

*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**

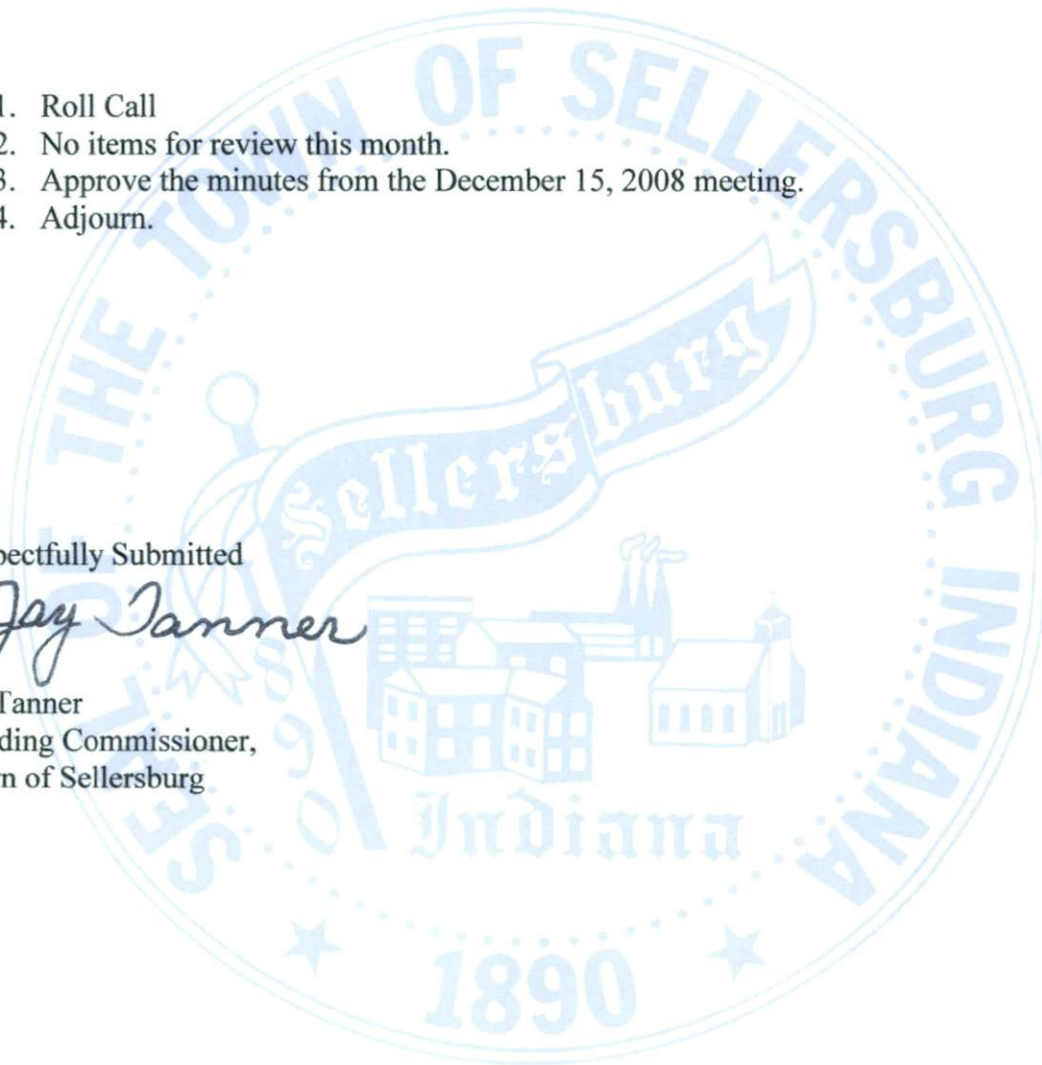
January 19, 2009

1. Roll Call
2. No items for review this month.
3. Approve the minutes from the December 15, 2008 meeting.
4. Adjourn.

Respectfully Submitted

*Jay Tanner*

Jay Tanner  
Building Commissioner,  
Town of Sellersburg



## SELLERSBURG BOARD OF ZONING APPEALS

January 19, 2009

The Sellersburg Board of Zoning Appeals met on January 19, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Charles J. Ridenour 6:00 P.M.

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

Floyd M Combs was absent.

Clerk-Treasurer David L. Kinder administers the oath of office to Charles J. Ridenour who was appointed to another four year term by the Town Council at their January 12, 2009 meeting.

**FRANCIS A. CONROY** nominates Charles J. Ridenour as President of the Board for 2009, seconded by Charles E. Popp. 4-aye, 0-nay, motion approved.

**CHARLES E. POPP** nominates Francis A. Conroy as Vice-President of the Board for 2009, seconded by Randall W. Mobley. 4-aye, 0-nay, motion approved.

**CHARLES E. POPP** makes a motion to approve the minutes, as written, of the December 15, 2008 meeting, seconded by Randall W. Mobley. 5-aye, 0-nay, motion approved.

**FRANCIS A. CONROY** makes a motion to adjourn the meeting, seconded by Randall W. Mobley. 5-aye, 0-nay, motion approved and meeting adjourned at 6:03 P.M.

\_\_\_\_\_  
Charles J. Ridenour, President

*Francis A. Conroy*  
\_\_\_\_\_  
Francis A. Conroy, Vice-President

*Floyd M. Combs*  
\_\_\_\_\_  
Floyd M. Combs, Member

*Randall W. Mobley*  
\_\_\_\_\_  
Randall W. Mobley, Member

*Charles E. Popp*  
\_\_\_\_\_  
Member Charles E. Popp, Member

*David L. Kinder*  
\_\_\_\_\_  
David L. Kinder, Secretary

*Town of Sellersburg*

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**SELLERSBURG ZONING APPEALS BOARD**

**AGENDA**

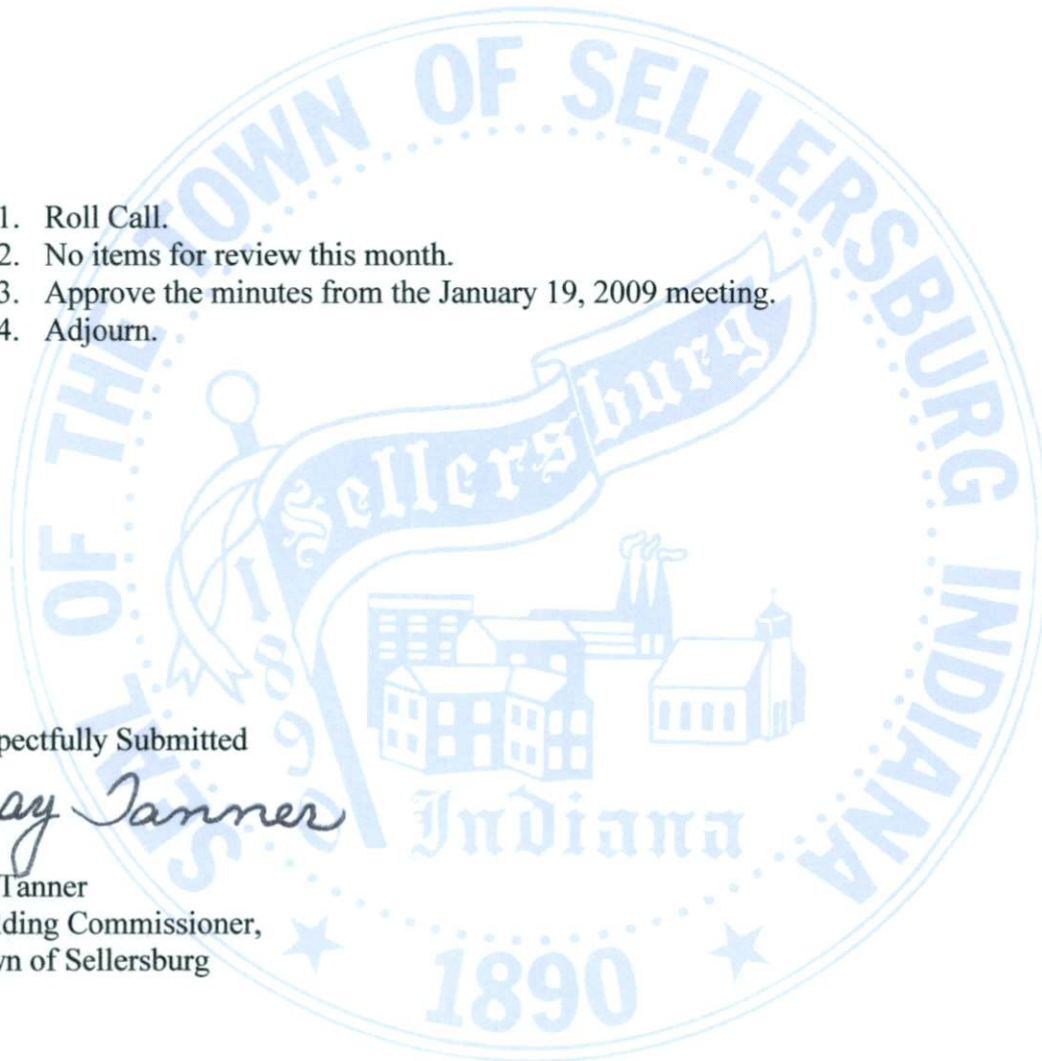
February 16, 2009

1. Roll Call.
2. No items for review this month.
3. Approve the minutes from the January 19, 2009 meeting.
4. Adjourn.

Respectfully Submitted

*Jay Tanner*

Jay Tanner  
Building Commissioner,  
Town of Sellersburg



**SELLERSBURG BOARD OF ZONING APPEALS**

**February 16, 2009**

The Sellersburg Board of Zoning Appeals met on February 16, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Vice-President Francis A. Conroy at 6:00 P.M.

Present were Vice-President Francis A. Conroy, Member Floyd M Combs, Member Charles E. Popp, Member Randall W. Mobley, Jonas "Jay" Tanner, Building Commissioner and David L. Kinder, Secretary.

Charles J. Ridenour was absent.

**CHARLES E. POPP** makes a motion to approve the minutes, as written, of the January 19, 2009 meeting, seconded by Randall W. Mobley. 4-aye, 0-nay, motion approved.

**FLOYD M. COMBS** makes a motion to adjourn the meeting, seconded by Charles E. Popp. 4-aye, 0-nay, motion approved and meeting adjourned at 6:02 P.M.

Absent  
Charles J. Ridenour, President

Francis A. Conroy  
Francis A. Conroy, Vice-President

Floyd M. Combs  
Floyd M. Combs, Member

Randall W. Mobley  
Randall W. Mobley, Member

Charles E. Popp  
Member Charles E. Popp, Member

David L. Kinder  
David L. Kinder, Secretary

**Proof of  
Publication**

**STATE OF INDIANA  
COUNTY OF CLARK - SS**

**NOTICE OF PUBLIC  
HEARING  
Notice by the Sellersburg  
Plan Commission**

Notice is hereby given that the Sellersburg Plan Commission will hold a Public Hearing on March 16th at 6:00 in the Meeting room of the Sellersburg Town Hall located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by Keith & Debby Elswick to allow the following: Request Zoning Change from R1 to R2. On property commonly known as 834 E. Utica St. Sellersburg, IN 47172 and also described as follows: EXHIBIT A A PART OF SURVEY NO. 110 OF THE ILLINOIS GRANT, CLARK COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT A STONE MARKED J., THE EAST CORNER OF SURVEY NO. 110 (INCORRECTLY REFERRED TO IN A PREVIOUS CONVEYANCE AS SURVEY NO. 100); THENCE NORTH 40 DEGREES 00 MINUTES WEST, WITH THE LINE DIVIDING SURVEYS NOS. 110 AND 111, 501.1 FEET TO AN IRON PIPE IN THE SOUTHWEST LINE OF UTICA STREET, THE TRUE PLACE OF BEGINNING; THENCE SOUTH 50 DEGREES 53.5 MINUTES WEST, ALONG A FENCE LINE 233 FEET TO AN IRON PIPE IN THE EAST RIGHT-OF-WAY LINE OF THE PENN CENTRAL RAILROAD, THENCE NORTH 12 DEGREES 37.7 MINUTES WEST, ALONG SAID RIGHT-OF-WAY LINE, 104.19 FEET TO A POINT OVER A COCRETE STORM SEWER PIPE, THENCE NORTH 52 DEGREES 50.0 MINUTES EAST, 185.3 FEET TO A RAILROAD SPIKE IN THE LINE DIVIDING SURVEYS NOS. 110 AND 111, PASSING AN IRON PIPE AT 5.0 FEET, THENCE SOUTH 40 DEGREES 00 MINUTES EAST, WITH THE LINE DIVIDING SURVEYS NOS. 110 AND 111, 87.0 FEET TO THE TRUE PLACE OF BEGINNING. CONTAINING 0.434 ACRES. THE ACREAGE IN THE LEGAL DESCRIPTION OF THE SUBJECT REAL ESTATE IS SOLELY FOR THE PURPOSE OF IDENTIFYING THE INSURED LAND AND SHOULD NOT BE CONSTRUED AS INSURING THE QUANTITY OF LAND AS SET FORTH IN SAID DESCRIPTION. A copy of this petition, and all pertaining thereto, is

mailed to the Sellersburg Building Commissioner prior to the Public Hearing at the above address or filed with the Plan Commission 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 Plan Commission

**Tolnay On oath says that she is the  
owner of The Evening News and in the employ of  
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 #( )  
time(s) to-wit: In issue of said The Evening News  
dated: February 28, 2009.**

**(X)** Melissa Tolnay

**STATE OF INDIANA  
COUNTY OF CLARK**

subscribed and sworn to before me this  
2nd day of March, 2009.

**(X)** Joann Galligan  
JOANN GALLIGAN

**Notary Public, Clark County, Indiana  
(My Commission Expires August 27, 2014.)**

**Publication**

**Fee \$** 152.11  
06520050

***Keith & Debby Elswick***  
***5215 Charlestown Road New Albany, IN 47150***

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Trustees FAM Lodge  
835 E. Utica Street  
Sellersburg, IN 47172

This letter is to advise you of our intent to request rezoning from R1 to R2 for the property known as 834 E. Utica Street, Sellersburg, IN 47172. Please find attached the Notice of Public hearing and the legal description. The hearing date is March 16, 2009 at 6:00 PM in the meeting room of the Sellersburg Town Hall.

If you have any questions, please feel free to contact me at the following numbers:

Office-812.944.5620

Cell-502.643.8055

Regards,

  
Debby Elswick

**- NOTICE OF PUBLIC HEARING -**  
**Notice by the Sellersburg Plan Commission**

Notice is hereby given that the Sellersburg Plan commission will hold a Public Hearing on March 11th at 6:00 in the Meeting Room of the Sellersburg Town Hall  
(Date) 2009 (Time)  
located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by Keith & Debby Elswick to allow the following:  
(Name of applicant)

Rezoning from R1 to R2

(Brief description of request)

On property commonly known as 934 E Utica St and also described by the following:  
(Common address of property)

**(INSERT LEGAL DESCRIPTION OF PROPERTY)**

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 Plan Commission 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 Plan Commission**

## EXHIBIT A

A part of Survey no. 110 of the Illinois Grant, Clark County, Indiana, described as follows: Beginning at a stone marked J., the east corner of survey no. 110 (incorrectly referred to in a previous conveyance as survey no. 100); thence north 40 degrees 00 minutes west, with the line dividing surveys nos. 110 and 111, 501.1 feet to an iron pipe in the southwest line of Utica Street, the true place of beginning; thence south 50 degrees 53.5 minutes west, along a fence line 233 feet to an iron pipe in the East right-of-way line of the Penn Central Railroad, thence north 12 degrees 37.7 minutes west, along said right-of-way line, 104.19 feet to a point over a concrete storm sewer pipe, thence north 52 degrees 50.0 minutes east, 185.3 feet to a railroad spike in the line dividing surveys nos. 110 and 111, passing an iron pipe at 5.0 feet, thence south 40 degrees 00 minutes east, with the line dividing surveys nos. 110 and 111, 87.0 feet to the true place of beginning. Containing 0.434 acres.

The acreage in the legal description of the subject real estate is solely for the purpose of identifying the insured land and should not be construed as insuring the quantity of land as set forth in said description.



***Keith & Debby Elswick***  
***5215 Charlestown Road New Albany, IN 47150***

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Mary Yost  
846 E. Utica Street  
Sellersburg, IN 47172

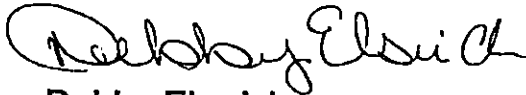
This letter is to advise you of our intent to request rezoning from R1 to R2 for the property known as 834 E. Utica Street, Sellersburg, IN 47172. Please find attached the Notice of Public hearing and the legal description. The hearing date is March 16, 2009 at 6:00 PM in the meeting room of the Sellersburg Town Hall.

If you have any questions, please feel free to contact me at the following numbers:

Office-812.944.5620

Cell-502.643.8055

Regards,



Debby Elswick

**- NOTICE OF PUBLIC HEARING -**  
**Notice by the Sellersburg Plan Commission**

Notice is hereby given that the Sellersburg Plan commission will hold a Public Hearing on March 11th at 10:00 in the Meeting Room of the Sellersburg Town Hall  
(Date) 2009 (Time)  
located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by Keith & Debby Elswick to allow the following:  
(Name of applicant)

Rezoning from R1 to R2

(Brief description of request)

On property commonly know as 934 E. Utica St and also described by the following:  
(Common address of property)

**(INSERT LEGAL DESCRIPTION OF PROPERTY)**

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 Plan Commission 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 Plan Commission**

PublicHearing

### EXHIBIT A

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The acreage in the legal description of the subject real estate is solely for the purpose of identifying the insured land and should not be construed as insuring the quantity of land as set forth in said description.

***Keith & Debby Elswick***  
***5215 Charlestown Road New Albany, IN 47150***

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Douglas & Sandy Broady  
828 E. Utica Street  
Sellersburg, IN 47172

This letter is to advise you of our intent to request rezoning from R1 to R2 for the property known as 834 E. Utica Street, Sellersburg, IN 47172. Please find attached the Notice of Public hearing and the legal description. The hearing date is March 16, 2009 at 6:00 PM in the meeting room of the Sellersburg Town Hall.

If you have any questions, please feel free to contact me at the following numbers:

Office-812.944.5620

Cell-502.643.8055

Regards,

  
Debby Elswick

- NOTICE OF PUBLIC HEARING -  
Notice by the Sellersburg Plan Commission

Notice is hereby given that the Sellersburg Plan commission will hold a Public Hearing on March 10th at 10:00 in the Meeting Room of the Sellersburg Town Hall located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by Keith & Deborah E. Swick allow the following:  
(Date) 2009 (Time)  
(Name of applicant)

Rezoning from R1 to R2

(Brief description of request)

On property commonly known as 234 E. Utica St and also described by the following:  
(Common address of property)

(INSERT LEGAL DESCRIPTION OF PROPERTY)

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 Plan Commission 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 Plan Commission

## EXHIBIT A

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***Keith & Debby Elswick***  
***5215 Charlestown Road New Albany, IN 47150***

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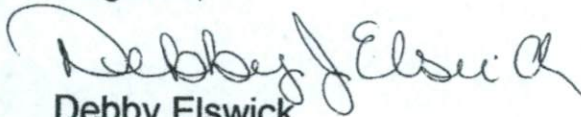
CSX Tax Department  
Attention: Mark Gallagher  
500 Water Street (C910)  
Jacksonville, FL 32202

This letter is to advise you of our intent to request rezoning from R1 to R2 for the property known as 834 E. Utica Street, Sellersburg, IN 47172. Please find attached the Notice of Public hearing and the legal description. The hearing date is March 16, 2009 at 6:00 PM in the meeting room of the Sellersburg Town Hall.

If you have any questions, please feel free to contact me at the following numbers:

Office-812.944.5620  
Cell-502.643.8055

Regards,

  
Debby Elswick

**- NOTICE OF PUBLIC HEARING -**  
**Notice by the Sellersburg Plan Commission**

Notice is hereby given that the Sellersburg Plan commission will hold a Public Hearing on March 16th at 6:00 in the Meeting Room of the Sellersburg Town Hall  
(Date) 2009 (Time)  
located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by Keith & Debby Elswick to allow the following:  
(Name of applicant)

Rezoning from R1 to R2

(Brief description of request)

On property commonly know as 934 E. Utica St and also described by the following:  
(Common address of property)

**(INSERT LEGAL DESCRIPTION OF PROPERTY)**

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 Plan Commission 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 Plan Commission**

Public Hearing



## EXHIBIT A

A part of Survey no. 110 of the Illinois Grant, Clark County, Indiana, described as follows: Beginning at a stone marked J., the east corner of survey no. 110 (incorrectly referred to in a previous conveyance as survey no. 100); thence north 40 degrees 00 minutes west, with the line dividing surveys nos. 110 and 111, 501.1 feet to an iron pipe in the southwest line of Utica Street, the true place of beginning; thence south 50 degrees 53.5 minutes west, along a fence line 233 feet to an iron pipe in the East right-of-way line of the Penn Central Railroad, thence north 12 degrees 37.7 minutes west, along said right-of-way line, 104.19 feet to a point over a concrete storm sewer pipe, thence north 52 degrees 50.0 minutes east, 185.3 feet to a railroad spike in the line dividing surveys nos. 110 and 111, passing an iron pipe at 5.0 feet, thence south 40 degrees 00 minutes east, with the line dividing surveys nos. 110 and 111, 87.0 feet to the true place of beginning. Containing 0.434 acres.

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PENN CENTRAL  
N. 12° 37.7' W.  
104.19'  
R. R.  
R/W X

0.434 AC.

Fence

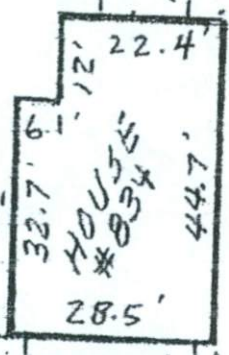
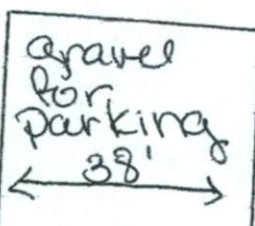
S. 50° 53.5' W.  
233'



WOOD DECK

12'  
10'

185.3'  
N. 52° 50' E.



CR. STONE DRIVEWAY

PORCH

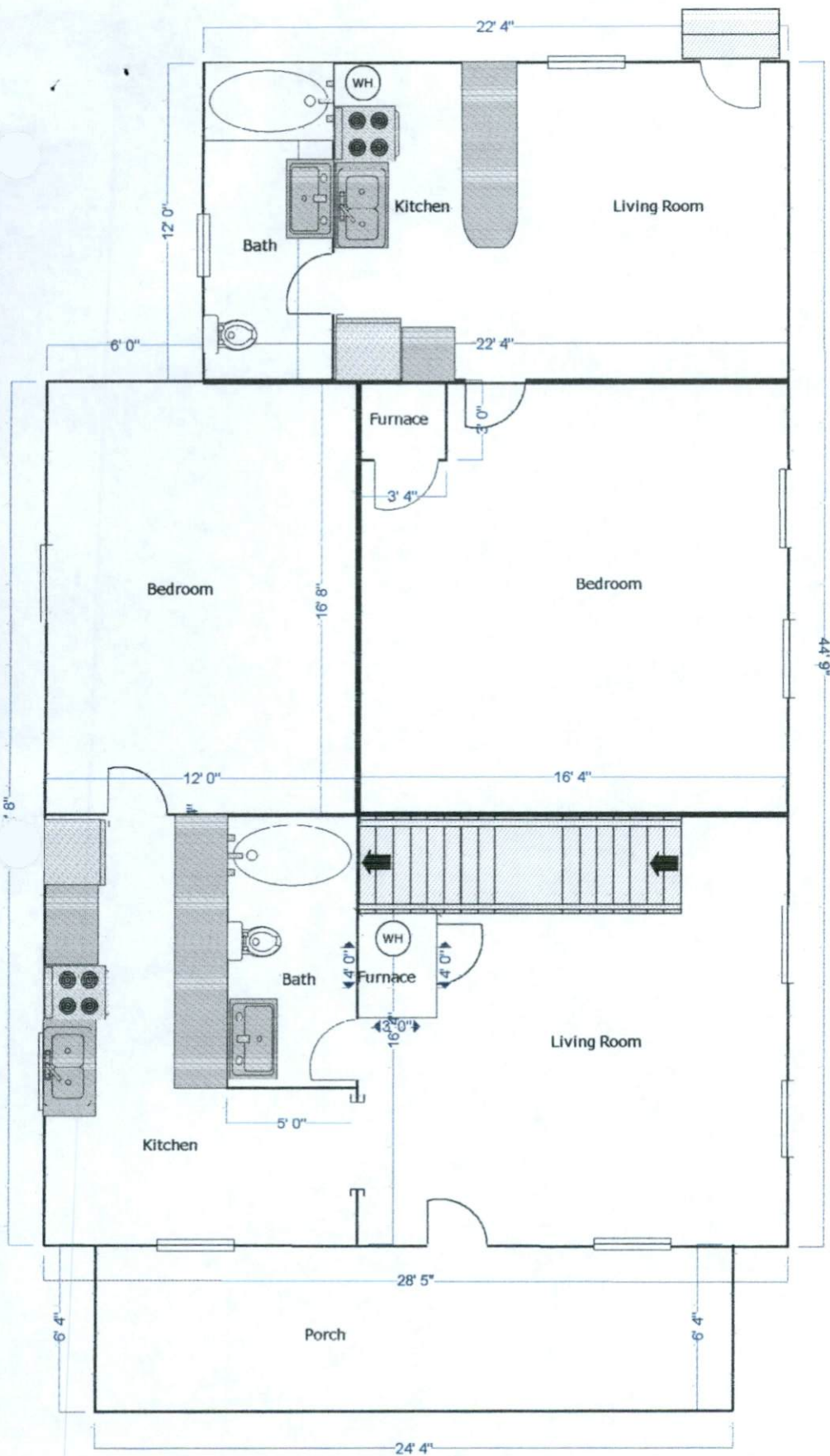
24.5'

I.P. END.

87.0'  
S. 40° E.

GRANT LINE

UTICA STREET

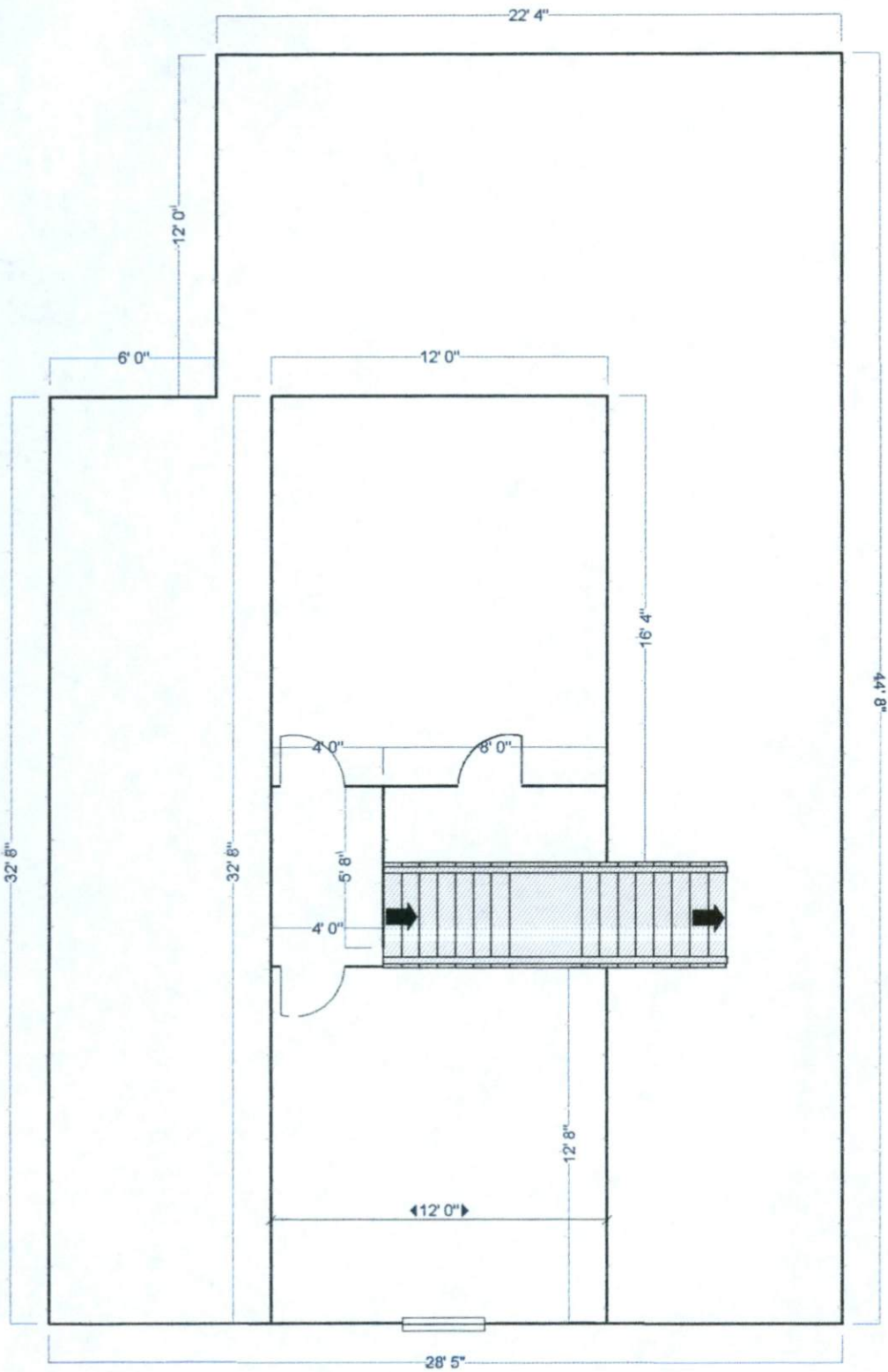


The back apartment will be a 1 bedroom efficiency with approx. 550 Sq. Ft.

The front apartment will have 3 bedrooms with approx. 1025 Sq. Ft.

**Main Floor Plan**  
 834 E. Utica Street, Sellersburg, IN  
 Keith & Debby Elswick

(Aprox. 1200 Sq. Ft.)



**Second Floor Plan**  
 834 E. Utica Street, Sellersburg, IN  
 Keith & Debby Elswick

(Aprox. 375 Sq. Ft.)

## SELLERSBURG BOARD OF ZONING APPEALS

March 16, 2009

The Sellersburg Board of Zoning Appeals met on March 16, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Vice-President Francis A. Conroy at 6:03 P.M.

Present were Vice-President Francis A. Conroy, Member Floyd M Combs, Member Charles E. Popp, Member Randall W. Mobley, Jonas "Jay" Tanner, Building Commissioner and Michelle D. Eve, Secretary.

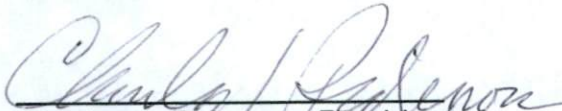
Charles J. Ridenour was absent.

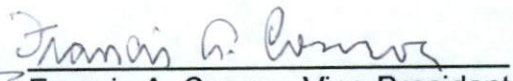
**David and Rhonda VanMeter** of 704 Delaware Court, request a variance to build a 30' x 40' (1,200 square feet) garage.

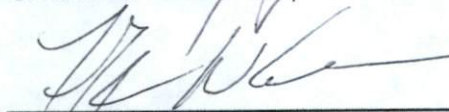
**CHARLES E. POPP** makes a motion to approve the variance request, seconded by Floyd M. Combs. 4-aye, 0-nay, motion approved.

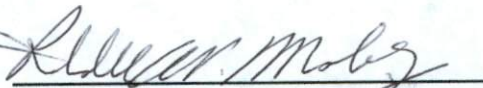
**FLOYD M. COMBS** makes a motion to approve the minutes, as written, of the February 16, 2009 meeting, seconded by Randall W. Mobley. 4-aye, 0-nay, motion approved.

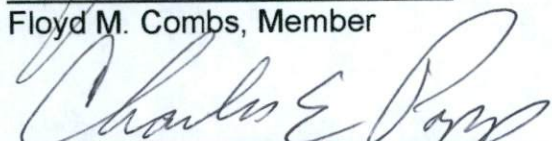
**CHARLES E. POPP** makes a motion to adjourn the meeting, seconded by Floyd M. Combs. 4-aye, 0-nay, motion approved and meeting adjourned at 6:11 P.M.

  
\_\_\_\_\_  
Charles J. Ridenour, President

  
\_\_\_\_\_  
Francis A. Conroy, Vice-President

  
\_\_\_\_\_  
Floyd M. Combs, Member

  
\_\_\_\_\_  
Randall W. Mobley, Member

  
\_\_\_\_\_  
Member Charles E. Popp, Member

  
\_\_\_\_\_  
David L. Kinder, Secretary

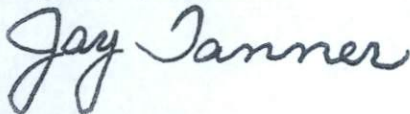
**SELLERSBURG BOARD OF ZONING APPEALS**

**AGENDA**

April 20, 2009

1. Roll Call.
2. Mrs. Debby Elswick requests a variance from the minimum required 900 sq. ft. two bedroom apartment, to 825 sq. ft. two bedroom apartment.
3. Approve the minutes from the March 16, 2009 meeting.
4. Adjourn.

Respectfully Submitted

A handwritten signature in cursive script that reads "Jay Tanner".

Jay Tanner  
Building Commissioner,  
Town of Sellersburg

## SELLERSBURG BOARD OF ZONING APPEALS

April 20, 2009

The Sellersburg Board of Zoning Appeals met on April 20, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Charles J. Ridenour at 6:00 P.M.

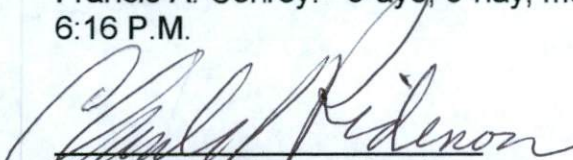
Present were President Charles J. Ridenour Vice-President Francis A. Conroy, Member Floyd M. Combs, Member Charles E. Popp, Member Randall W. Mobley, Jonas "Jay" Tanner, Building Commissioner and David L. Kinder, Secretary.

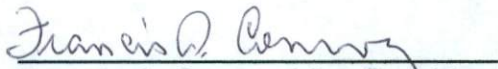
**DEBBY ELSWICK** request a variance from the minimum required 900 square foot two bedroom apartment, to 825 square foot two bedroom apartment at 834 East Utica Street.

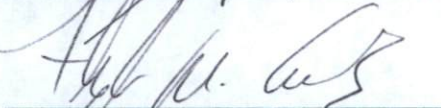
**FRANCIS A. CONROY** makes a motion to approve the request, seconded by Floyd M. Combs. 5-aye, 0-nay, motion is approved.

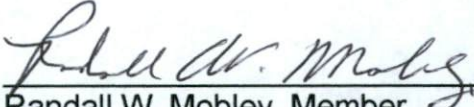
**RANDALL W. MOBLEY** makes a motion to approve the minutes of the March 16, 2009 meeting, seconded by Francis A. Conroy. 5-aye, 0-nay motion is approved.

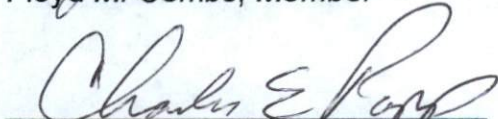
**CHARLES E. POPP** makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 5-aye, 0-nay, motion approved and meeting adjourned at 6:16 P.M.

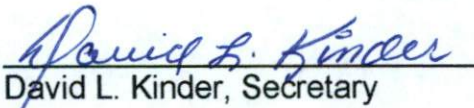
  
Charles J. Ridenour, President

  
Francis A. Conroy, Vice-President

  
Floyd M. Combs, Member

  
Randall W. Mobley, Member

  
Member Charles E. Popp, Member

  
David L. Kinder, Secretary


**SELLERSBURG ZONING APPEALS BOARD**

**AGENDA**

May 18, 2009

1. Roll Call.
2. Ms. Elizabeth Truesdale with "Out The Wazoo" at 201 S. Indiana Avenue requests a variance from the required twenty foot rear setback to a three foot rear setback to accommodate a temporary carport.
3. Approve the minutes from the April 20, 2009 meeting.
4. Adjourn.

Respectfully Submitted

A handwritten signature in black ink that reads "Jay Tanner". The signature is written in a cursive, flowing style.

Jay Tanner  
Building Commissioner,  
Town of Sellersburg



**SELLERSBURG BOARD OF ZONING APPEALS**

**May 18, 2009**

**The minutes as written are not verbatim from the meeting.**

The Sellersburg Board of Zoning Appeals met on May 18, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Charles J. Ridenour at 6:00 P.M.

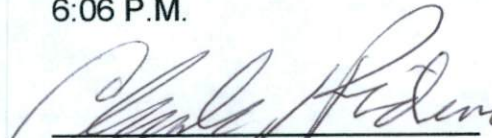
Present were President Charles J. Ridenour Vice-President Francis A. Conroy, Member Floyd M. Combs, Member Charles E. Popp, Member Randall W. Mobley, Jonas "Jay" Tanner, Building Commissioner and David L. Kinder, Secretary.

**MS. ELIZABETH TRUESDALE**, representing "Out the Wazoo" at 201 South Indiana Avenue requests a variance from the required twenty foot rear setback to a thee foot rear setback to accommodate a temporary carport.

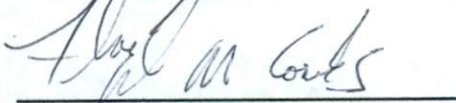
**CHARLES E. POPP** makes a motion to approve the variance and if needed longer for Ms. Truesdale to revisit the Zoning Appeals Board in 2 years, seconded by Floyd M. Combs. 5-aye, 0-nay, motion is approved.

**FRANCIS A. CONROY** makes a motion to approve the minutes of the April 20, 2009 meeting as written, seconded by Randall W. Mobley. 5-ay, 0-nay, motion is approved.

**FLOYD M. COMBS** makes a motion to adjourn the meeting, seconded by Charles E. Popp. 5-aye, 0-nay, motion is approved and meeting is adjourned at 6:06 P.M.

  
\_\_\_\_\_  
Charles J. Ridenour, President

  
\_\_\_\_\_  
Francis A. Conroy, Vice-President

  
\_\_\_\_\_  
Floyd M. Combs, Member

  
\_\_\_\_\_  
Randall W. Mobley, Member

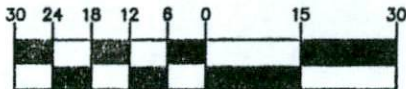
\_\_\_\_\_  
Member Charles E. Popp, Member

  
\_\_\_\_\_  
David L. Kinder, Secretary



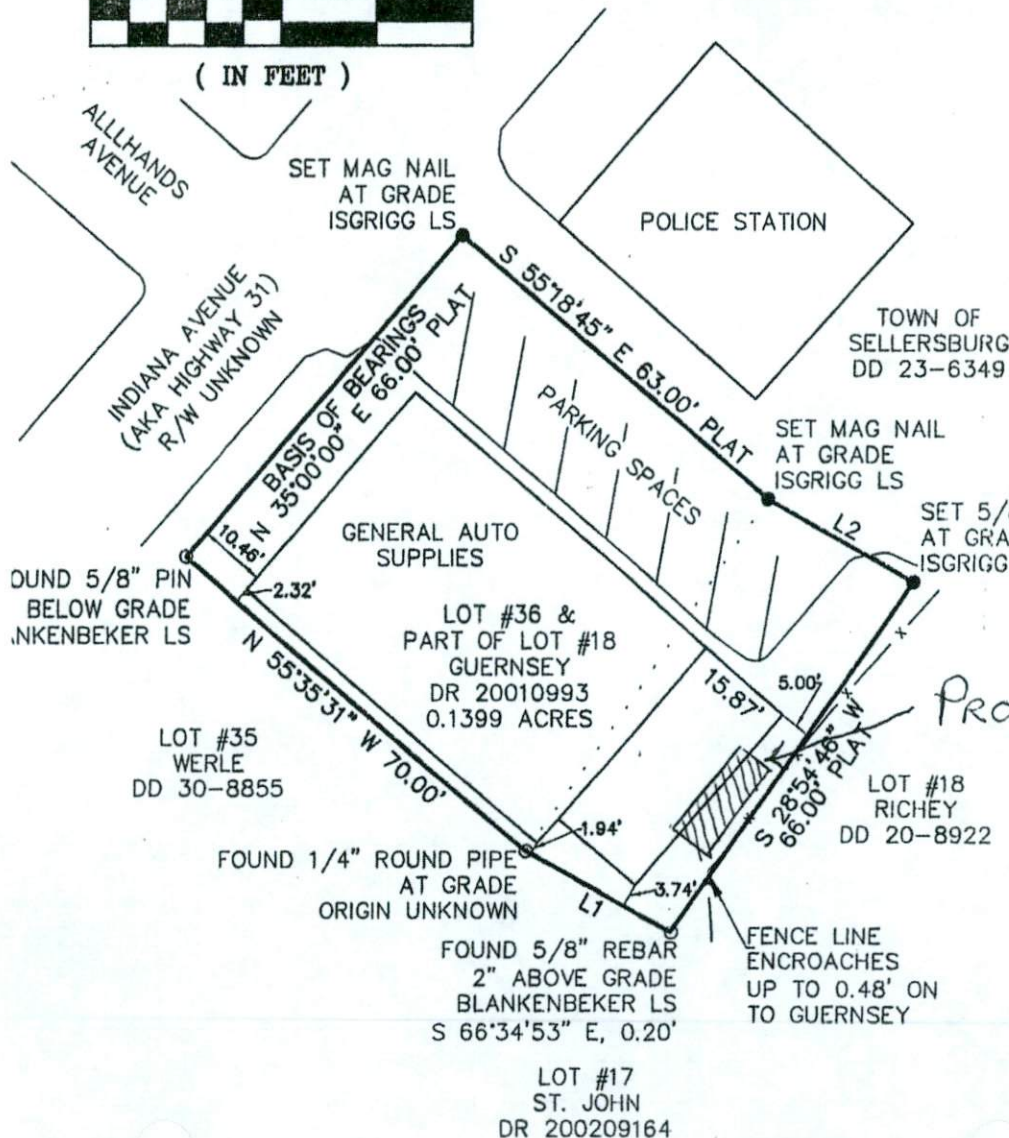
NORTH  
TOWN OF SELLERSBURG  
CLARK COUNTY  
INDIANA

GRAPHIC SCALE



( IN FEET )

Guy Guernsey  
643-0509  
FAX 294-1828  
201 IND AVE.



SURVEYORS REPORT

1. Topcon GTS 3D total station TU=0.0339 FT/1000 FT.
2. Class "C" survey 0.5'±.
3. Date of field work. 7/09/2002
4. This survey is performed without the benefit of review of a title search. Therefore this site may be subject to restrictions and or easements of record not shown.
5. This is a record document retracement survey of Guernsey DR 200100993 calling for lot #36 in Schellers 2nd addition plat book 5 page 1 and 26' of lot #18 William Harrod's addition, plat book 4 page 12.
6. The Scheller plat dated March 1927, lacks in bearing and distance on the southwest side of lot #36 and the Harrod plat dated 1884 lacks bearings and a distance.
7. The lot is retraced from 3 monuments found from a prior Blankenbeker survey, deed referenced in Werle which are consistent with the deeds and plats of record improvements and roadway.
8. No significant uncertainties and identified with the monuments the fence line on the southeast line varies in Guernsey up to 0.48 feet as shown.
9. Also the parking area on Guernsey is striped to be accessed from the driveway on the Town of Sellersburg, and is roadway used by the police department and visitors. No easement or agreement of record is found.



**BOB ISGRIGG & ASSOCIATES**  
CIVIL ENGINEERS / LAND SURVEYORS  
518 E. COURT AVENUE, SELLERSBURG, IN 47150  
(812) 285-1011 Phone | (812) 285-1012 Fax  
<http://www.bobisgrigg.com>

SURVEY FOR:  
GUY GUERNSEY  
INDIANA AVENUE



Proposed CARPORT

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 66°34'53" W	26.00
L2	S 66°35'53" E	26.00

DRAWN BY JEG  
CHECKED BY R.L.I.  
SCALE 1" = 30'  
DATE 7/18/2002  
REVISED  
JOB NO. 0207-21  
SHEET NO. 1 of 1

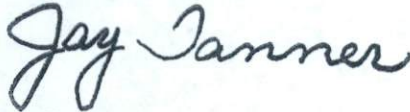
**SELLERSBURG BOARD OF ZONING APPEALS**

**AGENDA**

June 15, 2009

1. Roll Call.
2. A request by Ms. Shelly O'Hara of 4304 Sterling Court for a special exception to allow a home based business (sewing and alterations) in an R-1 subdivision.
3. A request by Mr. Ben Pister of 221 Haas Lane for a variance from the required five foot side setback to a two foot side setback to allow for a garage expansion (one car to two cars).
4. A request by Mr. Jeff Parrish of 378 Popp Avenue for two variances. The first is for a minimum lot width of forty feet from the required sixty feet, and the second is a variance from the required seventy two hundred square foot minimum lot size to seventy one hundred, twelve feet lot size.
5. Approve the minutes from the May 18, 2009 meeting.
6. Adjourn.

Respectfully Submitted



Jay Tanner  
Building Commissioner,  
Town of Sellersburg

## SELLERSBURG BOARD OF ZONING APPEALS

June 15, 2009

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on June 15, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Charles J. Ridenour at 6:00 P.M.

Present were President Charles J. Ridenour Vice-President Francis A. Conroy, Member Floyd M. Combs, Member Randall W. Mobley, Jonas "Jay" Tanner, Building Commissioner and David L. Kinder, Secretary.

Member Charles E. Popp was absent.

**SHELLY O'HARA** of 4304 Sterling Court requests a special exception to allow a home based business (sewing and alterations) in an R-1 subdivision. There will not be an advertising sign at the location.

FLOYD M. COMBS makes a motion to approve the request, seconded by Randy W. Mobley. 4-aye, 0-nay, motion is approved.

**BEN PISTER** of 221 Haas Lane requests a variance from the required five foot side setback to a two foot side setback to allow for a garage expansion (one car to two cars).

**RANDALL W. MOBLEY** questions if this property has only a two foot side setback and his neighbor wants to build and get a two foot side set back there would only be four feet between structures.

**JONAS "Jay" TANNER, Building Commissioner**, states there must be a ten foot distance between buildings for the fire code, but with a two hour firewall on each building it would be legal.

**FRANCIS A. CONROY** makes a motion to grant the variance, with a two hour firewall on the north side of the new structure, seconded by Charles J. Ridenour. 4-aye, 0-nay, motion is approved.

**JEFFREY PARRISH** of 378 Popp Avenue requests two variances. The first is for a minimum lot width of forty feet from the required sixty feet and the second is a variance from the required seventy two hundred square foot minimum lot size to seventy-one hundred, twelve feet lot size.

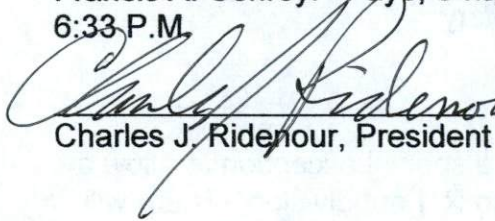
**Sellersburg Plan Commission**  
**June 15, 2009**  
**Page 2 of 2 pages**

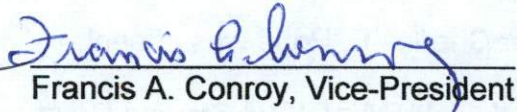
**MR. PARRISH** intends to build a 3 bedroom, one bath home with detached garage behind the residence with entry into the garage from the alley.

**RANDY W. MOBLEY** makes a motion to grant the variance, seconded by Floyd M. Combs. 4-aye, 0-nay, motion is approved.

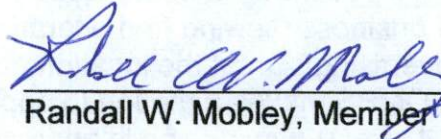
**FRANCIS A. CONROY** makes a motion to approve the minutes, as written, of the May 18, 2009 meeting, seconded by Floyd M. Combs. 4-aye, 0-nay, motion is approved.

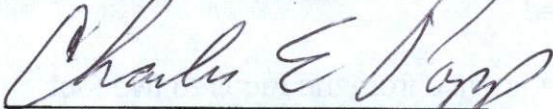
**RANDY W. MOBLEY** makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 4-aye, 0-nay, motion is approved and meeting adjourned at 6:33 P.M.

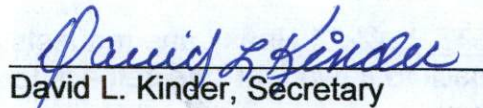
  
Charles J. Ridenour, President

  
Francis A. Conroy, Vice-President

Floyd M. Combs, Member

  
Randall W. Mobley, Member

  
Member Charles E. Popp, Member

  
David L. Kinder, Secretary

## SELLERSBURG BOARD OF ZONING APPEALS

July 20, 2009

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on July 20, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Charles J. Ridenour at 6:00 P.M.

Present were President Charles J. Ridenour Vice-President Francis A. Conroy, Member Randall W. Mobley, Jonas "Jay" Tanner, Building Commissioner and David L. Kinder, Secretary.

Member Floyd M. Combs absent.

**ED CROUCHER, Metro Plumbing**, 1227 Bringham Drive request a side setback of five feet, (ten feet is the requirement in an I-1 zoned property) and a rear setback of five feet (twenty feet is the requirement in an I-1 zoned property).

**PRESIDENT RIDENOUR** asks the audience if anyone present had an objection to this request; there was no response from the audience.

Francis A. Conroy and Charles E. Popp ask if a ten foot set back would be sufficient and Mr. Croucher advised if that is what he is given he can work with that.

Randall W. Mobley recommended that Mr. Croucher return next month with a drawing, not necessarily to scale, of his plans for the expansion of his business.

**CHARLES E. POPP** makes a motion to table this request until the August 17<sup>th</sup> meeting, seconded by Francis A. Conroy. 4-aye, 0-nay, motion is approved.

**BENITA RUSH, Sid's Pub**, 935A South Indiana Avenue request special exception to allow live entertainment in a B-1 zoned property.

**CHARLES E. POPP** makes a motion to permit live music at Sid's Pub, and the permit to be reviewed annually, with a maximum of 5 people in the band, seconded by Randall W. Mobley. 4-aye, 0-nay, motion is approved.

**Sellersburg Board of Zoning Appeals**

**July 20, 2009**

**Page 2 of 3 pages**

**BUNNELL HILL DEVELOPMENT COMPANY developers for Tractor Supply Company,** requesting a variance to 74 (seventy-four) parking spaces in lieu of the required 96 (ninety-six). A preliminary layout is furnished to the Board showing the layout of the building, parking lot and retention pond. It is explained that most of the customers supporting this type of business drive pick-up trucks and that the parking spaces will be 10 feet wide and 20 feet long, larger than the normal parking spaces to accommodate the patrons.

**CHARLES E. POPP** makes a motion to approve the variance on the parking spaces, seconded by Francis A. Conroy. 4-aye, 0-nay, motion is approved.

**DIANE MILES,** 4310 Bridge Court request special exception to allow "home based" business to operate in an R-1 zoned subdivision.

Ms. Miles advises that her business is to decorate homes for sale so they present a good appearance to the prospective purchasers. She has no customers coming to her home; she travels to the home being offered for sale.

**CHARLES E. POPP** makes a motion to grant the request, seconded by Randall W. Mobley. 4-aye, 0-nay, motion approved.

**LARRY BANDY, SR. and DENNIS BOWER** of 123 South Indiana Avenue request a special exception to allow a retail gun store in a B-2 zoned property.

Mr. Bandy advises the Board that not only will this be a retail gun store but they will also offer gun safety classes to new gun owners and young adults.

**MARK CRUM** speaks on behalf of Bandy and Bower suggesting that this type of business is needed in the Town.

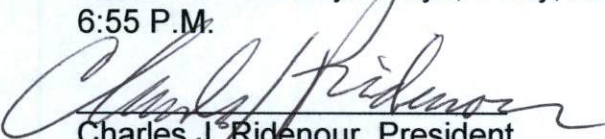
**FRANCIS A. CONROY** makes a motion to approve the exception with the addition that no fully automatic weapons will be in the store and that steel bars will be placed on the windows and door of the building, seconded by Randall W. Mobley. 4-aye, 0-nay, motion approved.

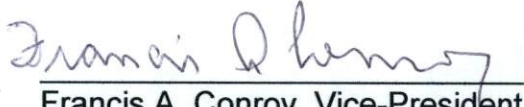
**FRANCIS A. CONROY** makes a motion to approve the minutes, as written, of the June 15, 2009 meeting, seconded by Randall W. Mobley. 4-aye, 0-nay, motion approved.


**Sellersburg Board of Zoning Appeals**

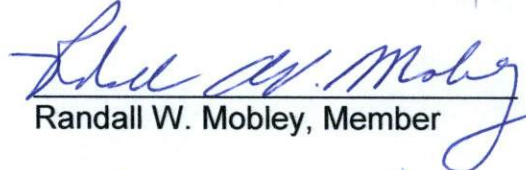
**July 20, 2009**

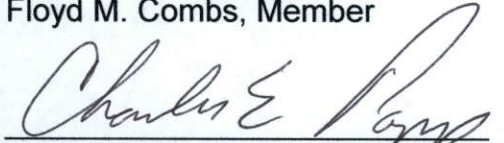
**CHARLES E. POPP** makes a motion to adjourn the meeting, seconded by Randall W. Mobley. Aye, 0-nay, motion is approved and meeting adjourned at 6:55 P.M.

  
Charles J. Ridenour, President

  
Francis A. Conroy, Vice-President

  
Floyd M. Combs, Member

  
Randall W. Mobley, Member

  
Member Charles E. Popp, Member

  
David L. Kinder, Secretary



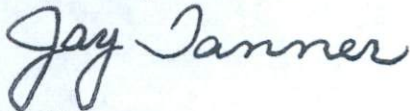
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**SELLERSBURG BOARD OF ZONING APPEALS**  
**REVISED AGENDA**  
July 20, 2009

1. Roll Call.
2. A request by Ed Croucher with Metro Plumbing at 1227 Bringham Drive for two variances. The first is a side setback of five feet, ( ten feet is the requirement in an I-1 zoned property) and the second is a rear setback of five feet ( twenty feet is the requirement in an I-1 zoned property).
3. A request by Benita Rush with Sid's Pub at 935A S. Indiana Avenue for a special exception to allow live entertainment in a B-1 zoned property.
4. A request by the Bunnell Hill Development Co. to allow a Tractor Supply Company to be constructed with seventy four parking spaces in lieu of the required ninety six parking spaces.
5. A request by Diane Miles of 4310 Bridge Court for a special exception to allow a "home-based" business to operate in an R-1 zoned subdivision
6. A request by Dennis and Larry Bower of 123 S. Indiana Avenue for a special exception to allow a retail gun store in a B-2 zoned property.
7. Approve the minutes from the June 15, 2009 meeting.
8. Adjourn.

Respectfully Submitted



Jay Tanner  
Building Commissioner,  
Town of Sellersburg



## RENAISSANCE DESIGN BUILD, INC.

117 S. INDIANA AVENUE

SELLERSBURG, INDIANA 47172

TELEPHONE 812-246-5897

FACSIMILE 812-248-4320

[www.renaissancedesignbuild.com](http://www.renaissancedesignbuild.com)

RENAISSANCE  
DESIGN BUILD,  
INC.

10

YEARS

1999-2009

July 20, 2009

Sellersburg Plan Commission  
316 E. Utica Street  
Sellersburg, IN 47172

Re: 123 S. Indiana Ave

Dear Plan Commission Members,

The purpose of this letter is to submit my approval of granting the requested special exception being heard tonight on the above referenced site. We are the adjoining property owner and think the request will bring a valuable business to the town. I would have spoke in favor at the hearing but had 2 previous appointments in Corydon, Indiana.

Sincerely,

Renaissance Design Build, Inc.

Nathan R. Grimes, P.E.

July 14, 2009

TO WHOM IT MAY CONCERN

Tractor Supply Company operates retail stores supplying the lifestyle needs of recreational farmers and ranchers. TSC also serves the maintenance needs of those who enjoy a rural lifestyle, as well as tradesmen and small businesses.

Listed below are customer traffic counts and hours for a typical TSC store in Indiana.

Weekdays

Hours Monday through Saturday 8AM to 8PM, Sunday Noon to 5PM.

Daily Total Count	200-250 customers
Peak Periods per Hour (11AM- 1PM & 5PM-8PM)	25-50 customers

Weekends

Daily Total Count	250-400 customers
Peak Periods per Hour (From Noon to 5PM on Friday and all day Saturday are normally are the busiest periods of the week)	35-55 customers

The average customer will stay in the store for approximately 15-20 minutes.

If any additional information is required, please call me at (615) 440-4792.

Sincerely,

Lew Wrenn  
Director of Real Estate  
200 Powell Place  
Brentwood, TN 37027  
Office 615-440-4792  
Fax 615-440-4792  
E-mail lwrenn@tractorsupply.com

**SELLERSBURG BOARD OF ZONING APPEALS**

**August 17, 2009**

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on August 17, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Charles J. Ridenour at 6:00 P.M.

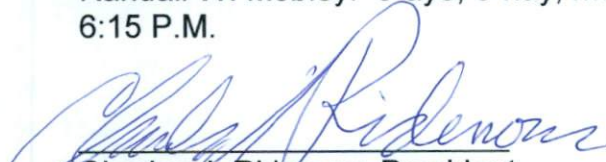
Present were President Charles J. Ridenour, Vice-President Francis A. Conroy, Member Randall W. Mobley, Member Floyd M. Combs, Member Charles E. Popp, Jonas "Jay" Tanner, Building Commissioner and Michelle D. Eve, Secretary.

**ED CROUCHER, Metro Plumbing**, 1227 Bringham Drive requests a side setback of five feet and a rear setback of ten feet.


**FRANCIS A. CONROY** makes a motion to approve the side setback of five feet and a rear setback of ten feet, seconded by Charles E. Popp. 5-aye, 0-nay, motion is approved.

**FLOYD M. COMBS** makes a motion to approve the minutes, as written, of the July 20, 2009 meeting, seconded by Randall W. Mobley. 5-aye, 0-nay, motion approved.

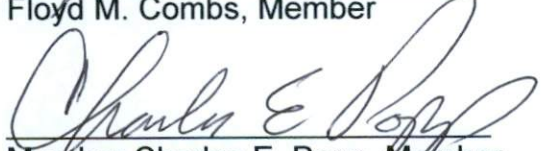
**FRANCIS A. CONROY** makes a motion to adjourn the meeting, seconded by Randall W. Mobley. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:15 P.M.

  
Charles J. Ridenour, President

  
Francis A. Conroy, Vice-President

  
Floyd M. Combs, Member

  
Randall W. Mobley, Member

  
Member Charles E. Popp, Member

  
Michelle D. Eve, Secretary

# Sellersburg Building Commissioner

103 South New Albany Street

PO Box 175

Sellersburg, IN 47172

Phone (502) 817-3041

e-mail [jtanner@sellersburg.org](mailto:jtanner@sellersburg.org)

## **SELLERSBURG BOARD OF ZONING APPEALS**

REVISED AGENDA

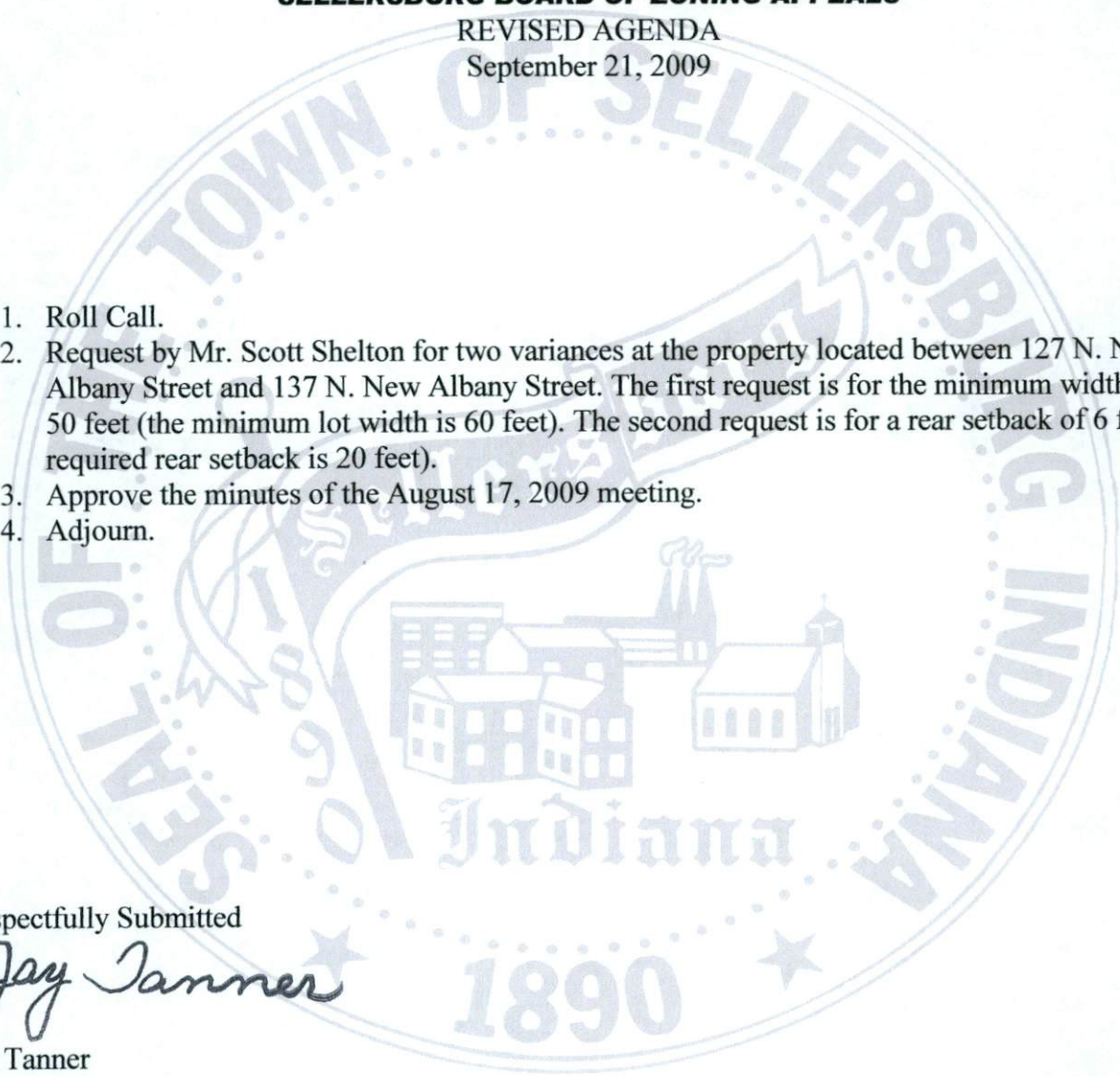
September 21, 2009

1. Roll Call.
2. Request by Mr. Scott Shelton for two variances at the property located between 127 N. New Albany Street and 137 N. New Albany Street. The first request is for the minimum width to be 50 feet (the minimum lot width is 60 feet). The second request is for a rear setback of 6 feet (the required rear setback is 20 feet).
3. Approve the minutes of the August 17, 2009 meeting.
4. Adjourn.

Respectfully Submitted



Jay Tanner  
Building Commissioner,  
Town of Sellersburg



**SELLERSBURG BOARD OF ZONING APPEALS**

**September 21, 2009**

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on September 21, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Charles J. Ridenour at 6:00 P.M.

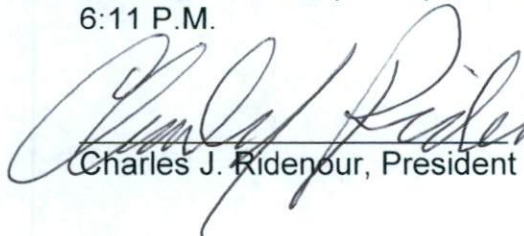
Present were President Charles J. Ridenour, Vice-President Francis A. Conroy, Member Randall W. Mobley, Member Floyd M. Combs, Member Charles E. Popp, Jonas "Jay" Tanner, Building Commissioner and Michelle D. Eve, Secretary.

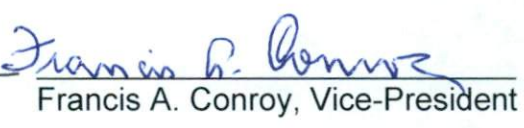
**SCOTT SHELTON:** Requests two variances at the property located between 127 N. New Albany Street and 137 N. New Albany Street. The first request is for the minimum width to be 50 feet and the second request is for a rear setback of 14 feet.

**FRANCIS A. CONROY** makes a motion to approve the two variances, with the minimum width to be 50 feet and the rear setback of 14 feet, seconded by Floyd M. Combs. 5-aye, 0-nay, motion is approved.

**FLOYD M. COMBS** makes a motion to approve the minutes, as written, of the August 17, 2009 meeting, seconded by Charles E. Popp. 5-aye, 0-nay, motion approved.

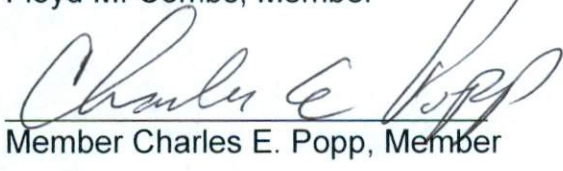
**FRANCIS A. CONROY** makes a motion to adjourn the meeting, seconded by Randall W. Mobley. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:11 P.M.

  
\_\_\_\_\_  
Charles J. Ridenour, President

  
\_\_\_\_\_  
Francis A. Conroy, Vice-President

\_\_\_\_\_  
Floyd M. Combs, Member

  
\_\_\_\_\_  
Randall W. Mobley, Member

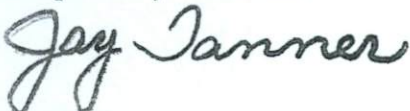
  
\_\_\_\_\_  
Member Charles E. Popp, Member

  
\_\_\_\_\_  
Michelle D. Eve, Secretary

**SELLERSBURG BOARD OF ZONING APPEALS**  
REVISED AGENDA  
October 19, 2009

1. Roll Call.
2. Request by Mr. Eric Lemmon of 694 S. Penn Avenue for a zero side setback to accommodate a storage shed. The required side setback is five feet.
3. Approve the minutes from the September 21, 2009 meeting.
4. Adjourn.

Respectfully Submitted

A handwritten signature in cursive script that reads "Jay Tanner".

Jay Tanner  
Building Commissioner,  
Town of Sellersburg



## SELLERSBURG BOARD OF ZONING APPEALS

October 19, 2009

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on October 19, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Charles J. Ridenour at 6:00 P.M.

Present were President Charles J. Ridenour, Vice-President Francis A. Conroy, Member Randall W. Mobley, Member Charles E. Popp, Jonas "Jay" Tanner, Building Commissioner and David L. Kinder, Secretary.


Member Floyd M. Combs was absent.

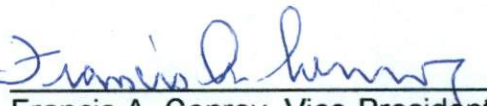
Mr. Erie Lemmon of 694 S. Penn Avenue was not present for a requested setback of a storage shed.

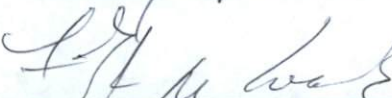
**FRANCIS A. CONROY** makes a motion to table Mr. Lemmon's request until the next meeting, November 16<sup>th</sup>, seconded by Randall W. Mobley. 4-aye, 0-nay motion is approved.

**CHARLES E. POPP** makes a motion to approve the minutes of the September 21, 2009 meeting as written, seconded by Francis A. Conroy. 4-aye, 0-nay, motion is approved.

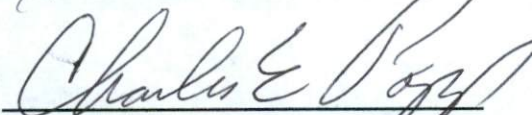
**FRANCIS A. CONROY** makes a motion to adjourn, seconded by Charles E. Popp. 4-aye, 0-nay motion is approved and meeting adjourned at 6:05 P.M.

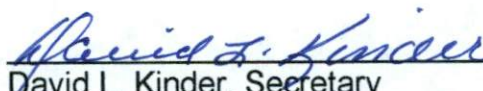
  
Charles J. Ridenour, President

  
Francis A. Conroy, Vice-President

  
Floyd M. Combs, Member

  
Randall W. Mobley, Member

  
Member Charles E. Popp, Member

  
David L. Kinder, Secretary

## SELLERSBURG BOARD OF ZONING APPEALS

November 16, 2009

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on November 16, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Charles J. Ridenour at 6:00 P.M.

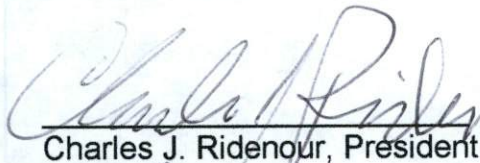
Present were President Charles J. Ridenour, Vice-President Francis A. Conroy, Member Floyd M. Combs, Member Randall W. Mobley, Member Charles E. Popp, Jonas "Jay" Tanner, Building Commissioner and David L. Kinder, Secretary.

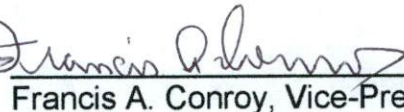
Mr. Erie Lemmon of 694 S. Penn Avenue requesting a zero foot set back from property line for shed, on skids; shed measures eight feet by twelve feet.

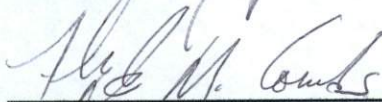
**CHARLES E. POPP** makes a motion to table approve the zero set-back pending no complaints from neighbors or interference with safety to the town and that the shed remains movable, seconded by Floyd M. Combs. 4-aye, 1-nay, motion is approved.

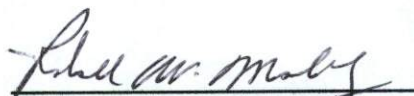
**FRANCIS A. CONROY** makes a motion to approve the minutes, as written, of the October 19, 2009 meeting, seconded by Randall W. Mobley. 5-aye, 0-nay, motion is approved.

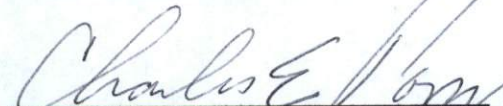
**CHARLES E. POPP** makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 5-aye, 0-nay, motion approved and meeting adjourned at 6:14 P.M.

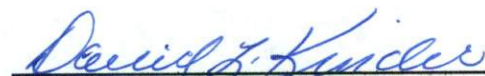
  
Charles J. Ridenour, President

  
Francis A. Conroy, Vice-President

  
Floyd M. Combs, Member

  
Randall W. Mobley, Member

  
Member Charles E. Popp, Member

  
David L. Kinder, Secretary

# Sellersburg Building Commissioner

103 South New Albany Street

PO Box 175

Sellersburg, IN 47172

Phone (502) 817-3041

e-mail [jtanner@sellersburg.org](mailto:jtanner@sellersburg.org)

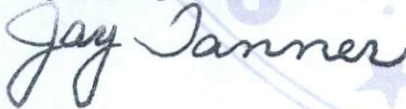
## SELLERSBURG BOARD OF ZONING APPEALS

### AGENDA

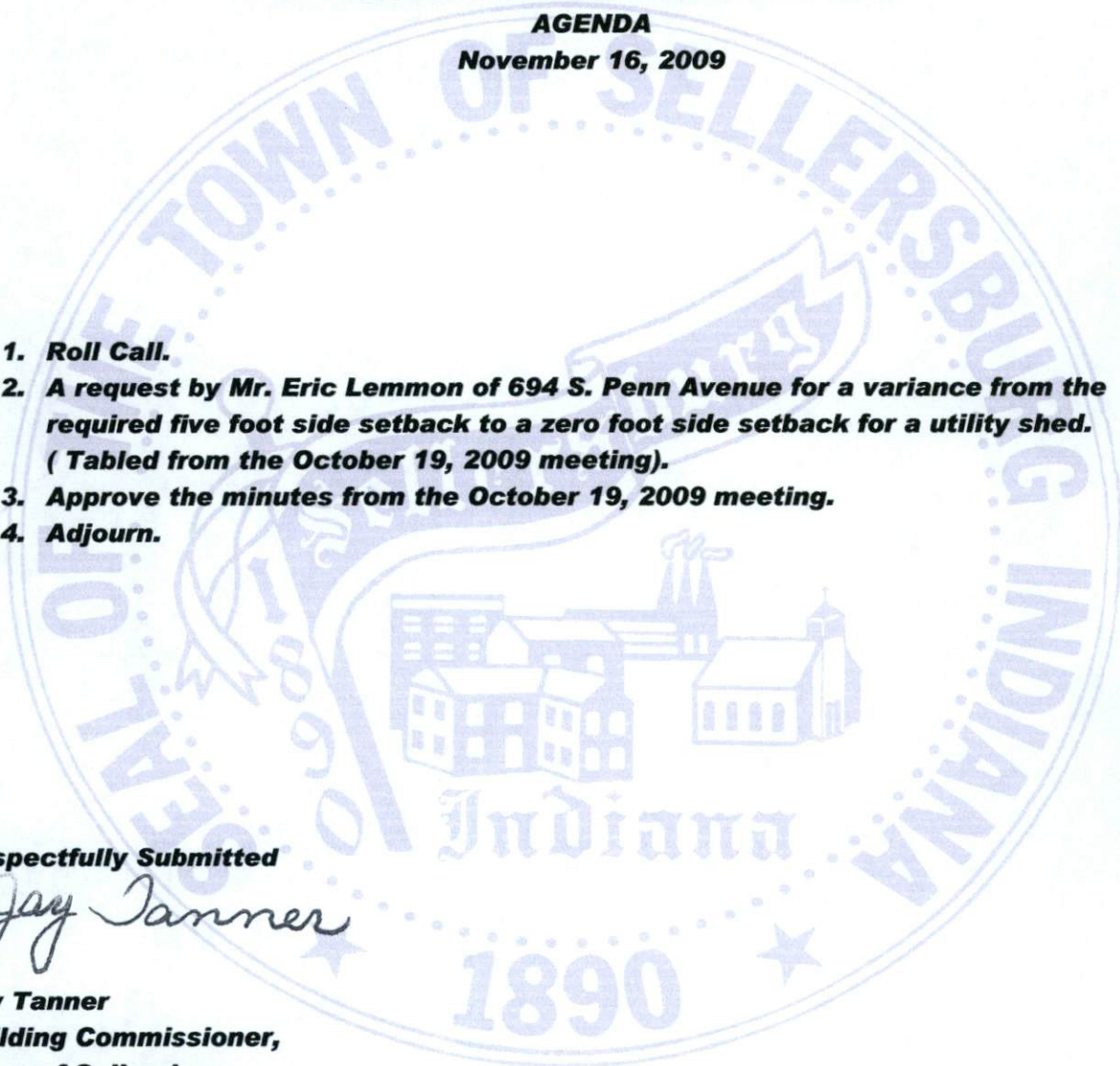
November 16, 2009

1. Roll Call.
2. A request by Mr. Eric Lemmon of 694 S. Penn Avenue for a variance from the required five foot side setback to a zero foot side setback for a utility shed. ( Tabled from the October 19, 2009 meeting).
3. Approve the minutes from the October 19, 2009 meeting.
4. Adjourn.

Respectfully Submitted



Jay Tanner  
Building Commissioner,  
Town of Sellersburg



**Proof of  
Publication**

**-NOTICE OF PUBLIC HEARING-**  
**Notice by the Sellersburg Plan Commission**  
Notice is hereby given that the Sellersburg Plan Commission will hold a Public Hearing on October 19th at 6:00 in the Meeting Room of the Sellersburg Town Hall Located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by Denny Wendell to allow the following Rezone the property at 300 Kahl Ct: From R-1 to R-2 To accommodate a new duplex On property commonly know as \_\_\_\_\_ 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 Plan Commission 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 Plan Commission

**STATE OF INDIANA  
COUNTY OF CLARK - SS**

Melissa Tolnay On oath says that she is the 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 #( ) time(s) to-wit: In issue of said The Evening News dated: October 9, 2009.

(X) Melissa Tolnay

**STATE OF INDIANA  
COUNTY OF CLARK**

subscribed and sworn to before me this 20<sup>th</sup> day of October, 2009.

(X) Joann Galligan  
JOANN GALLIGAN

Notary Public, Clark County, Indiana  
(My Commission Expires August 27, 2014.)

**Publication**

Fee \$ 41.92

06522046

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7009 1410 0000 5606 8757

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Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 45.54		11/03/2009

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PS Form 3800, August 2006

See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)	\$2.30		
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 45.54		11/03/2009

To To  
Street, Apt. No., or PO Box No. 310 Kahl Ct.  
City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

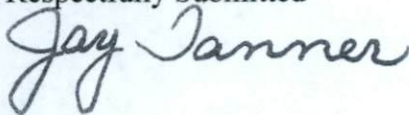
**SELLERSBURG BOARD OG ZONING APPEALS**

**AGENDA**

December 21, 2009

1. Roll Call.
2. There are no items for review this month.
3. Approve the minutes from the November 16, 2009 meeting.
4. Adjourn.

Respectfully Submitted

A handwritten signature in black ink that reads "Jay Tanner". The signature is written in a cursive style with a large, stylized initial "J".

Jay Tanner  
Building Commissioner,  
Town of Sellersburg

## SELLERSBURG BOARD OF ZONING APPEALS

December 21, 2009


The minutes as written are not verbatim from the meeting.

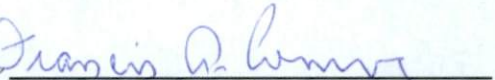
The Sellersburg Board of Zoning Appeals met on December 21, 2009 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Charles J. Ridenour at 6:00 P.M.


Present were President Charles J. Ridenour, Vice-President Francis A. Conroy, Member Floyd M. Combs, Member Randall W. Mobley, Member Charles E. Popp, Jonas "Jay" Tanner, Building Commissioner and David L. Kinder, Secretary.

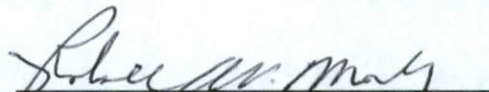
**FRANCIS A. CONROY** makes a motion to approve the minutes of the November 16, 2009 meeting as written, seconded by Floyd M. Combs. 5-aye, 0-nay, motion is approved.

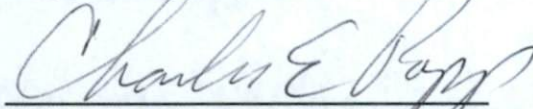
**CHARLES E. POPP** makes a motion to adjourn the meeting, seconded by Randall W. Mobley. 5-aye, 0-nay, motion approved and meeting adjourned at 6:07 P.M.

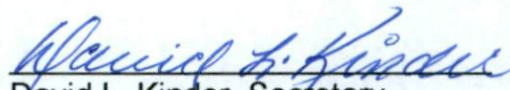
  
\_\_\_\_\_  
Charles J. Ridenour, President

  
\_\_\_\_\_  
Francis A. Conroy, Vice-President

  
\_\_\_\_\_  
Floyd M. Combs, Member

  
\_\_\_\_\_  
Randall W. Mobley, Member

  
\_\_\_\_\_  
Member Charles E. Popp, Member

  
\_\_\_\_\_  
David L. Kinder, Secretary

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- 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:

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 Attn: Mark Gallagher  
 500 Water St. (C-910)  
 Jacksonville, FL  
 32202

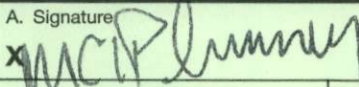
2. Article Number

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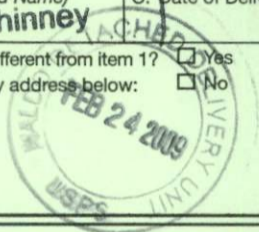
A. Signature


 Agent Addressee

B. Received by (Printed Name)

Mike Phinney

C. Date of Delivery

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

3. Service Type

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4. Restricted Delivery? (Extra Fee)

 Yes



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USPS  
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Keith & Debby Elzeick  
5215 Charles town Rd  
New Albany, IN  
47150



**SENDER: COMPLETE THIS SECTION**

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- 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:

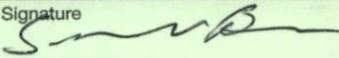
Douglast Sandy  
Broady  
828 E Utica St.  
Sellersburg, IN  
47172

 2. Article Number  
 (Transfer from service label)

7008 1830 0004 4938 2713

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

 X 
 Agent  
 Addressee

B. Received by (Printed Name)

Sandra Broady

C. Date of Delivery

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


3. Service Type

- |   |   |
|---|---|
| <input 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.                         |

4. Restricted Delivery? (Extra Fee)  Yes

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

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

Keith & Debby Elswick  
5215 Charlestown Rd  
New Albany, IN 47150



**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:

Mary Yost  
 846 E. W. East  
 Sellersburg, IN  
 47172

2. Article Number

(Transfer from service label)

7008 1830 0004 4938 2690

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *Mary Yost*  Agent  Addressee

B. Received by (Printed Name)

*Mary Yost*

C. Date of Delivery

*2-19-09*D. Is delivery address different from item 1?  YesIf 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



First-Class Mail  
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USPS  
Permit No. G-10

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

Keith & Debby Elswick  
5215 Charlestown Rd  
New Albany, IN 47150



**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:

Trustees FAM Lodge  
 835 E. Utica St.  
 Sellersburg, IN  
 47172

2. Article Number

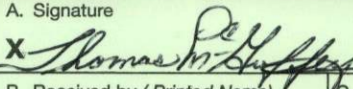
*(Transfer from service label)*

7008 1830 0004 4938 2706

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X


 Agent Addressee

B. Received by (Printed Name)

THOMAS M. GUEFFEY

C. Date of Delivery

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 SERVICE



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USPS  
Permit No. G-10

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Keith & Debby Elsupille  
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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.32	02/18/2009

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- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.32	02/18/2009

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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 05.32	02/18/2009

Sent To

Mary Yost

Street, Apt. No.,  
or PO Box No.

City, State, ZIP+4

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Postage	\$ 0.42	0772
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Total Postage & Fees	\$ 5.32	02/18/2009

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Trustees FAM Lodge

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or PO Box No.

City, State, ZIP+4

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- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS® postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "*Restricted Delivery*".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

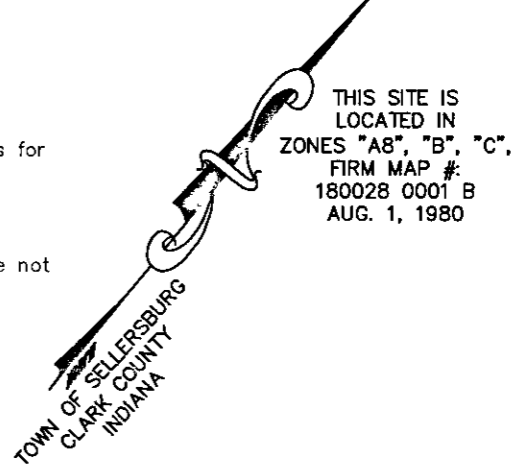
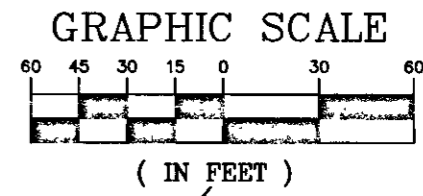
**IMPORTANT: Save this receipt and present it when making an inquiry.**

PS Form 3800, August 2006 (Reverse) PSN 7530-02-000-9047

LINE TABLE				
LINE	MEASURED		PLAT	
	BEARING	LENGTH	BEARING	LENGTH
L1	N 37°41'48" W	177.82	S 38°00'00" E	177.80
L2	N 51°00'00" E	50.00	S 51°00'00" W	50.00
L3	S 51°00'00" W	40.00	S 51°00'00" W	40.00
L4	N 37°41'48" W	177.82	N 38°00'00" W	177.80
L5	N 51°00'00" E	40.00	N 51°00'00" E	40.00
L6	S 51°00'00" W	50.00	N 51°00'00" E	50.00
L7	S 37°41'48" E	177.82	S 38°00'00" E	177.80

**SURVEYORS REPORT**

1. This is a Retracement Survey of Parrish Instru 200724698 calling for lot 16 and 40 feet of lot 17 in Block 2 of Dold and Popp's Addition shown in Plat book 3 page 70.
2. The Plat dated 1888 is quite good for these two lots but closure errors exist in other lots creating some suspicions, However these lots and the adjoining lots are all 89'cornered, equal distance rectangles and right of way widths are clearly shown. The Plat shows various stones or stakes on the exterior but none on the lot corners.
3. There were no uncertainties identified with the Deed or adjoining Deeds.
4. The lots were retraced from multiple surveyor monuments found consistent with the plat with variances identified up to 0.38 feet and other non-surveyor or disturbed monuments with variances up to 10.32 feet as shown.
5. No original plat referenced monuments were found. Two monuments were held as shown to retrace the block.
6. The Parrish garage encroaches on Beck up to 2.7 feet as shown. The age and origin of this is unknown. No other significant issues of the adverse possession use or encroachment were identified.
7. Topcon GTS-3D total station TU=.0339 FT/100G FT
8. Date of Field Work: 3/21/08.
9. The Maximum RPA between any two points on this survey is 0.026 feet satisfying the Indiana Rule 12 requirements for an Urban Survey.
10. It is my professional opinion that the uncertainty with the corners and lines of this survey, based upon weighted assessment of the evidence discussed and/or illustrated hereon, is 0.38 feet.
11. This survey is performed without the benefit of review of a title search. Therefore this site may be subject to restrictions and or easements of record not shown. This site may also contain buried structures or utilities, which are not identifiable within the context of this survey, which may constitute easements or other liabilities.



**LEGAL DESCRIPTION**

LOT 16 OF THE EDWARD DOLD AND MAGDALENA POPP'S ADDITION TO THE TOWN OF SELLERSBURG, AS SHOWN ON THE PLAT OF SAID ADDITION, RECORDED IN PLAT BOOK 3, PAGE 70, IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA:

BEGINNING AT THE NORTH CORNER OF LOT 16 AT A 5/8" REBAR, THE TRUE POINT OF BEGINNING, THENCE S 51°00'00" W, A DISTANCE OF 50.00 FEET TO A 5/8" REBAR, THENCE S 37°41'48" E, A DISTANCE OF 177.82 FEET TO A 5/8" REBAR, THENCE N 51°00'00" E, A DISTANCE OF 50.00 FEET TO A 5/8" REBAR, THENCE N 37°41'48" W, A DISTANCE OF 177.82 FEET TO A 5/8" REBAR, THE TRUE POINT OF BEGINNING

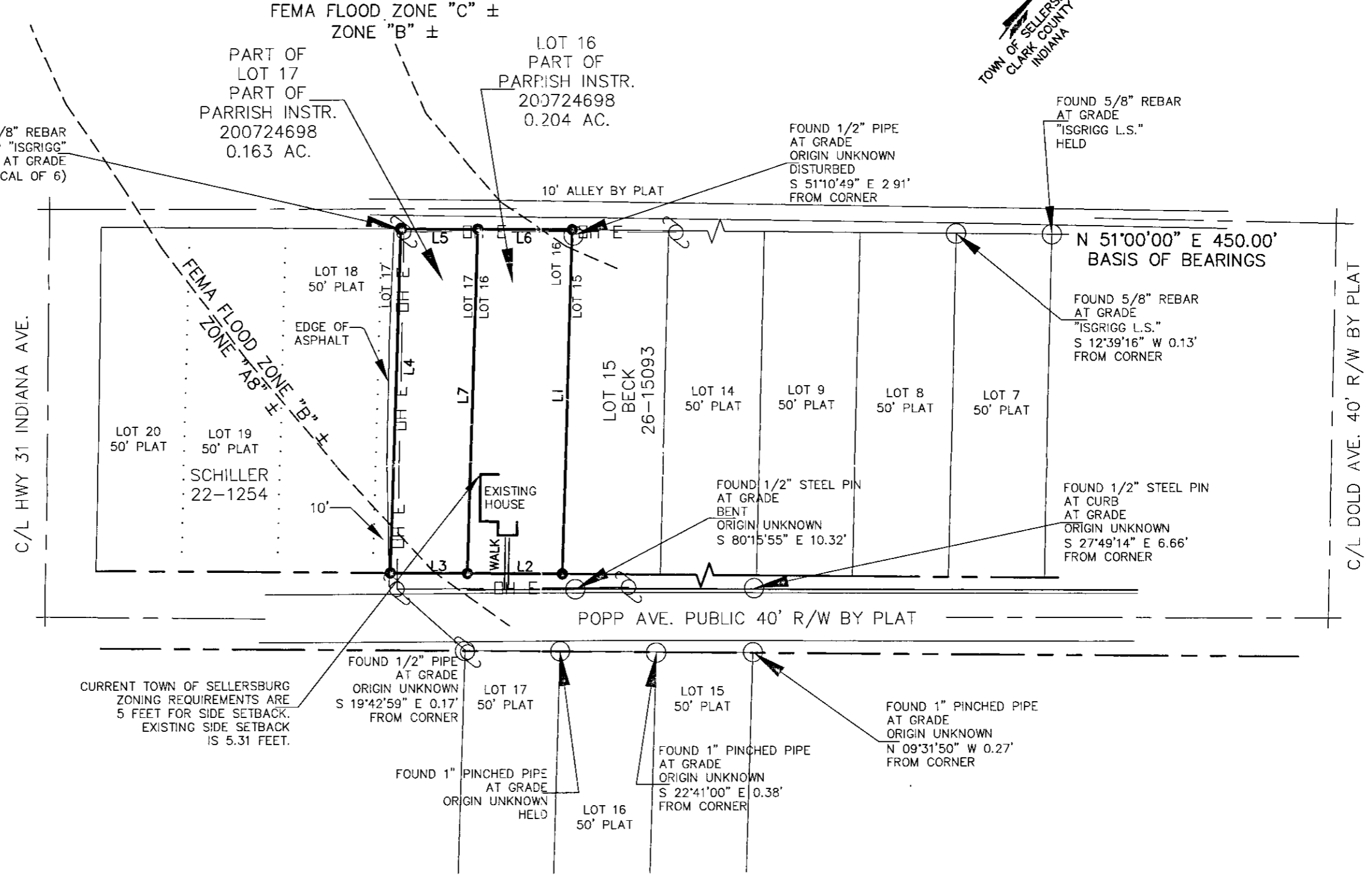
CONTAINING 0.204 ACRES

**LEGAL DESCRIPTION**

A PART OF LOT 17 OF THE EDWARD DOLD AND MAGDALENA POPP'S ADDITION TO THE TOWN OF SELLERSBURG, AS SHOWN ON THE PLAT OF SAID ADDITION, RECORDED IN PLAT BOOK 3, PAGE 70, IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA:

BEGINNING AT THE NORTH CORNER OF LOT 17 AT A 5/8" REBAR, THE TRUE POINT OF BEGINNING, THENCE S 37°41'48" E, A DISTANCE OF 177.82 FEET TO A 5/8" REBAR, THENCE S 51°00'00" W, A DISTANCE OF 40.00 FEET TO A 5/8" REBAR, THENCE N 37°41'48" W, A DISTANCE OF 177.82 FEET TO A 5/8" REBAR, THENCE N 51°00'00" E, A DISTANCE OF 40.00 FEET TO A 5/8" REBAR, THE TRUE POINT OF BEGINNING

CONTAINING 0.163 ACRES



**BOB ISGRIGG & ASSOCIATES**  
 CIVIL ENGINEERS / LAND SURVEYORS  
 518 E. COURT AVENUE, SELLERSBURG, IN 47179  
 (317) 288-1011 Phone | (317) 288-1012 Fax  
 http://www.bobisgrigg.com

**SURVEY FOR:**  
 JEFF PARRISH, OWNER  
 378 POPP AVE.  
 SELLERSBURG, INDIANA

THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION ACCORDING TO THE REQUIREMENTS OF TITLE 865 I.A.C. 1-1-12

DRAWN BY: JAH/MAR  
 CHECKED BY: R.L.L.  
 SCALE: 1"=60'  
 DATE: 3/31/2008  
 REVISED: 02/2008  
 JOB NO.: 3-15B

SHEET NO. 1 of 1



PRELIMINARY LAYOUT FOR:

# TSC TRACTOR SUPPLY CO

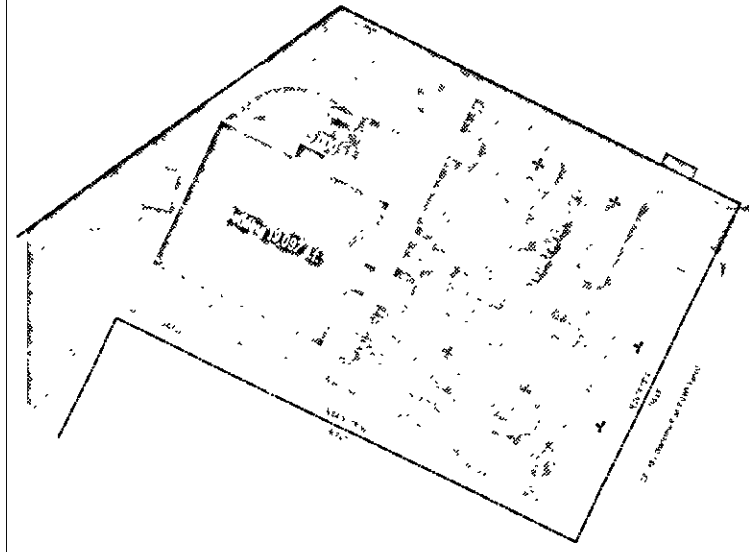
SUBMITTED TO:

BOARD OF ADJUSTMENTS - SELLERSBURG, IN.

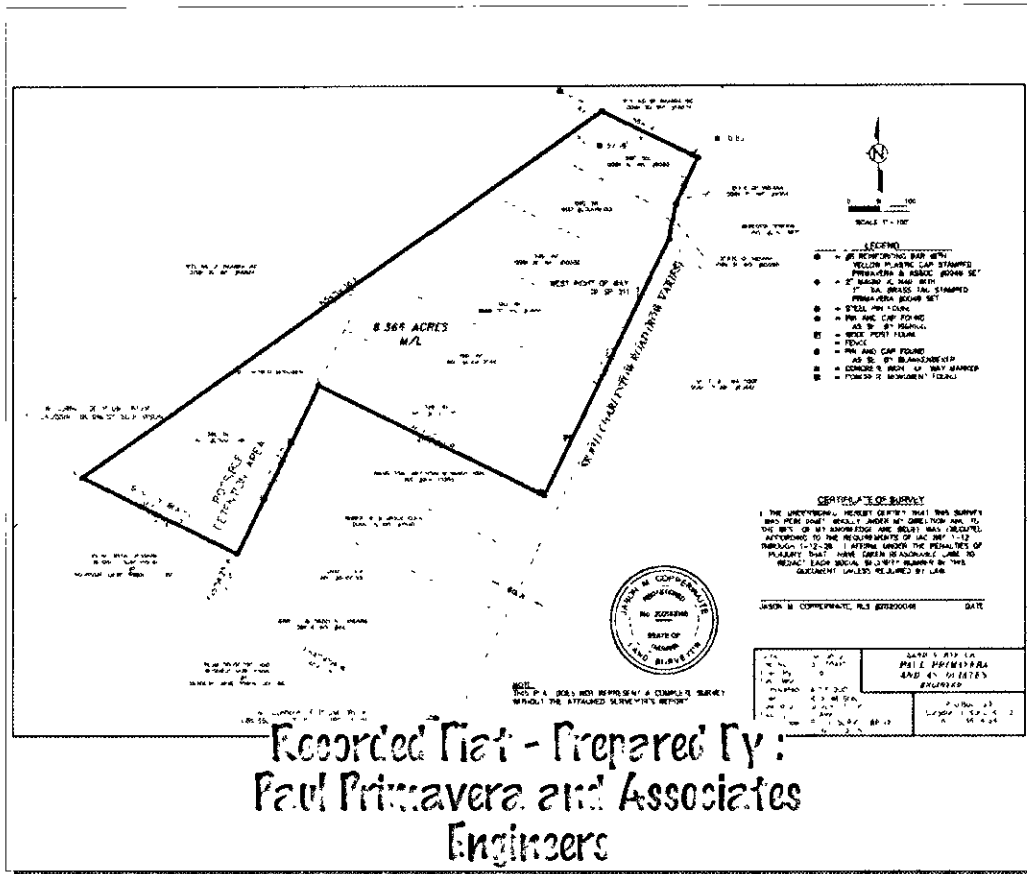
PREPARED BY:



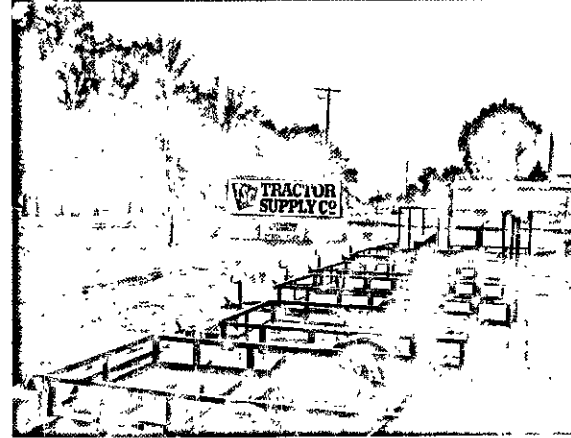
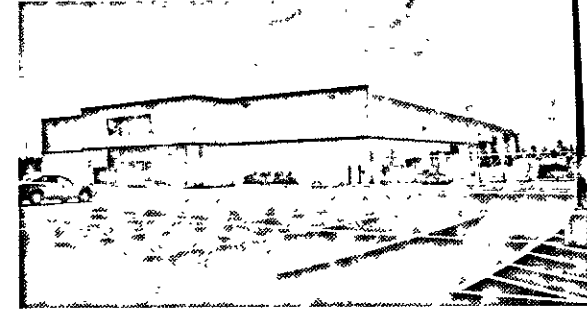
**BUNNELL HILL**  
DEVELOPMENT COMPANY, INC



PROPOSED DEVELOPMENT



Existing Tractor Supply Stores - Developed By:  
BUNNELL HILL DEVELOPMENT



Board Of Adjustment - Cover Sheet  
**TSC - Sellersburg, Clark County, Indiana**

State Route 311

**BUNNELL HILL**



REVISIONS



PROJECT NO.  
Project Number

DRAWN BY  
Keith Carter

DATE DRAWN  
July 15, 2009

SCALE  
1 1

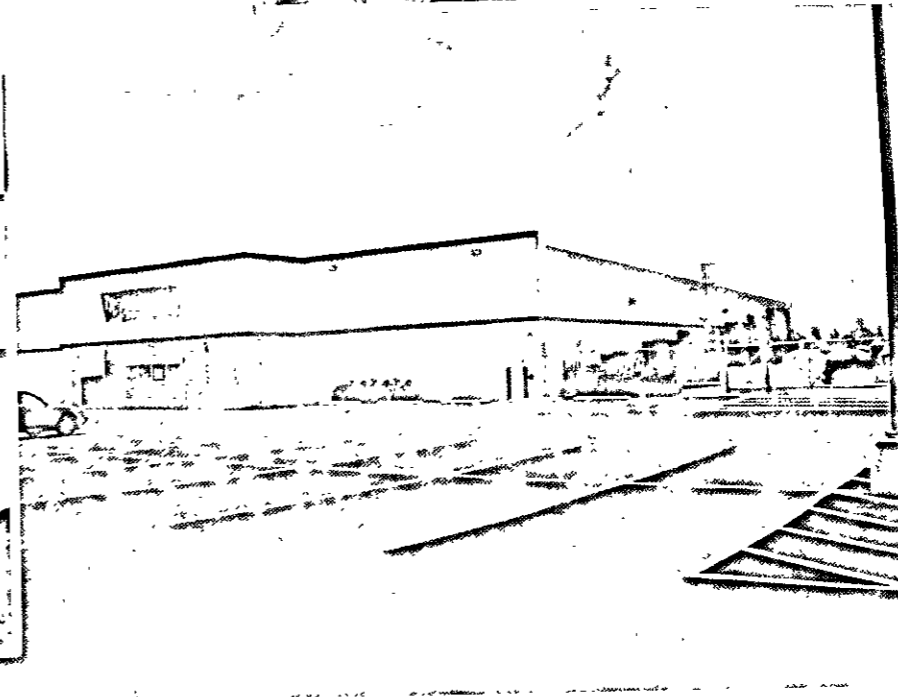
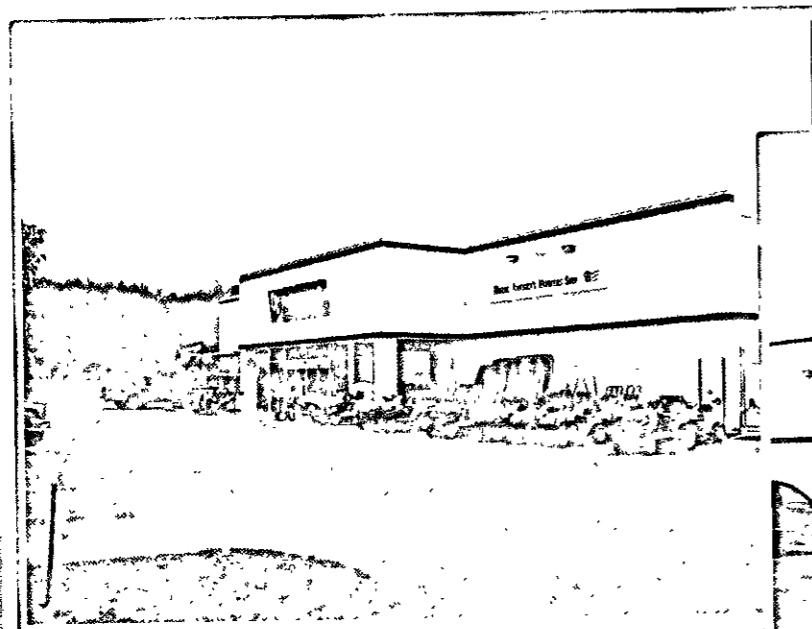
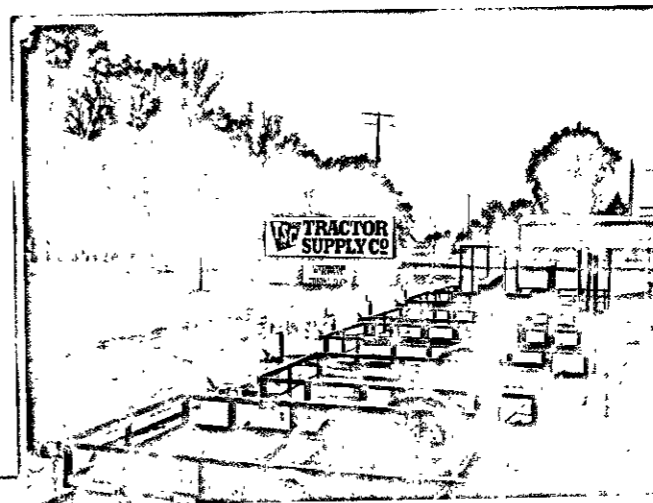
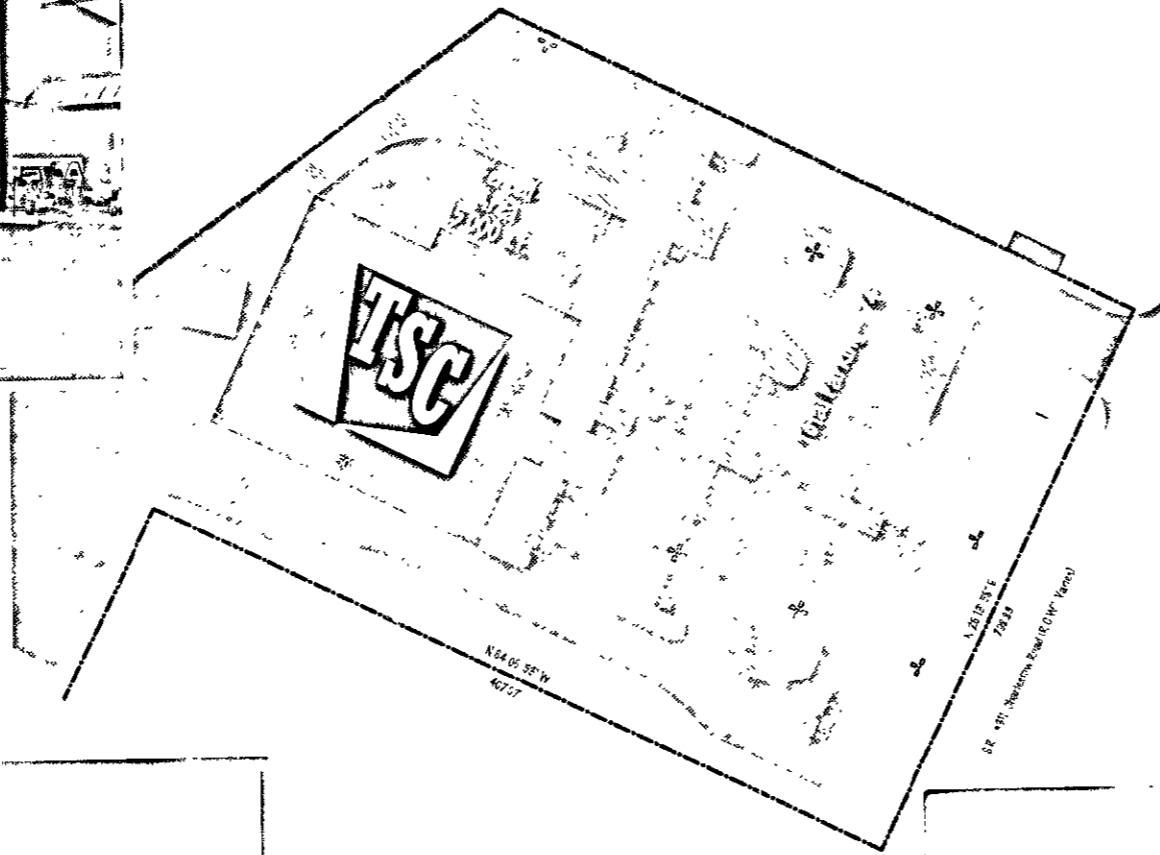
**COVER SHEET**

**01**

3000 HENKLE DRIVE SUITE G LEBANON, OH 45036 513.802.6980 TEL 513.802.1827 FAX

ALTERNATE TO PLAN ON "T" DISCLOSED MEET IN PART OR WHOLE WITH THESE TERMS AND CONDITIONS: "IF ANY PART OF THIS PLAN IS NOT APPROVED BY THE BOARD OF ADJUSTMENTS, THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT."

# TSC TRACTOR SUPPLY CO



Board Of Adjustment - Site Plan  
**TSC - Sellersburg, Clark County, Indiana**  
 State Route 311

**BUNNELL HILL**



REVISIONS		
NO.	DATE	DESCRIPTION



PROJECT NO.  
 Project Number  
 DRAWN BY  
 Keith Carter  
 DATE DRAWN  
 July 15, 2009  
 SCALE

Exhibit #1

**01A**

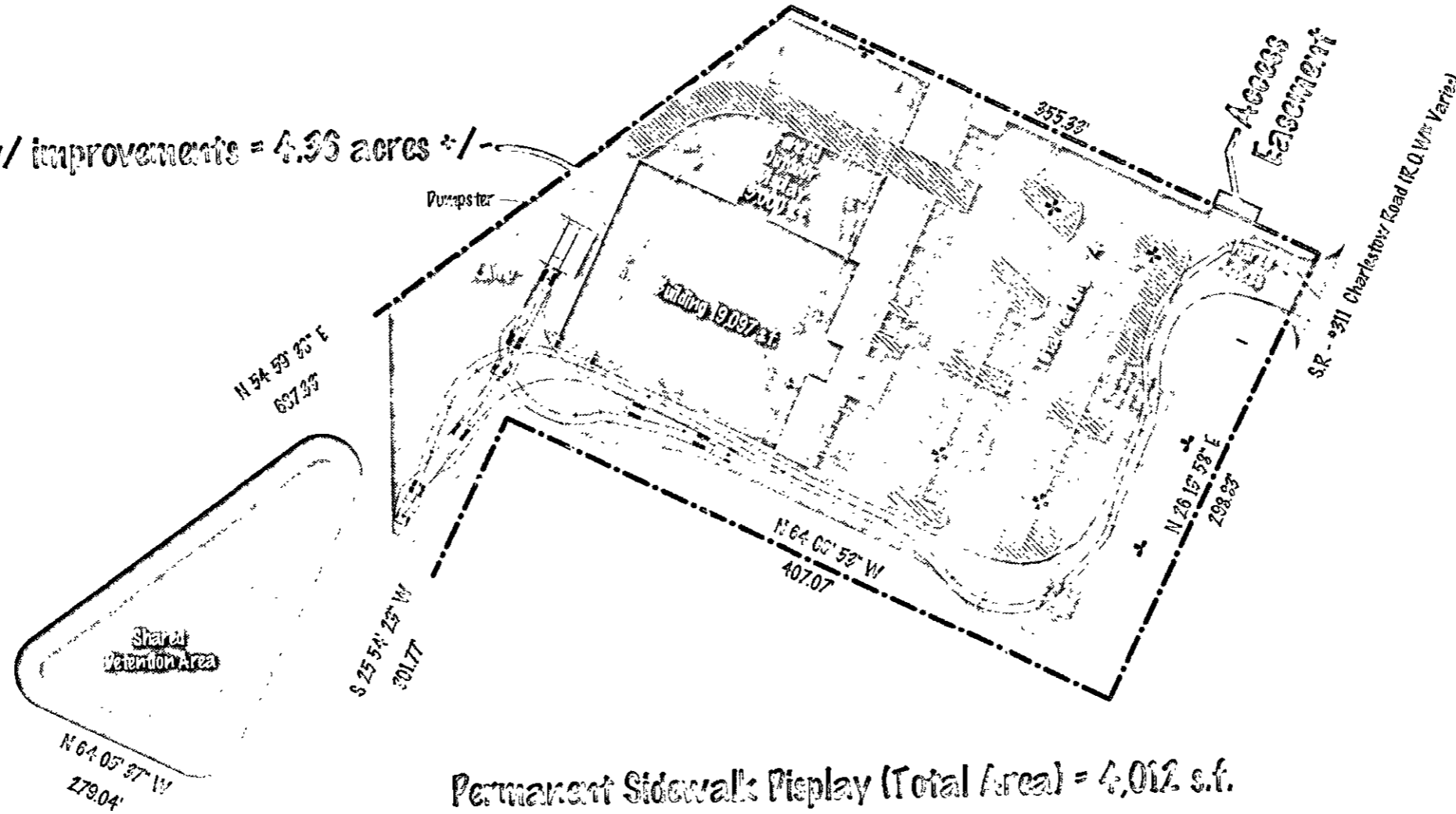
3000 HENKLE DRIVE SUITE G LEDDARD OH 46088 513 932 5900 TEL 513 932 1237 FAX

ALTERNATIVE PROJECTS: 1. 4501 W. WASHINGTON ST. SELLERSBURG, IN 47179 2. 1000 S. WASHINGTON ST. SELLERSBURG, IN 47179



Acres remaining = 1.84 acres +/-

Acres w/ improvements = 4.96 acres +/-




Permanent Sidewalk Display (Total Area) = 4,012 s.f.

Permanent Trailer And Equipment Display = 3,000 s.f.

Board Of Adjustment - Site Plan  
**TSC - Sellersburg, Clark County, Indiana**  
 State Route 311

**BUNNELL HILL**

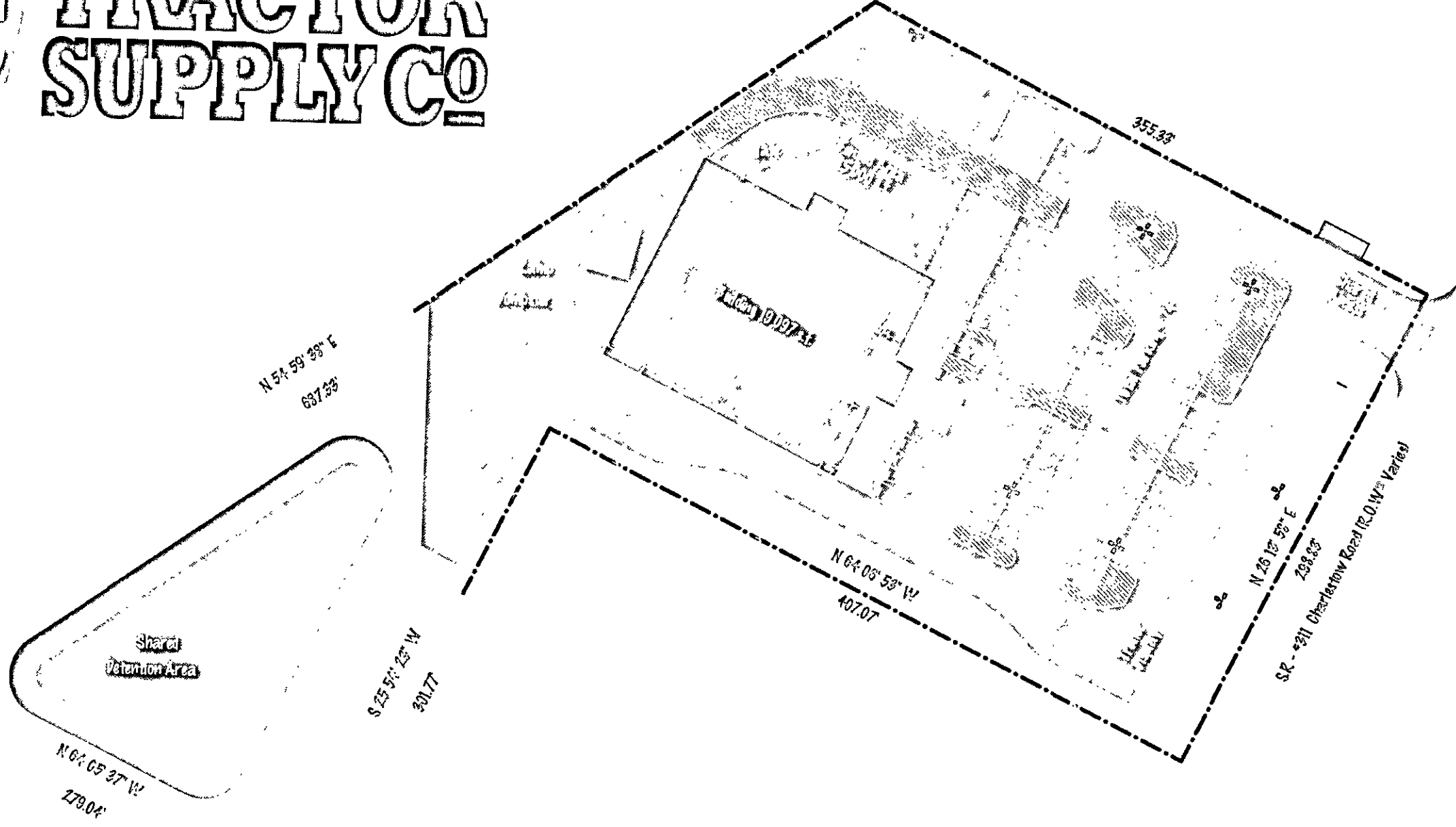


REVISIONS		
NO.	DATE	DESCRIPTION
		
PROJECT NO		
Project Number		
DRAWN BY		
Keith Carter		
DATE DRAWN		
July 15, 2009		
SCALE		

**PRELIMINARY SITE PLAN**

**02A**

3000 HENKLE DRIVE SUITE G LEBANON, OH 45006 513.912.6000 TEL 513.932.1237 FAX  
 ALTHOUGH A MAP OR JULY 15, 2009 FOR THE PROPERTY IDENTIFIED BY THE PROPERTY ADDRESS AND THE BUNNELL HILL  
 CONSULT THE BUNNELL HILL WEBSITE FOR THE LATEST REVISIONS.



**PRELIMINARY SITE**



REVISIONS	
NO.	DATE



PROJECT NO.  
Project Number  
DRAWN BY  
Kerth Carter  
DATE DRAWN  
July 15 2009  
SCALE

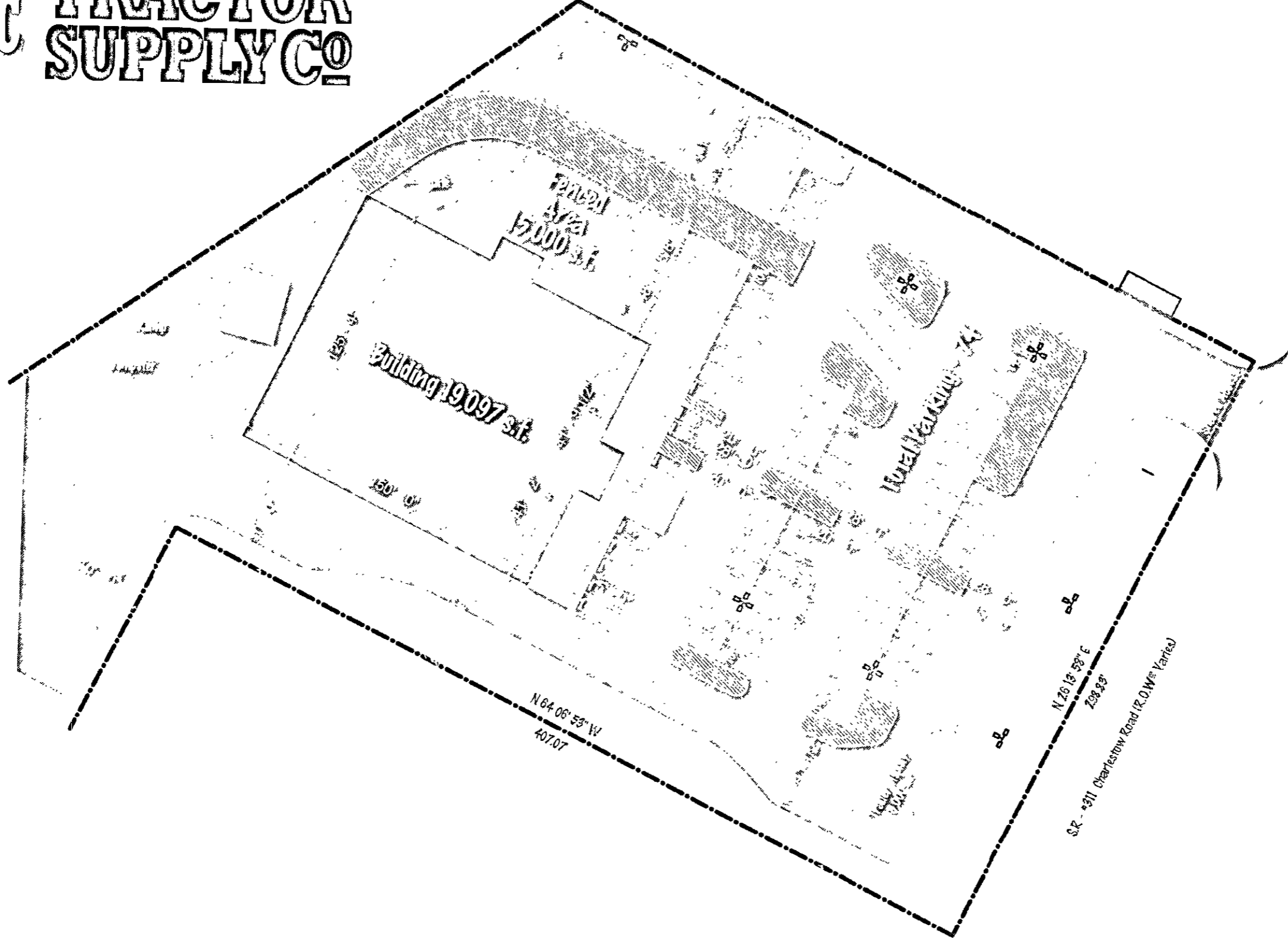
**03A**

Board Of Adjustment - Site Plan  
**TSC - Sellersburg, Clark County, Indiana**  
State Route 311

**BUNNELL HILL**

3000 HENKLE DRIVE SUITE G LEBANON, OH 45006 519 892 8030 TEL 513 882 1227 FAX

ALLEGATIONS OF PLOT LAYOUTS, WHAT ARE NOT, BEING MADE, IS SHOWN BY THE EXPENSE, WHICH IS NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE INFORMATION IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.



Board Of Adjustment - Site Plan  
**TSC - Sellersburg, Clark County, Indiana**

**BUNNELL HILL**



REVISIONS		
NO.	DATE	DESCRIPTION



PROJECT NO  
**Project Number**  
 DRAWN BY  
**Keth Carter**  
 DATE DRAWN  
**July 16, 2009**  
 SCALE

**Exhibit #4**

**04A**

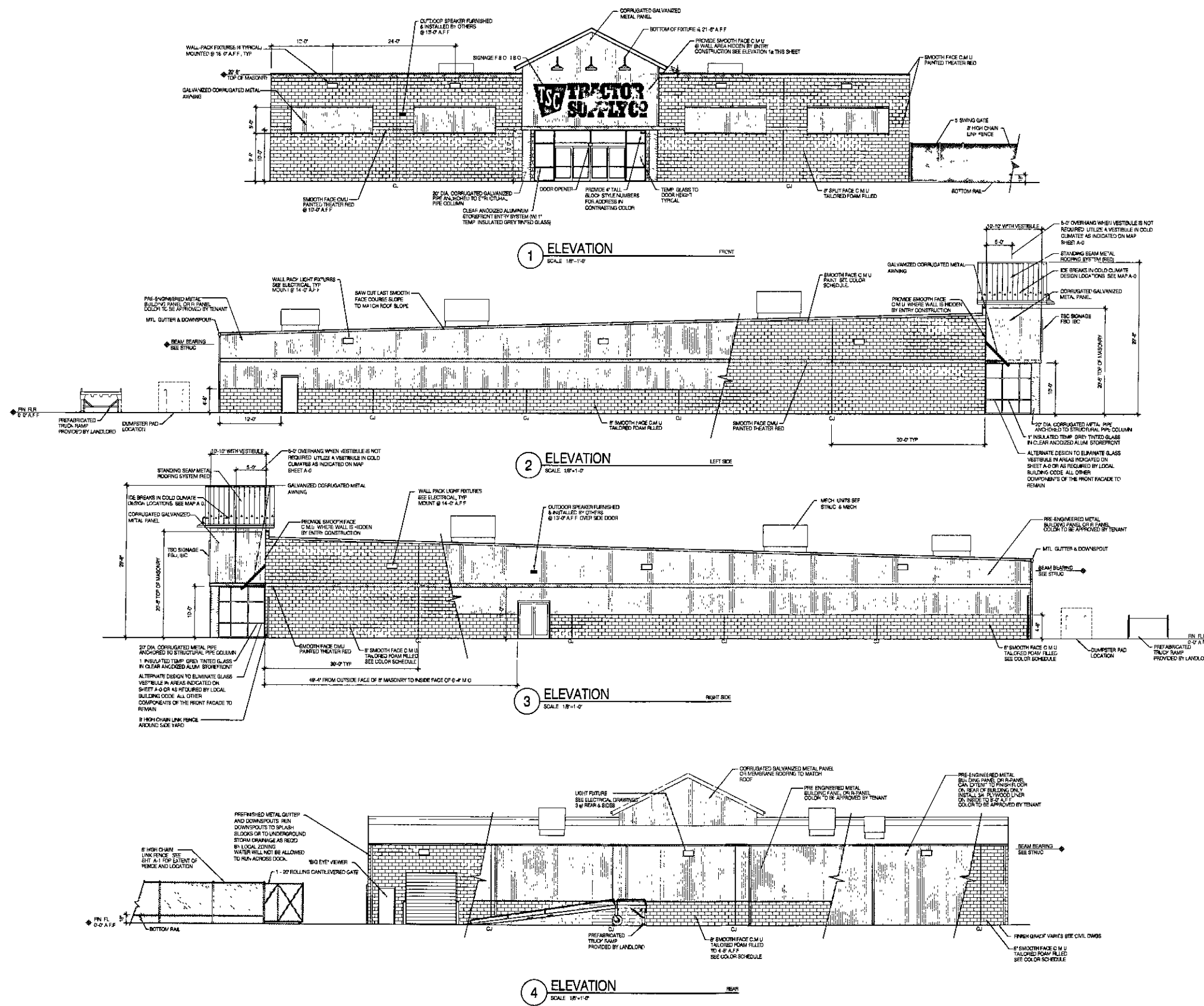
3000 HEWLE DRIVE SUITE G LEBANON, OH 45008 513 832 6000 TEL 513 832 1277 FAX

A. TERPITZ & ASSOCIATES, INC. 100 W. MAIN ST. SUITE 1000 SELLERSBURG, INDIANA 47172-1000 TEL 317 234 1111 FAX 317 234 1112

C:\501\174\174\174\TSC - Sellersburg\04A.dwg, 174-174-174

200 Paved Floor  
 Sheboygan, Wisconsin 53087  
 920.366.4200

DEVELOPER TO USE LOWEST COST  
 BUILDING METHOD CONSISTANT  
 WITH APPEARANCE SHOWN HERE  
 AND PER APPLICABLE REGULATIONS



TRACTOR SUPPLY COMPANY

DESIGN  
 CRITERIA  
 SPECIFICATIONS  
 2009

Q1  
 DRAWINGS  
 NOT FOR BID OR  
 CONSTRUCTION

The drawings contained herein are prototype design documents for information only and are not site specific. Changes may be required to conform to local zoning or code requirements and specific site conditions. These drawings are not for construction.

This drawing and the design shown is the property of TSC. The reproduction copying or use of this drawing without their written consent is prohibited and any infringement is subject to legal action.

Job Number:	0599
Date:	01.01.2009
Revisions:	
Revisions:	
Revisions:	

ELEVATIONS & SECTIONS