

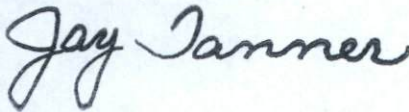
SELLERSBURG BOARD OF ZONING APPEALS

AGENDA

January 17, 2011

1. Roll Call.
2. There are no items for review this month.
3. Approve the minutes from the December 20, 2010 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

January 17, 2011

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on January 17, 2011, 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.

DAVID L. KINDER, Clerk-Treasurer, administers Oath of Office to Charles E. Popp.

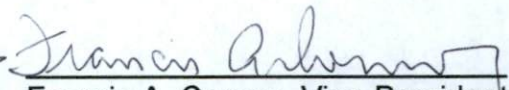
CHARLES E. POPP makes a motion to approve the minutes of the December 20, 2010 meeting as written, seconded by Floyd M. Combs. 5-aye, 0-nay, motion is approved.

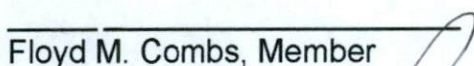
CHARLES E. POPP nominates Charles J. Ridenour to be Zoning Appeals Board President for the year 2011, seconded by Francis A. Conroy. 4-aye, 1 abstains, motion is approved.

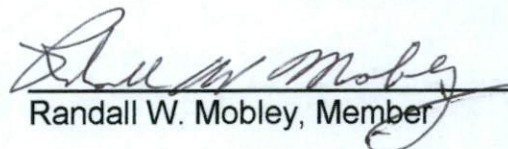
RANDALL W. MOBLEY nominates Francis A. Conroy to be Zoning Appeals Board Vice-President for the year 2011, seconded by Floyd M. Combs. 4-aye, 1 abstains motion is approved.

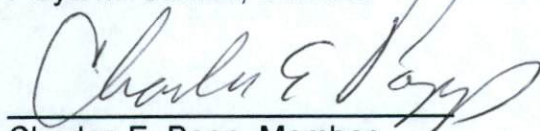
FRANCIS A. CONROY makes a motion to adjourn the meeting, seconded by Charles E. Popp. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:05 P.M.

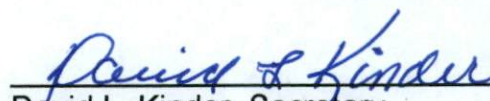

Charles J. Ridenour, President


Francis A. Conroy, Vice-President


Floyd M. Combs, Member


Randall W. Mobley, Member

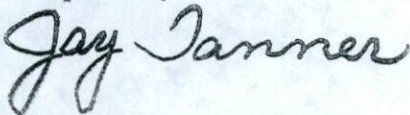

Charles E. Popp, Member


David L. Kinder, Secretary

SELLERSBURG BOARD OF ZONING APPEALS
AGENDA
February 21, 2011

1. Roll Call.
2. There are no items for review this month.
3. Approve the minutes from the January 17, 2011 meeting.
4. Adjourn.

Respectfully Submitted

A handwritten signature in cursive script that reads "Jay Tanner". The signature is written in dark ink and is positioned above the printed name and title.

Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG BOARD OF ZONING APPEALS

February 21, 2011

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on February 21, 2011 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 Charles E. Popp, Member Randall W. Mobley, Member William K. Voyles, Public Works Director Kenneth J. Alexander and Secretary David L. Kinder.

Building Commissioner Jonas "Jay" Tanner was not present.

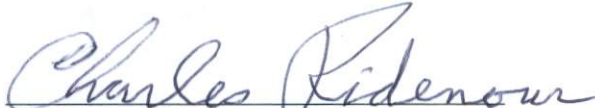
DAVID L. KINDER, Sellersburg Clerk-Treasurer, administered the Oath of Office to William K. Voyles.

FRANCIS A. CONROY makes a motion to approve the minutes of the January 17, 2011 meeting, as written, seconded by Randall W. Mobley. 5-aye, 0-nay, motion is approved.

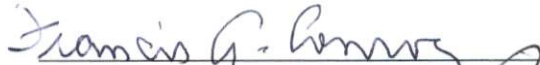
CHARLES E. POPP makes a motion that the voters that abstain from voting have their names listed so the minutes can show who they were, seconded by William K. Voyles. 5-aye, 0-nay, motion is approved.

Those that abstained during the election of officers at the January 17, 2011 meeting were: Charles J. Ridenour abstained when he was nominated for President and the vote was taken and Francis A. Conroy abstained when he was nominated for Vice-President.

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 6:04 P.M.



Charles J. Ridenour, President



Francis A. Conroy, Vice-President



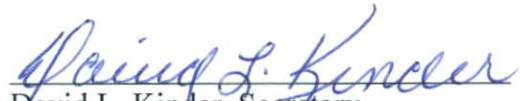
Randall W. Mobley, Member



Charles E. Popp, Member



William K. Voyles, Member



David L. Kinder, Secretary

DISTRICT DEVELOPMENT PLAN – TOWN of SELLERSBURG

3.7.2 – Application (02/12/2011)

Page 1 of 2

J.J. Craig Co. LLC
P.O. Box 177
515 E. St. Joe
Sellersburg, IN. 47172

Requesting a special exception for live indoor entertainment at 7815 Highway 311 in current B3 zone. Bar is to be named 'Down River Bar & Grill' but originally submitted to state as Mo's Diner for initial plan review.

3.7.3 – Requirements

(a) Existing topography will not be changed and is a 8" – 12" slope from west to east and then falls off into Camp Run Creek.

(b) VICINITY

Located at 7815 State Road 311. No other roads adjoin the property. Boundary is Camp Run Creek on east side and property owner to the West. Opposing side of S.R. 311 is in Clark County, not Sellersburg.

(c) EXHIBIT A

A part of Survey No. 108 of the Illinois Grant, beginning at an iron pin in the center of U.S. 31-W, said point being N. 28 degree 49 Min. E 429.2 feet from the point where the center line of S.R. 60 intersects the center line of U.S. 31-W; thence N 57 degree 41' W 361.1 feet to an iron pin; thence N 86 degree 21 min. E 101.6 feet to an iron pin; thence S 85 degree 14 Min. E 288.0 feet to an iron pin in the center line of U.S. 31-W; thence S 23 degree 14 Min. W with said center line 120.8 feet to an iron pin; thence S 28 degree 49 Min. W 73.7 feet to the point of beginning, containing 0.859 acres, more or less, subject to legal roadways.

(d) Adjoining Property Owners:

Joe Richard	7903 S.R. 311
Troy French	7803 S.R. 311
Lisa Mullah	8516 Old S.R. 60
C. M. Gillenwater	3737 S. State Rd. 3 Scottsburg, IN. 47170

(e) Lot size and buildings: Attached drawing

(f) Proposed Use:

The existing structure is to be utilized as a restaurant and bar favorable to the new "Green Space" redevelopment.

- (g) All natural features are not to be changed and is existing.**
- (h) No change to existing landscape other than increasing parking area.**
- (i) existing ingress and egress will not be changed. 22 off street parking spots.**
- (j) surface water and street presently run toward Camp Run Creek and will not be modified.**
- (k) land use is commercial zone B3 and has historically been retail businesses.**
- (l) proposed extension of parking area and asphalt .**
- (m) cemeteries, wetlands, hazard dumpsites are not applicable.**
- (n) North arrow indicated on the drawing**

Modifications underway addressing fire, safety and ADA requirements, currently awaiting approved plan from state for Certificate of Occupancy

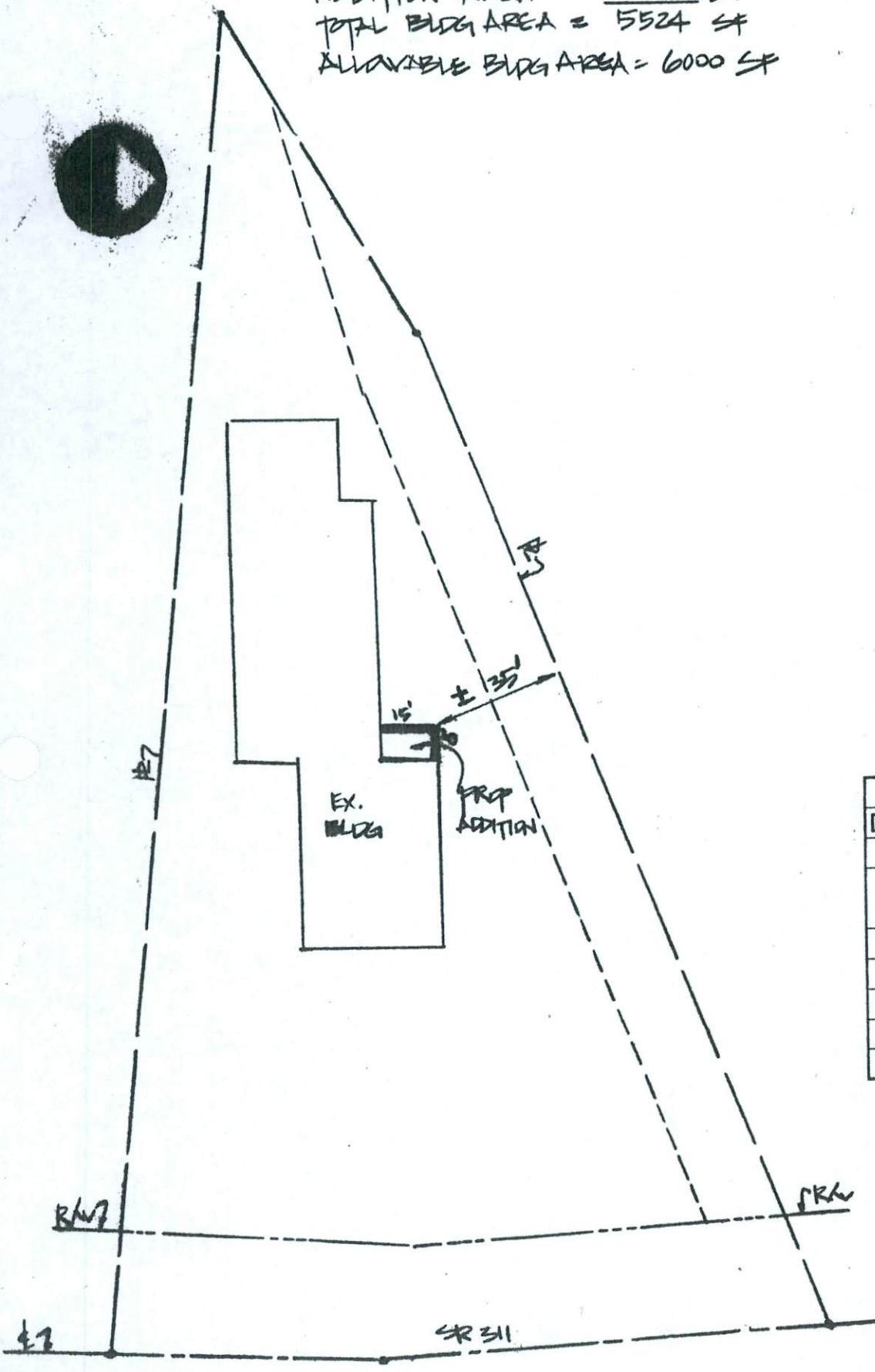
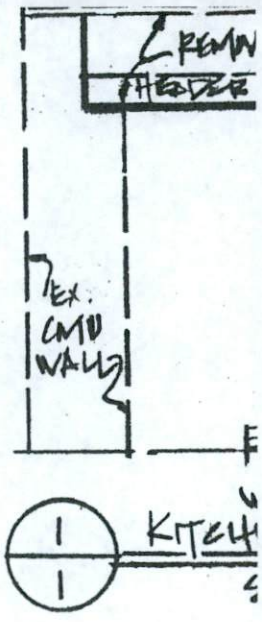
Currently is zoned B3 to allow for 'live entertainment'.

Goal is to provide comedy club, live music and sports bar.

Drawing of building and lot is attached, along with scale layout.

Existing sanitary sewer was upgraded to 6" clean out with manhole.

REMODELING AREA = 5405 SF
 ADDITION AREA = 120 SF
 TOTAL BLDG AREA = 5524 SF
 ALLOWABLE BLDG AREA = 6000 SF



Door	Size	
1		
2		
3		
4	3'-0" x 6'-8"	Met
5	3'-0" x 6'-8"	Met
6		
7	DBL 3'-0" x 6'-8"	Exis



SITE PLAN
 SCALE: 1"=40'

SELLERSBURG ZONING APPEALS BOARD

AGENDA

April 18, 2011

1. Roll Call.
2. A request by Mr. Craig Odell for a special exception to allow live entertainment at 7815 State Road 311.
3. Approve the minutes from the March 21, 2011 meeting.
4. Adjourn.

Respectfully Submitted



Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG BOARD OF ZONING APPEALS

April 18, 2011

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on April 18, 2011 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 Charles E. Popp, Member Randall W. Mobley, Member William K. Voyles, Building Commissioner Jonas "Jay" Tanner and Secretary David L. Kinder.

President Charles J. Ridenour was absent.

First order of business is request by Craig Odell for a special exception to allow live entertainment at 7815 State Road 311.

FRANCIS A. CONROY questions the amount of parking.

JONAS "Jay" TANNER, Building Commissioner states that the parking and exits have been inspected by him and the State Fire Marshall and all are in compliance. There will be approximately 27 parking spaces available.

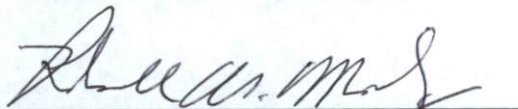
CHARLES E. POPP makes a motion that the exception for live music and comedy be approved, seconded by Randall W. Mobley. 4-aye, 0-nay, motion is approved.

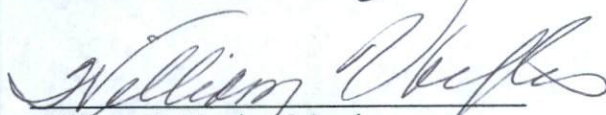
WILLIAM K. VOYLES makes a motion to approve the minutes of the March 21, 2011 meeting, seconded by Charles E. Popp. 4-aye, 0-nay, motion is approved.


RANDALL W. MOBLEY makes a motion to adjourn the meeting, seconded by Charles E. Popp. 4-aye, 0-nay, motion is approved and meeting adjourned at 6:16 P.M.

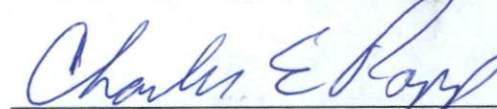
ABSENT

Charles J. Ridenour, President


Randall W. Mobley, Member


William K. Voyles, Member


Francis A. Conroy, Vice-President


Charles E. Popp, Member


David L. Kinder, Secretary

SELLERSBURG BOARD OF ZONING APPEALS
AGENDA
May 16, 2011

1. Roll Call.
2. A request by Martin and Vickie Elder of 634 Allen Road to allow the construction of a 3500 sq. ft. pole barn. The maximum allowable sq. ft. for a storage/ utility building is 280 sq. ft..
3. Approve the minutes from the April 18, 2011 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 "J" and "T".

Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG BOARD OF ZONING APPEALS

May 16, 2011

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on May 16, 2011 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 Charles E. Popp, Member Randall W. Mobley, Member William K. Voyles, Building Commissioner Jonas "Jay" Tanner and Secretary David L. Kinder.

President Charles J. Ridenour was absent.

First order of business was request by Martin and Vickie Elder of 634 Allen Road to allow the construction of a 3500 square foot pole barn. (Maximum allowable square feet for storage/utility building are 280 square feet.

The Elder's are represented by Nathan Grimes, Renaissance Design Build, Inc. who presents plans for the construction of the pole barn. The barn will be 50 feet by 70 feet with gravel floor, electric and stand approximately 23 feet tall. It is not taller than the two story home on the property. The exterior will be metal to match the house.

RANDALL W. MOBLEY makes a motion to approve the request and that it is not to be used for any business purposes and will remain a residential utility structure, seconded by William K. Voyles. 3-aye, 1-nay, motion is approved.

CHARLES E. POPP makes a motion to approve the minutes of the April 18, 2011 meeting, as written, seconded by Randall W. Mobley. 4-aye, 0-nay, motion is approved.

RANDALL W. MOBLEY makes a motion to adjourn the meeting, seconded by Charles E. Popp. 4-aye, 0-nay, motion approved and meeting adjourned at 6:15 P.M.

~~Charles J. Ridenour~~
Charles J. Ridenour, President

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

Randall W. Mobley
Randall W. Mobley, Member

Charles E. Popp
Charles E. Popp, Member

William K. Voyles
William K. Voyles, Member

David L. Kinder
David L. Kinder, Secretary

RECEIPT

DATE 4-5-11

No. 357010

RECEIVED FROM: Martin Elder

\$ 121.05

FOR RENT Legal Ad # 03530296 DOLLARS
 FOR

ACCOUNT	
PAYMENT	<u>Check</u>
BAL. DUE	

- CASH
- CHECK
- MONEY ORDER
- CREDIT CARD

FROM _____ TO _____
BY Kelly J. Wells

Proof of
Publication

STATE OF INDIANA
COUNTY OF CLARK - SS

Kelly Wells On oath says that she is the
bookkeeper of NEWS AND TRIBUNE and in
the employ of the publisher of

NEWS AND TRIBUNE,

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
#(1) time(s) to-wit: In issue of said NEWS AND TRIBUNE
dated: 3/30/11, 2011.

(X) Kelly Wells

STATE OF INDIANA
COUNTY OF CLARK

Subscribed and sworn to before me this

4TH day of April, 2011.

(X) Joann Galligan
Joann Galligan

Notary Public, Clark County, Indiana

(My Commission Expires August 27, 2014)

03530296

Publication

Fee \$ 121.05

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 May 16, 2011 at 6:00 p.m. in the Meeting Room of the Sellersburg Town Hall located at 316 East Utica Street, Sellersburg, Indiana to consider a petition by Martin & Vickie Elder to allow the following: Allowance of 3500 Sq. Ft Pole Barn located on property. On property commonly known as 634 Allen Rd. and also described by the following: A part of Survey No. 129 of the Illinois Grant, Clark County, Indiana and more particularly described as follows: beginning at a stone on the line dividing survey Nos. 127 and 147 of said Illinois Grant; thence South 36 degrees East 131 poles to a point; thence South 38 degrees East 30 rods and 8 links to the corner of Patrick's Land; thence South 52 degrees West with the line of said Patrick's land 44.5 rods to an axle; thence North 38 degrees 00' West 265.80 feet to an iron pin, the true point of beginning; continuing North 38 degrees 00' West, passing an iron pipe at 120.00 feet, a distance of 234.48 feet to an iron pin; thence South 52 degrees 00' West 124.22 feet to an iron pin; thence south 36 degrees 23'09" East 234.57 feet to an iron pin; thence North 52 degrees 00' East 130.83 feet to the true point of beginning, containing 0.6864 acre, subject to all easements, apparent or of record. To be known as Lot 1 of Spicer's Addition to Town of Sellersburg, Indiana. Also, a 50 foot roadway and utility easement described as follows: beginning at the aforementioned true point of beginning, thence South 38 degrees 00' East 50.00 feet to a point; thence south 52 degrees 00' West 132.24 feet to a point; thence North 36 degrees 23'09" West 50.02 feet to a point; thence North 52 degrees 00' East 130.83 feet to the true point of beginning. Per survey dated May 16, 2002 by Paul E. Moffett, registered land surveyor. Being part of the same property conveyed to David W. Spicer and Cynthia S. Spicer by deed dated May 3, 1979, and recorded in Deed Book Vol. 11, Instrument 4820, in the office of the clerk of Clark County, Indiana. 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

Classified Advertising Invoice

News and Tribune Classifieds
P.O. Box 867
Jeffersonville, IN 47131-0867
Phone: (812) 283-6636
Fax: (812) 284-7080

14

Martin Elder
634 Allen Road
SELLERSBURG, IN 47172

Cust#: 03106089-000
Phone: (812)207-6364
Date: 03/31/11
Due Date: 04/27/11

Ad#	Text	Start	Stop	Days	Amount	Prepaid	Due
03530296-001	NOTICE OF PUBL	03/30/11	03/30/11	2	121.05	0.00	121.05

Please return a copy with payment

Total Due

121.05

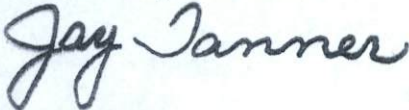
SELLERSBURG BOARD OF ZONING APPEALS

AGENDA

June 20, 2011

1. Roll Call.
2. A request by Ken Alexander, Director of Sellersburg Works to resend the special exception granted to Sid's Pub, which allowed live entertainment.
3. Approve the minutes from the May 16, 2011 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

June 20, 2011

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on June 20, 2011 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 Charles E. Popp, Member Randall W. Mobley, Member William K. Voyles, Building Commissioner Jonas "Jay" Tanner and Secretary David L. Kinder.

First order of business was request by Ken Alexander, Director of Sellersburg Works to rescind the special exception granted to Sid's Pub, which allowed live entertainment.

WILLIAM R. WHELAN, Chief of Police, states that the police department has received complaints about loud music from Sid's Pub. These complaints come from neighbors that live behind Sid's and are disturbed by the loud music from the live bands. He states that the police department had not received any complaints about Sid's Pub until they started the live music. He says the department has issued three (3) citations for these violations.

SHERI HENDRICKS, 2517 Coopers Lane, owner of Sid's Pub states that she has had some behind Sid's, walking the street to make certain music could not be heard. She has also purchased a decimal meter to check the noise level behind Sid's and never did the meter exceed 55 decimals.

FRANCIS A. CONROY states that when the exception to the ordinance was granted that there was to be no open doors and no sound outside the building.

CHARLES E. POPP asks, "When the doors are closed can the Chief still hear the music in the street behind the building"? Chief Whelan replies yes he can.

On March 27, 2011, resident called several times complaining about the music and an officer said the bar-tender had the band turn down the volume and after that he could not hear any music outside the building.

GERALD HAWKINS, 2517 Cooper's Lane, states that he has monitored the sound, with a decimal meter on the streets behind Sid's Pub and never had a noise level above 55 decimals.

BRIAN MEYER, Town Council President, address the Board and states he had a call from a neighbor to Sid's and the neighbor was standing on his porch and Brian could hear the music over the complaints cell phone. He advises that if Sid's is granted one more chance that any complaint is filed by any neighbor that he will see that this exception is revoked.

Sellersburg Board of Zoning Appeals

June 20, 2011

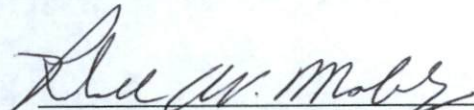
Page 2 of 2 pages

FRANCIS A. CONROY makes a motion to rescind the exception for live entertainment, seconded by William K. Voyles. 3-aye, 2-nay, motion is approved.

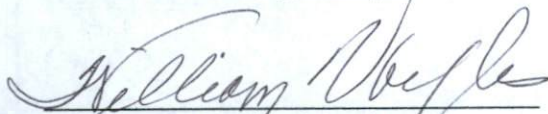
FRANCIS A. CONROY makes a motion to approve the minutes of the May 16, 2011 meeting, as written, seconded by Charles E. Popp. 5-aye, 0-nay, motion is approved.

RANDALL W. MOBLEY makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:49 P.M.


Charles J. Ridenour, President



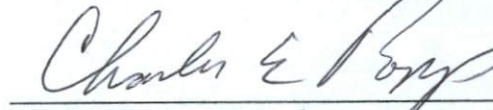
Randall W. Mobley, Member



William K. Voyles, Member



Francis A. Conroy, Vice-President



Charles E. Popp, Member



David L. Kinder, Secretary

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

Section 3.6 - Special Exceptions

- (1) Special exceptions of this Ordinance may be permitted, enlarged or altered upon authorization of the Board of Zoning Appeals in accordance with the standards and procedures as set forth in this section.
 - (2) The Board may authorize a special exception as defined herein, provided the evidence presented at the public hearing is such as to establish beyond a reasonable doubt:
 - (a) That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or communities.
 - (b) That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or general welfare of the person residing or working in the vicinity, or injurious to property value or improvements in the vicinity.
 - (c) The proposed use will comply with regulations and conditions specified in this Ordinance for such use and with the stipulation and condition made a part of the authorization granted by the board.
 - (3) Time Limits
- Authorization of a special exception shall be voided after one (1) year from the date of authorization or such lesser time as authorization may specify unless said use or substantial construction has taken place. The Board of Zoning Appeals may, upon written request, extend authorization for a period not to exceed one (1) year, provided however, that the written request is received two (2) weeks prior to its expiration.
- (4) Granting of Use

The grant of a special exception by the Board shall be by resolution and shall not be by ordinance (meaning the Zoning Ordinance) after a public hearing.

(5) Notice Posting

A sign shall be placed on the subject property not less than ten (10) days prior to the public hearing by the Board and said sign shall remain posted until approval or denial by the Board. Said sign shall be a minimum of 18" x 24", with 1-1/2" lettering. It shall be protected from the elements by laminating, and secured adequately to a post. The content must state the purpose, date, time, and location of the public hearing.

(6) The Plan Commission or BZA shall send copies of the agenda or minutes for meetings to the Town Council of Sellersburg, Indiana.

3.6.1 - Purpose

The following regulations are provided to establish specific criteria and conditions which shall be met before the Board of Zoning Appeals may grant a special exception permit after a public hearing for any uses listed in Section 3.6.

3.6.2 - General Regulations and Conditions

3.6.2.1 - Investigation

The Board of Zoning Appeals shall request a recommendation from the plan commission or their agent which shall investigate each proposed use to determine that it is properly related to adjacent land uses and with other uses permitted in the zone.

3.6.2.2 - Hearing

The Board of Zoning Appeals shall hold a public hearing on each requested use.

3.6.2.3 - Special Conditions

The Board of Zoning Appeals may impose such conditions and restrictions deemed necessary to ensure compatibility with the surrounding area.

3.6.2.4 - Landscaping

The Board of Zoning Appeals shall determine that adequate landscaping and buffering are provided where appropriate.

3.6.2.5 - General Restrictions

Those uses which in the judgment of the Board of Zoning Appeals would constitute an objectionable use of property due to potential noise, increased pedestrian and vehicular

traffic or any other conditions which might interfere with the general welfare of the surrounding area should not be granted special exception permits.

3.6.2.6 - Abatement

→ If, at any time, the person who has been issued a special exception permit carries on an operation which is not in accord with the above standards or interferes with the general welfare of the surrounding area, the board of zoning appeals shall have cause to terminate this special permit.

3.6.3 - Airports

3.6.3.1 The Board of Zoning Appeals shall issue a special exception permit for an airport or heliport in the A, GO, B-3, IB-1, I-1, and I-2 Districts and the "I" Districts after first holding a public hearing to determine compatibility with the surrounding development.

3.6.3.2 Each site must be proposed in accordance with the comprehensive plan of Sellersburg.

3.6.3.3 Direct access shall be provided to an arterial street without passing through any residential area.

3.6.3.4 There shall be no noise sensitive uses (e.g., residential, institutional and medical uses) within the 65 Ldn noise contours of the airport.

3.6.3.5 All structures shall be at least one hundred (100) feet from all property boundaries.

3.6.3.6 All property boundaries shall be landscaped in accordance with Section 2.16.5.

3.6.4 - Artificial Lakes

3.6.4.1 - Location

The Board of Zoning Appeals shall issue a special exception permit for artificial lakes in the B-3 districts after first holding a public hearing to determine compatibility with the surrounding development.

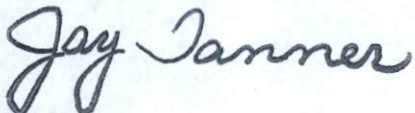
SELLERSBURG BOARD OF ZONING APPEALS

AGENDA

July 18, 2011

1. Roll Call.
2. A request by Mr. Jeff Parrish for a variance from the required sixty feet lot width to a lot width of fifty feet at 323 Kahl Court.
3. Approve the minutes from the June 20, 2011 meeting.
4. Adjourn.

Respectfully Submitted

A handwritten signature in cursive script that reads "Jay Tanner". The signature is written in dark ink and is positioned above the printed name and title.

Jay Tanner
Building Commissioner,
Town of Sellersburg

SELLERSBURG BOARD OF ZONING APPEALS

July 18, 2011

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on July 18, 2011 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 Charles E. Popp, Member Randall W. Mobley, Member William K. Voyles, Building Commissioner Jonas "Jay" Tanner and Secretary David L. Kinder.

President Charles J. Ridenour was not present.

Mr. Jeff Parrish, requesting a zoning variance request was not present.

CHARLES E. POPP makes a motion to table the request by Mr. Parrish until the property is properly posted and Mr. Parrish is present at the meeting, seconded by William K. Voyles. 4-aye, 0-nay, motion is approved.

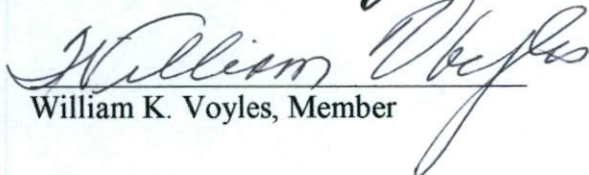
RANDALL W. MOBLEY makes a motion to approve the minutes of the June 20, 2011 meeting as written, seconded by William K. Voyles. 4-aye, 0-nay, motion is approved.

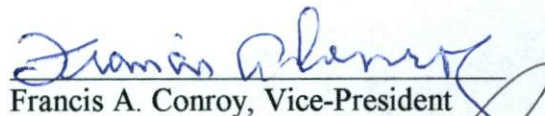
CHARLES E. POPP makes a motion to adjourn the meeting, seconded by Randall W. Mobley. 4-aye, 0-nay, motion is approved and meeting adjourned at 6:05 P.M.

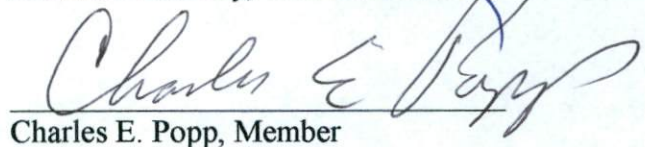
ABSENT

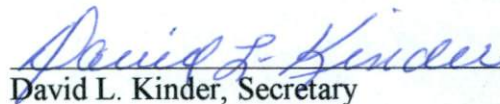
Charles J. Ridenour, President


Randall W. Mobley, Member


William K. Voyles, Member


Francis A. Conroy, Vice-President


Charles E. Popp, Member


David L. Kinder, Secretary

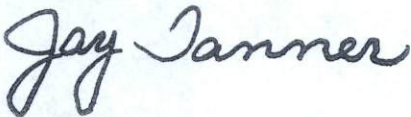
SELLERSBURG BOARD OF ZONING APPEALS

AGENDA

August 15, 2011

1. Roll Call.
2. A request by Mr. Jeff Parrish for a variance from the required sixty feet lot width to a lot width of fifty feet at 323 Kahl Court. (Tabled from the July 18, 2011 meeting)
3. Approve the minutes from the July 18, 2011 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

August 15, 2011

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on August 15, 2011 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 President Charles J. Ridenour, Vice-President Francis A. Conroy, Member Charles E. Popp, Member Randall W. Mobley, Member William K. Voyles, Building Commissioner Jonas "Jay" Tanner and Secretary David L. Kinder.

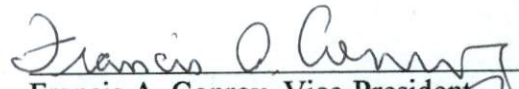
Mr. Jeff Parrish, requesting a zoning variance from the required sixty feet width to a lot width of fifty feet at 323 Kahl Court. (This was tabled from the July 18, 2011 meeting).

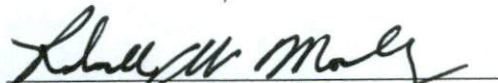
FRANCIS A. CONROY makes a motion to table the request by Mr. Parrish until the property is properly posted; it has not been posted as required, seconded by Randall W. Mobley. 5-aye, 0-nay, motion is approved.

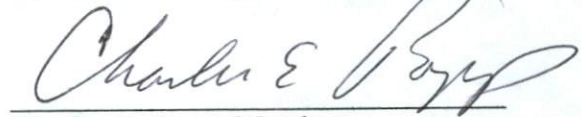
CHARLES E. POPP makes a motion to approve the minutes of the June 20, 2011 meeting as written, seconded by Francis A. Conroy. 5-aye, 0-nay, motion is approved.

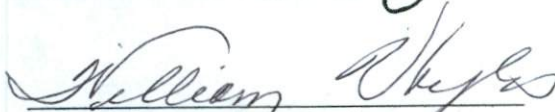
FRANCIS A. CONROY makes a motion to adjourn the meeting, seconded by Randall W. Mobley. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:05 P.M.

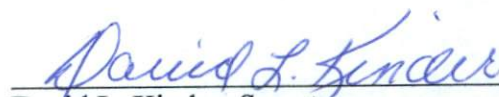

Charles J. Ridenour, President


Francis A. Conroy, Vice-President


Randall W. Mobley, Member


Charles E. Popp, Member


William K. Voyles, Member


David L. Kinder, Secretary

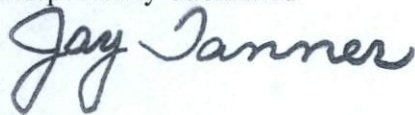
SELLERSBURG BOARD OF ZONING APPEALS

AGENDA

September 19, 2011

1. Roll Call.
2. A request by Mr. Jeff Parrish for a variance from the required 60 foot lot width to 50 feet at 323 Kahl Court. (Tabled from the August 15, 2011 meeting)
3. A request by Mr. James Roland of 1702 Twinbrook Drive for a variance from the maximum allowable garage size (864 sq. ft.). He wants to put a small addition on an existing garage that would increase the sq. footage to 1230 sq. feet.
4. Approve the minutes from the August 15, 2011 meeting.
5. 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

September 19, 2011

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on September 19, 2011 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by Vice-President Francis A. Conroy at 6:02 P.M.

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

Mr. Jeff Parrish requesting a variance from the required sixty feet width to a lot width of fifty feet at 323 Kahl Court. (This was tabled from the August 15, 2011 meeting).

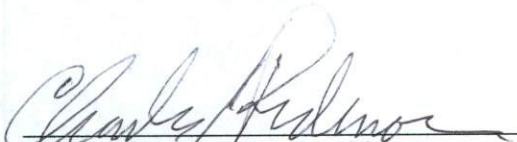
CHAELES E. POPP makes a motion to approve the variance, seconded by Randall W. Mobley. 5-aye, 0-nay, motion is approved.

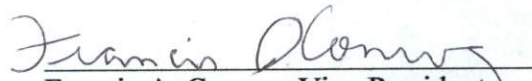
JONAS "JAY" TANNER, Building Commissioner, advises the Board that the request for a variance requested by James Roland of 1702 Twinbrook Drive should have been on the October agenda, not the current agenda.


CHARLES E. POPP makes a motion to table the request by Mr. Roland until the October meeting, seconded by Randall W. Mobley. 5-aye, 0-nay, motion is approved.

CHARLES E. POPP makes a motion to approve the minutes of the August 15, 2011 meeting minutes, as written, seconded by William K. Voyles. 5-aye, 0-nay, motion is approved.

RANDALL W. MOBLEY makes a motion to adjourn the meeting, seconded by Francis A. Conroy. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:23 P.M.

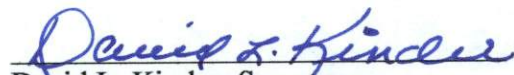

Charles J. Ridenour, President


Francis A. Conroy, Vice-President


Randall W. Mobley, Member

Charles E. Popp, Member

William K. Voyles, Member


David L. Kinder, Secretary

SELLERSBURG BOARD OF ZONING APPEALS

AGENDA

October 17, 2011

1. Roll Call.
2. A request by Mr. James Roland of 1702 Twinbrook Drive for a variance from the maximum allowable square footage for a garage (864 sq. ft.). He would like to add an addition that would make the actual square footage 1230 square feet.
3. A request by Ms. Joyce Molzof of 509 Linnwood Avenue for a variance from the required 30 ft. front setback to accommodate a chain link fence. This property is on a corner lot, therefore requiring a 30 ft. setback on both street frontages.
4. Approve the minutes from the September 19, 2011 meeting.
5. 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 17, 2011

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on October 17, 2011 at the Sellersburg Town Hall, 316 East Utica Street. The meeting was called to order by President Charles J. Ridenour at 6:05 P.M.

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

JAMES ROLAND of 1702 Twinbrook Drive requests a variance from the maximum allowable square footage for a garage (864 Sq. feet). He would like to add an addition of 54 square feet that would make the actual square footage 1230 square feet.

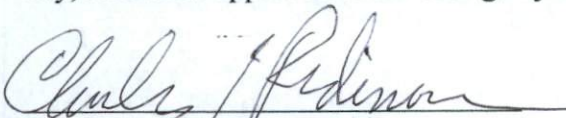
FRANCIS A. CONROY makes a motion to approve the request, seconded by William K. Voyles. 5-aye, 0-nay, motion is approved.

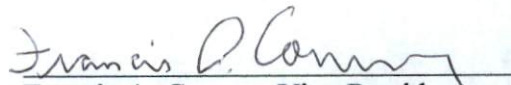
JOYCE MOLZOF of 509 Linnwood Avenue requests a variance from the required 30 foot front setback to accommodate a chain link fence. This property is on a corner lot, therefore requiring a 30 foot setback on both street frontages.


RANDALL W. MOBLEY makes a motion to approve the request, seconded by Francis A. Conroy. 4-aye, 1-nay, motion is approved.

FRANCIS A. CONROY makes a motion to approve the minutes, as written, of the September 19, 2011 meeting, seconded by Charles E. Popp. 5-aye, 0-nay, motion is approved.

WILLIAM K. VOYLES makes a motion to adjourn, seconded by Francis A. Conroy. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:18 P.M.



Charles J. Ridenour, President


Francis A. Conroy, Vice-President


Randall W. Mobley, Member

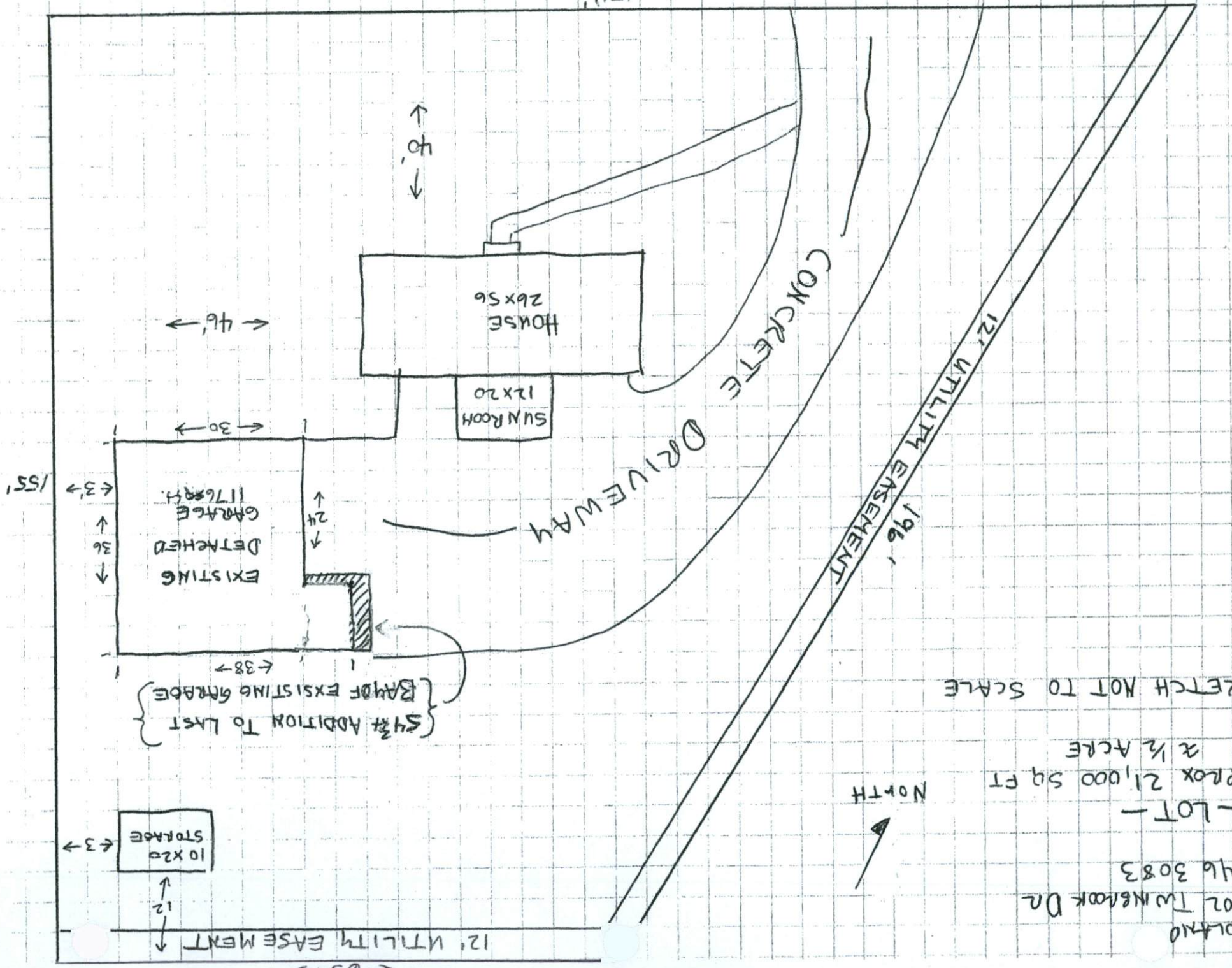
Charles E. Popp, Member

William K. Voyles, Member


David L. Kinder, Secretary

Attachment: diagram 1702 Twinbrook

174
1702 Twin Brook Dr



SKETCH NOT TO SCALE

- LOT -
Approx 21,000 sq ft
2 1/2 ACRE



Rolland
1702 Twin Brook Dr
246 3083

SELLERSBURG BOARD OF ZONING APPEALS

AGENDA

November 21, 2011

1. Roll Call.
2. There are no items for review this month.
3. Approve the minutes from the October 17, 2011 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

November 21, 2011

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on November 21, 2011 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 Dennis V. Amos, Member Randall W. Mobley, Building Commissioner Jonas "Jay" Tanner and Secretary David L. Kinder.

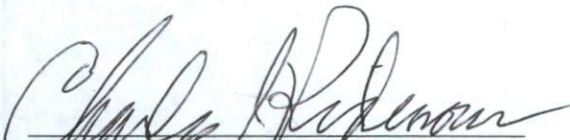
Member Charles E. Popp was absent.

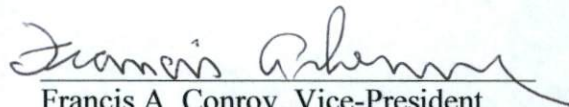
Newly appointed member Dennis V. Amos was administered the Oath of Office by Clerk-Treasurer David L. Kinder.

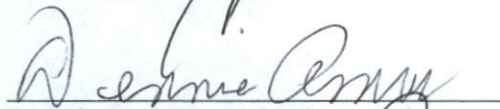
FRANCIS A. CONROY makes a motion to approve the minutes, as written, of the October 17, 2011 meeting, seconded by Randall W. Mobley. 4-aye, 1-abstains.

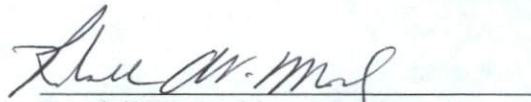
There were no items for discussion on the agenda.

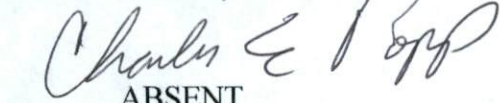
FRANCIS A. CONROY makes a motion to adjourn the meeting, seconded by Randall W. Mobley. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:06 P.M.


Charles J. Ridenour, President


Francis A. Conroy, Vice-President


Dennis V. Amos, Member


Randall W. Mobley, Member


ABSENT
Charles E. Popp, Member


David L. Kinder, Secretary

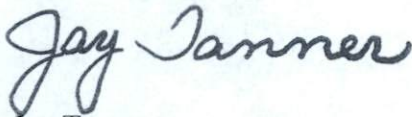
SELLERSBURG BOARD OF ZONING APPEALS

AGENDA

December 19, 2011

1. Roll Call.
- ✓ 2. A request by Mr. and Mrs. Dale Pangburn of 417 N. New Albany Street to grant a variance from the required 30' front setback to a 27' front setback to accommodate a new porch roof over an existing concrete slab.
3. A request by Mr. Daniel Fackler of 1014 S. Indiana Avenue to grant a variance from the required 5' side setback to a 1' side setback to accommodate a proposed room addition.
4. A request by Mr. Nelson Owen of 1000 E. Utica Street to grant a variance from the requirement of placing a mobile home parallel to the addressed street. Mr. Owen wishes to replace an existing mobile home (which sits perpendicular to the street), with a new one.
5. A request by Chris and Mary Nolan of 7514 Hwy. 60 to grant a variance from the maximum allowable garage size of 864 sq. feet to accommodate a proposed garage of 2400 sq. feet.
6. Approve the minutes from the November 21, 2011 meeting.
7. Adjourn.

Respectfully Submitted



Jay Tanner
Building Commissioner,
Town of Sellersburg

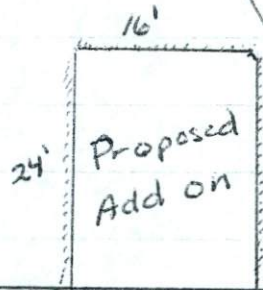
60' ↓

Daniel J. Fackler
1014 Indiana Avenue
Sellersburg, IN.

Lot # 21

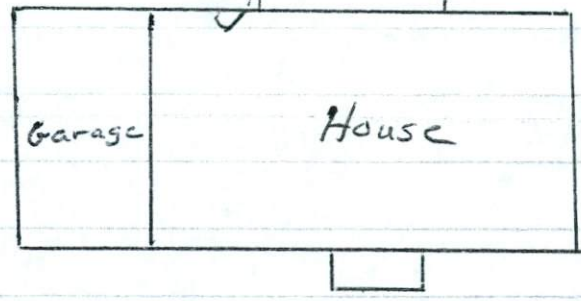
← 250'

← Proposed Set back of Foundation. 25"



← Foundation Set back is 25"

→ 224'



65' ↓

Indiana Avenue 31 North →

DANIEL FACKLER
1014 South INDIANA AVENUE



SELLERSBURG BOARD OF ZONING APPEALS

December 19, 2011

The minutes as written are not verbatim from the meeting.

The Sellersburg Board of Zoning Appeals met on December 19, 2011 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 Dennis V. Amos, Member Randall W. Mobley, Member Charles E. Popp, Public Works Director Kenneth J. Alexander and Secretary David L. Kinder.

Building Commissioner Jonas "Jay" Tanner was absent.

President Charles J. Ridenour arrived after the opening of the meeting and roll call of members.

DALE PANGBURN, of 417 North New Albany Street, request a variance from the required 30 foot front setback to a 27 foot front setback to accommodate a new porch roof over an existing concrete slab..

CHARLES E. POPP makes a motion to grant the variance, seconded by Randall W. Mobley. 5-aye, 0-nay, motion is approved.

DANIEL FACKLER, of 1014 South Indiana Avenue, requests a variance from the required 5 foot side setback to a 1 foot side setback to accommodate a proposed room addition.

RANDALL W. MOBLEY makes a motion to approve the variance, seconded by Charles E. Popp. 5-aye, 0-nay, motion is approved.

NELSON OWEN, 1006 East Utica Street, requests a variance from the requirement of placing a mobile home parallel to the addressed street. Mr. Owen wishes to replace an existing mobile home (sitting perpendicular to the street) with a new mobile home.

After discussion regarding replacing a mobile home, once removed, with a new mobile home was discussed with members Charles E. Popp and Dennis Amos thinking there was an older ordinance prohibiting replacing a mobile home once it was removed from the property.

RANDALL W. MOBLEY makes a motion to table this request, to the January 16, 2012 meeting, while research is done about a possible ordinance prohibiting the replacement of a mobile home once one has been removed, seconded by Charles E. Popp. 5-aye, 0-nay, motion approved.

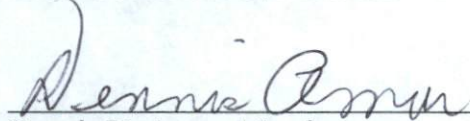
Sellersburg Board of Zoning Appeals
December 19, 2011
Page 2 of 2 pages

Request by Chris and Mary Nolan for a variance was withdrawn prior to the meeting.

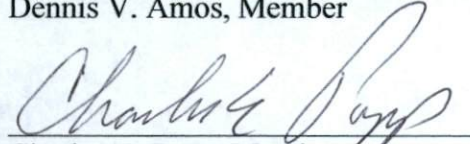
CHARLES E. POPP makes a motion to approve the minutes, as written, of the November 21, 2011 meeting, seconded by Dennis V. Amos. 5-aye, 0-nay, motion is approved.

RANDALL W. MOBLEY makes a motion to adjourn the meeting, seconded by Charles E. Popp. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:31 P.M.

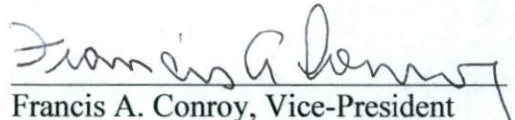
Charles J. Ridenour, President



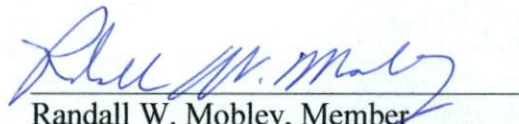
Dennis V. Amos, Member



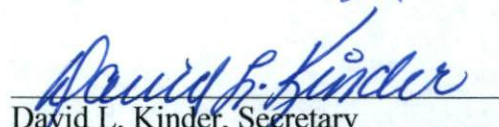
Charles E. Popp, Member



Francis A. Conroy, Vice-President



Randall W. Mobley, Member



David L. Kinder, Secretary

SELLERSBURG BOARD OF ZONING APPEALS
December 17, 2012

The minutes as written are not verbatim from the meeting.

CALL TO ORDER:

President Francis A. Conroy called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:00 P.M. at the Sellersburg Town Hall, 316 East Utica Street on December 17, 2012.

ROLL:

President Francis A. Conroy, Vice President Randall W. Mobley, Member Dennis V. Amos, Member Charles E. Popp, and Secretary Michelle D. Miller.

ABSENT: Member Vincent C. Thacker, Jr. and Building Commissioner J. Greg Dietz

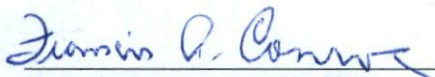
APPROVAL OF MINUTES

Randall W. Mobley moved, seconded by Dennis V. Amos, to approve the minutes, as written, of the November 19, 2012 meeting. 4-aye, 0-nay, motion is approved.

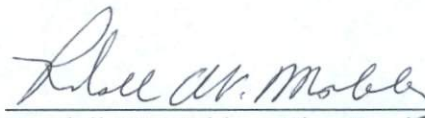
There being no business to come before the Commission:

ADJOURNMENT

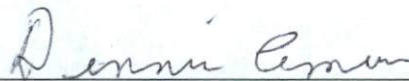
Charles E. Popp moved, seconded by Randall W. Mobley, to adjourn the meeting. 4-aye, 0-nay, motion is approved and meeting adjourned at 6:01 P.M.



Francis A. Conroy, President



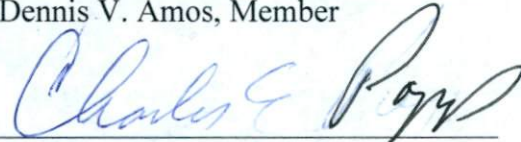
Randall W. Mobley, Vice-President



Dennis V. Amos, Member

ABSENT

Vincent C. Thacker, Jr., Member

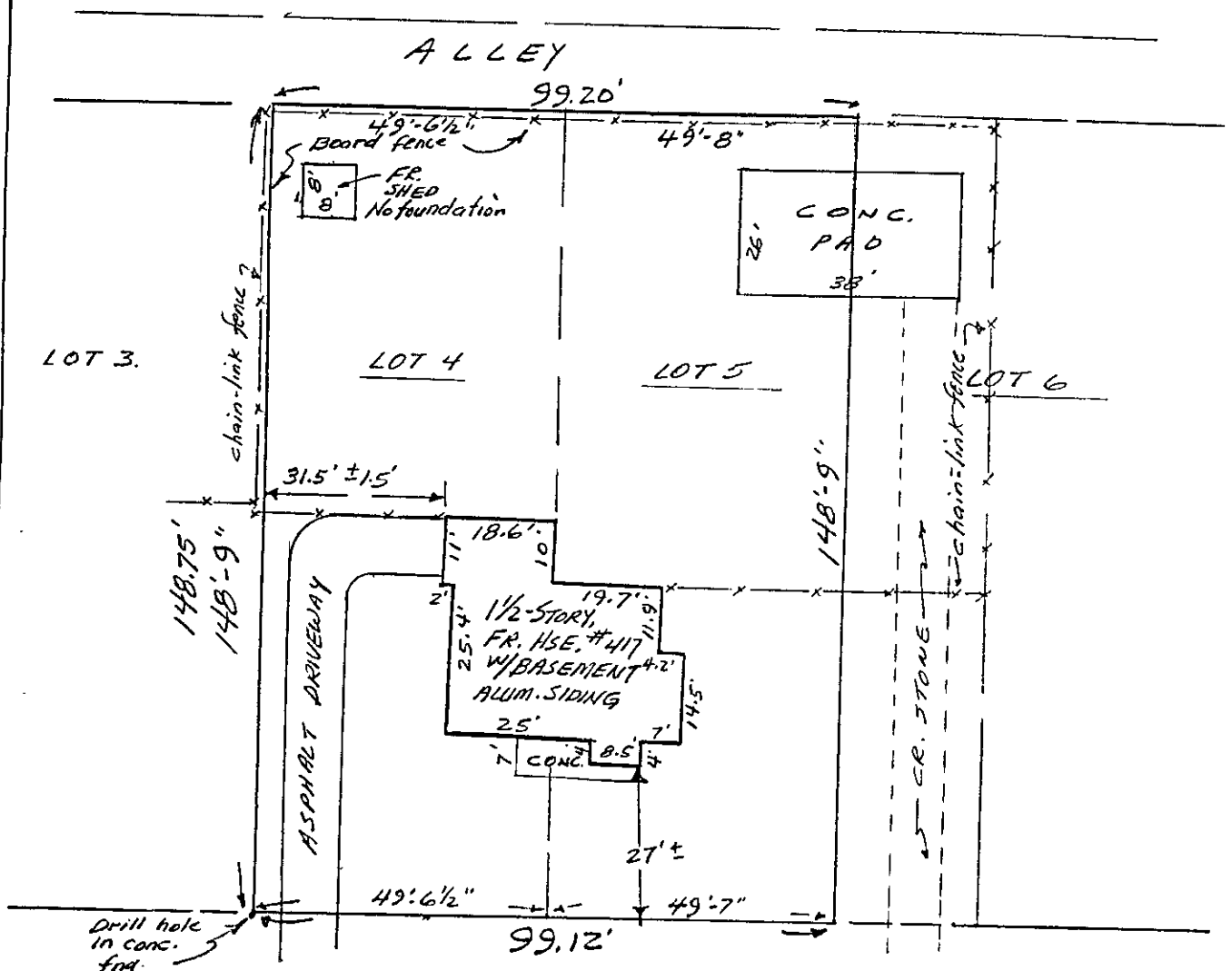


Charles E. Popp, Member



Michelle D. Miller, Secretary

Surveyor Location Report - Indiana



NEW ALBANY STREET
 DALE PANGBURN
 417 NORTH NEW ALBANY STREET

LOT 4 AND 5, DIEDRICH'S 3RD ADDITION TO SELLERSBURG,
 PLAT BOOK 5, PAGE 37, CLARK COUNTY, INDIANA.

NEW OWNER - DALE E. PANGBURN

PROPERTY ADDRESS - 417 N. NEW ALBANY STREET., SELLERSBURG, IN. 47172

SCALE: 1" = 30'
 JUNE 22, 1993



I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE PROPERTY LINES, EASEMENTS, AND IMPROVEMENTS EXIST AS SHOWN ON THIS DRAWING. I FURTHER CERTIFY THAT THIS LOCATION REPORT AND THE INFORMATION SHOWN HEREON MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS AS ADOPTED BY THE INDIANA SOCIETY OF PROFESSIONAL LAND SURVEYORS ON JANUARY 29, 1981 AND APPROVED BY THE TITLE UNDERWRITERS OF INDIANA, INC. ON MARCH 20, 1981. I FURTHER CERTIFY THAT I HAVE EXAMINED F.I.A. FLOOD HAZARD BOUNDARY MAP NUMBER 180028, DATED 8-1-80, AND THAT BASED ON THAT EXAMINATION THE SUBJECT PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA.

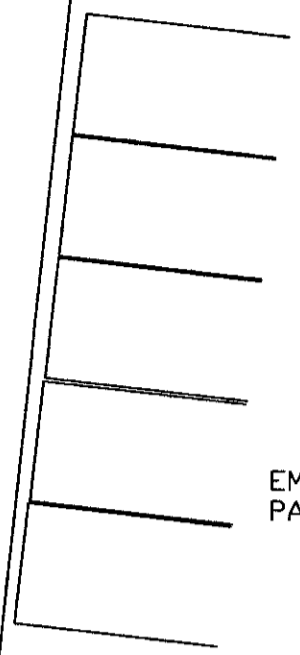
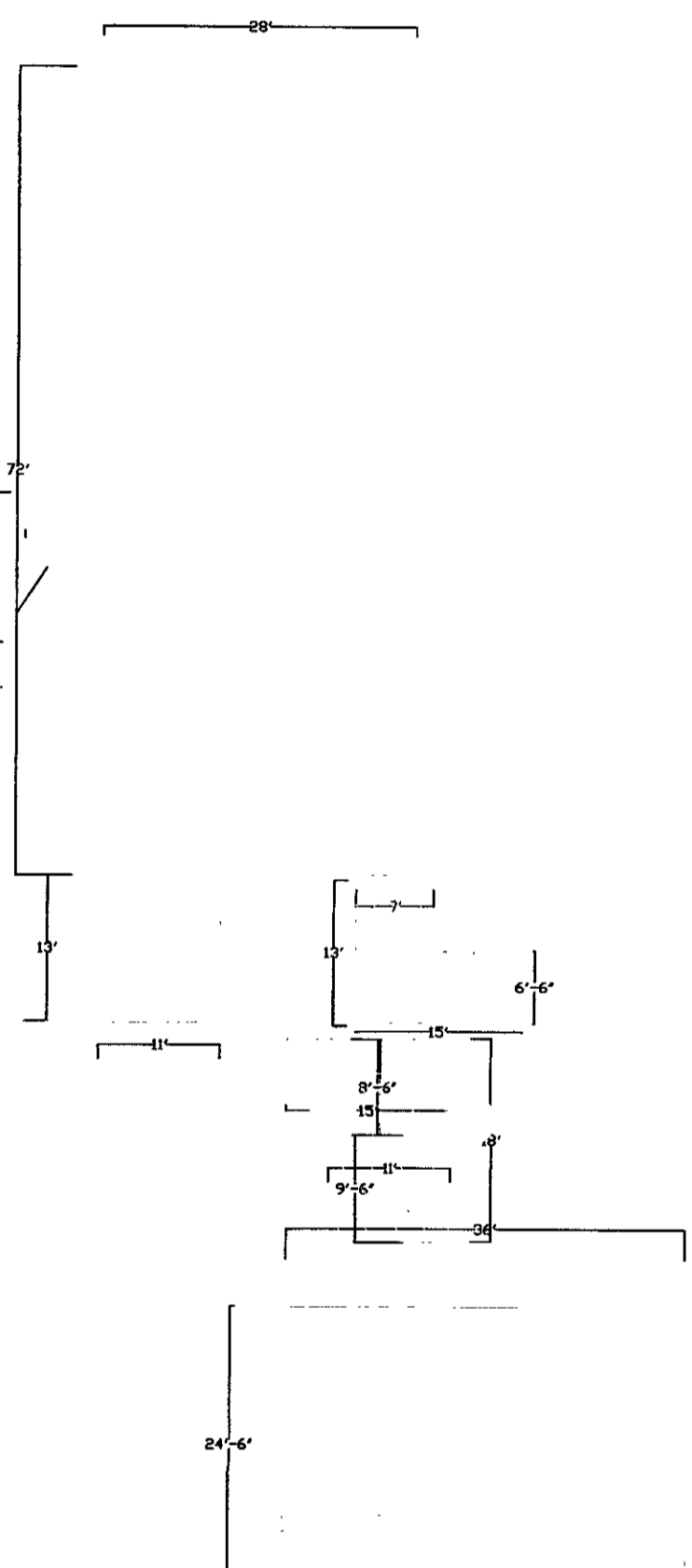
Thomas J. Boofter
 THOMAS J. BOOFTER, L.S.

CERTIFICATION DATE 6-22-93

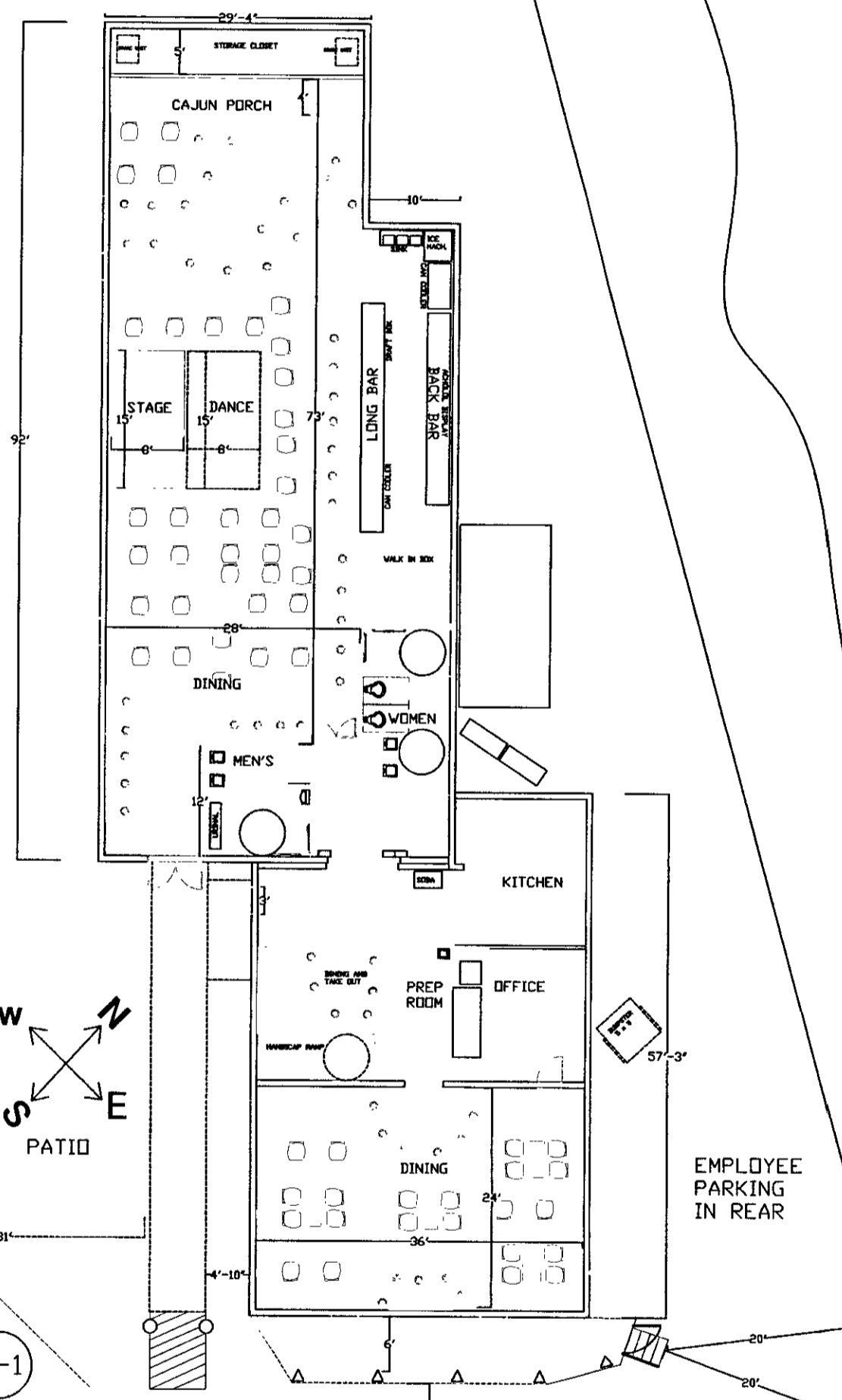


T. J. BOOFTER ASSOCIATES, Civil Engineers and Land Surveyors
 207 West Spring Street, New Albany, Indiana

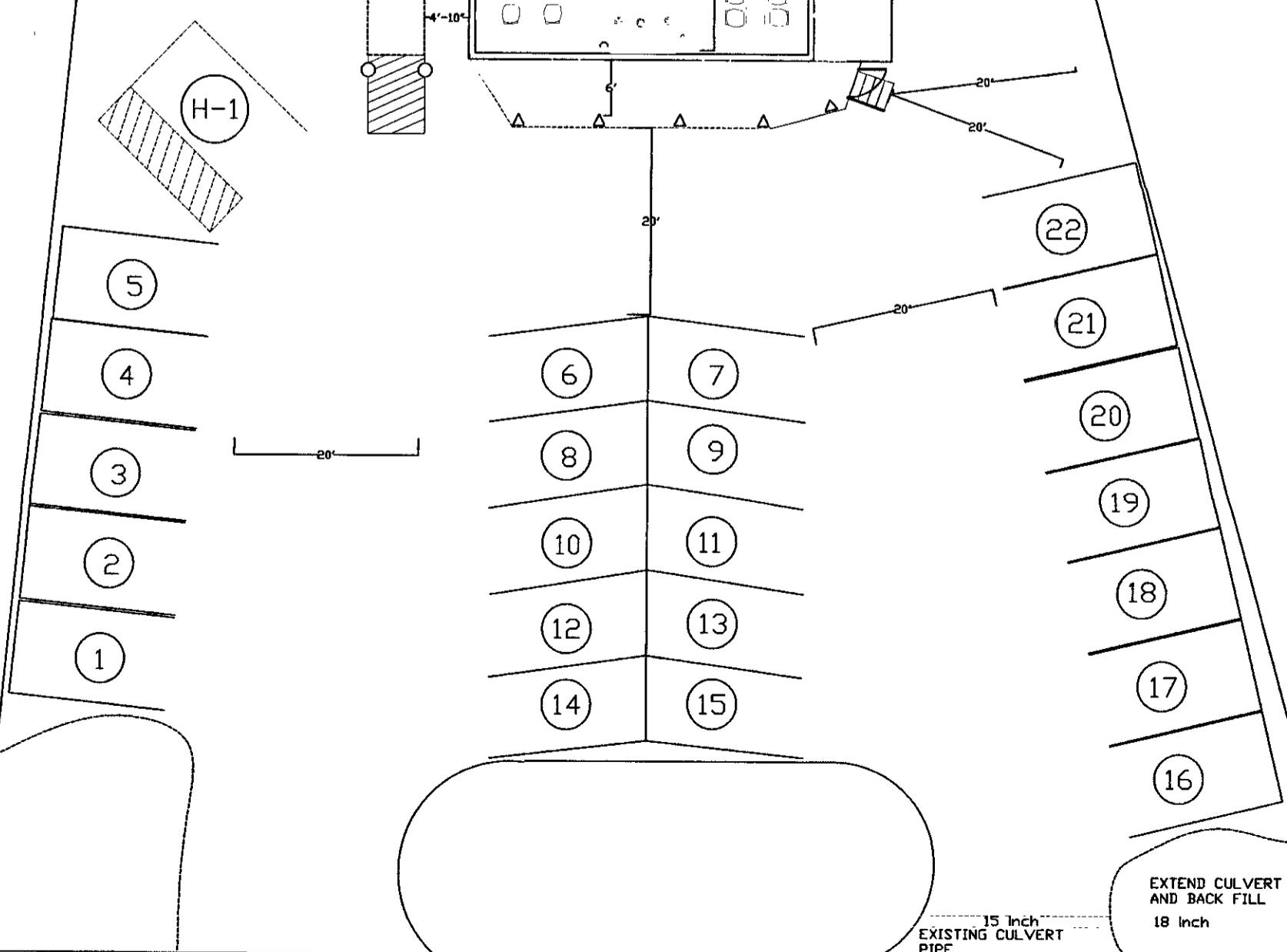
AREA IN GREEN IS SERVING SPACE, 3420 SQ. FT. 200 SF. FT. PARK SPACE EQUALS 17 SPACES



EMPLOYEE PARKING



EMPLOYEE PARKING IN REAR



CAMP RUN CREEK

15 inch EXISTING CULVERT PIPE UNDER DRIVEWAY
EXTEND CULVERT PIPE AND BACK FILL 18 inch

SCALE 1/8" = 1.0'

7815 S.R. 311