SELLERSBURG BOARD OF ZONING APPEALS January 21, 2013

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 January 21, 2013.

ROLL:

President Francis A. Conroy, Vice President Randall W. Mobley, Member Dennis V. Amos, Member Charles E. Popp, Member Vincent C. Thacker, Jr., Building Commissioner J. Greg Dietz and Secretary Michelle D. Miller.

APPROVAL OF MINUTES

Randall W. Mobley moved, seconded by Charles E. Popp, to approve the minutes, as written, of the December 17, 2012 meeting. 4-aye, 0-nay, Vincent C. Thacker Jr., abstains, motion is approved.

There being no business to come before the Commission:

ADJOURNMENT

Vincent C. Thacker Jr. moved, seconded by Dennis V. Amos, to adjourn the meeting. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:02 P.M.

Francis A Conroy President

Dennis V. Amos, Member

Charles E. Popp, Member

Randall W. Mobley, Vice-President

Vincent C. Thacker Jr., Member

Michelle D. Miller, Secretary

SELLERSBURG BOARD OF ZONING APPEALS February 18, 2013

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 February 18, 2013.

ROLL:

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

Building Commissioner J. Greg Dietz was absent.

APPROVAL OF MINUTES

Vincent C. Thacker, Jr. moved, seconded by Charles E. Popp, to approve the minutes, as written, of the January 21, 2013 meeting. 5-aye, 0-nay, motion is approved.

There being no business to come before the Commission:

ADJOURNMENT

Vincent C. Thacker Jr. moved, seconded by Dennis V. Amos, to adjourn the meeting. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:02 P.M.

Francis A. Conroy, President

Dennis V Amos Member

Charles E. Popp, Member

Randall W. Mobley Vice-President

Vincent C. Thacker Ir Member

Michelle D. Miller, Secretary

SELLERSBURG BOARD OF ZONING APPEALS March 18, 2013

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 6:04 P.M. at the Sellersburg Town Hall, 316 East Utica Street on March 18, 2013.

ROLL:

President Francis A. Conroy, Vice President Randall W. Mobley, Member Dennis V. Amos, Member Charles E. Popp, Member Vincent C. Thacker, Jr., Building Commissioner J. Greg Dietz and Secretary David L. Kinder.

APPROVAL OF MINUTES

Vincent C. Thacker, Jr. moved, seconded by Randall W. Mobley, to approve the minutes, as written, of the February 18, 2013 meeting. 5-aye, 0-nay, motion is approved.

ELECTION OF OFFICERS

Charles E. Popp moved, seconded by Dennis V. Amos, to keep the same officers for the year 2013. 5-aye, 0-nay, motion approved.

There being no business to come before the Commission:

ADJOURNMENT

Framers O. L

Dennis V. Amos moved, seconded by Charles E. Popp, to adjourn the meeting. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:07 P.M.

Francis A. Conroy, President

Dennis V. Amos, Member

Charles E. Popp, Member

Randall W. Mobley, Vice-President

Vincent C. Thacker, Jr. Member

David L. Kinder, Secretar

SELLERSBURG BOARD OF ZONING APPEALS April 15, 2013

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 6:01 P.M. at the Sellersburg Town Hall, 316 East Utica Street on April 15, 2013.

ROLL:

President Francis A. Conroy, Vice President Randall W. Mobley, Member Dennis V. Amos, Member Charles E. Popp, Member Vincent C. Thacker, Jr., Building Commissioner J. Greg Dietz and Secretary David L. Kinder.

NEW BUSINESS:

BENJAMIN RIGGS requesting a variance to build a 1200 square foot garage at 748 South Forrest Drive.

Donald L. Compton, 712 South Forrest Drive and Thomas Schuster, 744 South Forrest Drive, speak in favor of granting the variance.

CHARLES E. POPP moved, seconded by Randall W. Mobley, to approve the variance contingent upon structure having a three foot masonry front pleasing to the neighborhood. 5-aye, 0-nay motion is approved.

<u>VINCENT C. THACKER, Jr.</u> moved, seconded by Dennis V. Amos, to approve the minutes, as written, of the March 18, 2013 meeting. 5-aye, 0-nay, motion is approved.

ADJOURNMENT:

Tramero

There being no further business to come before the Board, Randall W. Mobley moved, seconded by Vincent C. Thacker, Jr. to adjourn the meeting. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:40 P.M.

Francis A. Conroy, President

Dennis V. Amos, Member

Charles E. Popp, Member

Randall W. Mobley, Vice-President

Vincent C. Thacker, Jr., Member

David L. Kinder, Secretary

SELLERSBURG ZONING APPEALS BOARD AGENDA

April 15, 2013

- 1. Roll Call
- Benjamin Riggs requesting variance to build a 1200 square foot garage at 748 South Forrest Drive. (Residential garages are limited to 864 square feet.)
 Approve the minutes from the March 18, 2013 meeting.
- 4. Adjourn.

Respectfully Submitted

SELLERSBURG BOARD OF ZONING APPEALS May 20, 2013

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 May 20, 2013.

ROLL:

President Francis A. Conroy, Vice President Randall W. Mobley, Member Dennis V. Amos, Member Charles E. Popp, Member Vincent C. Thacker, Jr., Building Commissioner J. Greg Dietz and Secretary David L. Kinder.

APPROVAL OF MINUTES:

Randall W. Mobley moved, seconded by Vincent C. Thacker, Jr., to approve the minutes, as written, of the April 15, 2013 meeting. 5-aye, 0-nay, motion is approved.

ADJOURNMENT:

There being no further business to come before the Board, Vincent C. Thacker, Jr. moved, seconded by Charles E. Popp to adjourn the meeting. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:02 P.M.

Francis A. Conroy, President

Dennis V. Amos, Member

Charles E. Popp, Member

Randall W. Mobley, Vice-President

Vincent C. Thacker, Jr. Member

Michelle D. Miller, Secretary

SELLERSBURG ZONING APPEALS BOARD

AGENDA June 17, 2013

- 1. Roll Call
- 2. Chris O'Neal requesting a variance to allow two semi trailers with advertising sign to be located on parcel # 10-17-11-000-340.000-0031 and one semi trailer with advertising sign to be located on parcel #10-17-11-000-108.000-031. Advertising signs are only allowed in I-1 and I-2 Districts. Both parcels are zoned B-2. Portable signs are allowed for 30 days.
- 3. James and Keli Kaskie requesting a variance build a covered porch to extend to within 6 feet of the property line. This would reduce the required 20 feet of back yard to 6 feet.
- 4. Approve the minutes from the May 20, 2013 meeting.
- 5. Adjourn.

Respectfully Submitted

SELLERSBURG BOARD OF ZONING APPEALS June 17, 2013

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 June 17, 2013.

ROLL:

President Francis A. Conroy, Vice President Randall W. Mobley, Member Dennis V. Amos, Member Charles E. Popp, Member Vincent C. Thacker, Jr., Building Commissioner J. Greg Dietz and Secretary David L. Kinder.

Request from Chris O'Neal for variances for semi-trailer advertising signs was tabled on a motion by Vincent C. Thacker, Jr., seconded by Dennis V. Amos. 4-aye, 0-nay, motion to table is approved. (Mobley not present).

James Kaskie withdrew his request for a variance to build a porch.

APPROVAL OF MINUTES:

Vincent C. Thacker, Jr. moved, seconded by Charles E. Popp, to approve the minutes, as written, of the May 20, 2013 meeting. 4-aye, 0-nay, motion is approved. (Mobley not present).

ADJOURNMENT:

There being no further business to come before the Board, Randy W. Mobley moved, seconded by Vincent C. Thacker, Jr., to adjourn the meeting. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:10 P.M.

Francis A. Conroy, President

Dennis V. Amos, Member

Charles E. Popp, Member

Randall W. Mobley, Vice-President

Vincent C. Thacker, Jr., Member

Michelle D. Miller, Secretary

SELLERSBURG ZONING APPEALS BOARD

AGENDA July 15, 2013

- 1. Roll Call
- 2. Chris O'Neal requesting a variance to allow two semi trailers with advertising sign to be located on parcel # 10-17-11-000-340.000-0031 and one semi trailer with advertising sign to be located on parcel #10-17-11-000-108.000-031. Advertising signs are only allowed in I-1 and I-2 Districts. Both parcels are zoned B-2. Portable signs are allowed for 30 days.
- 3. TEMCO Enterprises, LLC requesting variance from 2.15.4 (2) (a) ii),iii),v), and xi) to allow non conforming sign to remain on side of the building.
- 4. Roush Mustang Properties requesting variance to allow 875 square foot garage. Also variance from required yard.
- 5. Approve the minutes from the June 17, 2013 meeting.
- 6. Adjourn.

Respectfully Submitted

SELLERSBURG BOARD OF ZONING APPEALS July 15, 2013

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 July 15, 2013.

ROLL:

President Francis A. Conroy, Vice President Randall W. Mobley, Member Dennis V. Amos, Member Charles E. Popp, Member Vincent C. Thacker, Jr., Building Commissioner J. Greg Dietz and Secretary David L. Kinder.

Request from Chris O'Neal for variances for semi-trailer advertising signs was tabled on a motion by Charles E. Popp, seconded by Dennis V. Amos. 4-aye, 1-nay, motion to table is approved.

Request by TEMCO Enterprises, LLC requesting variance to allow non-conforming sign to remain on side of building (at 492 North Indiana Avenue).

Charles E. Popp moved, seconded by Randal W. Mobley, to temporarily approve this specific sign for one year and check it every year. 5-aye, 0-nay, motion is approved.

Roush Mustang Properties requesting variance for foot garage was withdrawn at request of property owner after discussion with Building Commissioner and set backs were changed.

Vincent C. Thacker, Jr. moved, seconded by Dennis V. Amos, to approve the minutes of the June 17, 2013 meeting. 5-aye, 0-nay, motion is approved.

Sellersburg Board of Zoning Appeals July 15, 2013 Page 2 of 2 pages

APPROVAL OF MINUTES:

Vincent C. Thacker, Jr. moved, seconded by Charles E. Popp, to approve the minutes, as written, of the June 17, 2013 meeting. 4-aye, 0-nay, motion is approved.

ADJOURNMENT:

There being no further business to come before the Board, Charles E. Popp moved, seconded by Randy W. Mobley, to adjourn the meeting. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:32 P.M.

Francis A. Conroy, President

Dennis V. Amos, Member

Charles E. Popp, Member

Randall W. Mobley, Vice-President

Vincent C. Thacker, Jr. Member

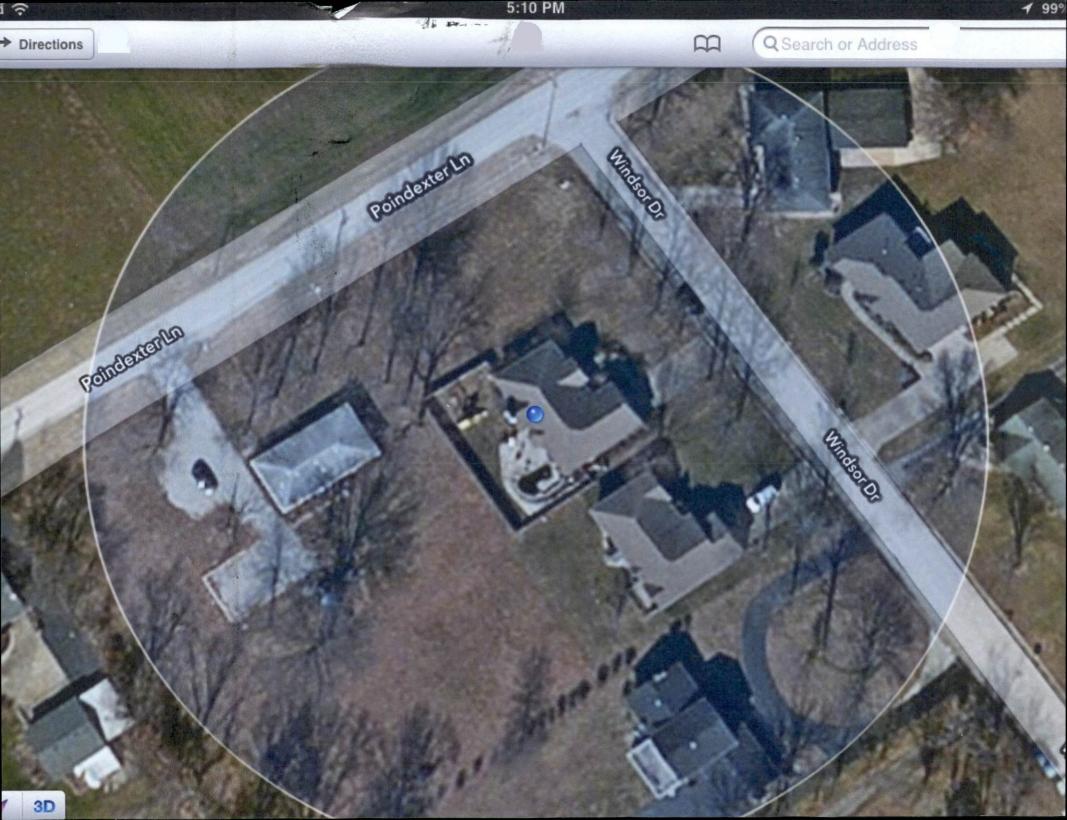
David I Kinder Secretary

SELLERSBURG ZONING APPEALS BOARD

AGENDA August 19, 2013

- 1. Roll Call Kraft
- 2. Attorney John Vissing representing Doug Rawlings requesting a variance from the required front yard of 30 feet to 18 feet at 1820 Poindexter Lane.
- 3. Chris O'Neal requesting a variance to allow two semi trailers with advertising sign to be located on parcel #10-17-11-000-340.000-0031 and one semi trailer with advertising sign to be located on parcel #10-17-11-000-108.000-031. Advertising signs are only allowed in I-1 and I-2 Districts. Both parcels are zoned B-2. Portable signs are allowed for 30 days. This was tabled from the July 15, 2013 meeting with the board requesting Mr. O'Neal to attend the August 19, 2013 meeting to answer questions.
- 4. Colin & Morgan Bell requesting a variance from the requirement that a new residence must face a public street at (see exhibit A and B for location) Allentown Road. This property has recently been subdivided into 4 tracts.
- 5. Nathan Grimes representing C&M Smith Partnership requesting variance from required 20 foot side setback to 13 foot at 8111 County Road 311. The existing structure (Taco Bell) is being demolished and an replaced with a new building.
- 6. Approve the minutes from the July 15, 2013 meeting.
- 7. Adjourn.

Respectfully Submitted



Clark County, IN



August 6, 2013

1:1,570

0 0.0125 0.025 0.05 mi
0 0.02 0.04 0.08 km

August 10, 2013

TO THE TOWN OF SELLERSBURG AND ZONING COMMISSION

We the undersigned neighbors of the construction site at the corner of Windsor Drive and Poindexter Lane object to the variance before you for review:

- 1. Water Drainage. This property has been filled in 12" or more. The building and driveway will increase water runoff while blocking previous lower lying area that could absorb water and restrict flow.
- 2. Safety of future occupant and area drivers. The front yard does not even have enough room for a sidewalk to the driveway and is very steep. During bad weather numerous vehicles have slid off the roadway on to this property from Poindexter Lane.
- 3. Alignment of the front of the house is totally out of character for this neighborhood. None of the homes facing Poindexter Lane are this precariously close to the road..
- 4. Home will not be in character for this area. Homes in West Creek Subdivision must be at least 75% brick or stone on the exterior. Most homes on Poindexter are also brick.
- 5. Negative Impact on property values of the area due to closeness to road and not having a brick or stone exterior.

We respectfully petition you to reject the variance request and keep our neighborhood up to its current standards.

0886-946(818)

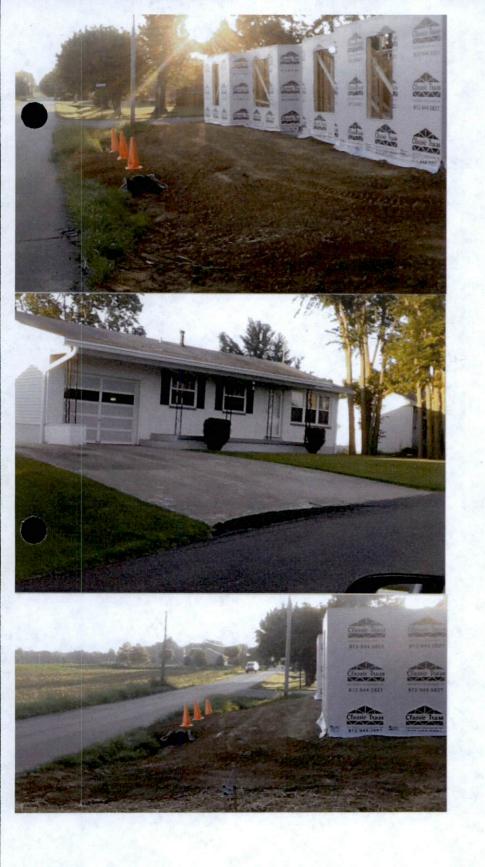
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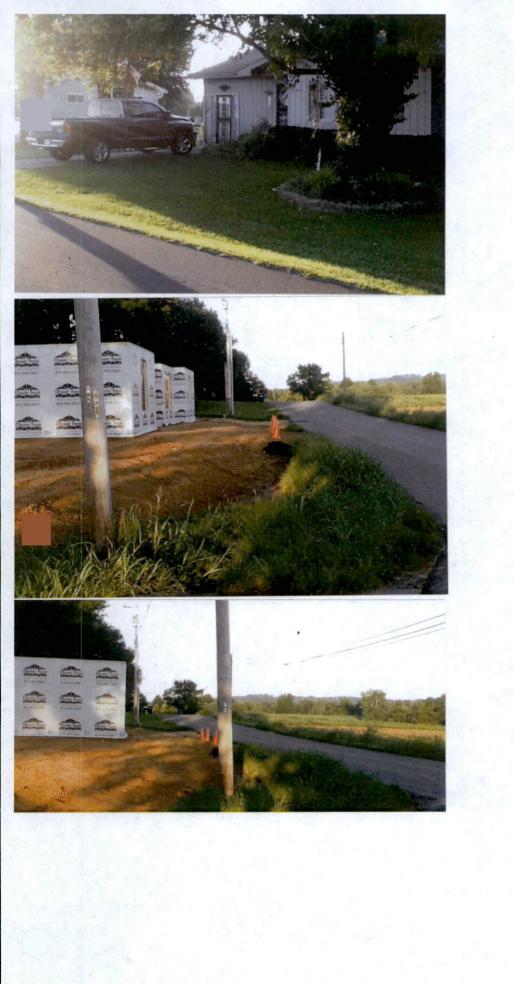
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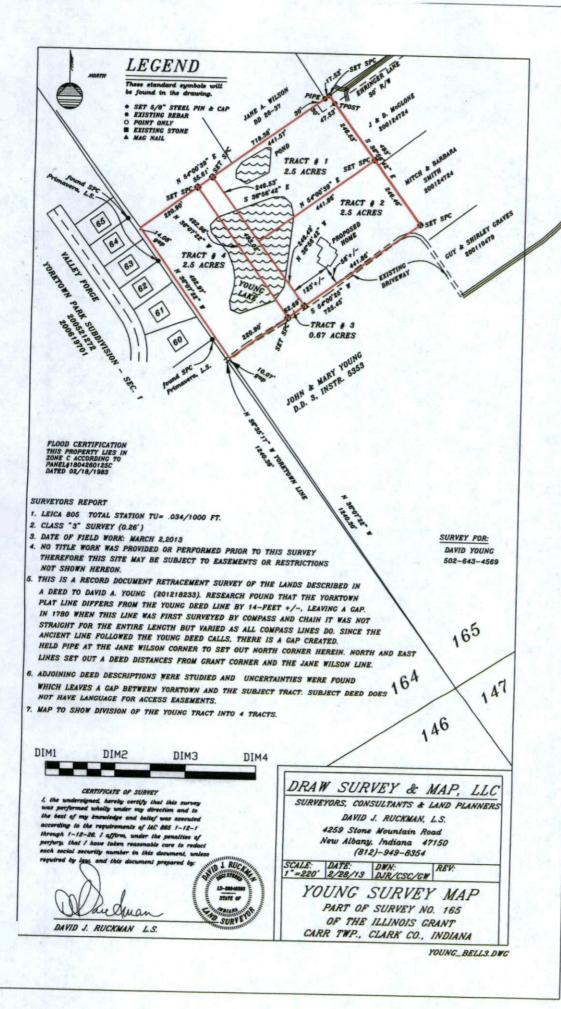
Eh18-910 C/8 649A-948 C18 16h8-9h7 (218) 6652-948 BALLEZSZOS 3928 855 205 BASE 948 C19 5×11-948-818 9685-958-818 (815) 549-3840 1805-21/18-0021











Sellersburg Board of Zoning Appeals Petition (Application Form)

We. DOUG RAWUNGS do hereby formally petition the Sellersburg
We. DOUG RAWLINGS do hereby formally petition the Sellersburg Board of Zoning Appeals to grant a front yard variance for the property located at 1820 POINDEXTER RD,
Selfersburg, IN 47172
Petition to be presented to the Sellersburg Board of Zoning Appeals for action on: AUG_19 th _2013 at 6:00 P.M.
Property Owner Signature (If Applicable)
7802 Old State Rd 60 Property Owner's Address
Sellersburg, IN 47172
(502) 298 - 6288 Property Owner's Phone Number
8/5/13 Date

Trank You!

Location Improvement Permit



Sellersburg Commission of Buildings and Code Enforcement 103 South New Albany Street Sellersburg, IN 47172 (812)246-3821 Fax (812)246-0174

Permit Number: 2013-2502

Street/Lot #_18	20 Poindexter Lane		
Owner_ Doug I	Rawlings		
Contractor_Self	f		
Comments			
Date 6-11-2013	Township	Zoning R-1	
Proposed Use_1	800 Square Foot Single Family Residence		
Permit Type	Contractor	License #	
Building	Self	0040.0004	
Electrical Plumbing	Jill Spear Electric, INC.	2013-0091	
HVAC	H B Plumbing, INC. Henryville Heating and Cooling, INC.	2013-0090 2013-0089	
Excavation	N/A	2013-0009	
MS4	N/A		

Permit is subject to the following:

- Any and all easements, deed restrictions, zoning regulations, and subdivision restrictions applicable to the property.
- 2. Rules and restrictions of the Clark County Board of Health.
- 3. Availability of Public Services.
- 4. All applicable Flood Plain Ordinances including Federal and State guidelines pertaining to the designated Flood Hazard Areas.
- MS4 Best Management Practices.
- No Changes may be made to plans, specifications, or construction after plans have been review and approved by the Building Commission.

THIS PERMIT SHALL EXPIRE BYLIMITATION IF ACTIVE WORK SHALL NOT HAVE BEEN COMMENCED WITHIN SIXTY (60) DAYS OF THE DATE OF ISSUE THEREOF. IF THE WORK AUTHORIZED BY THIS PERMIT IS SUSPENDED OR ABANDONED AT ANY TIME AFTER WORK IS COMMENCED, FOR A PERIOD OF NINETY (90) DAYS, SUCH WORK SHALL BE RECOMMENCED ONLY AFTER THE ISSUANCE OF ANEW PERMIT. IF NO CONSTRUCTION HAS BEGUN ABOVE THE FOUNDATION OF A PROPOSED BUILDING OR STRUCTURE WITHIN ONE (1) YEAR OF THE DATE OF ISSUE OF THE PERMIT, THE PERMIT SHALL EXPIRE BY LIMITATION.

	Fee \$ \$ 400.00	Receipt No. 3827	
Building Commissioner		•	



View from vehicle at stop sign on Windsor Drive



Property line







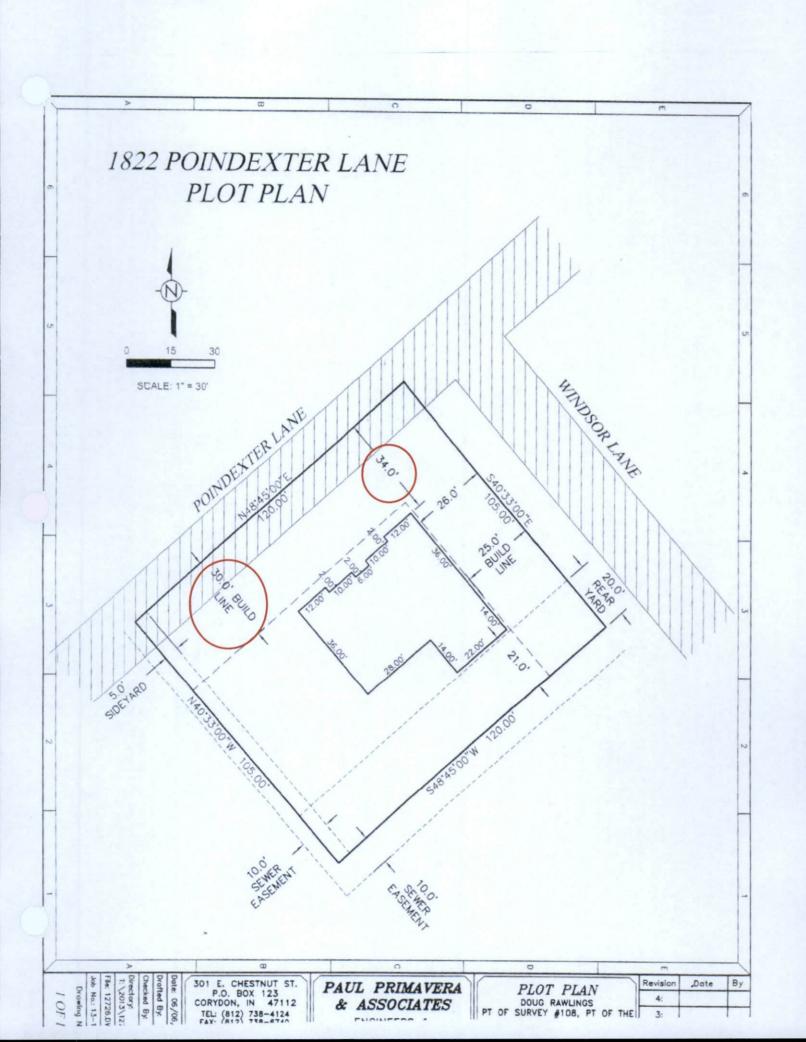












Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



J. Greg Dietz

From: valerie rawlings <d.rawlings@insightbb.com>

Sent: Wednesday, August 21, 2013 7:16 AM

To: J. Greg Dietz

Subject: 1820 Poindexter Road

Good morning.

At 8am this morning, we will be continuing construction on the house, on the advice of Attorney John Kraft, who spoke with The Town of Sellersburg Attorney yesterday... I have also withdrawn my request for a variance.

In approximately two weeks I will need a pre drywall inspection. I will contact you a day before I need the inspection. Also, I met with Derek Coombs of Clark County REMC at 9am yesterday. Derek, using a laser measuring device, determined that there was 26 feet from top of roof to electric line, which more than exceeds the required 13.6 feet. Derek Coombs of REMC provided me with the following email for our records

.....Per our site meeting today, Clark County REMC approves the site of the structure at 1820 Poindexter Road, as long as the total height of the structure does not exceed 12.6 feet from the concrete slab, and that you maintain 13.6 feet vertical clearance from our overhead line......

Thank you - pls feel free to call if we need to discuss Doug Rawlings

Sent from my iPad

John K & Yle K. com

SELLERSBURG ZONING APPEALS BOARD

AGENDA September 16, 2013

- 1. Roll Call
- 2. No items for review this month.
- 3. Approve the minutes from the August 19, 2013 meeting.
- 4. Adjourn.

Respectfully Submitted

SELLERSBURG BOARD OF ZONING APPEALS August 19, 2013

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 August 19, 2013.

ROLL:

President Francis A. Conroy, Vice President Randall W. Mobley, Member Dennis V. Amos, Member Charles E. Popp, Member Vincent C. Thacker, Jr., Building Commissioner J. Greg Dietz and Secretary David L. Kinder.

CHRIS O'NEIL requests a variance to allow two semi-trailers with advertising sigs to be located on parcel # 10-17-11-000-340.000-0031 and one semi-trailer with advertising sign to be located on parcel #10-17-11-000-108.000-31.

VINCENT C. THACKER, Jr. moved, seconded by Charlie E. Popp, to approve the variance but that it is reviewed in one year. 5-aye, 0-nay, motion is approved.

JOHN KRAFT, Attorney, representing Doug Rawlings, requests a variance from the required front yard of 30 feet to 18 feet at 1820 Poindexter Lane.

On June 11, 2013 Sellersburg was given Plat plan: June 17 house was staked; June 24 footers were dug and poured. July 8 Building Commissioner Dietz inspected footers and plumbing plans. July 23 Ken Alexander (Municipal Works Director) advised Rawlings to obtain a variance for lot set-backs for Poindexter Lane and Windsor Drive.

LINDA HARRIS, 9016 Windsor, presents a petition from residents about water drainage, Safety of future occupants and area drivers, Alignment of front of house in neighborhood, house not in character with other homes in subdivision and negative impact on property values. She presented some still photos of the area. (Copy attached report).

ERIK VELTON, 9019 Windsor Drive, presents aerial view of the area and some photographs and explains the dangers of drivers turning onto Poindexter Lane from Windsor Drive and the speed of vehicles traveling on Poindexter Lane. (Copy attached).

Sellersburg Board of Zoning Appeals August 19, 2013 Page 2 of 2 pages

<u>JASON WERLE</u>, <u>1912 Windsor</u>, spoke about West Clark School changing the bus stop on Poindexter Lane to Windsor Drive because of the traffic on Poindexter Lane.

MARY ABSHER, 1908 Poindexter Lane, addressing safety of people that will live in the home as vehicles have skidded off Poindexter Lane, during the winter, into that lot.

TERRY E. LANGFORD, 1503 Celesta Way, comments about the power lines over the home and that REMC (Rural Electric Maintenance Corporation) said the lines may have to be moved because of height over the house and that property owner would have to pay to have them moved.

RANDALL E. MOBLEY moved, seconded by Charles E. Popp, to table this request so the Town Attorney can examine the case. 4-aye, 1-nay, motion is approved.

PRESIDENT CONROY advised that the Board will meet in special session August 29, 2013 at 6:00 P.M. (in the Town Hall meeting room, 316 East Utica Street).

<u>COLIN and MORGAN BELL</u> requests a variance from the requirement that a new residence must face a public street at (see exhibit A and B for the location) Allentown Road Property recently subdivided into 4 tracts.

Access to this home would be on private driveway and other property, three (3) tracts, would also be accessed by the private roadway. Property was given to Bells by David Young, her father who owned the property.

<u>CHARLES E. POPP</u> moved, seconded by Randall W. Mobley to waive the sub-division ordinance requirements and approve the variance. 5-aye, 0-nay, motion is approved.

NATHAN GRIMES, Engineer at Renaissance Design Build, representing C & M Smith Partnership, requests a variance from the required 20 foot side setback to 13 feet at 8111 County Road 311. Existing structure (Taco Bell) is being demolished and replaced with a new building.

RANDALL W. MOBLEY moved, seconded by Vincent C. Thacker, Jr. to approve the variance. 5-aye, 0-nay, motion is approved.

Sellersburg Board of Zoning Appeals

August 19, 2013 Page 3 of 3 pages

CHARLIE E. POPP moved, seconded by Dennis V. Amos, to approve the minutes, as written, of the July 15, 2013 meeting. 5-aye, 0-nay, motion is approved.

ADJOURNMENT:

There being no further business to come before the Board, Randall W. Mobley moved, seconded by Vincent C. Thacker, Jr., to adjourn the meeting. 5-aye, 0-nay, motion is approved and meeting adjourned at 7:30 P.M.

Francis A. Conroy, President

Dennis V. Amos, Member

charles E. Popp, Member

Randall W. Mobley, Vice-President

Vincent C. Thacker, Jr. Member

Attachments: Aerial views of Poindexter Lane and Windsor Drive area

Petition by homeowners Signature of resident petition

Photographs of Poindexter Lane and Windsor Drive

SELLERSBURG BOARD OF ZONING APPEALS September 16, 2013

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 September 16, 2013.

ROLL:

President Francis A. Conroy, Vice President Randall W. Mobley, Member Dennis V. Amos, Member Charles E. Popp, Member Vincent C. Thacker, Jr., Building Commissioner J. Greg Dietz and Secretary David L. Kinder.

PRESIDENT CONROY asks Building Commissioner Dietz about the request from Doug Rawlings about a variance for the property at 1820 Poindexter Lane.

Building Commissioner Dietz explains that the Town Attorney, Jacob C. Elder and Mr. Rawlings Attorney, John Kraft examined the building codes and only a set- back was required and Mr. Rawlings did not need a variance.

<u>VINCENT C. THACKER, Jr.</u> moved, seconded by Randall W. Mobley, to approve the minutes of the August 19, 2013 meeting. 5-aye, 0-nay, motion is approved.

ADJOURNMENT:

There being no further business to come before the Board, Randall W. Mobley moved, seconded by Vincent C. Thacker, Jr., to adjourn the meeting. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:06 P.M.

Francis A. Conroy, President

Dennis V. Amos, Member

Charles E. Popp, Member

Randall W. Mobley, Vice-President

Vincent C. Thacker, Jr., Member

David L. Kinder, Secretary

SELLERSBURG ZONING APPEALS BOARD

AGENDA October 21, 2013

- 1. Roll Call
- 2. Larry Weiss requesting a "Conditional" variance to allow Mitch Craig Heating and Cooling to locate a 443 East Utica. B-2 zoning does not specifically allow a HVAC business.
- 3. Joseph Snauder requesting a variance from the side yard requirement of 5 feet to add an addition to his house that extends to the property line.
- 4. Approve the minutes from the September 16, 2013 meeting.
- 5. Adjourn.

Respectfully Submitted

Sellersburg Board of Zoning Appeals Petition (Application Form)

Board for the	of Zoning Appeals property located a	to Zon 1443 E	Action Requested) Ofice 5	t.	(itivam)
	to be presented to 21/2013	o the Sellersburg Bo	oard of Zoning Ap	peals for action on:	
Proper	y Owner Signatur	e	Property Owner S	ignature (If Applica	ible)
Z 11 2 Proper	Pleasanta	view Ct 1	Ven Alba	17. IN	4715
411	2 246 4	3023 (H) 50Z	648 7	101€
	y Owner's Phone	Number	1/10	and the same of the same of	



Highlights of Request: (1) All vehicles parked inside. (NO outside purking)
(2) NO Dumps for will be used. 3 Business Hours M-F 9-5. (minimal activity on weekend, i.e. emergency calls) (4) Requesting Conditional Variance for

This Tenant Mitch Craig Hating of Cooling only. Dec. 13 2013 to Nov. 30 m 2014.

Will hard to ask Board for permission of Mill hard to ask Board for a 5' in Mill dumpster.

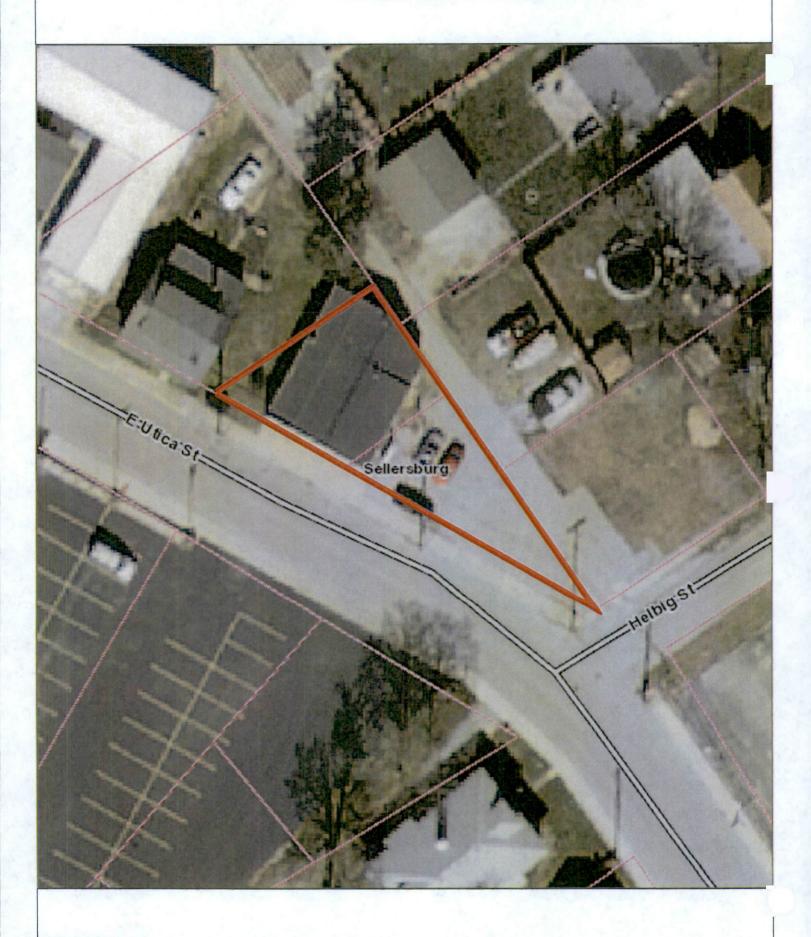
Significant final dumpster.

Significant formal dumpster.



E1-51-6 paperauf

443 East Utica Street



Printed: 10/10/13

Stores and Shops: Furniture, Household appliances, hardware, flowers, drugstore, stationary, news dealer, record, photo, dry cleaners and pressing, bakery, dress making, millinery, tailor, individual storage locker service or any other similar use.	1 for each 200 sq ft of gross floor area
School: Junior high, elementary, public, private, parochial	1 per each classroom plus 1 for each 100 sq ft of closed floor area of the auditorium
School: Senior High, Private, Public or Parochial	1 per 4 students based on the maximum number of students who can be enrolled
Shopping Center: 25,000 to 400,000 sq ft gross leasable area	4 per 1,000 sq ft of gross leasable area
Shopping Center:400,000 to 600,000 sq ft gross leasable area	4.5 per 1,000 sq ft of gross leasable area
Shopping Center: 600,000 sq ft and over gross leasable area	5 per 1,000 sq ft of leasable area
Theater (Drive in)	1 per 2 employees
Theater (Not Drive In)	1 per 2 seats
Tourist Home or Bed and Breakfast	1 per employee plus 1 per guest bedroom
Trade or Business School	1 per each 3 students and staff based on the maximum number of students who can be enrolled
Truck Terminal	1 per 2 employees plus 4 for customers
Veterinary hospital or boarding kennel	1 per 3 animal spaces (cages of pens)
Wholesale produce terminal or Warehouse	1 per 2 employees

- (2) In the case of mixed use in the same building or structure, the total requirement of off street parking facilities shall not be considered as providing required parking facilities for any other uses.
- (3) Collective off street parking facilities for two (2) or more buildings, structures, or uses shall not be less than the sum of the requirements for the various individual uses computed separately as provided for in this section.

▶ 1.27.6 - Waiver Provisions for Off-Street Parking Requirements

- (1) Uses allowed in the B-l, B-2, and B-3 Districts:
 - (a) A use permitted in the B-l, B-2, or B-3 district with less than 2,500 square feet of floor area can reduce parking space requirements by twenty percent up to three
 (3) spaces provided the use is not adjacent to another use owned or controlled by the same person.
 - (b) Commercial uses permitted in the B-1, B-2, or B-3 District which occupy less than 2,500 square feet of floor area and are located in corner commercial structures will have no parking spaces required. Expansion of these structures after the effective date of these regulations will void waiver privileges. Corner commercial structures, as used in this section, shall mean structures that were constructed prior to 1959 and were built to house a commercial establishment and are situated at an intersection.

Land Use Chart

	Use Permitted	Α	R-1	R-2	R-3	RPO	GO	МНР	B-1	B-2	B-3	IB-1	I-1	1-2	OPS
	Residential	10.51													
A.	Agricultural													Rin	III.
1	Crops	•												45	12
2	Greenhouses, Commercial	•								С	С			27	1
3	Livestock	•	- 7 3											16	
B.	Residential		<u></u>		- 5										3
1	Dwellings, Single Family Detached	•	•	•	•	•								a V	100
2	Dwellings, Two Family (Duplex)			•	•	•				-					I PI-S
3	Dwellings, Single Family Attached (Townhouse)			S	•	S					45	14			
4	Dwellings, Multi Family	br .		S	•			27						15	115
5	Rooming/Lodging			С	•	С					9				
6	Fraternities and Sororities		10	С		С									
7	Mobile Homes			10				•							
8	Day Care Homes		•	•	•	•	n i		YE			9			1
9	Tourist Homes		1925							Ę.		W 1			
10	Group Homes	E.		С	•	С									
11	Manufactured homes	_													
	Business		-								1907				
Α.	Commercial Retail				-11									PE	400
1	Adult Bookstore									1					130
2	Adult Video Store						1				113		986		E A
3	Antiques			7.1							•				
4	apparel					-		4.7	•	1	•			Y.	
5	Appliances, Small	30	-	- 3	- 61		7-7	7.13	•		•		341	1	
6	Artificial Lakes, Commercial	1	-		41				Fa.	536	S	The s		532	6
7	Arts and Crafts		1-5						•	•	•	7	- ale		
8	Auto Sales							13 -1			•	•	100	98	1
9	Auto Parts/Supplies	0.75.5								-	•	•			15
10	Bakery								•	•	•				137
11	Bicycle Shop								•	•	•				
12	Book Shops	THE T								•	•	•			1
13	Camps and Resorts			-		1537	13.5	1	97	W.	S				•
14	Clothing Consignment				*			- 22	•	•	•		7		
15	Dairy Products							1	•	•	•	54		1	Sign
16	Department/Discount Store							17.5		•	•				
17	Drugstores/Sundry						•		•	•	•		-	132	90
18	Farm Equipment				- 4							•	•	•	
10	Tam Equipment												40.		

	Use Permitted	Α	R-1	R-2	R-3	RPO	GO	MHP	B-1	B-2	B-3	IB-1	I-1	1-2	OPS
19	Farm Products (i.e., Produce)	•							•	•	•			1	
20	Florist Shops										•				
21	Furniture and Large Appliances					15				•	•		14		
22	Gift Shops									•	•				256
23	Golf Driving Ranges						14		10		•	•		1	6.0
24	Grocery & Meats								•	•	•		7 - 19		32
25	Hardware				18				•	•	•				
26	Jewelry								•	•	•		Fall		
27	Liquor Store					3 10			•	•	•			The second	Marie de la constante de la co
28	Marine Sales										•		•	•	
29	Mobile Home Sales							•					•	•	1,47
30	Motorcycle Sales										•		•	•	
31	Pet Shops (Domestic)								•	•	•			11.6	
32	Seasonal Hunting & Fishing Lodge						17								
33	Sporting Goods							34	•	•	•				BAN.
34	Truck Sales					1	1						•	•	
35	Used Merchandise										•			119	12 0
36	Viriety Store(20,000 sq ft Max.)			i d							•				
							7.71						1		
B.	Commercial Trade				200									7	1
1	Amusement, Outdoor										S				
2	Amusement, Indoor								•	16	•			32	
3	Appliance Repair (Small)								•	•	•				
4	Auto Parking			- 12			S	THE PERSON	S	S	•	•	•		
5	Auto Repairs										•	•	•		
6	Auto Storage Yard				-2				4				•	•	
7	Banks (Main)						•			•	•				
8	Banks (Branch) w/Drive In						•				•				- 1000
9	Bars or Taverns w/o Live Entertainment								•	•	•	•	•	•	
10	Bars or Taverns w/ Live Entertainment									- 31		•	•	•	
11	Bars or Taverns w/ Adult Entertainment			y m	N.	FIL								•	
12	Business Services						•		•	•	•			5	
13	Bus Terminal (Passenger)			47						3	•	•	•	•	
14	Candy, Confectionery								•	•	•				
15	Dog Kennel			11						L	•		•	•	
16	Furniture Repair						4. 7						•	•	
17	Funeral Homes/Parlors	1.5		С	С	С	С			•	•				148
18	Gasoline Service Stations/Convenience Stores						•				•	•	•	•	
19	Gun Club/Skeet Range										С	С	С	С	3
20	Home Improvement Stores									•					
21	Hotel/Motel						•					•			
22	Laundry and Dry Cleaning			-					•	•	•				1

	Use Permitted	A	R-1	R-2	R-3	RPO	GO	MHP	B-1	B-2	B-3	IB-1	I-1	1-2	OPS
23	Office, General					100	•			•	•				1
24	Office, Professional				S	•	•		•	•	•				
25	Personal Services						•		•	•	•			1	
26	Printing Services		B				•		•	•	•	•			
27	Radio and TV Stations					1814	•			•		•	•		Mari
28	Restaurant, Fast Food	4			9.5							•			Sub-
29	Restaurant, Non Fast Food				15		•		4	•	•				1 16
30	Schools (Trade and Business)						S	r -	S	1	•		•	•	
31	Telephone Exchange								and.		•		•	•	2.6
32	Theaters, Not Drive In										•	1			
33	Theaters, Drive In						-				•	1			
34	Tire Recapping					1						2.5	•	•	
35	Veterinary Service	4	- 1						•			-17	•		July 1
36	Warehouse			- 3						1	•	•	•	•	
37	Warehouse, Mini										•	•	•	•	
0	Laboration Committee	-	- 7									L	le Y		
B.	Industrial Non-Processing											100	75. 19	S	
1	Junk Yards	-											-	S	
2	Mining and Mineral Extractions	-	- 15						20	-					
3	Bus & Truck Repair	S	S	S	S	S	S	S	S	S	S	S	S	S	
4	Railroad Yards	1	3	3	3	3	3	3	3	3	•	3	•		
5	Warehouse, Storage	+					-					7-10			
	Institutional														
A.	Public, Qusi-Public						4 [3]	2			-	F 5.			
1	Airports, Heliport	S					S				S	S	S	S	
2	Cemeteries (Mausoleums)	1 51/		С	С	С	С		С		С				1
3	Cultural Facilities				•	•	•		•	•	•	KI-			2
4	Lodge Halls		198	-147				in I	S	S	S		100		100
5	Schools	С	С	С	С	С	С		С	С	С	100	1		•
6A	Municipal Buildings (Administrative)		С	С	С	С	•		•	•	•		•	•	•
6B	Municipal Buildings (Garage/Repair/Storage)	С				С	С		С		С	•	•	•	•
7	Fire and Police Stations	С	С	С	С	С	•		•	•	•	•	•	•	•
8	Public Assembly Hall						•	100	•		•				
9	Religious Organizations	С	С	С	С	С	С		С	С	С	14 2			
10	Parks & Playgrounds	•	•	•	•	•	•	•	•	•	•				•
11	Civic and Community Clubs	S	S	S	S	S	S		S	S	•				-3
12	Day Care Centers				С	С	•	С	•	•	•	779	•	•	10 14
13	Correctional Facilities	10								S	S			S	
B.	Utilities									1 5				15	M. The
1	Communication, Transmission	S	S	S	S	S	S	S	S	S	S	S	S	S	
2	Storage												•	•	

	COMMENCE AND ADDRESS OF THE PARTY OF THE PAR														
	Use Permitted	А	R-1	R-2	R-3	RPO	GO	МНР	B-1	B-2	B-3	IB-1	I-1	1-2	OP
C.	Commercial Wholesale						100				-				
1	Building Material			1				30					•	•	
2	Farm Products		1			F 19					•		•	•	1
3	Farm Supplies	-					1	60					•	•	
4	Food Products										•	Polic	•	•	
5	Household Goods									15	•		•	•	W
	Industrial Manufacturing														
A.	Manufacturing/Processing	-4									1	1.71		3.7	i q
1	Apparel				4					1			•	•	
2	Bakery, Dairy Products, Confectionary			30								0.7	•	•	
3	Beverage Bottling						* .						•	•	1
4	Chemicals and Chemical Products						4			•			1	S	
5	Clock, Scientific Instruments												•	•	
6	Drugs and Pharmaceuticals	N. C.											•	•	
7	Electronic Equipment						1					r _a jih	•	•	
8	Furniture							- 4				100	•	•	
9	Grain Mills												•	•	
10	Machinery, Tool and Die		47	A				- 1					•	•	
11	Meat, Poultry, Seafood, Slaughtering/Dressing				- 1									S	
12	Meat, Poultry, Seafood, Processing/Freezing				1								•	•	
13	Medical Equipment	3 4			12.7								•	•	1
14	Metal Fabrication													•	
15	Millwork, Veneer, Sawmill	21 5												•	
16	Musical Instruments		4 7				The last					- 1	•	•	
17	Paper Products				13/2	4					- 14		•	•	1
18	Paving and Concrete Block								an'in				1 33	S	
19	Printing/Newspapers					(ETA)						1	•	•	
20	Research Laboratories						•			71			•	•	
21	Service and Distribution Uses										•		•	•	
22	Sporting Goods, Toys, Novelties										46		•	•	
C.	Medical Facilities	- 67			7									85	
1	Clinics and Services				4 5	•	•		•	•	•	1			
2	Doctor & Dentist Offices					•	•	6	•	•	•	10	1		1
3	Hospitals & Sanitariums		S	S	S	S	S		S		S		17		1
4	Nursing Homes			С	•	С	С				•		1		
5	Rehabilitative Facilities (Physical)					•	•				•				1946
6	Mental Health Facilities			1		ri-	S				•				1
						1									

SELLERSBURG BOARD OF ZONING APPEALS October 21, 2013

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 October 21, 2013.

ROLL:

President Francis A. Conroy, Vice President Randall W. Mobley, Member Dennis V. Amos, Member Charles E. Popp, Member Vincent C. Thacker, Jr., Building Commissioner J. Greg Dietz and Secretary David L. Kinder.

<u>LARRY WEISS</u> requesting a "conditional" variance to allow Mitch Craig Heating and Cooling to locate at 443 East Utica, The property, currently zoned B-2 does not specifically allow a HVAC (Heating, Ventilation and Air Conditioning) business. Mr. Weiss states the variance is for one year. He also requests he be allowed to place a dumpster at 101 Helbig, a lot he owns behind 443 East Utica, this dumpster will be in an enclosed structure.

MITCH CRAIG addresses the Board and advises that the property will be used for sheet metal work, storage of used and new air conditioning units and office space. There will be no dangerous chemicals in the building.

TERESA CLARK, 364 Paradise, whose home is directly behind this property, says she has no objection to the business or the dumpster.

KAREN TWIDDY, neighbor and representative of the Sellersburg Fire Department, speaks in favor of the variance.

RANDALL W. MOBLEY moved, seconded by Dennis V. Amos, to approve the variance, including the dumpster. 5-aye, 0-nay, motion is approved. Variance granted for one year.

JOSEPH SNAUDER requests a variance from the side yard requirement of 5 feet to add an addition to his house that extends to the property line.

After discussion concerning allowing something to be built on a property line, Charles E. Popp moved, seconded by Randall W. Mobley, to not grant the variance. 4-aye, 1-nay, motion is approved, variance denied.

Sellersburg Board of Zoning Appeals October 21, 2013 Page 2 of 2 pages

VINCENT C. THACKER, Jr. moved, seconded by Dennis A. Amos, to approve the minutes, as written, of the September 16, 2013 meeting. 5-aye, 0-nay, motion is approved.

There being no further business to come before the Board, Vincent C. Thacker, Jr. moved, seconded by Charles E. Popp, to adjourn the meeting. 5-aye, 0-nay, motion is approved.

Francis A. Conroy, President

Dennis V. Amos, Member

Charles E. Popp, Member

Randall W. Mobley, Vice-President

Vincent C. Thacker, Jr., Member

David L. Kinder, Secretary

SELLERSBURG ZONING APPEALS BOARD

AGENDA November 18, 2013

- 1. Roll Call
- 2. New Washington State Bank petitioning for Contingent Use for an indoor gun store and shooting range in an IB-1 zone. IB-1 zoning regulations require board approval for gun ranges.
- 3. Approve the minutes from the October 21, 2013 meeting.
- 4. Adjourn.

Respectfully Submitted

J. Greg Dietz Building Commissioner, Town of Sellersburg

SELLERSBURG ZONING APPEALS BOARD

AGENDA December 16, 2013

- 1. Roll Call
- 2. No items for consideration.
- 3. Approve the minutes from the November 18, 2013 meeting.
- 4. Adjourn.

Respectfully Submitted

J. Greg Dietz Building Commissioner, Town of Sellersburg

SELLERSBURG BOARD OF ZONING APPEALS December 16, 2013

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 16, 2013.

ROLL:

President Francis A. Conroy, Vice President Randall W. Mobley, Member Dennis V. Amos, Member Charles E. Popp, Member Vincent C. Thacker, Jr., Building Commissioner J. Greg Dietz and Secretary David L. Kinder.

<u>VINCENT C. THACKER, Jr.</u> moved, seconded by Charles E. Popp, to approve, as written, the minutes of the November 18, 2013 meeting. 5-aye, 0-nay, motion is approved.

There being no further business to come before the Board, Vincent C. Thacker, Jr. moved, seconded by Randall W. Mobley, to adjourn the meeting. 5-aye, 0-nay, motion is approved and meeting adjourned at 6:01 P.M.

Francis A. Conroy, President

Dennis V. Amos, Member

Charles E. Popp, Member

Randall W. Mobley, Vice-President

Vincent C. Thacker, Jr., Member

David L. Kinder, Secretary