

**MURRAY PLANNING COMMISSION MINUTES
REGULAR MEETING
MAY 10, 2005**

The Murray Planning Commission met in regular session on Tuesday, May 10, 2005 at 5:00 p.m. in the council chambers of City Hall located at 104 N. 5th Street.

Commissioners Present: Ed Davis, Loretta Jobs, Tom Kind, Howard Koenen, Mike Lovins, Ed Pavlick, Nelson Shroat and Richard Vanover

Commissioners Absent: Marc Peebles and Dave Ramey

Also Present: Candace Dowdy, Sam Perry, Max Cleaver, Mike Pitman, Steve Farmer, Shannon Blalock, Mae Flint, Howard Brandon, Joe Sons and Kim Wallis.

Chairman Vanover called the meeting to order and welcomed the guests. Chairman Vanover asked if there were any corrections to the April 19, 2005 regular meeting minutes. **Loretta Jobs made a motion to approve the minutes as presented. Tom Kind seconded the motion and the motion carried by a 7-0 voice vote, with Ed Pavlick not being present at the time.** Chairman Vanover asked if there were any corrections to the April 26, 2005 special meeting minutes. **Tom Kind made a motion to approve the minutes as presented. Ed Davis seconded the motion and the carried by a 7-0 voice vote, with Ed Pavlick not being present at the time.**

Presentation by Murray Tourism on Hometown Host 2005 Campaign: Candace Dowdy stated that Shannon Blalock and Mae Flint of Murray Tourism had approached city staff asking if there were regulations for bed & breakfasts. Ms. Dowdy reminded the commission that there had been a request several months ago about locating a bed & breakfast on Main Street and that staff and the commission were still working on drawing up regulations for bed & breakfasts. Ms. Dowdy stated that there is a conditional use provision in the residential zoning districts for the “rental of sleeping rooms or taking of boarders and tourists by the owner family on the premises,” and that was the angle that the presentation from Murray Tourism would be taking. Ms. Dowdy stated that no action was to be taken by the commission on this item, but that concerns, questions and suggestions would be appreciated from the commission.

Shannon Blalock stated that this was an idea conceived by her after coming onboard the Freedom Fest staff last year when they began fielding numerous requests for housing during Freedom Fest. Ms. Blalock stated that all the resorts and hotels in Calloway County were full and that Murray Tourism and Chamber staff were sending out emails trying to help folks find housing. Ms. Blalock stated that there were currently 343 guest rooms within the city limits. Ms. Blalock stated that this program is modeled similarly to the Scottish Tourist Board Bed & Breakfasts. Ms. Blalock stated that she was a renter of a participating home when she traveled to Scotland in 2003. Ms. Blalock stated that the shortage of rooms to accommodate large events such as Freedom Fest or Homecoming was the impetus for this project. Ms. Blalock stated that Mae Flint would be coming forward with more detailed information about the campaign.

Mae Flint stated this was something new for Murray and that Murray Tourism was here tonight looking for guidance. Ms. Flint asked the commission to respond with any guidelines, regulations or anything else that they may have overlooked. Ms. Flint explained that the main difference between the bed & breakfast and the hometown host is that the host would be limited to the following accommodations:

- 1.) maximum of two guest rooms
- 2.) limit of 50 nights per year
- 3.) consistent, identical signage and
- 4.) depending upon square footage, limiting the guest per room to two adults and one child.

Commissioner Pavlick entered the meeting at 5:08 p.m.

Chairman Vanover stated that he read the package presented and he thought that the Hometown Host was a good idea and that most questions had already been answered. Ms. Flint stated that this package was basically a compilation of all the work that they had done so far. Ms. Flint stated that they did not want to move forward until they made sure that it would benefit the community and not upset the community. Ms. Flint stated that one of the exciting things about this project is that there are daily visitors that want to know more about the Murray community and she sees that this would be a way that she could recommend folks to get to know the community, by staying with and talking to a real family, instead of just getting the community profile from her office. Ms. Dowdy stated that the number of guest rooms had been reduced to two (2), down from the original, three (3). Commissioner Shroat asked if the program was limited to any particular geographic location. Ms. Dowdy stated that the program was going to be limited to single-family zoning districts. Ms. Dowdy also stated that the identification sign for the home would be subtle, near the front door. Ms. Flint stated that the homeowner would be required to supply Murray Tourism with a self-initiated criminal background check. Ms. Flint stated that a package would be supplied to the homeowner, which can be used to give to a neighbor, so that the neighbor is educated about the program prior to receiving the KRS 100.237-mandated, adjacent property owner letter for notification of conditional use permit application.

Commissioner Jobs stated that there was definitely a need for temporary housing, as she had fielded a request that day for an out-of-state family. Ms. Flint stated that a similar program was utilized in Paducah to accommodate visitors for the quilting events held annually. Ms. Flint stated that several families use the funds from just one annual event to maintain the home. Commissioner Jobs asked if there would be a public hearing before the program is started. Ms. Dowdy stated that there probably would be and that the planning department appreciated Murray Tourism's approach. Commissioner Kind asked if each individual home would have to be considered separately and stated that he was in favor of the program, even though it might be a considerable increase in workload for staff, depending upon the turnout. Ms. Dowdy confirmed that a conditional use permit would be required. Commissioner Kind asked if there was an idea how many parties are interested. Ms. Flint stated that there is interest, but that they had not done advertising due to pending approval from the city. Commissioner Jobs stated that many

years ago, Murray State had approved housing, in which permission had to be granted to have a student living in the home. **Ms. Flint thanked the commission for their time, no action was taken on this item.**

Final Plat Approval For North Point Professional Park Planned Development Project—1710-1712 Highway 121 Bypass North—Steve Farmer: Ms. Dowdy stated that the commission had approved the preliminary plat on this project the previous month contingent upon the BZA approving the conditional use permit and meeting all city regulations. Ms. Dowdy reminded the commission that this project would be done in two phases. Ms. Dowdy presented slides of the preliminary and final plats and stated that contour lines had been added to the plat, as well as a fire hydrant and the entrance width was increased, with new dimensions. Ms. Dowdy stated that parking requirements have been met. Ms. Dowdy pointed out dumpster locations. Ms. Dowdy stated that the owners had not decided on a sign design at this time and that any sign requests outside of the city regulations would have to be approved by the Board of Zoning Adjustments. **Tom Kind made a motion to approve the final plat for North Point Professional Park PDP contingent upon the plat meeting all city regulations. Nelson Shroat seconded the motion and the motion carried with an 8-0 vote.**

Request For Preliminary And Final Approval On Walliswood Park—Dream Lane—Kim Wallis: Candace Dowdy stated that Dream Lane is located off Bethel Church Road and Cook Lane. Ms. Dowdy stated that Dream Lane was a 50' right-of-way that was dedicated to the county when Kim Wallis subdivided a large area of land into several tracts. Ms. Dowdy explained that Mr. Wallis would like to take the six acre tract of land and put six mobile homes on it. Ms. Dowdy stated that the City of Murray Subdivision regulations require that the procedure for the approval of a mobile home park is the same as for a subdivision. Ms. Dowdy stated that the mobile home park has to be approved through the Cabinet for Health Services in Frankfort, Kentucky. Ms. Dowdy stated that the Purchase Area Health Department has been to the site for inspection. Ms. Dowdy stated that septic service and well water will be provided in the park. Ms. Dowdy stated that Mr. Wallis is constructing a private drive off of Dream Lane to access the individual mobile homes. Ms. Dowdy stated that she checked with the state of Kentucky and found that if the mobile homes are leased or rented than they do not have to be on individual lots. Ms. Dowdy stated that Mr. Wallis is required to submit an application to the Cabinet for Health Services and a permit has to be issued for the mobile home park, approving sewer and water. Ms. Dowdy stated that the cul-de-sac at the end of Dream Lane was 662.48' and that the subdivision regulations require that cul-de-sacs be under 500'. Ms. Dowdy stated that Mr. Wallis needed this length to provide access to the existing house and driveway, owned by Wade and Molly Rogers. Ms. Dowdy stated that she has requested that the setbacks of 25' for front and rear be added to the plat by the surveyor. Ms. Dowdy stated that the private drive was 18' wide and graveled, similar to Cook Lane. Commissioner Pavlick stated to Mr. Wallis that the private drive would have to be named since there is access to more than one structure on it. Mr. Wallis stated that there were three (3) street lights required for Walliswood Park. Mr. Wallis stated that he was ready to submit his application to the state for the permit. Mr. Wallis stated that he was in the process of inquiring to the state about water testing, location and number of wells. Ms. Dowdy stated that Charles Seay with the Purchase Area Health Department

did not have any problems with the project and that he would approve it locally and then send it on to Frankfort for approval which would take at least 30 days to get the permit after that. **Mike Lovins made a motion for preliminary and final approval of Walliswood Park, mobile home park, contingent upon meeting state regulations. Nelson Shroat seconded the motion and the motion carried with an 8-0 vote.**

Request For Preliminary Plat Approval For Garden Heights Subdivision Unit 2—Marshall Gordon—Wiswell & Doran Roads: Candace Dowdy pointed out the location of the proposed subdivision south of Campbell Estates, off Wiswell and Doran Roads. Ms. Dowdy stated that there were 14 lots in this subdivision. Ms. Dowdy stated that a few of the lots which faced Doran Road were zoned R-1 and that the rest were zoned R-2. Ms. Dowdy stated that the only differences were the minimum lot sizes and setback differences of five (5) to ten (10) feet. Ms. Dowdy stated that the front setbacks on Doran Road would be the same as with Garden Heights Unit 1. Ms. Dowdy stated that approval of this subdivision would be contingent upon approval from the state, due to driveway encroachment permits needed for Wiswell Road. Ms. Dowdy stated that there has been some discussion on adjusting the setbacks on Fleetwood Drive, so that front setbacks would match those in Campbell Estates. Ms. Dowdy stated that utilities are available to this development.

Commissioner Pavlick commented that even if the state were to approve the plat including the seven lots facing Wiswell Road does the Planning Commission want additional traffic on Wiswell Road? Ms. Dowdy stated that that had been discussed, but that there were entrances all down Wiswell Road. Commissioner Pavlick agreed, but questioned whether it should be compounded by approving additional entrances, because that is a high-speed area. Ms. Dowdy stated that the property would then be land-locked. Ms. Dowdy also stated that previous plats labeled this area as future development. Commissioner Jobs asked if this tract had ever been platted. Ms. Dowdy stated that previous plats of the area only showed it as future development.

Joe Sons, of VL Associates, stated that Garden Heights Unit 1 did not include this area and that Campbell Estates, formerly Ingleside Development, comprised the remainder of the development north of this proposed area. Commissioner Pavlick stated that access to Wiswell Road may be a moot point, since the state denied Oakhill Drive going across. Mr. Sons stated that there was not enough site distance for Oakhill Drive. Mr. Sons stated that one could see almost to Enix Drive from the westernmost lot. Mr. Sons stated that there should be no problem with site distance. Ms. Dowdy asked Mr. Sons about the Wiswell Road right-of-way bank heights. Mr. Sons stated some parts of the bank were four (4) feet high. **Nelson Shroat made a motion to approve the preliminary plat for Garden Heights Subdivision, Unit 2 contingent upon approval from the State of Kentucky regarding access to Wiswell Road. Loretta Jobs seconded the motion and the motion carried with a 7-1 vote. Ed Pavlick voted no.**

Request For Extension On Final Plat For Brandwood Park Subdivision—Poor Farm Road—Howard Brandon: Ms. Dowdy explained that the subdivision was located off Poor Farm Road and that a portion of Opportunity Drive was accepted by the city for maintenance. Ms. Dowdy explained that the Planning Commission had reviewed

this for an extension in May of 2004. Ms. Dowdy stated that there has been some delay because Mr. Brandon has been dealing with the state of Kentucky because of some issues with how the development comes into Highway 80. Ms. Dowdy stated the commission granted a one-year extension of the final plat and also approved a reduction in the letter of credit from \$200,000 to \$100,000. Ms. Dowdy stated that the letter of credit expires on May 31, 2005. Ms. Dowdy stated that if the commission grants an extension of the final plat, then planning staff would also require an extension of the letter of credit. Ms. Dowdy stated that she had discussed this with David Roberts, Director of Planning and Engineering, that they had agreed that this was a tight issue, and that it was planned to be in court this coming June. Ms. Dowdy stated that Mr. Brandon can give more details on the status of the negotiation with the State of Kentucky. Ms. Dowdy suggested to the commission that granting a six-month extension on the plat may give some time for some results of the negotiation to transpire, and that at least there would be the letter of credit to go along with the time extension. Ms. Dowdy stated that if the negotiation is not settled at that point then it would have to be brought back to the commission again. Ms. Dowdy stated that she would let Mr. Brandon explain, if he would like to, any details about why there is a delay. Ms. Dowdy stated that nothing has changed from the city's standpoint. Ms. Dowdy stated that the city stands with Mr. Brandon in how the subdivision was presented originally, the accesses off of Opportunity Drive and simply that there have been some issues with the state on this project.

Chairman Vanover asked Mr. Howard Brandon if he would like to speak. Mr. Brandon stated that six (6) months goes by pretty quick and he does not think that it will go to court for at least eight (8) months. Mr. Brandon stated that a trial date has been set, but it may be set back, that it is contingent upon the court docket. Mr. Brandon stated that he would like to at least get one year because it is obvious that it is probably going to take most of that time. Mr. Brandon stated that he had a real dilemma. Mr. Brandon stated that some of the commissioners may have been on the commission five or six years ago. Mr. Brandon stated that planning staff, including Butch Seargent and Don Elias, went to Reidland, Highway District 1, to try to work out a solution to Opportunity Drive, because the city wanted him to put in an industrial park and be in the city, and that the city would get water and sewer to the line and all was well. Mr. Brandon stated that upon going to Reidland, he and the planning staff tried to work out an intersection with Highway 80 and Opportunity Drive, because the city insisted that he put 12" of aggregate, 5" of blacktop, 32' wide, because they wanted to add a collector corridor and that it was in the long range plans for it to go all the way to Highway 121. Mr. Brandon stated that the city did not want that corridor cut by Highway 80, that they wanted access to Highway 80, and that there was no response at that meeting, some time later there was no response, so then some of the city staff, possibly Butch and/or David and Don Elias went to Reidland again, possibly five (5) years ago, and asked what had transpired and that they wanted that to be an intersection to Highway 80. Mr. Brandon stated that all of the plans were presented and left with the Reidland office, and that the tentative plat was left, because it was not approved by the Planning Commission at the time. Mr. Brandon stated that there was no response at that time. Mr. Brandon stated that he got a little edgy and that a year to a year and one half passed by and that the commission was meeting down at the other place at that time and Butch stood before the commission and stated that we have held Mr. Brandon up for a year and one half or more and that no responses are coming back

from the state, and that there was no response from either of the two meetings with them. Mr. Brandon stated that Butch stated that he recommended that planning staff write a letter to the state, stating that they have delayed making a decision on approval of the final plat until they hear from the state, that it has been a long time and Mr. Brandon wants his plat approved, and that staff would like to have the state's input on this situation. Mr. Brandon stated that a couple weeks went by and Butch read a letter that he had received from the highway department saying, in effect, that "we don't give a darn what you do." Mr. Brandon stated that Candace has the letter in file and, in reality that is what it says. Mr. Brandon stated that Butch recommended that the Planning Commission approve his plat, as submitted, and that it was. Mr. Brandon stated that, then, Highway 80 plans come along about one year later, and that they were bisecting his property, cutting Highway 80, that they had come up with a promise of some access roads, then they changed their mind on that and said that they would pay the property owner for access roads and now they changed their minds on that and now he really does not know where he stands. Mr. Brandon stated that he guesses that it is going to court as a result and in the mean time he ceases to do any more development on it and the Highway Department asked him to not do any more until they got further along. Mr. Brandon stated that he was dumb and fell into a trap because it is going to cost him at least \$60,000 to put steel casings under Highway 80 because he did not do it before they condemned his land. Mr. Brandon stated that he was up a creek and did not know what to do and he is going to have to re-plat the whole thing, he has to do away with one complete road, they are taking 10+ acres and doing practically away with eight (8) lots, so he will have to come back to the Planning Commission and ask for a re-plat. Mr. Brandon stated that he did not know what the commission had in mind and that he did not know if the commission would declare the last 60 acres that is cut off, the way the plans are now, he does not have access to the last 60 acres, unless he comes out Opportunity Drive, go around Poor Farm Road, come back up U.S. 641, get on the north side of the road, and then go to an access that goes into his property and Mr. Welch's property or go out Opportunity Drive, to Poor Farm Road, then out to North 16th Street and come around to get to the north side of his property. Mr. Brandon stated that they have made no plans in that to give him adequate access to the last property and that he does not know if the commission will approve that for commercial and industrial subdivision with a limited access or not, so he and they were having a meeting tomorrow, that was a deposition, but he does not know what to say and he does not know that the commission knows what to say. Mr. Brandon stated that if he has a dead 60 acres back there, that this body does not approve as worthy of a commercial development because of limited access, then he has farmland. Mr. Brandon stated that he had to tell the commission this tonight, because he is troubled by it. Mr. Brandon stated that he has \$780,000 invested in the project, plus what he paid for the land and the compensation that they have offered him is very, very, very minimal. Mr. Brandon stated that he felt the commission needed to know what he has told them. Mr. Brandon stated that he has told it the best he has remembered it and asked Ms. Dowdy if he left anything out. Ms. Dowdy confirmed that was pretty much it and reminded all present that the purpose of this item on the agenda was to see if the Planning Commission would consider granting an extension, and if that is what Mr. Brandon would like to see if the commission would like to grant a one-year extension, if he does not feel like anything is going to be accomplished in a six-month period, that she did not feel that the staff would have a real problem with that, because we are going to

request that the letter of credit for that \$100,000 be issued until the end of the extension. Mr. Brandon stated that he would like to request that it be a one-year extension. Mr. Brandon stated that he hated to bring up the other information; but that the commission are the planners of the City of Murray and that he thinks that it is pertinent that they know what goes on.

Mr. Brandon stated that the City of Murray and the Planning Commission have worked side-by-side with him to get this resolved and that they have hit a snag here that he really does not know how to handle. Mr. Brandon stated that another situation that is very troublesome to him is that they are taking 300+ feet off of Opportunity Drive that he has developed, that has cost him \$37,000+ to build just that section and that he has given that to the city. Mr. Brandon stated that the city, as he understands the state, does not pay the city for this property, because he deeded it to the city, by way of a plat, so the city owns that property. Mr. Brandon stated to Ms. Dowdy that if she would look, that there is another drive, of which he is forgetting the name, which goes along Highway 80 that they are taking. Mr. Brandon stated that the drive was not improved, but nevertheless he has deeded that other land to the city and that he will not get any compensation for that, because it is public land, yet he has spent \$37,000 on just one section of it. Mr. Brandon stated that he has not spent anything on the other one, but he did give them the land. Mr. Brandon stated that now he has to go and give land back to the city if he puts access roads on it, to get to the property that he already had and paid for, to start with. Mr. Brandon asked Commissioner Jobs if he was making it all clear. Commissioner Jobs stated that she was almost caught up with him. Mr. Brandon stated that the "nut" of it is that he has developed land, given the land and improvements to the city, the city gets no compensation, he gets no compensation, yet he has to go back and do the same thing all over again. Ms. Dowdy reminded Mr. Brandon that it would be another meeting time and date, if it has to be re-platted. Mr. Brandon stated that he will have to re-plat it, and come back through the commission. Commissioner Lovins stated that if an extension is, or is not done, what is the advantage to Mr. Brandon?, because he does not know where he is anyway. Mr. Brandon stated that nobody knows where he is. Commissioner Davis asked what would happen at the end of the year. Commissioner Lovins stated that he would have to come back again, and that if they do not extend it now, either the state is going to do something or not, and if the state does something, it is going to have to be re-platted anyway. Ms. Dowdy stated that she did not get into that discussion with David Roberts, Director of Planning & Engineering, (not present at this meeting). Ms. Dowdy stated that this is the first she had heard about this and that she had not been in on any of the meetings that they have had with the state in reference to this and that she could not give a straight answer on that.

Commissioner Lovins asked legal counsel, Mike Pitman, what his feelings were. Mr. Pitman stated that he had just finished litigating a condemnation case, that he did not get involved with until 1998, and that it was just finished about two months ago and it was started prior to 1998, so he can understand the frustration in dealing with the Transportation Cabinet, going through all of this, but that he suspects if they have not challenged the right to "take," that at some point along that platted tract, there is a tract of land that the state has already acquired an ownership interest in, by eminent domain, and that he could be wrong. Mr. Brandon stated that they had the right-of-way, as eminent

domain. Mr. Pitman stated that he suspected that there was litigation going on, as to what the before and after value of the property. Mr. Brandon agreed. Mr. Pitman stated that, if, in the course of that litigation there is something re-structured, with regard to access from the lots that will inevitably have to be re-configured to connect to Highway 80, it would seem to make sense to wait until, at least the commission knows that they know for certain how this is going to be re-configured, before the Planning Commission gives final approval to a plat, that obviously, is not going to look like this, whether the commission extends it or not. Commissioner Lovins stated that Mr. Brandon was making reference to possibly losing four (4) lots. Mr. Brandon corrected Commissioner Lovins, that it was eight (8) lots, 10+ acres. Mr. Pitman stated that, personally, he did not have a problem with it; that it may be optimistic to say that the state would be done within a year. Mr. Pitman stated that if the state argued that Mr. Brandon already knows where the state is going through, he would suspect that there could be some re-working of that, to re-design the lots, to fit in conjunction with what the state has already taken, but he does not know anything about Mr. Brandon's litigation, other than he, himself having dealt with the state, it can be very frustrating. Commissioner Lovins reminded all that Mr. Brandon's only reason to be there is because his extension runs out in May. Ms. Dowdy confirmed, and stated that Mr. Brandon's letter of credit expires May 30, 2005. Commissioner Lovins stated that if the commission does not grant an extension, then he really has not lost. Mr. Brandon stated that, in reality, the \$100,000 is worthless anyway. Mr. Brandon stated that he really should not even be putting it up, because of the state, because the commission can not decide, because he can not decide, because the state can not decide. So, in reality, the \$100,000 should not be putting up anything, because it has to re-platted anyway. Mr. Brandon stated that he had frustration with the city, because the city promised him water and sewer when they voted him in the city, and that he has not gotten it yet, so he could not run the sewer or anything, if he had to. Mr. Brandon stated that he started out with \$200,000 or \$300,000, and that he is now down to \$100,000 and the city has not gotten it to him, yet, in five (5) years, but that the city has run it all out west, to the other subdivisions, and left him, and that he has been down to the director of planning's office and only heard the response that the state did not approve the budget. Mr. Brandon stated that he was holding the bag on that and that, in reality; it should not even require anything, because he can not guarantee that one could put up \$1,000,000 out there and it would make any difference, because it all has to be re-done anyway. Mr. Pitman suggested that if the commission grants the one-year extension and that it comes back, that a plat be presented showing what land the state took, so the commission will know where it lies, on that land. Mr. Brandon stated that city staff has all that information. Mr. Brandon stated that he had a meeting with city staff and administration a month ago and they all went over that. Mr. Brandon stated that city staff knows exactly what he is up against, and they are very sympathetic, but questioned, what they could do. Commissioner Jobs questioned that there was no disadvantage to the city to extend it and it was an advantage to Mr. Brandon, to extend it. Mr. Brandon stated that there was no advantage to him to put up anything. Commissioner Lovins and Commissioner Pavlick agreed that there was no advantage either way. Commissioner Jobs asked Mr. Brandon if he was asking for an extension or not. Mr. Brandon stated that he would just like to do away with it, because there is no advantage. Commissioner Lovins reminded all that the only reason he was here, was because his letter of credit extension expires. Mr. Brandon stated that he got a letter stating that the letter of credit

expiration was approaching, and that he should take care of it, but there is nothing to take care of, because it all has to be re-done anyway. Mr. Pitman questioned Mr. Brandon if he was withdrawing his entire plat. Mr. Brandon responded, that was fine, and why, because he does not know, and he has done all he can do. Mr. Brandon stated that he is very critical of the state, because they have mismanaged an opportunity to help Murray and make an intersection of Highway 80 and Opportunity Drive, and he and the city tried on their parts, and that they and he got the letter back saying that they did not care what he did.

Chairman Vanover asked for a motion. **Commissioner Lovins made a motion to deny the request for extension of the letter of credit for \$100,000 until the state gets their final plans done, so that Mr. Brandon can come back with a new plan and that this plan be void. Ed Davis seconded the motion and the motion carried with an 8-0 vote.**

Chairman Vanover stated that there was an item that needed to be added to the agenda regarding non-conforming lots on Olive Street:

Request For Approval of Minor Subdivision Plat For Non-Conforming Lots At 1107 & 1109 Olive Street—Jim Tate: Candace Dowdy stated that there were two existing houses on this plat. Ms. Dowdy stated that at some point the property line between these two houses was abolished and that this plat is putting the property line back in for resale purposes. Ms. Dowdy stated that these lots were considered non-conforming lots of record and did not meet the requirement of 75 feet of street frontage. Ms. Dowdy stated that similar approval had been given to other property in the city limits. Ms. Dowdy stated that the property line splits the driveway allowing access to both homes. Commissioner Kind asked if this was simply re-establishing the lot line. Ms. Dowdy confirmed. **Tom Kind made a motion to approve the Tate minor subdivision plat for 1107 & 1109 Olive Street. Nelson Shroat seconded the motion and the motion carried with an 8-0 vote.**

Chairman Vanover asked for questions or comments. Mike Pitman questioned that, regarding the bed and breakfast presentation, if a conditional use was granted for sleeping rooms then there could not be any other type of housekeeping amenities provided or the serving of any breakfast. Mr. Pitman stated that it might be necessary for the Planning Commission to consider amending the zoning ordinance to address these bed and breakfast type issues. Chairman Vanover stated that, according to the Murray Tourism proposal, there could only be continental breakfast served, no cooked items unless health department approved. Ms. Dowdy commented that it should be looked into.

Being of no further business, the meeting adjourned at 6:10 p.m.