

MINUTES OF THE MEETING

Board of Zoning Appeals

The meeting of the Board of Zoning Appeals met on April 15, 1996, at the Sellersburg Town Hall at 6:30 p.m. Rodney Pate, chairman, opened the meeting.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Charlie Popp, Francis Conroy, Ken Hecker, and Charlie Ridenour.

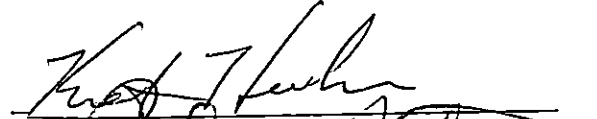
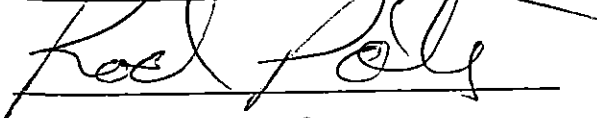
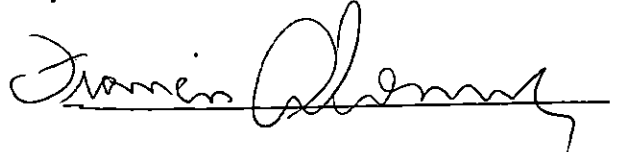
A correction was made to the minutes of the March 12, 1996 meeting's minutes. In the fourth paragraph, "held" was misspelled. Francis Conroy made a motion to approve the minutes as corrected. Charlie Popp seconded the motion. All members present, voted in favor of the motion.

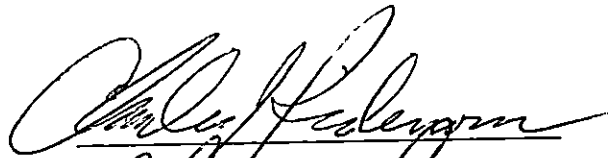
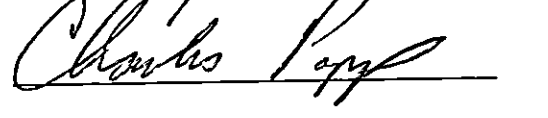
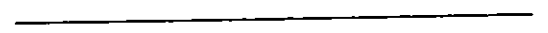
Cheryl J. Pence, representing Gearon & Co., INC, was present to discuss their project to put an antenna on top of the Sellersburg Water Tower. They had already been to the Town Board of Sellersburg. They are working out the plans and negotiations. They wanted to meet with the planning and zoning commissions for approval and blessing.

Mitzi Grimes, of 578 East Side Avenue in Sellersburg, Indiana, was present to get a zoning variance to build a carport on the property line. There is also a utility easement on that piece of property.

Mitzi Grimes's neighbors, Mr. and Mrs James Tungates were there with no objections to put the carport on the property line.

Charlie Ridenour made a motion to grant Mitzi Grimes, of 578 East Side Avenue in Sellersburg, to build her carport on the property line, as long as they assume risk if the structure would have to be taken down if the utility company needed to come through the easement on the property. Francis Conroy seconded the motion. All members present, voted in favor of the motion.

MINUTES OF THE MEETING

BOARD OF ZONING

May 20, 1996

The meeting of the Board of Zoning met on May 20, 1996, at the Sellersburg Town Hall at 6:30p.m. Rodney Pate, chairman, opened the meeting.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Francis Conroy, Ken Hecker, Charlie Ridenour, Charlie Popp, and Bob Stewart, the Sellersburg Building Inspector.

Kim Frome was present to obtain a zoning variance to remove existing abandoned trailer from property and place another one on that property. She had no physical address for the property and was not the homeowner of the property.

Ken Hecker asked to take a look at this property and take it under advisement for one month, and get the proper ordinance regarding mobile homes. Francis Conroy seconded this motion. All members present, voted in favor of the motion.

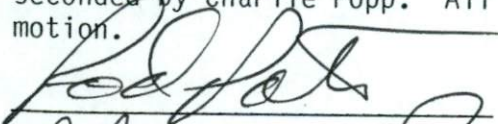
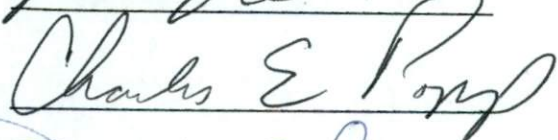
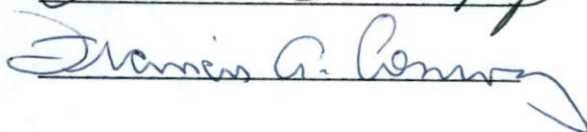
Hal E. Kovert, for Kovert Hawkings Architects were present tonight representing J & S Carpet Outlet.

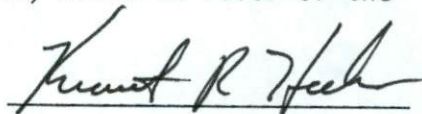
They need a variance on the property at 7200 Highway 60 for rear yard set back. They have have only 5ft rear yard set back, and need 15 feet. They will be using tilt wall concrete, a metal roof on top of this building and no other adjacent structures.

Charlie Ridenour made a motion to grant a variance for J & S Carpet to 5 feet rear yard set back instead of 15 feet code. Francis Conroy seconded the motion. All members present, voted in favor of the motion.

There was a correction made in the April 15 minutes to the word "zoning." Francis Conroy made a motion to accept the minutes of the April 15th meeting and it was seconded by Charlie Popp. All members present, voted in favor of the motion.

Francis Conroy made a motion to adjourn the meeting and it was seconded by Charlie Popp. All members present, voted in favor of the motion.



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MINUTES OF THE MEETING

Board of Zoning Appeals

June 17, 1996

The meeting of the Board of Zoning Appeals met on June 17, 1996, at the Sellersburg Town Hall at 6:30 p.m. Rodney Pate, chairman, opened the meeting.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Charlie Popp, Francis Conroy, Ken Hecker, and Bob Stewart, the building inspector.

THE FOLLOWING MEMBERS WERE ABSENT: Charlie Ridenour

Mike Waiz was present tonight to speak on behalf of St. Pauls Catholic Church in Sellersburg. St. Paul Catholic Church has filed ~~an~~ application for a contingent use permit to allow the expansion of church facilities for use as a school.

The property which is the subject of the application are Lot numbers 16, 17, 18, 19, 22, 23, and 24 of Dietrich Second Addition to the Town of Sellersburg. This property is bordered by St. Paul Street, Highway 31 and Oak Street.

A copy of Findings of Fact and Conclusions of Law are attached to the minutes.

Francis Conroy and Charlie Popp would like it to be on the record that they are members of St Paul Catholic Church, but have no vested interest in the property for zoning tonight.

Ken Hecker made a motion to approve the Application for Contingent use to St. Paul Catholic Church under Sections 2.8.2.2 and Section 3.4.1. This section is also attached to the minutes. Charlie Popp seconded the motion. All members present, voted in favor of the motion.

Last month, a Ms. Kimberly Fromme was asking to move a abandoned trailer off a piece of property not owned by her and put another trailer onto the property. A copy of the regulation concerning mobile homes was sent to her and explained that the property owner would be the one to obtain a variance. In this case, the property owner never petitioned for a variance, and there was no physical address given to the board for the property she was requesting for a variance.

Francis Conroy made a motion to approve the minutes of the May 20, 1996 meeting. Charlie Popp seconded the motion and all members present, voted in favor of the motion.

Ken Hecker made a motion to adjourn the meeting, seconded by Francis Conroy. All members present, voted in favor of the motion.

APPROVAL

Paul Pato  
Francis Whomms  
Kenneth R. Hahn

Charles J. ...  
\_\_\_\_\_  
\_\_\_\_\_

BOARD OF ZONING APPEALS  
TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

In the matter of the Application for Contingent Use Permit by the St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.).

The St. Paul Catholic Church has filed their Application for a Contingent Use Permit to allow the expansion of church facilities for use as a school.

FINDINGS OF FACT

Pursuant to proper notice, advertisement and public posting, the Sellersburg Board of Zoning Appeals met in open session on June 17, 1996 at 6:30 p.m. at the Sellersburg Town Hall. The meeting was called to order by President Rod Pate, with a quorum of the board being present.

1. On the agenda was for the Board to review an Application for Contingent Use Permit by the St. Paul Catholic Church. Michael Waiz appears as a representative of the church.

2. The property which is the subject of the application are Lot numbers 16, 17, 18, 19, 22, 23 and 24 of Dietrich Second Addition to the Town of Sellersburg. This property is bordered by St. Paul Street, Highway 31 and Oak Street.

3. It was presented to the Board that St. Paul Catholic Church operates an elementary school as part of its religious purpose. The church needs to expand it's facilities and intends to acquire the lots not already owned, removed the houses on these lots, then erect additional facilities for the church, to be primarily used as part of the church's school.

4. All of the property owners, St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.), Russell A. Craft and Vicki L. Craft, Stephen P. Smith and Malinda Smith and William D. Mosley and Virginia Sue Mosley, have signed certificates submitting their consent to the Board for the approval of this application.

There were no remonstrations against the application.

The Board of Zoning Appeals therefore makes the following conclusions of law and hereby determines that the application and petition for additional use permit made by the St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.) shall be and is:

1. Consistent with the spirit, purpose and intent of the master plan of the Town of Sellersburg and it's surrounding area;

2. Not substantially and permanently injurious to the appropriate use of the neighboring properties;

3. Not adversely affecting the public health, safety, morals or welfare;

4. An avoidance of adverse affect to neighboring properties has been demonstrated;

5. That the property is presently zoned local business (B-1 District) under Section 2.8 of the Zoning Ordinance for the Town of Sellersburg. Section 2.8.2.2 permits the granting of contingent uses by the Board of Zoning Appeals after a public hearing. These contingent uses include the use as a church or temple and schools.

6. That the church has made a proper application for a contingent use to the Board of Zoning Appeals and proof of publication the Notice of Public Hearing was advertised at least ten (10) days prior to the public hearing in a newspaper of general circulation published within the Town and County.

7. The requirement of including a district development plan, pursuant to Section 3.4.1 (1) of the Zoning Ordinance of the Town of Sellersburg is hereby waived.

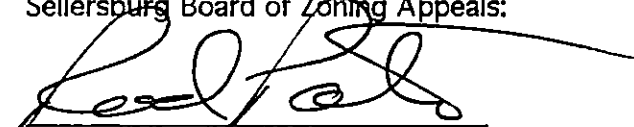
8. That the requirements of Section 3.5.12.1 and Section 3.5.15, et sec, of the Zoning Ordinance of the Town of Sellersburg have been met, to the satisfaction of this Board.

9. That the Application was properly noticed and opened to the public and debate.


WHEREAS, the Town of Sellersburg Board of Zoning Appeals hereby approves the request for a contingent use permit and grants the contingent use permit to use said property as a church and/or school.

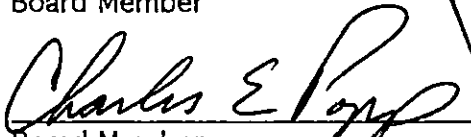
Approved this 17th day of June, 1996.

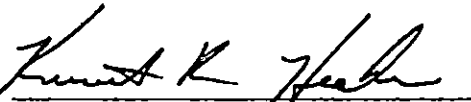
Sellersburg Board of Zoning Appeals:

  
Chair Person

\_\_\_\_\_  
Vice-Chair Person


  
Board Member

  
Board Member

  
Board Member

PROPERTY OWNER'S CERTIFICATE

The undersigned Stephen P. Smith and Melinda R. Smith, husband and wife, are the property owners of Lot 23 and 24 of Dietrich Second Addition to the Town of Sellersburg. We have reviewed the Application for Continued Use Permit on behalf of the St. Paul Catholic Church. With my notarized signature, I am submitting my express written consent to the Board of Zoning Appeals for its approval.


  
Stephen P. Smith

  
Melinda R. Smith

STATE OF INDIANA    )  
                                  )SS  
COUNTY OF CLARK    )

Before me, a Notary Public, in and for said County and State, personally appeared Stephen P. Smith and Melinda R. Smith, husband and wife, and being duly sworn upon their oath, says that they are the persons who executed the foregoing, that they have read the same and that statements therein contained are true.

WITNESS my hand and Notarial Seal this 17<sup>th</sup> day of <sup>JUNE</sup>~~May~~, 1996.

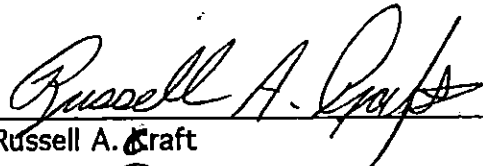
  
NOTARY PUBLIC, JOHN W ECKERT  
A RESIDENT OF CLARK COUNTY,  
INDIANA

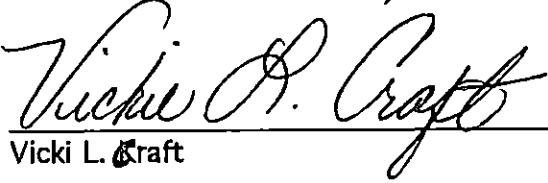
MY COMMISSION EXPIRES:  
1-7-99



PROPERTY OWNER'S CERTIFICATE

The undersigned Russell A. Kraft and Vicki L. Kraft, husband and wife, are the property owners of Lot 22 of Dietrich Second Addition to the Town of Sellersburg. We have reviewed the Application for Continued Use Permit on behalf of the St. Paul Catholic Church. With my notarized signature, I am submitting my express written consent to the Board of Zoning Appeals for its approval.

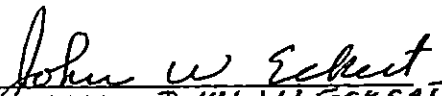
  
\_\_\_\_\_  
Russell A. Kraft

  
\_\_\_\_\_  
Vicki L. Kraft

STATE OF INDIANA    )  
                                  )SS  
COUNTY OF CLARK    )

Before me, a Notary Public, in and for said County and State, personally appeared Russell A. Kraft and Vicki L. Kraft, husband and wife, and being duly sworn upon their oath, says that they are the persons who executed the foregoing, that they have read the same and that statements therein contained are true.

WITNESS my hand and Notarial Seal this 17<sup>th</sup> <sup>JUNE</sup> day of ~~May~~, 1996.

  
\_\_\_\_\_  
NOTARY PUBLIC, JOHN W. ECKERT  
A RESIDENT OF CLARK COUNTY,  
INDIANA

MY COMMISSION EXPIRES:  
1-7-99

BOARD OF ZONING APPEALS  
TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

In the matter of the Application for Contingent Use Permit by the St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.).

The St. Paul Catholic Church has filed their Application for a Contingent Use Permit to allow the expansion of church facilities for use as a school.

FINDINGS OF FACT

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1. On the agenda was for the Board to review an Application for Contingent Use Permit by the St. Paul Catholic Church. Michael Waiz appears as a representative of the church.

2. The property which is the subject of the application are Lot numbers 16, 17, 18, 19, 22, 23 and 24 of Dietrich Second Addition to the Town of Sellersburg. This property is bordered by St. Paul Street, Highway 31 and Oak Street.

3. It was presented to the Board that St. Paul Catholic Church operates an elementary school as part of its religious purpose. The church needs to expand it's facilities and intends to acquire the lots not already owned, removed the houses on these lots, then erect additional facilities for the church, to be primarily used as part of the church's school.

4. All of the property owners, St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.), Russell A. Craft and Vicki L. Craft, Stephen P. Smith and Malinda Smith and William D. Mosley and Virginia Sue Mosley, have signed certificates submitting their consent to the Board for the approval of this application.

There were no remonstrations against the application.

The Board of Zoning Appeals therefore makes the following conclusions of law and hereby determines that the application and petition for additional use permit made by the St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.) shall be and is:

1. Consistent with the spirit, purpose and intent of the master plan of the Town of Sellersburg and it's surrounding area;

2. Not substantially and permanently injurious to the appropriate use of the neighboring properties;

3. Not adversely affecting the public health, safety, morals or welfare;

4. An avoidance of adverse affect to neighboring properties has been demonstrated;

5. That the property is presently zoned local business (B-1 District) under Section 2.8 of the Zoning Ordinance for the Town of Sellersburg. Section 2.8.2.2 permits the granting of contingent uses by the Board of Zoning Appeals after a public hearing. These contingent uses include the use as a church or temple and schools.

6. That the church has made a proper application for a contingent use to the Board of Zoning Appeals and proof of publication the Notice of Public Hearing was advertised at least ten (10) days prior to the public hearing in a newspaper of general circulation published within the Town and County.

7. The requirement of including a district development plan, pursuant to Section 3.4.1 (1) of the Zoning Ordinance of the Town of Sellersburg is hereby waived.

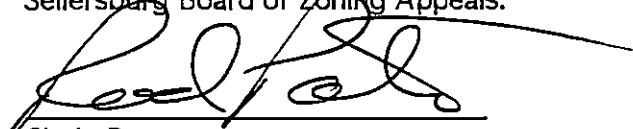
8. That the requirements of Section 3.5.12.1 and Section 3.5.15, et sec, of the Zoning Ordinance of the Town of Sellersburg have been met, to the satisfaction of this Board.

9. That the Application was properly noticed and opened to the public and debate.


WHEREAS, the Town of Sellersburg Board of Zoning Appeals hereby approves the request for a contingent use permit and grants the contingent use permit to use said property as a church and/or school.

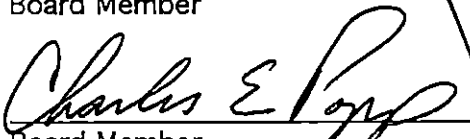
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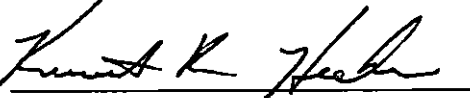
Sellersburg Board of Zoning Appeals:

  
Chair Person

Vice-Chair Person

  
Board Member

  
Board Member

  
Board Member

C/14/96

ROD:

Here are copies of request by ST. PAUL'S CATHOLIC CHURCH for zoning variance of Lots 16, 17, 18, 19, 22, 23 and 24 of DIETRICH 2<sup>ND</sup> ADDITION. ST. PAUL owns Lot 16, 17, 18 and is in process of taking options to purchase the others. KARL TRUMAN has ~~has~~ been employed by ST. PAUL to handle the request. NOTICE was published in THE EVENING NEWS on June 6, copy will be presented at meeting.

Francis Henry

10/11/18

659

There are a number of things to be done  
 in connection with the proposed  
 alterations to the existing  
 and it is proposed to take steps to  
 ensure that the proposed alterations  
 are carried out in accordance with  
 the requirements of the relevant  
 legislation. It is also proposed to  
 carry out a detailed survey of the  
 site in order to determine the  
 extent of the proposed alterations  
 and to ensure that the proposed  
 alterations are carried out in  
 accordance with the requirements  
 of the relevant legislation.

James [unclear]

BOARD OF ZONING APPEALS  
TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

In the matter of the Application for Contingent Use Permit by the St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.).

The St. Paul Catholic Church has filed their Application for a Contingent Use Permit to allow the expansion of church facilities for use as a school.

FINDINGS OF FACT

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1. On the agenda was for the Board to review an Application for Contingent Use Permit by the St. Paul Catholic Church. Michael Wise appears as a representative of the church.

2. The property which is the subject of the application are Lot numbers 16, 17, 18, 19, 22, 23 and 24 of Dietrich Second Addition to the Town of Sellersburg. This property is bordered by St. Paul Street, Highway 31 and Oak Street.

3. It was presented to the Board that St. Paul Catholic Church operates an elementary school as part of its religious purpose. The church needs to expand it's facilities and intends to acquire the lots not already owned, removed the houses on these lots, then erect additional facilities for the church, to be primarily used as part of the church's school.

4. All of the property owners, St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.), Russell A. Kraft and Vicki L. Kraft, Stephen P. Smith and Malinda Smith and William D. Mosley and Virginia Sue Mosley, have signed certificates submitting their consent to the Board for the approval of this application.

There were no remonstrations against the application.

The Board of Zoning Appeals therefore makes the following conclusions of law and hereby determines that the application and petition for additional use permit made by the St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.) shall be and is:

1. Consistent with the spirit, purpose and intent of the master plan of the Town of Sellersburg and it's surrounding area;

2. Not substantially and permanently injurious to the appropriate use of the neighboring properties;

3. Not adversely affecting the public health, safety, morals or welfare;

4. An avoidance of adverse affect to neighboring properties has been demonstrated;

5. That the property is presently zoned local business (B-1 District) under Section 2.8 of the Zoning Ordinance for the Town of Sellersburg. Section 2.8.2.2 permits the granting of contingent uses by the Board of Zoning Appeals after a public hearing. These contingent uses include the use as a church or temple and schools.

6. That the church has made a proper application for a contingent use to the Board of Zoning Appeals and proof of publication the Notice of Public Hearing was advertised at least ten (10) days prior to the public hearing in a newspaper of general circulation published within the Town and County.

7. The requirement of including a district development plan, pursuant to Section 3.4.1 (1) of the Zoning Ordinance of the Town of Sellersburg is hereby waived.

8. That the requirements of Section 3.5.12.1 and Section 3.5.15, et sec, of the Zoning Ordinance of the Town of Sellersburg have been met, to the satisfaction of this Board.

9. That the Application was properly noticed and opened to the public and debate.

WHEREAS, the Town of Sellersburg Board of Zoning Appeals hereby approves the request for a contingent use permit and grants the contingent use permit to use said property as a church and/or school.



Approved this 17th day of June, 1996.

Sellersburg Board of Zoning Appeals:

\_\_\_\_\_  
Chair Person

\_\_\_\_\_  
Vice-Chair Person

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Board Member

GEORGE MARSHALL CALLED AND WILL BE AT THE TOWN COUNCIL MEETING TONIGHT TO DISCUSS THE CONSTRUCTION BEHIND HIS HOUSE WITH LAKESIDE ESTATES.

MR. MCCALL 97-673 CONCERNING AMENDMENT TO WEIGHT TON LIMITS OF ORD. 97-672

*Town of Sellersburg*

316 EAST UTICA STREET  
P.O. BOX 85  
SELLERSBURG, INDIANA 47172  
(812) 246-3821 FAX (812) 246-7040

July 26, 1997

Dear Attorney McCall:

I have prepared a notice of public hearing to vacate the street (see attached) and would like you to review.

This notice will have to be published on August 1st so I had no choice but to go on and send it to the Evening News.

If there are any problems with it let me know and I may be able to change it before its printed.

You were out of town so I had Karl review it, at no charge.

My home numbers are: 246-1781 or 246-1785.



Linda G. Schafer  
Sellersburg Clerk Treasurer

lgs

NOTICE OF PUBLIC HEARING OF TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA,  
TO CONSIDER THE VACATION OF STREET RIGHT-OF-WAY WITHIN THE TOWN OF SELLERSBURG

Please be advised that the Town Council for the Town of Sellersburg, Indiana, will on the 11th day of AUGUST 1997, at 6:30 o'clock p.m., hold a Public Hearing at the Sellersburg Town Hall, located at 316 E. Utica St. Sellersburg, Indiana, 47172.

The purpose of said hearing will be to discuss the vacation of the following street rights-of-way.

That the Petitioners for cause of action say:

1. That they are the owners of the real estate on both sides of St. Paul Street, from Highway 131, to the intersection of Scheller Avenue on the South side of the street and to the intersection of 14 foot alley on the North side of the street.
- 2: That your Petitioners respectfully petition the Board to vacate the portion of St. Paul Street, as indicated in paragraph 1, and more specifically in the described attached Exhibit "A" and depicted in the drawing attached as Exhibit "B", which are incorporated by reference herein.
3. That the South side of St. Paul Street is the location of the St. Paul Elementary School. The Roman Catholic Archdiocese of Indianapolis, Inc. a/k/a St. Paul Catholic Church is the owner of the real estate on both sides of St. Paul Street to be vacated and intend to use this real estate for construction for additional school buildings. Vacation if this portion of St. Paul Street is necessary to insure the safety of children walking to school buildings, and to allow the smooth and orderly growth of the St. Paul Elementary School, which has a long tradition as an important part of the Sellersburg Community.
4. That the Petitioners would further state that this portion of St. Paul Street sought to be vacated is not necessary to the growth of the community or Town of Sellersburg; that it is not needed in it's present location as a means of ingress and egress to other real estate, or churches, schools, or other public places or grounds.

Being a part of St. Paul Street (Formerly Chestnut St.) in John Dietrichs 2nd Addition to the Town of Sellersburg, as shown in Plat Book 3 Page 76 of the Clark County, Indiana Records and being further described as follows:

Beginning at a railroad spike on the southeast corner of Lot 16 in said Addition, same being the northwest intersection of said St. Paul Street and State Highway 31; Thence N.70°45'30"W., along the northern Right-of-Way line of said St. Paul Street, ~~Thence N.70°45'30"W., along the northern Right-of-Way line of said lot:~~ Thence in

BEFORE THE BOARD OF TRUSTEES  
TOWN OF SELLERSBURG

In Re the Petition of the  
Roman Catholic Archdiocese of  
Indianapolis, Inc. a/k/a  
St. Paul's Catholic Church

**PETITION TO VACATE STREET**

To: Board of Trustees, Town of Sellersburg

That the Petitioners for cause of action say:

1. That they are the owners of the real estate on both sides of St. Paul Street, from Highway 131, to the intersection of Scheller Avenue on the South side of the street and to the intersection of 14 foot alley on the North side of the street.

2. That your Petitioners respectfully petition the Board to vacate the portion of St. Paul Street, as indicated in paragraph 1, and more specifically in the described in the attached Exhibit "A" and depicted in the drawing attached as Exhibit "B", which are incorporated by reference herein.


3. That the South side of St. Paul Street is the location of the St. Paul Elementary School. The Roman Catholic Archdiocese of Indianapolis, Inc. a/k/a St. Paul's Catholic Church is the owner of the real estate on both sides of St. Paul Street to be vacated and intend to use this real estate for construction for additional school buildings. Vacation of this portion of St. Paul Street is necessary to insure the safety of children walking to school buildings, and to allow the smooth and orderly growth of the St. Paul Elementary School, which has a long tradition as an important part of the Sellersburg community.

4. That the Petitioners would further state that this portion of St. Paul Street sought to be vacated is not necessary to the growth of the community or Town of

Sellersburg; that it is not needed in its present location as a means of ingress and egress to other real estate, or churches, schools, or other public places or grounds.

WHEREFORE, your Petitioners pray that above mentioned street, as shown in the Town Sellersburg, as hereinabove described, be vacated and that they be granted all other further proper relief in the premises.

Dated: 7-15-97

  
\_\_\_\_\_  
Karl Truman  
Attorney for St. Paul's Catholic Church  
420 Wall St.  
Jeffersonville, IN 47130  
(812) 282-8500

David R. Blankenkaker, P.L.S.

Howard R. Blankenkaker (1905-1974)  
Rollyn H. Blankenkaker (1934-1994)

# Blankenkaker & Son

## Land Surveyors Inc, P.C.

Established 1945

422 Meigs Avenue  
Jeffersonville, Indiana 47130

(812) 282-4183 phone  
(812) 282-4197 fax

P.O. Box 157  
Jeffersonville, Indiana 47131-0157

16 June 1997

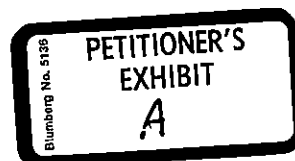
### DESCRIPTION OF A PART OF ST. PAUL STREET IN SELLERSBURG

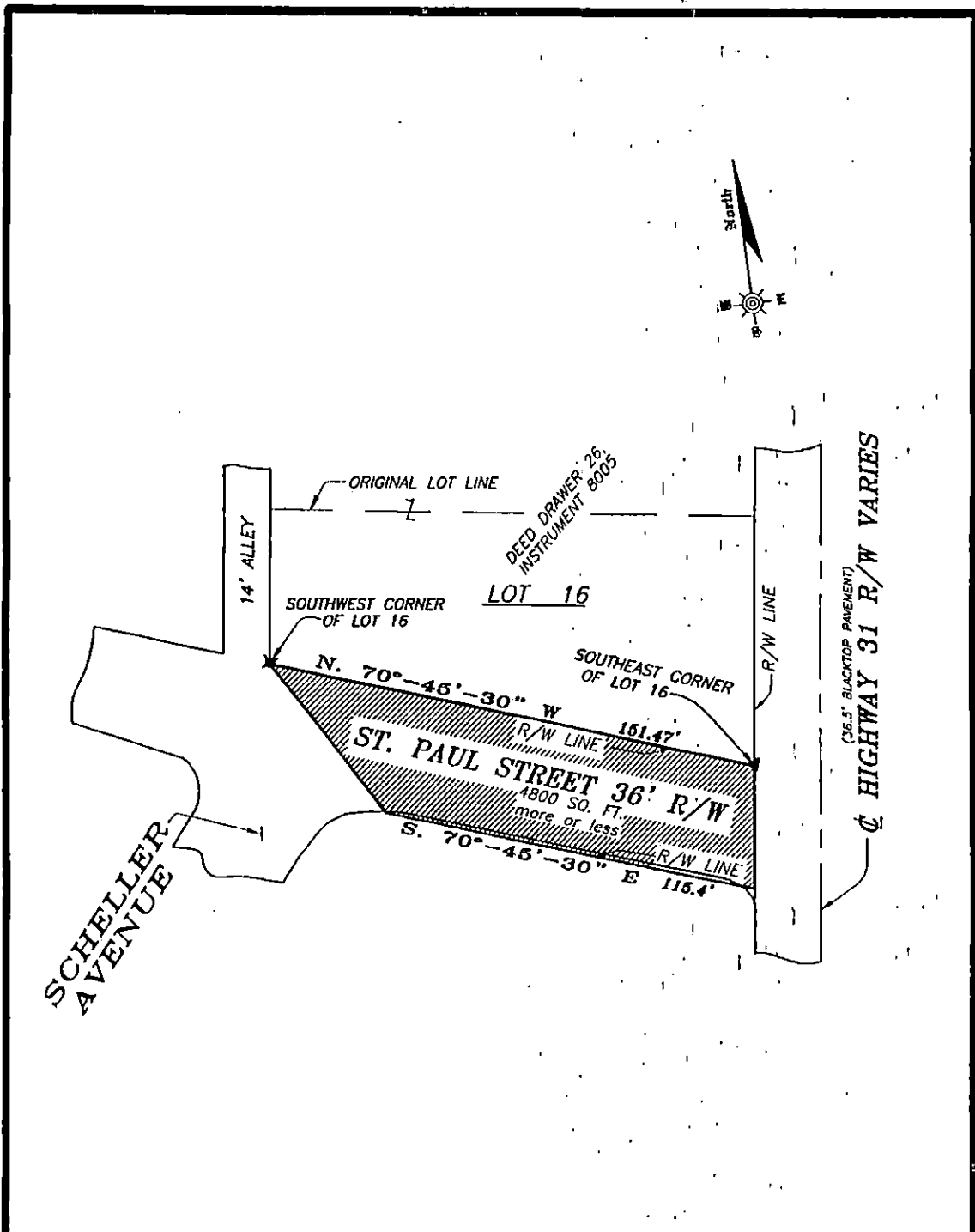
Being a part of St. Paul Street (Formerly Chestnut St.) in John Dietrichs 2nd Addition to the Town of Sellersburg, as shown in Plat Book 3 Page 76 of the Clark County, Indiana Records and being further described as follows:

Beginning at a railroad spike on the southeast corner of Lot 16 in said Addition, same being the northwest intersection of said St. Paul Street and State Highway 31; Thence N.70°45'30"W., along the northern Right-of-Way line of said St. Paul Street, 151.47 feet to a steel pin and cap on the southwest corner of said lot; Thence in a southerly direction, crossing said street, to the intersection of the west Right-of-Way line of Scheller Avenue and the south Right-of-Way line of St. Paul Street; Thence S.70°45'30"E., along said Right-of-Way line, 115.4 feet to the east Right-of-Way line of said State Highway 31; Thence northerly, along said east Right-of-Way line, 36 feet, more or less, to THE PLACE OF BEGINNING.

Containing 4800 square feet, more or less, and being subject to all easements of record.

filed: 12391.des





DRAWING OF A PART OF ST. PAUL STREET IN DIETRICH'S 2nd ADDITION IN THE TOWN OF SELLERSBURG, AS SHOWN IN PLAT BOOK 3, PAGE 76 OF THE CLARK COUNTY, INDIANA RECORDS.

Blumberg No. 5138

**PETITIONER'S  
EXHIBIT**

β

Copyright © 1995 Blankenbaker and Son  
Land Surveyors Inc., P.C. All rights reserved.

<p style="text-align: center;"><b>BLANKENBEKER &amp; SON</b> LAND SURVEYORS INC., P.C. 422 MEIGS AVENUE P.O. BOX 157 JEFFERSONVILLE, INDIANA 47131-0157 TELEPHONE 812-282-4183</p>	<p style="text-align: center;">FOR: ST. PAUL'S CATHOLIC CHURCH FRANCIS CONROY 410 ST. PAUL STREET SELLERSBURG, IN 47172</p>		
DRAWN BY: C.D.C.	SCALE: 1" = 40 FEET	DATE: JUNE 17, 1997	JOB No. 12,391



# KARL TRUMAN

ATTORNEY AT LAW

420 WALL STREET • JEFFERSONVILLE • IN • 47130 • (812) 282 - 8500 • FAX: (812) 282 - 5388

Linda Schafer, Clerk Treasurer  
Town of Sellersburg  
316 E. Utica Street  
Sellersburg, IN 47172

July 15, 1997

Re: Petition to Vacate Street

Dear Linda:

Enclosed is a Petition on behalf of the St. Paul's Catholic Church to vacate a portion of St. Paul's Street. Pursuant to I.C. 36-7-3-12 (c), the Town Board shall hold a hearing on the Petition within thirty (30) days after it is received. The Clerk of the Legislative Body shall give notice of Petition and of the time and place of the hearing:

- (1) In the manner prescribed in I.C. 5-3-1; and
- (2) By certified mail to each owner of land that abuts the property proposed to be vacated.

Notice by certified mail to each owner of land that abuts the property will not be necessary, since the land on both sides of the street is owned by the St. Paul's Catholic, who has waived notice to them.

Please contact me, to let me know when the Town will be able to conduct a hearing on the Petition. If you have any other questions, do not heist to call me.

Sincerely,

  
Karl N. Truman

KNT/smw  
Enclosure

cc: Francis Conway

**STATE OF INDIANA,  
COUNTY OF CLARK—SS**

**NOTICE**

Notice is hereby given that the St. Paul Catholic Church, (Roman Catholic Archdiocese of Indianapolis, Properties Inc.) has filed with the Board of Zoning Appeals of the Town of Sellersburg, Clark County, Indiana, an Application for contingent use under the regulations of the Zoning Ordinance, to-wit: sections 2.8.2.2 (3), (7) and section 3.4, et sec, that permit the contingent use of said property for a church and school.

The description of the premises affected is as follows:

Dietrich, Second Addition, Lots 16, 17, 18, 19, 22, 23 and 24. The area is bound by St. Paul's Street, Oak Street and Highway 31.

The purpose of the request for contingent use permit is to allow the St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.) to expand and construct new facilities to be utilized by the Church and the School operated by the Church.

The Application on this matter is available for public inspection during the regular working hours at the Office of the Planning Commissioner, Town of Sellersburg, 316 E. Utica Street, Sellersburg, Indiana.

A public hearing will be held by the Board of Zoning Appeals on June 17, 1996 at 6:30 p.m.

Notice prepared by: Karl N. Truman, Attorney at Law, 530 E. Court Avenue, Jeffersonville, IN 47130 (812) 282-8500.

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 June 5, 1996.....

*Annette Brown*

State of Indiana

County of Clark

Subscribed and sworn to before me this

11th day of June..... 1996.....

*Helen D. Adams*

Notary Public, Clark County, Indiana

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

Publication Fee \$.....

BOARD OF ZONING APPEALS  
TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA

APPLICATION FOR CONTINGENT USE

Applicant: St. Paul's Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.).

Address of Applicant: 218 Schellers Avenue, Sellersburg, Indiana

Premises Affected: Lot numbers 16, 17, 18, 19, 22, 23 and 24 of the Dietrich Second Addition, which property is bounded by St. Paul's Street, Oak Street and Highway 31.

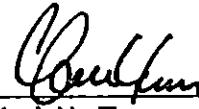
Owners of Property: Lots 16, 17 and 18 are owned by St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.); Lot 22 is owned by Russell A. Kraft and Vicki L. Kraft; Lots 23 and 24 are owned by Stephen P. Smith and Malinda R. Smith; Lot 19 is owned by William D. Mosley and Virginia Sue Mosley. Said owners have agreed to the contingent use permit being granted upon the share of property to the St. Paul Catholic Church.

Zoning Classification: The property is presently zoned local business (B-1 District) under Section 2.8 of the Sellersburg Zoning Ordinance, Section 2.8.2.2 permits contingent uses by the Board of Zoning Appeals after a public hearing. Subsection (3) permits the use for a church or temple and subsection (7) permits the use for a school.

Detailed Statement of Contingent Use Request: The St. Paul Catholic Church owns and operates a school as part of its religious purpose. The church desires to expand its facilities onto the premises affected. It is anticipated that the houses currently on these properties would be removed and new structures erected by the church. The owners of the properties have given their consent to the Board for Approval. The church is presently negotiating with these property owners to purchase their property, contingent upon the contingent use permit being granted to allow the church to expand their facilities.

WHEREFORE, the St. Paul's Catholic Church believes the facts and circumstances

relating to the public convenience and necessity will comply with the standards for granting a contingent use under Sections 2.8.2.2 and Section 3.5, after a public hearing.

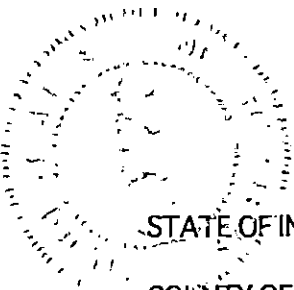


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Karl N. Truman #11690-10  
Attorney for St. Paul's Catholic Church  
530 E. Court Avenue  
P.O. Box 1554  
Jeffersonville, IN 47131-1554  
(812)282-8500

PROPERTY OWNER'S CERTIFICATE

The undersigned Virginia Sue Mosley, husband and wife, are the property owners of Lot 19 of Dietrich Second Addition to the Town of Sellersburg. We have reviewed the Application for Continued Use Permit on behalf of the St. Paul Catholic Church. With my notarized signature, I am submitting my express written consent to the Board of Zoning Appeals for its approval.



STATE OF INDIANA )  
                                  )SS  
COUNTY OF CLARK )

Virginia Sue Mosley  
Virginia Sue Mosley

Before me, a Notary Public, in and for said County and State, personally appeared Virginia Sue Mosley, and being duly sworn upon their oath, says that they are the persons who executed the foregoing, that they have read the same and that statements therein contained are true.

WITNESS my hand and Notarial Seal this 17th day of June, 1996.

John W Eckert  
NOTARY PUBLIC, JOHN W ECKERT  
A RESIDENT OF CLARK COUNTY,  
INDIANA

MY COMMISSION EXPIRES:

1-7-99

PROPERTY OWNER'S CERTIFICATE

The undersigned is a representative of the St. Paul's Catholic Church, with the authority to consent to the continued use permit on behalf of the Roman Catholic Archdiocese of Indianapolis Properties Inc. I have reviewed the Application for Continued Use Permit on behalf of the St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.) for a continued use permit. With my notarized signature, I am submitting my express written consent to the Board of Zoning Appeals for its approval.

St. Paul Catholic Church  
Roman Catholic Archdiocese Properties Inc.

By: Rev Herman G. Lutz

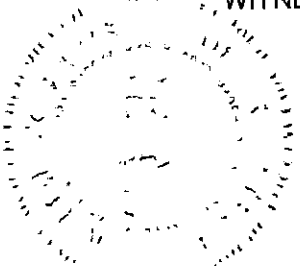
REV. HERMAN G. LUTZ

Printed Name

STATE OF INDIANA )  
  )SS  
COUNTY OF CLARK )

Before me, a Notary Public, in and for said County and State, personally appeared the St. Paul Catholic Church Roman Catholic Archdiocese Properties Inc. by REV. HERMAN G. LUTZ and being duly sworn upon his oath, says that he is the person who executed the foregoing, that he has read the same and that statements therein contained are true.

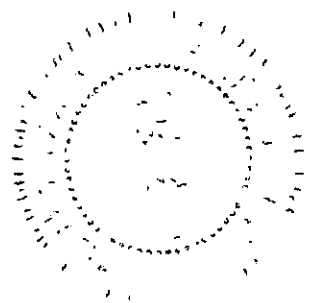
WITNESS my hand and Notarial Seal this 14th day of May, 1996.



John W Eckert  
NOTARY PUBLIC, JOHN W ECKERT  
A RESIDENT OF CLARK COUNTY,  
INDIANA

MY COMMISSION EXPIRES:

1-7-99



BOARD OF ZONING APPEALS  
TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA

APPLICATION FOR CONTINGENT USE

Applicant: St. Paul's Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.).

Address of Applicant: 218 Schellers Avenue, Sellersburg, Indiana

Premises Affected: Lot numbers 16, 17, 18, 19, 22, 23 and 24 of the Dietrich Second Addition, which property is bounded by St. Paul's Street, Oak Street and Highway 31.

Owners of Property: Lots 16, 17 and 18 are owned by St. Paul Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.); Lot 22 is owned by Russell A. Kraft and Vicki L. Kraft; Lots 23 and 24 are owned by Stephen P. Smith and Malinda R. Smith; Lot 19 is owned by William D. Mosley and Virginia Sue Mosley. Said owners have agreed to the contingent use permit being granted upon the share of property to the St. Paul Catholic Church.

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Detailed Statement of Contingent Use Request: The St. Paul Catholic Church owns and operates a school as part of its religious purpose. The church desires to expand its facilities onto the premises affected. It is anticipated that the houses currently on these properties would be removed and new structures erected by the church. The owners of the properties have given their consent to the Board for Approval. The church is presently negotiating with these property owners to purchase their property, contingent upon the contingent use permit being granted to allow the church to expand their facilities.

WHEREFORE, the St. Paul's Catholic Church believes the facts and circumstances



relating to the public convenience and necessity will comply with the standards for granting a contingent use under Sections 2.8.2.2 and Section 3.5, after a public hearing.



---

Karl N. Truman #11690-10  
Attorney for St. Paul's Catholic Church  
530 E. Court Avenue  
P.O. Box 1554  
Jeffersonville, IN 47131-1554  
(812)282-8500

**KARL N. TRUMAN**

—Attorney at Law—  
Licensed in Indiana and Kentucky

530 E. Court Avenue  
P.O. Box 1554  
Jeffersonville, IN 47131  
(812) 282-8500  
Fax: (812) 282-3188

Town of Sellersburg  
316 E. Utica Street  
Sellersburg, IN 47172  
ATTN: Planning Commission

May 29, 1996

Re: Application for Contingent Use Permit by St. Paul Catholic Church

Dear Sir:

Enclosed is an Application on behalf of the St. Paul Catholic Church for a contingent use permit. Please file this with the Planning Commission and schedule this for the next meeting on June 17, 1996 at 6:30 p.m.

Sincerely,



Karl N. Truman

KNT/smw  
Enclosure

cc: Rod Pate  
Francis Conroy

**BOARD OF ZONING APPEALS  
TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA**

**APPLICATION FOR CONTINGENT USE**

**Applicant:** St. Paul's Catholic Church (Roman Catholic Archdiocese of Indianapolis Properties Inc.).

**Address of Applicant:** 218 Schellers Avenue, Sellersburg, Indiana

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---

Karl N. Truman #11690-10  
Attorney for St. Paul's Catholic Church  
530 E. Court Avenue  
P.O. Box 1554  
Jeffersonville, IN 47131-1554  
(812)282-8500



OAK ST.

HIGHLAND

ST. PAUL ST.  
ST. PAUL  
HONORS  
SCHOOL

CHESTNUT STREET

HIGHWAY 31

OR HAAS AVENUE

ALBANY STREET

DIETRICH

NEW  
2nd  
ADDITION

3rd  
ADDITION

Grants 110 & 111

ST. PAUL  
SCHOOL'S PROPERTY



# KARL N. TRUMAN

—Attorney at Law—  
Licensed in Indiana and Kentucky

530 E. Court Avenue  
P.O. Box 1554  
Jeffersonville, IN 47131  
(812) 282-8500  
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Town of Sellersburg  
316 E. Utica Street  
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Sincerely,



Karl N. Truman

KNT/smw  
Enclosure

cc: Rod Pate  
Francis Conroy

BOARD OF ZONING APPEALS  
TOWN OF SELLERSBURG, CLARK COUNTY, INDIANA

APPLICATION FOR CONTINGENT USE

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Karl N. Truman #11690-10  
Attorney for St. Paul's Catholic Church  
530 E. Court Avenue  
P.O. Box 1554  
Jeffersonville, IN 47131-1554  
(812)282-8500

7

June 17, 1996

  
Charles E. Kyp  
Francis Q. Conway  
Kenneth R. Fisher



PROPERTY OWNER'S CERTIFICATE

The undersigned Stephen P. Smith and Melinda R. Smith, husband and wife, are the property owners of Lot 23 and 24 of Dietrich Second Addition to the Town of Sellersburg. We have reviewed the Application for Continued Use Permit on behalf of the St. Paul Catholic Church. With my notarized signature, I am submitting my express written consent to the Board of Zoning Appeals for its approval.



Stephen P. Smith  
Stephen P. Smith

Melinda R. Smith  
Melinda R. Smith

STATE OF INDIANA    )  
                                  )SS  
COUNTY OF CLARK    )

Before me, a Notary Public, in and for said County and State, personally appeared Stephen P. Smith and Melinda R. Smith, husband and wife, and being duly sworn upon their oath, says that they are the persons who executed the foregoing, that they have read the same and that statements therein contained are true.

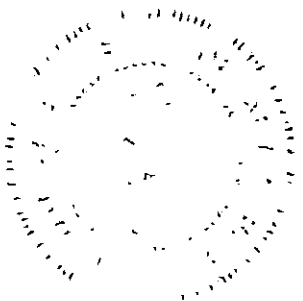
WITNESS my hand and Notarial Seal this 17<sup>th</sup> day of <sup>JUNE</sup>~~May~~, 1996.

John W Eckert  
NOTARY PUBLIC, JOHN W ECKERT  
A RESIDENT OF CLARK COUNTY,  
INDIANA

MY COMMISSION EXPIRES:  
1-7-99

PROPERTY OWNER'S CERTIFICATE

The undersigned Russell A. Kraft and Vicki L. Kraft, husband and wife, are the property owners of Lot 22 of Dietrich Second Addition to the Town of Sellersburg. We have reviewed the Application for Continued Use Permit on behalf of the St. Paul Catholic Church. With my notarized signature, I am submitting my express written consent to the Board of Zoning Appeals for its approval.



Russell A. Kraft  
Russell A. Kraft

Vicki L. Kraft  
Vicki L. Kraft

STATE OF INDIANA    )  
                                  )SS  
COUNTY OF CLARK    )

Before me, a Notary Public, in and for said County and State, personally appeared Russell A. Kraft and Vicki L. Kraft, husband and wife, and being duly sworn upon their oath, says that they are the persons who executed the foregoing, that they have read the same and that statements therein contained are true.

WITNESS my hand and Notarial Seal this JUNE 17th day of ~~May~~, 1996.

John W Eckert  
NOTARY PUBLIC, JOHN W ECKERT  
A RESIDENT OF CLARK COUNTY,  
INDIANA

MY COMMISSION EXPIRES:  
1-7-99

MINUTES OF THE MEETING

Board of Zoning Appeals

July 15, 1996

The meeting of the Board of Zoning Appeals met on July 15, 1996, at the Sellersburg Town Hall at 6:30 p.m. Rodney Pate, chairman, opened the meeting.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Francis Conroy, Charlie Ridenour, Ken Hecker, Bob Stewart, the building inspector, and Benita Pate, Secretary.

THE FOLLOWING MEMBERS WERE ABSENT: Charlie Popp.

Vicki Whittenhill was supposed to be on the agenda, for a variance on a fence height. She withdrew her proposal.

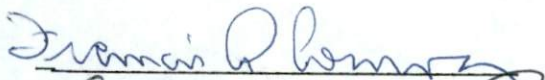
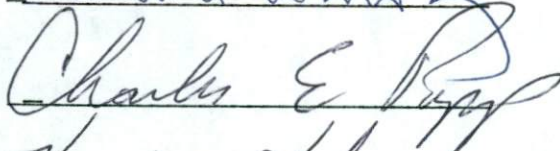
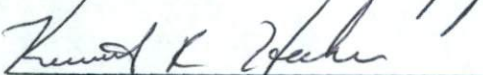
John Baxter withdrew from the agenda also, he wanted to put a modular home on Kahl Court. The property was sold to someone else.

Phil Kannapel was present tonight to get a variance to remove a 1967 trailer on 7102 Wilson Lane and replace it with a new 1996 trailer.

Since this is an isolated part of the city, interstate on one side, and trailer part on other side. Ken Hecker made a motion to give Phil Kannapel a variance to allow him to discard in a legal fashion his old trailer, and allow him to put a new 1996 trailer in place of it. The motion was seconded by Charlie Ridenour. All members present, voted in favor of the motion.

Charlie Ridenour made a motion to accept the minutes of the June 17, 1996 meeting. Francis Conroy seconded the motion. All members present vote in favor of the motion.

Francis Conroy made a motion to adjourn the meeting and it was seconded by Charlie Ridenour. All members present vote in favor of the motion.

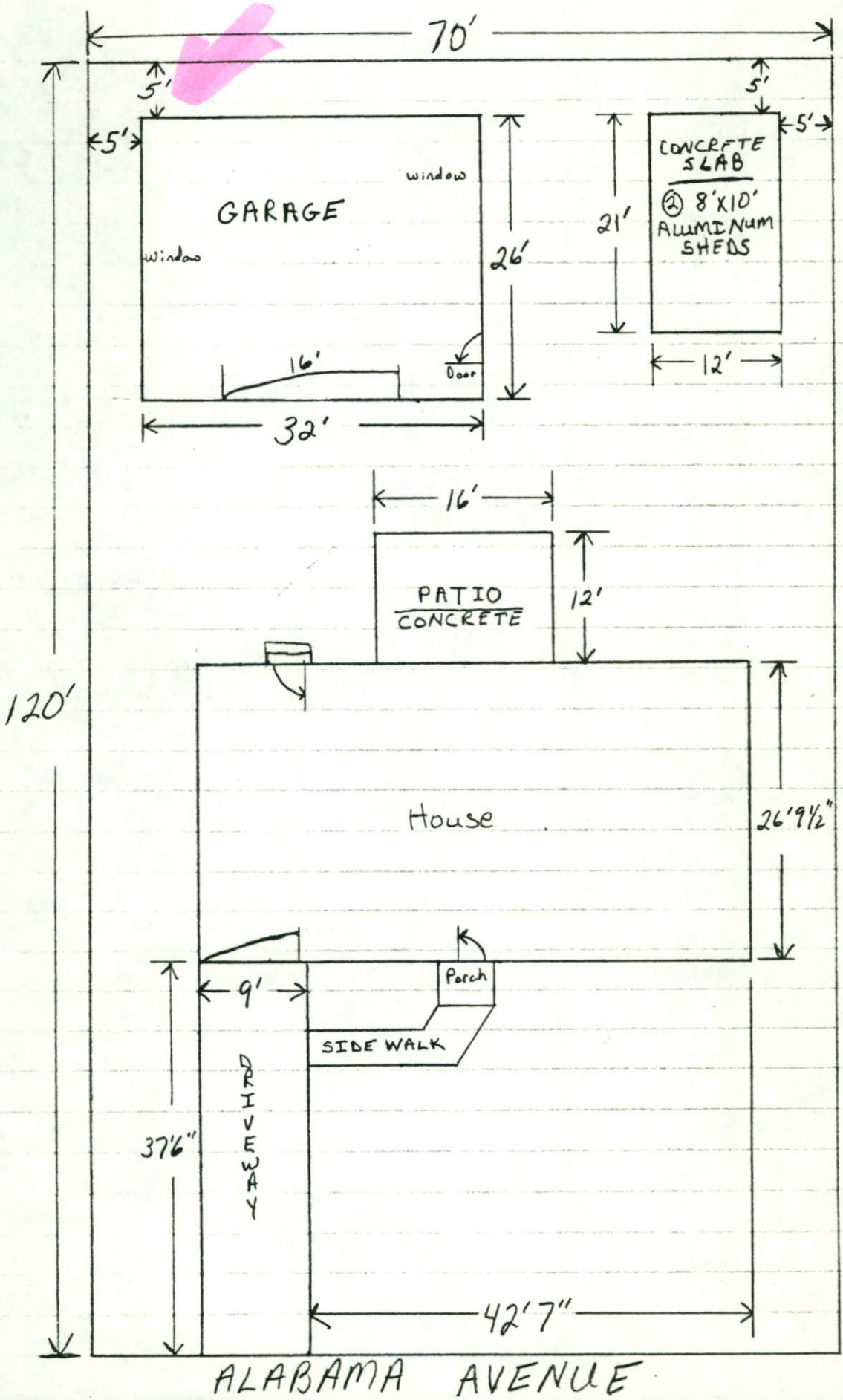
  

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7-18-90 jeh

TOM KELLUMS  
648 Alabama



MEMBERS OF THE ZONING APPEALS BOARD:

AUG. 6, 1996

FROM BOB STEWART:  
TOWN OF SELLERSBURG  
BUILDING INSPECTOR.

TWO PEOPLE HAVE REQUESTED TO BE HEARD ON ZONING VARIANCES FOR THE MEETING ON AUG. 19th. I AM FORWARDING THIS REPORT TO YOU THIS WEEK SINCE I WILL BE OUT OF TOWN NEXT WEEK TO ATTEND THE ANNUAL INSPECTORS STATE CONFERENCE FOR BUILDING OFFICIALS IN RICHMOND, INDIANA. I WILL BE BACK IN TOWN ON THE 19th FOR YOUR MEETING, BUT WILL BE UNABLE TO DISTRIBUTE THIS INFORMATION AFTER THE 9th OF AUGUST.

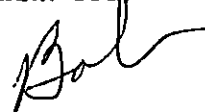
THE FIRST REQUEST IS FROM A TOM KELLUMS OF 648 ALABAMA AVE. HE WANTS TO BUILD A GARAGE ON HIS PROPERTY BUT CAN NOT MEET THE REAR LOT LINE SET BACK OF 20 FEET. THE ENCLOSED PLOT PLAN FROM THE PROPERTY OWNER SHOWS HE HAS ONLY 5 FEET AT THE REAR AS OF 7-18-96. HOWEVER, MR. KELLUMS PHONED ME ON AUG. 5th AND ADVISED HE HAD THE PROPERTY SURVEYED LAST WEEK AND WILL BE ABLE TO SET BACK APPROXIMATELY 17½ FEET FROM THE LINE. HE WILL PRESENT THAT CORRECTION ON AUG 19th AT THE MEETING.

IT IS THIS INSPECTORS OPINION THAT THE PROPERTY OWNER BE GANTED THIS VARIANCE. SEVERAL GARAGES ALREADY HAVE BEEN BUILT IN THE HILL AND DALE SUBDIVISION THAT ARE CLOSER TO THEIR PROPERTY REAR LINES THAN MR. KELLUMS HAS REQUESTED.

THE SECOND REQUEST IS FROM DAVIS BROTHERS HAMBURG SERVICE CENTER. THEY ARE CHANGING PRODUCT LINES TO ASHLAND OIL PRODUCTS. THEY WANT A VARIANCE TO ERECT A NEW SIGN ALONG SIDE INTERSTATE 65 NEAR THE PRESENT "76" PRODUCT SIGN. THE SIGN WILL BE 133½ SQUARE FEET IN TOTAL DISPLAY SURFACE, ON EACH SIDE OF THE SIGN. PRESENT CODE DOES NOT ALLOW ME TO ISSUE A PERMIT FOR A POLE SIGN IN SURFACE AREA GREATER THAN 128 SQUARE FEET, TOTAL AREA. A BILLBOARD PERMIT MAY BE ISSUED FOR ANY SIGN IN EXCESS OF 128 SQUARE FEET OF SURFACE ON ONE SIDE. HOWEVER, ALL BILLBOARDS MUST BE APPROVED BY THE BOARD OF ZONING APPEALS.

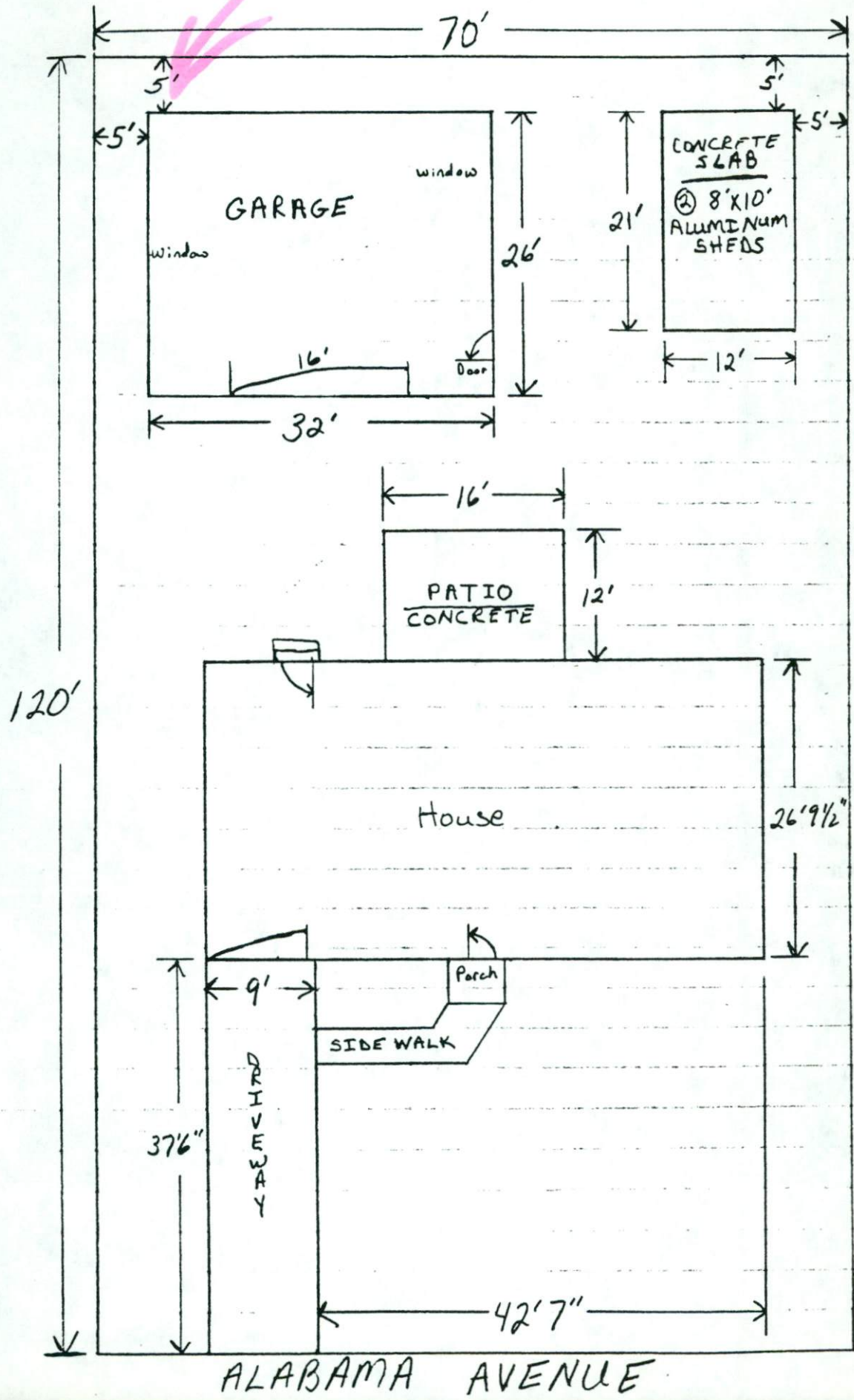
IT IS THIS INSPECTORS OPINION THAT THE PROPERTY OWNER BE GRANTED THIS VARIANCE. SIGNS OF THIS SIZE ARE STANDARD PRACTICE FOR INTERSTATE USE. SINCE THIS SIGN IS NOT GOING TO BE ERECTED IN THE MIDDLE OF TOWN, I CAN NOT SEE HOW IT WILL HAVE ADVERSE EFFECTS TO SURROUNDING PROPERTIES.

THANK YOU



7-18-90 JKH

TOM KELLUMS  
648 Alabama



BOARD OF ZONING APPEALS

AUGUST 19, 1996

The meeting of the zoning of appeals was held at the Sellersburg Town Hall on the 19th day of August 1996. Francis Conroy chaired the meeting in place of Rodney Pate.

THE FOLLOWING MEMBERS WERE PRESENT: Charlie Ridenour, Francis Conroy, Ken Hecker, Charlie Popp, and Bob Stewart, the Sellersburg Building Inspector.

THE FOLLOWING MEMBERS WERE ABSENT: Rodney Pate.

Tom Kellums of 648 Alabama Avenue was present for a variance. The variance would be pertaining to the rear of his property.

Charlie Ridenour made a motion to grant a variance, providing that he adjust to 10 foot from the property line instead of 5 foot, and on contingent with three neighbors written approval to the board. It was seconded by Charlie Popp. Ken Hecker asked that it be written in the minutes that voting on this motion was a conflict of interest and he would abstain from voting. All members voted in favor of the motion.

Mike Davis was present tonight to <sup>ASK</sup> a variance on sign height for the Davis Brother's sign on Intersate 65. Francis Conroy seconded the motion. All members present, voted in favor of the motion.

Charlie Popp made a motion to grant a variance on sign height for the Davis Brothers' sign on Interstate 65.

RP  
K/H  
FC  
CS

Bob Stewart was acting on behalf of the Jay C Food Store in Sellersburg. Their new sign on their new building exceeded the ordinance maximum of 128 square feet. Ken Hecker made a motion to grant Jay C Grocery Store in Sellersburg a variance to put their new sign on their building that exceeded the ordinance maximum of 128 square feet. It was seconded by Francis Conroy. All voted in favor of the motion.

Charlie Ridenour would like it recorded that Bob Stewart be given thanks for his timely preparation and notifying members of matters coming up on the zoning appeals board.

Francis Conroy made a motion to approve the minutes of the July 15, 1996 minutes, and it was seconded by Charlie Ridenour.

Charlie Popp made a motion to adjourn the meeting and it was seconded by Ken Hecker. All members present, voted in favor of the motion.

Bob Stewart  
Charlie Popp  
Francis Conroy

Ken Hecker  
Charlie Ridenour

BOARD OF ZONING APPEALS

September 16, 1996

The Board of Zoning Appeals met at the Town Hall of Sellersburg, on September 16, 1996, at 6:30p.m. Rodney Pate chaired the meeting.

THE FOLLOWING MEMBERS WERE PRESENT: Charlie Ridenour, Francis Conroy, Ken Hecker, Charlie Popp, and Rodney Pate, and Bob Stewart, the Sellersburg Building Inspector.

Dave and Earline Duggins were present tonight as owners of the rental property on 206 Shirley Avenue. They are in violation of having a three family dwelling within a single family dwelling.


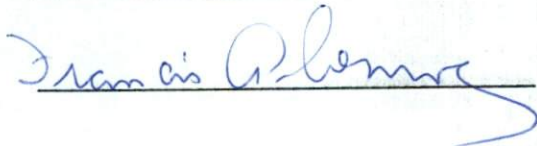
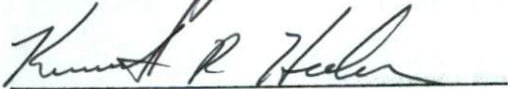
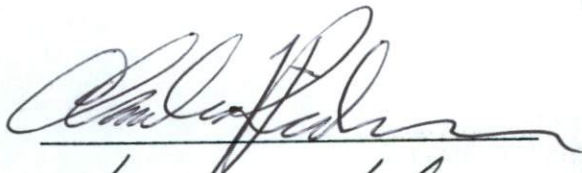
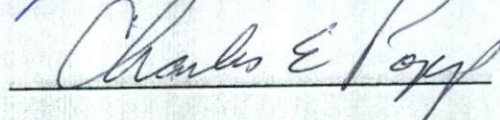
They would like a variance for keeping it a three family dwelling. At the time the Duggins purchased the property, in June 1995, it was a duplex.

Ken Hecker, a member of the Board of Zoning made it known that he has worked on the property, and has been in the units, and if the board would like him to abstain from voting, he will.

Charlie Ridenour made a motion to allow Dave and Earline Duggins a 90 day extension operating as a threeplex, and to approve to continue operating as a two-family dwelling unit since it was purchased as that in June 1995. Francis Conroy seconded the motion and all members present, voted in favor of the motion.

Charlie Ridenour made a motion to adjourn the meeting, and Charlie Popp seconded the motion. All members present, voted in favor of the motion.

Submitted by: Benita Pate  
Secretary



Home Phone - 246-5284

Sincerely,  
Kenneth Sieg 10-12-74  
Leslie A. Sieg 10/13/74

In Regards to our property located at 146 S. Fern St. we would like to request an audience with you for the purpose of seeking a variance of the town zoning requirement of a 5 foot easement off a property line, in order that we may construct a small laundry room onto the existing structure per the included diagram. Thank you for your consideration.

To: Zoning Commission of Sellersburg  
From: Kenneth M. + Leslie A. Sieg

1. Introduction

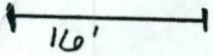
2. Methodology

3. Results

4. Discussion

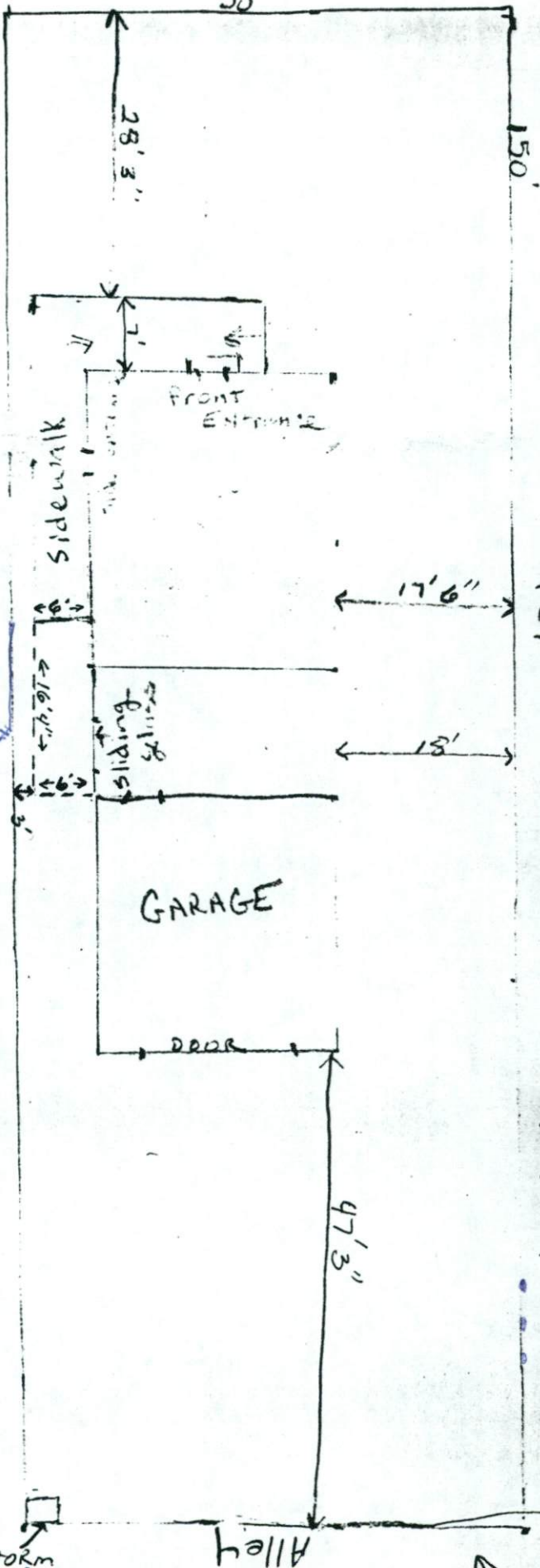
5. Conclusion

6. References



Scale: 1 inch = 16 feet

140 S FERN STREET



Walker

138 S. FERN  
Walker Residence

152 S. FERN ST  
Flynn Residence

Flynn driveway +  
carport rests  
on property line.

Photographs will  
be Available  
w/ survey lines.  
for zoning board  
meeting 10/21/96  
6:30pm

MR. + MRS.  
Kenneth M. Sieg

- CURRENT STRUCTURE
- proposed addition

↔ Misc. Distances

STORM DRAIN

Alley

Paved alley runs  
over west corner  
of property line

Lot # 11, Block 5, Popp + Dold subdivision.

# TOWN OF SELLERSBURG

316 EAST UTICA STREET  
P.O. BOX 85  
SELLERSBURG, INDIANA 47172  
(812) 246-3821

August 30, 1996

Mr. & Mrs. David Duggins  
9129 Virginia Hgts.  
Sellersburg IN 47172

Dear Dave and Earline Duggins:

A complaint has been filed by one of your tenants and some of your neighbors.

The complaint is that you have three apartments in one building located at 206 Shirley Avenue.

The address of 206 Shirley Avenue is zoned "R-1," which is single family dwelling.

Bob Stewart, the building inspector of Sellersburg, investigated the complaint and reported to the Planning Commission that you are in violation of Sellersburg's zoning ordinances.

Dave and Earline, you have thirty days to correct this matter.

If the violation is not corrected within thirty days, it will be forwarded to the Town Attorney of Sellersburg, Indiana.

I would appreciate your cooperation on this matter.

Thank You,



Rodney Pate, President  
Sellersburg Planning Commission

RP/bgh

BY SIGNING THIS PETITION I AM STATING THAT AS A NEIGHBOR OF 206 SHIRLEY AVENUE IN SELLERSBURG I AM AWARE THAT THE RESIDENCE IS A MULTIPLE FAMILY DWELLING AND I DO NOT OBJECT TO IT BEING A MULTIPLE FAMILY DWELLING.

NAME

ADDRESS

Geo. Fordy

254 Shirley Av.

Adlene Bird

255 Shirley Ave.

Marcia Caddigan

311 W. Utica St.

Debra S. Owens

249 Shirley Ave.

Fanny Stables

254 Shirley

Candra L. Carter

261 Shirley Ave.

JANICE COULMS

264 Shirley Ave

Chris Volkert

239 SHIRLEY AVE

Sonny L. Trulock

210 Shirley Ave. (NEXT DOOR)

Nyminie M. Deo

211 Shirley Ave. (ACROSS STREET)

September 16, 1996

To the Town of Sellersburg Zoning Appeals Board,

This letter is to state that I have been a life long resident of Sellersburg and grew up on Shirley Ave. The street is named after my sister. The 206 Shirley address has for as long as I can remember had multiple units. At one time my wife and I rented the apartment upstairs when we were first married.

Jack Haas

*Jack Haas*

BOARD OF ZONING APPEALS

OCTOBER 21, 1996

The Board of the Zoning Appeals met at the Town Hall of Sellersburg, on October 21, 1996, at 6:30p.m. Rodney Pate, chairman, chaired the meeting.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Charlie Popp, Francis Conroy, Ken Hecker, Charlie Ridenour, Bob Stewart, the Sellersburg Building Inspector.

Kenneth and Leslie Sieg of 146 S. Fern St. were present to obtain a 5ft easement off property line in order to construct a small laundry room on the side of the existing house structure.

Charlie Ridenour made a motion to allow a variance for a 2-foot variance from the property line, instead of 5 ft. Charlie Ridenour asked that they include a written statement from the neighbor (Walkers), that they do not object. It was seconded by Ken Hecker. All members present, voted in favor of the motion.

Francis Conroy made a motion to approve the minutes. It was seconded by Charlie Ridenour.

Charlie Ridenour made a motion to adjourn the meeting. It was seconded by Charlie Popp. All members present, voted in favor of the motion.

Charles E Popp  
Rod Pate  
Francis Conroy

Kenneth F Hecker  
Charlie Ridenour

BOARD OF ZONING APPEALS

NOVEMBER 18, 1996

The Board of the Zoning Appeals met at the Town Hall of Sellersburg, on November 18, 1996, at 6:30 p.m. Rodney Pate, chaired the meeting.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Francis Conroy, Charlie Ridenour, Charlie Popp, Ken Hecker, and Bob Stewart, Sellersburg Building Inspector.

Bob Stewart spoke on Fred Smith's behalf tonight. Bob Stewart reported that a carport at 662 Ohio Avenue was being erected without a building permit.

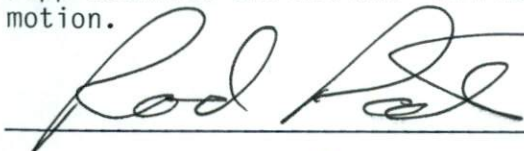


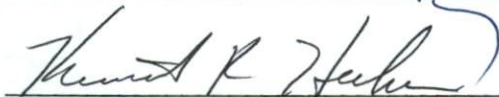
Fred Smith needs a variance to build the carport 20" from the property line. He needs a 5' set back from the property line. Charlie Ridenour made a motion to deny the variance. Charlie Popp seconded the motion. All members present, voted in favor of the motion.

Mrs. Dolores Snyder of 865 Utica Street is requesting a permit for a modular home on the rear of her property. The questions arise as to the size of that parcel of land and her ability to meet the set back requirements for front, side and rear lot lines. Also, the new home must face on a public street. Service Drive, built by Larry Gilbert, runs beside her property. This would satisfy the requirement for street frontage.

At this time, Service Drive is not a public street but a private drive. Until Service Drive is made a public street this project is could be on hold and no variances could be permitted for set back requirements.

Charlie Ridenour made a motion to accept the minutes of the October 21, 1996 meeting. Francis Conroy seconded the motion. All members present, voted in favor of the motion.

Charlie Ridenour made a motion to adjourn the meeting. Charlie Popp seconded the motion. All members present, votet in favor of the motion.

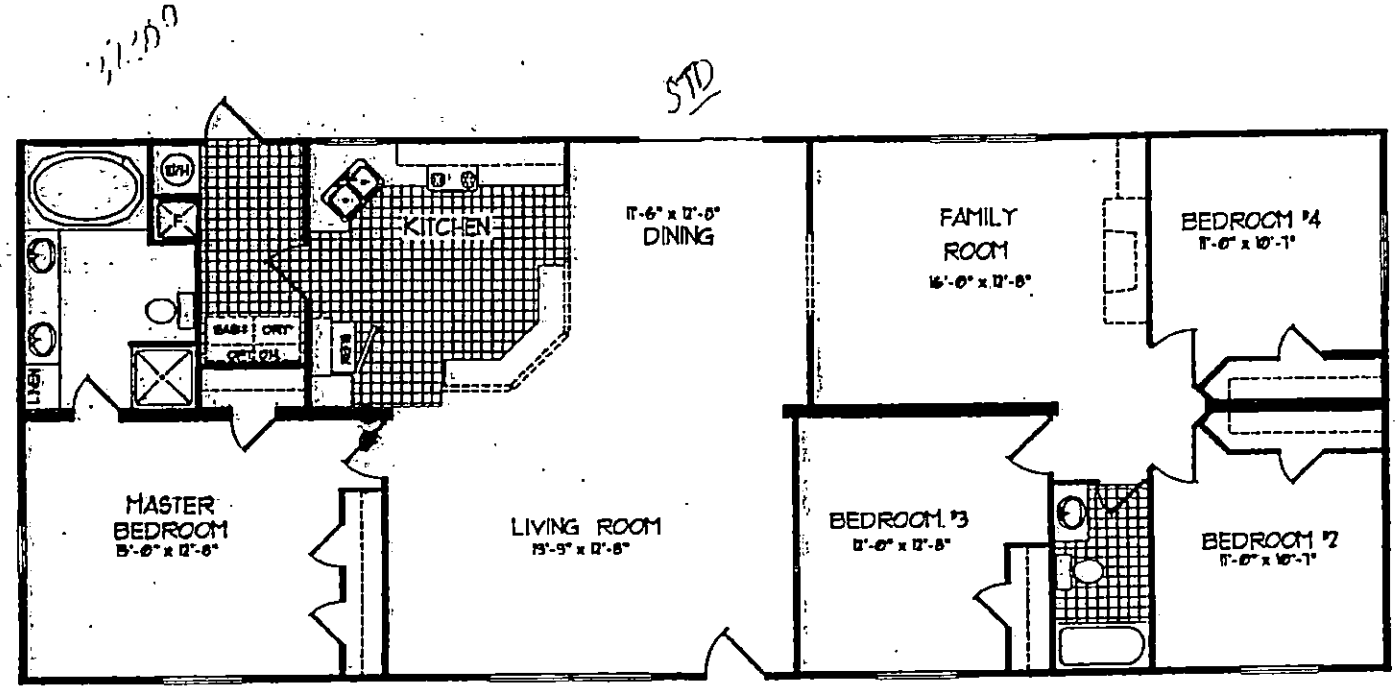
  
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\_\_\_\_\_



Dolores Snyder

4 BEDROOM, 2 BATH, MODEL 767  
NOMINAL SIZE 28' x 70'  
ACTUAL SIZE 26'8" X 66'0"  
1768 Sq. Ft.

*proposed housing  
design may change but  
size will remain the same*



NOV. 14, 1996

ZONING APPEALS BOARD

RE: MEETING NOV. 18, 1996

FROM BOB STEWART

ITEM #1. MRS. DOLORES SNYDER, 865 EAST UTICA ST.

MRS. SNYDER IS REQUESTING A PERMIT FOR A MODULAR HOME ON HER PROPERTY AT 865 E. UTICA ST. ENCLOSED IS HER LETTER. I HAVE INFORMED HER THAT I DO NOT FEEL I CAN ISSUE A PERMIT FOR THAT PROPERTY BECAUSE THERE ARE ALREADY TWO HOUSES ON THIS PROPERTY, ONE BEHIND THE OTHER. SHE LIVES IN THE REAR HOUSE BUT OWNS BOTH HOUSES ON ONE TRACT OF LAND. I TOLD HER THAT A NEW HOUSE MUST FACE ON A PUBLIC STREET. SERVICE DRIVE, BUILT BY LARRY GILBERT, RUNS BESIDE HER PROPERTY. THIS WOULD SATISFY THE REQUIREMENT FOR STREET FRONTAGE. HOWEVER, IT IS MY OPINION THAT THIS SHOULD BE DIVIDED INTO A SEPARATE PARCEL OF LAND.

THE QUESTION NOW ARISES AS TO THE SIZE OF THAT PARCEL AND HER ABILITY TO MEET THE SET BACK REQUIREMENTS FOR FRONT, SIDE AND REAR LOT LINES. SHE IS GETTING ME ADDITIONAL INFORMATION ON THE LOT DIMENSIONS

ENCLOSED IS A PARTIAL PLAT OF THE AREA OF GRANT 111 OF SILVER CREEK TWP. Parcel 15A is owned by Mrs Snyder. Parcel 76A is Larry Gilbert property and is the location of Service Drive. 51A is Mrs. Snyder Sister and Brother In Law. (Not the sister wanting to build the Modular Home)

My first question, is, Is Service Drive a public street or a private road? I can't seem to locate anyone who can answer this question.

Mrs. Dolores Snyder  
865 East Utica Street  
Sellersburg, IN 47172

Mr. Bob Stewart  
Building Inspector  
East Utica Street  
Sellersburg, IN 47172

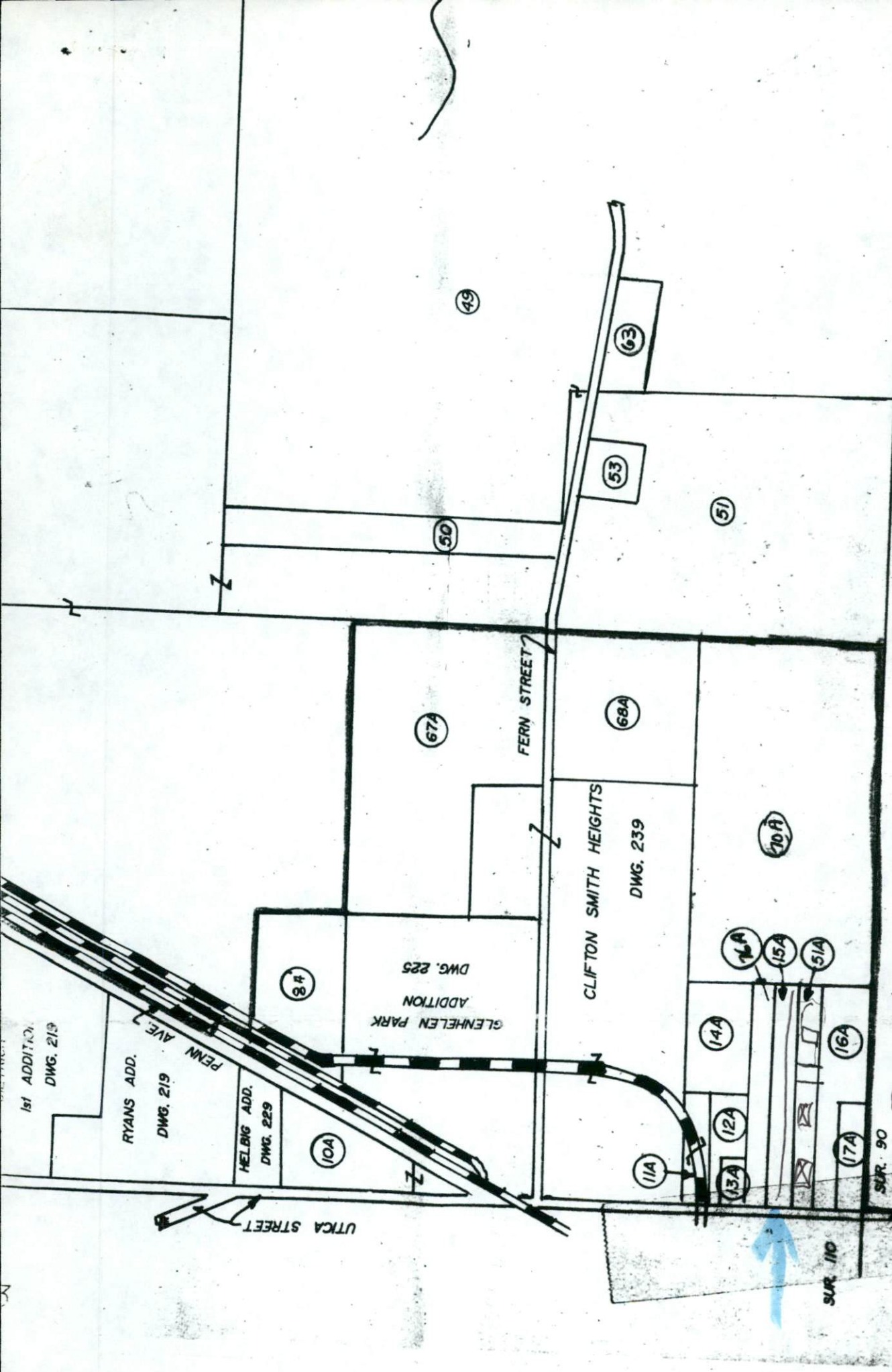
November 12, 1996

Mr. Stewart,

I would like to begin the process of putting a double wide modular home on the back lot of my property at 865 East Utica Street. On speaking to you I was informed that this would not be allowable on the existing property the way it is set up now. I would like to sell this back lot to my sister, Mrs. JoAnn Henry so she could place this home there. The property would then face Service Road and become another address and not 865 East Utica. I need to know what procedure to follow to allow my sister to buy this property and place her home on this site. Enclosed is a copy of my Plat from the Auditors Office showing the existing property.

Thank you for your help in this matter.

Sincerely,  
Dolores Snyder



AREA IN RED ANNEXED  
 TO SELLERSBURG TOWN  
 FOR 85-86 - SEE 17-53

1st ADDITION  
 DWG. 213

RYANS ADD.  
 DWG. 219

HELBIG ADD.  
 DWG. 229

GLENHELEN PARK  
 ADDITION  
 DWG. 225

CLIFTON SMITH HEIGHTS  
 DWG. 239

FERN STREET

UTICA STREET

PENN AVE

10A

8A

67A

68A

DWG. 239

11A

13A

12A

14A

16A

15A

51A

70A

16A

17A

50

53

51

63

49

SUR. 90

SUR. 110

ITEM #2. FRED SMITH, 662 OHIO AVE.

I received a report that a carport was being erected at the above address and the caller wanted to know how close to the side property line a structure could be built. After answering the questions, I tried to make contact with someone at the residence. I was unable to do this for four days. There was a carport under construction and I had not issued a permit. First observations were that the structure was in violation of the side property set back regulation. On Nov. 6th, I was able to make contact with a next door neighbor who located the property line for me. He gave me the name of the owner of the property at 662 Ohio. On Nov. 11, 1996, I was able to make contact on the job site with a builder who was erecting the car port. I requested that he stop work until the proper permits were obtained. I told him to have the owner call me.

The property owner contacted me that same day and I informed him of the violation of the property line restriction and advised him to request a variance before a permit could be issued. Attached is his request.

If you visit the site, you will see a drive-way at the side of the structure. The drive-way is not in violation since a drive can be right on the line. Only a structure is involved with the 5 foot set back restriction.

The property owner has been very cooperative with me since I have discussed this matter with him.

Bob Stewart

BOARD OF ZONING APPEAL

I FRED SMITH HAVE LIVED AT 662 OHIO AVE

FOR 30 YEARS. I WOULD LIKE TO ADD A CARPORT

ON EXISTING DRIVEWAY, WHICH HAS BEEN HERE

FOR 8-10 YEARS. I KNOW I'AM A BIT EARLY, BE CAUSE

MY CONTRACTOR STARTED THIS PROJECT WITHOUT GETTING

A BUILDING PERMIT. THE CARPORT WILL NOT HAVE ANY

ELECTRICITY IN IT AND WILL BE OPEN ON THREE

SIDES, WITH A CEILING, AND WILL BLEND WITH HOUSE.

I ALSO WAS NOT AWARE THAT I NEEDED TO BE

FIVE FEET OF PROPERTY LINE, PLEASE HELP

ME IN THIS SITUATION. SEE ATTACHED MAP

TO SHOW LAY OUT

THANKS

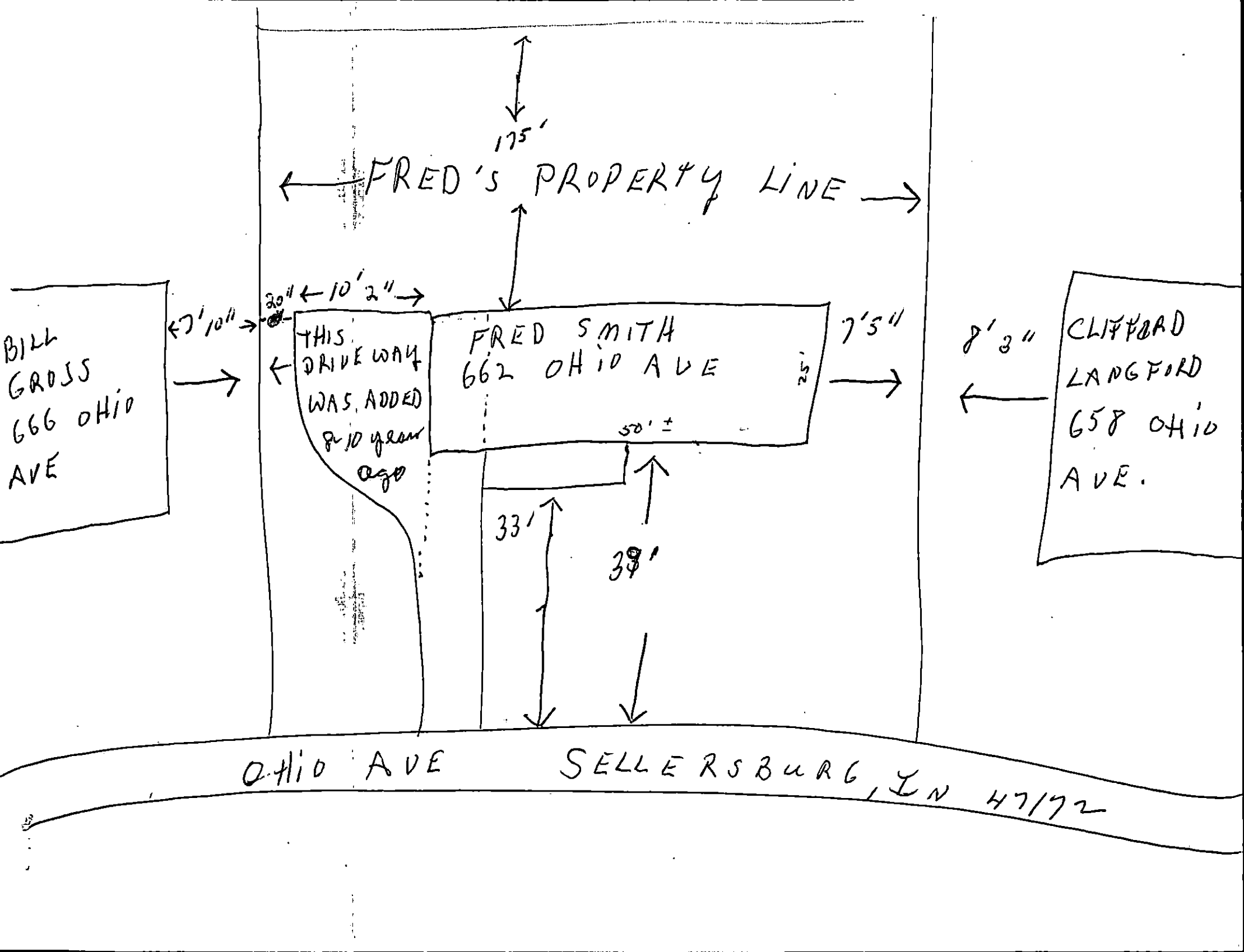
FRED SMITH

662 OHIO AVE

SELEERSBURG, PA.

302 AMMA

11-12-96



← FRED'S PROPERTY LINE →

BILL GROSS  
666 OHIO AVE

← 7'10" →  
← 10'2" →  
THIS DRIVEWAY  
WAS ADDED  
8-10 years  
ago

FRED SMITH  
662 OHIO AVE

→ 7'5" →

← 8'3" → CLIFFORD LANGFORD  
658 OHIO AVE.

OHIO AVE

SELLERSBURG, IN 47172

FOUNDED 1860

FRIKE LINE ?

24" BEND WALNUT ON GRANT LINE

172.76'  
342° 29' 27" E

2.298 ACRES

N 47° 49' 11" E - 605.75'

LD # 4200000 SMOCK  
BDC LOT 876

63' (Ealed)  
60.13'  
N 41° 26' 38" W

FRAME BARN  
20' x 20'

ASPHAL DRIVEWAY

JOSEPH SMITHS

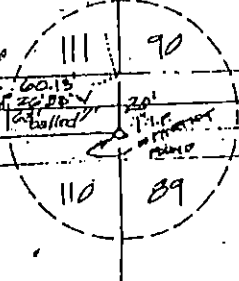
15' E L L E S  
547° 24' 20" N

THIS LOT

APPROX.  
60.00'

60.00'  
N 48° 20' 21" W

77.00'  
N 41° 50' 00" W



UTICA

STREET



STREET

60.00' APPR'Y.

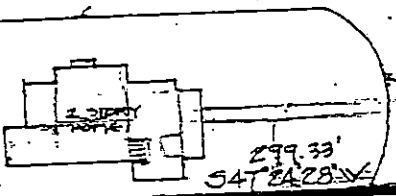
THIS LOT

GERALD & DOLORES SNYOER  
R.O.C. INST. 876

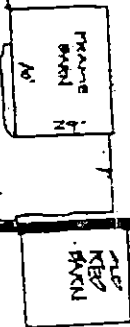
N 47° 49' 11" E - 605.75'

Face line

2.2198 ACRES



ASPHALT DRIVEWAY

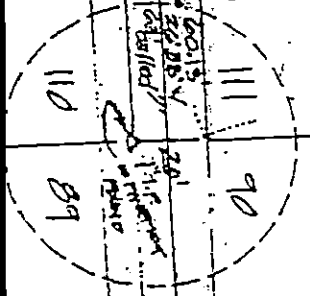


JOSEPH SMITH

299.33'  
547' 24' 28" W

60.15'  
N 41° 26' 58" W

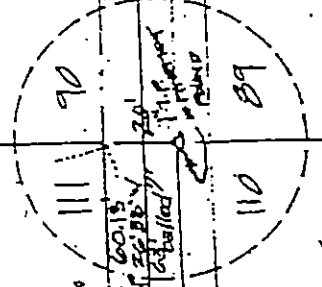
307.81'  
547' 24' 28" W



942' 24' 27" E

LINE

UTICA STREET



THIS LOT

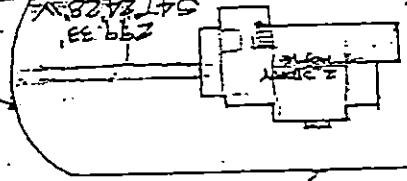
APPROX. 60.00

GERALD & DOLORES SNYDER  
206 WEST 876

N 47° 49' 11" E - 605.75'

2.278 ACRES

JOSEPH SMITH



307.81  
S 47° 24' 28" W

271.33  
S 47° 24' 28" W

60.13  
N 41° 26' 38" W

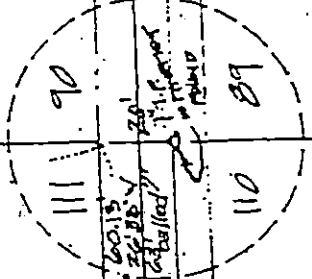
77.00  
N 41° 50' 00" W

60.00  
N 43° 00' 35" W

force line

Proposed  
106' 0" x 100' 0" lot  
110' 0" x 100' 0" lot  
112' 0" x 100' 0" lot

UTICA STREET



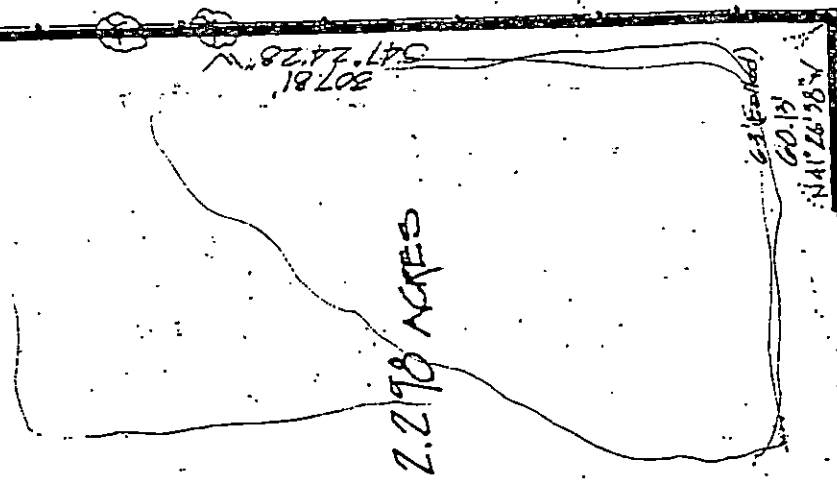
THIS LOT

Approx. 60.00

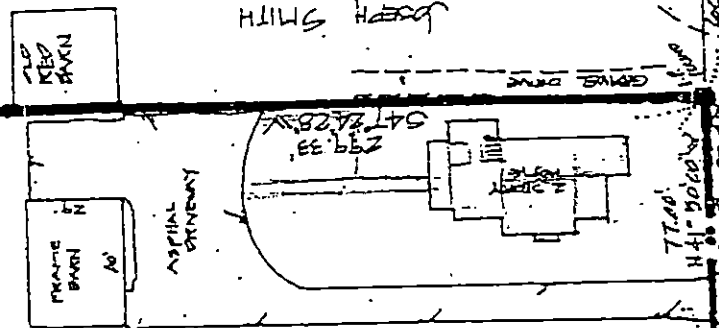
GERALD & DORES SNYDER

20.6 INST 876

N47°49.11'E - 605.75'



2.278 ACRES



BOOTH SMITH

S47°24.28'W

N41°26.98'W 60.13'

S47°24.28'W 307.81'

N43°00.95'W 600.00'

N41°50.00'W 77.00'

S47°24.28'W 299.33'

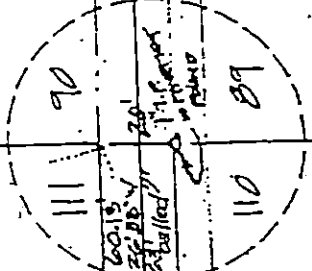
FENCE

FENCE LINE

ASPHALT DRIVEWAY

GRAVE DMS

UTICA STREET



THIS LOT

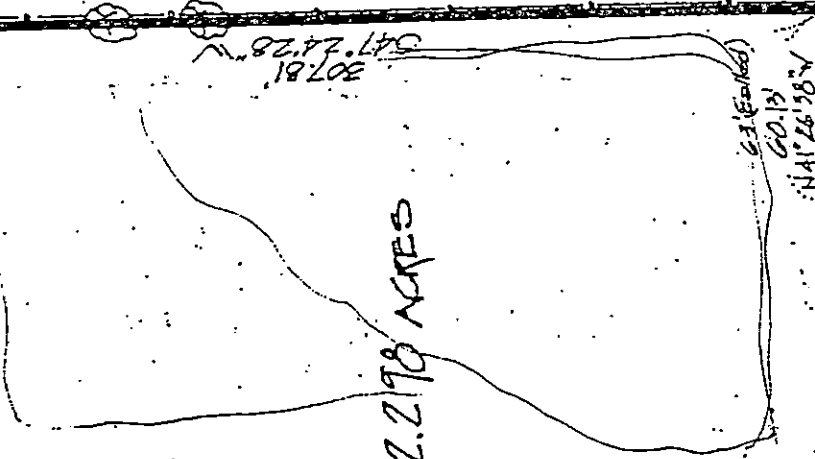
APPROX. 60.00

GERALD & DOORES SWYDER

20 C INST 876

N 70° 49' 11" E - 605.75'

2.278 ACRES



307.81  
S 47° 24' 28" W

88.97  
N 11° 53' 30" W

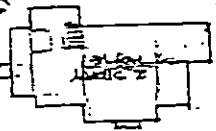
NAME  
RECORDED

NAME  
RECORDED

APPROXIMATE

LOREN SMITH

S 47° 24' 28" W



77.00  
N 41° 50' 00" W

60.00  
N 15° 20' 35" W

297.33  
S 47° 24' 28" W

200.00  
S 15° 00' 00" W

150.00  
S 15° 00' 00" W

150.00  
S 15° 00' 00" W

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S 15° 00' 00" W

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S 15° 00' 00" W

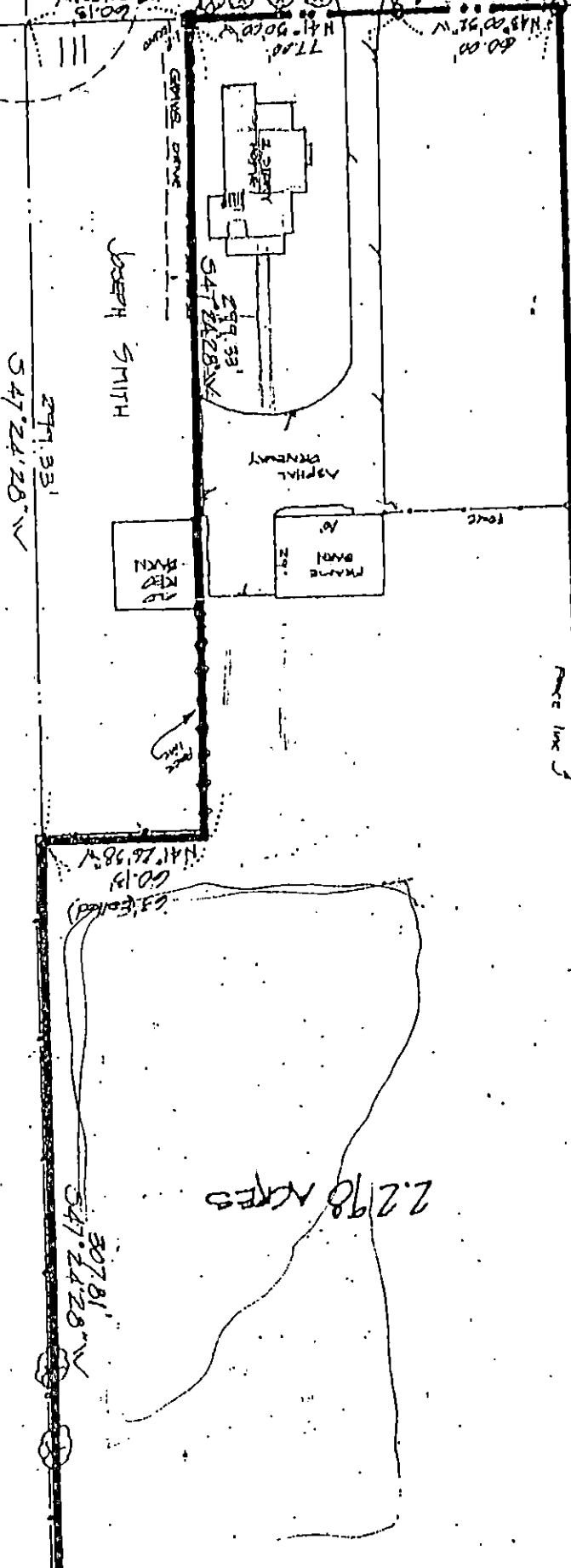
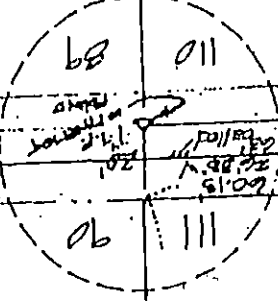
150.00  
S 15° 00' 00" W

150.00  
S 15° 00' 00" W

150.00  
S 15° 00' 00" W

UTICA

STREET



THIS LOT

GERALD & DOLORES SNYDER  
P.O. # 1418 876

2.298 ACRES

UTICA

STREET

THIS LOT

GERALD & DOLORES SNYDER  
P.D.C. INST. 876

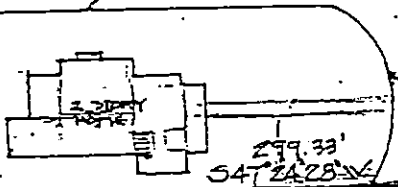
$N47^{\circ}49'11''E - 605.75'$

APPROX.  
60.00'

$N48^{\circ}20'51''W$   
60.00'

$N41^{\circ}30'00''W$   
77.00'

$N41^{\circ}26'58''W$   
60.15'



APPROXIMATE

FRAME  
SHED

ALSO  
NEED  
FRAME

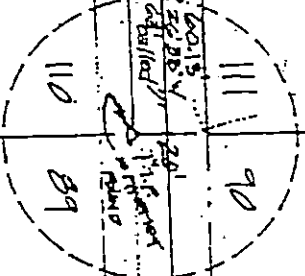
JOSEPH SMITH

$297.33'$   
 $S47^{\circ}24'20''W$

$N41^{\circ}26'58''W$   
60.15'

2.2198 ACRES

$307.81'$   
 $S47^{\circ}24'20''W$



BOARD OF ZONING APPEALS

DECEMBER 16, 1996

The Board of the Zoning Appeals met at the Town Hall of Sellersburg, on December 16, 1996, at 6:30 p.m. Rodney Pate chaired the meeting.

THE FOLLOWING MEMBERS WERE PRESENT: Francis Conroy, Ken Hecker, Rodney Pate, Charlie Ridenour.

THE FOLLOWING MEMBERS WERE ABSENT: Charlie Popp.

Charlie Ridenour made a motion to approve the minutes of the November 18, 1996 meeting. Francis Conroy seconded the motion. All members present, voted in favor of the motion.

No official business was on the agenda tonight.

Francis Conroy made a motion to adjourn the meeting. Ken Hecker seconded the motion. All members present, voted in favor of the motion.

Rodney Pate  
Francis Conroy  
Ken Hecker

Charlie Ridenour  
Charlie E. Popp

**JEFFERSONVILLE BOARD OF ZONING APPEALS  
CITY-COUNTY BUILDING, ROOM 416**

Application for Variation from Requirements of the Zoning Ordinance  
Application for Contingent Use for the Requirements of the Zoning Ordinance  
Application for Special Exception for the Requirements of the Zoning Ordinance

Date \_\_\_\_\_

Name of Applicant \_\_\_\_\_ Phone \_\_\_\_\_

Address of Applicant \_\_\_\_\_

Name of Owner \_\_\_\_\_

Address of Owner \_\_\_\_\_

Premises Affected, Street and No. \_\_\_\_\_

Lot Size \_\_\_\_\_ Fronting on \_\_\_\_\_ Street

Date Property was Purchased \_\_\_\_\_

Nature and Size of Improvements Now Existing on Lot \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Approximate Cost of Improvements \$ \_\_\_\_\_

Full Statement of (Variation) (Special Exception) (Contingent Use) applied for. (Detailed description of (Special Exception) (Contingent Use) (Variance) applied for, with reasons);

Note: A plot plan showing location of proposed structure on lot or area, with dimensions, including all projections above the street grade must be filed with this application.

The above information, to my knowledge and belief, is true and correct, and I hereby agree to bear the expense of legal notice of a public hearing on the application and further to assume responsibility for specific notice to directly affected persons if considered necessary by the Jeffersonville Board of Zoning Appeals.

\_\_\_\_\_  
Signature of Applicant



**CITY OF JEFFERSONVILLE  
BOARD OF ZONING APPEALS**

**FINDINGS OF FACT**

**APPLICATION FOR VARIANCE FROM DEVELOPMENT STANDARDS (IC 36-7-4-918.5)**

**APPLICANT** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

**CURRENT ZONING CLASSIFICATION** \_\_\_\_\_

**RESTRICTION FROM WHICH RELIEF SOUGHT** \_\_\_\_\_

The Board of Zoning Appeals of the City of Jeffersonville, having heard the application for Variance set forth hereinabove, and all opposition from parties claiming to be adversely affected thereby, does now enter the following specific findings:

**1. THE APPROVAL WILL NOT BE INJURIOUS TO THE PUBLIC HEALTH, SAFETY, MORALS, AND GENERAL WELFARE OF THE COMMUNITY**

NAME	YES	NO
MARY PAT BOONE	_____	_____
RICHARD HUGHES	_____	_____
EMMA JEAN COOMBS	_____	_____
HAL KOVERT	_____	_____
WILLIAM THORNLEY	_____	_____
DAVID RENFROE	_____	_____

**2. THE USE AND VALUE OF THE AREA ADJACENT TO THE PROPERTY INCLUDED IN THE VARIANCE WILL NOT BE AFFECTED IN A SUBSTANTIALLY ADVERSE MANNER**

NAME	YES	NO
MARY PAT BOONE	_____	_____
RICHARD HUGHES	_____	_____
EMMA JEAN COOMBS	_____	_____
HAL KOVERT	_____	_____
WILLIAM THORNLEY	_____	_____
DAVID RENFROE	_____	_____

**3. THE STRICT APPLICATION OF THE TERMS OF THE ZONING ORDINANCE WILL RESULT IN PRACTICAL DIFFICULTIES IN THE USE OF THE PROPERTY**

NAME	YES	NO
MARY PAT BOONE	_____	_____
RICHARD HUGHES	_____	_____
EMMA JEAN COOMBS	_____	_____
HAL KOVERT	_____	_____
WILLIAM THORNLEY	_____	_____
DAVID RENFROE	_____	_____

Based upon the Findings of Fact set forth hereinabove, the Board does now \_\_\_\_\_  
said application for Variance.

So ordered this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

Attest:

KARL TRUMAN

ATTORNEY AT LAW

420 WALL STREET  
JEFFERSONVILLE, IN 47130

CERTIFIED

P 146 551 120

MAIL

UNITED STATES POSTAGE  
\* \* \*  
130 P88602083  
6020 \$03.00<sup>0</sup> JUL 15 97  
2865 JEFFERSONVILLE IN 47130

7-16

Linda Schafer, Clerk Treasurer  
Town of Sellersburg  
316 E. Utica Street  
Sellersburg, IN 47172

246-7246

47172-1453 02



Fold at line over top of envelope to  
the right to return address

*Town of Sellersburg*  
316 EAST UTICA STREET  
P.O. BOX 85  
SELLERSBURG, INDIANA 47172  
(812) 246-3821 FAX (812) 246-7040

July 26, 1997

Dear Attorney McCall:

I have prepared a notice of public hearing to vacate the street (see attached) and would like you to review.

This notice will have to be published on August 1st so I had no choice but to go on and send it to the Evening News.

If there are any problems with it let me know and I may be able to change it before its printed.

You were out of town so I had Karl review it, at no charge.

My home numbers are: 246-1781 or 246-1785.



Linda G. Schafer  
Sellersburg Clerk Treasurer

lgs

NOTICE OF PUBLIC HEARING OF TOWN COUNCIL FOR THE TOWN OF SELLERSBURG, INDIANA,  
TO CONSIDER THE VACATION OF STREET RIGHT-OF-WAY WITHIN THE TOWN OF SELLERSBURG

Please be advised that the Town Council for the Town of Sellersburg, Indiana, will on the 11th day of AUGUST 1997, at 6:30 o'clock p.m., hold a Public Hearing at the Sellersburg Town Hall, located at 316 E. Utica St. Sellersburg, Indiana, 47172.

The purpose of said hearing will be to discuss the vacation of the following street rights-of-way.

That the Petitioners for cause of action say:

1. That they are the owners of the real estate on both sides of St. Paul Street, from Highway 131, to the intersection of Scheller Avenue on the South side of the street and to the intersection of 14 foot alley on the North side of the street.
2. That your Petitioners respectfully petition the Board to vacate the portion of St. Paul Street, as indicated in paragraph 1, and more specifically in the described attached Exhibit "A" and depicted in the drawing attached as Exhibit "B", which are incorporated by reference herein.
3. That the South side of St. Paul Street is the location of the St. Paul Elementary School. The Roman Catholic Archdiocese of Indianapolis, Inc. a/k/a St. Paul Catholic Church is the owner of the real estate on both sides of St. Paul Street to be vacated and intend to use this real estate for construction for additional school buildings. Vacation if this portion of St. Paul Street is necessary to insure the safety of children walking to school buildings, and to allow the smooth and orderly growth of the St. Paul Elementary School, which has a long tradition as an important part of the Sellersburg Community.
4. That the Petitioners would further state that this portion of St. Paul Street sought to be vacated is not necessary to the growth of the community or Town of Sellersburg; that it is not needed in it's present location as a means of ingress and egress to other real estate, or churches, schools, or other public places or grounds.

Being a part of St. Paul Street (Formerly Chestnut St.) in John Dietrichs 2nd Addition to the Town of Sellersburg, as shown in Plat Book 3 Page 76 of the Clark County, Indiana Records and being further described as follows:

Beginning at a railroad spike on the southeast corner of Lot 16 in said Addition, same being the northwest intersection of said St. Paul Street and State Highway 31; Thence N.70°45'30"W., along the northern Right-of-Way line of said St. Paul Street, 151.47 feet to a steel pin and cap on the southwest corner of said lot; Thence in a southerly direction, crossing said street, to the intersection of the west Right-Of-Way line of Scheller Avenue and the south Right-of-Way line of St. Paul Street: Thence S.70°45'30"E., along said Right-of-Way line, 115.4 feet to the east Right-of-Way line of said State Highway 31; Thence northerly, along said east Right-of-Way line, 36 feet, more or less, to The Place Of Beginning. Containing 4800 square feet, more or less, and being subject to all easements of record.

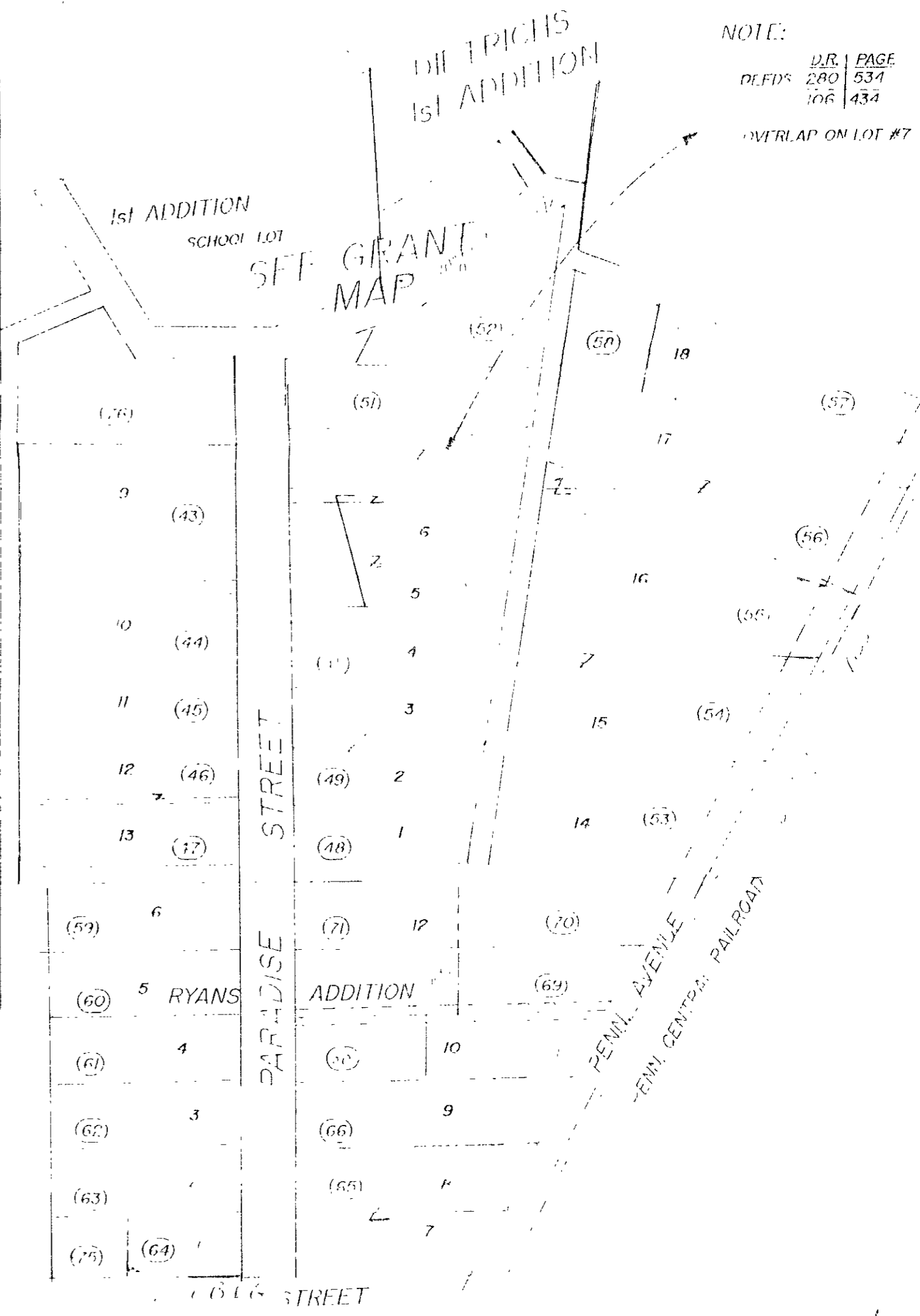
The Public are entitled to attend this public hearing before the Sellersburg Town Council under IC 5-1-3, and participate and voice opinion as to the petition to vacate a street right-of-way as set out above.

Linda G. Schafer  
Sellersburg Clerk Treasurer

# DIETRICH ADDITIONS.

TO SELLERSBURG

SILVER CREEK TOWNSHIP



NOTE:  
 D.R. | PAGE  
 DEEDS | 280 | 534  
 106 | 434  
 OVERLAP ON LOT #7

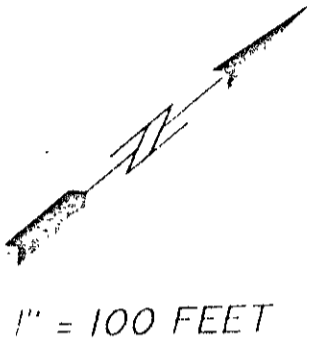
ST. PAUL'S PROPERTY

7 x 8

UPDATED 1 / 19

# DIETRICH

TO SELLERSBU



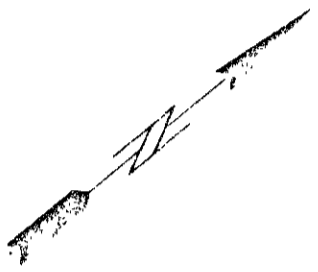
1" = 100 FEET



ST. PAUL'S PROPERTY

# DIETRICH

TO SELLERSBU



1" = 100 FEET



ST. PAUL'S PROPERTY.