

**MURRAY PLANNING COMMISSION MINUTES  
REGULAR MEETING  
TUESDAY, JANUARY 18, 2011**

The Murray Planning Commission met in regular session on Tuesday, January 18, 2011 at 5:00 p.m. in the council chambers of City Hall located at 104 N. 5<sup>th</sup> Street.

**Commissioners Present:** Mary Anne Medlock, Tom Kind, Kevin Perry, Ed Davis, Ed Pavlick, Loretta Jobs, Jeremy Boyd, Marc Peebles, Amber DuVentre, and Richard Vanover

**Commissioners Absent:** None

**Also Present:** Candace Dowdy, Peyton Mastera, David Roberts, Mike Pitman, Anthony Boyd, Danny Hudspeth, and Reta Gray

Chairman Vanover called the meeting to order and welcomed all guests. Chairman Vanover asked if there were any additions, corrections or deletions to the minutes from the October 19, 2010 regular meeting. There were none; therefore, the minutes were accepted by acclamation. Chairman Vanover recused himself and Commissioner Ed Pavlick presided as Chairman.

**Public hearing to review a rezoning request from R-2 (single family residential) to B-4 (medium density business) – 1016 Sharpe Street – Anthony W. Boyd:** Candace Dowdy used a Power Point presentation to show the property at 1016 Sharpe Street. The property consists of a 0.17 acre tract that is owned by Anthony W. Boyd. Mr. Boyd also owns the adjoining properties at 300 and 302 North 12<sup>th</sup> Street that are already zoned B-4. The three tracts of land total 0.60 acres. Ms. Dowdy stated that Mr. Boyd would like for the Planning Commission to consider a request to rezone the property from R-2 (Single Family Residential) to B-4 (Medium Density Commercial). The 2009 Future Land Use Map of the Comprehensive Plan identifies the property as commercial. Ms. Dowdy said that the adjacent properties along 12<sup>th</sup> Street as well as the property directly across Sharpe Street are zoned B-4 and that the rezoning of this property will allow development of the site similar to the business corridor that has already been established along 12<sup>th</sup> Street. She added that if the property is rezoned it would put the depth of the B-4 zoning on the north side of Sharpe Street to approximately 182 feet. The depth of the B-4 zoning on the south side of Sharpe Street along the Heritage Bank property is approximately 270 feet.

Chairman Pavlick opened the public hearing and asked if there was anyone that wished to speak in favor of the rezoning request.

Anthony Boyd, 652 Swift Road, Kirksey, Kentucky was sworn in. Mr. Boyd stated that he previously lived at 1016 Sharpe Street before moving to Kirksey. He said that Ms. Dowdy had stated the case properly and added that since he has owned the property it has been residential and he has always thought that if he should ever decided to sell the property, that it would be beneficial if the property was commercial. He concluded that he felt that the Comprehensive Plan was correct by showing the property in the commercial zone.

Chairman Pavlick asked if there was anyone that wished to speak in opposition to the rezoning request.

Danny Hudspeth, 1001 Sharpe Street, Murray, Kentucky was sworn in. Mr. Hudspeth stated that previously when Heritage Bank applied for the rezoning of their property, he was also against that. Mr. Hudspeth added that Heritage Bank had turned out to be good neighbors with not a lot of traffic and the hours that they operated had posed no problems. Mr. Hudspeth stated that his concern was if the property was made commercial, it would be open to anything that wanted to come in there. He added that the street is narrow and he does not feel that this is the right time to make the property commercial. Mr. Hudspeth concluded that this would be an encroachment on the neighborhood.

Chairman Pavlick asked if there was any rebuttal.

Mr. Boyd stated that he had known Mr. Hudspeth for some time and he understands his concerns; however, he stated that the Planning Department would be the ones to govern the type of business that would be appropriate to the neighborhood.

Chairman Pavlick closed the public hearing and turned it over to the commissioners for discussion.

Ms. Dowdy stated that the Planning Staff had received two calls from adjoining property owners in this regards. Ms. Susan Solomon at 1014 Sharpe was not in opposition to the rezoning and she submitted an email to stating that (*submitted as Exhibit A.*) Bartholomew Toth at 1019 Sharpe did not oppose the rezoning, but had questions and concerns about the use. Ms. Dowdy said that she had told Ms. Toth that Planning had received some inquiries about the property, but they were not at liberty to disclose that information at this time. Potential development on the lot will have to meet the criteria for a B-4 zone. If a Planned Development Project is proposed for the site, it will have to be reviewed by the Planning Commission as well as the BZA. At that time there will be several opportunities for the neighbors to see site plans, voice their concerns, and ask questions.

**Tom Kind made a motion to forward a recommendation to the Murray City Council that 1016 Sharpe Street, comprised of 0.17 acres owned by Anthony Boyd and 0.04 acres of right-of-way, be rezoned from R-2 (Single Family Residential) to B-4 (Medium Density Business District) with the findings that the property is identified as commercial use in the City of Murray Comprehensive Plan and that the adjoining properties on 12<sup>th</sup> Street and Sharpe Street are zoned B-4. Loretta Jobs seconded the motion and the motion carried with a 6-3 voice vote. Jeremy Boyd, Ed Davis and Amber DuVentre voted no. Chairman Pavlick vacated the Chairman position and Chairman Vanover presided.**

**Approval of Continuing Education Approval:** Peyton Mastera asked for continuing education approval for the following BZA and Planning Commission members who attended the 1.5 hour training on proper conduct at public meetings on January 12<sup>th</sup> by Dr. Beck: Candace Dowdy, Ed Pavlick, Steven Reed, Mary Anne Medlock, Tom Kind, John Krieb, Bill Whitaker, Scott Seiber,

Marc Peebles, Richard Vanover, Loretta Jobs, David Roberts, Peyton Mastera, and Justin Pounds.

**Ed Pavlick made a motion to approve the continuing education hours for the attending BZA and Planning Commission members. Amber DuVentre seconded the motion and the motion passed with a unanimous voice vote.**

**Questions and Comments:** Peyton Mastera reminded the commissioners to sign their Financial Interests Statements.

**Adjournment:** Marc Peebles made a motion to adjourn. Ed Davis seconded the motion and the motion passed unanimously. *The meeting adjourned at 5:25 p.m.*

---

Chairman, Richard Vanover

---

Recording Secretary, Reta Gray