
6 master plan for the urban area. The sanitary sewer
7 expansion plan of Regional Water Resource Agency, and
8 the solid waste plan that's current.

9 We've also updated the environmental
10 sections. The floodplain maps of '97. The new
11 floodplain maps went into effect for Daviess County.

12 We've updated the historic sites listed
13 and the status of those historic properties and water
14 and air quality standards have been updated.

15 In the land use analysis, we did a lot of
16 analysis to try to say, well, what's going on in the
17 county, and what's been happening in the last ten
18 years, and what might happen by 2020. In that process
19 we've discovered that the urban service area, that
20 one-sixth of Daviess County has enough land, vacant
21 land in it to accommodate all urban development needs
22 for Daviess County projected to 2020, if we desire as
23 a community to bring that all inside the urban service
24 area. Now, obviously that's not quite would happen
25 entirely.

1 Also in the 2001 Land Use Plan updates
2 we've incorporated the Baptist Town Redevelopment Plan
3 which the Planning Commission actually adopted back in
4 April of 1999, but we've incorporated it into the text
5 of the plan.

6 Also this is a change that we're proposing
7 and that's to expand new industrial park
8 opportunities. There's some evidence in the analysis
9 of our industrial land deeds that we may not have
10 enough land depicted or provided for in the Land Use
11 Plan of the Comprehensive Plan for industrial uses
12 that we might need in 20 years. So we have suggested
13 that we expand potential areas where those new
14 industrial parks could be located out on some of the
15 radial arterials leading into Owensboro, but it would
16 require that they be 100 acres minimum, that they be
17 connected to sanitary sewers, and that they have
18 access to those arterial main roadways leading into
19 town.

20 What are some future opportunities and
21 issues then with this plan? One of the big things we
22 are looking forward to is being able to refine land
23 use in the Land Use Plan even further through the
24 geographic information system that the city and the
25 county and OMU and Regional Water are jointly

1 developing. That will allow - - and the PVA is
2 involved. That will allow OMPC and the PVA to share
3 more data about land use. We do it right now, but
4 very, in a very difficult manner because we don't have
5 linked information systems, but we're going to be able
6 to have that down to the parcel level.

7 Then there's the county land use task
8 force which is having hearings right now in
9 conjunction with the community conversations trying to
10 see what the community feels about significant issues
11 of land use. We have some questions for them.

12 Will the land use task force find
13 interesting prime farm land preservation protection?
14 Will they find an acceptable level of rural services?
15 Meaning what level of services do folks who live out
16 in the rural parts of Daviess County really expect to
17 have and expect to be able to pay for. Will the task
18 force find a community consensus of how much rural
19 development we want and can afford as a community
20 because the development pattern of this community
21 affects everyone in Daviess County either through
22 their tax structure or through the utility fees they
23 pay.

24 Conclusion: The 2001 Comprehensive Plan
25 Update maintains a community vision, a vision that

1 we've been promoting for 20 years. The plan includes
2 updated statistics and urban service plans. The land
3 use plan has a capacity to accommodate projected
4 population and urban development needs. The plan can
5 support a range of regulatory changes with community
6 consensus.

7 An electronic version of the plan is
8 available via e-mail from our web site which is a
9 temporary web site, but it's at iompc.org. I
10 appreciate your attention.

11 CHAIRMAN: Mr. Adams, I'd like to thank
12 you for a very well done, concise and to the point
13 presentation of the Comprehensive Plan. You broke it
14 down in about 15 minutes and did an excellent job. So
15 if any our viewers or anybody in the audience that
16 wants to get a complete update can go to the web site.
17 Thank you very much. It was well done.

18 Now, Mr. Noffsinger.

19 MR. NOFFSINGER: I'd just like to
20 summarize and say that the Planning Commission through
21 their staff has worked on is a plan that just didn't
22 happen. It was a plan that was crafted through
23 numerous work sessions. This commission along with
24 the elected officials and many citizens participated
25 in work sessions that took many hours. It's a plan

1 that was prepared and updated based upon communication
2 and coordination with various agencies within this
3 community and with citizens of the community. It's a
4 plan that can guide the growth of this community for
5 the next 20 years. It's a plan that the Planning
6 Staff feels comfortable and feels good to have been
7 able to prepare in-house with the support of this
8 commission and the elected officials.

9 CHAIRMAN: Are we ready for the next item
10 on the agenda?

11 MR. NOFFSINGER: We need to take some kind
12 of action.

13 CHAIRMAN: Want to go ahead and approve
14 the - -

15 MR. NOFFSINGER: Well, at this point we've
16 advertised for adoption of the Comprehensive Plan, 95
17 percent of the remaining elements of the Comprehensive
18 Plan. We still have a section of the overview section
19 that's yet to complete and this commission has two
20 choices. Number one, after we consider public comment
21 at this hearing, then this commission can consider to
22 adopt the plan as it is. We can consider taking a
23 look at making any revisions or considerations that
24 are taken into account during this public hearing, or
25 you may wish to postpone taking any action tonight and

1 take a look at soliciting more public input through
2 the local news media and through the airing of this
3 presentation that Mr. Adams made on Cable Channel 44.
4 That would give the citizens of the community an
5 opportunity to review what has been proposed and
6 presented to you tonight and another opportunity to be
7 heard.

8 CHAIRMAN: Let's see if there are any
9 comments from the audience at this present time on the
10 Comprehensive Plan.

11 Would anybody from the audience like to
12 address the commission, make any comments,
13 suggestions?

14 (NO RESPONSE)

15 CHAIRMAN: If there are no comments at
16 this time or suggestions from the audience, I think
17 the Chair would be ready for a motion at this time.

18 MR. ARMSTRONG: I'd like to make a motion
19 that we postpone taking any action for 30 days at
20 least awaiting further public comment.

21 CHAIRMAN: We have a motion from Mr.
22 Armstrong to postpone.

23 MR. HAYDEN: I'll second.

24 CHAIRMAN: We have a second by Mr. Hayden.
25 All in favor of the motion - - is there any discussion

1 on the motion?

2 (NO RESPONSE)

3 CHAIRMAN: All in favor raise your right
4 hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

7 Next item, Mr. Noffsinger.

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9 PUBLIC FACILITIES PLANS
10 REVIEW FOR CONSISTENCY WITH COMPREHENSIVE PLAN

11 ITEM 4

12 Darlington Drive (Map N-25)

13 Land Disposition

14 Consider comments regarding a proposal to close a
15 535-foot long, 50-foot wide right-of-way and street
16 known as Darlington Drive located between Wesleyan
17 Drive and Scherm Road.

18 Referred by: City of Owensboro

19

20 MR. NOFFSINGER: Mr. Chairman, this is an
21 application to close a roadway that is used by the
22 public and maintained by the public that serves the
23 Kentucky Wesleyan College. The college is interested
24 in closing this particular street in anticipation of
25 future building construction at the site. Planning
Staff has reviewed the application and finds no
inconsistency with the Comprehensive Plan and
recommend you forward a recommendation to the City of
Owensboro in that regard.

1 CHAIRMAN: Thank you, Mr. Noffsinger.

2 Is there any comments from the audience on
3 this proposal?

4 (NO RESPONSE)

5 CHAIRMAN: If there are no comments, the
6 Chair is ready for a motion.

7 MR. CAMBRON: Make a motion we approve the
8 closing of this road, of Darlington Drive, Mr.
9 Chairman.

10 CHAIRMAN: Mr. Cambron has made a motion
11 to close, for approval of the closure of Darlington
12 Drive.

13 MS. DIXON: Second.

14 CHAIRMAN: Got a second from Ms. Dixon.
15 Are there any questions or comments?

16 (NO RESPONSE)

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

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 CHAIRMAN: The vote carried unanimously.

21 Next item, Mr. Noffsinger.

22 ITEM 5

23 Portion 7772 KY 815 (Map CO-13, 20)
24 Facility Construction
25 Consider comments regarding the construction of a
 composting facility and contained landfill expansion
 at the West Daviess County Landfill.
 Referred by: Daviess County Fiscal Court
 Ohio Valley Reporting
 (270) 683-7383

1 MR. NOFFSINGER: Mr. Chairman, this
2 application has been reviewed by the Planning Staff.
3 It is an expansion of the West Daviess County Landfill
4 that serves from the sanitation and the disposal needs
5 of this community and surrounding communities. We
6 have reviewed the proposal and find no conflict with
7 the Comprehensive Plan.

8 CHAIRMAN: Are there any questions or
9 comments from the audience?

10 (NO RESPONSE)

11 CHAIRMAN: If there are not, the Chair is
12 ready for a motion.

13 MR. HAYDEN: Make a motion we approve.

14 CHAIRMAN: Got a motion for approval by
15 Mr. Hayden.

16 MR. ARMSTRONG: Second.

17 CHAIRMAN: Second by Mr. Armstrong. All
18 in favor raise your right hand.

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 CHAIRMAN: Motion carries unanimously.

21 Next item, please.

22 -----

23 ZONING CHANGE - CITY

24 ITEM 6

25 Portion 931 East 18th Street, 0.55 acres (Map N-7)

1 Consider zoning change: From I-1 Light Industrial to
B-4 General Business.

2 Applicant: Specialty Landscaping & Garden Center LLC,
Ann B. Stavis, Eleanor B. Sutton

3 MR. ELLIOTT: State your name for the

4 record, please.

5 MS. WATSON: Becky Watson.

6 (MS. BECKY WATSON SWORN BY ATTORNEY.)

7 (ITEM 6 STAFF REPORT IS ATTACHED AND MADE

8 A PART OF THE RECORD AT THIS TIME AS EXHIBIT A.)

9 PLANNING STAFF RECOMMENDATIONS

10 Staff recommends approval because the proposal is

11 in compliance with the adopted Comprehensive Plan.

12 This recommendation is made subject to the condition

13 and findings of fact that follow:

14 Condition:

15 Access to East 18th Street shall be limited to a

16 single driveway, located at the eastern boundary of

17 the subject property.

18 Findings of Fact:

19 1. The subject property is located in a

20 Business/Industrial Plan Area, where general business

21 uses are appropriate in general locations;

22 2. The subject property is contiguous to

23 existing B-4 General Business zones;

24 3. The area contains a number of mixed-uses

25 consisting of business, industrial and residential

1 activities; and,

2 4. The adopted Comprehensive Plan allows
3 existing areas that contain a mixture of business and
4 light industrial uses to continue as mixed-use areas.

5 CHAIRMAN: Thank you.

6 Is there anybody representing the
7 applicant?

8 MR. HARRINGTON: Yes.

9 MR. ELLIOTT: State your name.

10 MR. HARRINGTON: My name is Larry
11 Harrington.

12 (MR. LARRY HARRINGTON SWORN BY ATTORNEY.)

13 MR. HARRINGTON: I am here on behalf of
14 the applicant, Ron Lamotte, who is also here. We're
15 here to answer any questions the Commission or members
16 of the public might have.

17 CHAIRMAN: Does anybody in the audience
18 have any questions of the applicant or Mr. Harrington?

19 (NO RESPONSE)

20 CHAIRMAN: Do any of the commissioners
21 have any questions of the applicant or Mr. Harrington?

22 MR. CAMBRON: I have a question for Mr.
23 Noffsinger.

24 Mr. Noffsinger, is there going to be
25 adequate parking there with this area?

1 MR. NOFFSINGER: Yes, sir. Based upon the
2 proposed use, we'll get into that in the next item
3 under the Development Plan. Proposed use is a
4 landscape nursery facility with two greenhouses and an
5 office to be located on the property. They are
6 providing nine parking spaces on the site to serve
7 that use and that is adequate based upon the Zoning
8 Ordinance.

9 MR. CAMBRON: Will there only be one
10 entrance into this property?

11 MR. NOFFSINGER: There will be one
12 entrance to the subject property and on the west side
13 of the subject property I believe there's another
14 entrance that's located on the adjoining property that
15 may be used by this development.

16 MR. CAMBRON: That's all I have.

17 CHAIRMAN: Do any other commissioners have
18 any questions?

19 (NO RESPONSE)

20 CHAIRMAN: If there are no more questions
21 or suggestions, the Chair is ready for a motion.

22 MR. ELLIOTT: Mr. Chairman, I think prior
23 to the motion we need to have introduced in the record
24 the full report from the Staff as an exhibit.

25 CHAIRMAN: You want to call this Exhibit

1 A?

2 MR. ELLIOTT: Yes.

3 CHAIRMAN: For the record let's have the
4 Staff Report entered into the record as Exhibit A,
5 please. Give that to the court reporter.

6 MR. NOFFSINGER: We have presented that to
7 the court reporter and have identified that as Exhibit
8 A.

9 MR. CAMBRON: Is Chair ready for a motion?

10 CHAIRMAN: Chair is ready for a motion,
11 Mr. Cambron.

12 MR. CAMBRON: Motion for approval based on
13 the Findings of Fact 1 through 4 and the Condition
14 that accessed to East 18th Street to be limited to a
15 single driveway located at the eastern boundary of the
16 subject property, Mr. Chairman.

17 CHAIRMAN: Mr. Cambron has made a motion
18 for approval. Is there a second?

19 MS. DIXON: Second.

20 CHAIRMAN: We've got a second by Ms.
21 Dixon. All in favor raise your right hand.

22 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

23 CHAIRMAN: The motion passes unanimously.

24 Next item, please.

25

1 Related Item

2 ITEM 6A

3 931 East 18th Street, 2.45 acres (Map N-7)
4 Consider approval of final development plan.
5 Applicant: Specialty Landscaping & Garden Center LLC
(Ron Lamotte III), Ann B. Stavis, Eleanor B. Sutton

6 MR. NOFFSINGER: Mr. Chairman, this
7 application has been reviewed by the Planning Staff.
8 It's found to be in order. It is a proposal to
9 construct two greenhouses on the property with an
10 office. There is an existing warehouse facility
11 located on the property which will be to the north or
12 to the rear of this particular development. This
13 particular piece of property was the parking area that
14 served the old post office that was located on East
15 18th Street. This application is in order and ready
16 for your consideration.

17 CHAIRMAN: Do we have anybody - -
18 obviously we have Mr. Harrington representing the
19 applicant. The applicant is here. Does anybody on
20 the board have any questions?

21 MR. CAMBRON: Are they going to plant
22 trees and shrubs there? That's all right. I'm just
23 kidding.

24 CHAIRMAN: There should be adequate
25 screening there.

1 If we have no other questions from the
2 board, the Chair is ready for a motion.

3 MR. CAMBRON: Motion for approval.

4 CHAIRMAN: Motion for approval by Mr.
5 Cambron.

6 MS. DIXON: Second.

7 CHAIRMAN: Second by Ms. Dixon. All in
8 favor raise your right hand.

9 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

10 CHAIRMAN: Motion carried unanimously.

11 Next item, please.

12 -----

13 ZONING CHANGES - COUNTY

14 ITEM 7

15 8800 Block KY 2830, 20.55 acres (Map CO-62)
16 Consider zoning change: from A-R Rural Agriculture to
17 R-1A Single-Family Residential.
18 Applicant: Robert J. Wimsatt

19 PLANNING STAFF RECOMMENDATIONS

20 Staff recommends approval because the proposal is
21 in substantial compliance with the adopted
22 Comprehensive Plan. This recommendation is made
23 subject to the condition and findings of fact that
24 follow:

25 Condition:

 Improvement of Sacra Drive to a 34-foot wide

1 pavement width with curb and gutter on both sides from
2 the CSX Railroad crossing along the entire length of
3 the subject property.

4 Findings of Fact:

5 1. A portion of the subject property is located
6 in a Rural Preference Plan Area where rural small-lot
7 residential uses are appropriate in very-limited
8 locations;

9 2. A portion of the subject property is located
10 in a Rural Community Plan Area where rural small-lot
11 residential uses are appropriate in general locations;

12 3. A preliminary subdivision plat has been
13 submitted, which shows each lot fronting on a public
14 street to be constructed to urban specifications;

15 4. The District Health Department has
16 tentatively approved the development for septic tank
17 use;

18 5. With the proposed improvements to Sacra
19 Drive, the roadway capacity should not be
20 overburdened; and,

21 6. The proposal is a logical expansion of
22 limited scope of existing rural small-lot residential
23 zoning and use.

24 MS. WATSON: We would like to introduce
25 the Staff Report as Exhibit B.

1 (ITEM 7 STAFF REPORT IS ATTACHED AND MADE
2 A PART OF THE RECORD AT THIS TIME AS EXHIBIT B.)

3 CHAIRMAN: Is there someone representing
4 the applicant here?

5 MR. WIMSATT: No comment.

6 CHAIRMAN: Does anybody from the audience
7 have any questions of the applicant?

8 (NO RESPONSE)

9 CHAIRMAN: Do any of the commissioners
10 have any questions of the applicant?

11 (NO RESPONSE)

12 CHAIRMAN: If not the Chair is ready for a
13 motion.

14 MS. DIXON: Move for approval because it's
15 in compliance with the Comprehensive Plan subject to
16 the Condition and based upon Findings of Fact 1
17 through 6.

18 CHAIRMAN: Ms. Dixon has made a motion for
19 approval.

20 MR. ROGERS: Second.

21 CHAIRMAN: We've got a second. 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 Related Item:

2 ITEM 7A

3 East Meadows, 20.812 acres (Map CO-62)
4 Consider approval of major subdivision preliminary
5 plat.
6 Applicant: Robert J. Wimsatt

7 MR. NOFFSINGER: Mr. Chairman, this
8 Preliminary Subdivsion Plat has been reviewed by the
9 Planning Staff. It's found to be in order. It
10 proposes 34 residential lots within the area of Maceo
11 and it does include improvements to Sacra Court with
12 curb and gutter as pavement widening as described in
13 the previous conditions of the zoning change that
14 you've just considered.

15 CHAIRMAN: The applicant is present. Are
16 there any other questions that anybody in the audience
17 would have of the applicant?

18 (NO RESPONSE)

19 CHAIRMAN: Does anybody on the board have
20 any questions of the applicant?

21 MR. CAMBRON: I have a question of the
22 applicant if he could step up, please.

23 MR. ELLIOTT: State your name, please.

24 MR. WIMSATT: Bob Wimsatt.

25 (MR. ROBERT WIMSATT SWORN BY ATTORNEY.)

MR. CAMBRON: It was more of a formality

1 than I want to ask you the question. Has the drainage
2 been taken care of on this property? I know it drains
3 kind of low on the back there.

4 MR. WIMSATT: Part of the design that the
5 engineers did does include an analysis of where the
6 water is going to go. There are some ditches that
7 have to be added in this Development Plan. That's all
8 been worked out by the county engineer through the
9 engineers that did the design work for me.

10 MR. CAMBRON: I don't see any retention
11 basins in here.

12 MR. WIMSATT: I think the engineers could
13 probably answer that question a little better, but as
14 I basically understand it the ditches themselves have
15 the capacity to serve the retention requirements.

16 MR. CAMBRON: Okay. Good enough. Thank
17 you.

18 CHAIRMAN: Does anybody else have any
19 question of the applicant?

20 (NO RESPONSE)

21 CHAIRMAN: If there are no more questions
22 of the applicant, the Chair is ready for a motion.

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

25 CHAIRMAN: Motion for approval by Mr.

1 Cambron.

2 MS. DIXON: Second.

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

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

7 Next item, Mr. Noffsinger.

8 ITEM 8

9 4100 Block Medley Road, 10.040 acres (Map N-81)
10 Consider zoning change: From A-U Urban Agriculture to
11 R-1C Single-Family Residential.
12 Applicant: Robert J. Wimsatt

13 PLANNING STAFF RECOMMENDATIONS

14 Staff recommends approval because the proposal is
15 in compliance with the adopted Comprehensive Plan.
16 This recommendation is made subject to the findings of
17 fact that follow:

18 1. The subject property is located within an
19 Urban Residential Plan Area, where urban low-density
20 residential uses are appropriate in limited locations;

21 2. Sanitary sewers are proposed to be expanded
22 to the site;

23 3. The subject property immediately adjoins
24 areas of urban low-density residential zoning; and,

25 4. The proposed development of the subject
26 property should not significantly lower the

1 level-of-service of Medley Road.

2 MS. WATSON: The Staff would like to enter
3 this Staff Report as Exhibit C.

4 (ITEM 8 STAFF REPORT IS ATTACHED AND MADE
5 A PART OF THE RECORD AT THIS TIME AS EXHIBIT C.)

6 CHAIRMAN: Is there anybody here
7 representing the applicant?

8 MR. WIMSATT: Yes.

9 CHAIRMAN: Does anybody from the audience
10 have any questions on this application?

11 MS. KETTERMAN: Yes.

12 MR. ELLIOTT: State your name, please.

13 MS. KETTERMAN: Freida Ketterman.

14 (MS. FREIDA KETTERMAN SWORN BY ATTORNEY.)

15 MS. KETTERMAN: I just want to ask him a
16 question.

17 Is this joining us?

18 MR. WIMSATT: It is.

19 MS. KETTERMAN: The ten acres behind us?

20 MR. CAMBRON: Have you seen this? Why
21 don't you step up here and grab this here.

22 MS. KETTERMAN: We have a drainage problem
23 out where I'm at. That's why I'm here.

24 (CONFERENCE AT COMMISSIONERS BENCH.)

25 CHAIRMAN: Excuse me. You need to go

1 back. You can take that with you. We need you at the
2 microphone so we can have it on record.

3 MS. KETTERMAN: This is not what I'm
4 talking about. We were worried about this in behind
5 the trees, the woods, when I bought it.

6 MR. WIMSATT: Try to help her out here?

7 CHAIRMAN: We'll just have a joint meeting
8 at the mike there because it's easier there. If you
9 all can just share the mike.

10 (DISCUSSION BETWEEN MS. KETTERMAN AND MR.
11 WIMSATT.)

12 MR. WIMSATT: I can't answer that.

13 MS. KETTERMAN: There's a problem out
14 there of draining too. How are they going to do this
15 when this drainage is not fixed?

16 CHAIRMAN: Wait a minute. Let me ask Mr.
17 Wimsatt. We'll get him over here at a different mike
18 and we'll see if you can address the Chair and the
19 Chair can go back and get Mr. Wimsatt.

20 Now, would you specifically state your
21 question for the record, please?

22 MS. KETTERMAN: How is he going to have
23 the drainage fixed in this plot when it's not fixed in
24 the plot that he just sold and the houses went in? I
25 know my house is the one that it all flows on and it's

1 out there for anybody to take a look at.

2 CHAIRMAN: Now, this is a previous piece
3 of property that's already been developed?

4 MS. KETTERMAN: Right. It adjoins this
5 property that he's wanting to sell.

6 CHAIRMAN: Mr. Wimsatt, do you understand
7 her question?

8 MR. WIMSATT: I'm not sure that I fully
9 understand it.

10 MS. KETTERMAN: Drainage.

11 MR. WIMSATT: Yes. Part of the design
12 plans that the engineers did, of course, includes an
13 analysis of drainage and they have to decide how to
14 route water around property or whether to include the
15 retention basins. I don't do the engineering work.
16 That's done through hired engineers in conjunction
17 with either the city or the county engineers. In this
18 case, the city engineer. So the detailed calculations
19 as to how they decide what ditches needs to go where
20 and how to run the water, you know, I really don't
21 know that. That's worked out with the engineers and
22 then they said in this case with the city engineer,
23 but that's part of the design phase that they have to
24 go through on any project. All of that has been
25 worked out and approved by the city engineer.

1 CHAIRMAN: Ms. Watson, would you step to
2 the mike and address that on our behalf, please.

3 MS. WATSON: The preliminary plat that was
4 submitted for Doe Ridge Subdivision did include
5 drainage calculations that the city engineer has
6 approved. It was also requirements on that
7 preliminary plat for an existing ditch to be cleaned
8 out that carried some drainage from the previously
9 plated subdivision.

10 MS. KETTERMAN: It's not done. No, it's
11 not done.

12 MR. CAMBRON: Mr. Chairman, let me - -

13 MS. KETTERMAN: None of what she said has
14 been done. That's what I'm here for.

15 MR. CAMBRON: I've had a couple of calls
16 from - -

17 MS. KETTERMAN: I've had the city engineer
18 out there too.

19 MR. CAMBRON: I've had a couple of calls
20 from people that live out here and they've got a big
21 drainage problem and it hasn't been addressed yet and
22 that's one of my big concerns too. We haven't taken
23 care of this yet. How can one approve this if we
24 haven't taken care of the drainage problem there?

25 MS. KETTERMAN: Right.

1 MR. WIMSATT: Mr. Chairman, the engineer
2 is here. I don't know what the drainage problem is
3 that Mr. Cambron is referring to. I know that there
4 was an adjoining ditch on some of the previous
5 development that the city engineer asked to be cleaned
6 out, but that actually is over on another side of the
7 property that doesn't adjoin the Kettermans.

8 MS. KETTERMAN: Where does it flow?

9 CHAIRMAN: Wait just a minute. I think
10 we're getting outside of Mr. Wimsatt's expertise.

11 Is the engineer here? Is your engineer
12 here?

13 MR. WIMSATT: I believe he is. I believe
14 I saw him.

15 MR. CHAIRMAN: Who is your engineer?

16 MR. WIMSATT: Don Bryant.

17 CHAIRMAN: Mr. Bryant, would you step
18 forward and be sworn in, please.

19 MR. ELLIOTT: State your name for the
20 record, please.

21 MR. BRYANT: Don Bryant.

22 (MR. DON BRYANT SWORN BY ATTORNEY.)

23 MR. BRYANT: I need to know what the
24 problem is and where it's located.

25 MS. KETTERMAN: Right here. My home. The

1 street right in front of my house. They scoop up dirt
2 every time it rains. That's how much of my yard is
3 washed away. I'm continuing putting dirt in right
4 there in the corner. It runs down from that way. It
5 runs down from that way. They don't have a drainage.
6 Deer Haven Drive they have one, two, three drainage
7 holes and then they don't have any more until they
8 pass my house. It kind of gathers right there. I
9 don't like that. You know, I'm having my yard sodded
10 in the spring, seeded, sodded, whatever. I don't want
11 it to run off and run in the street like it is now. I
12 pay too much money. I mean I'm retiring.

13 CHAIRMAN: Wait just a minute. Let me see
14 if Mr. Bryant can answer these specific questions or
15 whether we - -

16 MR. BRYANT: I'm trying to find out what
17 the real problem is. We can't address it until we
18 find out. Is the problem behind the curb or is it in
19 the street?

20 MS. KETTERMAN: In the street.

21 MR. BRYANT: One thing that comes to mind
22 there the paving is not completed.

23 MR. WIMSATT: That's right.

24 MR. BRYANT: The street is not completed
25 and usually until such time as the pavement is

1 completed, there is some silt in the street because
2 the asphalt is below the lip of the curb.

3 MR. WIMSATT: There is not an inlet on the
4 corner that their home is on that side.

5 MS. KETTERMAN: That's right.

6 MR. WIMSATT: There's an inlet on the
7 other side.

8 MS. KETTERMAN: Fifty feet down from us.

9 MR. WIMSATT: But there's not one on their
10 corner. I don't know in the original design if it was
11 intended for that water to cross on over once the
12 finished blacktop got put in. You know, I don't know
13 if Mr. Bryant can answer that for us. I think that
14 can probably be taken care of with the finished
15 asphalt by - -

16 MS. KETTERMAN: Let me tell you. I've
17 been - -

18 CHAIRMAN: Wait a minute. Let him finish
19 with his statement and then we will come back to you
20 and let you have yours and then we will give Mr.
21 Bryant hopefully a summary.

22 MR. WIMSATT: I don't know whether putting
23 blacktop on will take the water across the road or
24 not. If it doesn't, I mean we may have to look at
25 adding an inlet on that corner. You know, I don't

1 particularly care what improvements we need to make
2 I'm willing to do, but really that's outside of the
3 scope of this 10 1/2 acres that we're talking about
4 tonight. This was a previously approved project that
5 her lot, that the Ketterman's lot is on. All of that
6 drainage and stuff was calculated separate from what
7 we're talking about tonight.

8 CHAIRMAN: Well, this comes under the
9 heading of public comment so we're going to address it
10 at this time. Let me ask you to be seated. We'll
11 give Mr. Bryant the summary, I believe.

12 MR. BRYANT: This water does not cross the
13 intersection. That street, there's a stub-out street
14 here that actually connects with the area that's on
15 the agenda at this time. The water actually comes
16 into this intersection, goes around the radius and
17 it's intended to flow to the southwest here and now
18 for Buck Trail, the street that's stubbed out there
19 does that. It just extends one lot depth. Evidently
20 it's a problem there in the radius where the final
21 asphalt has not been placed. It's not uncommon until
22 all the asphalt is placed that we have some low places
23 around inlet boxes and so forth where you have a small
24 amount of silt. All I can say is that, you know, once
25 it's completed there will not be a low spot there.

1 There won't be any reason for that to hold silt.
2 There's a possibility that the curb is settled. I
3 can't really say. We can say it's isolated to one
4 small area. If the curb is low or whatever right
5 there, it can be rendered very easily.

6 MR. CAMBRON: Would it be something you
7 really need to go look at?

8 MR. BRYANT: We'd have to check it in the
9 field. I can't be any more specific, but it's
10 certainly not anything of any consequence. It could
11 be taken care of.

12 MR. CAMBRON: Mr. Wimsatt, can you step
13 back up to the mike because I want to address
14 something else here.

15 I've had a couple of calls from people
16 that have drainage problems that back up to Medley
17 Road on Creekside Court. They're even closer I guess
18 to this property that's going to be rezoned tonight or
19 the plan be approved. They have problems with
20 drainage too there and it has nothing to do with road
21 or drainage box. Their whole backyard is flooded.

22 MR. WIMSATT: Actually, Mr. Cambron,
23 Creekside Court is probably the furthestest away from
24 this 10 1/2 acres that we're talking about tonight.
25 If it's where I think you're describing, the

1 topography of the land in that area was not changed
2 hardly at all from the way it originally was and the
3 way it was - - and with the new lots added to that
4 property. One of the things that I had a dozer
5 operator do a month or two ago was on my side of the
6 property line adjoining those lots that back up on
7 Creekside Court is to cut a swell so that it would
8 take the water and keep the water on my side of the
9 property and not go over onto the other lots. I don't
10 know that that was even shown as a requirement in the
11 design for that part of the subdivision, but I went
12 ahead and cut that swell just to try to help out the
13 neighbors. There again, that's off of this 10 1/2
14 acres.

15 MR. CAMBRON: I understand that, but you
16 do have a drainage problem out there and the neighbors
17 are complaining and it needs to be addressed.

18 MR. WIMSATT: It's certainly better to
19 address these things outside of the meeting tonight,
20 you know. I mean if somebody has a problem, those - -
21 the people on Creekside haven't called me.

22 MR. CAMBRON: They've called somebody.

23 MR. WIMSATT: I'm saying they didn't call
24 me.

25 MR. CAMBRON: I understand, but this is

1 the place to bring it up.

2 CHAIRMAN: Let's move forward with this.

3 MR. BRYANT: We still have considerable
4 bond posted on these units. We'll look into it and
5 render the situation. This second issue I'm not sure
6 where it's at or what the cause is. We'll just have
7 to look into it. Like I say there is considerable
8 bond still posted for this entire subdivision.

9 CHAIRMAN: Thank you, Mr. Bryant.

10 MR. ARMSTRONG: You talking about the last
11 layer of blacktop, do you know when it's scheduled?

12 MR. WIMSATT: Typically you do that after
13 most of the construction is done. I would say it'd be
14 done sometime this year. There's currently homes on
15 probably about half of those lots, the previous lots

16 CHAIRMAN: Thank you.

17 Mr. Bryant, do you have anything else to
18 say?

19 MR. BRYANT: No.

20 CHAIRMAN: Ms. Ketterman, what it looks
21 like we'll do with this situation, Mr. Bryant has
22 offered to go out there and take a look at it. Mr.
23 Wimsatt has offered to do whatever correction needs to
24 be done and please understand that Mr. Wimsatt, there
25 is a covering this whole development. So it's in all

1 peoples best interest to clear this up and I'm sure
2 they'll work with you to get it done because it's a
3 future thing that they want to do.

4 MS. KETTERMAN: Can I say something?

5 CHAIRMAN: Yes, ma'am, you may.

6 MS. KETTERMAN: It's been a year.

7 February will be a year that I've been out there. I
8 have talked to him, talked to everybody, and it's done
9 no good so I came here tonight.

10 MR. CAMBRON: This is the place to be.

11 MS. KETTERMAN: They called me a dumb
12 blond, a dizzy lady, but I don't care. My property
13 cost a lot of money. My home cost a lot of money.
14 Nobody would buy it with the drainage problems if I
15 was to sell it. I wanted it a matter of public
16 record. In fact, I would like it in the paper.

17 CHAIRMAN: Well, the newspaper is here.

18 MS. KETTERMAN: It's just I've talked, and
19 talked, and talked. I've been put off, put off, put
20 off. I want something done.

21 CHAIRMAN: We can assure you at this time
22 that we are now made aware of it. You have made your
23 point and Mr. Bryant will go out and take a look at it
24 and Mr. Wimsatt is very much aware of it and I'm sure
25 within a reasonable period of time - - there is a

1 ditch cleaning that also is a condition that should
2 possibly help this area, but regardless action will be
3 taken. Mr. Bryant will be out. I'm sure if you have
4 any more problems, please come back and see us.

5 MS. KETTERMAN: Yes. It's nothing against
6 him. It's nothing against him personally. He's a
7 good kid. His kids play little league and everything
8 like that. He's good. It's just that people don't
9 listen. When you get older people don't listen and I
10 wanted to be heard and that's all. He knows. We talk
11 to him every time he's out there. He knows my
12 problem.

13 CHAIRMAN: Yes, ma'am, and I can assure
14 you Mr. Wimsatt has not gotten to the age where he
15 won't listen. He's at the age where he's got a big
16 bond and I'm sure he will listen. I'm sure that we
17 will work with you and they'll work with you. I'm
18 sure they'll get it taken care of and if they don't,
19 please come back and we will follow up behind it.

20 MS. KETTERMAN: I will.

21 CHAIRMAN: Thank you.

22 MR. CAMBRON: Mr. Chairman, I've got a
23 question for Mr. Noffsinger.

24 Could we possibly table this for 30 days
25 until we get some of these drainage issues taken care

1 of?

2 MR. NOFFSINGER: Yes, you could do that.

3 I would like to state for the record the
4 Planning Staff did not receive any calls regarding
5 drainage at this site; however, when the Planning
6 Staff went out to view the property for the zoning
7 change, we did identify certain ditches within the
8 development that appeared to be in need of cleaning
9 and we did talk with the city and the county engineer
10 and they have worked with Mr. Wimsatt.

11 I understand that as a part of the plan
12 that's coming up a little bit later on the agenda,
13 that it has been agreed upon that some of those
14 ditches will be properly cleaned. That may alleviate,
15 hopefully alleviate some of the drainage concerns
16 within that development. It may not take care of this
17 lady's problem.

18 What I would ask is that Becky Watson with
19 the Planning Staff communicate this issue with the
20 city engineer and make him aware of the situation so
21 that he can take a look at the site with Mr. Bryant
22 and Mr. Wimsatt.

23 CHAIRMAN: With no further questions or
24 comments the Chair is ready for a motion.

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

1 make a motion to postpone this for 30 days until we
2 get these drainage issues taken care for some of these
3 people out there and possibly this will speed things
4 up for them.

5 CHAIRMAN: We have a motion for a
6 postponement.

7 MS. DIXON: Second.

8 CHAIRMAN: I have a second by Ms. Dixon.
9 All in favor raise your right hand.

10 (SISTER VIVIAN BOWLES, DREW KIRKLAND, NICK
11 CAMBRON, JUDY DIXON AND BELINDA DOUGLAS ALL RESPONDED
12 AYE.)

13 CHAIRMAN: All opposed.

14 (DAVE APPLEBY, MIKE ARMSTRONG, IRVIN
15 ROGERS AND MARTIN HAYDEN ALL RESPONDED NAY.)

16 CHAIRMAN: We have a 30 day postponement.
17 It did pass.

18 Next item on the agenda, please.

19 ITEM 9

20 Portion 4617 Sutherland Road, 2.30 acres (Map N-62)
21 Consider zoning change: From A-R Rural Agriculture to
22 B-4 General Business
23 Applicant: Steve All, Forrest Allen Delacey, Shirley
24 Delacey

25 MR. NOFFSINGER: Mr. Chairman, we received
a letter from the applicant today requesting that the
Planning Commission consider this item for

1 postponement until the February meeting of this
2 commission.

3 CHAIRMAN: We're voting for postponement.

4 MR. APPLEBY: Chair ready for a motion?

5 CHAIRMAN: Let's see if we've got any
6 public comment.

7 Are there any neighbors here that have any
8 questions of the applicants?

9 (NO RESPONSE)

10 CHAIRMAN: If there are no comments from
11 the audience, the Chair is now ready for a motion.

12 MR. APPLEBY: Motion to postpone.

13 CHAIRMAN: We have a motion for a
14 postponement by Mr. Appleby.

15 MR. HAYDEN: Second.

16 CHAIRMAN: We've got a second by Mr.
17 Hayden. All in favor raise your right hand.

18 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

19 CHAIRMAN: Motion carries unanimously.

20 Next item, please.

21 -----

22 DEVELOPMENT PLANS

23 ITEM 10

24 815 Triplett Street, 5.405 acres (Map N-4)
25 Consider approval of final development plan.
 Applicant: Wendell Foster Center

1 MR. NOFFSINGER: Mr. Chairman, this
2 Development Plan was approved by this commission back
3 a few years ago. It was approved for the construction
4 of approximately five to six individual residential
5 units to be utilized in conjunction with the
6 activities of the Wendell Foster Center. They were
7 going to be located along Center Street on the main
8 campus. This proposal is to revise the Development
9 Plan for financing purposes only so that a lot line
10 can be established that would put these individual
11 residences on a separate lot and that financing could
12 be adequately achieved. Planning Staff recommend that
13 the Development Plan be approved and it is in order.

14 CHAIRMAN: Is there anybody representing
15 the applicant there?

16 APPLICANT: We're here.

17 CHAIRMAN: Is there anybody that has any
18 questions of the applicant?

19 (NO RESPONSE)

20 CHAIRMAN: Does anybody from the board
21 have any questions of the applicant?

22 (NO RESPONSE)

23 CHAIRMAN: The Chair is ready for a
24 motion.

25 MR. CAMBRON: Motion for approval.

1 MR. HAYDEN: Second.

2 CHAIRMAN: We've got a motion for approval
3 by Mr. Cambron and a second by Mr. Hayden. All in
4 favor raise your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

7 Next item.

8 ITEM 11

9 805 East Seventh Street, 2.744 acres (Map N-4)
(POSTPONED)
10 Consider approval of final development plan.
Applicant: Wendell Foster Center

11

12 MR. NOFFSINGER: Mr. Chairman, this
13 Development Plan was postponed from the last meeting
14 of this commission. The plan is in order. It's been
15 reviewed by the Planning Staff. It is a proposal to
16 construct approximately five buildings to be used in
17 conjunction with the Wendell Foster Center. The
18 property will be used for conversion or removing of
19 the residential care beds from the main campus where
20 they are now to this new facility. It's being done
21 for various reasons. One of which would be to make
22 the facility more accessible due to the topography of
23 the existing campus. The existing campus would be
24 used for therapy and more rehabilitative services. It
25 is in order and ready for your consideration.

1 CHAIRMAN: Do we have anybody representing
2 the applicant?

3 APPLICANT: Yes.

4 CHAIRMAN: Do we have anybody in the
5 audience that has any questions of the applicant?

6 (NO RESPONSE)

7 CHAIRMAN: Do we have anybody on the board
8 that has any questions of the applicant?

9 (NO RESPONSE)

10 MR. ROGERS: Is Chair ready for a motion?

11 CHAIRMAN: Does the applicant, I notice,
12 do you have some charts and things?

13 APPLICANT: We don't have to.

14 CHAIRMAN: Okay. Mr. Rogers.

15 MR. ROGERS: Motion for approval.

16 CHAIRMAN: Motion for approval by Mr.
17 Rogers.

18 MR. HAYDEN: Second.

19 CHAIRMAN: Second by Mr. Hayden. All in
20 favor raise your right hand.

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: Motion carries unanimously.

23 Next item, please.

24 MR. NOFFSINGER: Under Major Subdivisions
25 Item Number 12, I will read this into the record;

1 MR. NOFFSINGER: Yes. This property is
2 related to the property that was considered for
3 rezoning that was postponed by this commission and
4 because you did not move forward with the zoning
5 change of the property, then you would not be able to
6 move forward in approving the plans for the property.

7 CHAIRMAN: Regardless.

8 MR. APPLEBY: I'm still opposed.

9 CHAIRMAN: Let's go back. All in favor of
10 the proposal for postponement raise your right hand.

11 (SISTER VIVIAN BOWLES, IRVIN ROGERS, DREW
12 KIRKLAND, NICK CAMBRON, JUDY DIXON AND BELINDA DOUGLAS
13 ALL RESPONDED AYE.)

14 CHAIRMAN: All opposed.

15 (DAVE APPLEBY, MIKE ARMSTRONG AND MARTIN
16 HAYDEN RESPONDED NAY.)

17 CHAIRMAN: Six to three.

18 Next item.

19 ITEM 13

20 Doe Ridge, Section 3, Unit 1, 9.868 acres (Map N-81)
21 Consider approval of major subdivision final plat.
22 Surety (Certified Check) posted: \$47,249.80
23 Applicant: Robert J. Wimsatt

24 MR. NOFFSINGER: You need to vote on a
25 postponement of this item since it is related to Item
Number 12 which has been postponed.

1 CHAIRMAN: Chair is ready for a motion.

2 MS. DIXON: Move to postpone.

3 CHAIRMAN: Ms. Dixon has a motion to
4 postpone it.

5 MR. CAMBRON: Second.

6 CHAIRMAN: Second by Mr. Cambron. All in
7 favor of the postponement.

8 (SISTER VIVIAN BOWLES, IRVIN ROGERS, DREW
9 KIRKLAND, NICK CAMBRON, JUDY DIXON AND BELINDA DOUGLAS
10 ALL RESPONDED AYE.)

11 CHAIRMAN: All opposed.

12 (DAVE APPLEBY, MIKE ARMSTRONG AND MARTIN
13 HAYDEN RESPONDED NAY.)

14 CHAIRMAN: The motion is postponed.

15 Next item.

16 ITEM 14

17 Locust Grove Estates, Phase 1, 33.62 acres (Map Co-48)
18 Consider approval of major subdivision final plat.
19 Surety (Certificate of Deposit) posted: \$58,405
20 Applicant: Eric Avery

21 CHAIRMAN: Mr. Chairman, this application
22 has been reviewed by the Planning Staff. It proposes
23 for the plating of 16 lots to be used for residential
24 development. If this commission wishes to approve
25 this tonight, it will need to be subject to a revised
preliminary subdivision plat that will address some

1 drainage revisions. These drainage revisions have
2 been approved by the county engineer; however, the
3 plat that we have before us tonight is not consistent
4 with the preliminary plat and we would recommend that
5 you authorize the director to sign that preliminary
6 plat with the drainage modifications. We would hold
7 up the releasing this plat until such time that
8 preliminary subdivision plat has been approved.

9 CHAIRMAN: Is anybody representing the
10 applicant here?

11 MR. AVERY: The applicant is here.

12 CHAIRMAN: Does anybody in the audience
13 have any questions of the applicant?

14 (NO RESPONSE)

15 CHAIRMAN: Does anybody from the board
16 have questions of the applicant?

17 MR. CAMBRON: I don't quite understand
18 what you said, Mr. Noffsinger.

19 MR. NOFFSINGER: The preliminary
20 subdivision plat that was approved by this commission
21 for this property addressed drainage issues related to
22 this development. There have been some slight
23 modifications to the proposed drainage system that are
24 going to be different on the final plat in the way the
25 drainage system is going to be routed or designed than

1 it was on the preliminary plat. So the Planning Staff
2 would recommend that if you recommend this or if you
3 approve this plat tonight that it be conditioned upon
4 the developer submitting a revised preliminary
5 subdivision plat with the drainage modifications
6 approved by the county engineer and authorize the
7 director to sign off on that.

8 MR. CAMBRON: Now I understand.

9 CHAIRMAN: Now the Chair is ready for a
10 motion.

11 MR. APPLEBY: Move to approve with the
12 stipulations stated by Mr. Noffsinger with the revised
13 plan to be signed off on by the director.

14 CHAIRMAN: We've got a motion for approval
15 by Mr. Appleby.

16 MR. HAYDEN: Second.

17 CHAIRMAN: We've got a second by Mr.
18 Hayden. All in favor raise your right hand.

19 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

20 CHAIRMAN: Motion carries unanimously.

21 Next item.

22 ITEM 15

23 Preakness Place At The Downs, Unit 3, 9.553 acres
24 (Map N-44)
25 Consider approval of major subdivision final plat.
Surety (Irrevocable Letter of Credit) posted:
\$20,696.80
Applicant: Thompson Homes, Inc.
Ohio Valley Reporting
(270) 683-7383

1 CHAIRMAN: Mr. Chairman, this proposal is
2 to plat 26 lots within the Downs Subdivision. This
3 particular development as well has some slight
4 modifications to the drainage system that involves a
5 section of paved ditch that has not been constructed
6 and the county engineer has approved an alternate
7 drainage pattern that would eliminate a particular
8 section of the ditch. If you wish to approve this
9 plat tonight, Planning Staff recommend that you do so
10 subject to a revised preliminary plat that would be in
11 authorizing the director to sign this plat.

12 CHAIRMAN: Is anybody here representing
13 the applicant?

14 APPLICANT: Yes.

15 CHAIRMAN: Does anybody in the audience
16 have any questions or comments to the applicant?

17 (NO RESPONSE)

18 CHAIRMAN: Does anybody on the board have
19 any questions or comments of the applicant?

20 (NO RESPONSE)

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

23 MR. HAYDEN: Make a motion to approve with
24 the recommendation by Staff.

25 CHAIRMAN: We've got a motion for approval

1 by Mr. Hayden.

2 MR. CAMBRON: Second.

3 CHAIRMAN: Second by Mr. Cambron. All in
4 favor raise your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Motion carries unanimously.

7 Next item, please.

8 ITEM 16

9 Yewells Heritage, 5.57, 0.743 acres (Map N-56)
10 Consider approval of major subdivision final plat for
11 developer property transfer.
12 Applicant: Yewells Heritage Developers, Inc.

13 MR. NOFFSINGER: Mr. Chairman, this
14 application has been reviewed by the Planning Staff.
15 It's found to be in order and it is to accommodate a
16 property transfer between the landowner and the
17 developer. There is a preliminary subdivision plat
18 that has been approved by this commission for this
19 particular piece of property.

20 CHAIRMAN: Is there anybody here
21 representing the applicant?

22 APPLICANT: Yes.

23 CHAIRMAN: Does anybody in the audience
24 have any question of the applicant?

25 (NO RESPONSE)

CHAIRMAN: Any board members have any

1 questions of the applicant?

2 (NO RESPONSE)

3 CHAIRMAN: Chair is ready for a motion.

4 MR. ROGERS: Motion for approval.

5 CHAIRMAN: Motion for approval by Mr.

6 Rogers.

7 MR. HAYDEN: Second.

8 CHAIRMAN: Second by Mr. Hayden. All in

9 favor raise your right hand.

10 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

11 CHAIRMAN: Motion carries unanimously.

12 Next item, please.

13 -----

14 MINOR PLATS

15 ITEM 17

16 6533, 6543 Curdsville-Delaware Road, 1.000, 3.605
17 acres (Map CO-3)

18 Consider approval of minor subdivision plat.

19 Applicant: Thomas G. Payne

20 MR. NOFFSINGER: Mr. Chairman, this

21 application has been reviewed by the Planning Staff.

22 It is in order. It is a proposal to create a one acre

23 lot out of a tract of ground that's approximately four

24 and a half acres in size. The lot that is proposed

25 would exceed the three to one depth to width ratio by

about 60 feet. The Planning Staff reviewed the

1 application. We had found that there's adequate
2 frontage along Curdsville-Delaware Road as well as
3 adequate width on the property to where the depth to
4 width ratio could be met. It is ready for your
5 consideration.

6 CHAIRMAN: Somebody here representing the
7 applicant?

8 APPLICANT: Yes.

9 CHAIRMAN: Do we have any questions of the
10 applicant?

11 (NO RESPONSE)

12 CHAIRMAN: Do we have any comments or
13 questions by the board?

14 MR. CAMBRON: Ready for a motion, Mr.
15 Chairman?

16 CHAIRMAN: We're ready for a motion, Mr.
17 Cambron.

18 MR. CAMBRON: Motion for approval.

19 CHAIRMAN: We have a motion for approval
20 by Mr. Cambron.

21 MS. DIXON: Second.

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

24 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

25 CHAIRMAN: Motion carries unanimously.

1 Next item.

2 ITEM 18

3 6008 Jack Hinton Road, 7001 KY 54, 4.187, 5.813 acres
(Map CO-66)

4 Consider approval of minor subdivision plat.
Applicant: Eula Mae Miller

5

6 MR. NOFFSINGER: Mr. Chairman, this
7 application has been reviewed by the Planning Staff.
8 It's found to be in order. It is recommended for
9 approval by the Planning Staff. It's proposal to
10 subdivide an existing ten acre tract into two lots of
11 about five acres each. The lots will meet the depth
12 to width ratios as well as other site development
13 requirements of the Zoning Ordinance and subdivision
14 regulations; however, it comes before this commission
15 because there's an existing 50-foot leg on the subject
16 property which extends out to Kentucky 54 and there's
17 also frontage on the parent tract along Jack Hinton
18 Road. The 50-foot leg is existing and it will serve
19 as the only access and frontage to one of the tracts.
20 The other tract will retain the frontage along Jack
21 Hinton Road. The Planning Staff do recommend it
22 because the 50-foot leg exist today and actually the
23 proposed division would create two lots that are more
24 proportionate than the existing tract is now.

25 CHAIRMAN: Is there anybody representing

1 the applicant?

2 (NO RESPONSE)

3 CHAIRMAN: Does anybody from the board
4 have any comment or question?

5 (NO RESPONSE)

6 CHAIRMAN: Chair is now ready for a
7 motion.

8 MS. DIXON: Move for approval.

9 CHAIRMAN: Move for approval by Ms. Dixon.

10 MR. HAYDEN: Second.

11 CHAIRMAN: Second by Mr. Hayden. All in
12 favor raise your right hand.

13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14 CHAIRMAN: Motion carries unanimously.

15 Next item.

16 ITEM 19

17 815 Triplett Street, 708, 712, 716, 728 Center Street,
18 5.405 acres (Map N-4)

19 Consider approval of minor subdivision plat.

20 Applicant: Wendell Foster Center

21 MR. NOFFSINGER: Mr. Chairman, this

22 application has been reviewed by the Planning Staff.

23 It's found to be in order. This item is related to

24 Item Number 11 on the agenda. Excuse me. Item Number

25 10 on the agenda which creates the lot for the five or

six individual residences located along Center Street

1 for financing purposes. It was a division that could
2 not be approved by the Planning Staff due to the
3 arrangement of the buildings on the property; however,
4 there is a notation on this plat that this arrangement
5 is for financing purposes only and this property
6 cannot be conveyed separate from the main campus or
7 the parent tract of the Wendell Foster Center.

8 CHAIRMAN: Is there somebody here
9 representing the applicant?

10 APPLICANT: Yes.

11 CHAIRMAN: Does anybody on the board have
12 any questions of the applicant?

13 (NO RESPONSE)

14 CHAIRMAN: Anybody from the audience have
15 any questions of the applicant?

16 (NO RESPONSE)

17 CHAIRMAN: Chair is ready for a motion.

18 MS. DIXON: Move for approval.

19 CHAIRMAN: Move for approve by Ms. Dixon.

20 MR. HAYDEN: Second.

21 CHAIRMAN: Second by Mr. Hayden. All in
22 favor raise your right hand.

23 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

24 CHAIRMAN: Motion carries unanimously.

25 Next item.

1

2

SURETY RELEASES

3

ITEM 20

4

Brescia Student Apartments, \$4,725.00

5

Consider release of surety (Performance Bond) for
landscaping.

6

Surety posted by: Brescia University

7

CHAIRMAN: Can we do these in toto?

8

SISTER VIVIAN: I need to disqualify

9

myself.

10

CHAIRMAN: Sister Vivian will not

11

participate in the voting.

12

Can we do these in toto, Gary?

13

MR. NOFFSINGER: Since she's

14

disqualifying, do them separate.

15

CHAIRMAN: No problem with the first

16

security release. Anybody have any questions?

17

(NO RESPONSE)

18

MR. APPLEBY: Motion for approval.

19

CHAIRMAN: Motion for approval by Mr.

20

Appleby.

21

MR. ARMSTRONG: Second.

22

CHAIRMAN: Second. All in favor raise

23

your right hand.

24

(ALL BOARD MEMBERS PRESENT WITH THE

25

EXCEPTION OF SISTER VIVIAN RESPONDED AYE.)

1 CHAIRMAN: Next item, please.

2 ITEM 21

3 Woodcrest, Unit #2, \$15,616.50
4 Consider partial release of surety (Performance Bond)
5 for streets and storm sewers.
6 Surety retained (Certificate of Deposit): \$19,668.40
7 Surety posted by: Bruce A. Peters

8 MR. CAMBRON: Make a motion for approval.

9 CHAIRMAN: Motion for approval.

10 MS. DIXON: Second.

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

13 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

14 CHAIRMAN: Next item.

15 -----

16 SURETY TRANSFERS

17 ITEM 22

18 Bon Harbor Estates, Unit #6, \$9,649.20
19 Transfer of surety (Certificate of Deposit) for
20 sidewalks to the city of Owensboro.
21 Surety posted by: Robert H. Steele

22 MR. APPLEBY: Mr. Chairman, I need to
23 disqualify myself on Item 22.

24 CHAIRMAN: Mr. Appleby will be excused on
25 Item Number 22.

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

CHAIRMAN: Motion for approval by Mr.

1 Cambron.

2 MS. DIXON: Second.

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

5 (ALL BOARD MEMBERS PRESENT WITH THE
6 EXCEPTION OF MR. APPLEBY RESPONDED AYE.)

7 CHAIRMAN: Next item, please.

8 ITEM 23

9 Daniel W. Kinney Property Division, \$2,500.00
10 Transfer of surety (Certified Check) for fire hydrants
11 to the Daviess County Fiscal Court.
12 Surety posted by: Daniel W. Kinney

12 CHAIRMAN: Chair is ready for a motion.

13 MS. DIXON: Move for approval.

14 MR. ROGERS: Second.

15 CHAIRMAN: Move for approval by Ms. Dixon.

16 Got a second by Mr. Rogers. All in favor raise your
17 right hand.

18 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

19 CHAIRMAN: Next item, please.

20 -----

21 NEW BUSINESS

22 ITEM 24

23 Consider amendment to FY 2001 Budget

24 MR. NOFFSINGER: Mr. Chairman, each member
25 of the Planning Commission has been mailed a copy of

1 the proposed budget amendment. This budget amendment
2 is necessary due to the transfer of community
3 development and property maintenance out of the
4 authority or direction of the Planning Commission and
5 over to the City of Owensboro. I will be happy to
6 entertain any questions that you may have.

7 CHAIRMAN: Do we have any questions from
8 the audience about the budget?

9 (NO RESPONSE)

10 CHAIRMAN: Do we have any questions by any
11 of the commissioners about the budget?

12 (NO RESPONSE)

13 CHAIRMAN: If not Chair is ready for a
14 motion.

15 MS. DIXON: Move to approve.

16 CHAIRMAN: Ms. Dixon has a motion for
17 approval.

18 SISTER VIVIAN: Second.

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

21 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

22 CHAIRMAN: The budget carries unanimously.
23 Chair is ready for one last motion.

24 MS. DIXON: Move to adjourn.

25 CHAIRMAN: Ms. Dixon has a motion for

1 adjournment.

2 MR. APPLEBY: Second.

3 CHAIRMAN: Second by Mr. Appleby. All in
4 favor raise your right hand.

5 (ALL BOARD MEMBERS PRESENT RESPONDED AYE.)

6 CHAIRMAN: Meeting is adjourned.

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

3 I, LYNNETTE KOLLER, Notary Public in and for
4 the State of Kentucky at Large, do hereby certify that
5 the foregoing Owensboro Metropolitan Planning & Zoning
6 meeting was held at the time and place as stated in
7 the caption to the foregoing proceedings; that each
8 person commenting on issues under discussion were duly
9 sworn before testifying; that the Board members
10 present were as stated in the caption; that said
11 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 70 typewritten pages; and that no signature
15 was requested to the foregoing transcript.

16 WITNESS my hand and notarial seal on this
17 the 30th day of January, 2001.

18

19

LYNNETTE KOLLER, NOTARY PUBLIC
OHIO VALLEY REPORTING SERVICE
202 WEST THIRD STREET, SUITE 2
21 OWENSBORO, KENTUCKY 42303

22 COMMISSION EXPIRES:
DECEMBER 19, 2002

23

COUNTY OF RESIDENCE:
24 DAVIESS COUNTY, KENTUCKY

25