Sellersburg Board of Zoning Appeals

January 17, 2005

Meeting was called to order at 6:00 By Chairperson Mr. Charles J. Ridenour

The following members were present: Chairperson Charles J. Ridenour, Vice-Chairperson Kenneth R. Hecker, Charles E. Popp, Francis A. Conroy, Louis R Imhof, Sellersburg Building Commissioner Nathan R. Grimes P.E., and Secretary Kenneth J Alexander.

Motion to nominate Member Ridenour as Chairperson for the Zoning Appeals Board was made by Member Hecker and seconded by Member Popp. Aye-5 Nay-0

Motion to nominate Member Hecker as Vice Chairperson for the Zoning Appeals Board was made by Member Imhof and seconded by Member Conroy. Aye-5 Nay-0

Member Hecker made a motion to table Request for Fence Set Back at 802 Parallel Ave. and seconded by Member Conroy. Motion Approved. Aye-5 Nay-0

Motion to approve variance at 620 W. Utica St. for Dan Cristiani: Minimum lot size, minimum side yard sit-back, minimum front yard sit-back, minimum yard frontage and entrance road to remain private and maintained by Homeowners association was made by Member Imhof and seconded by Member Conroy. Motion Approved. Aye-5 Nay-0

Motion to approve minutes from the last meeting was made by Member Imhof and seconded by Member Conroy. Motion Approved. Aye-5 Nay-0

Member Conroy makes a motion to adjourn the meeting, seconded by Member Imhof. Aye-5 Nay-0 Motion approved and meeting adjourned at 6:25 PM

Charles J. Ridenour, Chairman

Kenneth R. Hecker, Vice Chairman

Francis A. Conroy, Member

Charles E. Popp, Member

Louis R. Imhof, Member

Kenneth J. Alexander, Secretary

SELLERSBURG BOARD OF ZONING APPEALS

The Sellersburg Board of Zoning Appeals met on February 21, 2005 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Zoning Appeals President Charles J. Ridenour at 6:00 P.M.

Present were President Charles J. Ridenour, Vice-President Kenneth R. Hecker, Francis A. Conroy, , Louis R. Imhof, Jr., Charles E. Popp, Building Commissioner Jonas "Jay" Tanner, and Secretary David L. Kinder.

Nathan Grimes, representing Steve Doherty requesting a zoning variance for a sign at 1228 Bringham Drive, lot 10 of the Airport Business Center.

Francis A. Conroy makes a motion to approve the variance for Mr. Doherty, seconded by Louis R. Imhof. 5-aye, 0-nay, motion approved.

Louis R. Imhof, Jr. makes a motion to approve the minutes of the January 17, 2005 Zoning Appeals meeting. (The minutes were not available for members to read). President Ridenour tables the approval of the minutes until the March meeting.

Kenneth R. Hecker makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 5-aye, 0-nay, motion approved, meeting adjourned 6:13 P.M.

Charles J. Ridenour, President

Kenneth R. Hecker, Vice-President

Francis A. Conroy, Member

Louis R. Imhof, Jr., Member

Charles E. Popp, Member

David L. Kinder, Secretary

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

SELLERSBURG ZONING APPEALS BOARD
AGENDA
March 21, 2005

1. Roll Call

2. Request for variance of minimum property width from sixty feet to fifty feet by Mr. Neal Kramer at 130 S. Fern St..

3. Request for variance of minimum lot size (7200 sq. ft.) by Mr. Jerry Birge and Mr. Michael Endris at 1610 Greenwood Rd..

4. Request for variance of minimum side yard set-back from five feet to zero feet by Mr. Jerry Birge and Mr. Michael Endris at 1610 Greenwood Rd..

5. Approve minutes from January and February meetings.

6. Adjournment.

Respectfully Submitted,

Jay Tanner

Jay Tanner

SELLERSBURG BOARD OF ZONING APPEALS

The Sellersburg Board of Zoning Appeals met on March 21, 2005 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Zoning Appeals Vice-President Kenneth R. Hecker at 6:02 p.m.

Present were Vice-President Kenneth R. Hecker, Member Francis A. Conroy and Member Charles E. Popp, Secretary David L. Kinder, Building Commissioner Jonas "Jay" Tanner and Utility Administrator Kenneth J. Alexander.

Absent were President Charles J. Ridenour and member Louis R. Imhof, Jr.

Request for variance of minimum property width from sixty (60) feet to fifty (50) feet at 130 South Fern Street was made by Jeff Parrish.

There was no public comment, pro or con for the variance.

Francis A. Conroy made a motion to approve the variance, seconded by Charles E. Popp. 3-aye, 0-nay, motion approved.

Request for variance of minimum side yard set-back from five feet to zero feet was made by Nathan Grimes (Renaissance Design Builders, Inc.) on behalf of Jerry Birge.

Francis A. Conroy states that the minimum width is sixty (60) and it was not requested. Mr. Grimes states that they will advertise again in the newspaper and bring this back at the April 18, 2005 meeting.

There was no public comment, pro or con, for the variance.

Vice-President Hecker tables this until the April 18, 2005 meeting.

Francis A. Conroy makes a motion to approve the minutes of the January 17, 2005 meeting, seconded by Charles E. Popp. 3-aye, 0-nay, motion approved.

Charles E. Popp makes a motion to approve the minutes of the February 21, 2005 meeting, seconded by Francis A. Conroy. 3-aye, 0-nay, motion approved.

There being no other business Francis A. Conroy makes a motion to adjourn the meeting, seconded by Charles E. Popp. 3-aye, 0-nay, motion approved and meeting adjourned at 6:16 p.m.

Charles J. Ridenour, President

Kenneth R. Hecker, Vice-President

Francis A. Conroy, Member

Louis R. Imhof, Jr. Member

Charles E. Popp, Member

David L. Kinder, Secretary

2.2.2.3 - Special Exceptions

The following uses are permitted subject to conditions set forth in Section 3.6 and the granting of a "special exception" permit by the Board of Zoning Appeals after a public hearing:

(1) Airports and Heliports.

(2) Civic and community clubs.

(3) Hospitals and Sanitariums.

(4) Radio and TV towers.

(5) Railroad Yards.

(6) Utility Transmission Equipment.

2.2.3 - Area

Every lot upon which a structure is hereafter erected shall front onto a dedicated stree public right-of-way and shall conform to the following minimum lot area and width requirements.

(1) Residential Use:

(a) The lot area for residential uses shall be a minimum of seven thousand t hundred (7,200) square feet with a minimum width of sixty (60) feet; a there shall not be less than 7,200 square feet of lot area per dwelling un (i.e., a maximum density of 6.05 dwelling units per acre of lot area).

(2) Non-Residential Use:

(a) The lot area shall be a minimum of ten thousand (10,000) square feet p dwelling unit with a minimum width of one hundred (100) feet. The maximum lot area coverage shall not exceed thirty-five (35) percent an the maximum floor area ratio (i.e., the ratio of the gross floor area to th lot area) shall not exceed 0.5.

(3) Where a lot has less width or area than herein required and was a lot of record contract sales) prior to the effective date of this Ordinance, such lot may be occupied by one dwelling unit that is a "use permitted by right" (Section 2.2.2. the R-1 District. The aggregate width of side yards may be reduced to twenty percent (20%) of the width of the lot, but not less than five (5) feet on each sid

- NOTICE OF PUBLIC HEARING -
Notice by the Sellersburg Board Of Zoning Appeals

Notice is hereby given that the Sellersburg Board of Zoning Appeals will hold a Public Hearing on 3/21/05 (Date) at 6:00 PM (Time) in the Meeting Room of the Sellersburg Town Hall located at 316 East Utica Street. Sellersburg, Indiana to consider a petition by Mr Neal Kramer (Name of applicant) to allow the following:

Grant variance request for minimum yard width from 60 ft. to 50 ft.

(Brief description of request)

On property commonly know as 130 S. Fern St. (Common address of property) and also described by the following:

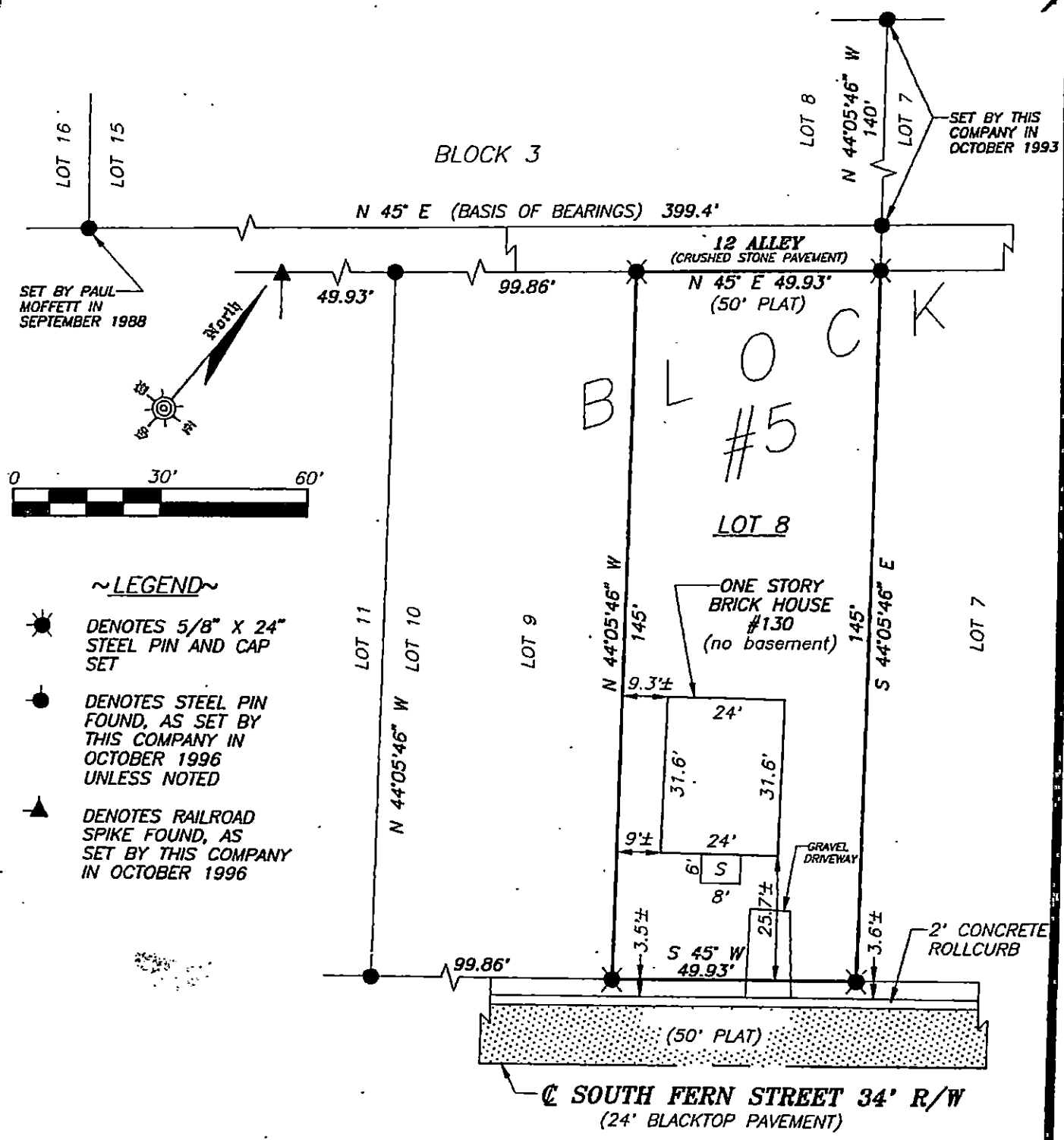
(INSERT LEGAL DESCRIPTION OF PROPERTY)

A copy of this petition, and all pertaining thereto are on file and available for examination prior to the Public Hearing at the offices of the Sellersburg Building Commissioners located in the Sellersburg Town Hall at 316 Utica Street, Sellersburg, Indiana 47172.

Written comments in support of or in opposition of the Petition may be filed with or mailed to the Sellersburg Building Commissioner prior to the Public Hearing at the above address, or filed with the Board of Zoning Appeals Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary.

Sellersburg Board of Zoning Appeals

zoningpublic



SURVEY AND DRAWING OF LOT 8, BLOCK #5, IN DOLD AND POPP ADDITION TO THE TOWN OF SELLERSBURG AS SHOWN IN PLAT BOOK 3, PAGE 70 OF THE CLARK COUNTY, INDIANA RECORDS AND BEING SITUATED AT 130 130 SOUTH FERN STREET, SELLERSBURG.

THE PROPERTY SHOWN IS NOT LOCATED IN FLOOD ZONE A OR B ACCORDING TO FLOOD MAP NUMBER 180028 0001 B, DATED AUGUST 1, 1980.

tes:

(1) Title examination may reveal other easements and/or Rights of ways not shown hereon. Floodways, wetlands, environmental issues, zoning regulations, and other items which may encumber this property were not included in the scope of this survey.

(2) All monuments ...

- NOTICE OF PUBLIC HEARING -
Notice by the Sellersburg Board Of Zoning Appeals

Notice is hereby given that the Sellersburg Board of Zoning Appeals will hold a Public Hearing on MARCH 21ST 2005 (Date) at 6:00 PM (Time) in the Meeting Room of the Sellersburg Town Hall located at 316 East Utica Street. Sellersburg, Indiana to consider a petition by JERRY BIRGE/MICHAEL ENDRIS (Name of applicant) to allow the following:

GRANT VARIANCE REQUEST FOR: (1) MINIMUM LOT SIZE (7200 SQ.F.
(2) ZERO feet SIDE YARD distance

(Brief description of request)

On property commonly know as 1610 GREENWOOD Rd. (Common address of property) and also described by the following:

(INSERT LEGAL DESCRIPTION OF PROPERTY)

SEE Attached

A copy of this petition, and all pertaining thereto are on file and available for examination prior to the Public Hearing at the offices of the Sellersburg Building Commissioners located in the Sellersburg Town Hall at 316 Utica Street, Sellersburg, Indiana 47172.

Written comments in support of or in opposition of the Petition may be filed with or mailed to the Sellersburg Building Commissioner prior to the Public Hearing at the above address, or filed with the Board of Zoning Appeals Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary.

Sellersburg Board of Zoning Appeals

zoningpublic

Being Lot 3 of Greenwood Subdivision Unit No. 1, Plat Book 6, Page 197, and a part of Survey 66, Silver Creek Township, Clark County, Indiana, also being part of the lands described in Ekart (DD 6-298 and DD 2-5988) described as follows: Beginning at a 5/8" rebar at the West corner of Lot 1 of Greenwood Subdivision, Thence N 54 deg. 00' 42" E, a distance of 200.00 feet to a 1" pinched pipe at the West corner of Lot 3, THE TRUE POINT OF BEGINNING, Thence N 54 deg. 00' 42" E, a distance of 100.00 feet to a mag nail, Thence S 35 deg. 20' 11" E, a distance of 195.84 feet to a 1/4" steel rod, Thence N 53 deg. 45' 36" E, a distance of 25.01 feet to a pinched pipe, Thence S 35 deg. 21' 24" E, a distance of (210.00 feet deed) 210.29 feet measured to a 1" pinched pipe, Thence S 53 deg. 45' 36" W, a distance of (329.2 feet deed) 329.25 feet measured to a 1" pinched pipe, Thence N 34 deg. 07' 24" W, a distance of 160.59 feet to a 5/8" rebar, Thence N 53 deg. 51' 22" E, a distance of 100.77 feet to a 5/8" rebar, Thence N 35 deg. 20' 54" W, a distance of 49.96 feet to a 5/8" rebar, Thence N 53 deg. 45' 33" E, a distance of 100.00 feet to a 5/8" rebar, Thence N 35 deg. 20' 18" W, a distance of 196.28 feet along the northeast line of Lot 2 of Greenwood Subdivision to THE TRUE POINT OF BEGINNING.

Containing 1.914 acres. Including a 50 foot wide access and utility easement across Lot 2 along and adjacent to the entire Northeast line of Lot 2 of Greenwood Subdivision.

Being a part of the real estate conveyed to Manford W. Ekart and Mary Elizabeth Ekart, husband and wife, by deed dated September 6, 1970, and of record in Deed Drawer 2, Instrument No. 5988, and by deed dated December 19, 1973, and of record in Deed Drawer 6, Instrument No. 298, in the office of the Recorder of Clark County, Indiana.

~~The Grantees assume and agree to pay all real estate taxes now due and all subsequent taxes.~~

~~DEC 10 2004~~

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

SELLERSBURG ZONING APPEALS BOARD
AGENDA
April 18, 2005

1. Roll Call.

2. Request for variance of side yard set-back from five (5) feet to zero (0) feet by Jerry Birge and Michael Endris at 1610 Greenwood Rd. (tabled from March 21, 2005 meeting).

3. Request for variance of minimum total lot size by Jerry Birge and Michael Endris at 1610 Greenwood Rd. (tabled from March 21, 2005 meeting).

4. Request for variance of minimum lot width from sixty (60) feet to fifty (50) feet by Jerry Birge and Michael Endris at 1610 Greenwood Rd..

5. Approve minutes of last meeting.

6. Adjourn.

Respectfully Submitted,

Jay Tanner

Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG BOARD OF ZONING APPEALS

The Sellersburg Board of Zoning Appeals met on April 18, 2005, at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Zoning Appeals President Charles J. Ridenour at 6:04 P.M.

Present were President Charles J. Ridenour, Vice-President Kenneth R. Hecker, Francis A. Conroy, Charles E. Popp, Building Commissioner Jonas "Jay" Tanner, and Secretary David L. Kinder.

Louis R. Imhof, Jr. resigned from the Board of Zoning Appeals at the Sellersburg Town Council meeting of April 11, 2005.

Nathan Grimes, Renaissance Design Build, Inc, represented Jerry Birge and Michael Endris for three zoning variances at 1610 Greenwood Road, Sellersburg, Indiana.

1. Variance of side yard set-back from five feet to zero feet.

2. Variance of minimum total lot size.

3. Variance of minimum lot width from sixty (60) feet to fifty (50) feet.

These variances were advertised and the area posted with the variance requests and there were no protesters to the variance.

Francis A. Conroy makes a motion to grant all three variances, seconded by Kenneth R. Hecker. 4-aye, 0-nay, motion approved and variances granted.

Kenneth R. Hecker makes a motion to approve the minutes of the March 21, 2005 meeting, seconded by Charles E. Popp. 4-aye, 0-nay, motion approved.

Francis A. Conroy makes a motion to adjourn the meeting, seconded by Kenneth R. Hecker. 4-aye, 0-nay, motion approved, meeting adjourned 6:12 P.M.

Charles J. Ridenour, President

Kenneth R. Hecker, Vice-President

Francis A. Conroy, Member

Charles E. Popp, Member

David L. Kinder, Secretary

APRIL 18th

Sellersburg Board of Zoning Appeals Petition

(Application Form)

WE, JERRY BIRGE + MICHAEL ENDRIS do hereby formally petition the Sellersburg
(Property Owners Name)

Board of Zoning Appeals to GRANT VARIANCES FOR: ① ZERO feet side YARD distance ② Minimum total Lot size ③ MINIMUN Lot width
(Action Requested)

for the property located at 1610 GREENWOOD Rd. (VACANT GROUND)
SELLERSBURG IN 47172

Petition to be presented to the Sellersburg Board of Zoning Appeals for action on

APRIL 18, 2005 at 6:00 PM.
(Meeting Date)

Property Owner Signature

Property Owner Signature (If Applicable)

Property Owner's Address

Property Owner's Phone Number

Date

- NOTICE OF PUBLIC HEARING -
Notice by the Sellersburg Board Of Zoning Appeals

Notice is hereby given that the Sellersburg Board of Zoning Appeals will hold a Public Hearing on APRIL 18th 2005 (Date) at 6:00 pm (Time) in the Meeting Room of the Sellersburg Town Hall located at 316 East Utica Street. Sellersburg, Indiana to consider a petition by JERRY BIRGE/MICHAEL ENDRIS (Name of applicant) to allow the following:

GRANT VARIANCE REQUESTS FOR: (1) MINIMUM LOT SIZE (2) ZERO FEET SIDE YARD DISTANCE (3) MINIMUM LOT WIDTH

(Brief description of request)

On property commonly know as 1610 GREENWOOD Rd (Common address of property) and also described by the following:

(INSERT LEGAL DESCRIPTION OF PROPERTY)

SEE Attached

A copy of this petition, and all pertaining thereto are on file and available for examination prior to the Public Hearing at the offices of the Sellersburg Building Commissioners located in the Sellersburg Town Hall at 316 Utica Street, Sellersburg, Indiana 47172.

Written comments in support of or in opposition of the Petition may be filed with or mailed to the Sellersburg Building Commissioner prior to the Public Hearing at the above address, or filed with the Board of Zoning Appeals Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary.

Sellersburg Board of Zoning Appeals

zoningpublic

Being Lot 3 of Greenwood Subdivision Unit No. 1, Plat Book 6, Page 197, and a part of Survey 66, Silver Creek Township, Clark County, Indiana, also being part of the lands described in Ekart (DD 6-298 and DD 2-5988) described as follows: Beginning at a 5/8" rebar at the West corner of Lot 1 of Greenwood Subdivision, Thence N 54 deg. 00' 42" E, a distance of 200.00 feet to a 1" pinched pipe at the West corner of Lot 3, THE TRUE POINT OF BEGINNING, Thence N 54 deg. 00' 42" E, a distance of 100.00 feet to a mag nail, Thence S 35 deg. 20' 11" E, a distance of 195.84 feet to a 1/4" steel rod, Thence N 53 deg. 45' 36" E, a distance of 25.01 feet to a pinched pipe, Thence S 35 deg. 21' 24" E, a distance of (210.00 feet deed) 210.29 feet measured to a 1" pinched pipe, Thence S 53 deg. 45' 36" W, a distance of (329.2 feet deed) 329.25 feet measured to a 1" pinched pipe, Thence N 34 deg. 07' 24" W, a distance of 160.59 feet to a 5/8" rebar, Thence N 53 deg. 51' 22" E, a distance of 100.77 feet to a 5/8" rebar, Thence N 35 deg. 20' 54" W, a distance of 49.96 feet to a 5/8" rebar, Thence N 53 deg. 45' 33" E, a distance of 100.00 feet to a 5/8" rebar, Thence N 35 deg. 20' 18" W, a distance of 196.28 feet along the northeast line of Lot 2 of Greenwood Subdivision to THE TRUE POINT OF BEGINNING.

Containing 1.914 acres. Including a 50 foot wide access and utility easement across Lot 2 along and adjacent to the entire Northeast line of Lot 2 of Greenwood Subdivision.

Being a part of the real estate conveyed to Manford W. Ekart and Mary Elizabeth Ekart, husband and wife, by deed dated September 6, 1970, and of record in Deed Drawer 2, Instrument No. 5988, and by deed dated December 19, 1973, and of record in Deed Drawer 6, Instrument No. 298, in the office of the Recorder of Clark County, Indiana.

~~The Grantees assume and agree to pay all real estate taxes now due and all subsequent taxes.~~

~~DEC 10 2004~~

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

SELLERSBURG ZONING APPEALS BOARD
Agenda
May 16, 2005

1. Roll Call.

2. Request for variance by Morris Lanham to allow outdoor, sidewalk café seating at Diefenbach Café at 128 South New Albany St..

3. Request for two variances by Ed Croucher to change side set-back from 20 feet to 5 feet, and to change rear yard set-back from 20 feet to 10 feet at 1227 Bringham Drive.

4. Request for two variances by Damian and Jill Popp to change minimum lot size from 7,200 sq. ft. to 5,000 sq. ft., and to change minimum lot width from 60 ft. to 50 ft. at 301 Broadway St..

5. Request for variance by Linda Davidson to change minimum side set-back on a corner lot from 30 ft. to 12 ft. at 285 Shirley Ave..

6. Approve minutes from April 18, 2005 meeting.

7. Adjourn.

Respectfully Submitted
Jay Tanner
Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG BOARD OF ZONING APPEALS

The Sellersburg Board of Zoning Appeals met on May 16, 2005 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Zoning Appeals President Charles J. Ridenour at 6:00 p.m.

Present were President Charles J. Ridenour, Vice-President Kenneth R. Hecker member Francis A. Conroy, member Charles E. Popp, Secretary David L. Kinder, Building Commissioner Jonas "Jay" Tanner and Utility Administrator Kenneth J. Alexander.

Request for variance for Morris Lanham, Ed Croucher, Damian and Jill Popp and Linda Davidson were tabled until June 20, 2005 meeting as proper signage was not posted prior to the meeting.

Francis A. Conroy makes a motion to approve the minutes of the April 18, 2005 meeting, seconded by Kenneth R. Hecker. 4-aye, 0-nay, motion approved.

Kenneth R. Hecker makes a motion to adjourn the meeting, seconded by Charles E. Popp. 4-aye, 0-nay, motion approved and meeting adjourned at 6:06 P.M.

Charles J. Ridenour, President

Kenneth R. Hecker, Vice-President

Francis A. Conroy, Member

Charles E. Popp, Member

David L. Kinder, Secretary

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

SELLERSBURG ZONING APPEALS BOARD
AGENDA
June 20, 2005

1. Roll Call.

2. Request for variance by Morris Lanham to allow outdoor, sidewalk café seating at Diefenbach Café at 128 South New Albany St.. Tabled from last meeting.

3. Request for two variances by Ed Croucher to change side set-back from 20 feet to 5 feet, and to change rear yard set-back from 20 feet to 10 feet at 1227 Bringham Dr.. Tabled from last meeting.

4. Request for two variances by Damian and Jill Popp to change minimum lot size from 7,200 sq. ft., and to change minimum lot width from 60 ft. to 50 ft. at 301 Broadway St.. Tabled from last meeting.

5. Request for variance by Linda Davidson to change minimum side set-back on a corner lot from 30 ft. to 12 ft. at 285 Shirley Ave..Tabled from last meeting.

6. Request for variance by Martha Davis to change minimum rear set-back from 20 ft. to 2 ft. at 4120 Lakeside Dr..

7. Approve minutes from May 16, 2005 meeting.

8. Adjournment.

Respectfully Submitted
Jay Tanner
Jay Tanner
Building Commissioner,
Town of Sellersburg

Sellersburg Board of Zoning Appeals Petition
(Application Form)

WE, Morris Lanham do hereby formally petition the Sellersburg
(Property Owners Name)

Board of Zoning Appeals to Allow for outdoor, sidewalk cafe seati.
(Action Requested)

for the property located at Diefenbach Cafe at
128 S. New Albany St.

Petition to be presented to the Sellersburg Board of Zoning Appeals for action on

May 16, 2005 at 6:00 PM.
(Meeting Date)

Morris Lanham
Property Owner Signature

Property Owner Signature (If Applicable)

128 S. New Albany St.
Property Owner's Address

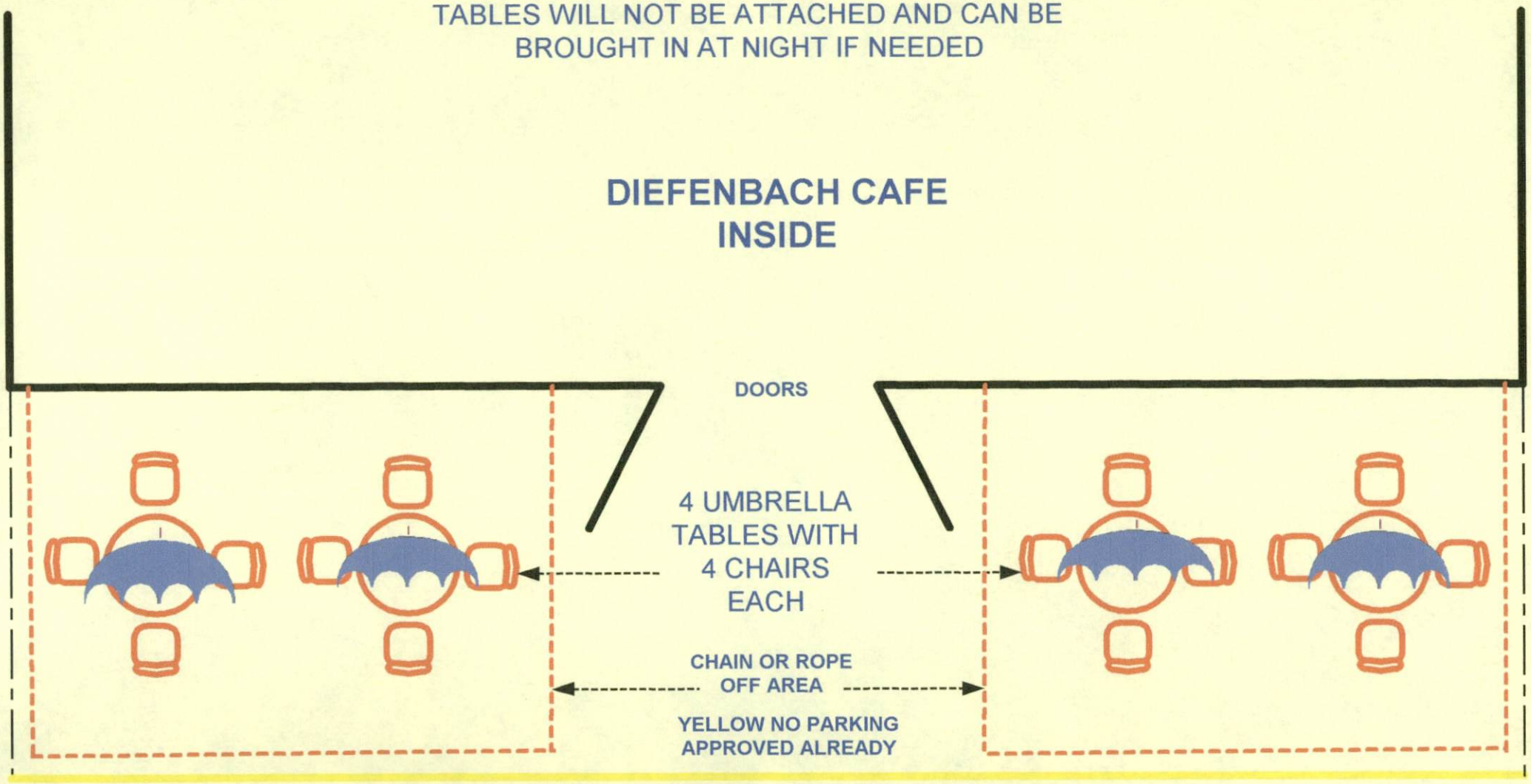
Sellersburg, In. 47172

812-246-0686
Property Owner's Phone Number

5/5/05
Date

TABLES WILL NOT BE ATTACHED AND CAN BE BROUGHT IN AT NIGHT IF NEEDED

DIEFENBACH CAFE
INSIDE



DIEFENBACH CAFE PROPOSED SIDEWALK CAFE

NEW ALBANY STREET

(2) Use

(a) No single establishment shall exceed twenty one thousand (21,000) square feet in total gross area.

(b) All uses in operation except off-street loading and off-street parking shall be conducted within completely enclosed buildings except otherwise specifically permitted.

(c) No outdoor storage shall be permitted other than trash containers, provided that the trash containers exceeding six (6) cubic feet shall be behind or beside the primary structure and be screened from public view and providing access to equipment to service such containers.

(d) No vending machines shall be permitted on or near the exterior of any building on the premises except where containing in a shelter stall or other area so located as not to interfere materially with adjacent property.

(e) Minor displays of merchandise shall be placed outdoors provided such displays are:

(1) Accessory to primary use.

(2) Located immediately adjacent to the primary structure, but not within a required minimum front yard.

(3) Not more than two hundred (200) square feet in total area.

(4) Maintained in an orderly manner.

2.8.4 - Yards

(1) Front Yard

(a) Every lot shall have a front yard of not less than fifteen (15) feet in depth.

(b) Where a lot in a B-1 District abuts upon a lot in an "A" (agricultural) or "R" (residential) District in the same block frontage, the front yard requirements of the "A" or "R" District shall extend into the B-1 District for the first two-hundred (200) feet (or first intersection) for building setbacks and for the first one hundred (100) feet (or first intersection) for parking areas and signs setbacks.

Sellersburg Board of Zoning Appeals Petition
(Application Form)

WE, Ed Croucher do hereby formally petition the Sellersburg
(Property Owners Name)

Board of Zoning Appeals to change side set-back from 20' to 5' & Change Rear yard set-back from 30' to 10'
(Action Requested)

for the property located at 1227 Bringham Dr.
in the Airport Development Center

Petition to be presented to the Sellersburg Board of Zoning Appeals for action on

May 16, 05 at 6:00 PM.
(Meeting Date)

Property Owner Signature

Property Owner Signature (If Applicable)

1227 Bringham dr.
Property Owner's Address

sellersburg

812-246-0229
Property Owner's Phone Number

4-13-05
Date

The following uses are permitted subject to conditions enumerated in Section 3.6 and the granting of a "special exception" permit by the Board of Zoning Appeals after a public hearing:

(1) Any "special exception" found in a B-1 District.

(2) Bar or Tavern with Live Entertainment.

(5) Outdoor Amusements.

2.10.3 - Limitation of Uses

(1) All activities including sales, displays, preparation and storage shall be conducted entirely within the completely enclosed building (except those that may be permitted by the Board).

(2) All products shall be sold at retail on the premises.

2.10.4 - Area

(1) The lot area shall be a minimum of ten thousand (10,000) square feet per structure with a minimum width of one hundred (100) feet. The maximum lot area coverage shall not exceed fifty (50%) percent, and the floor area ratio (i.e., the ratio of gross floor area to lot area) shall not exceed 0.5. [Note: A floor area of any basement or attic is included in the total gross floor area.]

(2) All lots shall be served by sanitary sewers.

2.10.5 - Yards

(1) The following yard requirements shall be observed:

(a) Front Yard: Twenty-five (25) feet. Where a lot in a B-3 District abuts upon a lot in an "A" (agricultural) or "R" (residential) District in the same block frontage, the front yard requirements of the "A" or "R" District shall extend into the B-3 District for the first two-hundred (200) feet (or first intersection) for building setbacks and for the first one hundred (100) feet (or first intersection) for parking areas and signs setbacks.

(b) Side Yard: Twenty (20) feet. Where a lot in the B-3 district abuts upon a lot in an "A" (agricultural) or "R" (residential) district, a side yard of at least twenty (20) in width and a minimum width of ten (10) feet of landscape buffer shall be required on the side adjacent to any said "R" district. The side yard requirement may be reduced by one half (1/2) the

width of any alley right-of-way adjacent thereto, but shall not be less than ten (10) feet in width.

(c) Rear Yard: 20 feet minimum.

2.10.6 - Height

Buildings shall have a maximum height of thirty-five (35) feet.

2.10.7 - Off-Street Parking and Loading Requirements

Refer to Section 1.27.

2.10.8 - Sign Requirements

Refer to Section 2.15.

2.10.9 - Landscaping Requirements

Refer to Section 2.16.

Sellersburg Board of Zoning Appeals Petition
(Application Form)

WE, Damian + Jill Popp do hereby formally petition the Sellersburg
(Property Owners Name)

Board of Zoning Appeals to GRANT VARIANCES FROM ① MINIMUM LOT SIZE FROM 7,200 TO 5,000 sq ft ② MINIMUM LOT WIDTH FROM 60' TO 50'
(Action Requested)

for the property located at 301 BROADWAY

Petition to be presented to the Sellersburg Board of Zoning Appeals for action on

MAY 16, 2005 at 6:00 PM.
(Meeting Date)

Property Owner Signature

Property Owner Signature (If Applicable)

301 Broadway St.
Property Owner's Address

Sellersburg IN. 47172

246-0003
Property Owner's Phone Number

5-6-05
Date

2.2.2.3 - Special Exceptions

The following uses are permitted subject to conditions set forth in Section 3.6 and the granting of a "special exception" permit by the Board of Zoning Appeals after a public hearing:

(1) Airports and Heliports.

(2) Civic and community clubs.

(3) Hospitals and Sanitariums.

(4) Radio and TV towers.

(5) Railroad Yards.

(6) Utility Transmission Equipment.

2.2.3 - Area

Every lot upon which a structure is hereafter erected shall front onto a dedicated street or public right-of-way and shall conform to the following minimum lot area and width requirements.

(1) Residential Use:

(a) The lot area for residential uses shall be a minimum of seven thousand two hundred (7,200) square feet with a minimum width of sixty (60) feet; and there shall not be less than 7,200 square feet of lot area per dwelling unit (i.e., a maximum density of 6.05 dwelling units per acre of lot area).

(2) Non-Residential Use:

(a) The lot area shall be a minimum of ten thousand (10,000) square feet per dwelling unit with a minimum width of one hundred (100) feet. The maximum lot area coverage shall not exceed thirty-five (35) percent and the maximum floor area ratio (i.e., the ratio of the gross floor area to the lot area) shall not exceed 0.5.

(3) Where a lot has less width or area than herein required and was a lot of record (or contract sales) prior to the effective date of this Ordinance, such lot may be occupied by one dwelling unit that is a "use permitted by right" (Section 2.2.2.1) in the R-1 District. The aggregate width of side yards may be reduced to twenty percent (20%) of the width of the lot, but not less than five (5) feet on each side.

Sellersburg Board of Zoning Appeals Petition
(Application Form)

WE, Linda Davidson do hereby formally petition the Sellersburg
(Property Owners Name)

Board of Zoning Appeals to Grant variance of Setback for Fence from 30' to 12'
(Action Requested)

for the property located at 285 Shirley Ave.

Petition to be presented to the Sellersburg Board of Zoning Appeals for action on

May 16, 2005 at 6:00 PM.
(Meeting Date)

Linda Davidson
Property Owner Signature

Linda Davidson
Property Owner Signature (If Applicable)

285 Shirley Ave.
Property Owner's Address

Sellersburg, IN 47172

812 246-4294
Property Owner's Phone Number

5/5/05
Date

2.2.4 - Yards

(1) Front Yard or Street Side Yard:

(a) Every lot shall have a front yard facing a public access roadway not less than thirty (30) feet. If the lot faces two or more public access roadways (i.e., excludes freeways and alleys), the front yard setback shall be observed for each yard facing a street.

(2) Side Yard:

(a) Every lot used for a single-family dwelling shall have a side yard on each side, each of which shall be at least five feet. In the case of a corner lot, the front yard set back shall be observed for any side yard facing a street.

(b) Every lot used for a non-residential use shall have a side yard on each side, each of which shall be at least twenty (20) feet in width.

(3) Rear Yard:

(a) Every lot shall have a rear yard of not less than twenty (20) feet in depth.

2.2.5 - Height

No building or structure or part thereof shall be erected or altered to a height exceeding twenty-five (25) feet.

2.2.6 - Minimum Floor Area

A one-family dwelling shall have a minimum floor area of twelve hundred (1200) square feet.

2.2.7 - Maximum Lot Coverage

The ratio of the building area (i.e., building footprint) to lot area shall not exceed thirty-five (35) percent.

2.2.8 - Off-Street Parking and Loading Requirements

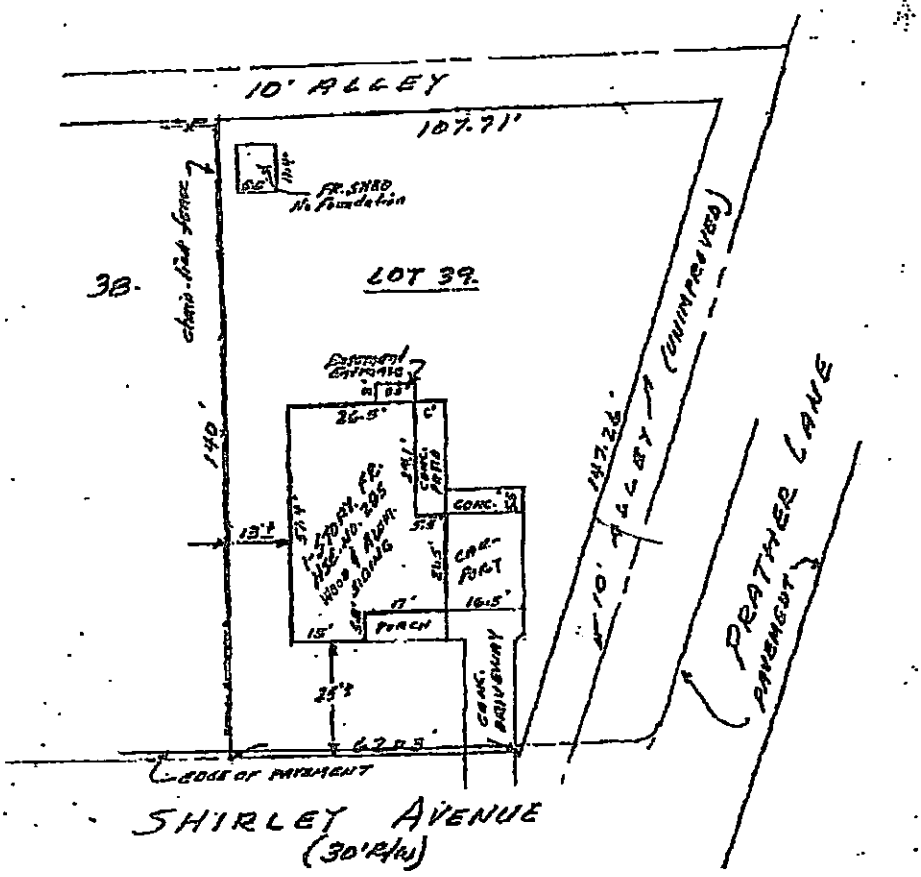
Refer to Section 1.27.

2.2.9 - Sign Requirements

Refer to Section 2.15.

2.2.10 - Landscaping Requirements

Surveyor Location Report - Indiana



LOT 39, GEORGE F. HAAS ADDITION TO TOWN OF SELLERSBURG, PLAT BOOK 3, PAGE 95, CLARK CO., IN.

NEW OWNER - LINDA SUE DAVIDSON

PROPERTY ADDRESS - 285 SHIRLEY AVENUE., SELLERSBURG, IN. 47172

N

SCALE: 1" = 30'
DEC. 1, 1992

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 28, 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 180028, DATED 9/1/80, 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 12/1/92

THOMAS J. BOOFTER REGISTERED No. 0013 STATE OF INDIANA LAND SURVEYOR

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

SELLERSBURG BOARD OF ZONING APPEALS
June 20, 2005

The Sellersburg Board of Zoning Appeals met on June 20, 2005 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Zoning Appeals President Charles J. Ridenour at 6:03 p.m.

Present were President Charles J. Ridenour, Vice-President Kenneth R. Hecker member Francis A. Conroy, member Charles E. Popp, Secretary David L. Kinder, Building Commissioner Jonas "Jay" Tanner and Utility Administrator Kenneth J. Alexander.

MORRIS LANHAM requested a variance for his business at 128 South New Albany Street so he could have sidewalk seating at Diefenbach Café.

Charles E. Popp made a motion to grant the variance for the sidewalk café for a trial period of 3 (three) months and revisit it next year. Motion dies for lack of a second.

ED CROUCHER requests a variance to change side set-back from 20 (twenty) feet to 5 (five) feet and to change rear yard setback from 20 feet to 10 feet at 1227 Bringham Drive.

Charles E. Popp makes a motion to grant these variances, seconded by Kenneth R. Hecker. 4-aye, 0-nay, motion approved.

DAMIAN & JILL POPP request to change minimum lot size from 7,200 (seven thousand two hundred) square feet to 5,000 (five thousand) square feet and to change minimum lot width from 60 (sixty) feet to 50 (fifty) feet.

Francis A. Conroy makes a motion to grant the variances, seconded by Kenneth R. Hecker. 4-aye, 0-nay, motion approved.

LINDA DAVIDSON request a variance to change minimum side set-back on a corner lot from 30 (thirty) feet to 12 (twelve) feet at 285 Shirley Avenue.

Kenneth R. Hecker makes a motion to grant the variance, seconded by Charles E. Popp. 4-aye, 0-nay, motion approved.

MARTHA DAVIS request a variance to change the minimum rear set-back from 20 (twenty) feet to 2 (two) feet at 4120 Lakeside Drive.

Variance request is rejected.

Francis A. Conroy makes a motion to approve the minutes of the May 16, 2005 meeting, seconded by Kenneth R. Hecker. 4-aye, 0-nay, motion approved

Kenneth R. Hecker makes a motion to adjourn the meeting, seconded by Francis A. Conroy.. 4-aye, 0-nay, motion approved and meeting adjourned at 6:35 P.M.

Charles J. Ridenour, President

Kenneth R. Hecker, Vice-President

Francis A. Conroy, Member

Charles E. Popp, Member

David L. Kinder, Secretary

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

SELLERSBURG BOARD OF ZONING APPEALS
AGENDA
July 18, 2005

1. Roll Call.
2. Request by Mr. Darryl Karsner for a variance to change the rear set-back from 20 feet to 6 feet at 331 Broadway Street to allow room to construct a 24' x 24' two car garage.
3. Approve the minutes from the June 18, 2005 meeting.
4. Adjourn.

Respectfully Submitted
Jay Tanner
Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG BOARD OF ZONING APPEALS
July 18, 2005

The Sellersburg Board of Zoning Appeals met on July 18, 2005, at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Zoning Appeals Board President Charles J. Ridenour at 6:06 P.M.

Present were President Charles J. Ridenour, Vice-President Kenneth R. Hecker, Member Charles E. Popp, Building Commissioner Jonas "Jay" Tanner, and Secretary David L. Kinder.

Member Francis A. Conroy was absent.

Darryl Karnser requested a zoning variance set-back from 20 (twenty) feet to 6 (six) feet was requested at 331 Broadway to construct a garage.

All Zoning Appeal Board members had seen the property and other zoning variances had been granted for the area.

Kenneth R. Hecker makes a motion to grant the request, seconded by Charles E. Popp. 3-aye, 0-nay, motion approved.

Charles E. Popp makes a motion to approve the minutes of the June 20, 2005 meeting, seconded by Kenneth R. Hecker. 3-aye, 0-nay, motion approved.

Kenneth R. Hecker makes a motion to adjourn the meeting, seconded by Charles E. Popp. 3-aye, 0-nay, motion approved and meeting adjourned at 6:12 P.M.

Charles J. Ridenour, President

Kenneth R. Hecker, Vice-President

Francis A. Conroy, Member

Charles E. Popp, Member

David L. Kinder, Secretary

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SELLERSBURG BOARD OF ZONING APPEALS
AGENDA
August 15, 2005

1. Roll Call.

2. Request for variance by David and Melissa Allen at 210 Allhands Ave.to change the rear yard set-back from 20 feet to 12 feet for the construction of a garage.

3. Request for variance by Billy W. Smith at 8928 Windsor Ave. to change the rear yard set-back from 20 feet to 6 feet for the construction of a garage.

4. Request for two variances by Barbara Hill at 1502 Emerald Ct. to change the rear yard set-back from 20 feet to 6 feet, and to change the side yard set-back from 5 feet to 3 feet for the construction of a 24' x 36' garage.

5. Request for variance by David Guess of National Distributers Inc. of 1517 Avco Blvd. to allow a 624 square feet billboard sign.

6. Request for three variances by Jim O'Neal Ford at 516 S. Indiana Ave. to allow three 10' x 48' billboard signs. (One at 516 S. Indiana Ave. and two at 329 S. New Albany St..

7. Approve the minutes from the July 18, 2005 meeting.

8. Adjourn.

Respectfully Submitted,

Jay Tanner

Jay Tanner
Building Commissioner
Town of Sellersburg

SELLERSBURG BOARD OF ZONING APPEALS
August 15, 2005

The Sellersburg Board of Zoning Appeals met on August 15, 2005, at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Zoning Appeals Board President Charles J. Ridenour at 6:06 P.M.

Present were President Charles J. Ridenour, Vice-President Kenneth R. Hecker, Member Francis A. Conroy, Member Charles E. Popp, Member Thomas L. Schuster, Building Commissioner Jonas "Jay" Tanner, and Secretary David L. Kinder.

Melissa Allen, 210 Allhands Avenue request zoning variance to change the rear yard set-back from 20 feet to 12 feet for construction of a garage.

Charles E. Popp makes a motion to approve the variance, seconded by Kenneth R. Hecker. 5-aye, 0-nay, motion approved.

Billy W. Smith, 8928 Windsor Avenue request variance change for rear yard set-back from 20 feet to 6 feet for the construction of a garage.

Kenneth R. Hecker makes a motion to approve the variance, seconded by Francis A. Conroy. 5-aye, 0-nay, motion approved.

David Guess, National Distributers, Inc, request variance to install a banner on a 53 foot trailer for advertising.

Kenneth R. Hecker makes a motion to approve a one year variance for the banner from this date, seconded by Thomas L. Schuster. 5-aye, 0-nay, motion approved.

Jim O'Neal Ford request variance for three signs, banners, at 516 South Indiana Avenue and 329 South New Albany Street. These are banners for a sale O'Neal Ford is having.

Charles E. Popp makes a motion to approve the variance, for two weeks, seconded by Francis A. Conroy. 5-aye, 0-nay, motion approved.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

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[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

2 50

Kenneth R. Hecker makes a motion to approve the minutes of the July 8, 2005 meeting, seconded by Charles E. Popp.

Francis A. Conroy makes a motion to adjourn the meeting, seconded by Kenneth R. Hecker. 5-aye, 0-nay, motion approved and meeting adjourned at 6:25 P.M.

Charles J. Ridenour, President

Kenneth R. Hecker, Vice-President

Francis A. Conroy, Member

Charles E. Popp, Member

Thomas L. Schuster

David L. Kinder, Secretary

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

SELLESBURG BOARD OF ZONING APPEALS
REVISED AGENDA
September 19, 2005

1. Roll Call.

2. Request for three variances by Jim O'Neal Ford to permit three permanent 10'x48' billboard sized signs. One @ 516 S. Indiana Ave., and two @ 329 S. New Albany St..

3. Request for four building code variances by Williams Construction, at 109-111 North New Albany St. to allow for the construction of eighteen apartment units. The variances are; side yard landscape buffer variance, off street parking variance, maximum lot coverage variance, and minimum lot area per dwelling unit variance.

4. Approve the minutes from the August 15, 2005 meeting.

5. Adjourn.

Respectfully Submitted
Jay Tanner
Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG BOARD OF ZONING APPEALS

September 19, 2005

The Sellersburg Board of Zoning Appeals met on September 19, 2005 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Zoning Appeals Board President Charles J. Ridenour at 6:02 P.M.

Present were President Charles J. Ridenour, Vice-President Kenneth R. Hecker, Member Francis A. Conroy, Member Thomas L. Schuster, Member Charles E. Popp, Building Commissioner Jonas "Jay" Tanner, and Secretary David L. Kinder.

Request for three variances by Jim O'Neal Ford to permit three permanent 10 by 48 foot billboards, (vinyl signs mounted upon semi-trailers), one at 516 South Indiana Avenue and two at 329 North New Albany Street.

Our ordinances allow variances to be granted for billboards on a one year basis. So if it is granted for one year then they have to come back for renewal.

The Indiana Avenue location will be 75 to 100 feet from Indiana Avenue, on the used car lot of Jim O'Neal Ford.

Charles Popp believes that the present zoning ordinances should be changed as the ordinances, as presently written, to make these changes permanent, are beyond the scope of the present Board.

Kenneth R. Hecker makes a motion to grant this variance, it will be reviewed a year from now and to grant all three of the signs Mr. O'Neal requests, seconded by Francis A. Conroy. 5-aye, 0-nay, motion approved.

Nathan Grimes, Renaissance Designs Build, representing the Williams Construction Company, requests four variances, side yard landscape buffer, off street parking, maximum lot coverage and minimum lot area per dwelling.

The apartments are to be 34 by 85 feet, and all two bedroom units. The first floor will be brick and the second floor vinyl.

Michael Whalen speaks in opposition to granting the variances. Mr. Williams has not maintained the property, in the past, it is zoned residential and he has had a

Commercial concrete company there. Also there will be a drainage problem with the water run-off coming toward our building which presently has a water drainage problem.

Parking will be an issue as the present parking is inadequate and he will be having two parking spaces per unit and this will present a problem.

Charles Popp questions the removing of the present sidewalk which the plat shows the removing of the present sidewalk.

Grimes states there will be a sidewalk, but it will be next to the apartment building and the present sidewalk will just be a blacktop area that will be used for parking.

Penny Keith speaks in opposition to the variances because of parking and water drainage.

Chris Keith, owner of the barber shop that would be directly across the street from the apartments opposes the granting of the variances because of parking and water run off. He has water drainage now in his building.

Douglas Reiter speaks in opposition to the variances as the apartments would be next to a memorial park with no sidewalk to get there. There are several apartments up for rent in town and why would we build more when these are up for rent.

The town is presently having a revitalization investigation going on and it will be ending in December, so I wouldn't make a decision until after the investigation is completed.

Reiter states that the town is presently seeking the legal process to have the present building condemned.

Kenneth Hecker states he is also a business owner in Town and the variances would hinder delivery of merchandise to his business that would be directly behind the apartments.

Hecker questions if he should vote on these variances since he is an adjacent property owner. President Ridenour advises, "You pay taxes like the rest of us do. "

Nathan Grimes asks if the request can be tabled until January.

Francis A. Conroy makes a motion to deny the variance requests, seconded by Charles E. Popp. 5-aye, 0-nay, motion approved.

Charles E. Popp makes a motion to approve the minutes of the August 15, 2005 meeting, seconded by Francis A. Conroy. 5-aye, 0-nay, motion approved.

Kenneth R. Hecker makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 5-aye, 0-nay, motion approved and meeting adjourned at 6:45 P.M.

Charles J. Ridenour, President

Kenneth R. Hecker, Vice-President

Francis A. Conroy, Member

Charles E. Popp, Member

Thomas L. Schuster, Member

David L. Kinder, Secretary

Town of Sellersburg
316 EAST UTICA STREET
P.O. BOX 85
SELLERSBURG, INDIANA 47172
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SELLERSBURG BOARD OF ZONING APPEALS
AGENDA
October 17, 2005

1. Roll Call.

2. Request by Linlow Development, LLC for eight variances changing the rear property setbacks from 20 feet to 10 feet.

3. Approve the minutes from the September 19, 2005 meeting.

4. Adjourn.

Respectfully Submitted
Jay Tanner
Jay Tanner
Building Commissioner,
Town of Sellersburg

Town of Sellersburg
316 EAST UTICA STREET
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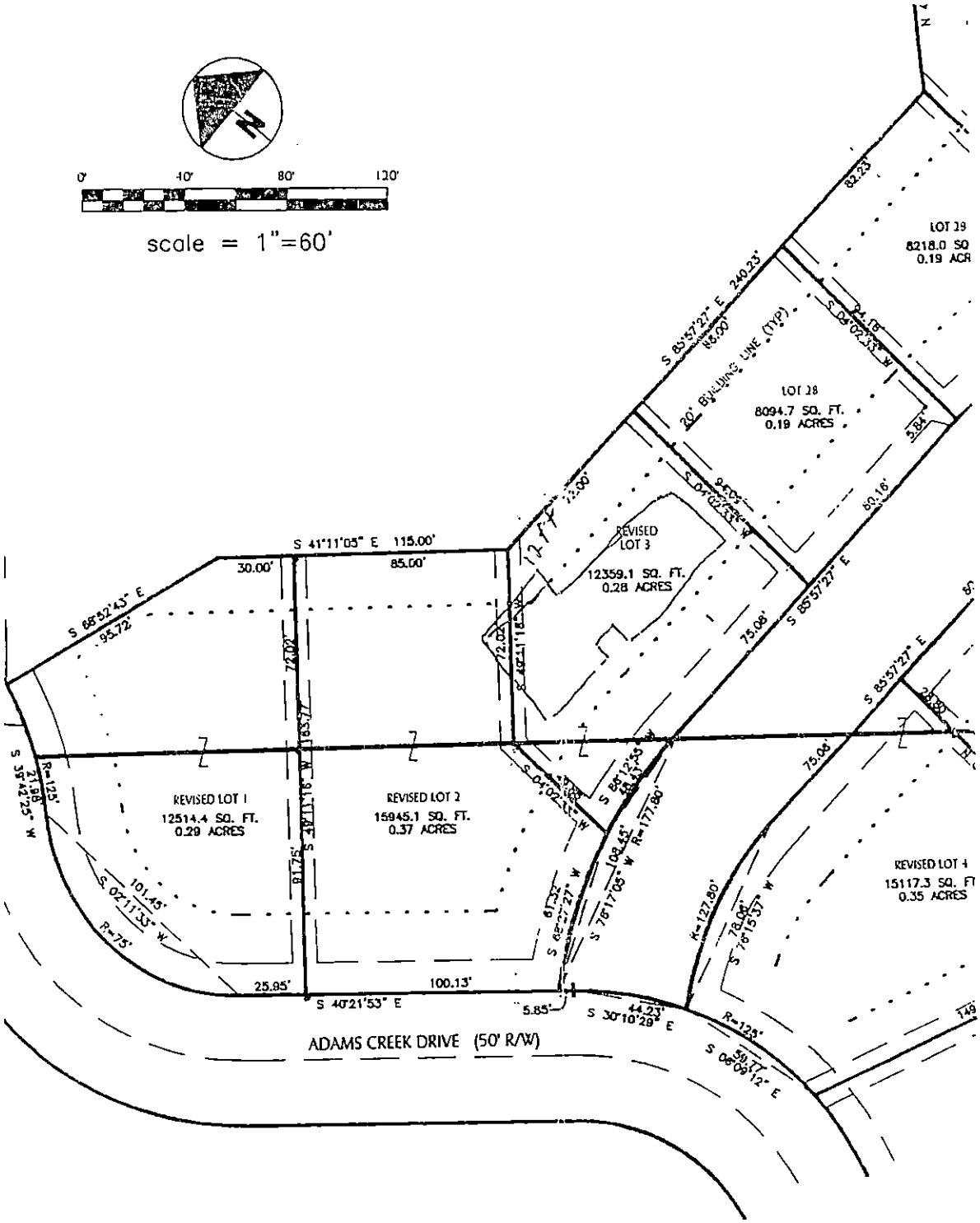
(812) 246-3821 FAX (812) 246-7040

SELLERSBURG BOARD OF ZONING APPEALS
AGENDA
October 17, 2005

1. Roll Call.
2. Request by Linlow Development, LLC for ~~eight~~ NINE variances changing the rear property setbacks from 20 feet to 10 feet.
   Troy French Lot 3 Adams Creek changing rear property setback from 20 ft to 11 ft
3. Approve the minutes from the September 19, 2005 meeting.
4. Adjourn.

Respectfully Submitted
Jay Tanner
Jay Tanner
Building Commissioner,
Town of Sellersburg


0'
40'
80'
120'
scale = 1"=60'
LOT 29
8218.0 SQ
0.19 ACR
S 85°57'27" E 240.23'
86.00'
20' BUILDING LINE (TYP)
LOT 28
8094.7 SQ. FT.
0.19 ACRES
REVISED
LOT 3
12359.1 SQ. FT.
0.28 ACRES
S 41°11'05" E 115.00'
30.00'
85.00'
S 68°52'43" E
95.72'
REVISED LOT 1
12514.4 SQ. FT.
0.29 ACRES
REVISED LOT 2
15945.1 SQ. FT.
0.37 ACRES
REVISED LOT 4
15117.3 SQ. FT
0.35 ACRES
S 85°57'27" E
75.08'
101.45'
R=75'
25.95'
100.13'
S 40°21'53" E
5.85'
44.23'
S 30°10'29" E
R=125'
ADAMS CREEK DRIVE (50' R/W)

SELLERSBURG BOARD OF ZONING APPEALS
October 17, 2005

The Sellersburg Board of Zoning Appeals met on October 17, 2005, at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Zoning Appeals Board President Charles J. Ridenour at 6:00 P.M.

Present were President Charles J. Ridenour, Vice-President Kenneth R. Hecker, Member Francis A. Conroy, Member Charles E. Popp, Member Thomas L. Schuster, Utility Administrator Kenneth J. Alexander, and Secretary David L. Kinder.

Building Commissioner Jonas "Jay" Tanner was absent. Kenneth J. Alexander substituted for Mr. Tanner.

Jerry Burges, representing Linlow Development, LLC, Villas of Greenwood, requested nine (9) variance changes. The changes would be for rear property setback from 20 feet to 10 feet. The lots would be 1, 2, 3, 4, 9, 10, 11, 12 and 13 of the Villas of Greenwood.

This would permit a covered, gabled, patio 10 foot out and 10 foot wide.

Proper advertisement posted for eleven days and no objections to the variances.

Charles E. Popp makes a motion to grant the variances, seconded by Kenneth R. Hecker. 5-aye, 0-nay, motion approved.

Troy French, lot 3, Adams Creek, requesting a rear property setback from 20 feet to 12 feet.

Proper advertisement posted, no objections from neighbors.

Kevin Staton explains that the first phase of the development and the second phase was done they had to re-plat some of the lots to make a smooth transition. This lot (pointing to map) was changed and this was changed and it is one big lot now.

Mr. French explains there were trees in the fence line and that he is attempting to preserve all of them and this is the reason for the variance.

Kenneth R. Hecker advises that he has seen the property and he is ok with the variance.

Francis A. Conroy makes a motion to approve the request, seconded by Charles E. Popp. 5-aye, 0-nay, motion approved.

Francis A. Conroy makes a motion to approve the minutes of the September 19, 2005 meeting, seconded by Kenneth R. Hecker.

Charles E. Popp states that in the minutes of that meeting the zoning ordinances that should be changed, as referred to in the minutes, was the ordinance concerning temporary signs and mobile signs. 5-aye, 0-nay, motion approved.

Kenneth R. Hecker makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 5-aye, 0-nay, motion approved and meeting adjourned at 6:13 P.M.

Charles J. Ridenour, President

Kenneth R. Hecker, Vice-President

Francis A. Conroy, Member

Charles E. Popp, Member

Thomas L. Schuster

David L. Kinder, Secretary

Board of Zoning Appeals
Sellersburg Town Council

Nov 21, 2005

Due to the fact that my residency will be changing soon, I am resigning my position on the Board of Zoning Appeals after the December meeting.
It has been a pleasure serving for the past several years.

Sincerely,

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

SELLERSBURG BOARD OF ZONING APPEALS
AGENDA
November 21, 2005

1. Roll Call.

2. Approve variance request by David Lile at 1707 Mayfair St. to construct a 36'x40' garage. (1440 square feet)

3. Approve the minutes from the October 17, 2005 meeting.

4. Adjourn.

Respectfully Submitted
Jay Tanner
Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG BOARD OF ZONING APPEALS
November 21, 2005

The Sellersburg Board of Zoning Appeals met on November 21, at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Zoning Appeals President Charles J. Ridenour at 6:00 P.M.

Present were President Charles J. Ridenour, Vice-President Kenneth R. Hecker, Francis A. Conroy, , Thomas L Schuster, Charles E. Popp, Building Commissioner Jonas "Jay" Tanner, and Secretary David L. Kinder.

DAVID LILE: Requesting a zoning variance for 1707 Mayfair Street to construct a 36" by 40' (1440 square feet) garage (zoning ordinance states maximum of 864 square feet). The reason for building the garage is to keep water off his property since there is a flooding problem in the area.

FRANCIS A. CONROY states he has not seen these plans prior to this meeting and does not feel he can support any votes on this tonight.

No public input concerning this matter.

CHARLES E. POPP makes a motion to approve the variance, seconded by Kenneth R. Hecker. 4-aye, 1 abstains, motion passes.

CHARLES E. POPP makes a motion to approve the minutes of the October 17, 2005 meeting, seconded by Francis A. Conroy. 5-aye, 0-nay, motion approved.

KENNETH R. HECKER submits a letter of resignation effective after the December 2005 meeting, because of a change of residency.

FRANCIS A. CONROY makes a motion to adjourn the meeting, seconded by Kenneth R. Hecker. 5-aye, 0-nay, motion approved, meeting adjourned at 6:12 P.M.

Charles J. Ridenour, President

Kenneth R. Hecker, Vice-President

Francis A. Conroy, Member

Charles E. Popp, Member

Thomas L. Schuster, Member

David L. Kinder, Secretary

Attachments: Hecker letter of resignation

Town of Sellersburg
316 EAST UTICA STREET
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SELLERSBURG, INDIANA 47172
(812) 246-3821 FAX (812) 246-7040

SELLERSBURG BOARD OF ZONING APPEALS
REVISED AGENDA
December 19, 2005

1. Roll Call.

2. Request by Mr. Mark Wenning to grant a variance from the required ten foot wide buffer area at the rear of lots 6 and 7 in the Industrial Park on Bringham Drive, to no buffer area. The property that abuts these lots is zoned Agricultural and is owned by Mr. Adam Koch. I spoke with Mr. Koch and he conveyed that he has no objection to granting this request. Mr. Wenning posted the required sign on the property on December 9, 2005.

3. Approve the minutes from the November 21, 2005 meeting.

4. Adjourn.

Respectfully Submitted
Jay Tanner
Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG BOARD OF ZONING APPEALS

December 19, 2005

The Sellersburg Board of Zoning Appeals met on December 19, 2005, at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Zoning Appeals Board President Charles J. Ridenour at 6:00 P.M.

Present were President Charles J. Ridenour, Vice-President Kenneth R. Hecker, Member Francis A. Conroy, Member Charles E. Popp, Member Thomas L. Schuster, Building Commissioner Jonas "Jay" Tanner and Secretary David L. Kinder.

Mark Wenning requests a zoning variance from 10 foot wide buffer area at the rear of lots 6 and 7; these are the last two lots in that Industrial Park on Bringham Drive, to no buffer area.

Building Commissioner Tanner states he has spoken with Adam Koch, who owns the property behind these lots and he has no objections. Mr. Wenning has agreed to leave the trees between his property and the Koch property.

He intends to build two commercial buildings, one on each lot, approximately 7200 square foot one story commercial buildings.

Kenneth R. Hecker makes a motion to approve the variance, seconded by Thomas L. Schuster. 5-aye, 0-nay, motion approved.

Francis A. Conroy makes a motion to approve the minutes of the November 21, 2005 meeting, seconded by Charles E. Popp. 5-aye, 0-nay, motion approved.

Francis A. Conroy makes a motion to adjourn the meeting, seconded by Charles E. Popp. 5-aye, 0-nay, motion approved and meeting adjourned at 6:15 P.M.

Charles J. Ridenour, President

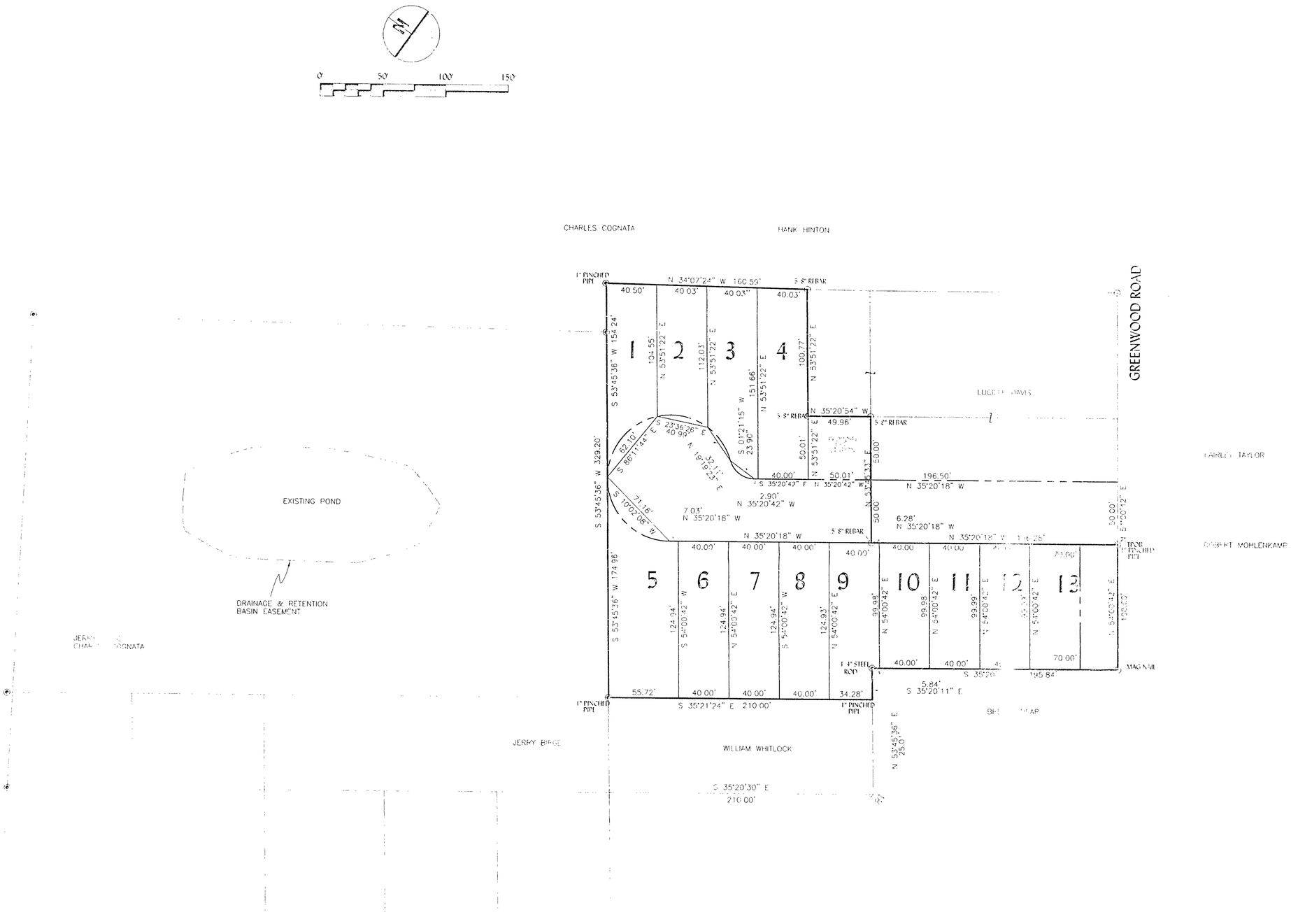
Kenneth R. Hecker, Vice-President

Francis A. Conroy, Member

Charles E. Popp, Member

Thomas L. Schuster

David L. Kinder, Secretary



RENAISSANCE DESIGN BUILD, INC.
144 S. New Albany Street
Sellersburg, IN 47172
Voice & Fax 812-246-5897

PRELIMINARY PLAT

THE VILLAS OF GREENWOOD
GREENWOOD ROAD
SELLERSBURG, IN

DATE: 1-07-05
DRAWN BY: w.j. meimes
CHECKED BY: n. grimes
APPROVED BY: n. grimes

REVISIONS:

SCALE: 1"=40'
JOB NO.: 2004-050

SHEET NUMBER: C1