

BOARD OF PLANNING AND ZONING

JANUARY 17, 2000

The Board of Planning and Zoning Commission met on January 17, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Benita Pate Jim LaMaster, Louis Irmhof, Tom Schuster, and Doug Reiter.

Jim LaMaster and Louis Irmhof will be the two town board representatives for the Planning and Zoning Board.


Doug Reiter made a motion to approve the minutes of the November 15, 1999 meeting, and it was seconded by Tom Schuster. All members present, voted in favor of the motion.

Doug Reiter made a motion to approve the fact we did not have a meeting on December 20, 1999. It was seconded by Tom Schuster. All members present, voted in favor of the motion.

There was no official business on the agenda, tonight.

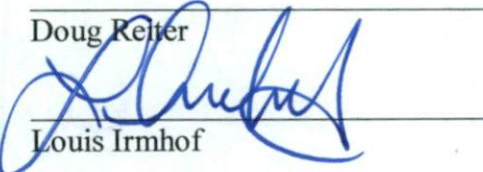
A motion was made by Jim LaMaster to close tonight's meeting. It was seconded by Tom Schuster. All members present, voted in favor of the motion.



Rodney Pate


Tom Schuster

Doug Reiter


Benita Pate


Louis Irmhof


Jim LaMaster

BOARD OF PLANNING AND ZONING

FEBRUARY 22, 2000

The Board of Planning and Zoning Commission met on February 22, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Tom Schuster, Louis Imhof, Jim LaMaster, Benita Pate, and Boyce Adams, the Sellersburg Building Inspector.

THE FOLLOWING MEMBER WAS ABSENT: Doug Reiter.

There was no official business on the agenda, tonight.

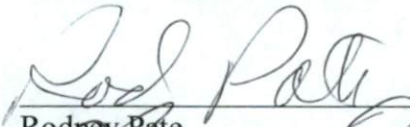
Nomination for chairman and vice chairman was voted on tonight.

Jim LaMaster nominated Rodney Pate for chairman of the Planning and Zoning Commission. Louis Imhof seconded the nomination. All members voted in favor of the motion.


Jim LaMaster nominated Tom Schuster as vice chairman of the Planning and Zoning Commission. Louis Imhof seconded the motion. All members voted in favor of the motion.

Louis Imhof made a motion to approve the minutes of the January 17, 2000 meeting and it was seconded by Jim LaMaster. All members present, voted in favor of the motion.

Jim LaMaster made a motion to close the meeting. It was seconded by Tom Schuster. All members present, voted in favor of the motion.



Rodney Pate




Tom Schuster



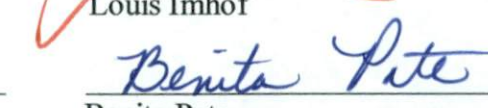
Doug Reiter



Jim LaMaster



Louis Imhof



Benita Pate

Sellersburg Fire Department

P.O. Box 82
Sellersburg In. 47172
(812) 246-7239 (812) 246-7233
Fax: (812) 246-7240 e:mail fireems@thepoint.net

February 10, 2000

Sellersburg Planning and Zoning Commission
316 Easty Utica Street
Sellersburg IN 47172

Board Members:

as of todays date there have been no petitions for board action on any issues.

BOARD OF PLANNING AND ZONING

MARCH 20, 2000


The Board of Planning and Zoning commission met on March 20, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.


THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Tom Schuster, Louis Imhof, Jim LaMaster, Benita Pate, Doug Reiter, and Boyce Adams, the Sellersburg Building Inspector.

There was no official business on the agenda, tonight.

Jim LaMaster made a motion to approve the minutes of the February 22, 2000 meeting. It was seconded by Louis Imhof. All members present, voted in favor of the motion.

Louis Imhof made a motion to close the meeting and it was seconded by Jim LaMaster. All members present, voted in favor of the motion.

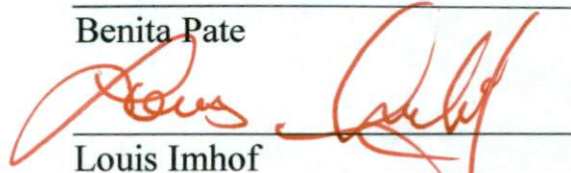

Rodney Pate


Tom Schuster


Jim LaMaster


Doug Reiter


Benita Pate


Louis Imhof

Sellersburg Fire Department

P.O. Box 82
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(812) 246-7239 (812) 246-7233
Fax (812) 246-7977 e.mail fireems@thepoint.net

March 10, 2000

Sellersburg Planning and Zoning
316 East Utica Street
Sellersburg IN 47172

Board Members:

As of todays date there have been no petitions from the public for Board action.

Sincerely,



Boyce Adams
Inspector/Deputy Chief

BOARD OF PLANNING AND ZONING

APRIL 17, 2000

The Board of Planning and Zoning Commission met on April 17, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Benita Pate, Doug Reiter, Jim LaMaster, Louis Imhof, Tom Schuster, Bill Voyles, (who is replacing a vacancy on the board), and Boyce Adams, the Sellersburg Building Inspector.

Jim LaMaster made a motion to approve the minutes of the March 20, 2000 meeting. The motion was seconded by Doug Reiter. All members present, voted in favor of the motion.


Virgil Bolly was present tonight representing Linda J. Love and Jeanne A. Love and Bruce Benjamin and Brage Benjamin properties requesting rezoning of properties located at 8614 Highway 60 and 8105 Highway 311 Sellersburg Indiana to be rezoned from the current R-1 to B-3.

The return receipts and publication from local newspaper was presented to Secretary of the board.

Everything around this property is already zoned B-3.

Jim LaMaster made a motion to approve the rezoning of the property located at 8614 Highway 60 and 8105 Highway 311 to a B-3. It was seconded by Bill Voyles. All members present voted in favor of the motion.

Jim LaMaster made a motion to close the meeting. A second was made by Doug Reiter. All members present, voted in favor of the motion.




Rodney Pate

Jim LaMaster

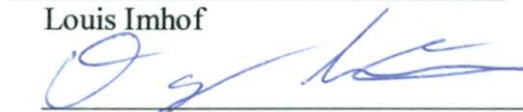


Benita Pate

Louis Imhof



Tom Schuster



Doug Reiter



Bill Voyles

TOWN OF SELLERSBURG
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

Notice is hereby given that Linda J. Love and Jeanne A. Love and Bruce Benjamin and Brage Benjamin have filed a joint petition with the Town of Sellersburg Planning and Zoning Commission, requesting to rezone the following described real estate in the Town of Sellersburg, Clark County, Indiana, from Agriculture (A District) to General Business (B-3 District) to-wit:

Love property:

Part of Survey No. 108 of the Illinois Grant, Clark County, in the State of Indiana, described as follows, to-wit: Beginning at a point in the center line of State Highway No. 60 at the Southwest corner of Hecker's 5.0 acre tract, said point being South 26 deg. 21' East 410.3 feet from the west corner of the grantors' original 24.5 acre tract, as described in deed recorded in Deed Record No. 144, Page 21 in the Recorder's Office of Clark County, Indiana; thence South 26 deg. 21 min. East with the centerline of State Highway No. 60, a distance of 496.5 feet to a point, the grantors' southwest corner; thence North 86 deg. 21 min. East with the Grantors' South line 595.5 feet to a point in the centerline of State Highway No. 31-W; thence North 54 deg. 04 min. West 878.2 feet to a stake in Hecker's Southeast line; thence South 43 deg. 41 min. West with Hecker's southeast line 150.0 feet to the place of beginning, containing 4.63 acres, more or less, hereby conveyed subject to the right of way of all public highways.

EXCEPTING THEREFROM, however, a part of Survey No. 108 of the Illinois Grant, Clark County, Indiana, described as follows:

Commencing at the point where the centerline of State Highway No. 60 intersects the centerline of U. S. Highway 31-W; thence North 28 deg. 49 min. East 502.9 feet; thence North 23 deg. 14 min. East 168.0 feet to the true point of beginning in the center line of U. S. Highway 31-W, said point being the southeast corner of Charles and Bonnie Myers' (Grantors) 4.63 acre tract as described in Deed Record 156 page 44 in the office of the Recorder of Clark County, Indiana; thence North 54 deg. 04 min. West with Dr. Regan's South line 280.00 feet to a steel rod; thence South 23 deg. 14 min. West 200.03 feet to a steel rod in Mary Myer's North line; thence North 86 deg. 21 min. East with Mary Myer's North line 306.25 feet to

the point of beginning, containing 0.63 acre, more or less, hereby conveyed subject to the right of way of U. S. Highway 31-W.

Subject to any and all easements and/or restrictions of public record which may apply to the above described real estate.

Benjamin property:

Being part of 108 and 110 of the Illinois Grant, to-wit: beginning at an original stone marker in the line between grants #108 and #109, such stone being S. 50 deg. 15' W. two-hundred eight and one-tenth (208.1) feet from the common corner of grants 109 and 110, thence S. 40 deg. 00' E. eight-hundred twenty-five (825.0) feet along the east line of George Lott's land and the west line of Ollie Miller's land (formerly William McKinney land) to an original stone marker in said line, (Lott's southeast corner and Utrecht's line), thence S. 40 deg. 00' E. along this line extended five-hundred ninety-seven (597.0) feet to the true point of beginning.

1. Thence N. 30 deg. 56' 23" E. along a fence (Herschell Hecker's south line) three-hundred seventeen and forty-three hundredths (317.43) feet to a fence corner.

2. Thence S. 40 deg. 36' 24" E. three-hundred seventy-seven and thirty-eight hundredths (377.38) feet to the center line of New Albany-Charlestown State Road (now U. S. Highway No. 31-W).

3. Thence S. 9 deg. 26' 32" W. along the centerline of said Highway U. S. 31-W, three-hundred ninety-six and forty-eight hundredths (396.48) feet to a point (corner of William McKinney and Gray's land now Edward Mathew's land).

4. Thence N. 40 deg. 16' 48" W. along a fence (Edward Mathew's east line also known as the Utrecht's line) four-hundred fifty-one and eighty-eight hundredths (451.88) feet to a point.

5. Thence N. 76 deg. 52' 20" W. along Edward Mathew's line eighteen and forty-seven hundredths (18.47) feet to a point.

6. Thence N. 40 deg. 16' 38" W. along Edward Mathew's east line sixty-one and twelve-hundredths (61.12) feet to a point.

7. Thence N. 30 deg. 56' 23" east along a fence

(Herschell Hecker's south line) eleven and forty-one hundredths (11.41) feet to the place of beginning, containing 3.17 acres, less a strip 30 feet wide across the south side of this property for right-of-way of U. S. Highway 31-W, containing 0.27 acres, leaving a total acreage of 2.9 acres for tax purposes.

The street address of the Love property, which is the subject of the petition is 8614 Highway 60, Sellersburg, IN 47172, and the street address of the Benjamin property is 8105 Highway 311, Sellersburg, IN 47172.

All persons are hereby notified that a public hearing will be held on Monday, April 17, 2000, at 6:30 o'clock P. M., in the meeting room of the Sellersburg Town Hall, 316 E. Utica Street, Sellersburg, IN 47172, to consider said request.

A copy of the petition and drawings are available for inspection at the Town Hall Mondays thru Fridays, 9:00 a.m. to 4:00 p.m. Written objections that are filed prior to the hearing with the Inspector will be considered. Oral comments will be heard at the public hearing. The hearing may be continued from time to time as found necessary.

Dated this 30th day of March, 2000.



President, Town of Sellersburg
Planning and Zoning Commission

To be published in the
Evening News 10 days prior
to meeting date.

c:\client\re\zoning\love\notice

RECOMMENDATION TO TOWN COUNCIL, TOWN OF SELLERSBURG
TO CHANGE THE ZONING WITHIN THE
TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town of Sellersburg Plan Commission has received a Petition requesting a change of zoning for parcels of real property commonly known as the Linda J. Love and Jeanne A. Love and Bruce Benjamin and Brage Benjamin properties located within the Town of Sellersburg, Indiana, which is more accurately identified and described

Love property:

Part of Survey No. 108 of the Illinois Grant, Clark County, in the State of Indiana, described as follows, to-wit: Beginning at a point in the center line of State Highway No. 60 at the Southwest corner of Hecker's 5.0 acre tract, said point being South 26 deg. 21' East 410.3 feet from the west corner of the grantors' original 24.5 acre tract, as described in deed recorded in Deed Record No. 144, Page 21 in the Recorder's Office of Clark County, Indiana; thence South 26 deg. 21 min. East with the centerline of State Highway No. 60, a distance of 496.5 feet to a point, the grantors' southwest corner; thence North 86 deg. 21 min. East with the Grantors' South line 595.5 feet to a point in the centerline of State Highway No. 31-W; thence North 54 deg. 04 min. West 878.2 feet to a stake in Hecker's Southeast line; thence South 43 deg. 41 min. West with Hecker's southeast line 150.0 feet to the place of beginning, containing 4.63 acres, more or less, hereby conveyed subject to the right of way of all public highways.

EXCEPTING THEREFROM, however, a part of Survey No. 108 of the Illinois Grant, Clark County, Indiana, described as follows:

Commencing at the point where the centerline of State Highway No. 60 intersects the centerline of U. S. Highway 31-W; thence North 28 deg. 49 min. East 502.9 feet; thence North 23 deg. 14 min. East 168.0 feet to the true point of beginning in the center line of U. S. Highway 31-W, said point being the southeast corner of Charles and Bonnie Myers' (Grantors) 4.63 acre tract as described in Deed Record 156 page 44 in the office of the Recorder of Clark County, Indiana; thence North 54 deg. 04 min. West with Dr. Regan's South line 280.00 feet to a steel rod; thence South 23 deg. 14 min. West 200.03 feet to a steel rod in Mary Myer's North line; thence North 86 deg.

21 min. East with Mary Myer's North line 306.25 feet to the point of beginning, containing 0.63 acre, more or less, hereby conveyed subject to the right of way of U. S. Highway 31-W.

Subject to any and all easements and/or restrictions of public record which may apply to the above described real estate.

Benjamin property:

Being part of 108 and 110 of the Illinois Grant, to-wit: beginning at an original stone marker in the line between grants #108 and #109, such stone being S. 50 deg. 15' W. two-hundred eight and one-tenth (208.1) feet from the common corner of grants 109 and 110, thence S. 40 deg. 00' E. eight-hundred twenty-five (825.0) feet along the east line of George Lott's land and the west line of Ollie Miller's land (formerly William McKinney land) to an original stone marker in said line, (Lott's southeast corner and Utrecht's line), thence S. 40 deg. 00' E. along this line extended five-hundred ninety-seven (597.0) feet to the true point of beginning.

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2. Thence S. 40 deg. 36' 24" E. three-hundred seventy-seven and thirty-eight hundredths (377.38) feet to the center line of New Albany-Charlestown State Road (now U. S. Highway No. 31-W).

3. Thence S. 9 deg. 26' 32" W. along the centerline of said Highway U. S. 31-W, three-hundred ninety-six and forty-eight hundredths (396.48) feet to a point (corner of William McKinney and Gray's land now Edward Mathew's land).

4. Thence N. 40 deg. 16' 48" W. along a fence (Edward Mathew's east line also known as the Utrecht's line) four-hundred fifty-one and eighty-eight hundredths (451.88) feet to a point.

5. Thence N. 76 deg. 52' 20" W. along Edward Mathew's line eighteen and forty-seven hundredths (18.47) feet to a point.

6. Thence N. 40 deg. 16' 38" W. along Edward Mathew's east line sixty-one and twelve-hundredths (61.12) feet to a point.

7. Thence N. 30 deg. 56' 23" east along a fence (Herschell Hecker's south line) eleven and forty-one hundredths (11.41) feet to the place of beginning, containing 3.17 acres, less a strip 30 feet wide across the south side of this property for right-of-way of U. S. Highway 31-W, containing 0.27 acres, leaving a total acreage of 2.9 acres for tax purposes.

and,

WHEREAS, this matter was considered at a public meeting at which the public was invited to attend and participate.

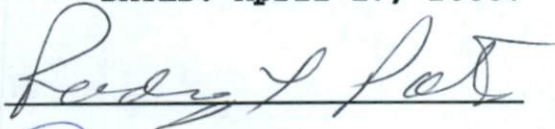
WHEREAS, the Town of Sellersburg Plan Commission has reviewed the Petition requesting a change of zoning; and,

WHEREAS, the Town of Sellersburg Plan Commission has applied the standards and requirements as set out in Section 3.4.4 and has determined the requests for zoning change meets these standards and requirements; and,


WHEREAS, the Town of Sellersburg Plan Commission has determined that said resolution will provide for the effective administration of town government; and,

NOW, therefore, the Town of Sellersburg Plan Commission does recommend to the Sellersburg Town Council that said Petition for zoning change be approved.

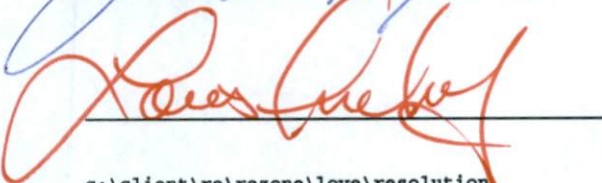
DATED: April 17, 2000.

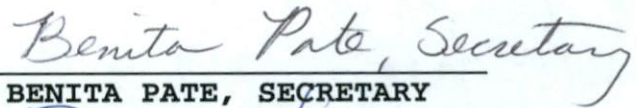










ATTEST 
BENITA PATE, SECRETARY



PETITION

TOWN OF SELLERSBURG PLANNING AND ZONING COMMISSION

In the matter of
Linda J. Love and Jeanne A. Love
and
Bruce Benjamin and Brage Benjamin

The undersigned petitioners jointly and respectfully request an amendment to the zoning map of the Town of Sellersburg, with respect to the following real estate in Clark County, Indiana, to-wit;

Love property:

Part of Survey No. 108 of the Illinois Grant, Clark County, in the State of Indiana, described as follows, to-wit: Beginning at a point in the center line of State Highway No. 60 at the Southwest corner of Hecker's 5.0 acre tract, said point being South 26 deg. 21' East 410.3 feet from the west corner of the grantors' original 24.5 acre tract, as described in deed recorded in Deed Record No. 144, Page 21 in the Recorder's Office of Clark County, Indiana; thence South 26 deg. 21 min. East with the centerline of State Highway No. 60, a distance of 496.5 feet to a point, the grantors' southwest corner; thence North 86 deg. 21 min. East with the Grantors' South line 595.5 feet to a point in the centerline of State Highway No. 31-W; thence North 54 deg. 04 min. West 878.2 feet to a stake in Hecker's Southeast line; thence South 43 deg. 41 min. West with Hecker's southeast line 150.0 feet to the place of beginning, containing 4.63 acres, more or less, hereby conveyed subject to the right of way of all public highways.

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21 min. East with Mary Myer's North line 306.25 feet to the point of beginning, containing 0.63 acre, more or less, hereby conveyed subject to the right of way of U. S. Highway 31-W.

Subject to any and all easements and/or restrictions of public record which may apply to the above described real estate.

Benjamin property:

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4. Thence N. 40 deg. 16' 48" W. along a fence (Edward Mathew's east line also known as the Utrecht's line) four-hundred fifty-one and eighty-eight hundredths (451.88) feet to a point.

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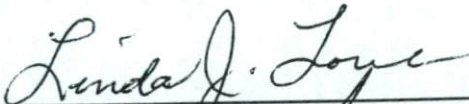
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Local address of the Love property is 8614 Highway 60, Sellersburg, Indiana 47172 and the local address of the Benjamin property is 8105 Highway 311, Sellersburg, Indiana 47172.

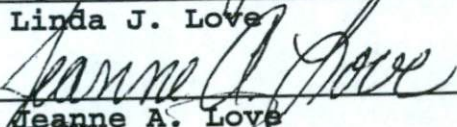
Specific reason for requesting rezoning from Agriculture to B-3.

Please explain: Real estate is in a growing commercial area between I-65 and State Road 60 on Highway 311.


Dated and signed by petitioners at Sellersburg, Clark County, Indiana, this 30th day of March, 2000.



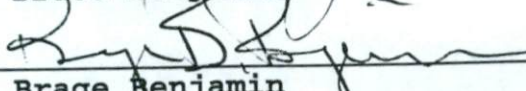
Linda J. Love



Jeanne A. Love



Bruce Benjamin



Brage Benjamin

Petition prepared by:
Virgil E. Bolly
Attorney for Petitioners

c:\client\re\zoning\love\petition

TOWN OF SELLERSBURG
PLANNING AND ZONING COMMISSION

LEGAL NOTICE

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6. Thence N. 40 deg. 16' 38" W. along Edward Mathew's east line sixty-one and twelve-hundredths (61.12) feet to a point.

7. Thence N. 30 deg. 56' 23" east along a fence

(Herschell Hecker's south line) eleven and forty-one hundredths (11.41) feet to the place of beginning, containing 3.17 acres, less a strip 30 feet wide across the south side of this property for right-of-way of U. S. Highway 31-W, containing 0.27 acres, leaving a total acreage of 2.9 acres for tax purposes.

The street address of the Love property, which is the subject of the petition is 8614 Highway 60, Sellersburg, IN 47172, and the street address of the Benjamin property is 8105 Highway 311, Sellersburg, IN 47172.

All persons are hereby notified that a public hearing will be held on Monday, April 17, 2000, at 6:30 o'clock P. M., in the meeting room of the Sellersburg Town Hall, 316 E. Utica Street, Sellersburg, IN 47172, to consider said request.

A copy of the petition and drawings are available for inspection at the Town Hall Mondays thru Fridays, 9:00 a.m. to 4:00 p.m. Written objections that are filed prior to the hearing with the Inspector will be considered. Oral comments will be heard at the public hearing. The hearing may be continued from time to time as found necessary.

Dated this 30th day of March, 2000.

President, Town of Sellersburg
Planning and Zoning Commission

To be published in the
Evening News 10 days prior
to meeting date.

c:\client\re\zoning\love\notice

List of Adjoining Property Owners:

Linda J. Love and Jeanne A. Love
8614 State Road 60
Sellersburg, IN 47172

Joseph L. Jr. and Karen Richard
7903 State Road 311
Sellersburg, IN 47172

Gus Goldsmith
143 W. Market Street
Louisville, KY 40202

Robert A. and Susan Kay Kleinert
6921 Stacy Road
Charlestown, IN 47111

Alden Lee Thompson
8514 Highway 60
Sellersburg, IN 47172

Annette C. Reed
8516 Highway 60
Sellersburg, IN 47172

Bruce and Brage Benjamin
5541 S. Poplar Drive
Columbus, IN 47201

Nova Star, LLC
P. O. Box 383
Charlestown, IN 47111

Hardy Development Corp.
8024 Sequoia Ct.
Indianapolis, IN 48240

Floyd H. and Mazie W. Hecker
8711 Old Highway 60
Sellersburg, IN 47172

Jyh Chuang Wang & Mana Young Wang
Sesame Restaurant
9409 Shelbyville Road
Louisville, KY 40222

(Continued)

**Indiana State Police Post
8014 Highway 311
Sellersburg, IN 47172**

**James and Lenora Coons
8010 Highway 31W
Sellersburg, IN 47172**

**Kenneth R. & Ellen Hecker
8711 Old Highway 60
Sellersburg, IN 47172**

**Heritage Properties
733 Dreyer Lane
Sellersburg, IN 47172**

c:\client\re\zoning\love\prop.owners

Sellersburg Fire Department

P.O. Box 82
Sellersburg In. 47172
(812) 246-7239 (812) 246-7233
Fax: (812) 246-7977 e.mail fireems@thepoint.net

April 7, 2000

Sellersburg Planning and Zoning
316 East Utica Street
Sellersburg IN 47172

Commissioners:

As of todays date application have been received from Virgil Bolly requesting that properties located at 8614 Highway 60 and 8105 Highway 311 Sellersburg IN be rezoned from the current A classification top a b-3 in accordance with the Towns Zoning Ordinance.

If you have any questions feel free to contact me at 246-7239

Sincerely,



Boyce Adams
Inspector/Deputy Chief

BOARD OF PLANNING AND ZONING

MAY 15, 2000

The Board of Planning and Zoning Commission met on May 15, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman. called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Doug Reiter, Tom Schuster, Bill Voyles, Benita Pate, and Boyce Adams, the Sellersburg Building Inspector.

THE FOLLOWING MEMBES WERE ABSENT: Jim LaMaster and Louis Imhof.

Marion Barton is present tonight to rezone a parcel of property in Adkins Court for the purpose of erecting duplex apartments. They have six lots and would like to construct four duplexes.

Neighbors present tonight that are opposed to the rezoning are: Joseph and Dolores Anderson, Clifford and June Hardin, Perry and Debra Broadus, and Karen Alexander and Ken Barnes.

Concern was made over the parking, street with narrow alleyway, traffic that would be created.

Board member Tom Schuster felt that easement and all problems should be addressed.

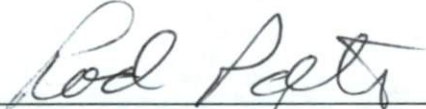
Board member Rodney Pate was concerned about the 12 foot road and safety of children and railroad track. Possibility of fencing in back yards to help alleviate this concern.

Board member Doug Reiter was concerned about the 30 foot easement Southern Indiana Railroad has with the property.

Bill Voyles made a motion to table the rezoning of property at 444 – 458 Adkins Court. This motion was seconded by Tom Schuster. All members present, vote in favor of the motion.

Doug Reiter made a motion to approve the minutes of the April 17, 2000 meeting and it was seconded by Bill Voyles. All members present, voted in favor of the motion.


Doug Reiter made a motion to adjourn the meeting. It was seconded by Tom Schuster. All members present, voted in favor of the motion.



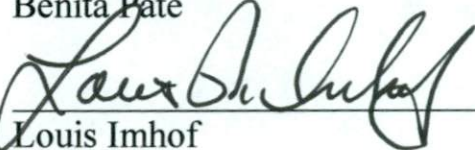
Rodney Pate




Bill Voyles



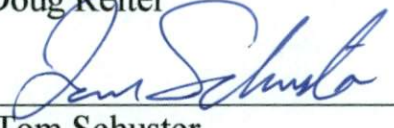
Benita Pate



Louis Imhof



Doug Reiter



Tom Schuster

Jim LaMaster

Sellersburg Fire Department

P.O. Box 82
Sellersburg In. 47172
(812) 246-7239 (812) 246-7233
Fax: (812) 246-7977 e:mail fireems@thepoint.net

May 5, 2000

Sellersburg Planning and Zoning
316 East Utica Street
Sellersburg IN 47172

To Whom it May Concern:

The onl application for Board action for this monts meeting is from Marion C Barton in reference to rezoning a parcel of land on Adkins Court for the purpose of erecting duplex apartments.

The contact numbers for Mr. Barton are 246-2054 and 246-2052

If you have any questions or comments feel free to contact me at 246-7239

Sincerely,



Boyce Adams
Inspector/Deputy Chief

BOARD OF PLANNING AND ZONING

JUNE 19, 2000

The Board of Planning and Zoning Commission met on June 19, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Doug Reiter, Tom Schuster, Bill Voyles, Benita Pate, Louis Imhof.

THE FOLLOWING MEMBER WAS ABSENT: Jim LaMaster.

Last month a motion was made by the board to table the rezoning of property at 444-458 Adkins Court for the purpose of erecting duplex apartments. Sandy Carver is present tonight for the rezoning of 444-458 Adkins Court for the purpose of erecting duplex apartments.

A letter was submitted by Sandy Carver that she received from the Southern Indiana Railway, Inc agreeing with the Town of Sellersburg to accept ordinance on required setback of (20) twenty feet from the property line of this property in Adkins Court in Sellersburg where it adjoins the property of the railroad tracks. A copy of letter is attached to minutes of the meeting for the record.

Neighbors were present again tonight expressing their concerns. Joe Anderson is concerned about the parking problem, and traffic problem on narrow road. Clifford Hardin is concerned about parking problem and traffic. Perry and Debra Broadus are concerned with the width of the road and traffic problem.

Sandy Carver said the duplexes would be rented for approximately \$610.00.

Bill Voyles, member of the board said the town maybe could widen the road which is only 12 feet at this time. Neighbors were concerned over this because they do not have much yard now, if road was widened, it would be very close to the front of their houses.

Tom Schuster, member of the board was concerned over the narrow road and would personally want a fence in the back yards of the duplexes due to the railroad track.

Doug Reiter, member of the board was concern over the width of the road and need to fix problem of traffic before allowing anything to be built.

Bill Voyles made a motion to rezone property on 444-458 Adkins Court to R-1 to R-2 in order to construct duplexes. There was no second to the motion. The motion was dropped.

Morris Lanham came before the board tonight concerning a fine received due to not pulling a permit on installing new air conditioners on top of Bill Fry's Building. He was referred to the Town Board on this matter.

James Perry of the Moose Lodge was present tonight inquiring about RV's that come to the lodge and park on their property. He was referred to the Board of Zoning Appeals Board.

Louis Imhof made a made a motion to approve the minutes of the May 15, 2000 meeting as written. It was seconded by Tom Schuster. All members present, voted in favor of the motion.

Tom Schuster made a motion to close the meeting and it was seconded by Louis Imhof. All members present, voted in favor of the motion

Rodney Pate

Louis Imhof

Benita Pate

Jim LaMaster

Tom Schuster

Doug Reiter

Bill Voyles

Sellersburg Fire Department



P.O. Box 82
Sellersburg In. 47172
(812) 246-7239 (812) 246-7233
Fax: (812) 246-7977 e:mail fireems@thepoint.net

June 9, 2000

Sellersburg Plan Commission
316 East Utica Street
Sellersburg IN 47172

Commissioners:

As of today's date the only business that I am aware of for the June 2000 meeting is the continuation of discussion for the requested rezoning for the property on Adkins Court.

Respectfully,

A handwritten signature in cursive script that reads "Boyce Adams".

Boyce Adams
Inspector/Deputy Chief

BOARD OF PLANNING AND ZONING

JULY 17, 2000

The Board of Planning and Zoning Commission met on July 17, 2000, at the Sellersburg Town Hall, at 6:30 P.M. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Doug Reiter, Jim LaMaster, Louis Imhof, Bill Voyles, and Benita Pate.

THE FOLLOWING MEMBER WAS ABSENT: Tom Schuster.

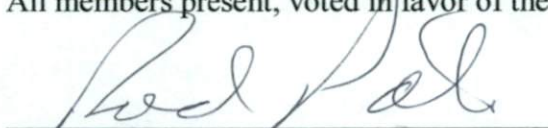
Troy French was present tonight to request that the following described property be changed from B-1 to B-3. The property is located at 7803 Hwy 311, which is next to Easy Cash Pawn and Jewelry.

Everything in the area is already zoned B-3.

Jim LaMaster made a motion to change the zoning from B-1 to B-3. The property is located at 7803 Hwy 311. The motion is seconded by Bill Voyles. All members present, voted in favor of the motion.

Louis Imhof made a motion to approve the minutes of the June 19, 2000 meeting. The motion was seconded by Jim LaMaster. All members present, voted in favor of the motion.

Louis Imhof made a motion to close the meeting, and it was seconded by Bill Voyles. All members present, voted in favor of the motion.



Rodney Pate




Jim LaMaster



Tom Schuster



Doug Reiter



Louis Imhof



Bill Voyles




Benita Pate

Morris Lanham came before the board tonight concerning a fine received due to not pulling a permit on installing new air conditioners on top of Bill Fry's Building. He was referred to the Town Board on this matter.

James Perry of the Moose Lodge was present tonight inquiring about RV's that come to the lodge and park on their property. He was referred to the Board of Zoning Appeals Board.

Louis Imhof made a motion to approve the minutes of the May 15, 2000 meeting as written. It was seconded by Tom Schuster. All members present, voted in favor of the motion.

Tom Schuster made a motion to close the meeting and it was seconded by Louis Imhof. All members present, voted in favor of the motion

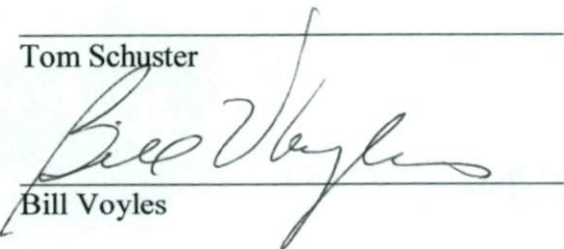


Rodney Pate

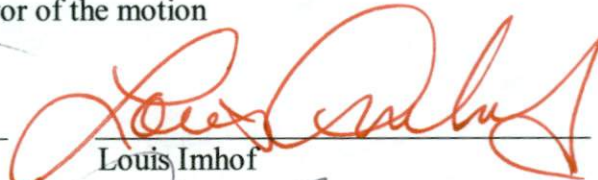


Benita Pate

Tom Schuster



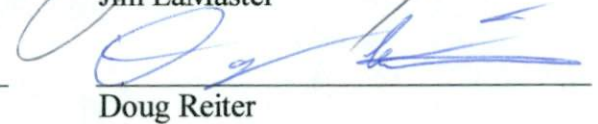
Bill Voyles



Louis Imhof



Jim LaMaster



Doug Reiter

BOARD OF PLANNING AND ZONING

JULY 17, 2000

The Board of Planning and Zoning Commission met on July 17, 2000, at the Sellersburg Town Hall, at 6:30 P.M. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Doug Reiter, Jim LaMaster, Louis Imhof, Bill Voyles, and Benita Pate.

THE FOLLOWING MEMBER WAS ABSENT: Tom Schuster.

Troy French was present tonight to request that the following described property be changed from B-1 to B-3. The property is located at 7803 Hwy 311, which is next to Easy Cash Pawn and Jewelry.

Everything in the area is already zoned B-3.

Jim LaMaster made a motion to change the zoning from B-1 to B-3. The property is located at 7803 Hwy 311. The motion is seconded by Bill Voyles. All members present, voted in favor of the motion.

Louis Imhof made a motion to approve the minutes of the June 19, 2000 meeting. The motion was seconded by Jim LaMaster. All members present, voted in favor of the motion.

Louis Imhof made a motion to close the meeting, and it was seconded by Bill Voyles. All members present, voted in favor of the motion.

Rodney Pate

Louis Imhof

Jim LaMaster

Bill Voyles

Tom Schuster

Benita Pate

Sellersburg Planning and Zoning
316 East Utica Street
Sellersburg IN 47172

Board Members,

at the August Town Board meeting the Sellersburg Town Council referred Sandy Carver and Marion Barton back to the Plan Commission for their rezoning request for the property located on Fern Street. As of this time this is the only business to be brought before the board for action that I am aware of.

Sincerely,
Boyce Adams

SOUTHERN INDIANA RAILWAY, INC.
P.O. BOX 132,
SELLERSBURG, INDIANA 47172
Phone: 246-2716
246-2138

May 25, 2000

Marion H. Barton,
705 St. Joe Road E.,
Sellersburg, IN 47172

Re: Correspondence of 5/24/00

Dear Mr. Barton:

In reference to your letter of May 24, 2000, Southern Indiana Railway, Inc. agrees to accept the ordinance of the Town of Sellersburg, which requires a set back of twenty (20) feet from the rear property line of your property in Adkins Court in Sellersburg where it adjoins the property of our railroad tracks.

If you are constructing residential dwellings on this property it would be appropriate to advise any future tenants/owners of said property, of the normal operating sounds associated with a railroad operation prior to their residing in close proximity to an existing railway.

We do not require fencing of your proposed property but the railroad feels it would be appropriate for the safety of your tenants. Southern Indiana Railway would not assume any expense for construction or upkeep of such fencing.

Yours truly,



Milton Joseph Fackler, Jr.,
Superintendent
Southern Indiana Railway, Inc.

Troy French's
Automotive

7801 Hwy 311
Sellersburg IN⁴⁷
47172
Office# 812-246-8792
Hrs Mon-Fri 8:00 to 5:00

To Whom it may concern:

Notice is hereby given that Troy French has/have filed a petition with the Sellersburg Planning and Zoning Commission requesting that the following described real estate be changed from B-1 to B-3. Said real estate being situated in the town of Sellersburg in the County of Clark and described as follows:

Between Sellersburg.com and Easy Cash Pawn and Jewelry on Hwy 311.
Opposite the newly built Garr Funeral Home.

And having a street address of:
7803 Hwy 311 Sellersburg, IN 47172

Notice is hereby given that the Planning commission will hold a public hearing on July 17th on this petition at the Sellersburg Town Hall 316 East Utica Street at 6:30. Prior to making a recommendation to the Sellersburg Town Council.

Sellersburg Fire Department

1/4

P.O. Box 82
Sellersburg In. 47172
(812) 246-7239 (812) 246-7233
Fax: (812) 246-7977 e:mail fireems@thepoint.net

July 7, 2000

Sellersburg Planning and Zoning
316 East Utica Street
Sellersburg IN 47172

Commissioners:

The only items that I am aware of at this time that require board action at this time are two requests for re-zoning One is From Troy French who wants to re-zone a piece of property from it's current classification of B-1 to a Classification of B-3 in order to operate a automobile repair facility at this location.

The only other business that I am aware of at this time is a request from Marion Barton to be heard at the July Planning and zoning meeting. At the June 26, 2000 Sellersburg Town Board meeting Marion Barton presented his request for re-zoning on the Adkins Court property, at that time he was informed by the Town Board that he needed to present it again to the Planning and Zoning Commission at their next meeting.

I am going to be out of town for the July meeting but I will be in the office until Tuesday the 11 if you have any questions feel free to contact me at 246-7239.

Respectfully,



Boyce Adams

BOARD OF PLANNING AND ZONING COMMISSION

AUGUST 15, 2000

The Board of Planning and Zoning Commission met on August 15, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Doug Reiter, Jim LaMaster, Louis Imhof, Bill Voyles, Tom Schuster, and Benita Pate, and Boyce Adams, the Sellersburg Building Inspector.

Doug Reiter made a motion to approve the meeting of the July 18, 2000 meeting. Jim La Master made a second to this motion. All members present, voted in favor of the motion.

Sandy Carver is present tonight requesting rezoning for the property at 444-458 Adkins Court for the purpose of erecting duplex apartments. Sandy Carver was at the June 19, 2000 meeting also with this request. The motion was made for rezoning but was never seconded, so she was able to come back to the board, again with this request.

Sandy Carver started out with her presentation with page 5 of her booklet showing her Glen Helen Park Addition's Design. On page 6 she pointed out the original survey and then the latest survey. She also pointed out the 18.3 feet dedicated to the roadway. Then she pointed out the recent survey showing the six lots becoming 4 lots with the duplex buildings drew on each lot. She showed that the parking setbacks were met in her criteria. Next, she pointed out the district development plan. On page 8, 9, and 10, she showed us the new survey of the 4 tracts by Paul Moffett. On page 12 she showed the topography map. On page 13 she showed the design of the buildings and the proposed changes with no basements. Then she pointed out the development plan that went out to adjoining land owners by certified letters with a return receipt. These receipts, along with the advertisement from the paper were presented to the board's secretary.

At this time Sandy Carver addressed and summarized questions of the homeowners that were raised at the June meeting.

Property devaluation: \$125,00.00 would be spent for each duplex. Purchasing property in this neighborhood is a lot less than this in this neighborhood. She stated that a neighbor asked to buy her property for 33,000.00. Ordinances were passed so we can have a nice community. These would be brick duplexes. She figures she would rent these units for approximately \$610.00 a month. She feels this would not devalue the neighborhood.

Railroad easement: Sandy Carver provided a letter from the Southern Indiana Railway, Inc. from the superintendent, Milton Joseph Fackler, Jr. that their was no special setback and would accept the ordinance of the Town of Sellersburg, which requires a set back of twenty (20) feet from the rear property line and would support a fence, but not have to have one for the railroad.

Traffic: Sandy Carver went to last week's Sellersburg Town Board Meeting asking for the widening of the Adkin's Court or considering a one way road.

Sandy Carver brought up several cases where duplexes were built: Two duplexes on Popp Avenue and Broadway. Also, some duplexes on Oak street where the street was not widened.

Sandy Carver also brought to the attention of the board of the population increase in Sellersburg and the need for duplexes to better utilize space in our community.

At this time the board let the property owners of Atkin's Court address the board with their questions and concerns.

Joseph Anderson was a little upset over the eight (8) foot pile of dirt in front of his property which was on Marion Barton's property and how it was left to grow up in grass and weeds attracting unwanted wildlife in the area.

Sandy Carver said if this land was develop that this would not be a problem.

Penny Broadus concern was if they widened the road, it would take their fence.

Mr. Ken Alexander stated that when he was on the previous town board, developers come with beautiful plans and promises. After the property is rezoned, they build what they want to and not what was presented to the board.

A letter was submitted to the board by the Slone family whom live at 330 Adkins Ct., against the rezoning. Mr. Slone could not be present tonight, due to medical problems.

Doug Reiter figured that if they want to make money off these duplexes, that they would have to charge \$710.00 to \$725.00. That area of Atkins court not draw that kind of rent.

Louis Imhof mentions his experience with a developer by his neighborhood who brought in the works. Plans for complete brick complex, built only 30% brick. Plans for brick garages, built aluminum carports. Playground for children, have only one slide in

The playground. Apartment children cut through their neighborhood, dig under the fence, and get in their neighborhood pools. So rezoning for developers have left bad experiences with him. He basically is against the project of rezoning this project.


Tom Schuster said he sat with an open mind tonight and he could have changed his mind. At the June meeting Sandy Carter said no one there was on her side, if she had known, she could bring people in favor of her plan. Tom Schuster then stated, "I see no here at this meeting in favor of your plan, other than your immediate family." Essentially, nothing has been presented new to change his mind.

Bill Voyles made a motion to change the rezoning of the lots of 444-458 in Adkins Court for the purpose of erecting duplex apartments. No second was made to the motion.


Louis Imhof made a motion not to change the zoning of lots 444-458 in Adkins Court. Doug Reiter made a second to this motion. Five (5) members voted to approve this motion and one member voted to not approve this motion.

Doug Reiter made a motion to close the meeting. Louis Imhof made a second to the motion. All members present, voted in favor of the motion.

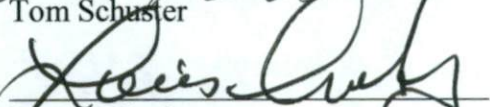
Submitted by: Benita Pate, Secretary




Rodney Pate



Tom Schuster




Louis Imhof



Benita Pate



Doug Reiter



Bill Voyles

Jim LaMaster

Sellersburg Board of Zoning Appeals
316 East Utica Street
Sellersburg IN 47172

Board Members,

at the present time the only items that I am aware that are to be brought before the board are requests from Sandy Carver to be heard in reference to the rezoning request that was tabled at the June 2000 Planning and Zoning meeting. The other request is that I would like to address the Board on items that concern me.

Respectfully,
Boyce Adams

SOUTHERN INDIANA RAILWAY, INC.
P.O. BOX 132,
SELLERSBURG, INDIANA 47172
Phone: 246-2716
246-2138

May 25, 2000

Marion H. Barton
705 St. Joe Road E.,
Sellersburg, IN 47172

Re: Correspondence of 5/24/00

Dear Mr. Barton:

In reference to your letter of May 24, 2000, Southern Indiana Railway, Inc. agrees to accept the ordinance of the Town of Sellersburg, which requires a set back of twenty (20) feet from the rear property line of your property in Adkins Court in Sellersburg where it adjoins the property of our railroad tracks.

If you are constructing residential dwellings on this property it would be appropriate to advise any future tenants/owners of said property, of the normal operating sounds associated with a railroad operation prior to their residing in close proximity to an existing railway.

We do not require fencing of your proposed property but the railroad feels it would be appropriate for the safety of your tenants. Southern Indiana Railway would not assume any expense for construction or upkeep of such fencing.

Yours truly,



Milton Joseph Fackler, Jr.,
Superintendent
Southern Indiana Railway, Inc.

8-21-00

Dear Sellersburg Town Board

My family & I live on Adkins Ct. here in Sellersburg. We together

as a family protest the development of the empty lot this side of the Railroad tracks into what I've

heard to be an Apartment complex. This neighborhood has had its

share of problems and now since it has seemed to calm down this

neighborhood is somewhat quiet. It would in my opinion ruin

what is left of this neighborhood and run out the families that

have now found a little bit of peace. Please don't let this complex

go up & keep Sellersburg the small town that we now enjoy.

Thank You,

The Stone Family

Jamie Stone

Timothy Stone

John Stone

Angela Stone

330 Adkins Ct.

Tom & Eleanor Taylor

The following is a copy of the letterhead from the Department of Health, Education and Welfare, dated 8/24/78, regarding the proposed construction of a new building for the Department of Health, Education and Welfare, located at 1000 Pennsylvania Avenue, N.W., Washington, D.C. The building is to be constructed on the site of the existing building, which is currently occupied by the Department of Health, Education and Welfare. The proposed building is to be a multi-story structure, approximately 15 stories high, and is to be constructed of steel and concrete. The building is to be constructed in accordance with the requirements of the National Fire Protection Association (NFPA) and the International Building Code (IBC). The building is to be constructed in accordance with the requirements of the National Fire Protection Association (NFPA) and the International Building Code (IBC). The building is to be constructed in accordance with the requirements of the National Fire Protection Association (NFPA) and the International Building Code (IBC).

Thank you for your letter of 8/24/78 regarding the proposed construction of a new building for the Department of Health, Education and Welfare, located at 1000 Pennsylvania Avenue, N.W., Washington, D.C.

The attached copy of the letterhead from the Department of Health, Education and Welfare, dated 8/24/78, regarding the proposed construction of a new building for the Department of Health, Education and Welfare, located at 1000 Pennsylvania Avenue, N.W., Washington, D.C.

Very truly yours,
Tom & Eleanor Taylor

800-234-0000

BOARD OF PLANNING AND ZONING COMMISSION

SEPTEMBER 18, 2000

The Board of Planning and Zoning Commission met on September 18, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Tom Schuster, Doug Reiter, Bill Voyles, Louis Imhof, Benita Pate, and Boyce Adams, the Sellersburg Building Inspector.

THE FOLLOWING MEMBER WERE ABSENT: Jim LaMaster

Ray Patenaude, representing Sellersburg Station, was present tonight to alter the site plan at the Ramada in regards to dumpster placement and parking requirements. A diagram with their required parking places was presented. They are required 79 places, with 6 or 8 for employees and 4 handicap places. Also, they have a reciprocal agreement with the Cracker Barrel Restaurant to share 12 spots.

Tom Schuster made a motion to grant changing of dumpster placement to space number 67 and 68, next to the directional sign. Bill Voyles seconded the motion. All members present, voted in favor of the motion.

Ramada Inn has a total of 86 spaces subtracting 2 for dumpster placement, adding 12 Reciprocal parking places with Cracker Barrel Restaurant makes a total of 84 plus 12 reciprocal parking places.

Bill Voyles made a motion to approve Ramada Inn's parking places with a total of 84 plus 12 reciprocal parking places from the Cracker Barrel Restaurant. It was seconded by Doug Reiter. All member present, voted in favor of the motion.

Also, a copy of the agreement to share parking spaces with Cracker Barrel Restaurant and with Sellersburg Station, LLC was submitted to the board.


Louis Imhof made a motion to approve the minutes of the August 15, 2000 meeting. Doug Reiter seconded the motion. All members present, voted in favor of the motion.

Louis Imhof made a motion to close the meeting and it was seconded by Doug Reiter. All members present, voted in favor of the motion.

Board of Planning and Zoning

September 18, 2000

Page 2




Rodney Pate



Doug Reiter



Tom Schuster



Bill Voyles

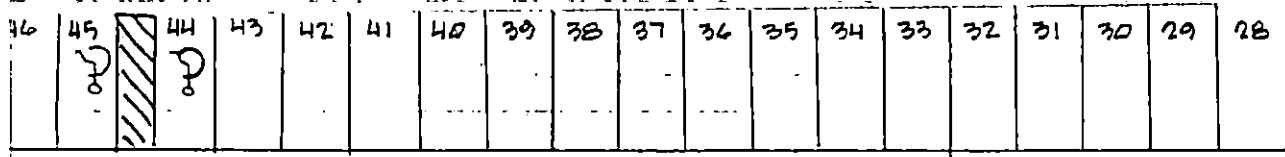
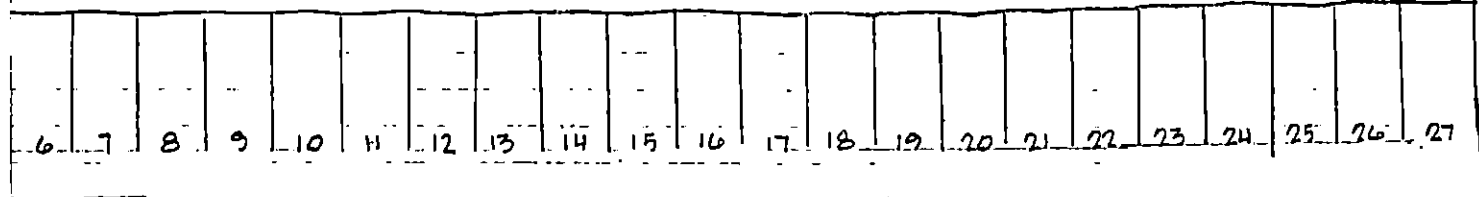
Louis Imhof



Jim LaMaster

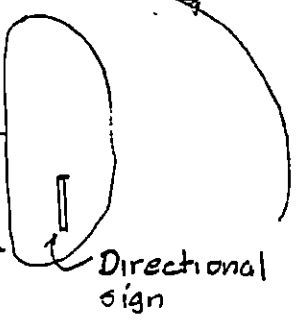
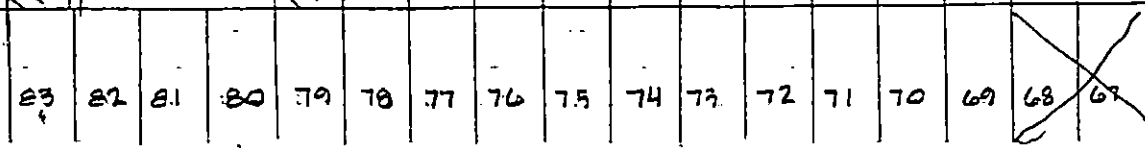
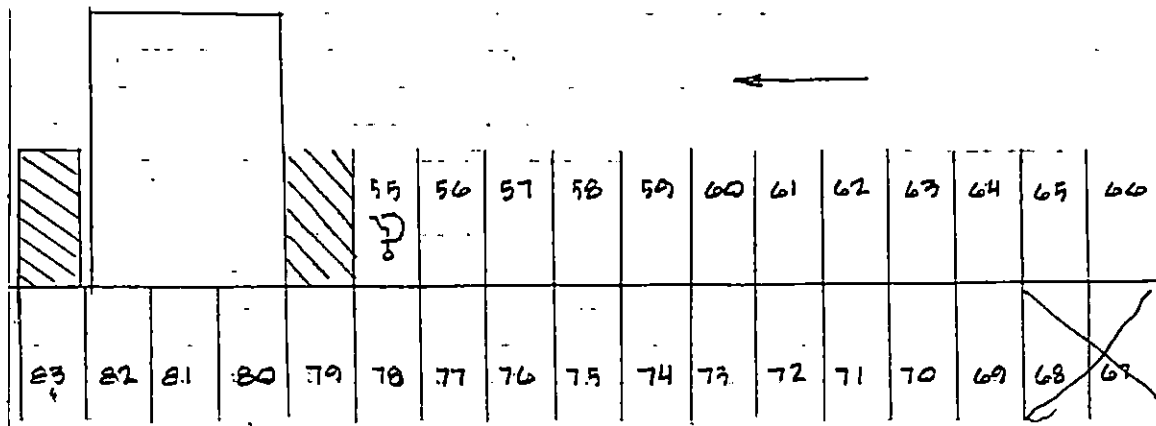


Benita Pate



C Ramada Inn 79 Units

84 parking spaces
+ 12 Cracker Barrel



Cracker Barrel Property

5 pgs
My Lady Aulds

THIS INSTRUMENT PREPARED BY:
Rochelle, McCulloch & Aulds
Attorneys at Law
109 Castle Heights Avenue North
Lebanon, TN 37087

Shirley Nolet
CLARK COUNTY RECORDER
Clark County Recorder
1 3204845
C2 Date 03/23/2000
Page 1 of 5
Time 10:50:32

RECIPROCAL EASEMENTS AGREEMENT

THIS AGREEMENT, made and entered into this 22 day of March 2000, by and between **SELLERSBURG STATION, LLC** an Indiana limited liability corporation ("Sellersburg") and **CRACKER BARREL OLD COUNTRY STORE, INC.** a Tennessee corporation, ("Cracker Barrel"), (collectively, the "Parties").

WITNESSETH:

WHEREAS, Sellersburg is the owner of that certain property located in the City of Sellersburg, Clark County, Indiana, that is more particularly described on Exhibit "A" attached hereto (the "Motel Property"); and,

WHEREAS, Cracker Barrel is the owner of that certain property adjacent to the Motel Property that is more particularly described on Exhibit "B" attached hereto (the "Cracker Barrel Property"); and,

WHEREAS, the Parties wish to establish reciprocal easements for vehicular and pedestrian traffic between their properties and vehicular parking over, upon and across designated areas of each other's property; and,

WHEREAS, the continued use and maintenance of the easements described herein will be beneficial to both Sellersburg and Cracker Barrel;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the Parties intending to be legally bound, do hereby agree as follows:

The Parties hereby grant to each other, their successors and assigns, forever, a reciprocal non-exclusive easement for vehicular & pedestrian access, ingress and egress, over, upon and across the driveways as may be located from time to time, on the Motel Property and the Cracker Barrel Property (the "Cross-Access Easement"). The Cross-Access Easement shall be perpetual, shall run with the Motel Property and the Cracker Barrel Property, and shall not be blocked without the consent of the other party. The Parties acknowledge and agree that they may each modify and/or relocate the driveways on their respective properties from time to time, providing however, that a connecting driveway linking the two properties shall always remain open.

The Parties also hereby grant to each other, their successors and assigns, a reciprocal, non-exclusive easement for vehicular parking upon the areas designated for parking as may be located from time to time on the Motel Property and the Cracker Barrel Property (the "Shared Parking Easement"). The Shared Parking Easement is for the express purpose of providing overflow guest parking for the Parties' respective businesses, and is restricted against use for employee parking. The Parking Easement shall be perpetual, shall run with the Motel Property and the Cracker Barrel Property, and shall not be blocked without the consent of the other party. The Parties acknowledge and agree that they may each modify and/or relocate the parking spaces

located on their respective properties from time to time, providing however, that the other party is not prohibited from exercising its easements rights. The Parties hereby agree that they have granted the Shared Parking Easement to each other with the expectation that the easement will be utilized by no more than twelve (12) vehicles belonging to the Parties' guests at any given time.

Cracker Barrel hereby grants to Sellersburg, its successors and assigns, a temporary easement to conduct the work necessary to construct a connector between the Parties' driveways and parking areas (the "Temporary Construction Easement"), over, upon and across that portion of the Cracker Barrel Property that is adjacent to the Motel Property as is necessary from time to time to conduct said work. The work is more particularly defined below. The Temporary Construction Easement shall terminate upon completion of said work.

Sellersburg hereby covenants and agrees to cut and remove existing curb, pavement, and landscaping, and grade, rock and pave with a good quality surface material, sufficient to withstand the traffic of the Parties' customers and invitees, replace landscaping, and conduct any other work necessary to construct a connector between the Parties' driveways and parking areas so that the Parties may use the Cross-Access and Shared Parking easements granted hereinabove. Said work shall be in compliance with all applicable governmental laws, regulations and requirements and shall be adequate to accommodate the Parties' intended use. Said work shall be coordinated with the General Manager of the Cracker Barrel Old Country Store located upon the Cracker Barrel Property so that traffic upon the property is not unduly disrupted. At no time shall access to and from the Cracker Barrel Property and the access road be blocked or closed.

The Parties agree to maintain their respective properties in good condition and repair and shall keep the driveways and parking areas free of all snow, ice, paper, debris and other refuse so as to keep the portion of the Cross-Access and Shared Parking Easements located upon their respective parcels in a neat, clean and orderly condition. In this regard, the Parties shall periodically resurface and stripe the driveways and parking areas located upon their respective parcels with a good quality surface material, sufficient to withstand the traffic of the Parties' customers and invitees. The Parties further agree that they shall each conduct the work described hereinabove in such a manner as to not impede or impair use of the connecting driveway linking the two properties as it may be located from time to time upon the respective properties.

The Parties represent, warrant and covenant that they have full right and authority to grant the Cross-Access and Shared Parking Easements. The Parties further represent, warrant and covenant that there are no tenants or other parties in possession of the properties subject to said easements who have leases or agreements which prohibit, restrict or interfere with the Cross-Access and Shared Parking Easements. If applicable, the Parties will each obtain non-disturbance agreements, consents, waivers and any other agreements from lienholders, mortgagees, tenants or any other party with superior rights so that the other party's title insurance company will insure easement rights.

The Parties shall have no obligation or liability whatsoever in connection with the ownership, maintenance or management of the portion of the Cross-Access and Shared Parking Easements lying on the other party's property. Each Party shall manage, operate and maintain the portions of the easements lying on its respective property, at its sole cost and expense and shall protect, indemnify, defend and save harmless each other from and against any and all liability to third parties incurred by any act or neglect of the indemnifying party or any of its agents, servants, or employees, in, on, or about the Cross-Access and Shared Parking Easements, and shall at all times and at its own cost protect each other with commercial general liability insurance in the amount of \$1,000,000.00 combined single limit (bodily injury and property damage). Each of the Parties shall, within thirty (30) days of written request of the other, deliver to the requesting party a certificate showing such insurance to be then in effect.

The right to use and exercise the rights and easements being conveyed herein, with the exception of the Temporary Construction Easement, shall run with the land and shall be for the benefit of the Parties, their successors or assigns, tenants, subtenants, employees, customers and business invitees.

the parties covenant with the other that they are lawfully seized and possessed of said respective properties; that they each have a good and lawful right to make these conveyances; that the same are free, clear and unencumbered; and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Parties have caused this Reciprocal Easements Agreement to be duly executed by their respective authorized representatives on the day and year first above written.

SELLERSBURG STATION, LLC

By: 

Clair L. Patenaude, President

CRACKER BARREL OLD COUNTRY STORE, INC.

By: 

Donald G. Kravitz
Vice President, Development

STATE OF KENTUCKY

COUNTY OF JEFFERSON

Before me, the undersigned authority, a Notary Public in and for said county and state, personally appeared CLAIR L. PATENAUDE with whom I am personally acquainted, and who, upon oath, acknowledged herself to be the President of SELLERSBURG STATION, LLC, the within named bargainer, an Indiana limited liability corporation, and that she as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

WITNESS my hand and official seal this 23 day of March, 2000


NOTARY PUBLIC

My commission expires: 11-9-2001

STATE OF TENNESSEE

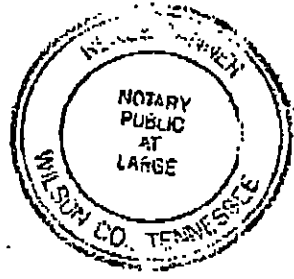
COUNTY OF WILSON

Before me, the undersigned authority, a Notary Public in and for said county and state, personally appeared DONALD G. KRAVITZ, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the Vice-President of CRACKER BARREL OLD COUNTRY STORE, INC., the within named bargainer, a corporation, and that he as such officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as such officer.

WITNESS my hand and official seal this 10th day of March, 2000.

Quinn Tamm
NOTARY PUBLIC

My commission expires: 04-01-02



3

Sellersburg Fire Department

426 East Utica Street
Sellersburg IN 47172
(812) 246-7239

Fax: (812) 246-7977 email: fireems@thepoint.net

September 13, 2000

Sellersburg Planning and Zoning
316 East Utica Street
Sellersburg IN 47172

The only business that I am aware of at this time is a request from Sellersburg Station to alter the site plan at the Ramada in regards to dumpster placement and parking requirements. A representative from Sellersburg Station is going to be at the October 18, 2000 meeting of the Plan Commission to present a revised site plan and explain their request.

If you have any further questions feel free to contact me at 246-7239.

Sincerely,



Boyce Adams
Deputy Chief/ Inspector

Sellersburg Station, L.L.C.

P.O. Box 867 Corydon, IN

Tel (502)426-0034 Fax (502)423-7512

Ms. Renee Tanner
Real Estate Division
CRACKER BARREL OLD COUNTRY STORE
P. O. BOX 787 HARTMANN DRIVE
Lebanon, Tennessee 37088-0787

September 14, 2000

Re: Cracker Barrel #303 Sellersburg, IN Reciprocal Easement Agreement

Dear Renee:

When we executed the cross easement parking agreements for your store and our Ramada Ltd. Hotel (which is now almost ready to open), we anticipated that the best place for us to make the cut through connector between our two parking lots would be towards the Triangle Dr. end of the property. Now that the hotel is almost finished, local officials have brought it to our attention that locating the "parking lot connector" that close to where Cracker Barrel and our Ramada Hotel have driveway entrance/exit cuts off of Triangle Drive may not be safe.

We have reviewed this with your GM, Jim Leslie, and our General Contractor, Fidelity International Contractors, Inc. and per the attached drawing are requesting that you allow us to make the connection at the rear of our property which actually connects closer to the front door to your store. My review of the legal documents that your company and I both executed indicates that these documents did not restrict us to the exact location of the "cut through" and that all that is needed to shift the location is our mutual agreement. The construction work and any necessary grading, re-sodding or landscape adjustments in the area of your site where the connector is constructed will, of course, be done at our expense in co-ordination with your GM or other designated representative.

Please feel free to contact Mr. Ray Paensude, President of Fidelity Int., our general contractor, with any questions or comments you may have. His office phone is: 502/499-9902 and their fax is 502/491-7741. If Ray is not in the office, you may also try his cell phone: 502/649-4822.

I look forward to hearing back from you either directly or through Ray. I will be "on the road" myself the next several days, but my voice mail is: 502/426-0034 and my cell which I will have with me is 502/649-5570.

Thanks, Renee, for reviewing this at your earliest convenience.

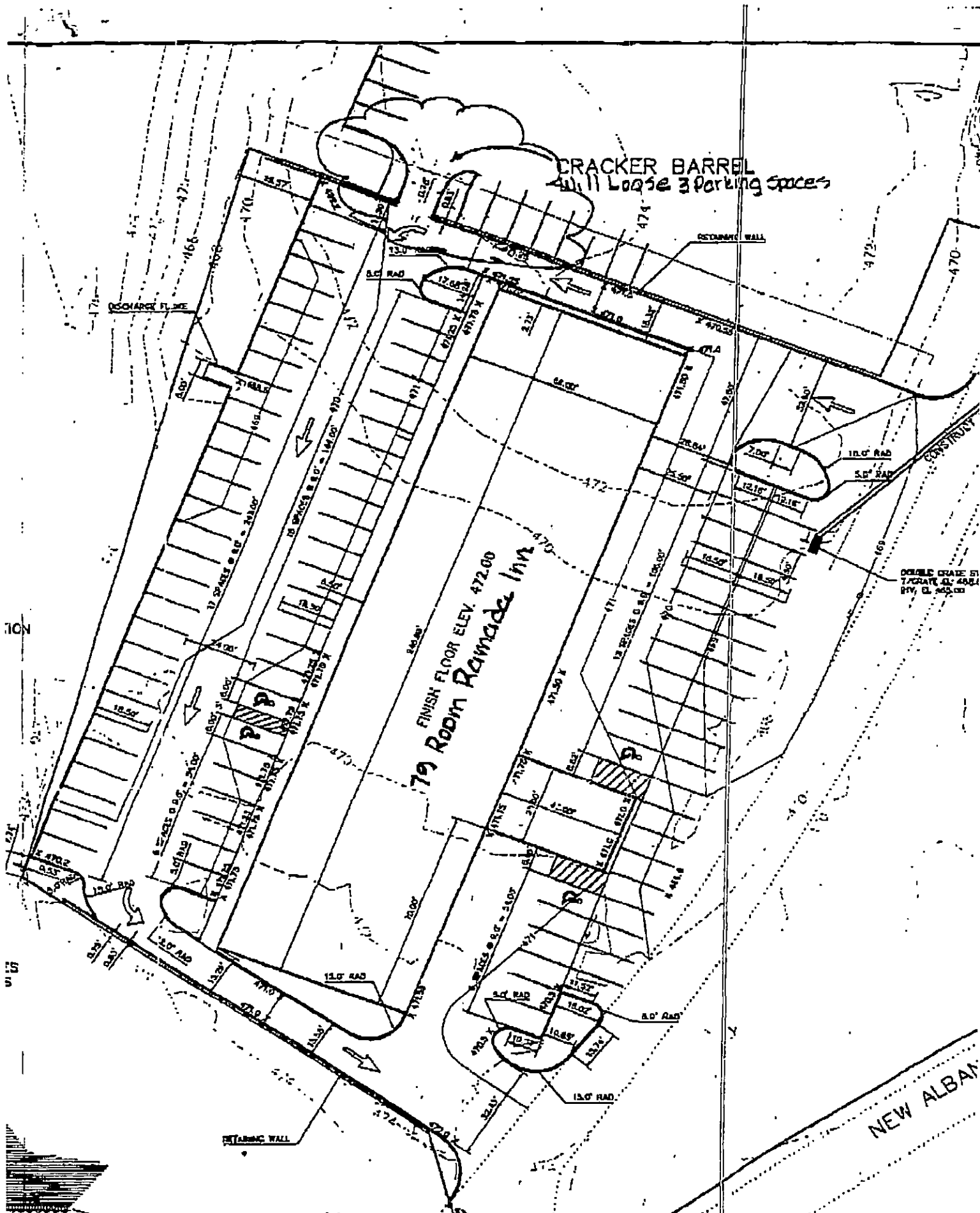
Clair L. Paensude
Clair L. Paensude

cc: Fidelity International Contractors, Inc

Approved per attached
Sketch.

by: Shane W. Block, Regional Mgr

September 15, 2000



ION

03



FIDELITY INTL

09/15/2000 14:21 FAX 502 491 7741

NEW ALBANY

Sellersburg Station, L.L.C.

P.O. Box 867 Corydon, IN

Tel (502)426-0034 Fax (502)423-7512

Ms. Renee Tanner
Real Estate Division
CRACKER BARREL OLD COUNTRY STORE
P. O. BOX 787 HARTMANN DRIVE
Lebanon, Tennessee 37088-0787

September 14, 2000

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We have reviewed this with your GM, Jim Leslie, and our General Contractor, Fidelity International Contractors, Inc. and per the attached drawing are requesting that you allow us to make the connection at the rear of our property which actually connects closer to the front door to your store. My review of the legal documents that your company and I both executed indicate that these documents did not restrict us to the exact location of the "cut through" and that all that is needed to shift the location is our mutual agreement. The construction work and any necessary grading, re-sodding or landscape adjustments in the area of your site where the connector is constructed will, of course, be done at our expense in co-ordination with your GM or other designated representative.

Please feel free to contact Mr. Ray Paenaude, President of Fidelity Int., our general contractor, with any questions or comments you may have. His office phone is: 502/499-9902 and their fax is 502/491-7741. If Ray is not in the office, you may also try his cell phone: 502/649-4822.

I look forward to hearing back from you either directly or through Ray. I will be "on the road" myself the next several days, but my voice mail is: 502/426-0034 and my cell which I will have with me is 502/649-5570.

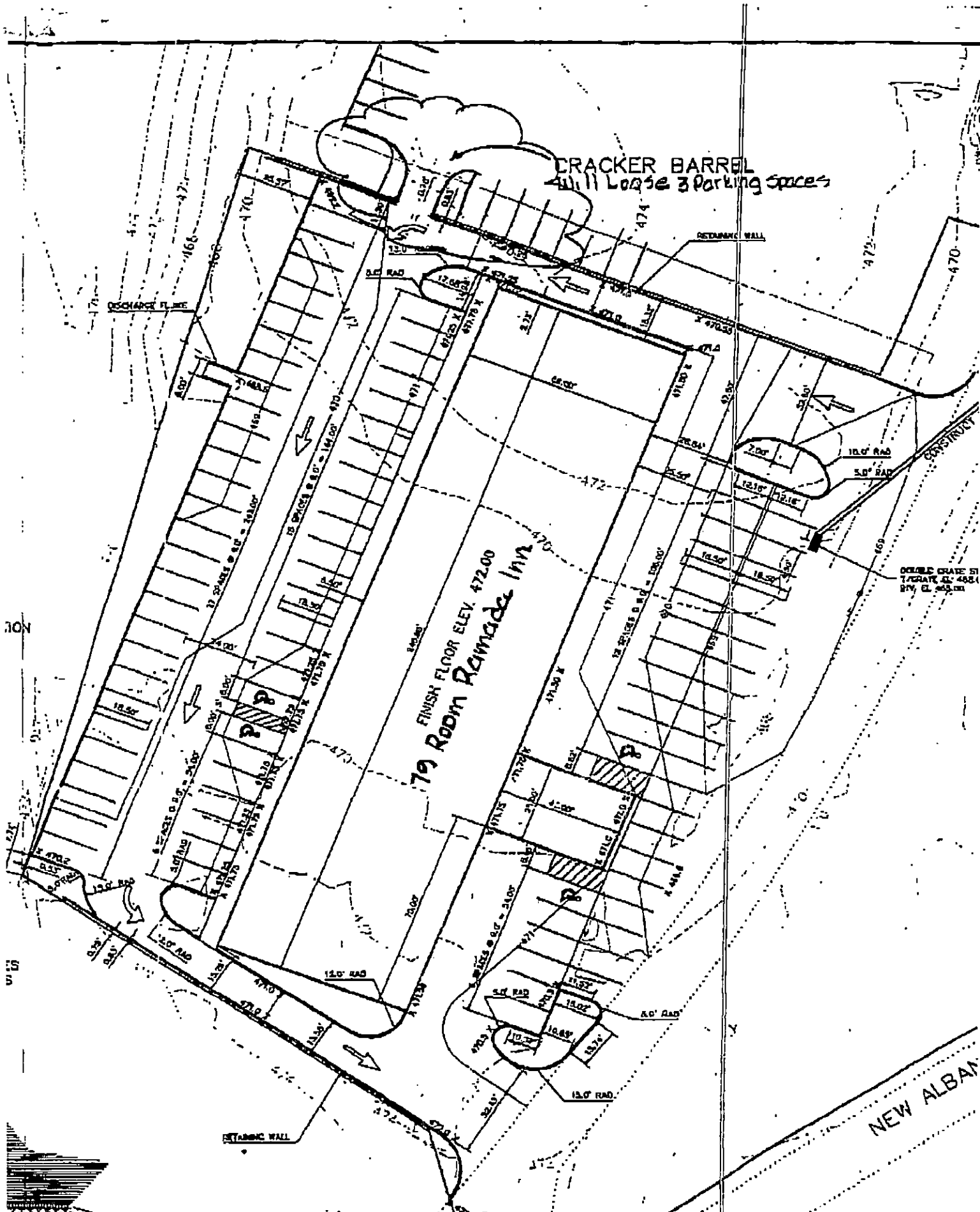
Thanks, Renee, for reviewing this at your earliest convenience.


Clair L. Paenaude

cc: Fidelity International Contractors, Inc

Approved per attached
Sketch.

by: Shannon Block, Regional Mgr
September 15, 2000



NO

05



03

FIDELITY INTL

09/15/2000 14:21 FAX 502 491 7741

NEW ALBAN

BOARD OF PLANNING AND ZONING COMMISSION

OCTOBER 16, 2000

The Board of Planning and Zoning Commission met on October 16, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Tom Schuster, Doug Reiter, Bill Voyles, Benita Pate, Jim LaMaster, and Boyce Adams, the Sellersburg Building Inspector.

THE FOLLOWING MEMBER WAS ABSENT: Louis Imhof

Stan Richards is present tonight to request a parking variance on approval of the number of parking spaces defined for the Soccer Mania facility located in the Industrial Park at 5010 Progress Way in Sellersburg, Indiana.

This is a 28,000 square foot soccer facility requiring 144 spaces. They have 132 parking spaces.

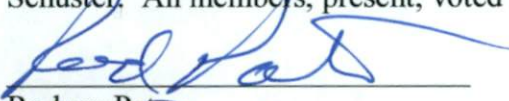
Stan Richards has checked with similar soccer facilities in the metropolitan area and have found most of their facilities are similar in size or larger and have spaces ranging from 55 to 113 spaces.

In the comprehensive plan under special exemptions for non-standard uses, you need to come before the Planning and Zoning Board.


Bill Voyles made a motion to approve 132 parking spaces for the Soccer Mania located at 5010 Progress Way in the Sellersburg Industrial park. Tom Schuster seconded the motion. All members, present, voted in favor of the motion.

Jim LaMaster made a motion to approve the minutes of the September 18, 2000 minutes. Doug Reiter seconded the motion. All members, present, voted in favor of the motion.

Jim LaMaster made a motion to adjourn the meeting. It was seconded by Tom Schuster. All members, present, voted in favor of the motion.


Rodney Pate


Doug Reiter


Tom Schuster


Bill Voyles


Jim LaMaster


Louis Imhof

Benita G. Pate, Secretary.

Sellersburg Fire Department



426 East Utica Street
Sellersburg IN 47172
(812) 246-7239

Fax: (812) 246-7977 email: fireems@thepoint.net

5233
Progress way

October 10, 2000

Sellersburg Planning and Zoning

Board members:

The only business that I am aware of for the October Planning and Zoning meeting is a request from Stan Richards to have the number of parking places defined for Soccer Mania.

If you have any questions feel free to contact me at 246-7239.

Sincerely,

Boyce Adams
Deputy Chief/ Inspector

BOARD OF PLANNING AND ZONING COMMISSION

NOVEMBER 20, 2000

The Board of Planning and Zoning Commission met on November 20, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.


THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Tom Schuster, Jim LaMaster, Louis Imhof, Doug Reiter, and Benita Pate, and Boyce Adams, the Sellersburg Building Inspector, and Bill Voyles.

There was no official business on the agenda tonight.

The board discussed the matter of the portable sign ordinances. No official decisions were made on this matter tonight.

Jim La Master made motion to approve the minutes of the October 16, 2000, meeting. It was seconded by Louis Imhof. All members present, voted in favor of the motion.


Jim LaMaster made a motion to close the meeting. It was seconded by Louis Imhof. All members present, voted in favor of the motion.



Rodney Pate




Tom Schuster



Doug Reiter

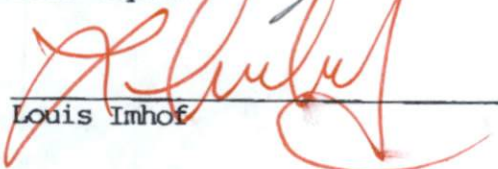


Benita Pate



Bill Voyles

Jim La Master



Louis Imhof

Sellersburg Fire Department

426 East Utica Street
Sellersburg IN 47172
(812) 246-7239

Fax: (812) 246-7977 email: fireems@thepoint.net

November 10, 2000

Sellersburg Planning and Zoning
316 East Utica Street
Sellersburg IN 47172

Board Members:

As of todays date I have received no applications for board consideration.

Please feel free to contact me at 246-7239 if you have any questions.

Boyce Adams

SIGNED CERTIFIED RECEIPT

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Kenneth Alexander
701 E. Utica Street
Sellersburg, IN 47172

2. Article Number (Copy from service label)

7000 0520 0014 6626 1675

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

4-11-00

C. Signature

X *Kenneth Alexander* Agent Addressee

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Deloris L. Anderson
434 Adkins Court
Sellersburg, IN 47172

2. Article Number (Copy from service label)

7000 0520 0014 6626 1613

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X *Deloris L. Anderson* Agent Addressee

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Perry Broadus
139 N Fern St.
Sellersburg, IN
47172

2. Article Number (Copy from service label)

7000 0520 0014 6626 6106

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

4-22-00

C. Signature

X *Perry Broadus* Agent Addressee

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

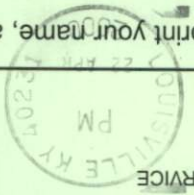
- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7172+5332

Marion H. Barton
705 St. Joe Rd (east)
Sellersburg, IN 47172

• Sender: Please print your name, address, and ZIP+4 in

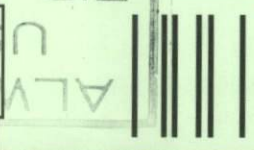


UNITED STATES POSTAL SERVICE

7172+5332

Marion H. Barton
705 St. Joe Rd (east)
Sellersburg, IN 47172

• Sender: Please print your name, address, and ZIP+4 in



UNITED STATES POSTAL SERVICE

7172+5332

Marion H. Barton
705 St. Joe Rd (east)
Sellersburg, IN 47172

• Sender: Please print your name, address, and ZIP+4 in



UNITED STATES POSTAL SERVICE

SIGNED CERTIFIED RECEIPT

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Jill Marie Elliott
143 N. Fern Street
Sellersburg, IN 47172

2. Article Number (Copy from service label)

7000 0520 0014 6626 4683

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

4-11-99

C. Signature

X *Jill Marie Elliott* Agent Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Anthony Fleming
135 N. Fern St.
Sellersburg IN 47172

2. Article Number (Copy from service label)

7000 0520 0014 6626 6083

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X *Anthony Fleming* Agent Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

UNITED STATES POSTAL SERVICE



• Sender: Please print your name, address, and ZIP+4 in

Marion H. Barton
705 St. Joe Rd (east)
Sellersburg, IN. 471

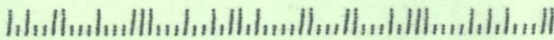
UNITED STATES POSTAL SERVICE



• Sender: Please print your name, address, and ZIP+4 in

Marion H. Barton
705 St. Joe Rd (east)
Sellersburg, IN 47172

7172+9332



SIGNED CERTIFIED RECEIPT

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY | |
|--|---|--------------------------------|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | A. Received by (Please Print Clearly) | B. Date of Delivery 4-11-00 |
| | C. Signature X June Hardin <input type="checkbox"/> Agent <input type="checkbox"/> Addressee | |
| 1. Article Addressed to: June Clifford Hardin SR 323 Adkins Court Sellersburg, IN 47172 | D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No | |
| 2. Article Number (Copy from service label) 7000 0520 0014 6625 1637 | 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. | |
| PS Form 3811, July 1999 | Domestic Return Receipt | 102595-99-M-1789 |
| 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes | | |

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY | |
|--|---|--------------------------------|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | A. Received by (Please Print Clearly) 158 | B. Date of Delivery 4-11-00 |
| | C. Signature X James Juhas <input type="checkbox"/> Agent <input type="checkbox"/> Addressee | |
| 1. Article Addressed to: James Mary Juhas 329 Adkins Court Sellersburg, IN 47172 | D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No | |
| 2. Article Number (Copy from service label) 7000 0520 0014 6626 1644 | 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. | |
| PS Form 3811, July 1999 | Domestic Return Receipt | 102595-99-M-1789 |
| 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes | | |

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY | |
|--|---|--------------------------------|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | A. Received by (Please Print Clearly) | B. Date of Delivery 4/12/00 |
| | C. Signature X Caul Johnson <input type="checkbox"/> Agent <input type="checkbox"/> Addressee | |
| 1. Article Addressed to: Southern Indiana Railway Attention: Carol Johnson P.O. Box 132 Sellersburg, IN 47172 | D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No | |
| 2. Article Number (Copy from service label) 7000 0520 0014 6626 4676 | 3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. | |
| PS Form 3811, July 1999 | Domestic Return Receipt | 102595-99-M-1789 |
| 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes | | |

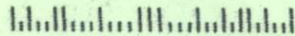
UNITED STATES POSTAL SERVICE



First-Class
Postage
USPS
Permit

• Sender: Please print your name, address, and ZIP+4 in this box

Marion H. Barton
705 St. Joe Rd (East)
Sellersburg, IN. 47172



UNITED STATES POSTAL SERVICE

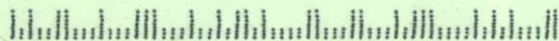


First-Class
Postage
USPS
Permit

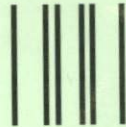
• Sender: Please print your name, address, and ZIP+4 in this box

Marion H. Barton
705 St. Joe Rd (East)
Sellersburg, IN. 47172

47172+5332



UNITED STATES POSTAL SERVICE



First-Class
Postage
USPS
Permit

• Sender: Please print your name, address, and ZIP+4 in this box

Marion H. Barton
705 St. Joe Rd (East)
Sellersburg, IN. 47172

Marion H Barton
705 St. Joe Rd (east)
Sellersburg, IN 47172

FOLD AT DOTTED LINE
CERTIFIED MAIL



7000 0520 0014 6626 6090



0000

U.S. POSTAGE
PAID
SELLERSBURG, IN
47172
APR 21 2000
AMOUNT

\$2.98
00044153-03

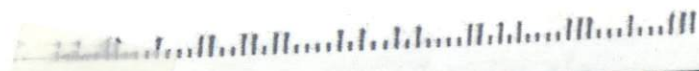


Eslia G. Gregory
1717 Birchbark Lane
Jeffersonville, IN 47130

**RETURN RECEIPT
REQUESTED**

1ST NOTICE 4-22
2ND NOTICE 5-10
RETURN 5-15

47130-3513 10



TO THE RIGHT OF RETURN ADDRESS.
TO THE RIGHT OF RETURN ADDRESS.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Esliia G. Gregory
177 Birchbark Lane
Jeffersonville IN
47130

2. Article Number (Copy from service label)

7000 0520 0014 6626 6090

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

- Agent
- Addressee

D. Is delivery address different from item 1?
If YES, enter delivery address below:

- Yes
- No

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee)

- Yes

7000 0520 0014 6626 6083

PS Form 3800, February 2000 See Reverse for Instructions

City, State, ZIP+4
Sellersburg IN 47172

Street, Apt. No., or PO Box No.
135 N. Fern St
Anthony Fleming
Recipient's Name (Please Print Clearly) (To be completed by mailer)

| | |
|--|----|
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ |

Postmark Here
APR 2 1 2000 SELLSBURG IN 47172 USPS

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0014 6626 6106

PS Form 3800, February 2000 See Reverse for Instructions

City, State, ZIP+4
Sellersburg IN 47172

Street, Apt. No., or PO Box No.
139 N. Fern St
Fern Bradus
Recipient's Name (Please Print Clearly) (To be completed by mailer)

| | |
|--|---------|
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 2.98 |

Postmark Here
APR 2 1 2000 SELLSBURG IN 47172 USPS

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0014 6626 6113

PS Form 3800, February 2000 See Reverse for Instructions

City, State, ZIP+4
Sellersburg IN 47172

Street, Apt. No., or PO Box No.
434 Adams Court
Deborah L. Anderson
Recipient's Name (Please Print Clearly) (To be completed by mailer)

| | |
|--|---------|
| Postage | \$ |
| Certified Fee | 1.40 |
| Return Receipt Fee (Endorsement Required) | 1.25 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 2.98 |

Postmark Here
APR 1 1 2000 SELLSBURG IN 47172 USPS

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0014 6626 6090

PS Form 3800, February 2000 See Reverse for Instructions

City, State, ZIP+4
Sellersburg IN 47130

Street, Apt. No., or PO Box No.
1717 Birchbark Lane
Lissa G. Gregory
Recipient's Name (Please Print Clearly) (To be completed by mailer)

| | |
|--|---------|
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 2.98 |

Postmark Here
APR 2 1 2000 SELLSBURG IN 47172 USPS

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0014 6626 4683

PS Form 3800, February 2000 See Reverse for Instructions

City, State, ZIP+4
Sellersburg IN 47172

Street, Apt. No., or PO Box No.
133 N. Fern St
Alli Marie Elliott
Recipient's Name (Please Print Clearly) (To be completed by mailer)

| | |
|--|---------|
| Postage | \$ |
| Certified Fee | 1.40 |
| Return Receipt Fee (Endorsement Required) | 1.25 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 2.98 |

Postmark Here
APR 1 0 2000 SELLSBURG IN 47172 USPS

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0014 6626 1675

PS Form 3800, February 2000 See Reverse for Instructions

City, State, ZIP+4
Sellersburg IN 47172

Street, Apt. No., or PO Box No.
101 E. Utton
Rea Alexander
Recipient's Name (Please Print Clearly) (To be completed by mailer)

| | |
|--|---------|
| Postage | \$ |
| Certified Fee | 1.40 |
| Return Receipt Fee (Endorsement Required) | 1.25 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 2.98 |

Postmark Here
APR 1 1 2000 SELLSBURG IN 47172 USPS

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7000 0520 0014 6626 9299 4100 0250 0007

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

| | |
|---|----------------|
| Postage | \$.33 |
| Certified Fee | 1.40 |
| Return Receipt Fee (Endorsement Required) | 1.25 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 2.98 |

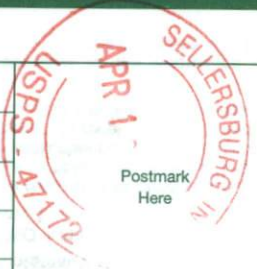


Recipient's Name (Please Print Clearly) (To be completed by mailer)
 Clifford & June Harden Sr
 Street, Apt. No.; or PO Box No.
 323 Adkins Court
 City, State, ZIP+ 4
 Sellersburg IN 47172
 PS Form 3800, February 2000 See Reverse for Instructions

7000 0520 0014 6626 9299 4100 0250 0007

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

| | |
|---|----------------|
| Postage | \$.33 |
| Certified Fee | 1.40 |
| Return Receipt Fee (Endorsement Required) | 1.25 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 2.98 |



Recipient's Name (Please Print Clearly) (To be completed by mailer)
 James James
 Street, Apt. No.; or PO Box No.
 329 Adkins Ct
 City, State, ZIP+ 4
 Sellersburg, IN 47172
 PS Form 3800, February 2000 See Reverse for Instructions

7000 0520 0014 6626 9299 4100 0250 0007

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

| | |
|---|----------------|
| Postage | \$.33 |
| Certified Fee | 1.40 |
| Return Receipt Fee (Endorsement Required) | 1.25 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 2.98 |



Recipient's Name (Please Print Clearly) (To be completed by mailer)
 Southern Indiana Kaulvey
 Street, Apt. No.; or PO Box No.
 P.O. Box 132
 City, State, ZIP+ 4
 Sellersburg, IN 47172
 PS Form 3800, February 2000 See Reverse for Instructions

Proof
Of
Publication

STATE OF INDIANA,
COUNTY OF CLARK - SS

Angela Bugin, On oath says that she is
bookkeeper of The Evening News 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 (s) to-wit: In issue of said Evening News
dated: April 21, 2000.

(x) Angela Bugin

STATE OF INDIANA
COUNTY OF CLARK

Subscribed and sworn to before me this
15TH day of May, 2000

(X) Janice Galligan

Notary Public, Clark County, Indiana

(My Commission Expires)
September 9, 2006

Legals

THE TOWN OF
SELLERSBURG
Notice is hereby given that
Marion H. Barton has/have filed a
petition with the Sellersburg
Planning and Zoning Commission
requesting that the following
described real estate be change
from R1 to R2. Said real estate
being situated in the Town of
Sellersburg in the County of Clark
and described as follows:
Lots #40, 41, 42, 43, 44, & 45
of Glen Helen Addition to Town of
Sellersburg, (Subdivision NO. 2
P.N. 3 p. 111), and having a street
address of: 444, 446, 448, 450,
452, 454, 456, 458 Adkins Court.
Notice is hereby given that the
planning commission will hold a
public hearing on May 15, 2000 on
this petition at the Sellersburg
Town Hall, 316 East Utica Street
at 6:30 p.m. Prior to making a rec-
ommendation to the Sellersburg
Town Council.

Publication
Fee \$ 22.00

THE EVENING NEWS
221 Spring Street
P.O. Box 867
JEFFERSONVILLE, IN 47130-0867
(812) 283-6636

CASH
RECEIPT

Received From

Courier Reporter

Date

5/15/00

28520

Address

Dollars \$

22.00

For

Joseph / 2000

By

AMB

CASH

CHECK

MONEY ORDER

Date 5-1-00 Permit
 Street/Lot# 444-458 ADKINS CT. Numbers
 Owner MARION H BARTON

PHONE #
 246-2054
 246-2052

REZONING REQUEST

TOWN OF SELLERSBURG

PERMIT

ALT.
 BLDG.
 OCC.
 ELEC.
 PLUM.
 HEAT
 A/C
 MISC.

| STRUCTURAL | ELECTRICAL | HEATING | ALTERATION |
|------------------|------------------|------------------|------------------|
| INSPECTION CODE: | INSPECTION CODE: | INSPECTION CODE: | INSPECTION CODE: |
| OCCUPANCY | PLUMBING | AIR COND. | MISC. |
| INSPECTION CODE: | INSPECTION CODE: | INSPECTION CODE: | INSPECTION CODE: |

POST THIS permit in a conspicuous place until all inspections have been made, work approved, and occupancy permit issued by the Building Commission.

Boyer returns
 Commissioner of Buildings

Form Prescribed by State Board of Accounts

BUILDING PERMITS/GENERAL FUND

SELLERSBURG, IN 5-1-00

RECEIVED FROM Mason
THE SUM OF one hundred
ON ACCOUNT OF removing

PAID BY: CASH CHECK M.O.



CLERK-TREASURER

Date 5-1-00 Permit
 Street/Lot# 444-458 ADKINS CT. Numbers
 Owner MARION H BARTON

PHONE #
 246-2054
 246-2052

REZONING REQUEST

TOWN OF SELLERSBURG

PERMIT

- ALT.
- BLDG.
- OCC.
- ELEC.
- PLUM.
- HEAT
- A/C
- MISC.

| STRUCTURAL | ELECTRICAL | HEATING | ALTERATION |
|------------------|------------------|------------------|------------------|
| INSPECTION CODE: | INSPECTION CODE: | INSPECTION CODE: | INSPECTION CODE: |
| OCCUPANCY | PLUMBING | AIR COND. | MISC. |
| INSPECTION CODE: | INSPECTION CODE: | INSPECTION CODE: | INSPECTION CODE: |

POST THIS permit in a conspicuous place until all inspections have been made, work approved, and occupancy permit issued by the Building Commission.

Boyer Adams
 Commissioner of Buildings

MARION H. BARTON

DEVELOPMENT

PLAN

5-1-2000

Contents

| | Page |
|--|-------|
| Proposed Development Plan | 2-4 |
| Glen Helen Park Design Adjoining and Adjacent Property Owners See Development Plan for Names of Owners | 5 |
| Plot Plan and Survey of Original 6 Tracts - Fred J. Renn | 6 |
| Survey of 4 Tract - Aug 25, 1999-Paul E. Moffett | 7 |
| Description of Tract 1 | 8 |
| Description of Tract 2 | 9 |
| Description of Tract 3 | 10 |
| Description of Tract 4 | 11 |
| Topography | 12 |
| Building Design- Highland #0464 | 13 |
| Letter of Notification for Rezoning | 14 |
| District Development Plan and Requirements | 15-17 |

Marion H. Barton Development Plan

This is to request a change in zoning from R1 to R2, concerning four tracts of land located in the Glen Helen Addition of Sellersburg at 444,446,448,450,452,454,456,458 Adkins Court. Please reference the most recent survey on page 7 that was completed by Paul Moffett for a map of the vicinity and the proposed arrangement of the buildings at these sites. The proposed use is one duplex on each tract. See pages 8-10 for physical description of each tract.

I. ARRANGMENT OF STRUCTURES:

| TRACT | SIZE | TRACT SQ. FEET | FRONT SET BACK | SIDE SET BACK | REAR SET BACK | ADDRESS |
|-------|------------------|----------------|----------------|---------------|---------------|---------|
| 1 | 90.65' x 100.20' | 9083.13 | 25' | 25' and 5' | 20' | 458,456 |
| 2 | 71.65' x 100.20' | 7179.33 | 25' | 5' and 6' | 20' | 454,452 |
| 3 | 71.65' x 100.02' | 7166.34 | 25' | 5' and 6' | 20' | 450,448 |
| 4 | 90.65' x 100.02' | 9066.81 | 25' | 25' and 6' | 20' | 446,444 |

II. STRUCTURE:

- A. Building Size: App. 55' x 60' including garage (see design drawing)
- B. Unit Size App. 996 sq. ft.
- C. No. of units/struc 2
- D. No. of structures 1 per tract
- E. No of floors 1
- F. Floor Concrete slab
- G. Structure height App. 22' above grade level

III. EXTERIOR:

- A. Siding Brick
- B. Roof Fiberglass shingles
- C. Roof Pitch 8/12
- D. Patio Concrete

IV. INTERIOR:

- A. Walls 2 x 4 (16" center)
- B. Wall finish Drywall
- C. Floor Carpet and Vinyl
- D. Ceiling Drywall
- E. Ceiling height 8' 0"

V. UTILITIES:

- A. Electric 100 AMP-PSI
- B. Water/sewer Town of Sellersburg
- C. Gas Indiana Gas
- D. Telephone Ameritech

VI. MISC:

- A. Parking per stru 4
- B. Parking per unit 2
- C. Parking space Each structure sharing a 25' by 20' space and each unit having an attached garage
- D. Smoke alarm 2 per unit
- E. Fire protection 2 layers 5/8 Type X Drywall between units

Surface water can be easily be managed by the existing storm sewer. There is a storm sewer easement between tracts 2 and 3. Current plans are to complete a minimum of two of the four duplexes within the next 2 years.

Trees and shrubs will be landscaped near the front of the structure to complement the building and to add to the beauty of the neighborhood. A privacy fence between the patios of each of each structure will help to provide privacy for each family unit. The Sellersburg Town Park is located within one block to provide open space for recreational activities.

Notification of intent to rezone (see page 14 for copy of letter) was sent by certified mail to the following: (Number to the left of each name corresponds to numbers on page 5)

#18 June and Clifford Hardin SR
323 Adkins Court
Sellersburg, IN 47172

#19 Eslia G. Gregory
1717 Birchbark Lane
Jeffersonville, IN 47130

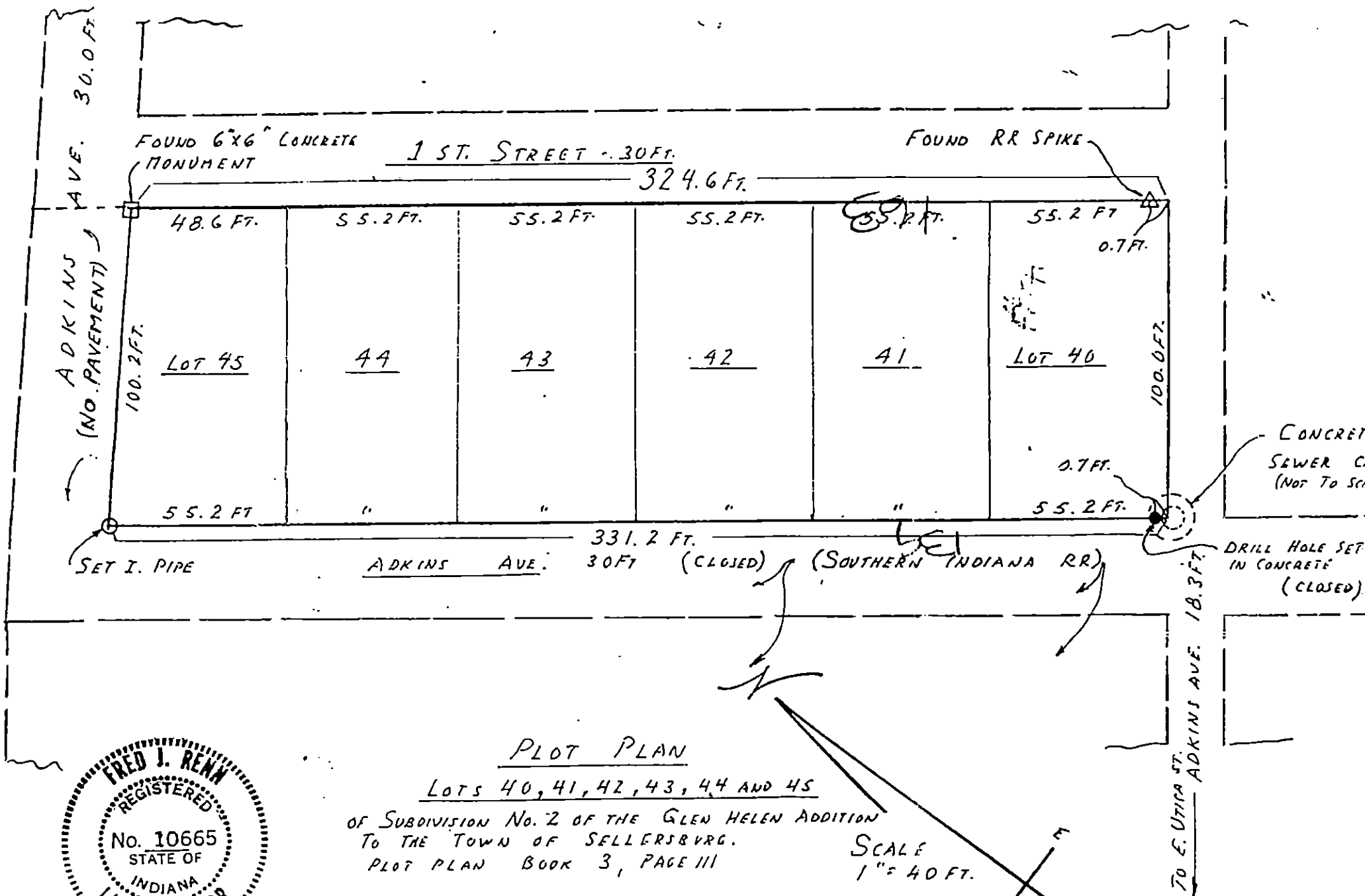
#21 James and Mary Juhas
329 Adkins Court
Sellersburg, IN 47172

- #2 Deloris L Anderson
434 Adkins Court
Sellersburg, IN 47172
- #1 Southern Indiana Railway
Attention: Carol Johnson
P.O. Box 132
Sellersburg, IN 47172
- #15 Anthony Fleming
135 N. Fern Street
Sellersburg, IN 47172
- #14 Perry R. Broadus
139 N. Fern St.
Sellersburg, IN 47172
- #13 Jill Marie Elliott
143 N. Fern Street
Sellersburg, IN 47172
- #27 Kenneth Alexander
701 E. Utica Street
Sellersburg, IN 47172

Notice was also published in the Evening News for ten days and two signs were posted on the property.

The rezoning (R1 toR2) of this property will better utilize the space available for our rapidly growing community. The proposed structures will provide much needed housing in our town and complement the neighborhood. I respectfully submit this plan for consideration to the Planing and Zoning Board of the Town of Sellersburg for review at the May 15, 2000 meeting.

Marion H. Barton 5-1-2000

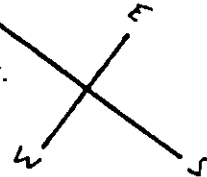


PLOT PLAN

LOTS 40, 41, 42, 43, 44 AND 45

OF SUBDIVISION No. 2 OF THE GLEN HELEN ADDITION
 TO THE TOWN OF SELLERSBURG.
 PLOT PLAN BOOK 3, PAGE III

SCALE
 1" = 40 FT.



Fred J. Renn

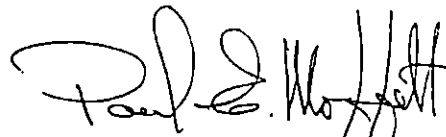
Description of Tract 1

Lot 45 and part of Lot 44 of the Glen Helen Park Addition to the Town of Sellersburg, Indiana (Subdivision No. 2 P.B. 3, page 111) and more particularly described as follows: beginning at the mag nail on the east corner of Lot No. 40 in said subdivision, thence with the southwest line of First Street, N 34°42'55"W, passing a RR spike at 0.78 feet, a distance of 233.95 feet to an iron pin, the true point of beginning; continuing with said southwest line, N 34°42'55"W 90.65 feet to an iron pin; thence with the southeast line of Atkins Avenue, S 58°45'36"W 100.2 feet to an iron pin on the northeast line of the Southern Indiana Rail Road R/W; thence with said R/W line S 34°42'55"E 90.65 feet to an iron pin; thence N 58°45'36"E 100.2 feet to the true point of beginning, containing 0.208 acre, subject to all easements, apparent or of record.

Surveyed: August 25, 1999

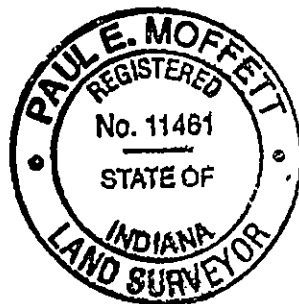
Marion Barton

Job No. 99150A



Paul E. Moffett, L.S.

Indiana Reg. No. 11461



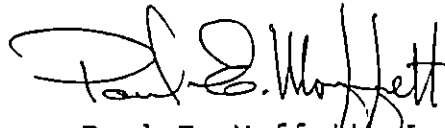
Description of Tract 2

Lot 43 and parts of Lots 44 and 42 of the Glen Helen Park Addition to the Town of Sellersburg, Indiana (Subdivision No. 2 P.B. 3, page 111) and more particularly described as follows: beginning at the mag nail on the east corner of Lot No. 40 in said subdivision, thence with the southwest line of First Street, N 34°42'55"W, passing a RR spike at 0.78 feet, a distance of 162.30 feet to an iron pin, the true point of beginning; continuing with said southwest line, N 34°42'55"W 71.65 feet to an iron pin; thence S 58°45'36"W 100.2 feet to an iron pin on the northeast line of the Southern Indiana Rail Road R/W; thence with said R/W line S 34°42'55"E 74.95 feet to an iron pin; thence N 58°45'36"E 100.05 feet to the true point of beginning, containing 0.168 acre, subject to all easements, apparent or of record.

Surveyed: August 25, 1999

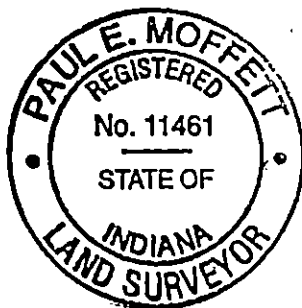
Marion Barton

Job No. 99150B



Paul E. Moffett, L.S.

Indiana Reg. No. 11461



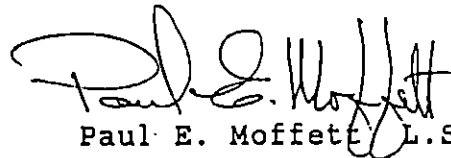
Description of Tract 3

Parts of Lots 41 and 42 of the Glen Helen Park Addition to the Town of Sellersburg, Indiana (Subdivision No. 2 P.B. 3, page 111) and more particularly described as follows: beginning at the mag nail on the east corner of Lot No. 40 in said subdivision, thence with the southwest line of First Street, N 34°42'55"W, passing a RR spike at 0.78 feet, a distance of 90.65 feet to an iron pin, the true point of beginning; continuing with said southwest line, N 34°42'55"W 71.65 feet to an iron pin; thence S 56°52'24"W 100.05 to an iron pin on the northeast line of the Southern Indiana Rail Road R/W; thence with said R/W line S 34°42'55"E 74.95 feet to an iron pin; thence N 54°59'00"E 100.02 feet to the true point of beginning, containing 0.168 acre, subject to all easements, apparent or of record.

Surveyed: August 25, 1999

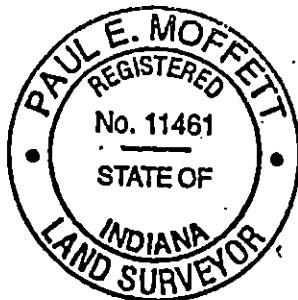
Marion Barton

Job No. 99150C



Paul E. Moffett L.S.

Indiana Reg. No. 11461



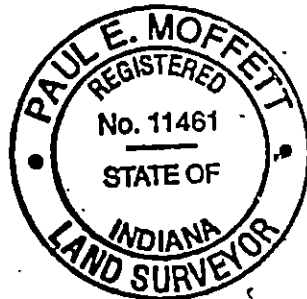
Description of Tract 4

Lot 40 and part of Lot 41 of the Glen Helen Park Addition to the Town of Sellersburg, Indiana (Subdivision No. 2 P.B. 3, page 111) and more particularly described as follows: beginning at the mag nail on the east corner of Lot No. 40 in said subdivision, thence with the southwest line of First Street, N 34°42'55"W, passing a RR spike at 0.78 feet, a distance of 90.65 feet to an iron pin; thence S 54°59'00"W 100.02 to an iron pin on the northeast line of the Southern Indiana Rail Road R/W; thence with said R/W line S 34°42'55"E 90.65 feet to a concrete nail on the northwest line of Atkins Avenue; thence with said northwest line, N 54°59'00"E 100.02 feet to the point of beginning, containing 0.208 acre, subject to all easements, apparent or of record.

Surveyed: August 25, 1999

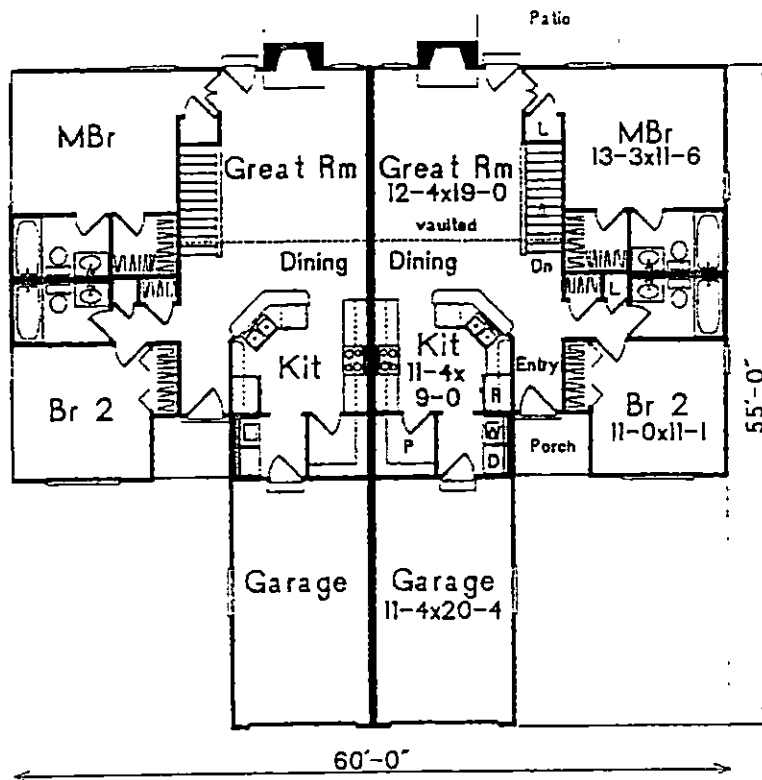
Marion Barton

Job No. 99150D



Paul E. Moffett
Paul E. Moffett, U.S.

Indiana Reg. No. 11461



Stylish Living, Open Design

1,992 total square feet of living area

Special features

- Graciously designed ranch home with alluring openness
- Vaulted kitchen with accent on spaciousness features huge pantry, plenty of cabinets and convenient laundry room
- Master bedroom includes its own cozy bath and oversized walk-in closet
- Each unit has 2 bedrooms, 2 baths, 1-car garage
- Basement foundation
- Duplex has 996 square feet of living space per unit

Proposed changes to Design #0464

Additions:

Brick

Exclusions:

Side windows

Fireplace

Steps to basement



Design #0464

order plans call 1-800-DREAM HOME (373-2646) day or night. For technical information call 1-314-770-2228 8:00 a.m.-5:00 p.m. Mon. through Fri. (CST)

THE TOWN OF SELLERSBURG

Notice is hereby given that Marion H. Barton has/have filed a petition with the Sellersburg Planning and Zoning Commission requesting that the following described real estate be changed from R1 to R2. Said real estate being situated in the Town of Sellersburg in the County of Clark and described as follows:

Lots # 40,41,42, 43,44, & 45 of Glen Helen Addition to Town of Sellersburg,
(Subdivision NO.2 P.B. 3 p.111),

and having a street address of:

444,446,448,450,452,454,456,458 Adkins Court.

Notice is hereby given that the planning commission will hold a public hearing on May 15, 2000 on this petition at the Sellersburg Town Hall 316 East Utica Street at 6:30 p.m. Prior to making a recommendation to the Sellersburg Town Council.

Dated this 3rd day of April.

3.6.21.3 - Landscaping Requirements

All utility transmission equipment shall be screened from adjacent uses with a permanent landscape screen.

Section 3.7 - District Development Plan Requirements

3.7.1 - Purpose

The District Development Plan is necessary to determine and demonstrate compliance with the zoning regulations per IC 36-7-4-601(d)(3), IC 36-7-4-613 and IC 36-7-4-921.

3.7.2 - Application

- (1) District Development Plans are required for all Districts involving a petition for rezoning, contingent uses, special exceptions, variances, and/or parking waivers.
- (2) District Development Plans are required for all uses in the RPO, GO, "B", MHP, and "I" Districts involving an application for an Improvement Location Permit in accordance with Section 3.1.
- (3) Section 2.4 defines the site plan requirements for the Mobile Home Park (MHP) District.

3.7.3 - Requirements

- (1) Elements of District Development Plan

The Plan Commission may require the District Development Plan to contain one or more of the following elements in graphic or written form as are applicable to the property in question and appropriate for adequate public review.

- (a) Existing topography, with a contour interval of two (2) feet and not greater than five (5) feet on steep slopes unless specifically waived by the Plan Commission. Existing topography with a contour interval less than two (2) feet based on field survey may be required by the Commission for all or part of the subject property as existing topographic conditions warrant. Proposed contours with the same contour interval and finished grade spot elevations are also required;
- (b) Vicinity map with measurements to existing streets;
- (c) Boundary description, including area and bearings and dimensions of all property lines;

- (d) Names of all adjoining property owners;
- (e) Lot size and location, height, floor area, and arrangement of proposed and existing buildings;
- (f) Proposed use of structures on the subject property, or, at the Plan Commission's discretion, the categories of uses proposed for the subject property;
- (g) Existing tree masses, significant rock out-croppings, streams, flood plains, and other natural features;
- (h) Provisions for screening and buffering, landscaping, recreational, and open space area;
- (i) The location, arrangement, and dimensions of existing and proposed streets and driveways, adjacent streets, sidewalks, parking areas (including number of off-street parking spaces), points of ingress and egress, off-street loading areas, and other vehicular, bicycle, or pedestrian right-of-ways;
- (j) Provisions for handling surface water drainage and utilities information, where appropriate, such as proposals for gas, water, electricity, telephone service, sewage lines, fire hydrants, and similar information, and the location and dimensions of other existing or proposed easements;
- (k) Demonstration of compliance with land use intensity requirements;
- (l) Proposed stages of development, if applicable, and the anticipated time required to develop each stage;
- (m) The location of any burial grounds or cemeteries; wetlands, or hazardous material dumpsites;
- (n) North Arrow;
- (o) Other such information the Plan Commission deems appropriate;
- (p) All site plans shall be drawn to a sufficient scale to clearly delineate the applicant's proposed use and development of the subject property. Such scale shall be indicated on the development plan.
- (q) Sanitary sewer facilities shall be designed to the latest Indiana Department of Environmental Management and Ten States Standards, and storm drainage facilities shall be designed to the latest Storm Water System

Design Criteria adopted by the town. Engineering computations must be submitted.

(2) Scope of Plan Commission Review

The Plan Commission shall consider, but not be limited to, the following factors in review of a site plan:

- (a) The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;
- (b) The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;
- (c) The provision of sufficient open space (scenic and recreation) to meet the needs of the proposed development;
- (d) The provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community;
- (e) The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;
- (f) Conformance of the development plan with the Comprehensive Plan and Zoning District Regulations.

(3) Developer Commitment

In accordance with IC 36-7-4-613 and IC 36-7-4-921, the Plan Commission (or Board of Zoning Appeals) may require the owner of a parcel of property to make a written commitment concerning the use and development of the subject property.

BOARD OF PLANNING AND ZONING

JANAUARY 17, 2000

The Board of Planning and Zoning Commission met on January 17, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Benita Pate Jim LaMaster, Louis Irmhof, Tom Schuster, and Doug Reiter.


Jim LaMaster and Louis Irmhof will be the two town board representatives for the Planning and Zoning Board.

Doug Reiter made a motion to approve the minutes of the November 15, 1999 meeting, and it was seconded by Tom Schuster. All members present, voted in favor of the motion.


Doug Reiter made a motion to approve the fact we did not have a meeting on December 20, 1999. It was seconded by Tom Schuster. All members present, voted in favor of the motion.

There was no official business on the agenda, tonight.

A motion was made by Jim LaMaster to close tonight's meeting. It was seconded by Tom Schuster. All members present, voted in favor of the motion.

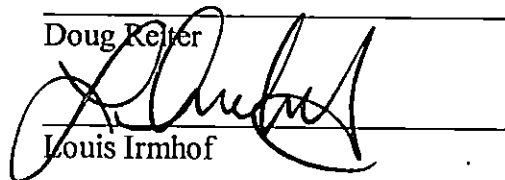


Rodney Pate

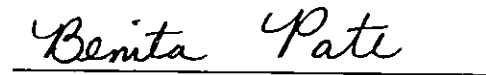


Tom Schuster

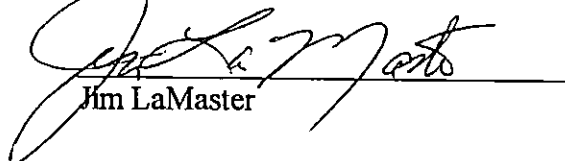
Doug Reiter



Louis Irmhof



Benita Pate



Jim LaMaster

BOARD OF PLANNING AND ZONING

FEBRUARY 22, 2000

The Board of Planning and Zoning Commission met on February 22, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Tom Schuster, Louis Imhof, Jim LaMaster, Benita Pate, and Boyce Adams, the Sellersburg Building Inspector.

THE FOLLOWING MEMBER WAS ABSENT: Doug Reiter.

There was no official business on the agenda, tonight.

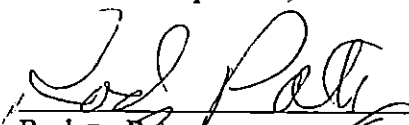
Nomination for chairman and vice chairman was voted on tonight.

Jim LaMaster nominated Rodney Pate for chairman of the Planning and Zoning Commission. Louis Imhof seconded the nomination. All members voted in favor of the motion.

Jim LaMaster nominated Tom Schuster as vice chairman of the Planning and Zoning Commission. Louis Imhof seconded the motion. All members voted in favor of the motion.

Louis Imhof made a motion to approve the minutes of the January 17, 2000 meeting and it was seconded by Jim LaMaster. All members present, voted in favor of the motion.

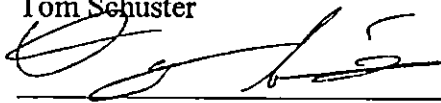
Jim LaMaster made a motion to close the meeting. It was seconded by Tom Schuster. All members present, voted in favor of the motion.



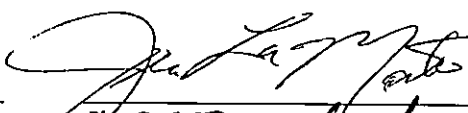
Rodney Pate




Tom Schuster



Doug Reiter



Jim LaMaster



Louis Imhof



Benita Pate

BOARD OF PLANNING AND ZONING

MARCH 20, 2000

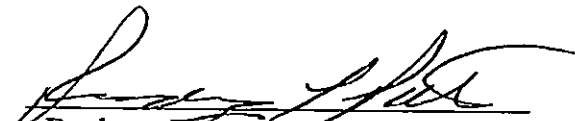
The Board of Planning and Zoning commission met on March 20, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

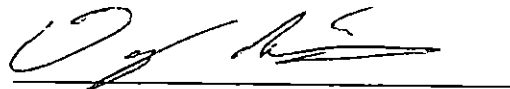
THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Tom Schuster, Louis Imhof, Jim LaMaster, Benita Pate, Doug Reiter, and Boyce Adams, the Sellersburg Building Inspector.


There was no official business on the agenda, tonight.

Jim LaMaster made a motion to approve the minutes of the February 22, 2000 meeting. It was seconded by Louis Imhof. All members present, voted in favor of the motion.

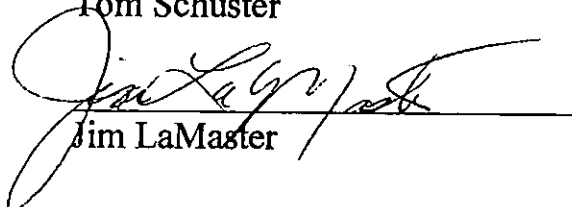
Louis Imhof made a motion to close the meeting and it was seconded by Jim LaMaster. All members present, voted in favor of the motion.

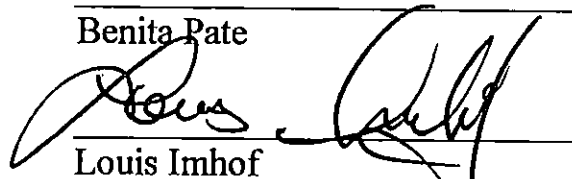

Rodney Pate


Doug Reiter


Tom Schuster


Benita Pate


Jim LaMaster


Louis Imhof

BOARD OF PLANNING AND ZONING

APRIL 17, 2000

The Board of Planning and Zoning Commission met on April 17, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Benita Pate, Doug Reiter, Jim LaMaster, Louis Imhof, Tom Schuster, Bill Voyles, (who is replacing a vacancy on the board), and Boyce Adams, the Sellersburg Building Inspector.

Jim LaMaster made a motion to approve the minutes of the March 20, 2000 meeting. The motion was seconded by Doug Reiter. All members present, voted in favor of the motion.

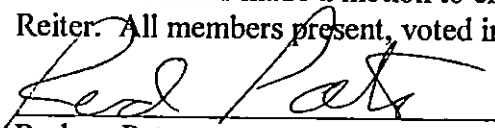
Virgil Bolly was present tonight representing Linda J. Love and Jeanne A. Love and Bruce Benjamin and Brage Benjamin properties requesting rezoning of properties located at 8614 Highway 60 and 8105 Highway 311 Sellersburg Indiana to be rezoned from the current R-1 to B-3.

The return receipts and publication from local newspaper was presented to Secretary of the board.

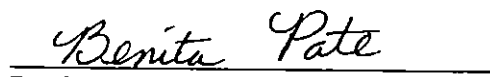
Everything around this property is already zoned B-3.

Jim LaMaster made a motion to approve the rezoning of the property located at 8614 Highway 60 and 8105 Highway 311 to a B-3. It was seconded by Bill Voyles. All members present voted in favor of the motion.

Jim LaMaster made a motion to close the meeting. A second was made by Doug Reiter. All members present, voted in favor of the motion.

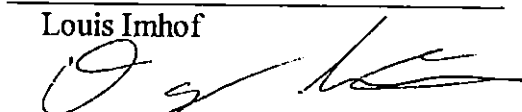

Rodney Pate

Jim LaMaster


Benita Pate

Louis Imhof


Tom Schuster


Doug Reiter


Bill Voyles

RECOMMENDATION TO TOWN COUNCIL, TOWN OF SELLERSBURG
TO CHANGE THE ZONING WITHIN THE
TOWN OF SELLERSBURG, INDIANA

WHEREAS, the Town of Sellersburg Plan Commission has received a Petition requesting a change of zoning for parcels of real property commonly known as the Linda J. Love and Jeanne A. Love and Bruce Benjamin and Brage Benjamin properties located within the Town of Sellersburg, Indiana, which is more accurately identified and described

Love property:

Part of Survey No. 108 of the Illinois Grant, Clark County, in the State of Indiana, described as follows, to-wit: Beginning at a point in the center line of State Highway No. 60 at the Southwest corner of Hecker's 5.0 acre tract, said point being South 26 deg. 21' East 410.3 feet from the west corner of the grantors' original 24.5 acre tract, as described in deed recorded in Deed Record No. 144, Page 21 in the Recorder's Office of Clark County, Indiana; thence South 26 deg. 21 min. East with the centerline of State Highway No. 60, a distance of 496.5 feet to a point, the grantors' southwest corner; thence North 86 deg. 21 min. East with the Grantors' South line 595.5 feet to a point in the centerline of State Highway No. 31-W; thence North 54 deg. 04 min. West 878.2 feet to a stake in Hecker's Southeast line; thence South 43 deg. 41 min. West with Hecker's southeast line 150.0 feet to the place of beginning, containing 4.63 acres, more or less, hereby conveyed subject to the right of way of all public highways.

EXCEPTING THEREFROM, however, a part of Survey No. 108 of the Illinois Grant, Clark County, Indiana, described as follows:

Commencing at the point where the centerline of State Highway No. 60 intersects the centerline of U. S. Highway 31-W; thence North 28 deg. 49 min. East 502.9 feet; thence North 23 deg. 14 min. East 168.0 feet to the true point of beginning in the center line of U. S. Highway 31-W, said point being the southeast corner of Charles and Bonnie Myers' (Grantors) 4.63 acre tract as described in Deed Record 156 page 44 in the office of the Recorder of Clark County, Indiana; thence North 54 deg. 04 min. West with Dr. Regan's South line 280.00 feet to a steel rod; thence South 23 deg. 14 min. West 200.03 feet to a steel rod in Mary Myer's North line; thence North 86 deg.

21 min. East with Mary Myer's North line 306.25 feet to the point of beginning, containing 0.63 acre, more or less, hereby conveyed subject to the right of way of U. S. Highway 31-W.

Subject to any and all easements and/or restrictions of public record which may apply to the above described real estate.

Benjamin property:

Being part of 108 and 110 of the Illinois Grant, to-wit: beginning at an original stone marker in the line between grants #108 and #109, such stone being S. 50 deg. 15' W. two-hundred eight and one-tenth (208.1) feet from the common corner of grants 109 and 110, thence S. 40 deg. 00' E. eight-hundred twenty-five (825.0) feet along the east line of George Lott's land and the west line of Ollie Miller's land (formerly William McKinney land) to an original stone marker in said line, (Lott's southeast corner and Utrecht's line), thence S. 40 deg. 00' E. along this line extended five-hundred ninety-seven (597.0) feet to the true point of beginning.

1. Thence N. 30 deg. 56' 23" E. along a fence (Herschell Hecker's south line) three-hundred seventeen and forty-three hundredths (317.43) feet to a fence corner.

2. Thence S. 40 deg. 36' 24" E. three-hundred seventy-seven and thirty-eight hundredths (377.38) feet to the center line of New Albany-Charlestown State Road (now U. S. Highway No. 31-W).

3. Thence S. 9 deg. 26' 32" W. along the centerline of said Highway U. S. 31-W, three-hundred ninety-six and forty-eight hundredths (396.48) feet to a point (corner of William McKinney and Gray's land now Edward Mathew's land).

4. Thence N. 40 deg. 16' 48" W. along a fence (Edward Mathew's east line also known as the Utrecht's line) four-hundred fifty-one and eighty-eight hundredths (451.88) feet to a point.

5. Thence N. 76 deg. 52' 20" W. along Edward Mathew's line eighteen and forty-seven hundredths (18.47) feet to a point.

6. Thence N. 40 deg. 16' 38" W. along Edward Mathew's east line sixty-one and twelve-hundredths (61.12) feet to a point.

7. Thence N. 30 deg. 56' 23" east along a fence (Herschell Hecker's south line) eleven and forty-one hundredths (11.41) feet to the place of beginning, containing 3.17 acres, less a strip 30 feet wide across the south side of this property for right-of-way of U. S. Highway 31-W, containing 0.27 acres, leaving a total acreage of 2.9 acres for tax purposes.

and,

WHEREAS, this matter was considered at a public meeting at which the public was invited to attend and participate.

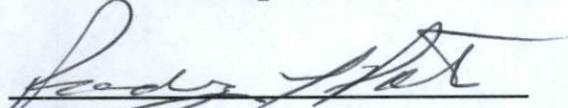
WHEREAS, the Town of Sellersburg Plan Commission has reviewed the Petition requesting a change of zoning; and,

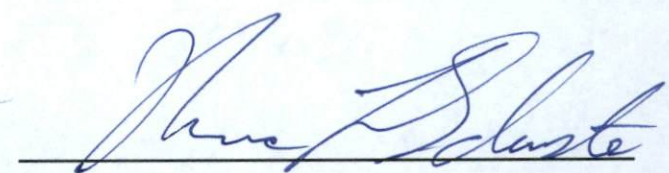
WHEREAS, the Town of Sellersburg Plan Commission has applied the standards and requirements as set out in Section 3.4.4 and has determined the requests for zoning change meets these standards and requirements; and,

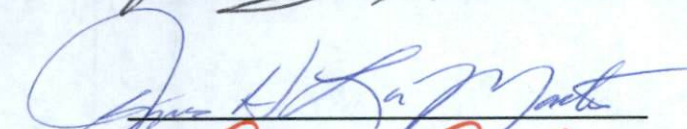
WHEREAS, the Town of Sellersburg Plan Commission has determined that said resolution will provide for the effective administration of town government; and,

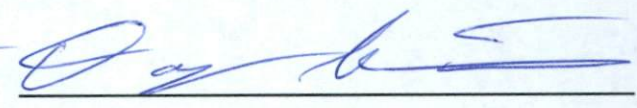
NOW, therefore, the Town of Sellersburg Plan Commission does recommend to the Sellersburg Town Council that said Petition for zoning change be approved.

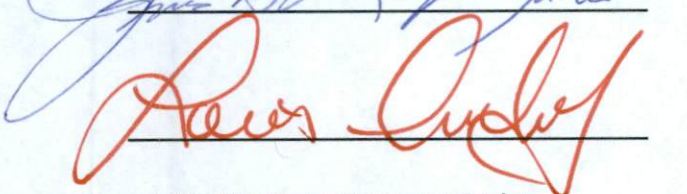
DATED: April 17, 2000.

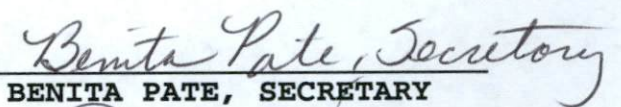


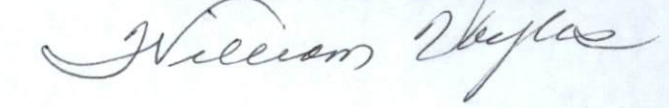








ATTEST 
BENITA PATE, SECRETARY



BOARD OF PLANNING AND ZONING

MAY 15, 2000

The Board of Planning and Zoning Commission met on May 15, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Doug Reiter, Tom Schuster, Bill Voyles, Benita Pate, and Boyce Adams, the Sellersburg Building Inspector.

THE FOLLOWING MEMBERS WERE ABSENT: Jim LaMaster and Louis Imhof.

Marion Barton is present tonight to rezone a parcel of property in Adkins Court for the purpose of erecting duplex apartments. They have six lots and would like to construct four duplexes.

Neighbors present tonight that are opposed to the rezoning are: Joseph and Dolores Anderson, Clifford and June Hardin, Perry and Debra Broadus, and Karen Alexander and Ken Barnes.

Concern was made over the parking, street with narrow alleyway, traffic that would be created.

Board member Tom Schuster felt that easement and all problems should be addressed.


Board member Rodney Pate was concerned about the 12 foot road and safety of children and railroad track. Possibility of fencing in back yards to help alleviate this concern.

Board member Doug Reiter was concerned about the 30 foot easement Southern Indiana Railroad has with the property.


Bill Voyles made a motion to table the rezoning of property at 444 – 458 Adkins Court. This motion was seconded by Tom Schuster. All members present, vote in favor of the motion.

Doug Reiter made a motion to approve the minutes of the April 17, 2000 meeting and it was seconded by Bill Voyles. All members present, voted in favor of the motion.

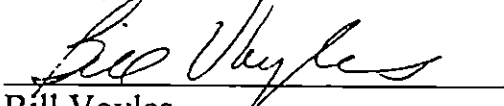
Doug Reiter made a motion to adjourn the meeting. It was seconded by Tom Schuster. All members present, voted in favor of the motion.



Rodney Pate



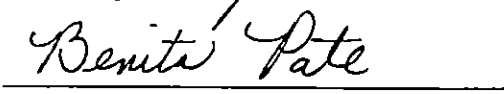
Doug Reiter



Bill Voyles

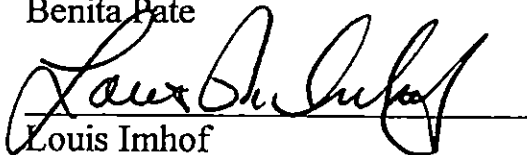


Tom Schuster



Benita Pate

Jim LaMaster



Louis Imhof

BOARD OF PLANNING AND ZONING

JULY 17, 2000

The Board of Planning and Zoning Commission met on July 17, 2000, at the Sellersburg Town Hall, at 6:30 P.M. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Doug Reiter, Jim LaMaster, Louis Imhof, Bill Voyles, and Benita Pate.

THE FOLLOWING MEMBER WAS ABSENT: Tom Schuster.

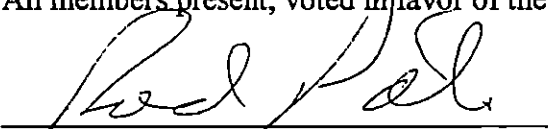
Troy French was present tonight to request that the following described property be changed from B-1 to B-3. The property is located at 7803 Hwy 311, which is next to Easy Cash Pawn and Jewelry.

Everything in the area is already zoned B-3.

Jim LaMaster made a motion to change the zoning from B-1 to B-3. The property is located at 7803 Hwy 311. The motion is seconded by Bill Voyles. All members present, voted in favor of the motion.

Louis Imhof made a motion to approve the minutes of the June 19, 2000 meeting. The motion was seconded by Jim LaMaster. All members present, voted in favor of the motion.

Louis Imhof made a motion to close the meeting, and it was seconded by Bill Voyles. All members present, voted in favor of the motion.




Rodney Pate



Jim LaMaster



Tom Schuster



Doug Reiter



Louis Imhof



Bill Voyles



Benita Pate

BOARD OF PLANNING AND ZONING COMMISSION

AUGUST 15, 2000

The Board of Planning and Zoning Commission met on August 15, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Doug Reiter, Jim LaMaster, Louis Imhof, Bill Voyles, Tom Schuster, and Benita Pate, and Boyce Adams, the Sellersburg Building Inspector.

Doug Reiter made a motion to approve the meeting of the July 18, 2000 meeting. Jim La Master made a second to this motion. All members present, voted in favor of the motion.

Sandy Carver is present tonight requesting rezoning for the property at 444-458 Adkins Court for the purpose of erecting duplex apartments. Sandy Carver was at the June 19, 2000 meeting also with this request. The motion was made for rezoning but was never seconded, so she was able to come back to the board, again with this request.

Sandy Carver started out with her presentation with page 5 of her booklet showing her Glen Helen Park Addition's Design. On page 6 she pointed out the original survey and then the latest survey. She also pointed out the 18.3 feet dedicated to the roadway. Then she pointed out the recent survey showing the six lots becoming 4 lots with the duplex buildings drew on each lot. She showed that the parking setbacks were met in her criteria. Next, she pointed out the district development plan. On page 8, 9, and 10, she showed us the new survey of the 4 tracts by Paul Moffett. On page 12 she showed the topography map. On page 13 she showed the design of the buildings and the proposed changes with no basements. Then she pointed out the development plan that went out to adjoining land owners by certified letters with a return receipt. These receipts, along with the advertisement from the paper were presented to the board's secretary.

At this time Sandy Carver addressed and summarized questions of the homeowners that were raised at the June meeting.

Property devaluation: \$125,00.00 would be spent for each duplex. Purchasing property in this neighborhood is a lot less than this in this neighborhood. She stated that a neighbor asked to buy her property for 33,000.00. Ordinances were passed so we can have a nice community. These would be brick duplexes. She figures she would rent these units for approximately \$610.00 a month. She feels this would not devalue the neighborhood.

Railroad easement: Sandy Carver provided a letter from the Southern Indiana Railway, Inc. from the superintendent, Milton Joseph Fackler, Jr. that their was no special setback and would accept the ordinance of the Town of Sellersburg, which requires a set back of twenty (20) feet from the rear property line and would support a fence, but not have to have one for the railroad.

Traffic: Sandy Carver went to last week's Sellersburg Town Board Meeting asking for the widening of the Adkin's Court or considering a one way road.

Sandy Carver brought up several cases where duplexes were built: Two duplexes on Popp Avenue and Broadway. Also, some duplexes on Oak street where the street was not widened.

Sandy Carver also brought to the attention of the board of the population increase in Sellersburg and the need for duplexes to better utilize space in our community.

At this time the board let the property owners of Atkin's Court address the board with their questions and concerns.

Joseph Anderson was a little upset over the eight (8) foot pile of dirt in front of his property which was on Marion Barton's property and how it was left to grow up in grass and weeds attracting unwanted wildlife in the area.

Sandy Carver said if this land was develop that this would not be a problem.

Penny Broadus concern was if they widened the road, it would take their fence.

Mr. Ken Alexander stated that when he was on the previous town board, developers come with beautiful plans and promises. After the property is rezoned, they build what they want to and not what was presented to the board.

A letter was submitted to the board by the Slone family whom live at 330 Adkins Ct., against the rezoning. Mr. Slone could not be present tonight, due to medical problems.

Doug Reiter figured that if they want to make money off these duplexes, that they would have to charge \$710.00 to \$725.00. That area of Atkins court not draw that kind of rent.

Louis Imhof mentions his experience with a developer by his neighborhood who brought in the works. Plans for complete brick complex, built only 30% brick. Plans for brick garages, built aluminum carports. Playground for children, have only one slide in

The playground. Apartment children cut through their neighborhood, dig under the fence, and get in their neighborhood pools. So rezoning for developers have left bad Experiences with him. He basically is against the project of rezoning this project.

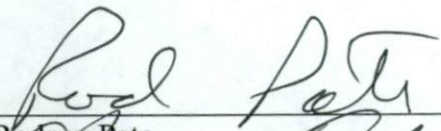
Tom Schuster said he sat with a open mind tonight and he could have changed his mind. At the June meeting Sandy Carter said no one there was on her side, if she had known, she could bring people in favor of her plan. Tom Schuster then stated, "I see no here at this meeting in favor of your plan, other than your immediate family." Essentially, nothing has been presented new to change his mind.

Bill Voyles made a motion to change the rezoning of the lots of 444-458 in Adkins Court for the purpose of erecting duplex apartments. No second was made to the motion.

Louis Imhof made a motion not to change the zoning of lots 444-458 in Adkins Court. Doug Reiter made a second to this motion. Five (5) members voted to approve this motion and one member voted to not approve this motion.

Doug Reiter made a motion to close the meeting. Louis Imhof made a second to the motion. All members present, voted in favor of the motion.

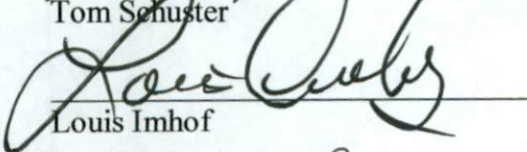
Submitted by: Benita Pate, Secretary



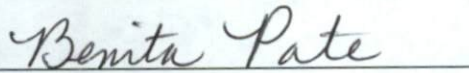
Rodney Pate



Tom Schuster



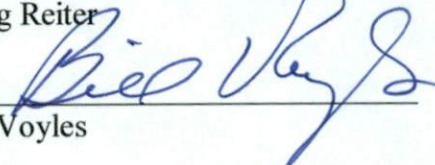
Louis Imhof



Benita Pate



Doug Reiter



Bill Voyles

Jim LaMaster

BOARD OF PLANNING AND ZONING COMMISSION

SEPTEMBER 18, 2000

The Board of Planning and Zoning Commission met on September 18, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Tom Schuster, Doug Reiter, Bill Voyles, Louis Imhof, Benita Pate, and Boyce Adams, the Sellersburg Building Inspector.

THE FOLLOWING MEMBER WERE ABSENT: Jim LaMaster

Ray Patenaude, representing Sellersburg Station, was present tonight to alter the site plan at the Ramada in regards to dumpster placement and parking requirements. A diagram with their required parking places was presented. They are required 79 places, with 6 or 8 for employees and 4 handicap places. Also, they have a reciprocal agreement with the Cracker Barrel Restaurant to share 12 spots.

Tom Schuster made a motion to grant changing of dumpster placement to space number 67 and 68, next to the directional sign. Bill Voyles seconded the motion. All members present, voted in favor of the motion.

Ramada Inn has a total of 86 spaces subtracting 2 for dumpster placement, adding 12 Reciprocal parking places with Cracker Barrel Restaurant makes a total of 84 plus 12 reciprocal parking places.

Bill Voyles made a motion to approve Ramada Inn's parking places with a total of 84 plus 12 reciprocal parking places from the Cracker Barrel Restaurant. It was seconded by Doug Reiter. All member present, voted in favor of the motion.


Also, a copy of the agreement to share parking spaces with Cracker Barrel Restaurant and with Sellersburg Station, LLC was submitted to the board.

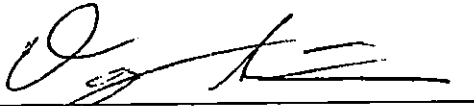
Louis Imhof made a motion to approve the minutes of the August 15, 2000 meeting. Doug Reiter seconded the motion. All members present, voted in favor of the motion.

Louis Imhof made a motion to close the meeting and it was seconded by Doug Reiter. All members present, voted in favor of the motion.


Board of Planning and Zoning
September 18, 2000

Page 2

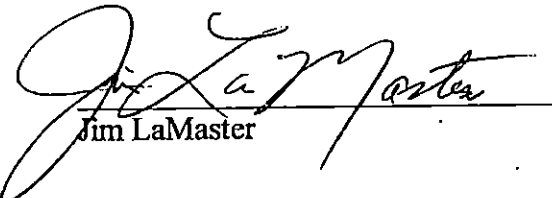

Rodney Pate

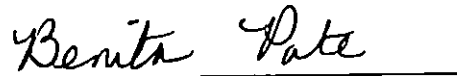

Doug Reiter


Tom Schuster


Bill Voyles

Louis Imhof


Jim LaMaster


Benita Pate

BOARD OF PLANNING AND ZONING COMMISSION

OCTOBER 16, 2000

The Board of Planning and Zoning Commission met on October 16, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Tom Schuster, Doug Reiter, Bill Voyles, Benita Pate, Jim LaMaster, and Boyce Adams, the Sellersburg Building Inspector.

THE FOLLOWING MEMBER WAS ABSENT: Louis Imhof

Stan Richards is present tonight to request a parking variance on approval of the number of parking spaces defined for the Soccer Mania facility located in the Industrial Park at 5010 Progress Way in Sellersburg, Indiana.

This is a 28,000 square foot soccer facility requiring 144 spaces. They have 132 parking spaces.


Stan Richards has checked with similar soccer facilities in the metropolitan area and have found most of their facilities are similar in size or larger and have spaces ranging from 55 to 113 spaces.

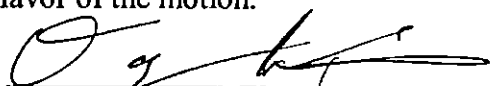
In the comprehensive plan under special exemptions for non-standard uses, you need to come before the Planning and Zoning Board.

Bill Voyles made a motion to approve 132 parking spaces for the Soccer Mania located at 5010 Progress Way in the Sellersburg Industrial park. Tom Schuster seconded the motion. All members, present, voted in favor of the motion.


Jim LaMaster made a motion to approve the minutes of the September 18, 2000 minutes. Doug Reiter seconded the motion. All members, present, voted in favor of the motion.

Jim LaMaster made a motion to adjourn the meeting. It was seconded by Tom Schuster. All members, present, voted in favor of the motion.


Rodney Pate


Doug Reiter


Tom Schuster


Bill Voyles


Jim LaMaster


Louis Imhof

Benita G. Pate, Secretary

BOARD OF PLANNING AND ZONING COMMISSION

NOVEMBER 20, 2000

The Board of Planning and Zoning Commission met on November 20, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.


THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Tom Schuster, Jim LaMaster, Louis Imhof, Doug Reiter, and Benita Pate, and Boyce Adams, the Sellersburg Building Inspector, and Bill Voyles.

There was no official business on the agenda tonight.

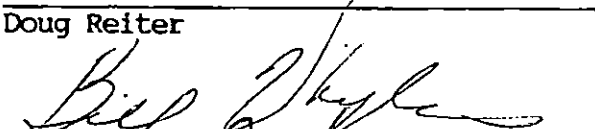
The board discussed the matter of the portable sign ordinances. No official decisions were made on this matter tonight.

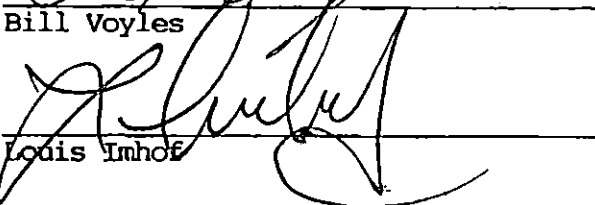
Jim LaMaster made motion to approve the minutes of the October 16, 2000, meeting. It was seconded by Louis Imhof. All members present, voted in favor of the motion.

Jim LaMaster made a motion to close the meeting. It was seconded by Louis Imhof. All members present, voted in favor of the motion.


Rodney Pate


Doug Reiter


Bill Voyles


Louis Imhof


Tom Schuster


Benita Pate

Jim La Master

BOARD OF PLANNING AND ZONING COMMISSION

DECEMBER 18, 2000

The Board of Planning and Zoning Commission met on December 18, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Tom Schuster, Louis Imhof, Bill Voyles, Benita Pate, Doug Reiter, and Boyce Adams, the Sellersburg Building Inspector.

THE FOLLOWING MEMBER WAS ABSENT: Jim LaMaster.

Louis Imhof made a motion to approve the minutes of the November 20, 2000, meeting as written. Bill Voyles, seconded the motion. All members present, voted in favor of the motion.

Terry Smith, Greg Edwards, and Chet Michell, of Michell Timperman Ritz, were present tonight to touch base with the board on the future site plans for the new Sellersburg Junior High to be built.

The Sellersburg Board of Planning and Zoning made a motion to accept the site plans put before us tonight on the new Sellersburg Junior High. The motion was made by Doug Reiter. The motion was seconded by Bill Voyles. All members of the council voted in favor of the motion.

Rodney Pate brought to the boards attention and specifically the two town board members that are on this board that Sellersburg needs a Economic Development Review Board. This would include the Police Chief of Sellersburg, the Fire Chief of Sellersburg, the Head of the Sellersburg Water Department, Head of Sewer Department (which is run by EMC) and the Sellersburg Building Inspector and the town attorney.

Before any developments or new plans for any building for the town being brought before the Board of Planning and Zoning Commission and Town Board, they would be brought to the Economic Development Review Board, first. All these crucial questions would be addressed by the Economic Development Review Board and have answers for the Boards making the decisions. All the questions on police control, sewer usage and supply, water usage and supply, fire protection, and building requirements, and legal questions should be answered and ready to present to the boards.

Nathan Grimes was present tonight observing the board meetings. He is to be the next Sellersburg Building Inspector.

Doug Reiter made a motion to close the meeting. It was seconded by Louis Imhof. All members present, voted in favor of the motion.

Board of Planning and Zoning Commission

December 18, 2000

Page 2

Rodney Pate

Tom Schuster

Doug Reiter

Benita Pate

Bill Voyles

Louis Imhof

Jim LaMaster

ARTICLE 12. PLAN COMMISSION.

Sec. 10-94 Establishment.

In accordance with *I.C.* § 36-7 of the State statutes a plan commission is established. It shall be known as and generally referred to as the "Sellersburg Plan Commission". The work "Commission," when used in this Title, shall be construed to mean the Sellersburg Plan Commission. (1985 *Sellersburg Town Code*, Title 7, Chap. 12, Sec. 1)

Sec. 10-95 Composition and Appointment.

The Commission shall be composed of seven (7) members, appointed in accordance with *I.C.* § 36-7 of State statutes, and appointments of members to the Commission shall be made in accordance therewith. (1985 *Sellersburg Town Code*, Title 7, Chap. 12, Sec. 2)

Sec. 10-96 Organization.

At the first regular meeting of each year the Commission shall elect from its members a president and vice-president. It may appoint and fix the duties of a secretary, who is not required to be a member of the Commission. Said secretary and other such employees as necessary for the discharge of duties may be appointed and compensation fixed in conformity to and in compliance with salaries and compensations theretofore fixed by the Town Council of Sellersburg. (1985 *Sellersburg Town Code*, Title 7, Chap. 12, Sec. 3)

Sec. 10-97 Rules of Procedure; Records.

In accordance with *I.C.*, § 36-7 of the State statutes the Commission shall establish such rules of procedure as necessary to conduct its business, and shall maintain minutes and records as required by said State statute. (1985 *Sellersburg Town Code*, Title 7, Chap. 12, Sec. 4)

Sec. 10-98 Powers and Duties of the Commission.

The Commission shall have such powers and duties as authorized by *I.C.*, 36-7 of the State statutes, and as required by the various provisions of this Chapter of the *Town Code*. (1985 *Sellersburg Town Code*, Title 7, Chap. 12, Sec. 5)

Sec. 10-99 Through Sec. 10-104 Reserved for Future Use.

BOARD OF PLANNING AND ZONING MEMBERS

Rodney Pate

373 Paradise Ave
Sellersburg IN 47172-1442
246-6287 (Home) 989-6287 (Mobile)
246-9204 (Fax)

~~Keith Coats~~ "Woody" Bailey

Benita Pate

373 Paradise Ave
Sellersburg IN 47172-1442
246-6287 (Home) 989-6286 (Mobile)
246-9204 (Fax)

Tom Schuster
809 Forrest Dr North
Sellersburg IN 47172
246-5707 (Home)

Doug Reiter
803 E Utica St
Sellersburg IN 47172
246-8852

Jim LaMaster
408 West Utica
Sellersburg IN 47172
246-4731

Louis Irmhof
1504 Celesta Way
Sellersburg IN 47172
246-3670

Boyce (Boz) Adams

Sellersburg Building Inspector
Sellersburg Fire Station
246-7239 and 246-7233
246-7240 (Fax) fireems@thepoint.net (e:mail)

Nathan Greimes

BOARD OF PLANNING AND ZONING

JUNE 19, 2000

The Board of Planning and Zoning Commission met on June 19, 2000, at the Sellersburg Town Hall, at 6:30 p.m. Rodney Pate, chairman, called the meeting to order.

THE FOLLOWING MEMBERS WERE PRESENT: Rodney Pate, Doug Reiter, Tom Schuster, Bill Voyles, Benita Pate, Louis Imhof.

THE FOLLOWING MEMBER WAS ABSENT: Jim LaMaster.

Last month a motion was made by the board to table the rezoning of property at 444-458 Adkins Court for the purpose of erecting duplex apartments. Sandy Carver is present tonight for the rezoning of 444-458 Adkins Court for the purpose of erecting duplex apartments.

A letter was submitted by Sandy Carver that she received from the Southern Indiana Railway, Inc agreeing with the Town of Sellersburg to accept ordinance on required setback of (20) twenty feet from the property line of this property in Adkins Court in Sellersburg where it adjoins the property of the railroad tracks. A copy of letter is attached to minutes of the meeting for the record.

Neighbors were present again tonight expressing their concerns. Joe Anderson is concerned about the parking problem, and traffic problem on narrow road. Clifford Hardin is concerned about parking problem and traffic. Perry and Debra Broadus are concerned with the width of the road and traffic problem.

Sandy Carver said the duplexes would be rented for approximately \$610.00.

Bill Voyles, member of the board said the town maybe could widen the road which is only 12 feet at this time. Neighbors were concerned over this because they do not have much yard now, if road was widened, it would be very close to the front of their houses.

Tom Schuster, member of the board was concerned over the narrow road and would personally want a fence in the back yards of the duplexes due to the railroad track.

Doug Reiter, member of the board was concern over the width of the road and need to fix problem of traffic before allowing anything to be built.

Bill Voyles made a motion to rezone property on 444-458 Adkins Court to R-1 to R-2 in order to construct duplexes. There was no second to the motion. The motion was dropped.

Morris Lanham came before the board tonight concerning a fine received due to not pulling a permit on installing new air conditioners on top of Bill Fry's Building. He was referred to the Town Board on this matter.

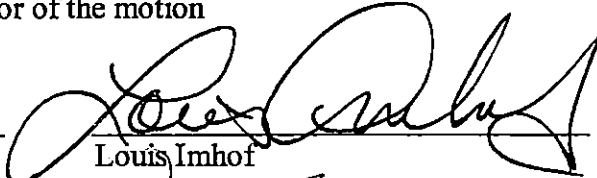
James Perry of the Moose Lodge was present tonight inquiring about RV's that come to the lodge and park on their property. He was referred to the Board of Zoning Appeals Board.

Louis Imhof made a motion to approve the minutes of the May 15, 2000 meeting as written. It was seconded by Tom Schuster. All members present, voted in favor of the motion.

Tom Schuster made a motion to close the meeting and it was seconded by Louis Imhof. All members present, voted in favor of the motion




Rodney Pate



Louis Imhof

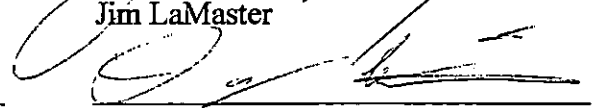


Benita Pate

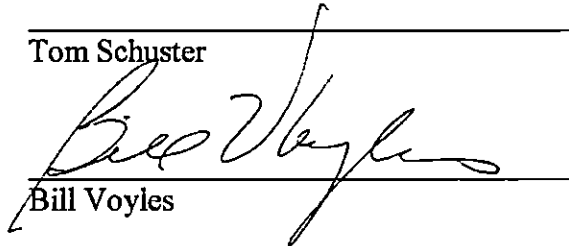


Jim LaMaster

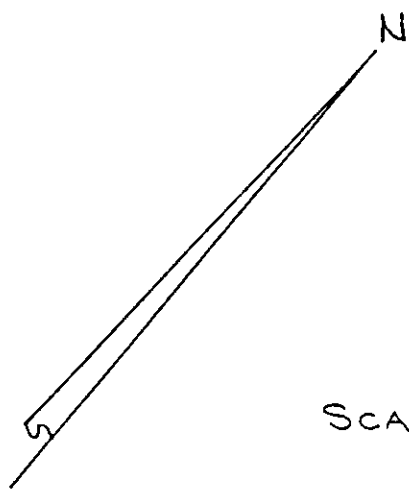
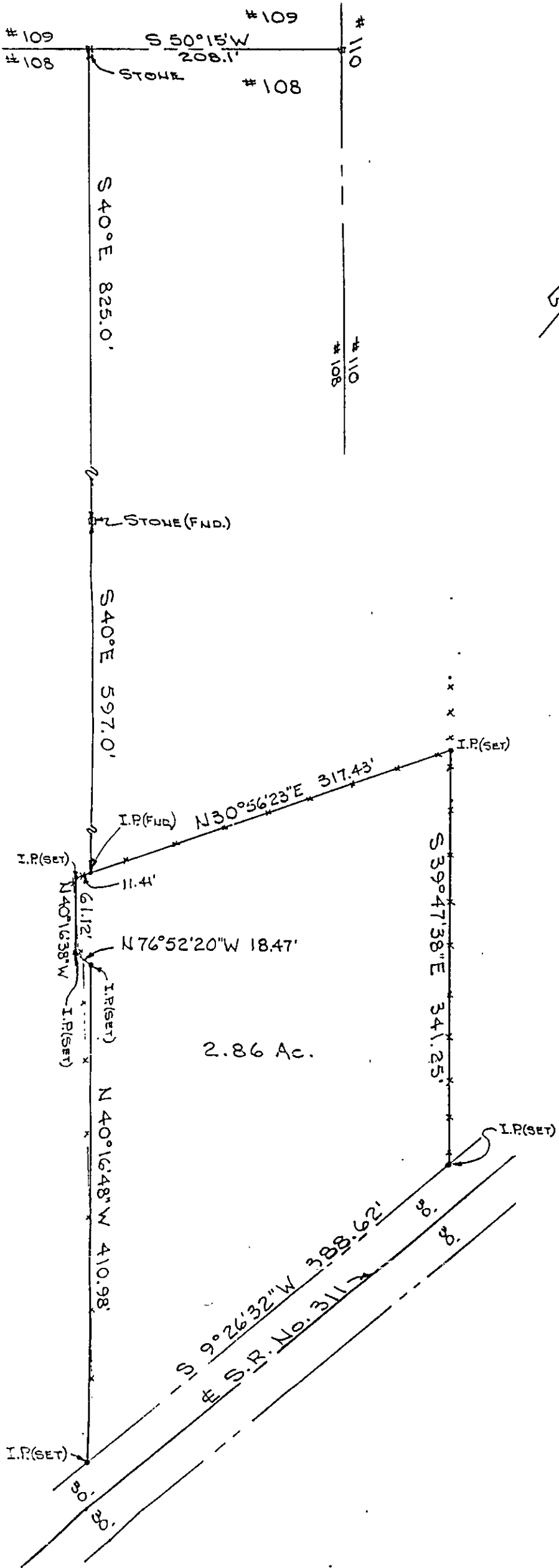
Tom Schuster



Doug Reiter



Bill Voyles



SCALE: 1" = 100'

SURVEYED: APRIL 24, 1992

FOR: BRUCE & BRAGE BENJAMIN

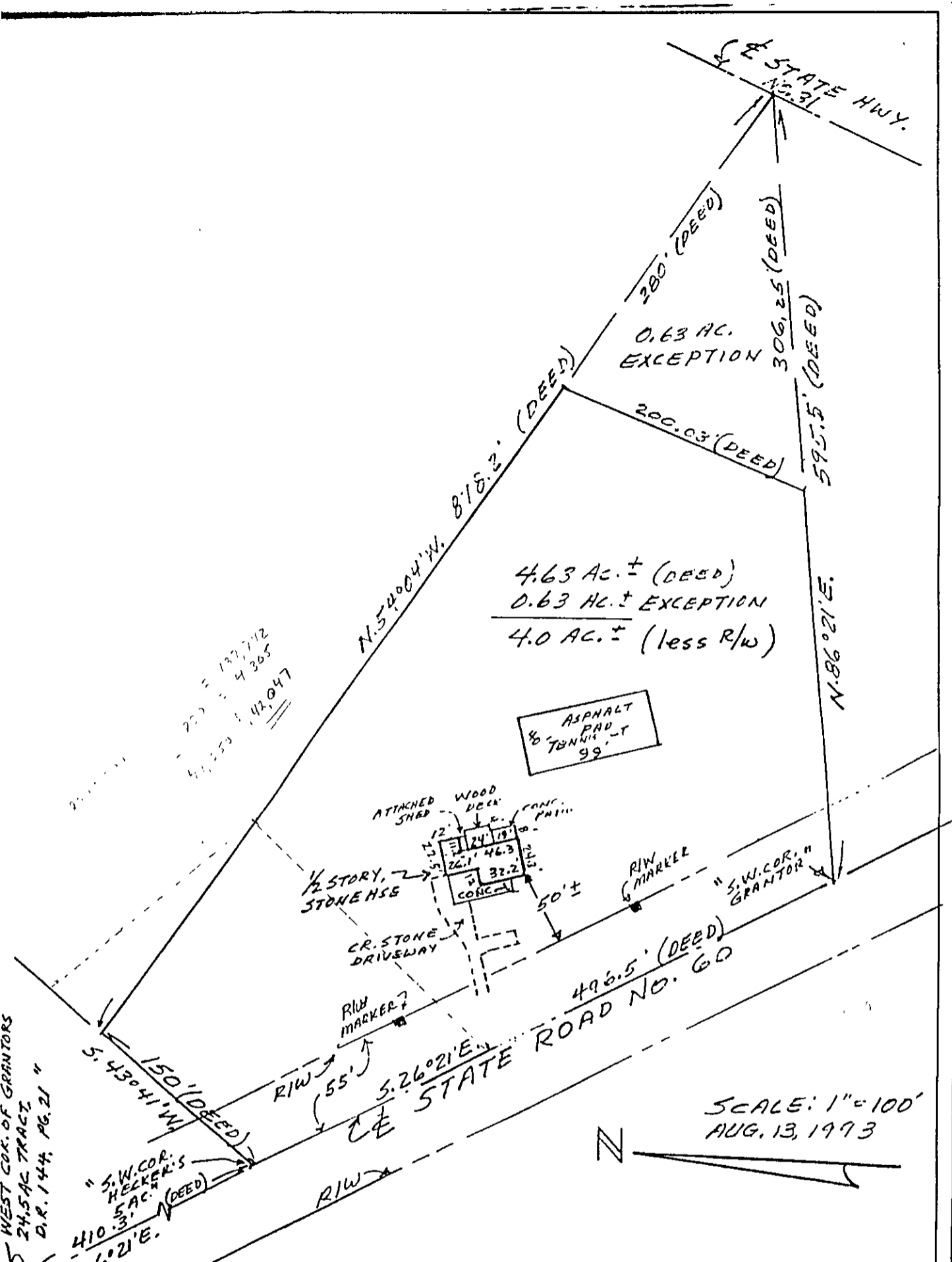
Job No 92134

Paul E. Moffett



2.86 Ac.

S 9°26'32" W 388.62'
E S.R. No. 3117

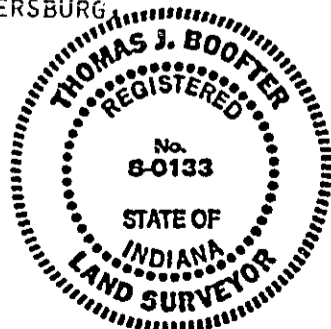


4.0 ACRE PART OF SURVEY 108 OF THE ILLINOIS GRANT, CLARK CO., IN.
 NEW OWNERS - LINDA & JEANNE A. LOVE
 PROPERTY ADDRESS - 3614 HIGHWAY 60, SELLERSBURG, IN. 47172

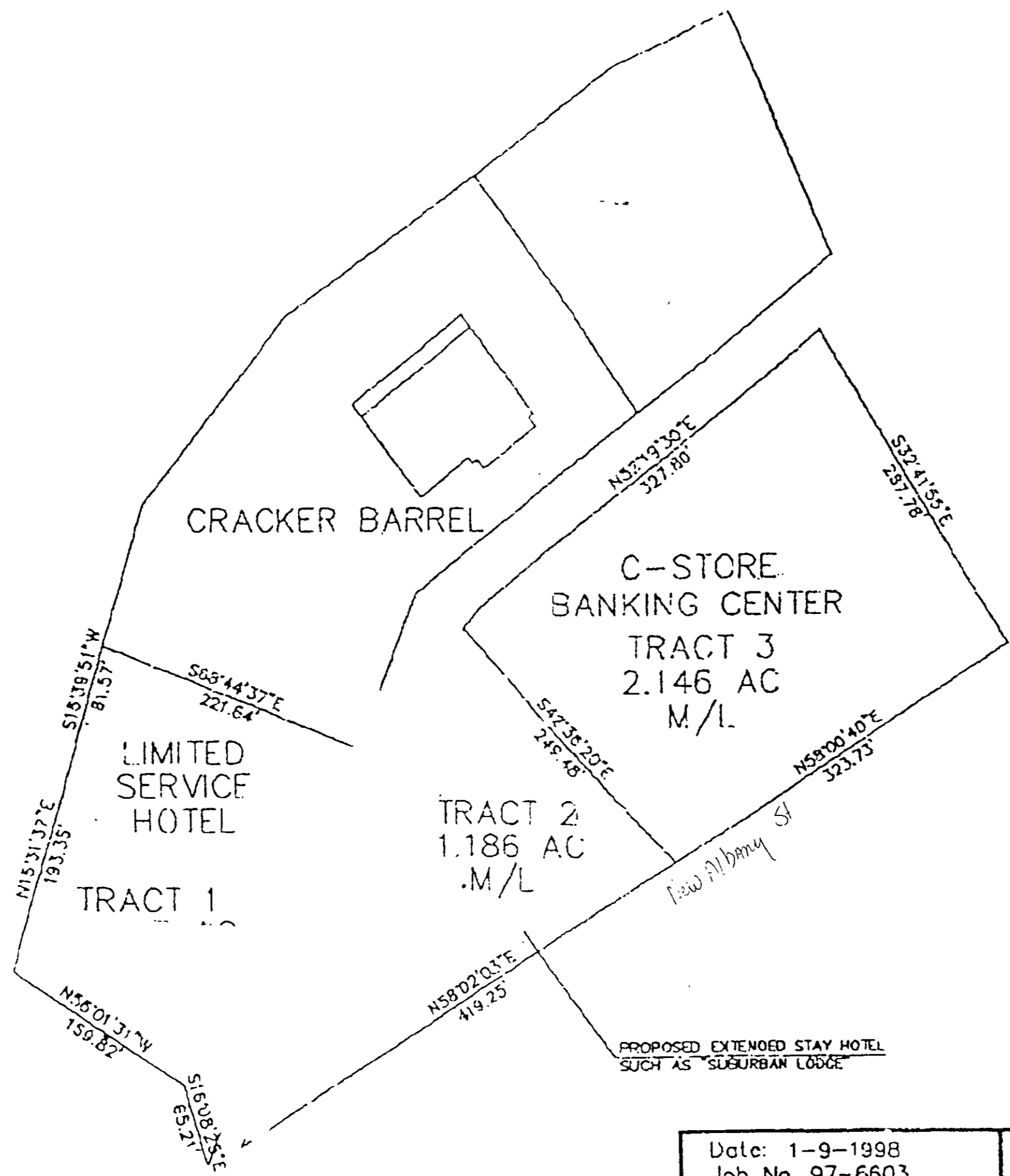
I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE PROPERTY LINES, EASEMENTS, AND IMPROVEMENTS EXIST AS SHOWN ON THIS DRAWING. I FURTHER CERTIFY THAT THIS LOCATION REPORT AND THE INFORMATION SHOWN HEREON MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS AS ADOPTED BY THE INDIANA SOCIETY OF PROFESSIONAL LAND SURVEYORS ON JANUARY 29, 1981 AND APPROVED BY THE TITLE UNDERWRITERS OF INDIANA, INC. ON MARCH 20, 1981. I FURTHER CERTIFY THAT I HAVE EXAMINED F.I.A. FLOOD HAZARD BOUNDARY MAP NUMBER 100426, DATED 2-18-83, AND THAT BASED ON THAT EXAMINATION THE SUBJECT PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA.

Thomas J. Boofter
 THOMAS J. BOOFTER, L.S.

CERTIFICATION DATE 8-13-93



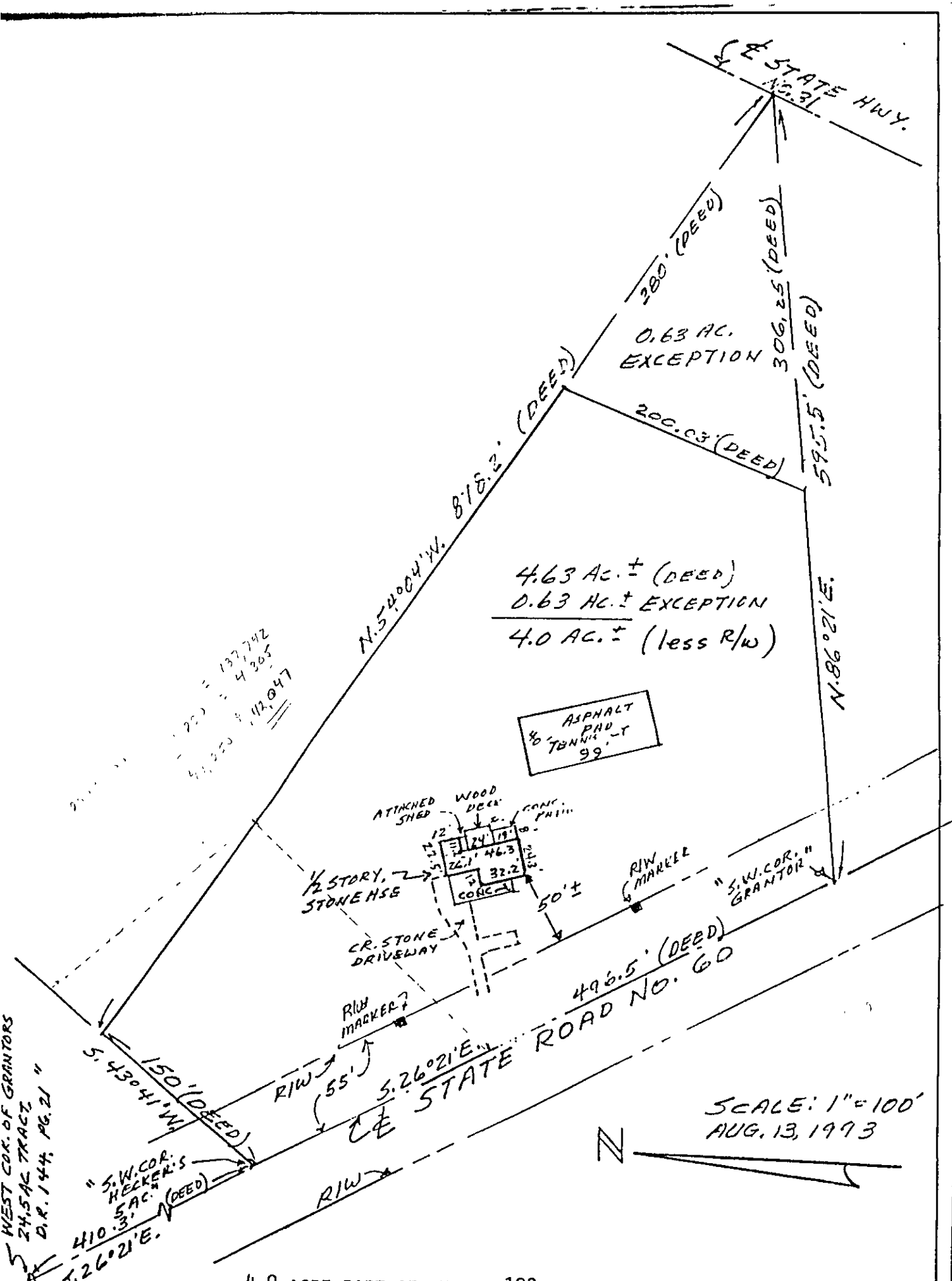
T. J. BOOFTER ASSOCIATES, Civil Engineers and Land Surveyors
 207 West Spring Street, New Albany, Indiana



| NUMBER | BEARING | RAD | ARC L | LC |
|--------|-------------|--------|-------|--------|
| C1 | N43°31'55"E | 140.00 | 41.34 | 141.19 |

Date: 1-9-1998
 Job No. 97-6603
 Drawn By: PEP

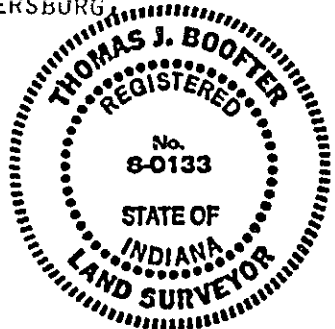
LAND SURVEYORS
PRIMAVERA AND ASSOCIATES
 INCORPORATED
 ENGINEERS



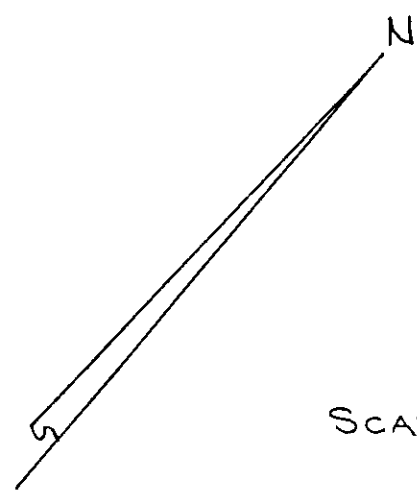
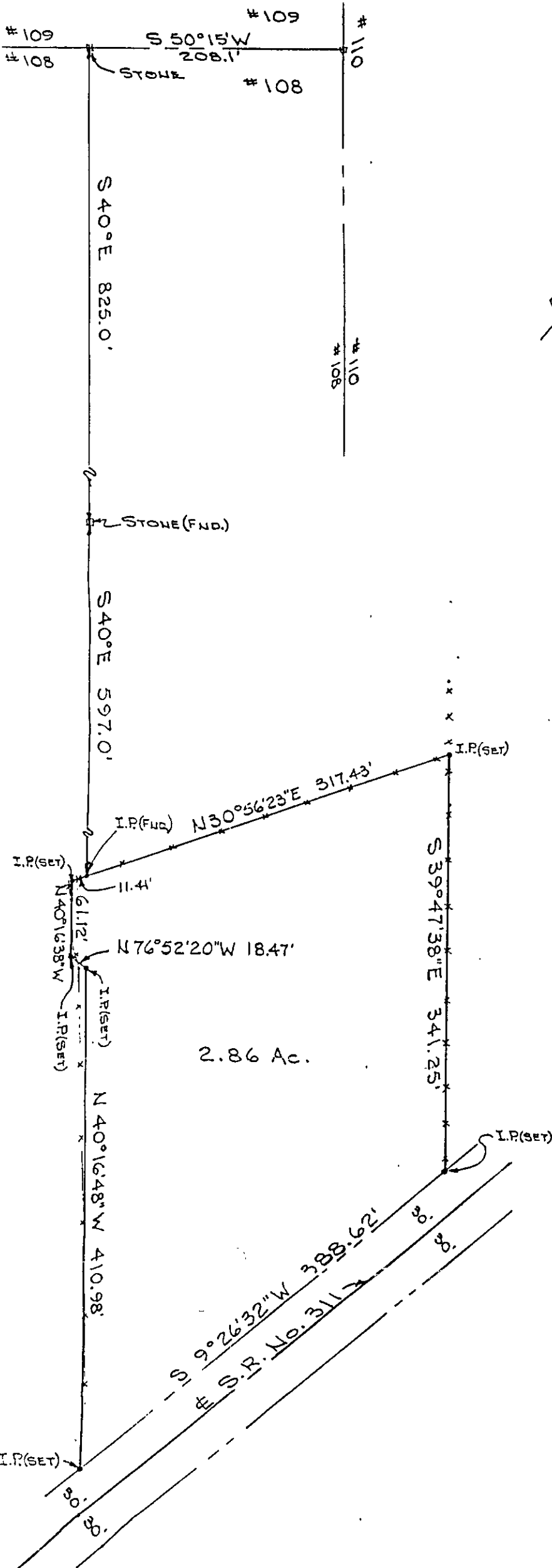
4.0 ACRE PART OF SURVEY 108 OF THE ILLINOIS GRANT, CLARK CO., IN.
 NEW OWNERS - LINDA & JEANNE A. LOVE
 PROPERTY ADDRESS - 3614 HIGHWAY 60, SELLERSBURG, IN. 47172

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE PROPERTY LINES, EASEMENTS, AND IMPROVEMENTS EXIST AS SHOWN ON THIS DRAWING. I FURTHER CERTIFY THAT THIS LOCATION REPORT AND THE INFORMATION SHOWN HEREON MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS AS ADOPTED BY THE INDIANA SOCIETY OF PROFESSIONAL LAND SURVEYORS ON JANUARY 29, 1981 AND APPROVED BY THE TITLE UNDERWRITERS OF INDIANA, INC. ON MARCH 20, 1981. I FURTHER CERTIFY THAT I HAVE EXAMINED F.I.A. FLOOD HAZARD BOUNDARY MAP NUMBER 180426, DATED 2-18-83, AND THAT BASED ON THAT EXAMINATION THE SUBJECT PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA.

Thomas J. Boofter
 THOMAS J. BOOFTER, L.S. CERTIFICATION DATE 8-13-93



T. J. BOOFTER ASSOCIATES, Civil Engineers and Land Surveyors
 207 West Spring Street, New Albany, Indiana



SCALE: 1"=100'

SURVEYED: APRIL 24, 1992

FOR: BRUCE & BRAGE BENJAMIN

JOB No. 92134

Paul E. Moffett



2.86 Ac.

S 9°26'32"W 388.62'
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