

MINUTES OF THE MEETING

Planning Commission

April 11, 1995

The meeting of the Planning Commission was held at the Sellersburg Library on the 14th day of ~~March~~ <sup>April</sup> 1995 at 6:00 p.m. Rodney Pate, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Stan Tucker, Dan Vogel, and Steve Prather, Sellersburg Building Inspector, and Dave Broady.

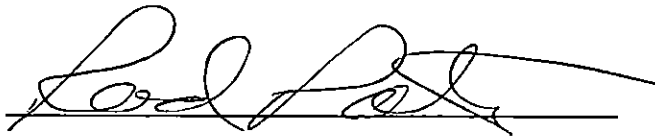
Marty Kime was present to obtain permission to hang a banner across Highway 131 in Sellersburg. He would like it hung April 17th to May 20th. It will be hung with 16 hangers. Stan Tucker made a motion to approve the hanging of the banner across Highway 131 in Sellersburg. It was seconded by Dave Broady. All members present, voted in favor of the motion.

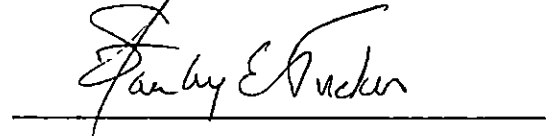
Jeff Stanton was present at tonights meeting, owner of Skip Jacks. He has a portable trailer that he pulls in and out. At this time he pulls his trailer on the lot next to the Old Sellersburg Lumber Building three days a week, (Thursday, Friday, and Saturday). He needs approval from the planning commission to park his concession stand at the Old Sellersburg Lumber Location. Stan Tucker made a motion to approve Jeff Staton to park his concession stand, it was seconded by Dave Broady.

For the record, Steve Prather, Sellersburg Building Inspector, stated he gave Jeff Stanton permission to stay open until this meeting took place.

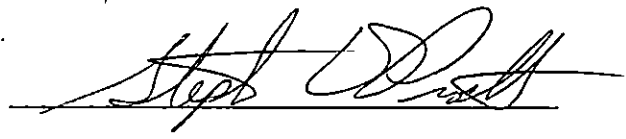
Dan Vogel made reference that Steve Prather should not grant permission without contacting Planning Commission.

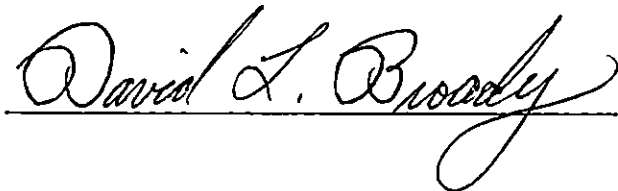
Dave Broady made a motion to adjourn the meeting, and it was seconded by Stan Tucker. All members present, voted in favor of the motion.

  
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MINUTES OF THE MEETING

Planning Commission

May 9, 1995

The meeting of the Planning Commission was held at the Sellersburg Library on the 9th day of May at 6:30 p.m. Rodney Pate, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Stan Tucker, Dave Braody, and Dan Vogel, and Steve Prather, Sellersburg Building Inspector.



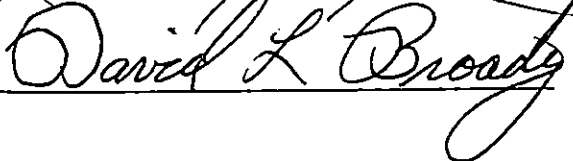
Dave Braody made a motion to approve the minutes of the April 11, 1995 minutes as corrected. Dan Vogel seconded the motion. All members present, voted in favor of the motion.

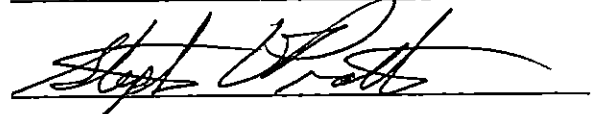
The members did not have anything on the agenda, but discussed the following topics: Fees for contractors. Fee schedule for the town of Sellersburg. This would be needed to submit to the town council and Perry McCall would put it in ordinance form.

Also, discussed was limitations on size of Pole Barns built in Sellersburg.

- Agriculture-- Industrial 1 (I1) and (I2) and OPS -- Allowed
- RPO-- Residential/Professional Office -- Restricted
- B1, B2, B3, (local business, central business, and general business)--restricted
- IB1-- (Interchange Business) -- restricted
- I1-- (Light Industry) -- Not restricted
- I2 -- (Heavy Industry)-- not restricted
- OPS-- (Open Public Space) -- No Limit
- MHP (Mobile Home Park) -- Restricted

Dave Braody made a motion to adjourn the meeting and it was seconded by Dan Vogel. All members present, voted in favor of the motion.

  
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PETITION  
TO AMEND  
THE ZONING  
FROM RESIDENTIAL/PROFESSIONAL TO B-3  
OCTOBER 10, 1995

INDEX

1. Petition
2. Legal Notice in Paper
3. Statutory Considerations
4. Exhibit A - James Baker Letter regarding values
5. Exhibit B - Pictures of Site and Areas
6. Exhibit C - Drawing of Area

IN THE MATTER OF THE PETITION OF )  
ESTATE OF MARY DULANEY )  
TO RE-ZONE PROPERTY )  
)

PETITION TO AMEND THE  
TOWN OF SELLERSBURG, INDIANA ZONING ORDINANCE

TO THE TOWN OF SELLERSBURG PLAN COMMISSION:

THE UNDERSIGNED PETITIONER RESPECTFULLY REQUESTS AN AMENDMENT TO THE ZONING DISTRICTS SET OUT ON THE DISTRICT ZONE MAPS OF THE TOWN OF SELLERSBURG, INDIANA WITH RESPECT TO THE FOLLOWING DESCRIBED REAL ESTATE, SITUATED IN THE TOWN OF SELLERSBURG, COUNTY OF CLARK, STATE OF INDIANA, TO-WIT:

A PART OF SURVEY NUMBER ONE HUNDRED ELEVEN (111) OF CLARK'S OR THE ILLINOIS GRANT, PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE POINT WHERE THE ILLINOIS GRANTS 111, 130, 129, AND 110 ALL CORNER AND RUNNING THENCE NORTH FIFTY ONE DEGREES AND TWENTY-NINE MINUTES EAST A DISTANCE OF 512 FEET TO A STONE IN THE NORTH LINE OF SAID GRANT 111, THENCE RUNNING SOUTH THIRTY-FIVE DEGREES AND THIRTY MINUTES EAST A DISTANCE OF 342 FEET TO AN IRON PIN, THIS BEING THE TRUE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED, THENCE RUNNING SOUTH THIRTY-FIVE DEGREES AND THIRTY MINUTES EAST A DISTANCE OF 139 FEET, THENCE RUNNING NORTH FIFTY-FOUR DEGREES AND FIFTY-FIVE MINUTES EAST A DISTANCE OF 579 FEET TO AN IRON POST; THENCE RUNNING SOUTH SEVENTY-NINE DEGREES AND FIVE MINUTES EAST A DISTANCE OF 175 FEET TO AN IRON POST, THENCE RUNNING NORTH TEN DEGREES AND FIFTY-FOUR MINUTES EAST, A DISTANCE OF 110 FEET TO AN IRON POST, THENCE RUNNING SOUTH EIGHTY-FOUR DEGREES AND FIFTY-FOUR MINUTES WEST A DISTANCE OF 376-3/10 FEET TO AN IRON POST, THENCE RUNNING SOUTH FIFTY-FOUR DEGREES AND FIFTY-FIVE MINUTES WEST A DISTANCE OF 454-9/10 FEET TO THE IRON PIN AT THE TRUE POINT OF BEGINNING, CONTAINING 2-12/100 ACRES, MORE OR LESS. SUBJECT TO ANY AND ALL RESTRICTIONS AND/OR EASEMENTS OF PUBLIC RECORD.

THE ABOVE DESCRIBED REAL ESTATE IS NOW IN A DISTRICT CLASSIFIED AS RESIDENTIAL/PROFESSIONAL AND IT IS REQUESTED THAT IT BE RECLASSIFIED AS B-3 FOR THE FOLLOWING REASONS:

1. THAT IT WILL NOT MATERIALLY AFFECT THE VALUE OF REAL ESTATE SURROUNDING SAID PROPERTY.
2. THE PROPOSED AMENDMENT WOULD NOT BE DETRIMENTAL TO PUBLIC HEALTH, SAFETY MORALS OR GENERAL WELFARE.
3. THE PROPOSED AMENDMENT WILL NOT BE CONTRARY TO THE PUBLIC INTEREST.
4. THE PROPOSED AMENDMENT WILL NOT ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY, THE SPIRIT OF THE ORDINANCE WILL BE OBSERVED, AND SUBSTANTIAL JUSTICE DONE.

WHEREFORE, THE UNDERSIGNED PETITIONER PRAYS THAT THE TOWN OF SELLERSBURG ZONING ORDINANCE BE AMENDED SO THAT THE SUBJECT REAL ESTATE BE CLASSIFIED AS BEING IN A DISTRICT OF B-3.

STATE OF INDIANA,  
COUNTY OF CLARK—SS

Annette Brown \_\_\_\_\_, on oath says that she is book-keeper of the News & Journal and in the employ of the publisher of

*The Evening News, a daily*

newspaper of general circulation printed and published in the City of Jeffersonville, Clark County, State of Indiana, and further says that the annexed advertisement was published in said paper for one time....., to-wit: In issue of said Evening News dated September 30, 1995.....

*Annette Brown*

State of Indiana

County of Clark

Subscribed and sworn to before me this

3rd day of October..... 1995

*Wesley D. Adams*

Notary Public, Clark County, Indiana

My commission expires July 21, 1999.....

LEGAL NOTICE  
Notice is hereby given that the Mary Dolaney Estate has filed a petition with the Town of Sellersburg Planning Commission praying that the classification of the following described real estate be changed from Residential/Professional to B-3, said real estate being situated in the Town of Sellersburg, Indiana, in the County of Clark and described as follows:  
A part of Survey Number one hundred eleven (111) of Clark's or the Illinois Grant, particularly described as follows, to-wit: Commencing at the point where the Illinois Grants 111, 130, 129, and 110 all corner and running thence north fifty one degrees and twenty nine minutes east a distance of 512 feet to a stone in the north line of said Grant 111, thence running south thirty five degrees and thirty minutes east a distance of 342 feet to an iron pin, this being the true point of beginning of the land here-in described, thence running south thirty five degrees and thirty minutes east a distance of 139 feet, thence running north fifty four degrees and fifty five minutes east a distance of 579 feet to an iron post, thence running south seventy nine degrees and five minutes east a distance of 175 feet to an iron post, thence running north ten degrees and fifty four minutes east, a distance of 110 feet to an iron post, thence running south eighty four degrees and fifty four minutes west a distance of 376-3/10 feet to an iron post, thence running south fifty four degrees and fifty five minutes west a distance of 454-9/10 feet to the iron pin at the true point of beginning, containing 2-12/100 acres, more or less. Subject to any and all restrictions and/or easements of public record.  
Having a street address of 485 N. Indiana Avenue. Notice is further given that the Town of Sellersburg Planning Commission will on October 10, 1995 at 6:00 p.m. in the Sellersburg Library hold a public hearing on said matter prior to making a recommendation to the Town Board of the Town of Sellersburg concerning the re-zoning of said real estate.  
Dated at Sellersburg, Indiana this 27th day of September 1995.

Publication Fee \$.....

Indiana 36-7-4-603 - Considerations For Zoning

(A) Current Conditions

The current conditions of this area is a mixed use. At the extreme north is a manufacturing facility, and at the extreme south is both residential and general business use. By far the majority of the land is being used for commercial purposes.

(B) Most Desirable Use

The most desirable use of this land would be to make it consistent with the majority of the other land uses - commercial

(C) Property Values

Property values will be increased by zoning all of the area commercial.

(D) Responsible Development and Growth

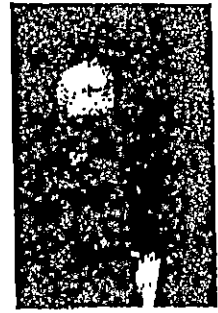
To develop orderly growth, there is a need to consolidate and make consistent existing uses. Thus this property should be used for commercial purposes.



**Reisert, Baker, Walker**  
2515 Lincoln Drive, Suite B  
Clarksville, Indiana 47129  
Residence (812) 945-0900  
Fax (812) 945-0700  
Pager (502) 495-SOLD  
Business (812) 948-0700



1994



**Jim Baker, CCIM, GRI**  
President  
1994 REALTOR® of the Year

October 10th, 1995

Mr. Charles Murphy  
Attorney at Law  
Young, Lind, Endres, and Kraft  
126 West Spring Street  
New Albany, In 47150

Dear Mr. Murphy:

This letter is to confirm our conversation today in which we discussed the property located at 485 North Indiana Avenue, Sellersburg, In 47172.

As stated to you, it is my opinion that there would be no negative impact to the market value of the adjacent properties including the adjacent, residential, single-family homes if the above mentioned property were rezoned for commercial use. There is the strong probability as well that adjacent properties would increase in value if the zoning were to change to commercial on this property.

If you require any further explanation or written reports, please notify me at your convenience.

Sincerely,

James E. Baker  
Certified Residential Appraiser  
Certified Commercial Investment Member

"Exhibit A"



**JAMES E. BAKER**3903 Chapel View Lane  
New Albany, Indiana 47150**RESUME OF QUALIFICATIONS**

Telephone (812)945-0900

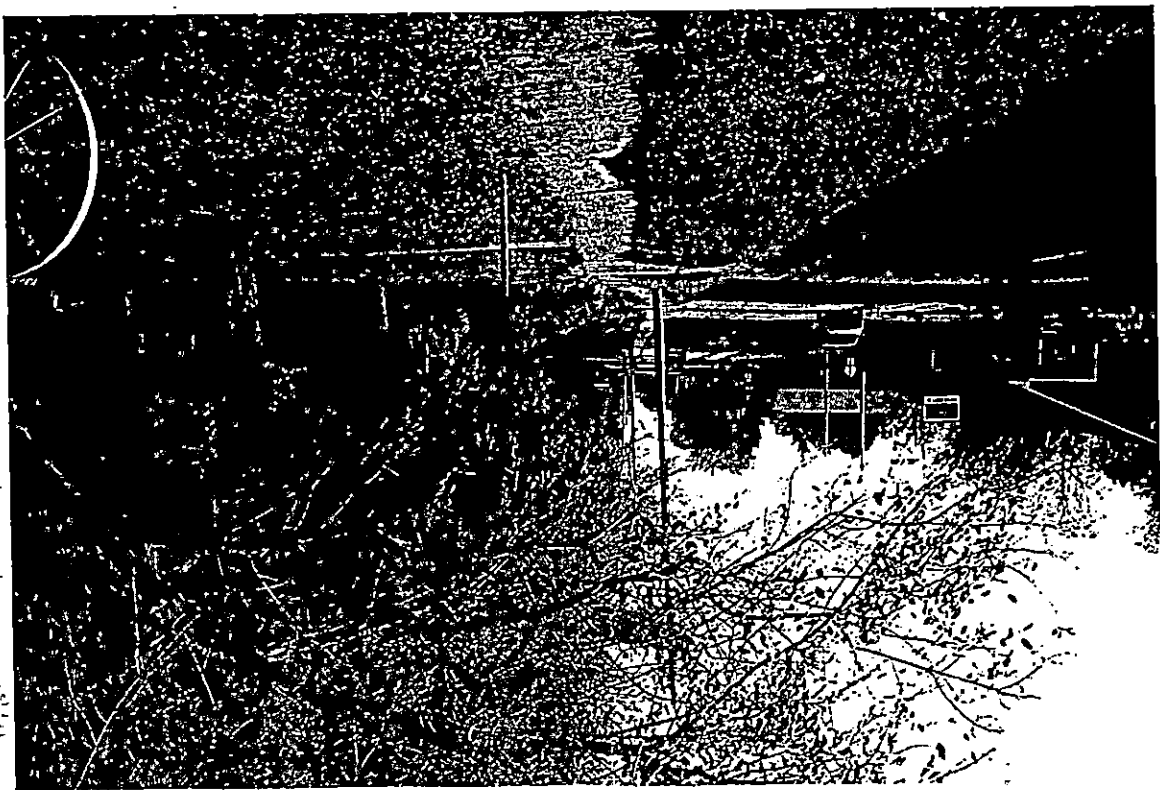
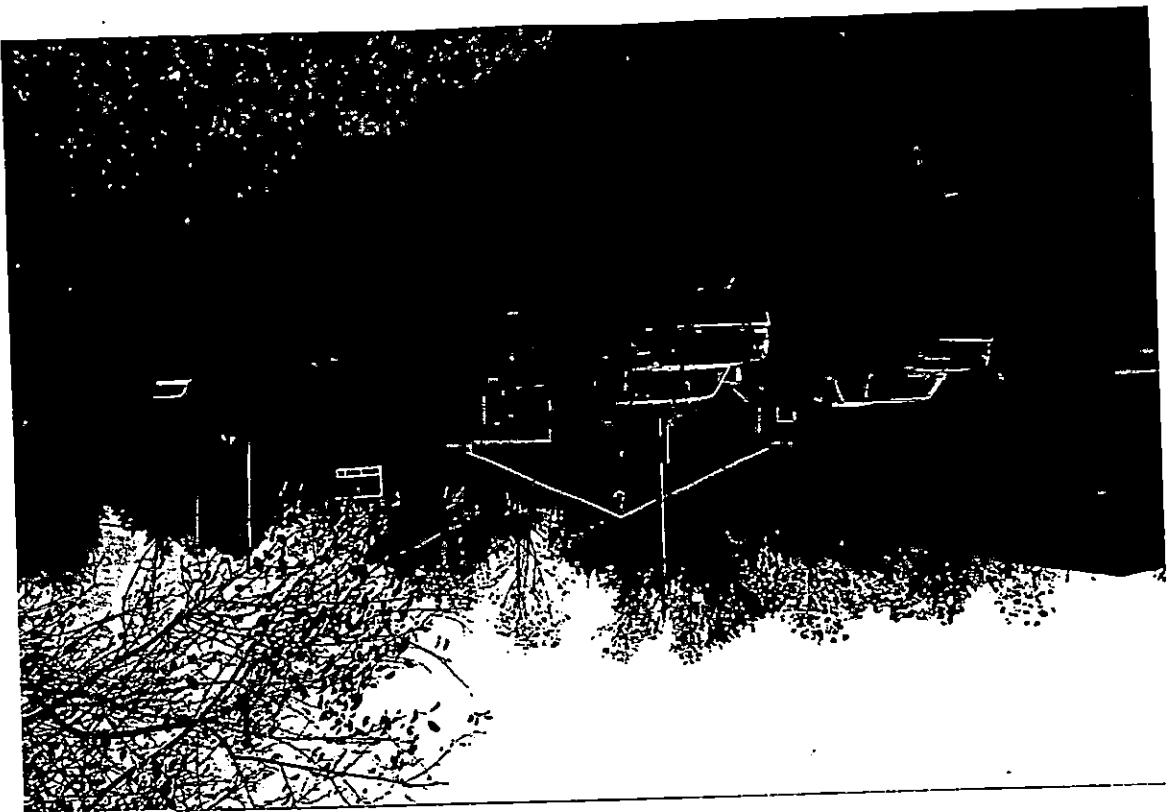
**EXPERIENCE**Active Broker & REALTOR since 1977  
Active Real Estate Appraiser since 1979**LICENSE #'S**Indiana Licensed Real Estate Broker #IB51286398  
Kentucky Licensed Real Estate Broker #33748  
Indiana Certified Residential Appraiser #CR69100483  
Kentucky Certified Residential Appraiser #001072**DESIGNATIONS**Certified Commercial Investment Member (CCIM)  
Graduate Realtors Institute (GRI)**ORGANIZATIONS**National Association of REALTORS  
Indiana Association of REALTORS  
Kentucky Association of REALTORS  
Indiana Commercial Board of REALTORS  
Southern Indiana REALTORS Association  
Louisville Board of REALTORS  
Kentucky CCIM Chapter  
Kentucky Real Estate Exchangors**POSITIONS HELD**Chairman, Commercial Investment Committee for the  
Indiana Association of REALTORS, 1990-92  
Board of Directors, Indiana Association of REALTORS,  
1987-91  
Board of Directors, Indiana Commercial Board of  
REALTORS, 1993-94  
REALTOR OF THE YEAR, Southern Indiana REALTORS  
Association, 1994-95  
President, Southern Indiana REALTOR Association, 1989-90  
President, Schuler Realty Gallery of Homes, 1980-84  
President, Century 21 Jim Baker REALTORS, 1986-90  
President, Century 21 Reisert, Baker, Harrison, 1990-Pres.**FORMAL EDUCATION**Graduate of New Albany High School, 1969  
Graduate of University of Louisville, 1973**APPRAISAL COURSES**Real Estate Appraisal Principles 101 (AIREA), 1982  
Uniform Standards of Professional Appraisal Practice  
(REACP), 1991  
Appraisal of Small Income Properties (REACP), 1991  
Appraising the Single Family Residence (REACP), 1991  
Basic Income Capitalization 310 (AI), 1993  
General Applications 320 (AI), 1994**COMMERCIAL REAL  
ESTATE COURSES**Fundamentals of Real Estate Investment & Taxation  
CI 101 (CIREI), 1987  
Fundamentals of Location & Market Analysis  
CI 102 (CIREI), 1988  
Advanced Real Estate Taxation & Marketing  
CI 103 (CIREI), 1989  
The Impact of Human Behavior on Commercial Investment  
Decision Making CI 104 (CIREI), 1990  
Case Studies in Commercial Investment Real Estate  
Brokerage CI 105 (CIREI), 1991



NORTH

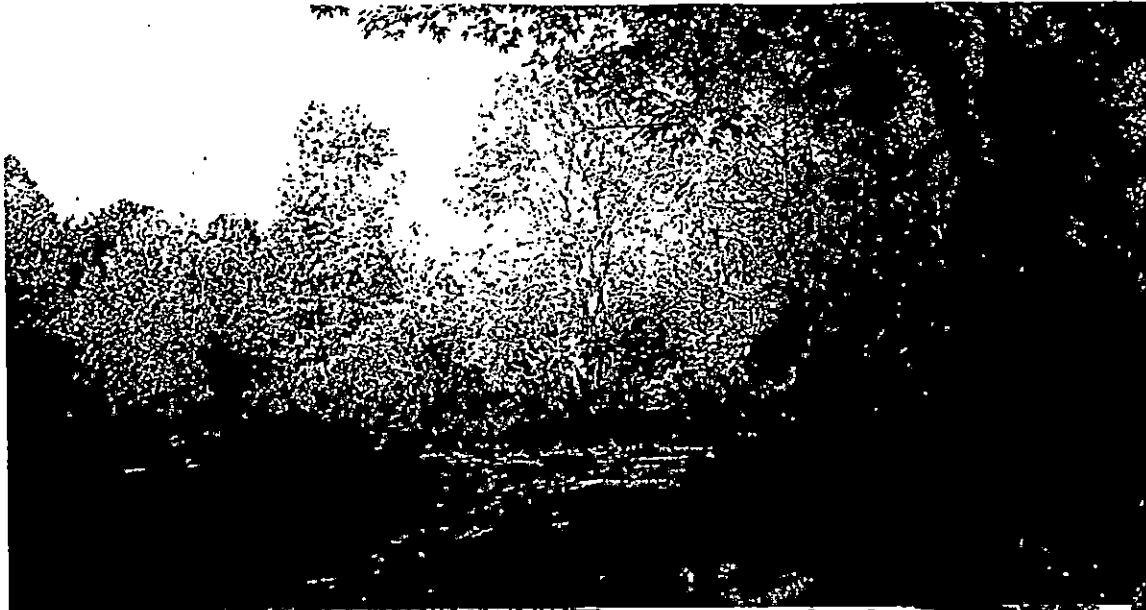


EXHIBIT B

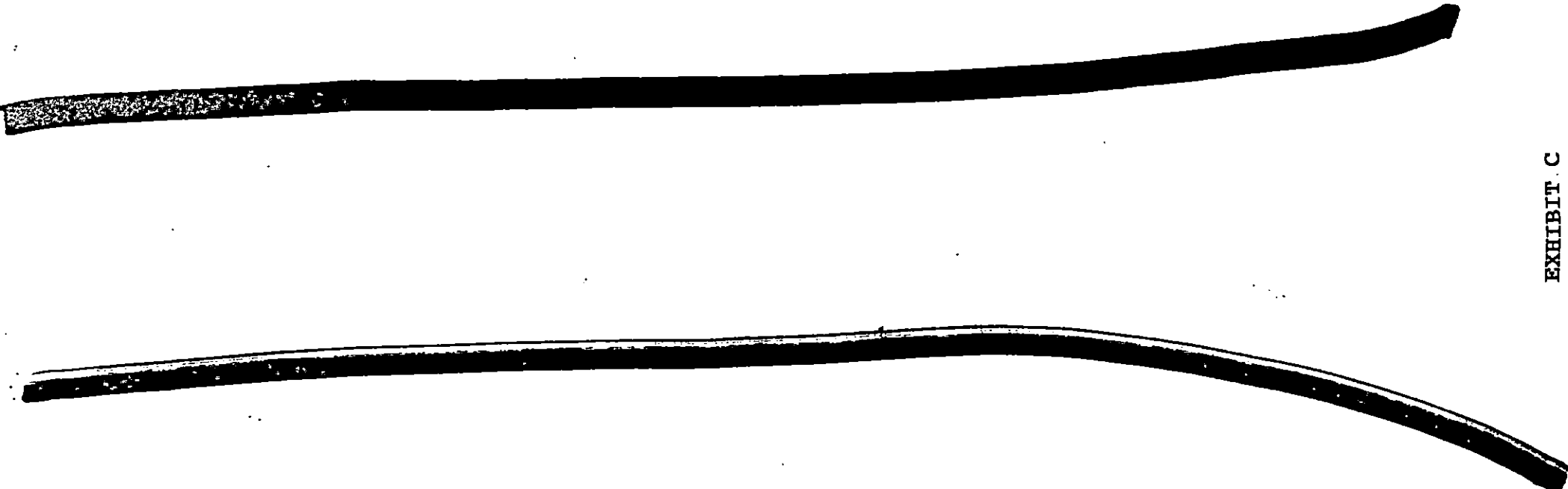


HLQOS

ACROSS STREET



CHIROPRACTIC VACANT RESIDENTIAL RESIDENTIAL RESIDENTIAL DULANEY SCHOOL



-- LIBRARY VACANT ANOTHER CARPET Co AFFORDABLE DRAPERY Eagle AUTOMOTIVE HOME VIDEOHOME SENIORCARE SKIP JACKS CITGO PIZZA KING