

# Sellersburg Board of Zoning Appeals

December 18, 2017

The minutes as written are not verbatim from the meeting

## CALL TO ORDER:

President Vincent C. Thacker, Jr., called the meeting of the Sellersburg Board of Zoning Appeals to order at 5:00 p.m. at Sellersburg Town Hall, 316 East Utica Street on December 18, 2017.

## ROLL CALL:

Members present: President Vincent C. Thacker, Jr., Vice-President Francis A. Conroy, Members, Dennis V. Amos, Charles Popp and Randall W. Mobley. Also, present was Attorney Brock Dawson and Building Commissioner, J. Greg Dietz.

## APPROVAL OF MINUTES:

Randall Mobley moved, seconded by Charles Popp, to approve the minutes of November 20, 2017, as presented. 4-aye, 0-nay, 1-present motion is approved.

## UNFINISHED BUSINESS:

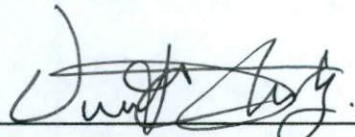
NONE

## NEW BUSINESS:

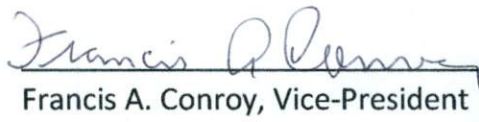
NONE

## ADJOURN:

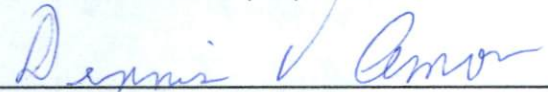
Francis Conroy moved, seconded by Dennis Amos, to adjourn the meeting. 5-aye, 0-nay, motion is approved. Meeting adjourned at 5:02 p.m.



Vincent C. Thacker, Jr., President



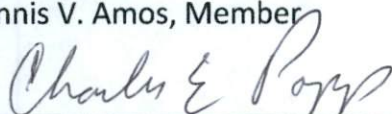
Francis A. Conroy, Vice-President



Dennis V. Amos, Member



Randall W. Mobley, Member



Charles E. Popp, Member



ATTEST:

# Sellersburg Board of Zoning Appeals

November 20, 2017

The minutes as written are not verbatim from the meeting

## **CALL TO ORDER:**

President Vincent C. Thacker, Jr., called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:00 p.m. at Sellersburg Town Hall, 316 East Utica Street on November 20, 2017.

## **ROLL CALL:**

Members present: President Vincent C. Thacker, Jr., Members, Dennis V. Amos, Charles Popp and Randall W. Mobley. Also, present was Attorney Brock Dawson and Building Commissioner, J. Greg Dietz.

Absent: Vice-President, Francis A. Conroy

## **APPROVAL OF MINUTES:**

Randall Mobley moved, seconded by Charles Popp, to approve the minutes of October 16, 2017, as presented. 4-aye, 0-nay, motion is approved.

## **UNFINISHED BUSINESS:**

NONE

## **NEW BUSINESS:**

Petition #1117-001: David and Cassie Graves requesting a variance from Section 2.2.4 front yard setback.

Randall Mobley moved, seconded by Charles Popp, to close the regular meeting. 4-aye, 0-nay, motion is approved.

Randall Mobley moved, seconded by Charles Popp, to open a public hearing. 4-aye, 0-nay, motion is approved. Hearing opened at 6:04 p.m.

Mr. Graves and his contractor, Nathan Grimes provided the following:

- Manufactured home to replace mobile home destroyed by fire.
- 4 ft. wider and 16 ft. longer than previous home.
- Existing footers to be utilized with additions.
- Meets 950 sq. ft. restriction

Randall Mobley moved, seconded by Charles Popp to close the public hearing. 4-aye, 0-nay, motion is approved.

# Sellersburg Board of Zoning Appeals

November 20, 2017

The minutes as written are not verbatim from the meeting

Randall Mobley moved, seconded by Charles Popp to reopen the regular meeting. 4-aye, 0-nay, motion is approved. Meeting reopened at 6:16 p.m.

Randall Mobley moved, seconded by Charles Popp, that the variance will not be injurious to the health, safety, and welfare of the community. 4-aye, 0-nay, motion is approved.

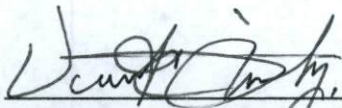
Charles Popp moved, seconded by Dennis Amos, that the variance will not have substantial adverse effect on any neighboring or adjacent property owners. 4-aye, 0-nay, motion is approved.

Dennis Amos moved, seconded by Randall Mobley, that need for the requested variance arises from some uncommon condition **particular to the** property in question and that the variance requested is otherwise in compliance with Town Ordinance 4.3.1(3). 4-aye, 0-nay, motion is approved.

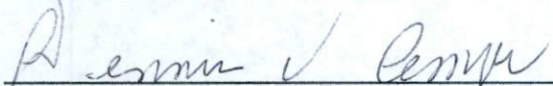
Randall Mobley moved, seconded by Charles Popp to approve petition #1117-001. 4-aye, 0-nay, motion is approved.

## ADJOURN:

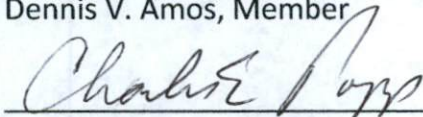
Dennis Amos moved, seconded by Charles Popp, to adjourn the meeting. 4-aye, 0-nay, motion is approved. Meeting adjourned at 6:22 p.m.



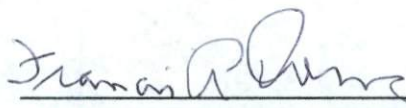
Vincent C. Thacker, Jr., President



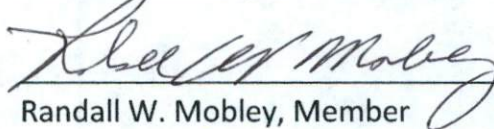
Dennis V. Amos, Member



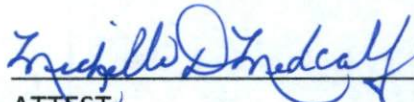
Charles E. Popp, Member



Francis A. Conroy, Vice-President



Randall W. Mobley, Member



ATTEST:



PETITION#: 1117-001  
FEE: 200.00  
RECIPT# 5854

# PETITION

PLEASE PRINT LEGIBLY

SELLERSBURG, INDIANA

PETITION FOR:

BOARD OF ZONING APPEALS

PLANNING COMMISSION

Name of Applicant:

David & Cassie Graves

Applicant's Address:

7919 Hwy 31 Sellersburg, IN 47172

Email Address:

davidjgraves@yahoo.com

Telephone Number:

502-438-3327

Fax Number:

Date of Application:

Township:

Silver Creek

Address or Property Subject to This Petition:

7919 Hwy 31

Grant: Illinois or Section: 89 Congressional Township: Silver Creek Range: \_\_\_\_\_

Municipal Township: Silver Creek Zoning Classification: R-1 Subdivision (if applicable): \_\_\_\_\_

Please Check the Applicable Box:

Amendment to the Official  
Zoning Maps of Sellersburg

Variance to the Zoning  
Ordinance of Sellersburg

Special Exception as Required by the  
Zoning Ordinance of Sellersburg

Other

Describe Detailed Use: Replacing A 24' x 60' MOBILE HOME THAT  
BURNED DOWN IN AUGUST 2017, WITH A 28' x 76'  
MANUFACTURED HOME.

(ATTACH MORE SHEETS IF NECESSARY)

**Specific Reason for Requesting:**

A Rezoning from \_\_\_\_\_ to \_\_\_\_\_

A Variance to the Zoning Ordinance of Sellersburg

A Subdivision Plat as required by the Zoning Ordinance of Sellersburg

Special Exception as required by the Zoning Ordinance of Sellersburg



**Please Explain (BE SPECIFIC AND INCLUDE DETAILS):**

VARIANCE OF SECTION 2.2.4 FOR THE FRONT YARD SETBACK.

We Are Matching The Front to the Front of the Burnt Down  
MOBILE HOME.

Dated and signed by petitioner(s) in the county of Clark, State of Indiana, this 5<sup>th</sup> day of October, 2017

*[Handwritten signatures]*

Nathan R. Grimes

Petition Prepared By (Signature)

All Legal Owners (Named on Deed) Must Sign

- FOR OFFICE USE ONLY
- FOR **RECOMMENDATION** BY PLAN COMM TO COUNCIL
  - FOR **FINAL DECISION** BY PLAN COMMISSION
  - FOR **FINAL DECISION** BY BOARD OF ZONING APPEALS

DRAWING ATTACHED OR UNDER SEPARATE COVER  
\*\*REQUIRED\*\*



Please Provide the Following:

1. Attach the legal description of the property.
2. Attach a development plan depicting all information required and information the applicant believes necessary for review by the Board or Commission; including, as applicable: parcel dimensions, locations of streets, driveways, location and number of parking spaces, sewer and water lines, and other appropriate information.
3. Proof of Zoning ( 1993 zoning map will apply without recorded proof of zoning )
4. Include any additional evidence necessary to support the petition.

I affirm, under the penalties of perjury that the foregoing representations are true.

Applicant's Signature:  Date: 10-5-17

Applicant's Name (printed): DAVID GRAVES

Please complete and attach the Findings of Fact worksheets of this Petition before submitting to the Commission of Buildings and Code Enforcement, as well as the Affidavit of Notice of Public Hearing found within this Petition application. Please note the following requirements regarding time-sensitive notices, required by IC 36-7-4-604 and IC 5-3-2, and read in the Sellersburg Zoning Ordinance as follows:

- 1.The petitioner must mail a notice of hearings by certified mail, return receipt to each of the abutting property owners no less than ten (10) days prior to the hearing.
- 2.Notice of public hearing shall be published one time at least ten (10) days before the date of the hearing.
- 3.A sign depicting the Notice of a Public Hearing must be posted in a conspicuous space on the subject property, along all road frontage of the subject property, at least ten (10) days prior to the hearing.

Please submit proof of mailings and proof of publication from the newspaper to the Commission of Buildings and Code Enforcement 7 days prior to the hearing of the Petition.

Please use the Public Notice templates within this Petition application for the mailings and publication. DO NOT ALTER ANY WORDING IN THIS TEMPLATE, ONLY FILL IN THE BLANKS WITH THE APPROPRIATE INFORMATION.

# Clark County, IN

7919 HWY 31 E,  
10-17-08-900-121.000-031



## Parcel Information

**Parcel Number:** 10-17-08-900-121.000-031  
**Alt Parcel Number:** 17-00041-008-0  
**Property Address:** 7919 HWY 31 E  
**Neighborhood:** silver creek res # 23  
**Property Class:** 1 Family Dwell - Unplatted (0 to 9.99 Acres)  
**Owner Name:** Graves David J & Cassie J  
**Owner Address:** 7919 Hwy 31 E  
Sellersburg, IN 47172  
**Legal Description:** GT 89 .34 AC

## Taxing District

**Township:** SILVER CREEK TOWNSHIP  
**Corporation:** WEST CLARK COMMUNITY

## Land Description

<u>Land Type</u>	<u>Acreage</u>	<u>Dimensions</u>
9Rr	0.34	





**Proof of  
Publication**

**Public Notice  
Sellersburg, Indiana  
Board of Zoning Appeals/  
Plan Commission**

The Board of Zoning Appeals/Plan Commission will meet on 20th day of November, 2017 at 6 p.m. at 316 East Utica Street, Sellersburg, Indiana 47172 for the purpose of holding a public hearing and acting on the following:

Requested Action: The applicant is requesting a variance to Variance of section 2.2.4 for the front yard setback

At the following commonly known address: 7919 Hwy 31, Sellersburg, IN 47172

The petition is available for public review at the Commission of Buildings and Code Enforcement 316 East Utica Street, Sellersburg, Indiana 47172 between the hours of 9 a.m. to 4 pm. 10 days prior to the meeting.

Interested persons desiring to present comments either in writing or verbally will be given the opportunity to be heard at the aforementioned time and place. Written comments to the proposal that are filed with the Building Commissioner before the hearing will be considered. The hearing may be continued from time to time, as may be found necessary. hspaxlp

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

Ginger Baxter 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: 10-26 2017

(X) Ginger Baxter

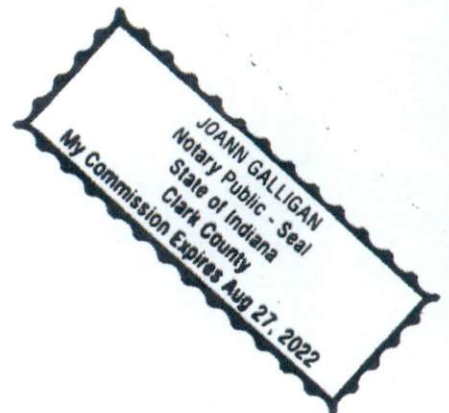
**STATE OF INDIANA  
COUNTY OF CLARK**

Subscribed and sworn to before me this

26<sup>TH</sup> day of October 2017

(X) Joann Galligan  
Joann Galligan

Notary Public, Clark County, Indiana  
(My Commission Expires August 27, 2022)



**Publication  
Fee \$ 100.44**

1381693

Please take the attached items to City of Sellersburg County Planning and Zoning.

Along with these items you will need to take:

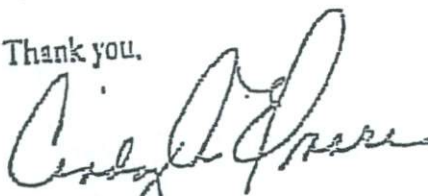
1. Sanitation Permit City Sewer
2. Driveway Permit (some counties, Harrison for example)
3. Recorded deed to the property we are to be placing your new house upon.
4. Survey or plot plan of property.

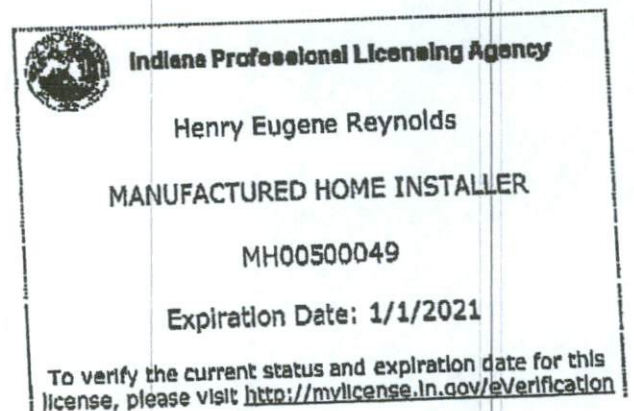
Some counties may also ask to see a copy of your purchase agreement on the home, and an approval letter from your lender, if you are financing.

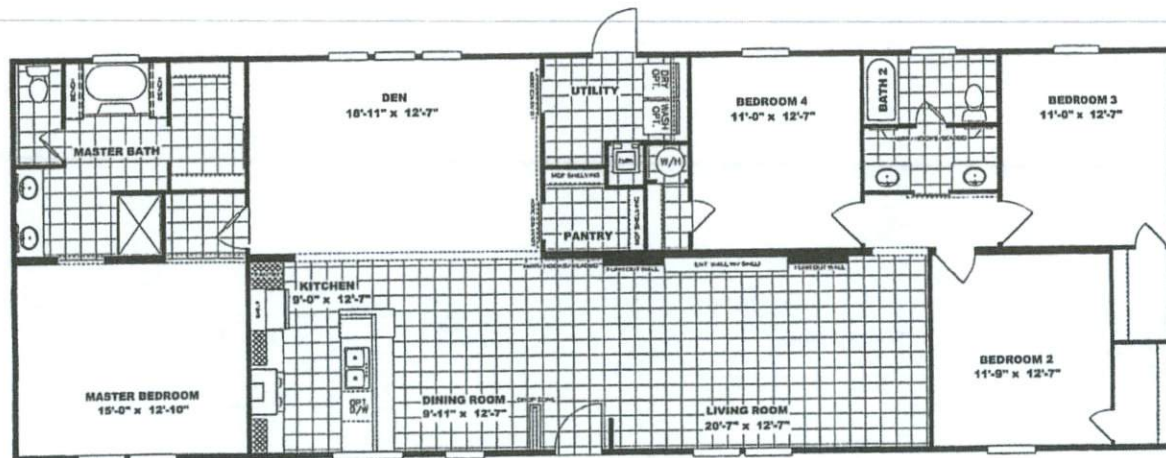
If you should get to the Planning and Zoning office and need another document, that you know we have here in our office, please do not leave, call us and we will fax the document needed.

Once you have received your permit, please, mail, fax, or hand carry, one to us. We HAVE to have a copy of your permit to proceed.

Thank you.

  
Cindy A. Elmore





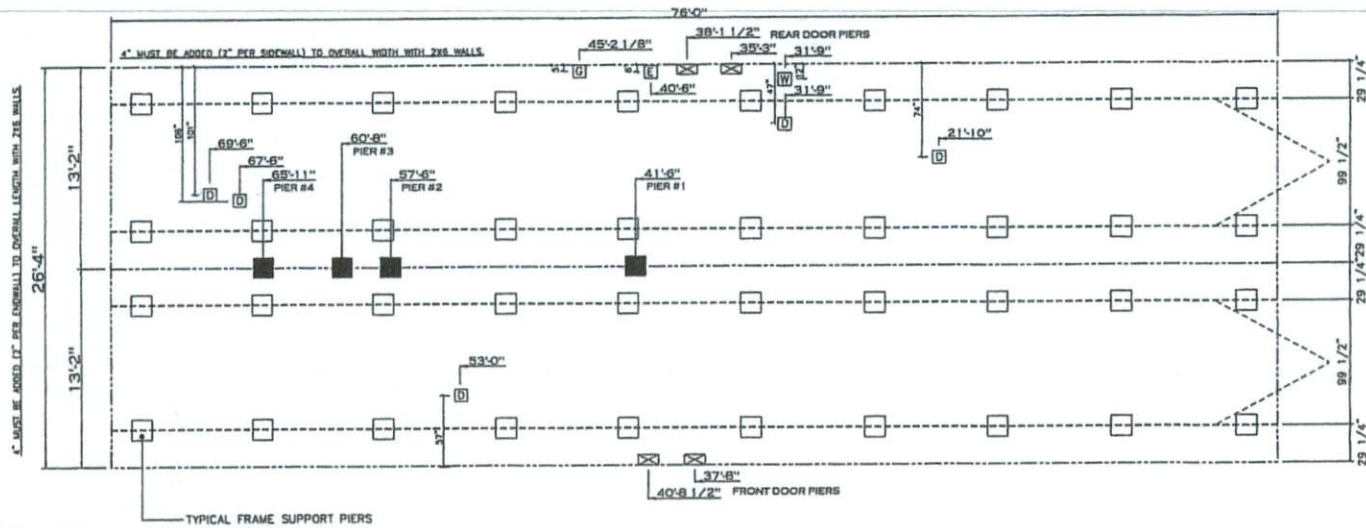
2001 SQ.FT. (STD PLAN "CONDITIONED")  
 50.FT. (W/OPT. PORCH/RECESS "CONDITIONED")

<b>CMH</b> MANUFACTURING	Model # 35F287C4A	Drawing #
	Date: 02/01/10	Scale: 1/8" = 1'-0"
Product Designer: Travis Brooks	28 x 76 Breeze II	
<b>SALES LITERATURE</b>		

PIER LOAD 20lb. ROOF LOAD		PIER LOAD 30lb. ROOF LOAD		PIER LOAD 40lb. ROOF LOAD	
COLUMN PIER #	COLUMN LOAD (lbs)	COLUMN PIER #	COLUMN LOAD (lbs)	COLUMN PIER #	COLUMN LOAD (lbs)
PIER # 1	3560	PIER # 1	5667	PIER # 1	6883
PIER # 2	3560	PIER # 2	5667	PIER # 2	6883
PIER # 3	1437	PIER # 3	2838	PIER # 3	3445
PIER # 4	1437	PIER # 4	2838	PIER # 4	3445

SERVICE DROP LEGEND	
	ELECTRICAL DROP
	WATER INLET
	DRY PLUMBING DROP
	GAS INLET

PIER LEGEND	
	SUPPORT UNDER MATING OPENING
	SUPPORT AT MATING COLUMN
	SUPPORT UNDER MATING WALL
	PIER PORCH/RECESSED ENTRY
	PIER MAIN BEAM
	PIER PERIMETER
	TE-DOWN SUPPORT (QTY PER TEL. W. SEE DETAIL D-6 IN FOUND. PNG.)



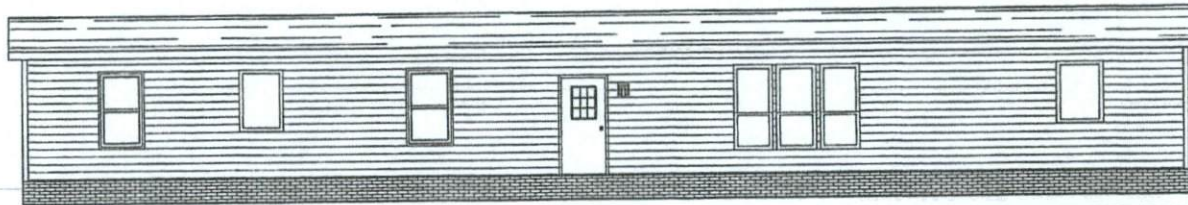
GENERAL NOTES:

- PIER LOADS SHOWN ARE TO BE USED TO SIZE THE FOOTINGS BELOW THE MARRIAGEWALL FOR COLUMN SUPPORT PIERS. REFER TO TABLES 6b AND 6c IN THE INSTALLATION MANUAL FOR LOAD ON FRAME PIER FOOTINGS FOR HOMES THAT DO NOT REQUIRE PERIMETER BLOCKING. REFER TO TABLES 7b AND 7c IN THE INSTALLATION MANUAL FOR LOAD ON FRAME PIER FOOTINGS THAT REQUIRE PERIMETER BLOCKING. REFER TO TABLES 10 AND 10b TO DETERMINE FOOTING SIZE FOR ALL PIERS.
- REFER TO TABLE 9 FOR PIER CONFIGURATION AND MAXIMUM ALLOWABLE HEIGHTS. CROSS REFERENCE THE PIER HEIGHT WITH THE MAXIMUM ALLOWABLE FLOOR HEIGHT LISTED IN THE FRAME TIE-DOWN CHARTS (TABLE 18, 19, AND 20).
- FLOOR WIDTH SHOWN IS FOR STANDARD PRODUCT ONLY. CONTACT THE MFG PLANT FOR SPECIFICATIONS OF OPTIONS ORDERED.
- SERVICE DROP LOCATIONS IDENTIFIED ARE APPROXIMATE.
- THE MAXIMUM SPACING FOR FRAME SUPPORT PIERS FOR 8" I-BEAMS IS 8 FEET, 10" & 12" I-BEAMS ARE 10 FEET.

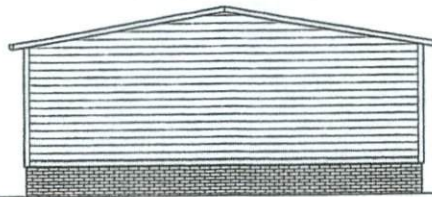
20 lb ROOF LOAD SIDEWALL OPENING PIER LOAD 28" BOX WIDTH	SIDEWALL OPENING (FT) REQUIRED PIER LOAD (LBS)					
	3	4	5	6	8	10
	1175	1330	1485	1640	1950	2260

\*FOR 30 lb & 40 lb ROOF LOAD REFER TO TABLES 7b & 7c IN THE INSTALLATION MANUAL.

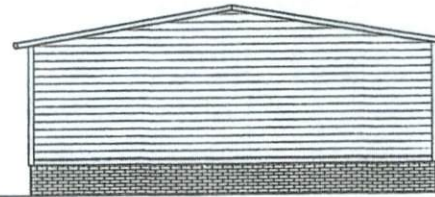
2001 SQ.FT. (STD PLAN "CONDITIONED")		SQ.FT. (W/OPT. PORCH/RECESS "CONDITIONED")	
<b>CMH</b> MANUFACTURING	Model # 55P20764A	Drawing #	34-11M025
Product Designer: Travis Brooks	Date: 02/01/15	Scale: 1/16"	
<b>PIER LOADS</b>		28 x 76 Breeze II	



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



FRONT ELEVATION

2001 SQ.FT. (STD PLAN "CONDITIONED") SQ.FT. (W/OPT. PORCH/RECESS "CONDITIONED")		
<b>CMH</b> MANUFACTURING	Model # 25P28764A	Drawing #
	Date: 7/29/11	Scale: 1/8" = 1'-0"
Product Designer: Travis Brooks	28 x 76 Breeze II	
ELEVATION		

**LABELED.** Equipment or materials to which has been attached a label, symbol or other identifying mark of a certified testing laboratory, inspection agency, or other organization concerned with product evaluation. The label indicates compliance with nationally recognized standards or tests to determine suitable usage in a specified manner.

**LISTED OR CERTIFIED.** Included in a list published by a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of production of listed equipment or materials, and whose listing states either that the equipment or material meets nationally recognized standards or has been tested and found suitable for use in a specified manner.

**LOAD-BEARING PERIMETER WALL FOUNDATION.** A support system for the home whereby the home is mechanically fastened to a structural wall(s) that transfers gravity, lateral and uplift loads to the ground.

**LOCAL AUTHORITY HAVING JURISDICTION (LAHJ).** The state, city, county, municipality, utility or organization that has local responsibilities that must be complied with during the installation of a manufactured home.

**MUST.** Indicates a mandatory requirement.

**N/A.** Indicates not applicable.

**PIER.** That portion of the support system between the footing and the home exclusive of shims. Types of piers include, but are not limited to: (1) manufactured steel stands; (2) pressure-treated wood; (3) manufactured concrete stands; (4) concrete blocks; and (5) portions of foundation walls.

**PIER AND GROUND ANCHOR FOUNDATION.** A support system for the home that employs piers under the chassis and other locations to support gravity loads and employs ground anchors and tie downs (the stabilizing system) to resist lateral and uplift loads.

**PERIMETER BLOCKING.** Regularly spaced piers supporting the sidewalls and marriage line of the home. Some homes require perimeter blocking in addition to supports under the home's frame.

**QUALIFIED (OR LICENSED).** Has the necessary knowledge and skills gained from experience and training that will allow performance of the job safely, competently, and in accordance with all applicable codes, standards, rules and regulations. Meets all necessary qualification tests including any license and certification requirements that may be in effect in the area where the home will be installed, including the requirements for installing manufactured homes under the HUD-administered installation program. The term does not incorporate a state-issued installation license or certification, except to the extent provided in this part. The term does not imply that HUD approves or recommends an installer or warrants the work of an installer, and should not be used in any way that indicates HUD approval in violation of 18 U.S.C. 709.

**RAMADA.** Any freestanding roof or shade structure, installed or erected over a home or any portion of the home.

**SHOULD.** Indicates a recommendation that is strongly advised but not mandatory.

**SHALL.** Indicates a mandatory requirement.

**SITE FOR A HOME.** A designated parcel of land designed for the accommodation of one home, its accessory buildings or structures, and accessory equipment, for the exclusive use of the occupants of the home.

**SKIRTING.** A weather-resistant material used to enclose the perimeter, under the living area of the home, from the bottom of the home to grade.

**STABILIZING SYSTEM.** All components of the anchoring and support systems, such as piers, footings, ties, anchoring equipment, ground anchors, or any other materials and methods of construction that support and secure the home to the ground.

**SUPPORT SYSTEM.** Pilings, columns, a combination of footings, piers, foundation walls, caps, and shims and any combination thereof that will, when properly installed, support and secure the home to the ground.

**TIE.** Straps, cable, or securing devices used to connect the home to anchoring assemblies.

**UTILITY CONNECTION.** The connection of the home to utilities that include, but are not limited to, electricity, water, sewer, gas, or fuel oil.

**VERTICAL TIE.** A tie intended to resist uplifting and overturning forces.

**WIND ZONE.** The areas designated on the Basic Wind Zone Map, as further defined in by the Manufactured Home Construction and Safety Standards.

## ENGINEER'S STAMP

Certain pages of this manual, display the seal of a registered engineer. Federal guidelines only require the seal from one state to be displayed, but the details herein apply to all states.

## ANCHORING SYSTEMS

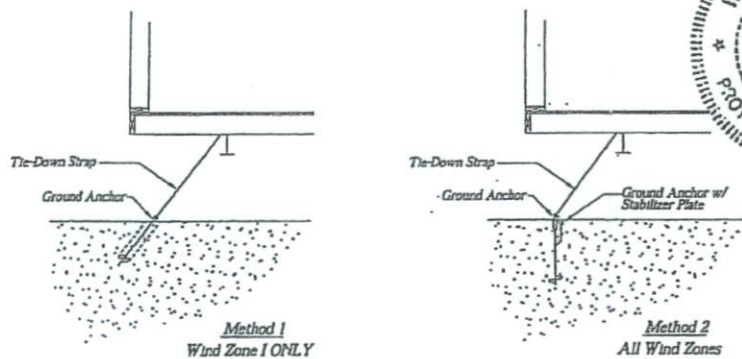
### GENERAL

The anchoring system of the home must resist the overturning and lifting effect of the wind. The anchoring system consists of ground anchors and tiedown straps connected to the main I-beams or to tiedown brackets installed along the walls of the home. Anchors should be certified by a professional engineer, architect, or a nationally recognized testing laboratory as to their resistance, based on the angle of anchor installation and type of soil in which the anchor is to be installed. Detailed descriptions of the components for the anchoring and tiedown systems and their installation are provided below.

### GROUND ANCHORS

In Wind Zone I all ground anchors, except shearwall anchors when required, must be capable of resisting 3150 lbs. allowable load (min). In Wind Zone II & III, all ground anchors must be capable of resisting 4000 lbs. allowable load (min). All shearwall anchors must be capable of resisting 4000 lbs. allowable load (min).

Ground anchors shall be installed in accordance with one of the following methods and the manufacturer's instructions. All anchoring equipment exposed to rain and/or weathering shall have a resistance to weather deterioration at least equivalent to that provided by a coating of zinc on steel of not less than 0.30 ounces per square foot of surface coated.



Installation of Ground Anchors

Figure 10

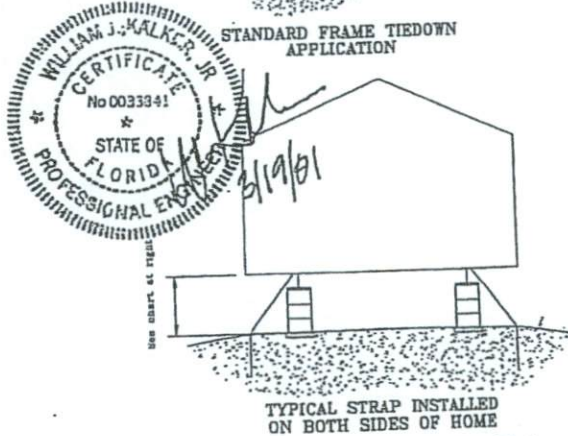
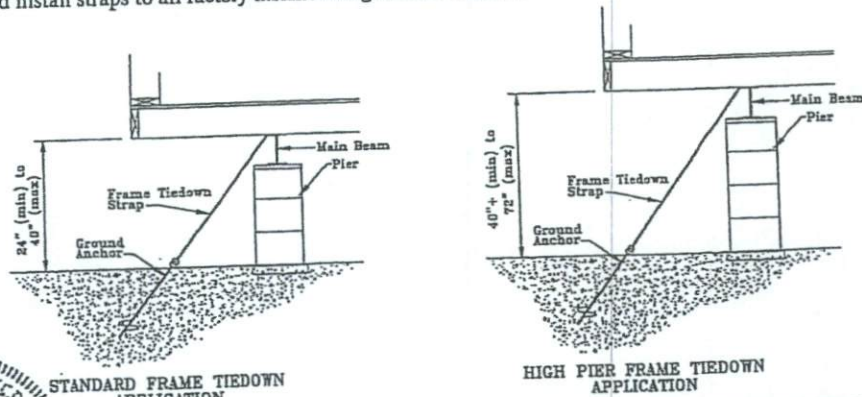
- a. Ground anchors shall be installed full depth, below the frost line in accordance with the manufacturer's instructions and at least 12 inches above the water line.
- b. Stabilizer plates shall be installed to provide additional resistance to overturning or sliding forces on vertically installed anchors (See Method 2). Ground anchors connected to sidewall tie downs must be provided with stabilizer plates.
- c. ENSURE ELECTRICAL, GAS, SEWER AND WATER LINES ARE LOCATED BEFORE THE INSTALLATION OF GROUND ANCHORS. FAILURE TO LOCATE UNDERGROUND ELECTRICAL CABLES MAY RESULT IN SERIOUS INJURY OR DEATH.

Tiedown straps help the home resist the force of the wind against the top and consist of a 1.25" x .035" galvanized (0.30 ounces per sq. ft.) steel strap certified by a registered professional engineer as conforming to ASTM D3953, Type 1, Grade 1, Finish B with an ultimate strength of 4725 lbs. There are many tiedown straps that may be required on your home. These straps are described below.

- Tiedown straps must be tightened alternately on opposite sides of the home to prevent the home from being pulled off it's support.
- Do not over tighten straps.
- Tiedown straps must be protected at all sharp corners.

1. **Frame Tiedown straps:** Frame tiedowns are fastened to the main I-beams of the home and to the head of a ground anchor. For Wind Zone I homes, frame tiedowns will be placed no further than 2'-0" from the front and rear of the home and no further than indicated in the chart below. (See Figure 11) Wind Zone II and III homes require sidewall tiedown straps to be installed with the frame tiedown straps. The installation of these straps is discussed on the next page.

2. **Longitudinal Tiedown straps:** These straps are in addition to the frame tiedown straps listed above. They must be connected to the manufacturer's installed brackets located approximately 10'-0" from the front and rear of the home. There will be one bracket at the hitch end on one I-beam and one bracket at the rear end of the home on the opposite I-beam. See Figure 15 on page 51 and Figure 16 on page 52 of this manual for complete requirements. Please inspect all I-beams of every home within the 10'-0" location stated above and install straps to all factory installed longitudinal brackets.



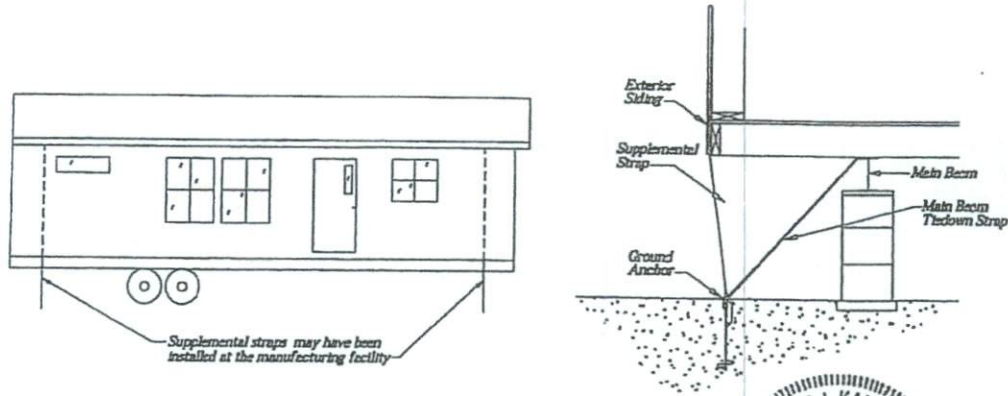
Wind Zone I Applications ONLY		
Floor Width	Tie Down Spacing for homes 24' to 40' high (See Note Below)	Tie Down Spacing for homes 40'+ to 72' high (See Note Below)
16 1/2" Single Section (14 wide)	12'-0" o.c.	7'-6" o.c.
18 1/8" Single Section (18 wide)	12'-0" o.c.	9'-6" o.c.
21 0" Single Section (18 wide)	12'-0" o.c.	11'-0" o.c.

NOTE: Height of home for determining the spacing of frame tiedowns is measured from the ground to the top of the I-beam.

Frame Tiedown Straps .  
Figure 11  
Page 48



Many single-section homes have over-the-roof tiedown straps installed by the manufacturer. These straps do not take the place of other required tiedown straps. Over-the-roof straps and frame tiedown straps may be connected to the same anchor if approved by the anchor manufacturer for such installation. Excessive tensioning of the over-the-roof tiedown straps may cause deflection of floor joists.



Over-the-Roof Tiedown Straps  
Figure 12

WILLIAM J. KALKER, JR.  
CERTIFICATE  
No 0033841  
STATE OF  
FLORIDA  
PROFESSIONAL ENGINEER  
*WJK*  
12/10/98

**WIND ZONE II AND III TIEDOWN STRAPS**

If your home is being installed in Wind Zone II and III (see data plate) it requires four additional types of tiedown straps and anchors to resist the higher wind loads that may be experienced in these areas. These additional straps are described below.

1. **Sidewall tiedown straps:** These straps help resist the uplift forces created by the wind. They are attached to metal brackets that are permanently affixed to the sidewall of the home by the manufacturer. Sidewall tiedown straps are normally connected to the same anchor as the frame tiedown straps. Sidewall tiedown straps and frame tiedown straps must be attached at every bracket provided by the manufacturer. See Figure 13.

2. **Shearwall tiedown straps:** These straps help certain load bearing walls in the home, called shearwalls, resist the uplift forces of the wind. They are connected to red metal brackets that are permanently attached to the sidewalls of the home by the manufacturer. Shearwall tiedown straps must be attached to every bracket provided. Shearwall tiedown straps must be threaded through the brackets and through the slots in the ground anchor to form a continuous loop. A radius clip must be installed between the tiedown strap and the bracket to prevent damage to the tiedown strap. Frame tiedown straps must not be installed with shearwall tiedown straps. See Figure 14.

# Install Footings

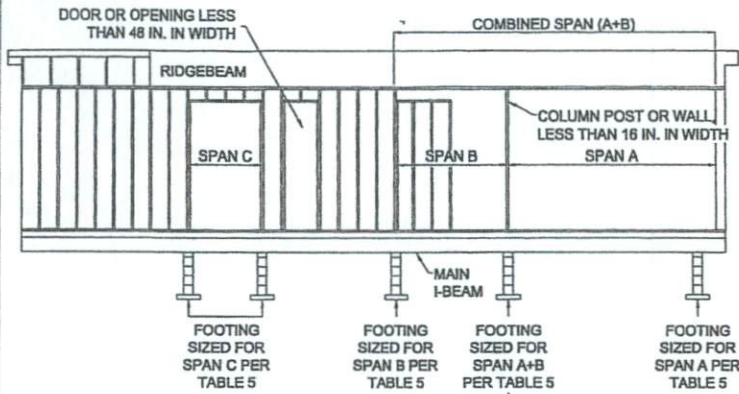


Figure 8A. Typical marriage line support locations for homes not requiring perimeter supports

### CALCULATE LOADS

Use Tables 6-6c to determine the loads on frame supports. Find the chart with the appropriate sidewall eave overhang. Then, find the column with the appropriate roof load zone and section width. Find the row corresponding to the selected support spacing. The number in the intersecting cell is the load.

Loads on all frame supports can be assumed to be equal if support spacing is equal. However, if different support spacings are used then each support with a different spacing should be calculated separately.

Loads for piers installed at 5, 7 and 9 feet on-center can be estimated by adding the loads for the higher and lower spacing and dividing in half (eg. the load for piers installed at 7 feet on-center for a 16 wide with a 1-1/2" overhang in a 20 psf Roof Load Zone would be: 4510 lbs + 5666 lbs = 10176 lbs / 2 = 5088 lbs).

Note the location and load required of each support on the sketch. (Width listed in each column of the following charts is the overall width of the home. Eg. 16 ft is a single section, 32 ft is a double section and 48 ft is a triple section).



**TABLE 6. LOAD ON FRAME PIER FOOTINGS FOR HOMES NOT REQUIRING PERIMETER BLOCKING EXCEPT AT OPENINGS (LBS)**

Roof Load Zone and Max. Home Width (1-1/2" Max. Sidewall Eave Overhang)

Pier Spacing	South (20 psf)					Middle (30 psf)					North (40 psf)				
	10 ft	12 ft	14 ft	16 ft	18 ft	10 ft	12 ft	14 ft	16 ft	18 ft	10 ft	12 ft	14 ft	16 ft	18 ft
Up to 4'	2195	2519	2843	3140	3410	2400	2764	3128	3462	3765	2605	3009	3413	3783	4120
> 4' to 6'	3093	3579	4065	4510	4915	3400	3946	4492	4993	5448	3708	4314	4920	5475	5980
> 6' to 8'	3990	4638	5286	5666	6420	4400	5128	5856	6523	7130	4810	5618	6426	7167	7840
> 8' to 10'	4888	5698	6508	7250	7925	5400	6310	7220	8054	8813	5913	6923	7933	8858	9700

**TABLE 6a. LOAD ON FRAME PIER FOOTINGS FOR HOMES NOT REQUIRING PERIMETER BLOCKING EXCEPT AT OPENINGS (LBS)**

Roof Load Zone and Max. Home Width (6" Max. Sidewall Eave Overhang)

Pier Spacing	South (20 psf)					Middle (30 psf)					North (40 psf)				
	10 ft	12 ft	14 ft	16 ft	18 ft	10 ft	12 ft	14 ft	16 ft	18 ft	10 ft	12 ft	14 ft	16 ft	18 ft
Up to 4'	2240	2564	2888	3185	3455	2460	2824	3188	3522	3825	2680	3084	3488	3858	4195
> 4' to 6'	3160	3646	4132	4578	4983	3490	4036	4582	5083	5538	3820	4426	5032	5588	6093
> 6' to 8'	4080	4728	5376	5750	6510	4520	5248	5976	6643	7250	4960	5768	6576	7317	7990
> 8' to 10'	5000	5810	6620	7363	8038	5550	6460	7370	8204	8963	6100	7110	8120	9046	9888

# Install Footings

**TABLE 6b. LOAD ON FRAME PIER FOOTINGS FOR HOMES NOT REQUIRING PERIMETER BLOCKING EXCEPT AT OPENINGS (LBS)**

Pier Spacing	Roof Load Zone and Max. Home Width (12" Max. Sidelwall Eave Overhang)			North (40 psf)								
	South (20 psf)	Middle (30 psf)	North (40 psf)	South (20 psf)	Middle (30 psf)	North (40 psf)						
10/20 ft. 12/24 ft. 14/28/42 ft. 16/32/48 ft. 18/36/54 ft. 20/40/60 ft.	2300	2624	2948	3191	2540	2904	3268	3541	2780	3184	3588	3891
Up to 4'	3250	3736	4222	4587	3610	4156	4702	5111	3970	4576	5182	5637
> 4' to 6'	4200	4848	5496	5757	4680	5408	6136	6682	5160	5968	6776	7382
> 6' to 8'	5150	5960	6770	7378	5750	6660	7570	8153	6350	7360	8370	9128
> 8' to 10'												

**TABLE 6c. LOAD ON FRAME PIER FOOTINGS FOR HOMES NOT REQUIRING PERIMETER BLOCKING EXCEPT AT OPENINGS (LBS)**

Pier Spacing	Roof Load Zone and Max. Home Width (24" Max. Sidelwall Eave Overhang)			North (40 psf)								
	South (20 psf)	Middle (30 psf)	North (40 psf)	South (20 psf)	Middle (30 psf)	North (40 psf)						
10/20 ft. 12/24 ft. 14/28/42 ft. 16/32/48 ft. 18/36/54 ft. 20/40/60 ft.	2420	2744	3068	3311	2700	3064	3428	3701	2980	3384	3788	4091
Up to 4'	3430	3916	4402	4767	3850	4396	4942	5352	4270	4876	5482	5937
> 4' to 6'	4440	5088	5736	6222	5000	5728	6456	7002	5560	6368	7176	7782
> 6' to 8'	5450	6260	7070	7678	6150	7060	7970	8653	6850	7860	8870	9628
> 8' to 10'												

**Calculate Loads**

Use Table 6d to determine the loads on supports below openings in the sidewall when perimeter blocking is not required. Find the row with the appropriate opening span. Then, find the column with the appropriate floor width. The number in the intersecting cell is the load.

**TABLE 6d. LOAD ON PIER FOOTINGS AT OPENINGS ALONG THE SIDEWALL (LBS)**

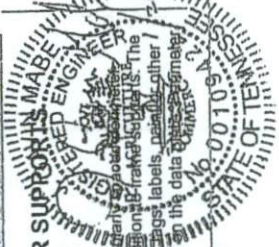
Pier Spacing	Roof Load Zone and Max. Home Width (24" Max. Sidelwall Eave Overhang)			South (20 psf)			Middle (30 psf)			North (40 psf)		
	South (20 psf)	Middle (30 psf)	North (40 psf)	South (20 psf)	Middle (30 psf)	North (40 psf)	South (20 psf)	Middle (30 psf)	North (40 psf)	South (20 psf)	Middle (30 psf)	North (40 psf)
10/20 ft. 12/24 ft. 14/28/42 ft. 16/32/48 ft. 18/36/54 ft. 20/40/60 ft.	1025	1100	1175	1244	1306	1368	1430	1488	1546	1604	1662	1720
Up to 3'	1150	1240	1330	1413	1488	1563	1638	1713	1788	1863	1938	2013
> 3' to 4'	1275	1380	1485	1581	1669	1757	1845	1933	2021	2109	2197	2285
> 4' to 5'												
10/20 ft. 12/24 ft. 14/28/42 ft. 16/32/48 ft. 18/36/54 ft. 20/40/60 ft.	1200	1300	1400	1492	1575	1658	1741	1824	1907	1990	2073	2156
Up to 3'	1360	1480	1600	1710	1810	1910	2010	2110	2210	2310	2410	2510
> 3' to 4'	1520	1660	1800	1928	2045	2162	2280	2397	2514	2631	2748	2865
> 4' to 5'												
10/20 ft. 12/24 ft. 14/28/42 ft. 16/32/48 ft. 18/36/54 ft. 20/40/60 ft.	1375	1500	1625	1740	1844	1948	2052	2156	2260	2364	2468	2572
Up to 3'	1570	1720	1870	2008	2133	2258	2383	2508	2633	2758	2883	3008
> 3' to 4'	1765	1940	2115	2275	2421	2567	2713	2859	3005	3151	3297	3443
> 4' to 5'												

**STEP 3. DESIGN FRAME AND PERIMETER SUPPORTS MADE OF SELECTED FRAMING MATERIALS (LBS)**

**STEP 3. DESIGN FRAME AND PERIMETER SUPPORTS MADE OF SELECTED FRAMING MATERIALS (LBS) (Homes With Perimeter Blocking)**

**DETERMINE LOCATIONS**

Depending on design and location, some homes require regularly spaced supports along all of the sidewalls and marriage walls in addition to the sidewall and marriage wall supports will be indicated by pier post labels, present either means. Perimeter blocking requirements may also be noted on the data sheet.



# Install Footings

**TABLE 7c. LOAD ON FRAME AND PERIMETER PIER FOOTINGS FOR HOMES REQUIRING PERIMETER BLOCKING (LBS)**  
Roof Load Zone and Max. Home Width (24" Max. Sidewall Eave Overhang)

Pier	Location	South (20 psf)				Middle (30 psf)				North (40 psf)				North (60 psf)			
		20 ft	24/36 ft	28/42 ft	32/48 ft	20 ft	24/36 ft	28/42 ft	32/48 ft	20 ft	24/36 ft	28/42 ft	32/48 ft	20 ft	24/36 ft	28/42 ft	32/48 ft
Up to 4'	Frame	1420	1624	1828	1981	1420	1624	1828	1981	1420	1624	1828	1981	1420	1624	1828	1981
Up to 4'	Sidewall	1400	1520	1640	1730	1680	1840	2000	2120	1960	2160	2360	2510	2520	2800	3080	3290
Up to 4'	Marrige-wall	1760	2000	2240	2420	2160	2480	2800	3040	2560	2960	3360	3660	3360	3920	4480	4900
> 4' to 6'	Frame	1930	2236	2542	2772	1930	2236	2542	2772	1930	2236	2542	2772	1930	2236	2542	2772
> 4' to 6'	Sidewall	1900	2080	2260	2395	2320	2560	2800	2980	2740	3040	3340	3565	3580	4000	4420	4735
> 4' to 6'	Marrige-wall	2440	2800	3160	3430	3040	3520	4000	4360	3640	4240	4840	5290	4840	5680	6520	7190
> 6' to 8'	Frame	2440	2848	3256	3562	2440	2848	3256	3562	2440	2848	3256	3562	2440	2848	3256	3562
> 6' to 8'	Sidewall	2400	2640	2880	3060	2960	3280	3600	3840	3520	3920	4320	4620	4640	5200	5760	6180
> 6' to 8'	Marrige-wall	3120	3600	4080	4440	3920	4560	5200	5680	4720	5520	6320	6920	6320	7440	8560	9400
> 8' to 10'	Frame	2950	3460	3970	4353	2950	3460	3970	4353	2950	3460	3970	4353	2950	3460	3970	4353

Pier	Location	North (80 psf)				North (100 psf)				North (120 psf)			
		20 ft	24 ft	28/42 ft	32/48 ft	20 ft	24 ft	28/42 ft	32/48 ft	20 ft	24 ft	28/42 ft	32/48 ft
Up to 4'	Frame	1420	1624	1828	1981	1420	1624	1828	1981	1420	1624	1828	1981
Up to 4'	Sidewall	3080	3440	3800	4070	3640	4080	4520	4850	4200	4720	5240	5630
Up to 4'	Marrige-wall	4160	4880	5600	6140	4960	5840	6720	7380	5760	6800	7840	8620
> 4' to 6'	Frame	1930	2236	2542	2772	1930	2236	2542	2772	1930	2236	2542	2772
> 4' to 6'	Sidewall	4420	4960	5500	5905	5260	5920	6580	7075	6100	6880	7660	8245
> 4' to 6'	Marrige-wall	6040	7120	8200	9010	7240	8560	9880	10870	8440	10000	11560	12730
> 6' to 8'	Frame	2440	2848	3256	3562	2440	2848	3256	3562	2440	2848	3256	3562
> 6' to 8'	Sidewall	5760	6480	7200	7740	6880	7760	8640	9300	8000	9040	10080	10860
> 6' to 8'	Marrige-wall	7920	9360	10800	11880	9520	11280	13040	14360	11120	13200	15280	16840
> 8' to 10'	Frame	2950	3460	3970	4353	2950	3460	3970	4353	2950	3460	3970	4353



## STEP 4. SELECT FOOTING MATERIAL

Select one of the products and materials from Table 8 for the footings.

**TABLE 8. FOOTING MATERIALS**

Material	Appropriate Use	Specification
Poured concrete	All soil types	Minimum 6" thick poured-in-place concrete pads, slabs, or ribbons with at least a 28 day compressive strength of 3,000 psi. Cast-in-place concrete footings may also require reinforcing steel based on acceptable engineering practice, the design loads, and site specific soil conditions.
Pre-cast concrete	All soil types	Minimum 4" thick nominal precast concrete pads meeting or exceeding ASTM C 90-02a, Standard Specification for Load Bearing Concrete Masonry Units, without reinforcement, with at least a 28 day compressive strength of 1,200 psi
ABS plastic	Stable soils	Use in accordance with the pad manufacturer's instructions. Must be certified for use in the soil classification at the site, listed or labeled for the required load capacity.
Proprietary systems	Consult system manufacturer	Consult system manufacturer

**Will footings be concrete?**

- ▶ YES, go to **STEP 5, SIZE FOOTING** (p. 31)
- ▶ NO, see footing system manufacturers instructions then go to **Set the Home** (p. 16)

## STEP 5. SIZE FOOTINGS

Once the load on the footing and the soil bearing capacity are known, calculate the size of each footing as follows:

1. From Table 9 determine if the pier is to be of single stack blocks (8 inch x 16 inch) or double stack blocks (16 inch x 16 inch).
2. Locate the group of columns in Table 10 with the soil bearing capacity determined in Prepare the Site, STEP 5. DETERMINE SOIL BEARING CAPACITY AND FROST LINE (p. 17). Use the next lowest value if the exact value does not appear.
3. Find the row corresponding to the pier capacity required by Tables 5, 6 or 7. Then, read across the table to determine the minimum required footing area for the corresponding pier capacity and soil bearing capacity.
4. The required footing size and pier capacity may be changed by selecting different support spacing.

**TABLE 9. PIER CONFIGURATION**

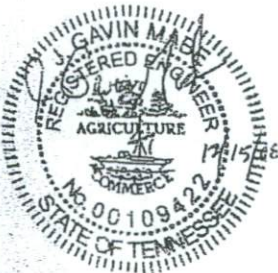
Pier Configuration	Height	Configuration	Maximum load (lbs)	
			Without Mortar	With Mortar
Single Stack	Less than 36 in *	Single stack blocks with long side perpendicular to frame I-beam or parallel to perimeter rail (rim joist)	5,760	7,680
Double Stack	67" Max.	Double, interlocked blocks	11,520	15,360
Triple Stack	67" Max.	Triple, interlocked blocks	17,280	23,034
Double Reinforced	108" Max. **	Double, interlocked blocks	NA	39,500

\* Single stack piers may be constructed up to 54" max. height only when installed as perimeter and marriage line support piers.

\*\* Cross reference maximum allowable pier height with maximum floor height listed in frame tiedown charts. If maximum height listed in frame tiedown charts is exceeded then designs must be provided by a registered professional engineer or registered architect.

32/48 ft  
1981  
3290  
4900  
2772  
4735  
7150  
3562  
6180  
9400  
4353

a  
also  
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# Install Footings

**TABLE 10. FOOTING DIMENSIONS**

Pier Capacity (Lbs)	Soil Bearing Capacity (PSF) Required Footing Area (square inches)					
	1000	1500	2000	2500	3000	4000
1000	144	128	128	128	128	128
1200	173	128	128	128	128	128
1400	202	134	128	128	128	128
1600	230	154	128	128	128	128
1800	259	173	130	128	128	128
2000	288	192	144	128	128	128
2200	317	211	158	128	128	128
2400	346	230	173	138	128	128
2600	374	250	187	150	128	128
2800	403	269	202	161	134	128
3000	432	288	216	173	144	128
3100	446	298	223	179	149	128
3200	461	307	230	184	154	128
3300	475	317	238	190	158	128
3400	490	326	245	196	163	128
3500	504	336	252	202	168	128
3600	518	346	259	207	173	130
3700	533	355	266	213	178	133
3800	547	365	274	219	182	137
3900	562	374	281	225	187	140
4000	576	384	288	230	192	144
4100	590	394	295	236	197	148
4200	605	403	302	242	202	151
4300	619	413	310	248	206	155
4400	634	422	317	253	211	158
4500	648	432	324	259	216	162
4600	662	442	331	265	221	166
4700	677	451	338	271	226	169
4800	691	461	346	276	230	173
4900	706	470	353	282	235	176
5000	720	480	360	288	240	180
5200	749	499	374	300	250	187
5400	778	518	389	311	259	194
5600	806	538	403	323	269	202
5800	835	557	418	334	278	209
6000	864	576	432	346	288	216
6200	893	595	446	357	298	223
6400	922	614	461	369	307	230
6600	950	634	475	380	317	238
6800	979	653	490	392	326	245
7000	1008	672	504	403	336	252
7200	1037	691	518	415	346	259
7400	1066	710	533	426	355	266
7600	1094	730	547	438	365	274
7800	1123	749	562	449	374	281
8000	1152	768	576	461	384	288
8500	1224	816	612	490	408	306
9000	1296	864	648	518	432	324
9500	1368	912	684	547	456	342
10000	1440	960	720	576	480	360
10500	1512	1008	756	605	504	378
11000	1584	1056	792	634	528	396
11500	1656	1104	828	662	552	414
12000	1728	1152	864	691	576	432
12500	1800	1200	900	720	600	450
13000	1872	1248	936	749	624	468
13500	1944	1296	972	778	648	486
14000	2016	1344	1008	806	672	504
14500	2088	1392	1044	835	696	522
15000	2160	1440	1080	864	720	540
15500	2232	1488	1116	893	744	558
16000	2304	1536	1152	922	768	576

**Note:**  
To calculate a square or rectangular footing:

$$\text{Length (in)} \times \text{Width (in)} = \text{Area}$$

Example:

$$16 \text{ in} \times 20 \text{ in} = 320 \text{ sq. inches}$$

To calculate a round footing:

$$3.14 \times .25 \times \text{Diameter (in)} \times \text{Diameter (in)} = \text{Area}$$

Example: For a 22" diameter footing

$$3.14 \times .25 \times 22 \text{ in} \times 22 \text{ in} = 380 \text{ sq. inches}$$



# Install Footings

**TABLE 10. FOOTING DIMENSIONS**

Pier Capacity (Lbs)	Soil Bearing Capacity (PSF)					
	1000	1500	2000	2500	3000	4000
1000	144	128	128	128	128	128
1200	173	128	128	128	128	128
1400	202	134	128	128	128	128
1600	230	154	128	128	128	128
1800	259	173	130	128	128	128
2000	288	192	144	128	128	128
2200	317	211	158	128	128	128
2400	346	230	173	138	128	128
2600	374	250	187	150	128	128
2800	403	269	202	161	134	128
3000	432	288	216	173	144	128
3100	446	298	223	179	149	128
3200	461	307	230	184	154	128
3300	475	317	238	190	158	128
3400	490	326	245	196	163	128
3500	504	336	252	202	168	128
3600	518	346	259	207	173	130
3700	533	355	266	213	178	133
3800	547	365	274	219	182	137
3900	562	374	281	225	187	140
4000	576	384	288	230	192	144
4100	590	394	295	236	197	148
4200	605	403	302	242	202	151
4300	619	413	310	248	206	155
4400	634	422	317	253	211	158
4500	648	432	324	259	216	162
4600	662	442	331	265	221	166
4700	677	451	338	271	226	169
4800	691	461	346	276	230	173
4900	706	470	353	282	235	176
5000	720	480	360	288	240	180
5200	749	499	374	300	250	187
5400	778	518	389	311	259	194
5600	806	538	403	323	269	202
5800	835	557	418	334	278	209
6000	864	576	432	346	288	216
6200	893	595	446	357	298	223
6400	922	614	461	369	307	230
6600	950	634	475	380	317	238
6800	979	653	490	392	326	245
7000	1008	672	504	403	336	252
7200	1037	691	518	415	346	259
7400	1066	710	533	426	355	266
7600	1094	730	547	438	365	274
7800	1123	749	562	449	374	281
8000	1152	768	576	461	384	288
8500	1224	816	612	490	408	306
9000	1296	864	648	518	432	324
9500	1368	912	684	547	456	342
10000	1440	960	720	576	480	360
10500	1512	1008	756	605	504	378
11000	1584	1056	792	634	528	396
11500	1656	1104	828	662	552	414
12000	1728	1152	864	691	576	432
12500	1800	1200	900	720	600	450
13000	1872	1248	936	749	624	468
13500	1944	1296	972	778	648	486
14000	2016	1344	1008	806	672	504
14500	2088	1392	1044	835	696	522
15000	2160	1440	1080	864	720	540
15500	2232	1488	1116	893	744	558
16000	2304	1536	1152	922	768	576

**Note:**  
To calculate a square or rectangular footer:

Length (in) x Width (in) = Area

Example:

16 in x 20 in = 320 sq. inches

To calculate a round footer:

3.14 x .25 x Diameter (in) x Diameter (in) = Area

Example: For a 22" diameter footing

3.14 x .25 x 22 in x 22 in = 380 sq. inches



## Install Footings

Design footings to comply with the following additional requirements:

- To keep footings directly under I-beams and other support points, size them slightly larger than the minimum required area to allow slight adjustment of the pier location during home installation.
- Design footings with a footing extension (projection beyond the base of the pier) no greater than the footing thickness (Figure 11). Increase footing thickness if necessary.

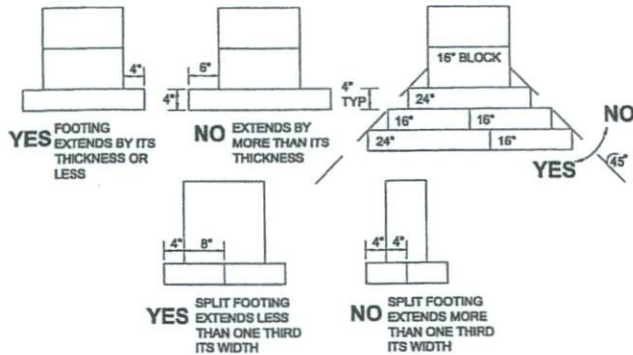


Figure 11. Maximum footing extensions

- The footing sizes shown are for square pads and are based on the surface area (square inches). Design non-square footings such that the area and depth is equal to or greater than the area of the square footing shown in Table 10 and the distance from the edge of the pier to the edge of the footing is not more than the thickness of the footing.

TABLE 10A. FOOTER DEPTH

Poured in Place Footing for Single Stack Pier			Poured in Place Footing for Double Stack Pier		
Footer Depth (in)	Max Footer Dimension (in x in)	Max. Area (sq. in)	Footer Depth (in)	Max Footer Dimension (in x in)	Max. Area (sq. in)
6	28 x 20	560	6	28 x 28	784
8	32 x 24	768	8	32 x 32	1024
10	36 x 28	1008	10	36 x 36	1296
12	40 x 32	1280	12	40 x 40	1600
			14	44 x 44	1936
			16	48 x 48	2304

### STEP 6. INSTALL FOOTINGS

Construct the footings as follows:

- Maintain the distance between adjacent piers to within 10% of the tabulated spacing and so the average distance between piers is equal to or less than the tabulated spacing.
- Whenever possible, place pier supports directly under the required locations. If plumbing, electrical or mechanical equipment interferes, place supports no more than 6 inches in either direction of the support point.
- Recess perimeter pier supports no more than 10 inches from the edge of the floor with added support as shown in Figure 12.



**Placing Concrete anchors.**  
If anchors will be placed in concrete follow instructions in Install Stabilizing System (p. 74) to determine anchor layout. Either place anchors immediately after the concrete has been poured or drill them in after the concrete has set.



**FOOTINGS**

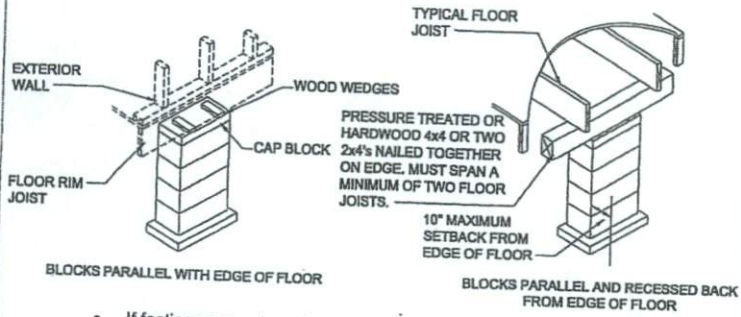


Figure 12. Perimeter supports

- If footings are rectangular, orient them so that the long side is perpendicular to the home's I-beam.
- Place the bottom of footings on undisturbed soil or fill compacted to at least 90% of its maximum relative density.
- In freezing climates protect footings from the effects of frost heave in accordance with any LAHJ requirements (see Prepare the Site, p. 15). Place the bottom of the footings below the frost line (insulated foundations and monolithic slabs or other frost protection options are acceptable, but not covered in this manual).
- Make sure the top surface of the footing is level, flat and smooth.
- In accordance with the American Concrete Institute publication ACI-308, maintain curing measures before construction or installation onto the concrete footing begins.



Excavation. If excavation is required, mark the footing locations on the ground with stakes before beginning to dig.

▶ [Go to Sewing Home \(p. 38\)](#)



September, 20, 2017

City of Sellersburg  
Office of Planning and Zoning  
316 E. Utica St.  
Sellersburg, IN 47172

Dear Board of Planning and Zoning:

This letter is to affirm support for David and Cassie Graves variance request to place a new house of (28'x 78') slightly larger than their previous home of (24'x 60') which unfortunately burnt down on August 20, 2017. As their adjoining neighbor, we are invested in seeing the site being transformed. Given the limited amount of vacant land in our area, we need to build creative partnerships to utilize these spaces as assets. In this context, it activates a more vibrant and beautiful street.

Given the Graves' relationship to the area, we believe that an exemption should be granted from the city regulatory code. This variance request does not interfere or obstruct our property in any way. The property lines have been safely managed using fencing for years prior to the Graves' ownership of the site.

Over the past year the Graves family have demonstrated their ability to make tangible positive contributions to the site and we are happy to call them neighbors. The Graves' commitment to social, environmental, and economic sustainability make them a valuable asset. We would like to see Graves family continue to transform and invest in the area.

Thank you for your time and consideration,

Bette Broady  
Signature

Bette Broady  
Print

9-25-17  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print

\_\_\_\_\_  
Date

Address: 7907 Hwy 31E  
Sellersburg, IN 47172

Phone: 812-246-3473

September, 20, 2017

City of Sellersburg  
Office of Planning and Zoning  
316 E. Utica St.  
Sellersburg, IN 47172

Dear Board of Planning and Zoning:

This letter is to affirm support for David and Cassie Graves variance request to place a new house of (28'x 78') slightly larger than their previous home of (24'x 60') which unfortunately burnt down on August 20, 2017. As their adjoining neighbor, we are invested in seeing the site being transformed. Given the limited amount of vacant land in our area, we need to build creative partnerships to utilize these spaces as assets. In this context, it activates a more vibrant and beautiful street.

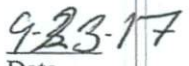
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Thank you for your time and consideration,

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Print

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Print

  
\_\_\_\_\_  
Date

Address: 7915 Hwy 31 E.  
Sellersburg IN 47172  
\_\_\_\_\_

Phone: 219-613-1741  
\_\_\_\_\_

**PERMISSION AND RELEASE TO CROSS PROPERTY AND  
SHARED PAVED DRIVEWAY**

To: Clayton Homes 1017  
1151 W Knable Rd  
Georgetown, IN 47122

**TO WHOM IT MAY CONCERN:**

I, the undersigned, do hereby affirm that I own the property at the address listed herein and I also affirm that I grant permission to cross my land, including the use of the paved driveway at the address listed herein, to Clayton Homes, it's employees and subcontractors.

Furthermore I agree to hold harmless Clayton Homes, it's employees and subcontractors from any claims for damages arising from Clayton Homes, it's employees and subcontractors, crossing my property and using the shared paved driveway.

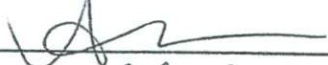
PROPERTY ADDRESS 7915 Hwy 31 E  
Sellersburg IN 47172

PROPERTY OWNER'S PRINTED NAME Adam L. Friderick

SIGNATURE 

PHONE NUMBER 219-613-1741

WITNESS: PRINTED NAME Alani Friderick

SIGNATURE 

PHONE NUMBER 219-577-7171

DATE 9.23.17

September, 20, 2017

City of Sellersburg  
Office of Planning and Zoning  
316 E. Utica St.  
Sellersburg, IN 47172

Dear Board of Planning and Zoning:

This letter is to affirm support for David and Cassie Graves variance request to place a new house of (28'x 78') slightly larger than their previous home of (24'x 60') which unfortunately burnt down on August 20, 2017. As their adjoining neighbor, we are invested in seeing the site being transformed. Given the limited amount of vacant land in our area, we need to build creative partnerships to utilize these spaces as assets. In this context, it activates a more vibrant and beautiful street.

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Over the past year the Graves family have demonstrated their ability to make tangible positive contributions to the site and we are happy to call them neighbors. The Graves' commitment to social, environmental, and economic sustainability make them a valuable asset. We would like to see Graves family continue to transform and invest in the area.

Thank you for your time and consideration,

Allen McCowan  
Signature

Allen McCowan  
Print

9/23/17  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print

\_\_\_\_\_  
Date

Address: 7917 EAST HIGHWAY 31  
Sellersburg, IN

Phone: 812-406-6657

**PERMISSION AND RELEASE TO CROSS PROPERTY AND  
SHARED PAVED DRIVEWAY**

To: Clayton Homes 1017  
1151 W Knable Rd  
Georgetown, IN 47122

TO WHOM IT MAY CONCERN:

I, the undersigned, do hereby affirm that I own the property at the address listed herein and I also affirm that I grant permission to cross my land, including the use of the paved driveway at the address listed herein, to Clayton Homes, it's employees and subcontractors.

Furthermore I agree to hold harmless Clayton Homes, it's employees and subcontractors from any claims for damages arising from Clayton Homes, it's employees and subcontractors, crossing my property and using the shared paved driveway.

PROPERTY ADDRESS 717 EAST HIGHWAY 31 Sellersburg IN

PROPERTY OWNER'S PRINTED NAME Allen McLowery

SIGNATURE Allen McLowery

PHONE NUMBER 812-406-6657

WITNESS:

PRINTED NAME Amanda Staples

SIGNATURE Amanda Staples

PHONE NUMBER 502-552-1437

DATE 9/23/17

September, 20, 2017

City of Sellersburg  
Office of Planning and Zoning  
316 E. Utica St.  
Sellersburg, IN 47172

Dear Board of Planning and Zoning:

This letter is to affirm support for David and Cassie Graves variance request to place a new house of (28'x 78') slightly larger than their previous home of (24'x 60') which unfortunately burnt down on August 20, 2017. As their adjoining neighbor, we are invested in seeing the site being transformed. Given the limited amount of vacant land in our area, we need to build creative partnerships to utilize these spaces as assets. In this context, it activates a more vibrant and beautiful street.

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Over the past year the Graves family have demonstrated their ability to make tangible positive contributions to the site and we are happy to call them neighbors. The Graves' commitment to social, environmental, and economic sustainability make them a valuable asset. We would like to see Graves family continue to transform and invest in the area.

Thank you for your time and consideration,

  
Signature

James G. Thompson  
Print

9-25-17  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print

\_\_\_\_\_  
Date

Address: 7911 Hwy 31e  
Sellersburg IN 47172

Phone: 812-722-7748

# PERMISSION AND RELEASE TO CROSS PROPERTY.

TO: CLAYTON HOMES  
GEORGETOWN, IN 47122

GENTLEMEN:

I UNDERSIGNED, DO HEREBY AFFIRM THAT I OWN THE PROPERTY AT THE ADDRESS LISTED HEREIN AND I ALSO AFFIRM THAT I GRANT PERMISSION TO CROSS MY LAND, AT THE ADDRESS LISTED HEREIN, TO CLAYTON HOMES ITS EMPLOYEES AND SUBCONTRACTORS. FURTHERMORE I AGREE TO HOLD HARMLESS CLAYTON HOMES. ITS EMPLOYEES AND SUBCONTRACTORS FROM ANY CLAIMS FOR DAMAGES ARISING FROM CLAYTON HOMES, ITS EMPLOYEES AND SUBCONTRACTORS CROSSING MY PROPERTY.

PROPERTY ADDRESS: 7911 Hwy 31 e  
Sellersburg IN 47472

PROPERTY OWNER: James G Thompson  
PRINTED NAME

[Signature]  
SIGNATURE

WITNESS:

David J. Greaves  
PRINTED NAME

[Signature]  
SIGNATURE

DATE: 9-25-17 PROPERTY OWNER PHONE# 812-722-7748



Town of Sellersburg  
LAND DEVELOPMENT  
PERMIT APPLICATION FORM



OFFICE USE ONLY	
Date Received:	_____
File Number:	_____

**SECTION I: Applicant and Project Information**

**GENERAL INFORMATION**

1. No work of any kind may begin until a Location Improvement permit is issued.
2. The permit may be revoked if any false statements are made in this application.
3. If revoked, all work must cease until a permit is re-issued.
4. The development may not be used or occupied until a **Certificate of Compliance** is issued.
5. The permit will expire if no work is commenced within 6 months of the date of issue.
6. The permit will not be issued until any other necessary local, state or federal permits have been obtained.
7. By signing and submitting this application, the Applicant gives consent to the local building commission or his/her representative to make reasonable inspections prior to the issuance of a **Certificate of Compliance**.
8. By signing and submitting this application, the Applicant certifies that all statements contained in SECTION I of the application, and in any additional attachments submitted by the Applicant, are true and accurate.

**OWNER INFORMATION**

Property owner(s): <u>David &amp; Cassie Graves</u>	Mailing address: <u>7919 Hwy 31 E. Sellersburg,</u> <u>IN 47172</u>
Telephone number: <u>502-438-3327</u>	e-mail address: <u>davidjgraves@yahoo.com</u>
Fax number: <u>N/A</u>	

Signature(s) of property owner(s) listed above<sup>1</sup>

[Signature]  
[Signature]

<sup>1</sup>Attached forms if there are additional property owners. This permit application will not be accepted without the signature of all property owners. The signature is an acknowledgment and consent to this development permit application.

**APPLICANT INFORMATION**

Applicant: <u>David Graves</u>	Notes:
Telephone number: <u>502-438-3327</u>	
Fax number: <u>N/A</u>	

Signature of applicant listed above

[Signature]

Section I continued on back

## PROJECT INFORMATION

Project	<u>Graves Residence</u>	Lot	<u>N/A</u>	Block	<u>N/A</u>
Address	<u>7919 Hwy 31 E.</u>	Subdivision	<u>N/A</u>		
	<u>Sellersburg, IN 47172</u>	Legal Description	<u>(Attach to this document)</u>		

A. Structural development (Please check all that apply.)

## Type of Structure

- Residential (1 to 4 families)  
 Residential (More than 4 families)  
 Non-Residential  
 Combined Use (Residential and Non-Residential)  
 Manufactured (mobile) Home  
 Located within a Manufactured Home Park  
 Located outside a Manufactured Home Park

## Type of Structural Activity

- New Structure  
 Addition to Existing Structure<sup>2</sup>  
 Alteration of Existing Structure<sup>2</sup>  
 Relocation of Existing Structure<sup>2</sup>  
 Demolition of Existing Structure  
 Replacement of Existing Structure  
 N/A

<sup>2</sup>Estimate Cost of Project \$24,000.00B. Other Development Activities N/A

- Excavation (not related to a Structural Development listed in Part A.)  
 Clearing  
 Placement of fill material  
 Grading  
 Mining  
 Drilling  
 Dredging  
 Watercourse alteration  
 Drainage improvement (including culvert work)  
 Roadway or bridge construction  
 Other development not listed above (specify)

Attach engineered development plans

## SIGNATURE

I certify that to the best of my knowledge the information contained in this application is true and accurate.

David J. Graves  
(PRINTED name)

[Signature]  
(SIGNED name)

10/3/17  
(Date)

## SECTION II:

## FLOOD INFORMATION

1. The proposed development is located on FIRM map panel: 100960188E (number and suffix)
2. The date on the FIRM 4/16/2014
3. The proposed development is located in X (A, A1-30, AE, AO, AH, B, C, D, or X)
4. Is the proposed development located in either of the following zones? A, A1-30, AE, AO, AH, B, or shaded X  
 YES  NO *If NO, no floodplain development permit is required.*
5. If the proposed development is located in Zone B or shaded Zone X, a floodplain development permit is only required if the Development is a "critical facility" as defined in the Flood Damage Prevention Ordinance.  
*Otherwise, no floodplain development permit is required in Zone B or shaded Zone X.*
6. If the proposed development is located within either Zone A1-30 or Zone AE, is it also located within a "regulatory floodway".  YES  NO
7. If YES, a **No Rise Certificate** is necessary before proceeding.
8. If NO, continue.

*If the proposed development is located within Zones A, A1-30, AE, AO, AH, B or shaded X (critical facilities only), apply the criteria of the Flood Damage Prevention Ordinance to minimize flood damages to the proposed Development and to adjacent properties as well.*

N/A For structures, the provisions of the ordinance specify that the lowest floor, including utilities, be elevated \_\_\_\_\_ above the base flood elevation. Therefore, it is necessary that the following information be provided:

1. Base flood elevation at the \_\_\_\_\_ feet above mean sea level (MSL) site:
2. Vertical datum used in the Flood Insurance Study, on flood maps and in surveys is \_\_\_\_\_
3. Source of the base flood elevation (BFE)  FIRM (flood map)  
 Flood Insurance Study Profile # \_\_\_\_\_  
 Other sources of the BFE (specify): \_\_\_\_\_
4. Proposed lowest floor elevation (including utilities): \_\_\_\_\_ feet above MSL  
 (This elevation must be greater than the BFE. For non-residential structures, floodproofing may be used for protection. See ordinance for details.)

The following documents may be required. *Check applicable.*

- Maps and plans of the development
- An **Elevation Certificate**<sup>3</sup> – required for all structures
- A **Floodproofing Certificate**<sup>3</sup> – required if floodproofing a non-residential structure
- A **No-Rise Certificate**<sup>3</sup> – if the proposed development is in a "regulatory floodway"
- An elevation study showing BFEs on developments exceeding 50 lots or 5 acres in Zone A
- A copy of **Wetlands Permit** from the U.S. Army Corps of Engineers if required; and other local, state, federal permits. Other permits:
- N/A

<sup>3</sup>Certificates require completion by a Professional Land Surveyor or Registered Professional Engineer, as indicated.

**SECTION III : (Forms which may be required by the Floodplain Administrator)**

**ELEVATION CERTIFICATE**

Attached. *Submit only if required to do so by the Floodplain Administrator.*

N/A

**FLOODPROOFING CERTIFICATE**

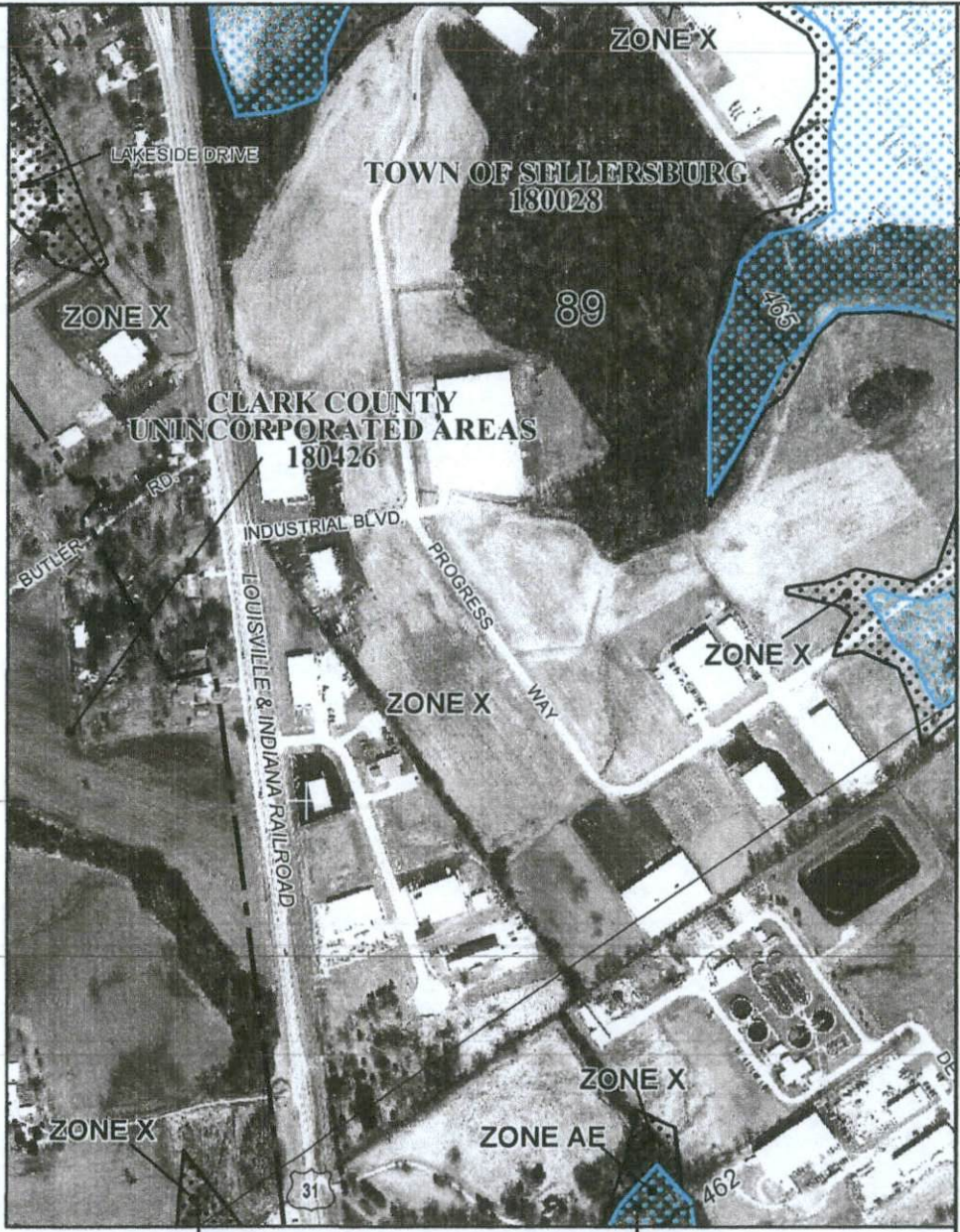
Attached. *Submit only if required to do so by the Floodplain Administrator.*

N/A

**NO-RISE CERTIFICATE**

Attached. *Submit only if required to do so by the Floodplain Administrator.*

N/A



1140000 FT

38° 22' 30"

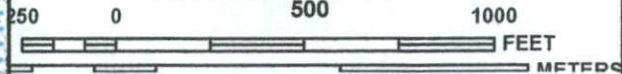
85° 45' 00"

FLOODING EFFECTS FROM SILVER CREEK

FLOODING EFFECTS FROM SILVER CREEK



MAP SCALE 1" = 500'



NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0188E

**FIRM**

FLOOD INSURANCE RATE MAP  
CLARK COUNTY,  
INDIANA  
AND INCORPORATED AREAS

PANEL 188 OF 295  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
CLARK COUNTY	180426	0188	E
JEFFERSONVILLE, CITY OF	180027	0188	E
SELLERSBURG, TOWN OF	180028	0188	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



MAP NUMBER  
18019C0188E  
EFFECTIVE DATE  
APRIL 16, 2014

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

SEP 20 2017

201716732 WD \$25.00  
09/20/2017 10:53:23A 2 PGS  
Zachary Payne  
Clark County Recorder IN  
Recorded as Presented



*R. Mary Smith*  
Tax Parcel Number: 10-17-08-900-121,000-031  
Tax ID Number: 17-00041-008-0

Address for tax statements:  
7919 Hwy. 31 E.  
Sellersburg, IN 47172

### WARRANTY DEED

THIS INDENTURE WITNESSETH That MICHAEL R. CONN and MARY JANE CONN, husband and wife ("Grantors"), for the sum of \$1.00 and other good and valuable consideration, receipt of which is hereby acknowledged,

### CONVEYS AND WARRANTS

To DAVID J. GRAVES and CASSIE J. GRAVES, husband and wife ("Grantees") the following described real estate situated in Clark County, State of Indiana, to-wit:

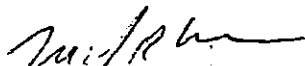
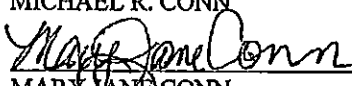
The following described real estate situated in the County of Clark and State of Indiana, to-wit: Being a part of Survey No. 89 of the Illinois Grant, Clark County, Indiana and more particularly described as follows, to-wit: Beginning at a stone, the North corner of Bloor tract in Survey No. 89; thence South 54° West 495.85 feet to an iron pin; thence South 08° 46' East 174 feet to a stake, the true place of beginning; thence continuing South 08° 46' East 235 feet to a stake; thence North 54° East 80' to a stake; thence North 08° 46' West 235 feet to a stake; thence South 54° West 80 feet to the place of beginning; containing 0.34 acres, more or less. ALSO, an easement for purposes of ingress and egress over and across the following described roadway leading from U.S. Highway 31-E to the above described real estate: Being a part of Survey No. 89 of the Illinois Grant described thus: Beginning at a stone, the North corner of the Bloor tract in Survey No. 89; thence South 54° West 56.3 feet to an iron pin in the West right-of-way line of U.S. Hwy 31-E; thence South 08° 46' East 174 feet to the true place of beginning; thence South 54° West 379.55 feet to a stake; thence North 08° 46' West 10 feet to a stake; thence North 54° East 379.55 feet to the West right-of-way line of U.S. Hwy 31-E; thence South 08° 46' East along said right-of-way line 10 feet to the true place of beginning. Including the house trailer located on the above described real estate. Subject to all easements and restrictions of record or apparent which affect said property.

The above described real estate is conveyed subject to applicable planning and zoning ordinances, rules, regulations and statutes, all other government laws and regulations affecting the property, all legal highways, legal drains, rights of way, covenants, easements and/or restrictions whether visible or of public record affecting said real estate.

Also subject to the lien of real estate taxes and any other assessments due and payable in May 2017 and thereafter, which Grantees assume and agree to pay.

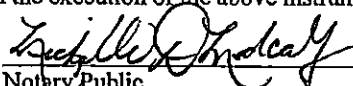
This conveyance is in compliance with a certain real estate contract dated the 19th day of January, 2017, wherein Michael R. Conn and Mary Jane Conn, husband and wife were Sellers and David J. Graves and Cassie J. Graves, husband and wife were Purchasers and which contract is recorded in Instrument No. 201701568 in the Office of the Recorder of Clark County, Indiana. The warranties of title by Grantor after the date of said contract are limited to a warranty against the acts or omissions of the Grantor and not otherwise.

IN WITNESS WHEREOF, the Grantors have caused this Deed to be executed this 20 day of September, 2017.

  
MICHAEL R. CONN  
  
MARY JANE CONN

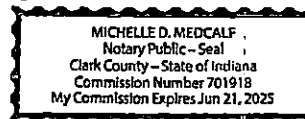
STATE OF INDIANA  
§  
COUNTY OF CLARK

Before me, the undersigned, a Notary Public in and for said County and State, this 20 day of September, 2017 personally appeared Michael R. Conn and Mary Jane Conn, who are personally known by me or who I have confirmed the identify of to the extent required by law and those persons then acknowledged the execution of the above instrument.  
Witness my hand and notarial seal.

  
Notary Public,  
Resident of Clark County, Indiana  
MICHELLE D. MEDCALF  
Printed Name

My Commission Expires:  
\_\_\_\_\_

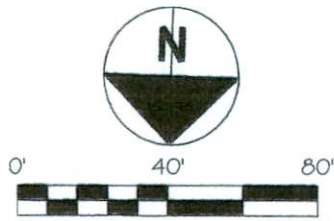
My Commission Number:  
\_\_\_\_\_



THIS INSTRUMENT PREPARED WITHOUT REQUEST FOR  
OR BENEFIT OF TITLE SEARCH BY:

**DAVID NACHAND**  
ATTORNEY AT LAW  
426 E. COURT AVENUE  
JEFFERSONVILLE, INDIANA 47130  
(812) 282-1361

I AFFIRM, UNDER PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW. DAVID NACHAND

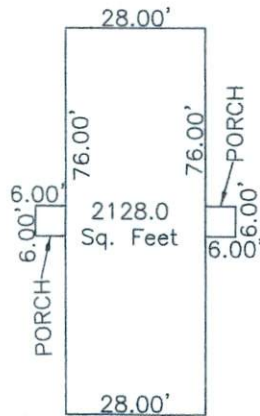


NOTES:

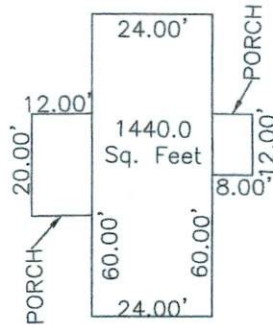
THIS IS NOT A BOUNDARY RETRACEMENT SURVEY  
 BUT A DEVELOPMENT PLAN BASED ON PUBLIC RECORDS  
 THE BASIS OF BEARINGS FOR THIS EXHIBIT IS BASED  
 UPON THE CURRENT DEED, INSTRUMENT 201716732.

NOTES:

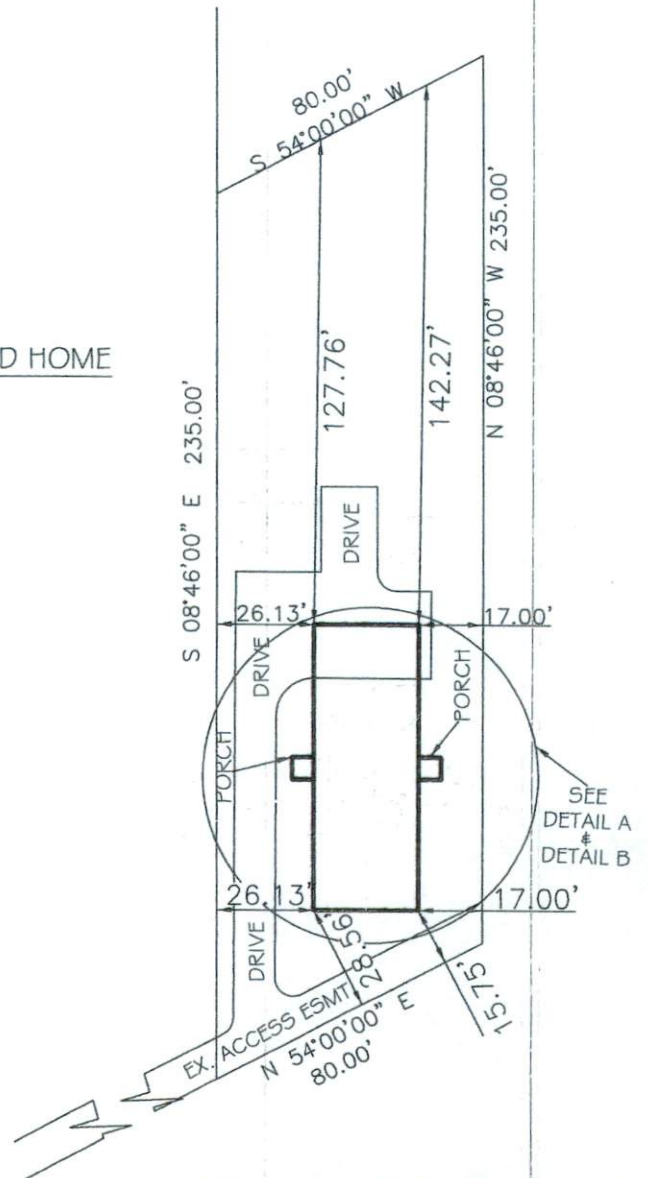
1. EX. MOBILE HOME BURNED DOWN AUGUST 2017.
2. PROPOSED HOUSE TO BE A 2017 CLAYTON MANUFACTURED HOME MODEL THE BREEZE II.
3. CURRENT & PROPOSED ZONING = R1




DETAIL A - PROPOSED MANUFACTURED HOME



DETAIL B - EXISTING MOBILE HOME  
 (BURNED DOWN IN AUGUST 2017)  
 SCALE: 1" = 30'



Sheet	Dwn by: BAS Chk by: NG Scale: 1" = 40'	<b>RENAISSANCE DESIGN BUILD, INC.</b>   117 S Indiana Avenue Sellersburg, IN 47172 Tel: 812-246-5897 Fax: 812-248-4320 <a href="http://www.renaissancedesignbuild.com">www.renaissancedesignbuild.com</a>
	Date: 9-28-17 Project No: 2017-391	
Of	DEVELOPMENT PLAN DAVID & CASSIE GRAVES 7919 HIGHWAY 31 SELLERSBURG, INDIANA 47172	
Revisions:		



# Sellersburg Board of Zoning Appeals

October 16, 2017

The minutes as written are not verbatim from the meeting

## CALL TO ORDER:

President Vincent C. Thacker, Jr., called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:00 p.m. at Sellersburg Town Hall, 316 East Utica Street on October 16, 2017.

## ROLL CALL:

Members present: President Vincent C. Thacker, Jr., Vice-President, Francis A. Conroy, Members, Dennis V. Amos, Charles Popp and Randall W. Mobley. Also, present was Attorney Brock Dawson and Building Commissioner, J. Greg Dietz.

## APPROVAL OF MINUTES:

Francis Conroy moved, seconded by Randall Mobley, to approve the minutes of September 18, 2017 meeting. 5-aye, 0-nay, motion is approved.

## UNFINISHED BUSINESS:

NONE

## NEW BUSINESS:

NONE


## ADJOURN:

Charles Popp moved, seconded by Francis Conroy, to adjourn the meeting. 5-aye, 0-nay, motion is approved. Meeting adjourned at 6:03 p.m.

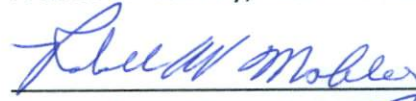


Vincent C. Thacker, Jr., President

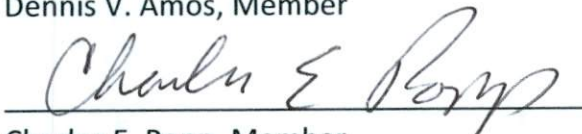
Francis A. Conroy, Vice-President



Dennis V. Amos, Member



Randall W. Mobley, Member



Charles E. Popp, Member



ATTEST:

Sellersburg Board Of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Petition #: 1117-001

By Petitioner(s): David and Cassie Graves

Concerning Variance at the address of: 7919 Hwy 31, Sellersburg, IN 47172

Yea  # 4    Nay  # 0    Abstain  #    Pass

1. Motion to determine that the variance will not be injurious to the health, safety and welfare of the community. Motion Randy Mobley Second Charles Popp

Yea  # 4    Nay  # 0    Abstain  #    Pass

2. Motion to determine that the variance will not have substantial adverse effect on any neighboring or adjacent property owners. Motion Charles Popp Second Dennis Amos

Yea  # 4    Nay  # 0    Abstain  #    Pass

3. Motion to determine that the need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested is in otherwise compliance with Town Ordinance 4.3.1(3). Motion Dennis Amos Second Randy Mobley

Yea  #    Nay  #    Abstain  #    Pass

4. Motion to determine that strict application of the Zoning Ordinance will constitute an unnecessary economic hardship on the property owner. (Not required if the requested relief is a dimensional variance from development standards.) Motion \_\_\_\_\_ Second \_\_\_\_\_

Yea  #    Nay  #    Abstain  #    Pass

5. Motion to determine that the variance is the minimum necessary to permit the proposed development, such that the substantial intent and purpose of the ordinance is preserved.  
Motion \_\_\_\_\_ Second \_\_\_\_\_

Yea  # 4    Nay  # 0    Abstain  #    Pass

6. Motion to approve/~~not approve~~ the variance based on the overall votes above.  
Motion Randy Mobley Second Charles Popp

The decision of the Sellersburg Board of Zoning Appeals concerning Petition # 1117-001

Approved     Denied

Special Conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sellersburg Board Of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Signature Page – Petition # 1117-001

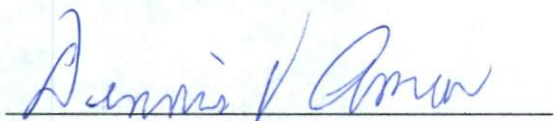
Signed this 20<sup>th</sup> day of November, 2017



Vincent C. Thacker, Jr., President

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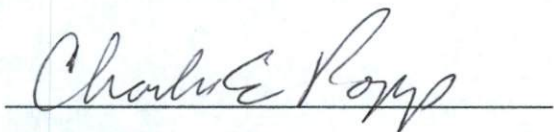
Francis A. Conroy, Vice-President



Dennis V. Amos, Member



Randall W. Mobley, Member



Charles E. Popp, Member



Attest:

# Sellersburg Board of Zoning Appeals

September 18, 2017

The minutes as written are not verbatim from the meeting

## CALL TO ORDER:

President Vincent C. Thacker, Jr., called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:01 p.m. at Sellersburg Town Hall, 316 East Utica Street on September 18, 2017.

## ROLL CALL:

Members present: President Vincent C. Thacker, Jr., Vice-President, Francis A. Conroy, Members, Dennis V. Amos, Charles Popp and Randall W. Mobley. Also, present was Attorney Brock Dawson.

## APPROVAL OF MINUTES:

Francis Conroy moved to amend minutes to reflect a correction of spelling of his first name from Frances to Francis, seconded by Dennis Amos, to approve the minutes of August 21, 2017 meeting, as amended. 5-aye, 0-nay, motion is approved.

## UNFINISHED BUSINESS:

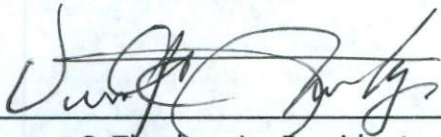
NONE

## NEW BUSINESS:

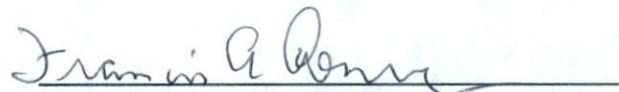
NONE

## ADJOURN:

Randall Mobley moved, seconded by Francis Conroy, to adjourn the meeting. 5-aye, 0-nay, motion is approved. Meeting adjourned at 6:04 p.m.



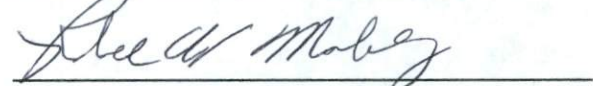
Vincent C. Thacker, Jr., President



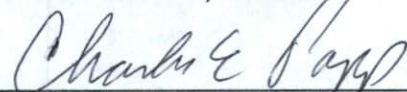
Francis A. Conroy, Vice-President



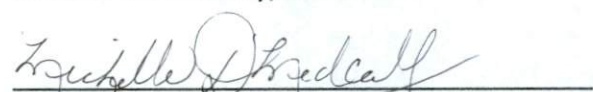
Dennis V. Amos, Member



Randall W. Mobley, Member



Charles E. Popp, Member



ATTEST:

# Sellersburg Board of Zoning Appeals

August 21, 2017

The minutes as written are not verbatim from the meeting

## CALL TO ORDER:

President Vincent C. Thacker, Jr., called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:02 p.m. at Sellersburg Town Hall, 316 East Utica Street on August 21, 2017.

## ROLL CALL:

Members present: President Vincent C. Thacker, Jr., Vice-President, Francis A. Conroy, Members, Dennis V. Amos, Charles Popp and Randall W. Mobley. Also, present was Attorney Brock Dawson.

## APPROVAL OF MINUTES:

Francis Conroy moved, seconded by Dennis Amos, to approve the minutes of July 17, 2017 meeting. 4-aye, 0-nay, 1-abs (Charles Popp) motion is approved.

## UNFINISHED BUSINESS:

NONE

## NEW BUSINESS:

Petition # 0817-001 David Pickel requesting a variance from Section 2.1.2.1 to allow a 40' X 60' pole barn to be built on the property for a use not permitted by use under this section.

Charles Popp moved, seconded by <sup>FRANCIS</sup>Francis Conroy, to close the regular meeting. 5-aye, 0-nay, motion is approved.

Randall Mobley moved, seconded by <sup>FRANCIS</sup>Francis Conroy, to open a public hearing. 5-aye, 0-nay, motion is approved. Hearing opened at 6:05 p.m.

The following from the public spoke about the petition:

David Pickel, Sellersburg, IN;

Mr. Pickel advised, he owns 3.7 acres and will have a private drive to the pole barn. He plans to use the building for storage and a small section for business – building cabinets and countertops. Mr. Pickel acknowledged, he understands the laws regulating the amount of space that can be occupied for business purposes on residential property.

Francis Conroy moved, seconded by Charles Popp to close the public hearing. 5-aye, 0-nay, motion is approved.

Randall Moberly moved, seconded by Charles Popp to reopen the regular meeting. 5-aye, 0-nay, motion is approved. Meeting reopened at 6:20 p.m.

# Sellersburg Board of Zoning Appeals

August 21, 2017

The minutes as written are not verbatim from the meeting

Randall Moberly moved, seconded by Francis Conroy, that the variance will not be injurious to the health, safety, and welfare of the community. 5-aye, 0-nay, motion is approved.

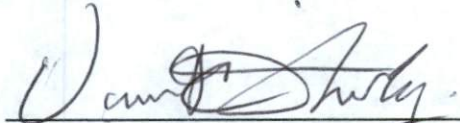
Charles Popp moved, seconded by Randall Mobley, that the variance will not have substantial adverse effect on any neighboring or adjacent property owners. 5-aye, 0-nay, motion is approved.

Randall Moberly moved, seconded by Francis Conroy, that need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested is otherwise in compliance with Town Ordinance 4.3.1(3). 5-aye, 0-nay, motion is approved.

Randall Moberly moved, seconded by <sup>Francis</sup> ~~Francis~~ Conroy to approve petition #0717-001. 5-aye, 0-nay, motion is approved.

## ADJOURN:

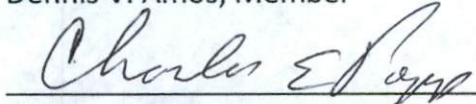
Francis Conroy moved, seconded by Dennis Amos, to adjourn the meeting. 5-aye, 0-nay, motion is approved. Meeting adjourned at 6:25 p.m.



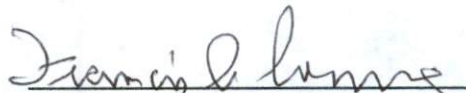
Vincent C. Thacker, Jr., President



Dennis V. Amos, Member



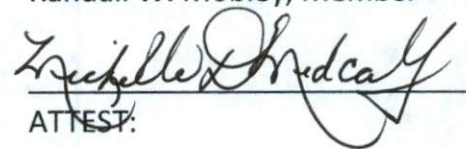
Charles E. Popp, Member



Francis A. Conroy, Vice-President



Randall W. Mobley, Member



ATTEST:

Sellersburg Board Of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Petition #: 0817-001

By Petitioner(s): David Pickel

Concerning Variance at the address of: 1910 Poindexter Ln., Sellersburg, IN 47172

Yea  #  #  #  
Yea  5 Nay  0 Abstain  0 Pass

1. Motion to determine that the variance will not be injurious to the health, safety and welfare of the community. Motion RANDAL Mobley Second FRANCIS CONROY

Yea  5 Nay  0 Abstain  0 Pass

2. Motion to determine that the variance will not have substantial adverse effect on any neighboring or adjacent property owners. Motion CHARLES POPP Second RANDY Mobley

Yea  5 Nay  0 Abstain  0 Pass

3. Motion to determine that the need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested is in otherwise compliance with Town Ordinance 4.3.1(3). Motion RANDAL Mobley Second FRANCIS CONROY

Yea  Nay  Abstain  Pass

4. Motion to determine that strict application of the Zoning Ordinance will constitute an unnecessary economic hardship on the property owner. (Not required if the requested relief is a dimensional variance from development standards.) Motion \_\_\_\_\_ Second \_\_\_\_\_

Yea  Nay  Abstain  Pass

5. Motion to determine that the variance is the minimum necessary to permit the proposed development, such that the substantial intent and purpose of the ordinance is preserved.  
Motion \_\_\_\_\_ Second \_\_\_\_\_

Yea  5 Nay  0 Abstain  0 Pass

6. Motion to approve/~~not approve~~ the variance based on the overall votes above.  
Motion RANDAL Mobley Second FRANCIS CONROY

The decision of the Sellersburg Board of Zoning Appeals concerning Petition # 0817-001

Approved  Denied

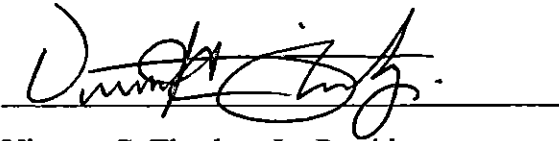
Special Conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


Sellersburg Board Of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Signature Page – Petition # 0817-001

Signed this 21<sup>ST</sup> day of August, 2017



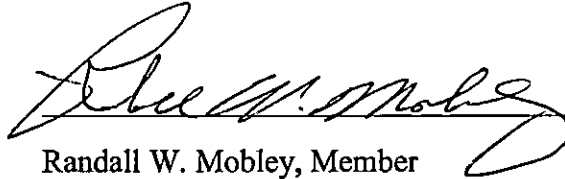
Vincent C. Thacker, Jr., President



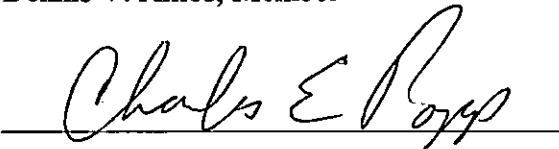
Francis A. Conroy, Vice-President



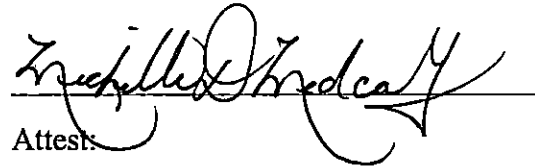
Dennis V. Amos, Member



Randall W. Mobley, Member



Charles E. Popp, Member



Attest:



# Sellersburg Board of Zoning Appeals

July 17, 2017

The minutes as written are not verbatim from the meeting

## **CALL TO ORDER:**

President Vincent C. Thacker, Jr., called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:00 p.m. at Sellersburg Town Hall, 316 East Utica Street on July 17, 2017.

## **ROLL CALL:**

Members present: President Vincent C. Thacker, Jr., Vice-President, Francis A. Conroy, Members, Dennis V. Amos, and Randall W. Mobley. Also, present was Attorney Brock Dawson.

Not present: Charles Popp

## **APPROVAL OF MINUTES:**

Francis A. Conroy moved, seconded by Dennis V. Amos, to approve the minutes of June 19, 2017 meeting. 4-aye, 0-nay, motion is approved.

## **UNFINISHED BUSINESS:**

NONE

## **NEW BUSINESS:**

Petition #0717-001 Dr. Christopher A. Baker requesting a variance from Section 2.1.2.1 to allow a 40' X 64' pole barn to be built on the property for a use not permitted under this section.

Randall Mobley moved, seconded by Francis Conroy, to close the regular meeting. 4-aye, 0-nay, motion is approved.

Randall Mobley moved, seconded by Francis Conroy, to open a public hearing. 4-aye, 0-nay, motion is approved. Hearing opened at 6:03 p.m.

The following from the public spoke about the petition:

Dr. Christopher Baker, Sellersburg, IN; Dr. Baker explained the pole barn will be used for personal, general storage. Dr. Baker also stated, he plans to build a home on the same property.

Francis Conroy moved, seconded by Dennis Amos, to close the public hearing. 4-aye, 0-nay, motion is approved.

Francis Conroy moved, seconded by Randall Mobley to reopen the regular meeting. 4-aye, 0-nay, motion is approved. Meeting reopened at 6:13 p.m.

# Sellersburg Board of Zoning Appeals

July 17, 2017

The minutes as written are not verbatim from the meeting

Randall Mobley moved, seconded by Francis Conroy, that the variance will not be injurious to the health, safety, and welfare of the community. 4-aye, 0-nay, motion is approved.

Francis Conroy moved, seconded by Randall Mobley, that the variance will not have substantial adverse effect on any neighboring or adjacent property owners. 4-aye, 0-nay, motion is approved.

Randall Mobley moved, seconded by Francis Conroy, that need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested is otherwise in compliance with Town Ordinance 4.3.1(3). 4-aye, 0-nay, motion is approved.

Randall W. Mobley moved, seconded by Dennis Amos to approve petition #0717-001. 4-aye, 0-nay, motion is approved.

## ADJOURN:

Francis Conroy moved, seconded by Randall Mobley, to adjourn the meeting. 4-aye, 0-nay, motion is approved. Meeting adjourned at 6:21 p.m.

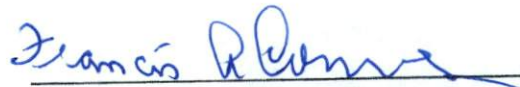


Vincent C. Thacker, Jr., President

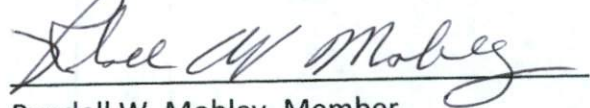


Dennis V. Amos, Member

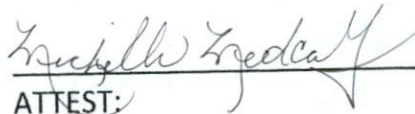
Charles E. Popp, Member



Francis A. Conroy, Vice-President



Randall W. Mobley, Member



ATTEST:

**SELLERSBURG ZONING APPEALS BOARD**  
**AGENDA**

August 21, 2017

1. Roll Call
2. Approve the minutes from the July 17, 2017 meeting.
3. Unfinished Business –

NONE

4. New Business –

Petition # 0817-001 David Pickel requesting a variance from Section 2.1.2.1 to allow a 40' X 60' pole barn to be built on the property for a use not permitted by use under this section.

5. Adjourn.

Respectfully Submitted  
J. Greg Dietz  
Building Commissioner, Town of Sellersburg



PETITION#: 0811-001  
 FEE: 200.00  
 RECEIPT# 5762

# PETITION

PLEASE PRINT LEGIBLY

SELLERSBURG, INDIANA

PETITION FOR:      BOARD OF ZONING APPEALS            PLANNING COMMISSION     

Name of Applicant:      DAVID PICKEL

Applicant's Address:      1910 POINDEXTER LN. S'BURG, IN. 47172

Email Address:      ddirect@sbcglobal.net

Telephone Number:      502/558-9891      Fax Number:      \_\_\_\_\_

Date of Application:      7/8/17      Township:      \_\_\_\_\_

Address or Property Subject to This Petition:      1910 POINDEXTER LN.

Grant: \_\_\_\_\_ or Section: \_\_\_\_\_ Congressional Township: \_\_\_\_\_ Range: \_\_\_\_\_

Municipal Township: \_\_\_\_\_ Zoning Classification: A Subdivision (if applicable): \_\_\_\_\_

Please Check the Applicable Box:

Amendment to the Official Zoning Maps of Sellersburg	Variance to the Zoning Ordinance of Sellersburg	Special Exception as Required by the Zoning Ordinance of Sellersburg	Other
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Describe Detailed Use: I WOULD LIKE TO BUILD A 40x60 POLE BARN FOR STORAGE OF PERSONAL ITEMS AND TO SET-UP A SHOP TO MAKE WOOD PROJECTS AND MAKE REPAIRS TO FURNITURE AND REFINISH THOSE ITEMS! I WOULD ~~AND~~ ALSO LIKE TO HAVE ~~A~~ AREA TO WORK ON MY OWN VEHICLES!

(ATTACH MORE SHEETS IF NECESSARY)

Specific Reason for Requesting:



A Rezoning from \_\_\_\_\_ to \_\_\_\_\_

A Variance to the Zoning Ordinance of Sellersburg

A Subdivision Plat as required by the Zoning Ordinance of Sellersburg

Special Exception as required by the Zoning Ordinance of Sellersburg

Please Explain (BE SPECIFIC AND INCLUDE DETAILS):

AS I UNDERSTAND IT MY PROPERTY IS STILL ZONED AS AGRICULTURAL AND AS SUCH THE USE OF SAID PROPERTY IS LIMITED! I PURCHASED THIS PROPERTY SPECIFICALLY TO BUILD A POLE BARN/ WORK SHOP LARGE ENOUGH TO ACCOMODATE THE THINGS I LIKE TO DO. (SEE DISCRPTION OF USE ON PAGE 1) AND TO BUILD A HOME ON THE PROPERTY TO REPLACE THE CURRENT MANUFACTURED HOME! THE FIRST PHASE OF THE VISION IS TO BUILD THE POLE BARN AT THE BACK OF THE PROPERTY! THEN TEAR DOWN THE EXISTING BARN SO AS TO BUILD THE HOUSE

Dated and signed by petitioner(s) in the county of Clark, State of Indiana, this 8 day of JULY, 20 17

*Paul C Paul*  
*Debra F. Pikel*

*Paul C Paul*  
Petition Prepared By (Signature)

All Legal Owners (Named on Deed) Must Sign

- FOR OFFICE USE ONLY
- FOR RECOMMENDATION BY PLAN COMM TO COUNCIL
- FOR FINAL DECISION BY PLAN COMMISSION
- FOR FINAL DECISION BY BOARD OF ZONING APPEALS

DRAWING ATTACHED OR UNDER SEPARATE COVER  
\*\*REQUIRED\*\*



Please Provide the Following:

1. Attach the legal description of the property.
2. Attach a development plan depicting all information required and information the applicant believes necessary for review by the Board or Commission; including, as applicable: parcel dimensions, locations of streets, driveways, location and number of parking spaces, sewer and water lines, and other appropriate information.
3. Proof of Zoning ( 1993 zoning map will apply without recorded proof of zoning )
4. Include any additional evidence necessary to support the petition.

I affirm, under the penalties of perjury that the foregoing representations are true.

Applicant's Signature: David C. Pickel Date: 7/8/17

Applicant's Name (printed): DAVID C. PICKEL

Please complete and attach the Findings of Fact worksheets of this Petition before submitting to the Commission of Buildings and Code Enforcement, as well as the Affidavit of Notice of Public Hearing found within this Petition application. Please note the following requirements regarding time-sensitive notices, required by IC 36-7-4-604 and IC 5-3-2, and read in the Sellersburg Zoning Ordinance as follows:

- 1.The petitioner must mail a notice of hearings by certified mail, return receipt to each of the abutting property owners no less than ten (10) days prior to the hearing.
- 2.Notice of public hearing shall be published one time at least ten (10) days before the date of the hearing.
- 3.A sign depicting the Notice of a Public Hearing must be posted in a conspicuous space on the subject property, along all road frontage of the subject property, at least ten (10) days prior to the hearing.

Please submit proof of mailings and proof of publication from the newspaper to the Commission of Buildings and Code Enforcement 7 days prior to the hearing of the Petition.

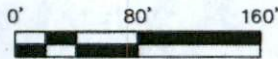
Please use the Public Notice templates within this Petition application for the mailings and publication. DO NOT ALTER ANY WORDING IN THIS TEMPLATE, ONLY FILL IN THE BLANKS WITH THE APPROPRIATE INFORMATION.

# 1910 Poindexter Lane





NORTH AND ALL BEARINGS SHOWN  
HEREON ARE BASED ON NAD 1983,  
INDIANA EAST ZONE, STATE PLANE  
COORDINATES AS DERIVED FROM GPS  
CONTROL AND OBSERVATIONS.

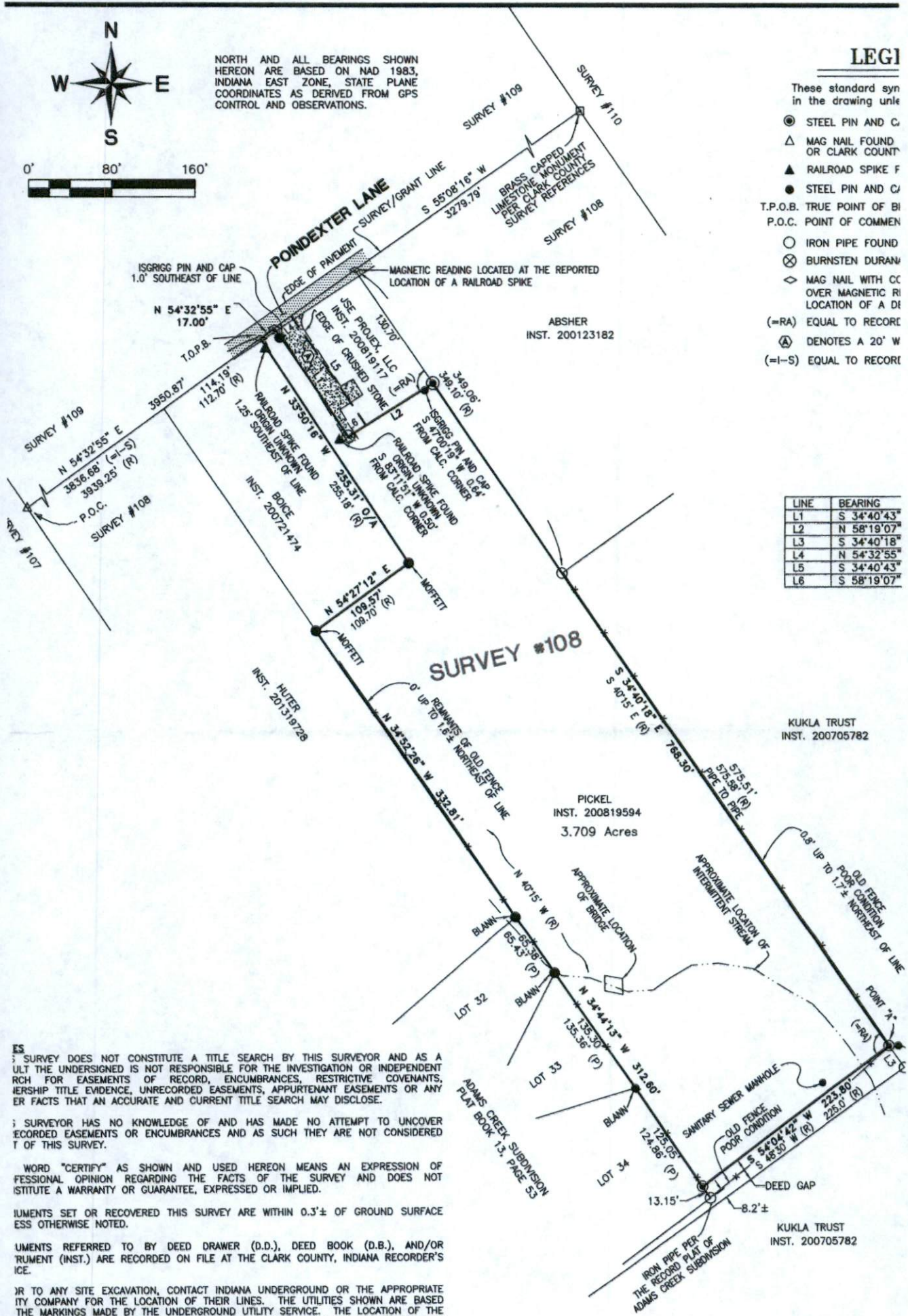


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in the drawing unli

- STEEL PIN AND C
- △ MAG NAIL FOUND OR CLARK COUNT
- ▲ RAILROAD SPIKE F
- STEEL PIN AND C
- T.P.O.B. TRUE POINT OF BI
- P.O.C. POINT OF COMMEN
- IRON PIPE FOUND
- ⊗ BURNSTEN DURAN
- ◇ MAG NAIL WITH CC OVER MAGNETIC RI LOCATION OF A DI
- (=RA) EQUAL TO RECORD
- Ⓐ DENOTES A 20' W
- (=I-S) EQUAL TO RECORD

LINE	BEARING
L1	S 34°40'43"
L2	N 58°19'07"
L3	S 34°40'18"
L4	N 54°32'55"
L5	S 34°40'43"
L6	S 58°19'07"



**DISCLAIMER:** THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THIS SURVEYOR AND AS A RESULT THE UNDERSIGNED IS NOT RESPONSIBLE FOR THE INVESTIGATION OR INDEPENDENT CHECK FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, INTEREST TITLE EVIDENCE, UNRECORDED EASEMENTS, APPURTENANT EASEMENTS OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

THE SURVEYOR HAS NO KNOWLEDGE OF AND HAS MADE NO ATTEMPT TO UNCOVER UNRECORDED EASEMENTS OR ENCUMBRANCES AND AS SUCH THEY ARE NOT CONSIDERED PART OF THIS SURVEY.

THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

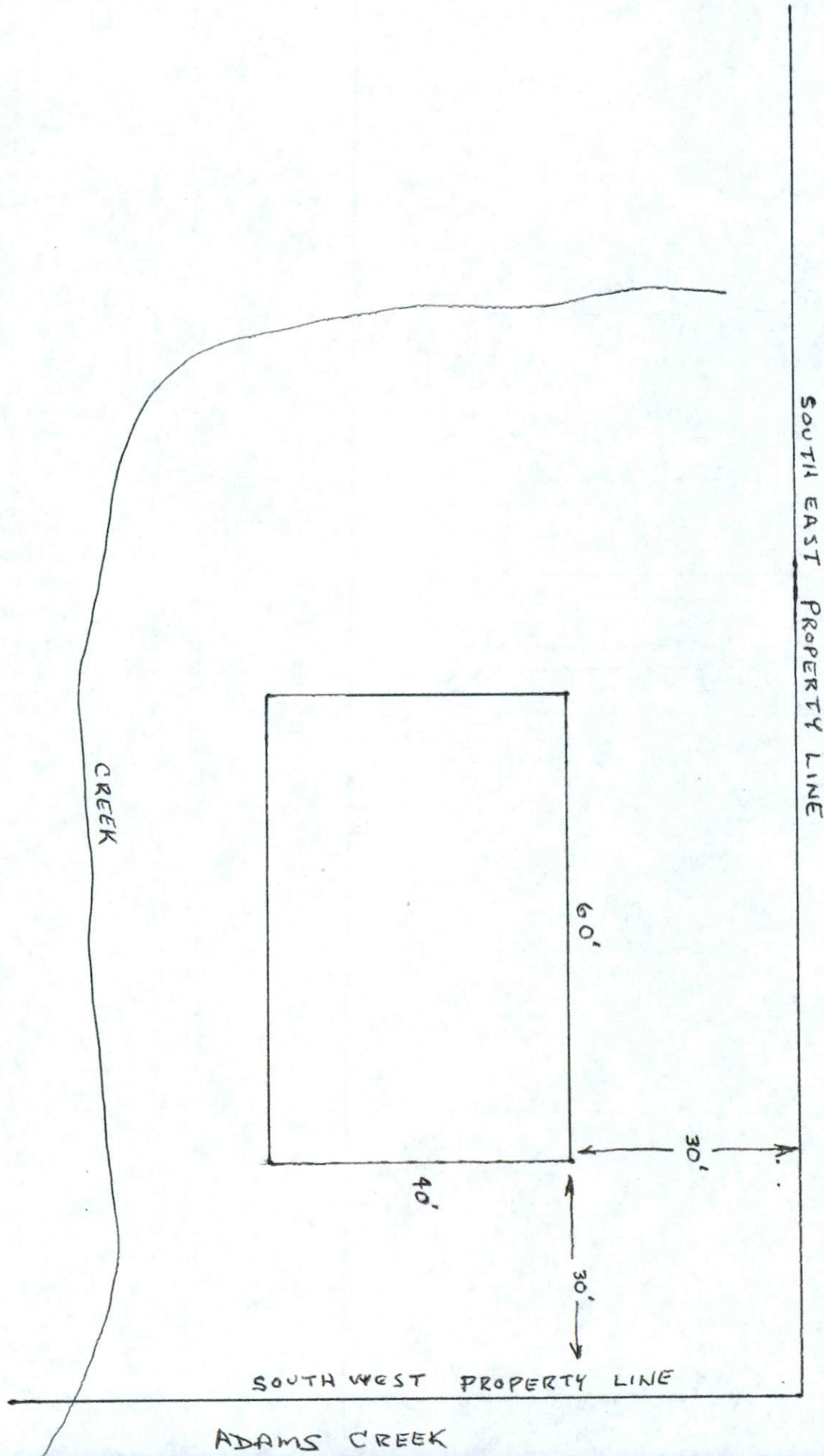
ALL DIMENSIONS SET OR RECOVERED THIS SURVEY ARE WITHIN 0.3'± OF GROUND SURFACE UNLESS OTHERWISE NOTED.

ALL DIMENSIONS REFERRED TO BY DEED DRAWER (D.D.), DEED BOOK (D.B.), AND/OR INSTRUMENT (INST.) ARE RECORDED ON FILE AT THE CLARK COUNTY, INDIANA RECORDER'S OFFICE.

FOR ANY SITE EXCAVATION, CONTACT INDIANA UNDERGROUND OR THE APPROPRIATE UTILITY COMPANY FOR THE LOCATION OF THEIR LINES. THE UTILITIES SHOWN ARE BASED ON THE MARKINGS MADE BY THE UNDERGROUND UTILITY SERVICE. THE LOCATION OF THE UTILITY MAY VARY FROM THE LOCATIONS SHOWN. ALSO, OTHER UTILITIES MAY EXIST WHICH WERE NOT MARKED AND NOT SHOWN ON THE SURVEY.

ALL BEARINGS AND DISTANCES SHOWN HEREON COINCIDE WITH THOSE RECITED IN THE INSTRUMENT RECORD DESCRIPTION OR PLAT OF THE SUBJECT PROPERTY, UNLESS OTHERWISE INDICATED BY REFERENCE TO A "RECORD" DIMENSION.





SOUTH EAST PROPERTY LINE

CREEK

60'

40'

30'

30'

SOUTH WEST PROPERTY LINE

ADAMS CREEK

**Proof of  
Publication**

**Public Notice  
Sellersburg, Indiana  
Board of Zoning Appeals/  
Plan Commission**

The Board of Zoning Appeals/Plan Commission will meet on 21 day of August, 2017 at 6 p.m. at 316 East Utica Street Sellersburg, Indiana 47172 for the purpose of holding a public hearing and acting on the following:

Requested Action: The applicant is requesting a Variance to Zoning Ordinance of Sellersburg

At the following commonly known address: 1910 Poindexter Ln.

The petition is available for public review at the Commission of Buildings and Code Enforcement 316 East Utica Street Sellersburg, Indiana 47172 between the hours 9 a.m. to 4 p.m. 10 days prior to the meeting.

Interested persons desiring to present comments either in writing or verbally will be given the opportunity to be heard at the aforementioned time and place. Written comments to the proposal that are filed with the Building Commissioner before the hearing will be considered. The hearing may be continued from time to time, as may be found necessary. hspaxlp

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

Ginger Baxter 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: 08-02 2017

(x) Ginger Baxter

**STATE OF INDIANA  
COUNTY OF CLARK**

Subscribed and sworn to before me this

3rd day of August 2017

(X) Joann Galligan  
Joann Galligan

Notary Public, Clark County, Indiana  
(My Commission Expires August 27, 2022)



**Publication**

Fee \$ 94.86

1352904

Due to clarity or ambiguity of the record description used and/or adjoiner's description: There is a variance with a magnitude of 102.57 feet between the record distance from the west corner of Survey Number 108 and the measured distance. Also, based upon found record monuments and deed dimensions, there is a deed gap along the southeast line of the subject property between Pickel and Kukla Trust.

MODERNIZED DESCRIPTION

That part of Survey Number 108 of the Illinois Grant, Clark County, Indiana being further described as follows:

Commencing at a Mag Nail that marks the west corner of said Survey Number 108; Thence along the dividing line of Survey Numbers 108 and 109, North 54 degrees 32 minutes 55 seconds East, 3950.87 feet to a Mag Nail with an aluminum collar in Poindexter Lane the True Point of Beginning;

Thence continuing along said dividing line, North 54 degrees 32 minutes 55 seconds East, 17.00 feet to a Mag Nail with an aluminum collar in Poindexter Lane; Thence along the southwestern line of a tract of land conveyed to JSE Projex, LLC (instrument 200819117) South 34 degrees 40 minutes 43 seconds East, 124.44 feet to a Bernsten Duranail marking the south corner of the above-mentioned tract of land; Thence along the southeast line of said tract, North 58 degrees 19 minutes 07 seconds East, 95.12 feet to a steel pin and cap marking the east corner of said tract, said steel pin and cap marked "Hart 29800020"; Thence South 34 degrees 40 minutes 13 seconds East, 768.30 feet to a steel pin and cap marked "Hart 29800020"; Thence South 54 degrees 04 minutes 42 seconds West, 223.80 feet to a steel pin and cap in the northeastern line of Adams Creek Subdivision; Thence along said northeast line, North 34 degrees 44 minutes 13 seconds West, 312.60 feet to a steel pin and cap; Thence North 34 degrees 52 minutes 26 seconds West, 332.81 feet to a steel pin and cap marking a tract of land conveyed to Boice (instrument 200721474); Thence along the southeast line of said tract, North 54 degrees 27 minutes 12 seconds East, 109.57 feet to a steel pin and cap at the east corner of said tract; Thence along the northeast line of said tract, North 33 degrees 50 minutes 16 seconds West, 255.31 feet to the True Point of Beginning.

The above-described tract of land contains 3.709 acres, which is subject to all rights-of-ways and easements, whether of record or not.

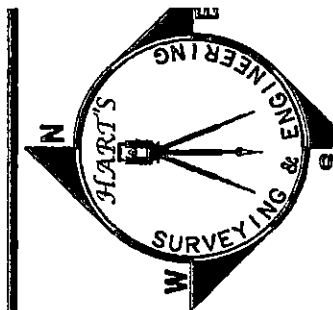
DESCRIPTION OF A 20-FOOT WIDE INGRESS AND EGRESS EASEMENT

Being a 20-foot wide Ingress-Egress easement situated all along and adjacent to the southwest line of a tract of land conveyed to JSE Projex, LLC (instrument 200819117). Said easement being a part of Survey Number 108 of the Illinois Grant, Clark County, Indiana being further described as follows:

Commencing at a Mag Nail that marks the west corner of said Survey Number 108; Thence along the dividing line of Survey Numbers 108 and 109, North 54 degrees 32 minutes 55 seconds East, 3967.87 feet to a Mag Nail with an aluminum collar in Poindexter Lane, which marks the east corner of the above-mentioned tract of land conveyed to JSE Projex, LLC, the True Point of Beginning;

Thence continuing along said dividing line, North 54 degrees 32 minutes 55 seconds East, 20.00 feet; Thence South 34 degrees 40 minutes 43 seconds East, 125.76 feet to the southeast line of said tract; Thence along said southeast line, South 58 degrees 19 minutes 07 seconds West, 20.03 feet to a Bernsten Duranail marking the south corner of said tract; Thence along the southwest line of said tract, North 34 degrees 40 minutes 43 seconds West, 124.44 feet to the True Point of Beginning.

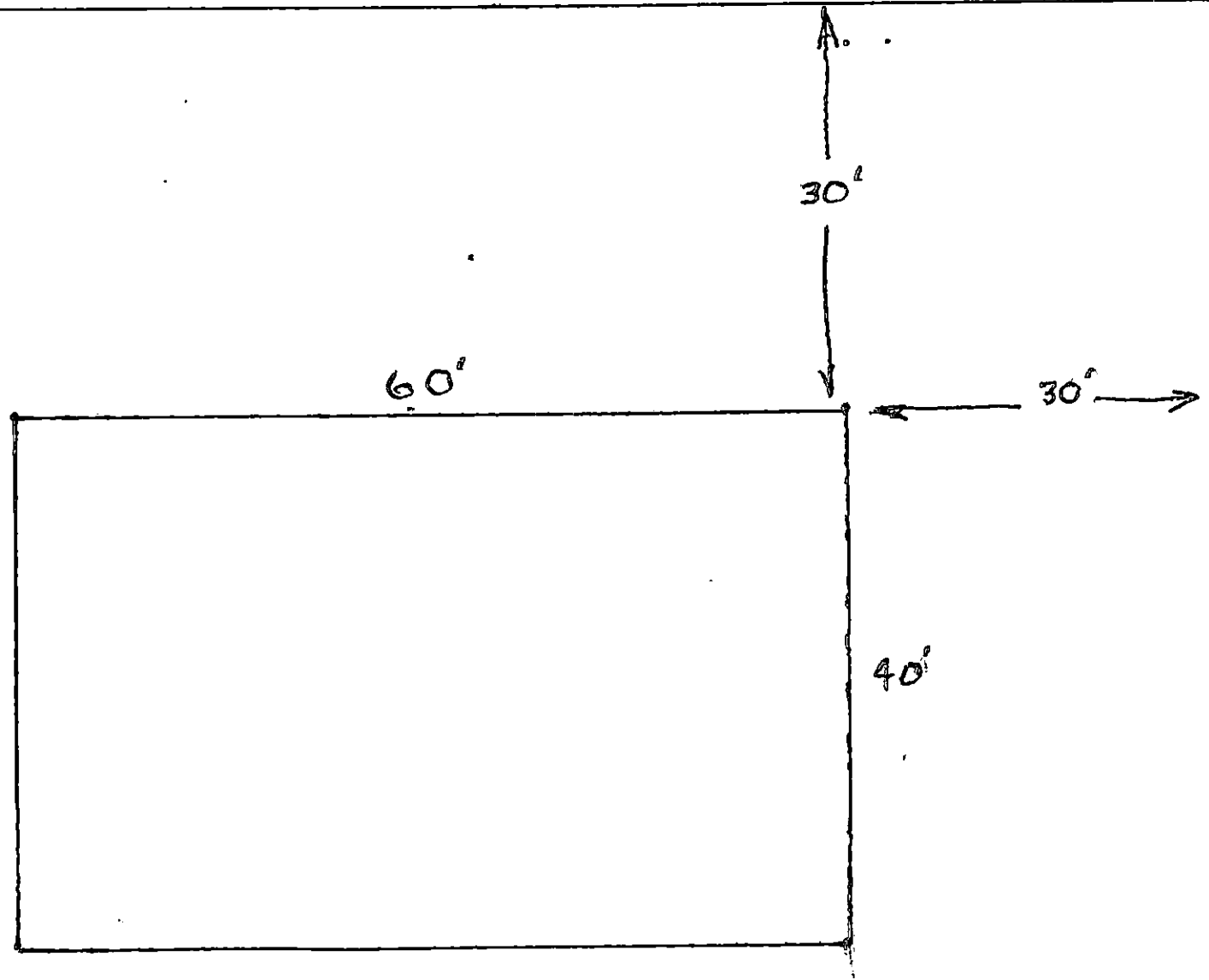
The above-described easement contains 0.057 acres, which is subject to all rights-of-ways and easements, whether of record or not.



PIN AND CAP  
1.52"  
CORNER

<p>TITLE HOLDER: DELORES F. PICKEL AND DAVE C. PICKEL</p>	<p>RETRACEMENT SURVEY OF A TRACT OF LAND SITUATED IN SURVEY NUMBER 108 OF THE ILLINOIS GRANT, CLARK COUNTY, INDIANA</p>
<p>CLIENT: DAVE PICKEL</p>	
<p>SHEET NO. 1 OF 1</p>	
<p>JOB No. 15-17</p>	

SOUTH EAST PROPERTY LINE



# Sellersburg Board of Zoning Appeals

June 19, 2017

The minutes as written are not verbatim from the meeting

## **CALL TO ORDER:**

President Vincent C. Thacker, Jr., called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:00 p.m. at Sellersburg Town Hall, 316 East Utica Street on June 19, 2017.

## **ROLL CALL:**

Members present: President Vincent C. Thacker, Jr., Vice-President, Francis A. Conroy, Members, Dennis V. Amos, Charles Popp and Randall W. Mobley. Also, present was Attorney Brock Dawson.

## **APPROVAL OF MINUTES:**

Francis A. Conroy moved, seconded by Dennis V. Amos, to approve the minutes of May 15, 2017 meeting. 5-aye, 0-nay, motion is approved.

## **UNFINISHED BUSINESS:**

NONE

## **NEW BUSINESS:**

Petition # 0617-001 J.R. Dreyer requesting a variance from Section 2.1.2.1 to allow a 40' X 80' pole barn to be built on the property for a use not permitted by use under this section.

Randall Mobley moved, seconded by Charles Popp, to close the regular meeting. 5-aye, 0-nay, motion is approved.

Francis Conroy moved, seconded by Dennis Amos, to open a public hearing. 5-aye, 0-nay, motion is approved. Hearing opened at 6:04 p.m.

The following from the public spoke about the petition:

J.R. Dreyer, Sellersburg, IN; Mr. Dreyer explained the pole barn will be used for personal, general storage.

Randall Mobley moved, seconded by Charles Popp, to close the public hearing. 5-aye, 0-nay, motion is approved.

Francis Conroy moved, seconded by Dennis Amos to reopen the regular meeting. 5-aye, 0-nay, motion is approved. Meeting reopened at 6:10 p.m.

# Sellersburg Board of Zoning Appeals

June 19, 2017

The minutes as written are not verbatim from the meeting

Randall Mobley moved, seconded by Francis Conroy, that the variance will not be injurious to the health, safety, and welfare of the community. 5-aye, 0-nay, motion is approved.

Charles Popp moved, seconded by Randall Mobley, that the variance will not have substantial adverse effect on any neighboring or adjacent property owners. 5-aye, 0-nay, motion is approved.

Randall Mobley moved, seconded by Francis Conroy, that need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested is otherwise in compliance with Town Ordinance 4.3.1(3). 5-aye, 0-nay, motion is approved.

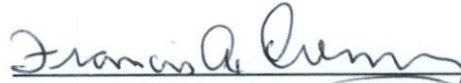
Randall W. Mobley moved, seconded by Charles E. Popp to approve petition #0617-001. 5-aye, 0-nay, motion is approved.

## **ADJOURN:**

Francis Conroy moved, seconded by Dennis Amos, to adjourn the meeting. 5-aye, 0-nay, motion is approved. Meeting adjourned at 6:19 p.m.



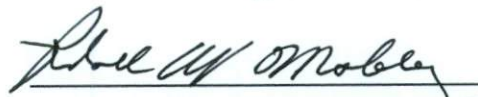
Vincent C. Thacker, Jr., President



Francis A. Conroy, Vice-President



Dennis V. Amos, Member



Randall W. Mobley, Member

Charles E. Popp, Member



ATTEST:

RESOLUTION NO. PC 17-702

A RESOLUTION TO WAIVE ENFORCEMENT OF THE SUBDIVISION CONTROL ORDINANCE  
ONLY AS THE ORDINANCE RELATES TO THE SELLERSBURG INDUSTRIAL PARK

WHEREAS, Jesse Ballew "the "Subdivider" owns certain Real Estate located in the Town of Sellersburg, more specifically described as follows:

**Sellersburg Industrial Park** on or about Progress Way in Sellersburg, Clark County, Indiana.  
See attached Exhibit "B".

WHEREAS, the Town of Sellersburg Subdivision Control Ordinance requires any Subdivider of a Major Subdivision to follow a three (3) step procedure as described in Article III of said Ordinance, which involves approval of a Sketch Plat, Preliminary Plat and Final Plat;

WHEREAS the Subdivider addressed the Sellersburg Town Council on December 11, 1995, and upon review of the Minutes from said meeting, a copy of which are attached hereto and marked as Exhibit "A", the following statements were made by Mr. Isrigg, an engineer and apparent representative for the Subdivider:

*"I think (the Subdivider) would like to be able to sell these parcels off of that roadway by a more traditional metes and bounds description, those parcels being controlled by the Planning Commission. The idea there is we don't want to plat something that then becomes a problem for us if a guy wants more than one plot..."*

*"The problem that we're burdened with here is we're not sure of what size parcels are going to be desired. We may sell a 20 acre piece, a 10 acre piece, maybe a 2 acre piece..."*

WHEREAS, the Subdivider has failed to comply with regulations provided in the Ordinance as various parcels have been subdivided and sold, as described in the '95 meeting, without approval;


WHEREAS, the Town of Sellersburg Subdivision Control Ordinance, Article V, Sections A and B, in addition to Ind. Code 36-7-4-1012, describe Enforcement of Violations and Penalties for failure to comply with the rules and regulations set out in the said Ordinance; and

WHEREAS, the prior-sold plats and the transfers scheduled for January 1, 2018 have been reviewed and found acceptable and otherwise in compliance building, water, sewer, and other regulations;

AND WHEREAS, it is the policy of the Planning Commission to encourage light industry development in industrial parks whenever possible.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission for the Town of Sellersburg hereby waives any remedies available to the Town or to the Commission in law or equity, including those described in Ind. Code 36-7-4-1012, or in Article V of the Subdivision Control Ordinance for the *limited purpose* of approving and accepting the property transfers described herein and identified in the Exhibit.

  
\_\_\_\_\_  
President, Plan Commission

  
\_\_\_\_\_  
Witness

7-17-2017  
\_\_\_\_\_  
Date

**SELLERSBURG INDUSTRIAL PARK**

<b>SALE DATE</b>	<b>PARCEL #</b>	<b>ACREAGE</b>	<b>STATUS</b>
06/01/04	017-41-1200	2.5	Ground Only
03/02/06	017-41-1210	3.091	Ground Only
09/26/13	017-41-0131	1.5	Ground Only
10/07/15	017-41-1330	1	Ground Only
06/01/16	017-41-1340	3.666	Ground Only
02/13/17	Split 01/01/18	8.5	Tyler Rose
05/24/17	Split 01/01/18	7.443	Vectren
Pending	Split 01/01/18	6.50 +/-	Mike Libs



Sellersburg Board Of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Petition #: 0717-001

By Petitioner(s): Christopher A Baker, DDS

Concerning Variance at the address of: 1712 Allentown Rd., Sellersburg, Indiana 47172

# # #  
Yea  4 Nay  0 Abstain  Pass

1. Motion to determine that the variance will not be injurious to the health, safety and welfare of the community. Motion RANDALL MOBLEY Second FRANCIS CONROY

Yea  4 Nay  0 Abstain  Pass

2. Motion to determine that the variance will not have substantial adverse effect on any neighboring or adjacent property owners. Motion Francis Conroy Second Randall Mobley

Yea  4 Nay  0 Abstain  Pass

3. Motion to determine that the need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested is in otherwise compliance with Town Ordinance 4.3.1(3). Motion Randall Mobley Second Francis Conroy

Yea  Nay  Abstain  Pass

4. Motion to determine that strict application of the Zoning Ordinance will constitute an unnecessary economic hardship on the property owner. (Not required if the requested relief is a dimensional variance from development standards.) Motion \_\_\_\_\_ Second \_\_\_\_\_

Yea  Nay  Abstain  Pass

5. Motion to determine that the variance is the minimum necessary to permit the proposed development, such that the substantial intent and purpose of the ordinance is preserved. Motion \_\_\_\_\_ Second \_\_\_\_\_

Yea  Nay  Abstain  Pass

6. Motion to approve/not approve the variance based on the overall votes above. Motion Randall Mobley Second Francis Conroy

The decision of the Sellersburg Board of Zoning Appeals concerning Petition # \_\_\_\_\_

Approved  4 Denied  0

Special Conditions:

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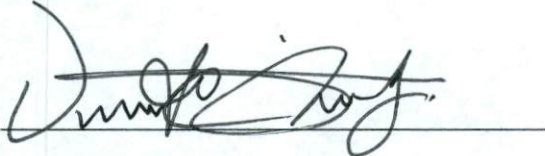
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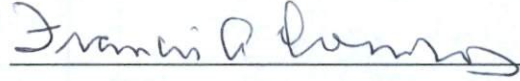
Sellersburg Board Of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Signature Page – Petition # 0717-001

Signed this 17 day of July, 2017



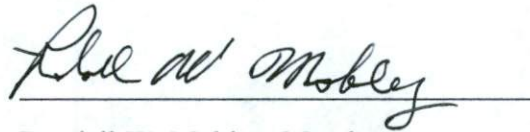
Vincent C. Thacker, Jr., President



Francis A. Conroy, Vice-President



Dennis V. Amos, Member



Randall W. Mobley, Member

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

\_\_\_\_\_  
Attest:

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Sent To: **DONALD + KATHY WEBER**  
 Street and Apt. No., or PO Box No. **1710 Alentown Rd**  
 City, State, ZIP+4® **Sellersburg IN 47172**

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 Total Postage and Fees \$6.59

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 Adult Signature Restricted Delivery \$  
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 Total Postage and Fees \$

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 Adult Signature Required \$  
 Adult Signature Restricted Delivery \$  
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 Total Postage and Fees \$

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 City, State, ZIP+4® **Sellersburg IN 47172**

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PETITION#: 0717-001  
 FEE: \$ 200.00  
 RECEIPT# 5704

# PETITION

PLEASE PRINT LEGIBLY

SELLERSBURG, INDIANA

PETITION FOR: BOARD OF ZONING APPEALS  PLANNING COMMISSION

Name of Applicant: Christopher A. Baker, D.D.S.  
 Applicant's Address: 3214 HADLEIGH PL New Albany IN 47150 = current home / building home + barn 1712 Allentown Rd Sellersburg  
 Email Address: drbaker@soindentalcare.com  
 Telephone Number: 812-987-4823 Fax Number: \_\_\_\_\_  
 Date of Application: June 1, 2017 Township: Silver Creek Township  
 Address or Property Subject to This Petition: 1712 Allentown Rd Sellersburg 47172  
 Grant: \_\_\_\_\_ or Section: District 031 (Low 017) Congressional Township: 9th Range: Paul # 17-00096-009-0  
 Municipal Township: Silver Creek township Zoning Classification: A Subdivision (if applicable): Silver Creek Res #1 Annex 13-14

Please Check the Applicable Box:

<b>Amendment to the Official Zoning Maps of Sellersburg</b>	<b>Variance to the Zoning Ordinance of Sellersburg</b>	<b>Special Exception as Required by the Zoning Ordinance of Sellersburg</b>	<b>Other</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Describe Detailed Use: I own 31 acres at 1712 Allentown Road. I am in the process of building a large house & barn to reside there with 2 kids, one soon to be wife, and a newborn baby expected in November. Due to the size of the barn I was told I needed to ask for a variance by the Board of zoning. Please allow me to build this barn as I need to have this on my property  
so (continue page 2) (ATTACH MORE SHEETS IF NECESSARY)

Specific Reason for Requesting:



A Rezoning from \_\_\_\_\_ to \_\_\_\_\_

A Variance to the Zoning Ordinance of Sellersburg

A Subdivision Plat as required by the Zoning Ordinance of Sellersburg

Special Exception as required by the Zoning Ordinance of Sellersburg

Please Explain (BE SPECIFIC AND INCLUDE DETAILS):

*Continued from PG 1:*

I can perform duties, tasks, repairs and other life responsibilities that come with taking care of my property, my woods and fields, my equipment and my home. This barn will also serve as indoor storage for many items that I own. The barn will be 40'x64' pole barn, have one 36" service door, three 3x5' windows, four 12'x10' overhead doors, one sliding door, 16'x64' Lean-To, a half bath & dog kennel. Allowing this variance would not be materially detrimental to any property in the zone or vicinity or conflict with the objectives of any city plan or policy. Please allow me a variance to build this barn, Thank you.

Dated and signed by petitioner(s) in the county of Clark, State of Indiana, this 7<sup>th</sup> day of June, 2017

*[Signature]*

Petition Prepared By (Signature)

*[Signature]*

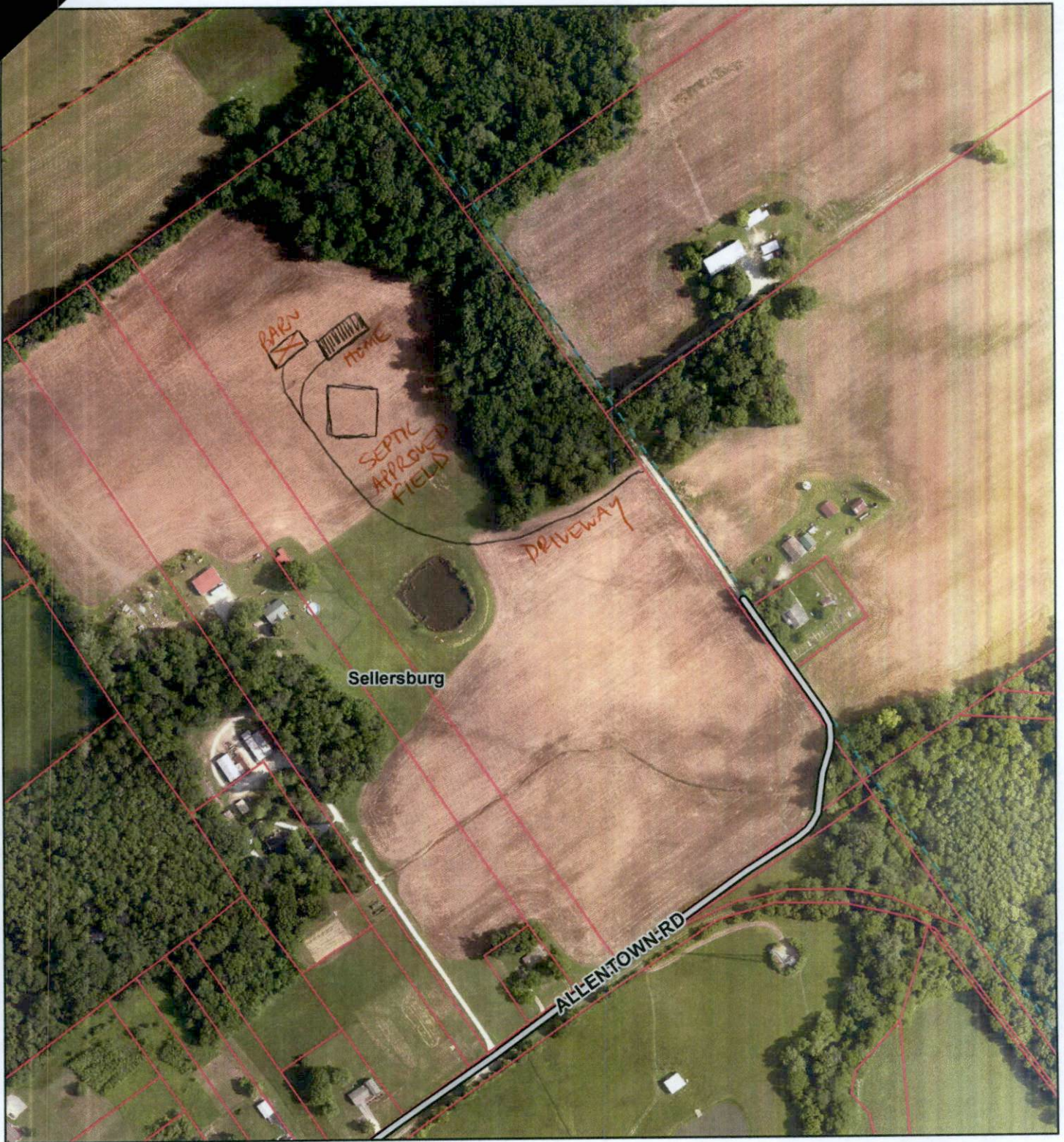
All Legal Owners (Named on Deed) Must Sign

- FOR OFFICE USE ONLY
- FOR **RECOMMENDATION** BY PLAN COMM TO COUNCIL
  - FOR **FINAL DECISION** BY PLAN COMMISSION
  - FOR **FINAL DECISION** BY BOARD OF ZONING APPEALS

DRAWING ATTACHED OR UNDER SEPARATE COVER  
\*\*REQUIRED\*\*



# Christopher Baker 1712 Allentown Road



Road Names

Parcels

Roads

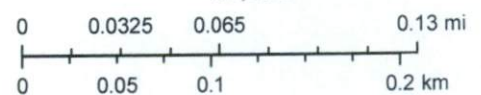
## CLASSIFICA

I; SR; US ROUTE; i

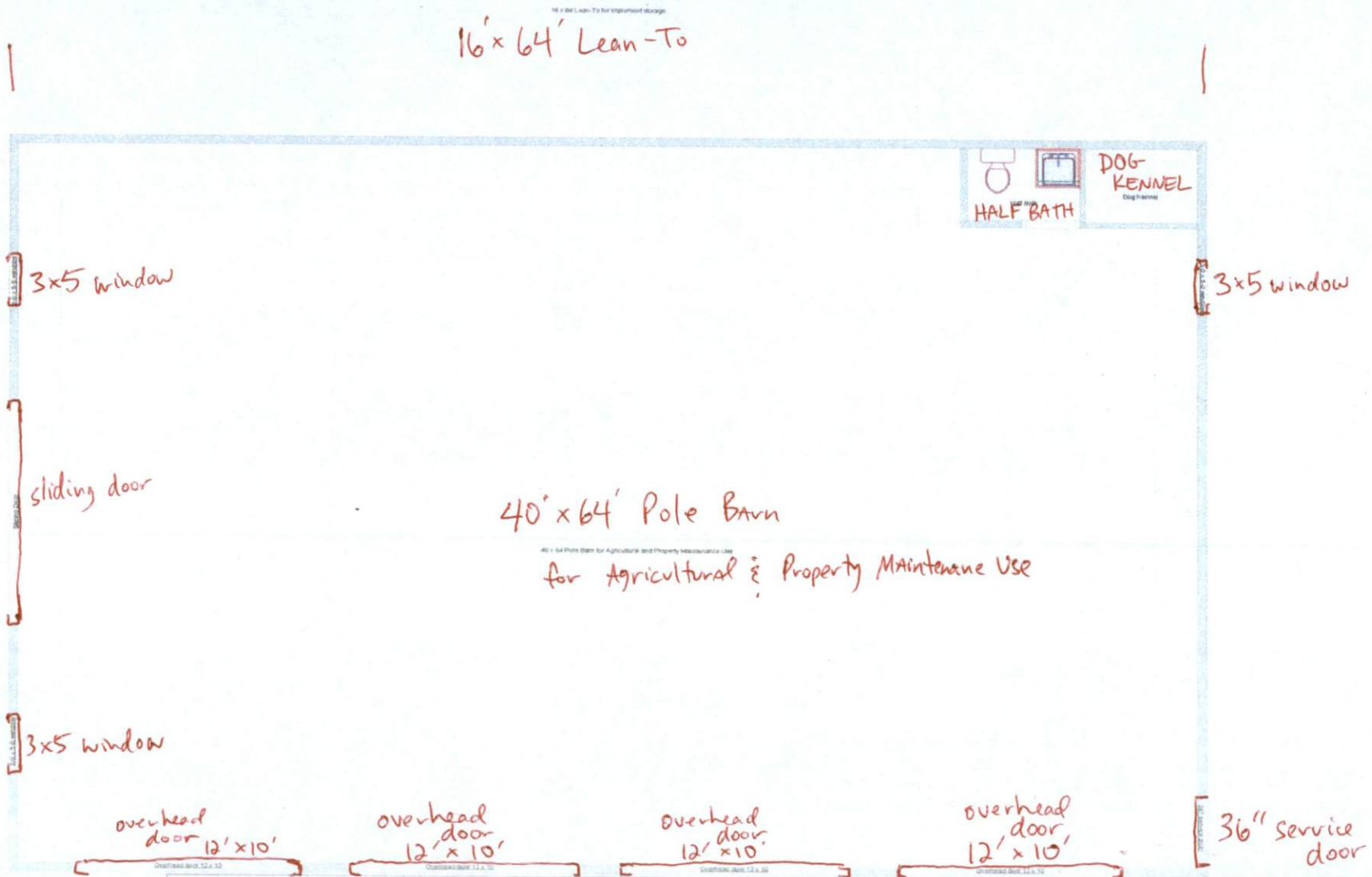
; CITY ROAD; CR; UNCLASSIFIED

Incorporated Areas (INDOT)

1:4,000



\* Barn will be 14' to the eaves, which would make it ~21' to the peak.  
 MATERIAL on sides is Metal (Steel) pole barn siding (RIBBED).



16' x 64' Lean-To

40' x 64' Pole Barn

for Agricultural & Property Maintenance Use



All dimensions size designations given are subject to verification on job site and adjustment to fit job conditions.



This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

Designed: 5/17/2017  
 Printed: 5/26/2017



ALLENTOWN ROAD

SURVEYOR'S REPORT

In accordance with Title 865, Article 1, Chapter 12, Sections 1 through 29 of the Indiana Administrative code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

- A. Availability and condition of reference monuments;
- B. Occupation or possession lines.
- C. Clarity or ambiguity of the record description used and of adjoining descriptions and the relationship of the lines of the subject tract with adjoining lines.
- D. The relative positional accuracy of the measurements.

The relative positional accuracy (due to random errors in measurement) of the corners of the subject tract established this survey is within the specifications for a Rural Survey (0.26 feet plus 200 parts per million) as defined in IAC 865.

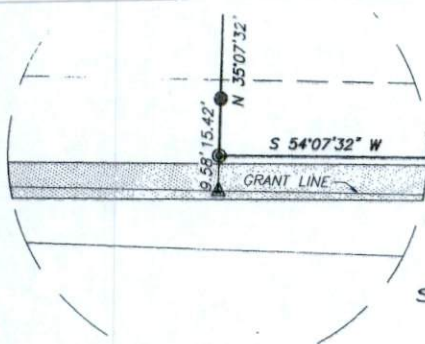
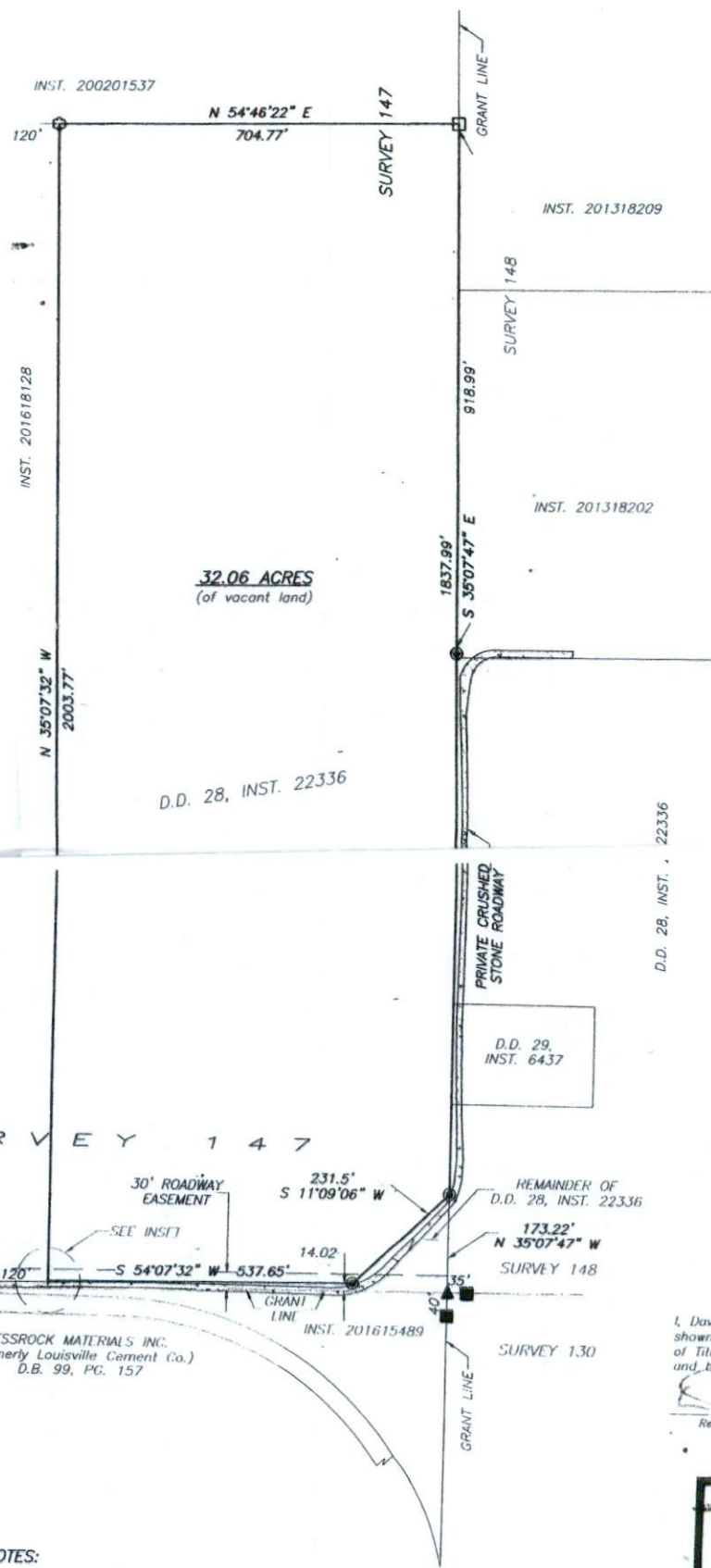
This is an original survey. A railroad spike, a stone, an iron pipe, a "mag" nail, and two steel pins were found on the subject and adjoining property corners. These monuments were used with deed dimensions to re-establish the lines and corners of the parent tract. The 537.65 feet and 231.5 feet lines were created by this survey.

As a result of this above observations, it is my opinion that the ambiguities in the locations of lines and corners established on this survey are as follows:

Due to Availability and condition of reference monuments: 0 to 0.5 feet.  
Occupation or possession lines: none.

Due to Clarity or ambiguity of the record description used and of adjoining descriptions and the relationship of the lines of the subject tract with adjoining lines: none.





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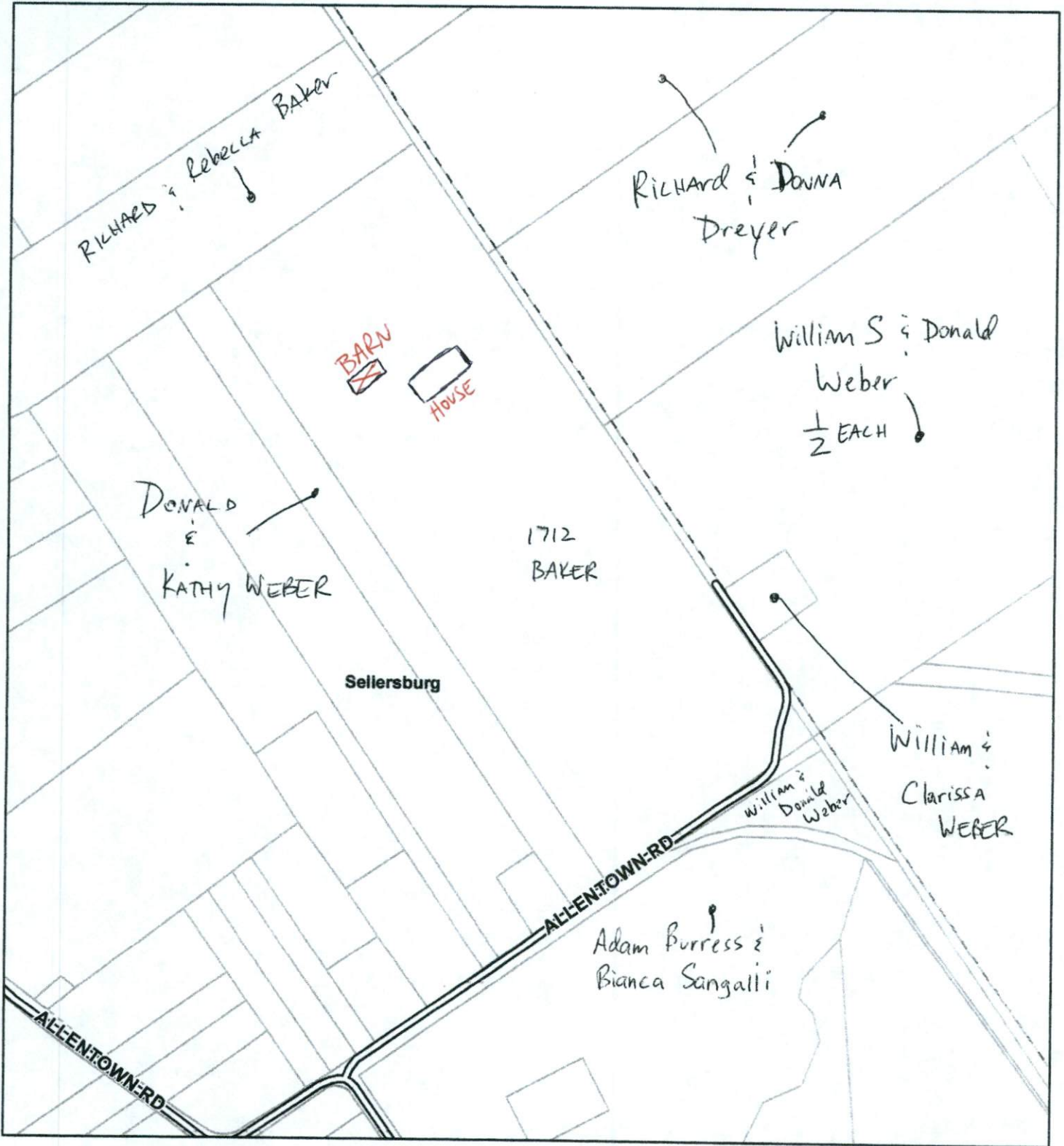
rs descriptions

**NOTES:**

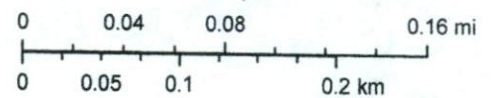
- (1) Title examination may reveal other easements and/or Rights of ways not shown hereon. Floodways, wetlands, environmental issues, zoning regulations, and other items which may encumber this property were not included in the scope of this survey.
- (2) All monuments are within 0.3 feet of their with the surface of the ground unless otherwise noted.
- (3) The bases of buildings for this survey were not on the Indiana State Plane Coordinate System. East zone. It is P.S. observations.
- (4) This tract does not have frontage on a public roadway and is not to be determined legal status or location by this survey. It is to be determined legal status or location by a separate survey and shown on the separate survey map.

1, Day  
 shown  
 of Tib  
 and\_b  
 Re

# Neighboring owners of 1712 Allentown Rd



1:4,800



Road Names

Parcels

Roads

**CLASSIFICA**

— I; SR; US ROUTE; i

— ; CITY ROAD; CR; UNCLASSIFIED

— Incorporated Areas (INDOT)

**DESCRIPTION OF TRACT SHOWN**

Being a part of Survey 147 of the Illinois Grant to Clark County, Indiana and being further described as follows:

Beginning at a railroad spike on the eastern corner of said Survey 147; Thence N 35°07'47" W, along the line dividing Survey 147 and Survey 148 of said Illinois Grant, 173.22 feet to a steel pin, THE TRUE PLACE OF BEGINNING:

Thence S 11°09'06" W, 231.5 feet to a steel pin;

Thence S 54°07'32" W, 537.65 feet to a steel pin;

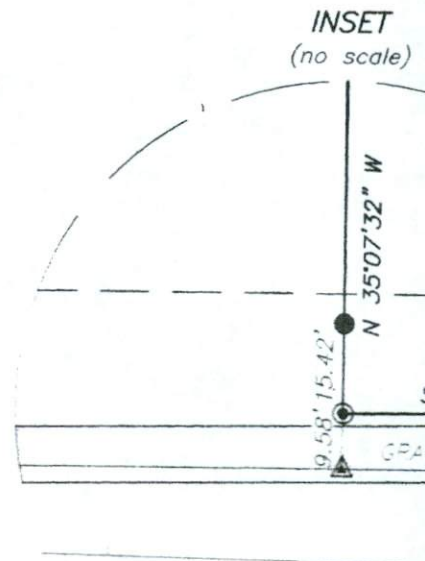
Thence N 35°07'32" W, (passing through a steel pin at 15.42 feet), 2003.77 feet to a tree;

Thence N 54°46'22" E, 704.77 feet to a stone on the line dividing said Surveys 147 & 148;

Thence S 35°07'47" E, along said dividing line (passing a steel pin at 918.99 feet), 1837.99 feet to THE TRUE PLACE OF BEGINNING.

Containing 32.06 acres and being subject to part of a 30 feet wide roadway easement along the southeast line of the above described tract (30 feet as measured from the grant line) and all other easements of record.

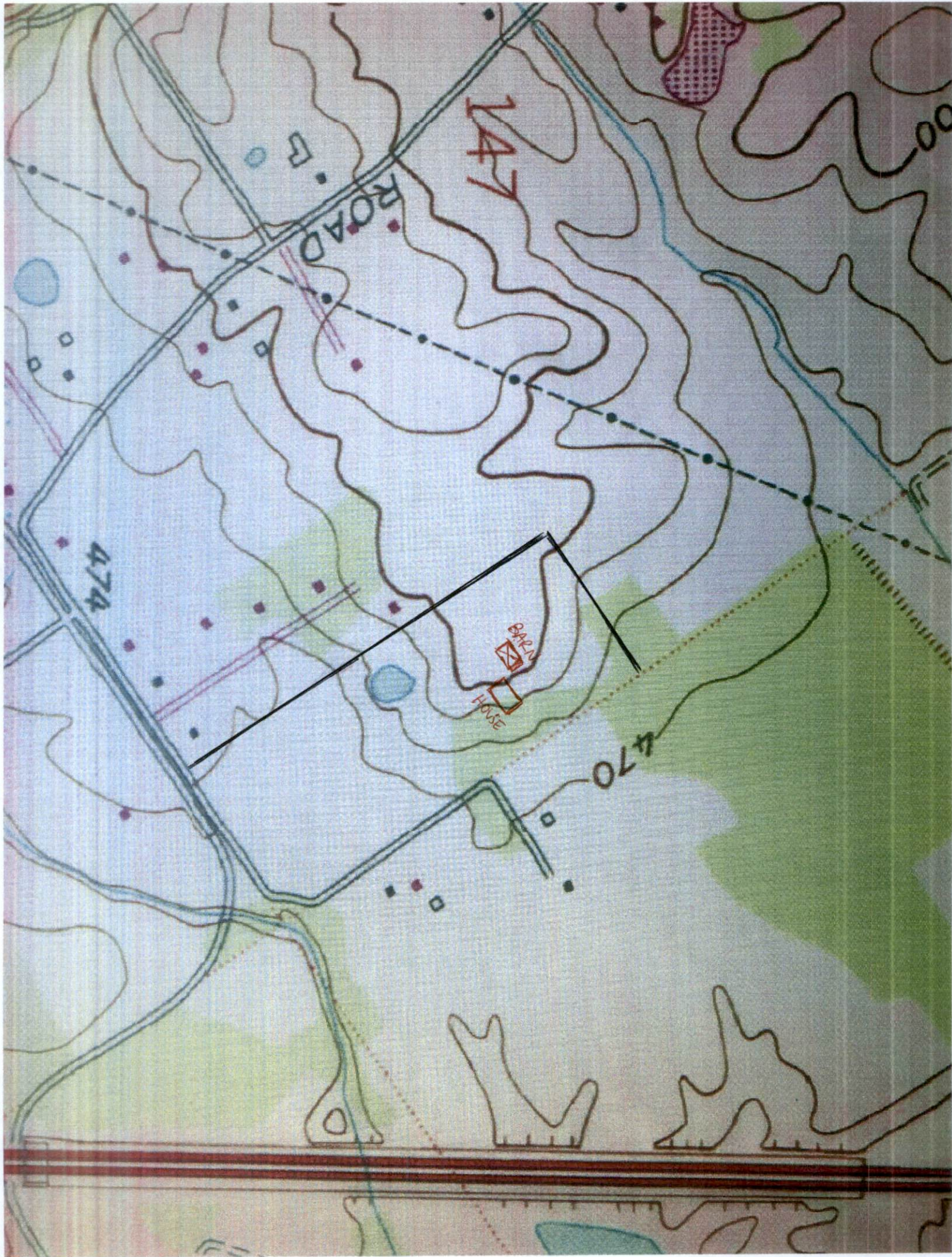
Also: the right to use, for ingress, egress, and utilities, the existing private roadway from Allentown Road to the above described tract.



FEMA:

IN DNR  
INDIANA Floodplain  
INFORMATION PANEL  
dwr maps. dnr. in gov







148

BAKER

1712  
Allentown Rd  
Sellersburg

147

ROAD

500

Creek  
Club

474

Run

Smith  
Cem

507

RD

130

Speed



Please Provide the Following:

1. Attach the **legal description** of the property.
2. Attach a development plan depicting all information required and information the applicant believes necessary for review by the Board or Commission; including, as applicable: parcel dimensions, locations of streets, driveways, location and number of parking spaces, sewer and water lines, and other appropriate information.
3. Proof of Zoning ( 1993 zoning map will apply without recorded proof of zoning )
4. Include any additional evidence necessary to support the petition.

I affirm, under the penalties of perjury that the foregoing representations are true.

Applicant's Signature: \_\_\_\_\_

*Christopher A. Baker*

Date: \_\_\_\_\_

*6-1-17*

Applicant's Name (printed): \_\_\_\_\_

*Christopher A. Baker*

Please complete and attach the Findings of Fact worksheets of this Petition before submitting to the Commission of Buildings and Code Enforcement, as well as the Affidavit of Notice of Public Hearing found within this Petition application. Please note the following requirements regarding time-sensitive notices, required by IC 36-7-4-604 and IC 5-3-2, and read in the Sellersburg Zoning Ordinance as follows:

- 1) 1. The petitioner must mail a notice of hearings by certified mail, return receipt to each of the abutting property owners no less than ten (10) days prior to the hearing.
- 2) 2. Notice of public hearing shall be published one time at least ten (10) days before the date of the hearing.
- 3) 3. A sign depicting the Notice of a Public Hearing must be posted in a conspicuous space on the subject property, along all road frontage of the subject property, at least ten (10) days prior to the hearing.

**Please submit proof of mailings and proof of publication from the newspaper to the Commission of Buildings and Code Enforcement 7 days prior to the hearing of the Petition.**

**Please use the Public Notice templates within this Petition application for the mailings and publication. DO NOT ALTER ANY WORDING IN THIS TEMPLATE, ONLY FILL IN THE BLANKS WITH THE APPROPRIATE INFORMATION.**

**Proof of  
Publication**

**Public Notice  
Sellersburg, Indiana  
Board of Zoning Appeals/  
Plan Commission**

The Board of Zoning Appeals/Plan Commission will meet on the 17th day of July, 2017 at 6p.m. at 316 East Utica Street Sellersburg, Indiana 47172 for the purpose of holding a public hearing and acting on the following:

Requested Action: The applicant is requesting a variance to build a 40' by 64' pole barn at the following commonly known address: 1712 Allentown Road Sellersburg, Indiana 47172.

The petition is available for public review at the Commission of Buildings and Code Enforcement 316 East Utica Street Sellersburg Indiana 47172 between the hours of 9a.m. to 4p.m. 10 days prior to the meeting.

Interested persons desiring to present comments either in writing or verbally will be given the opportunity to be heard at the aforementioned time and place. Written comments to the proposal that are filed with the Building Commissioner before the hearing will be considered. The hearing will be continued from time to time, as may be found necessary. hspaxip

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

Ginger Baxter 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: 06-28 2017

(X) Ginger Baxter

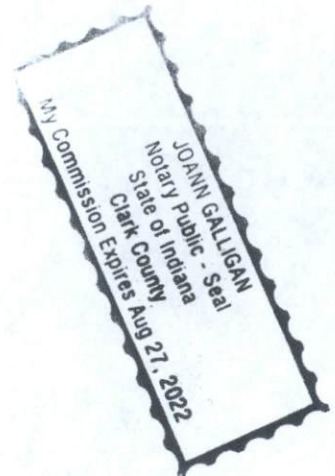
**STATE OF INDIANA  
COUNTY OF CLARK**

Subscribed and sworn to before me this

28<sup>TH</sup> day of June 2017

(X) Joann Galligan  
Joann Galligan

Notary Public, Clark County, Indiana  
(My Commission Expires August 27, 2022)



**Publication**

Fee \$ 97.65

1340474



CHRIS BAKER  
1712 Allentown  
Road  
Sellersburg

MAILED  
JUN 1 1991  
STATE OF INDIANA  
CLERK COURT  
SOS 13 004 000

News & Tribune

**Sample Legal Notice**

Complete and publish the following legal notice in a daily newspaper of general circulation in Clark County at least 10 days prior to the date of the public hearing. The applicant should be aware that the newspaper has deadlines for submittal of public notices. It is the sole responsibility of the applicant to meet these deadlines.

**Public Notice  
Sellersburg, Indiana  
Board of Zoning Appeals/Plan Commission**

The Board of Zoning Appeals/Plan Commission will meet on 19<sup>th</sup> day of June, 2017 at 6 p.m. at 316 East Utica Street Sellersburg, Indiana 47172 for the purpose of holding a public hearing and acting on the following:

Requested Action: The applicant is requesting a Variance to

Build a Pole Barn

At the following commonly known address: 2213 Perry Crossing Rd. Sellersburg IN  
47172

The petition is available for public review at the Commission of Buildings and Code Enforcement 316 East Utica Street Sellersburg, Indiana 47172 between the hours 9 a.m. to 4 p.m. 10 days prior to the meeting.

Interested persons desiring to present comments either in writing or verbally will be given the opportunity to be heard at the aforementioned time and place. Written comments to the proposal that are filed with the Building Commissioner before the hearing will be considered. The hearing may be continued from time to time, as may be found necessary.

JR. Dreyer  
502-216 2335

**SELLERSBURG ZONING APPEALS BOARD  
AGENDA**

June 19, 2017

1. Roll Call
2. Approve the minutes from the May 15, 2017 meeting.
3. Unfinished Business –

NONE

4. New Business –

Petition # 0617-001 J. R. Dreyer requesting a variance from Section 2.1.2.1 to allow a 40' X 80' pole barn to be built on the property for a use not permitted by use under this section.

5. Adjourn.

Respectfully Submitted  
J. Greg Dietz  
Building Commissioner, Town of Sellersburg

Sellersburg Board Of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Petition #: 0617-001

By Petitioner(s): J.R. Dreyer and Mariann Basham

Concerning Variance at the address of: 2213 Perry Crossing Rd., Sellersburg, Indiana 47172

# # #  
Yea  5 Nay  0 Abstain  0 Pass  X

1. Motion to determine that the variance will not be injurious to the health, safety and welfare of the community. Motion Randy Mobley Second Francis Conway

Yea  5 Nay  0 Abstain  0 Pass  X

2. Motion to determine that the variance will not have substantial adverse effect on any neighboring or adjacent property owners. Motion Charles Papp Second Randy Mobley

Yea  5 Nay  0 Abstain  0 Pass  X

3. Motion to determine that the need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested is in otherwise compliance with Town Ordinance 4.3.1(3). Motion Randy Mobley Second Francis Conway

Yea  Nay  Abstain  Pass

~~4.~~ Motion to determine that strict application of the Zoning Ordinance will constitute an unnecessary economic hardship on the property owner. (Not required if the requested relief is a dimensional variance from development standards.) Motion \_\_\_\_\_ Second \_\_\_\_\_

Yea  Nay  Abstain  Pass

~~5.~~ Motion to determine that the variance is the minimum necessary to permit the proposed development, such that the substantial intent and purpose of the ordinance is preserved. Motion \_\_\_\_\_ Second \_\_\_\_\_

Yea  5 Nay  0 Abstain  0 Pass  X

6. Motion to approve/~~not approve~~ the variance based on the overall votes above. Motion Randy Mobley Second Charles Papp

The decision of the Sellersburg Board of Zoning Appeals concerning Petition # 0617-001

Approved  Denied

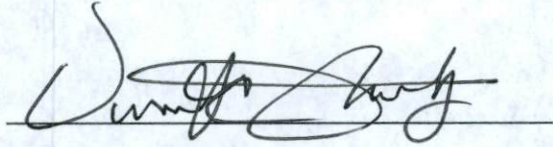
Special Conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

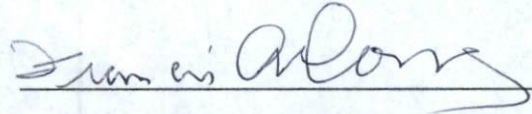
Sellersburg Board Of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Signature Page – Petition # 0617-001

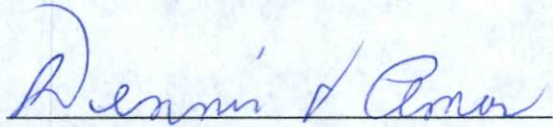
Signed this 19 day of June, 2017



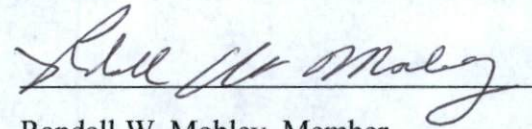
Vincent C. Thacker, Jr., President



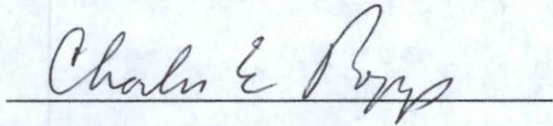
Francis A. Conroy, Vice-President



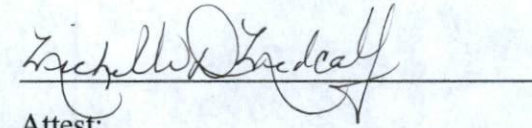
Dennis V. Amos, Member



Randall W. Mobley, Member



Charles E. Popp, Member



Attest:



PETITION#: 0617-001  
FEE: \$200.00  
RECIPT# 5691

## PETITION

PLEASE PRINT LEGIBLY

SELLERSBURG, INDIANA

PETITION FOR:

BOARD OF ZONING APPEALS

PLANNING COMMISSION

Name of Applicant:

J.R. Dreyer & Mariann Basham

Applicant's Address:

2213 Perry Crossing Rd. Sellersburg, IN 47172

Email Address:

jr.dreyer@yahoo.com

Telephone Number:

502-216-2335

Fax Number:

Date of Application:

5-1-17

Township:

Carr

Address or Property Subject to This Petition:

2213 Perry Crossing Rd. Sellersburg, IN 47172

Grant:

or Section:

Congressional Township:

Carr

Range:

Municipal Township:

Zoning Classification:

A

Subdivision (if applicable):

Please Check the Applicable Box:

Amendment to the Official  
Zoning Maps of Sellersburg

Variance to the Zoning  
Ordinance of Sellersburg

Special Exception as Required by the  
Zoning Ordinance of Sellersburg

Other

Describe Detailed Use:

40'x80' pole barn used to store vehicles,  
Atv's, boat, skid steer, tractor, equip etc. & general storage

(ATTACH MORE SHEETS IF NECESSARY)

Specific Reason for Requesting:

A Rezoning from \_\_\_\_\_ to \_\_\_\_\_

A Variance to the Zoning Ordinance of Sellersburg

A Subdivision Plat as required by the Zoning Ordinance of Sellersburg

Special Exception as required by the Zoning Ordinance of Sellersburg



Please Explain (BE SPECIFIC AND INCLUDE DETAILS):

Build a 40'x80' pole barn used to store vehicles, Atv's  
boat, skid steer, tractor, equip etc. & general storage

Dated and signed by petitioner(s) in the county of Clark, State of Indiana, this 8 day of May, 2017

J.R. Depa

Petition Prepared By (Signature)

All Legal Owners (Named on Deed) Must Sign

- FOR OFFICE USE ONLY
- FOR **RECOMMENDATION** BY PLAN COMM TO COUNCIL
- FOR **FINAL DECISION** BY PLAN COMMISSION
- FOR **FINAL DECISION** BY BOARD OF ZONING APPEALS

DRAWING ATTACHED OR UNDER SEPARATE COVER  
\*\*REQUIRED\*\*



Please Provide the Following:

1. Attach the legal description of the property.
2. Attach a development plan depicting all information required and information the applicant believes necessary for review by the Board or Commission; including, as applicable: parcel dimensions, locations of streets, driveways, location and number of parking spaces, sewer and water lines, and other appropriate information.
3. Proof of Zoning ( 1993 zoning map will apply without recorded proof of zoning )
4. Include any additional evidence necessary to support the petition.

I affirm, under the penalties of perjury that the foregoing representations are true.

Applicant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Applicant's Name (printed): \_\_\_\_\_

Please complete and attach the Findings of Fact worksheets of this Petition before submitting to the Commission of Buildings and Code Enforcement, as well as the Affidavit of Notice of Public Hearing found within this Petition application. Please note the following requirements regarding time-sensitive notices, required by IC 36-7-4-604 and IC 5-3-2, and read in the Sellersburg Zoning Ordinance as follows:

1. The petitioner must mail a notice of hearings by certified mail, return receipt to each of the abutting property owners no less than ten (10) days prior to the hearing.
2. Notice of public hearing shall be published one time at least ten (10) days before the date of the hearing.
3. A sign depicting the Notice of a Public Hearing must be posted in a conspicuous space on the subject property, along all road frontage of the subject property, at least ten (10) days prior to the hearing.

Please submit proof of mailings and proof of publication from the newspaper to the Commission of Buildings and Code Enforcement 7 days prior to the hearing of the Petition.

Please use the Public Notice templates within this Petition application for the mailings and publication. DO NOT ALTER ANY WORDING IN THIS TEMPLATE, ONLY FILL IN THE BLANKS WITH THE APPROPRIATE INFORMATION.



SECTION TWO

DISTRICT REQUIREMENTS AND USES

**Section 2.1 - Agriculture (A District)**

**2.1.1 – Purpose and Intent**

This district is intended to help minimize conversion of farmland to non-farm use, and to protect agricultural areas from urban encroachment and reduce conflict over competing land uses. Urban growth will be regulated to occur where it can be safely located and economically served by public facilities, such as roads, water, schools, police and fire protection, etc.. through the rezoning process. Subdivisions (except for bona fide agricultural purposes) are prohibited in the A district.

**2.1.2 - Use Regulations**

2.1.2.1 - Uses Permitted by Right

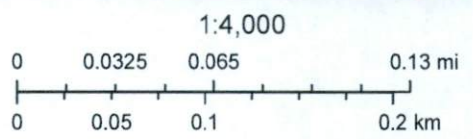
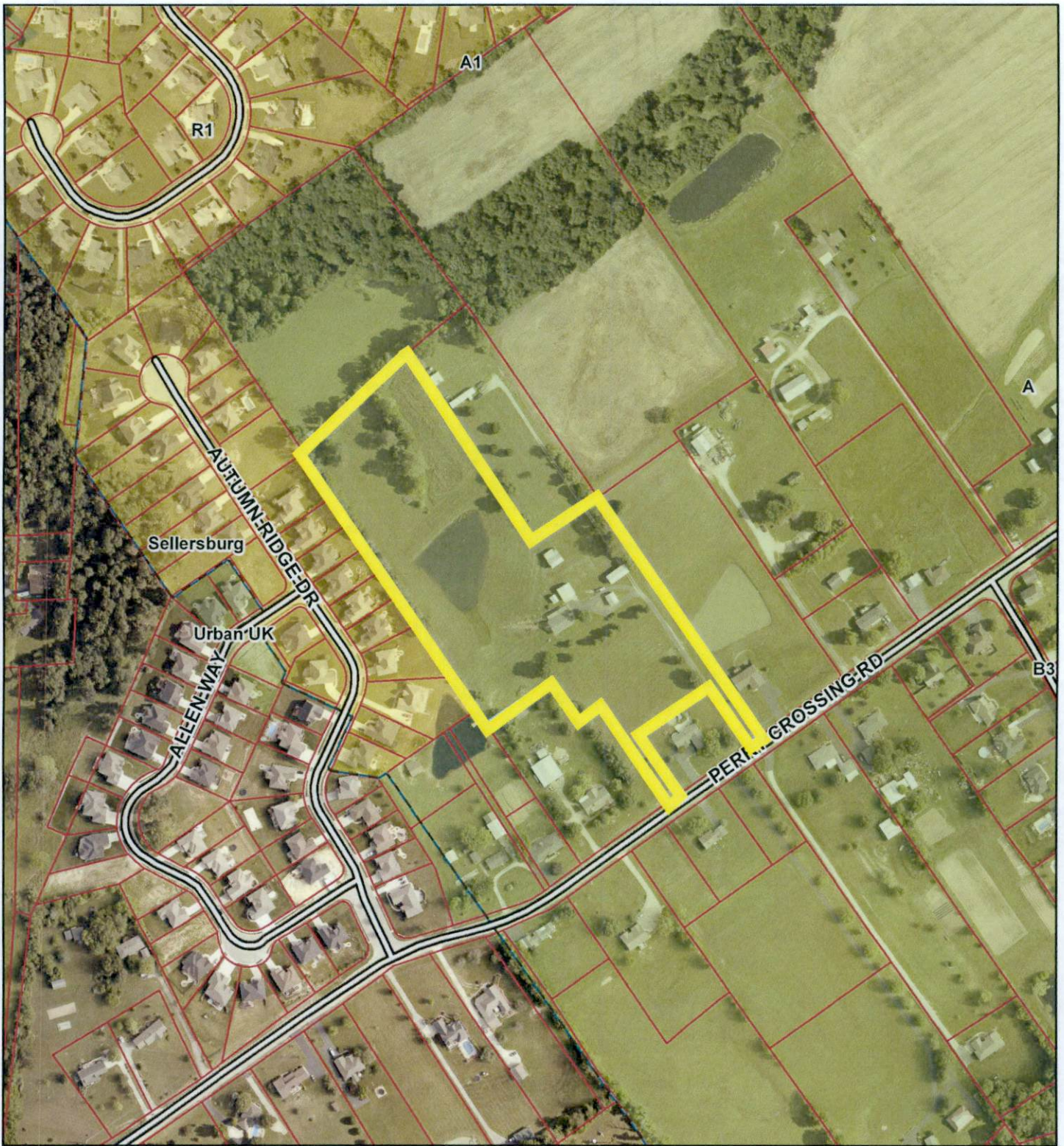
No building or structure, or part thereof, shall be erected, altered, or used, in the whole or in part, for other than one or more of the following specified areas

- (1) Agricultural crops.
- (2) Commercial Greenhouses.
- (3) Farm Products (i.e., produce).
- (4) Livestock Raising.
- (5) Parks and Playgrounds.
- (6) Single-family Dwellings.

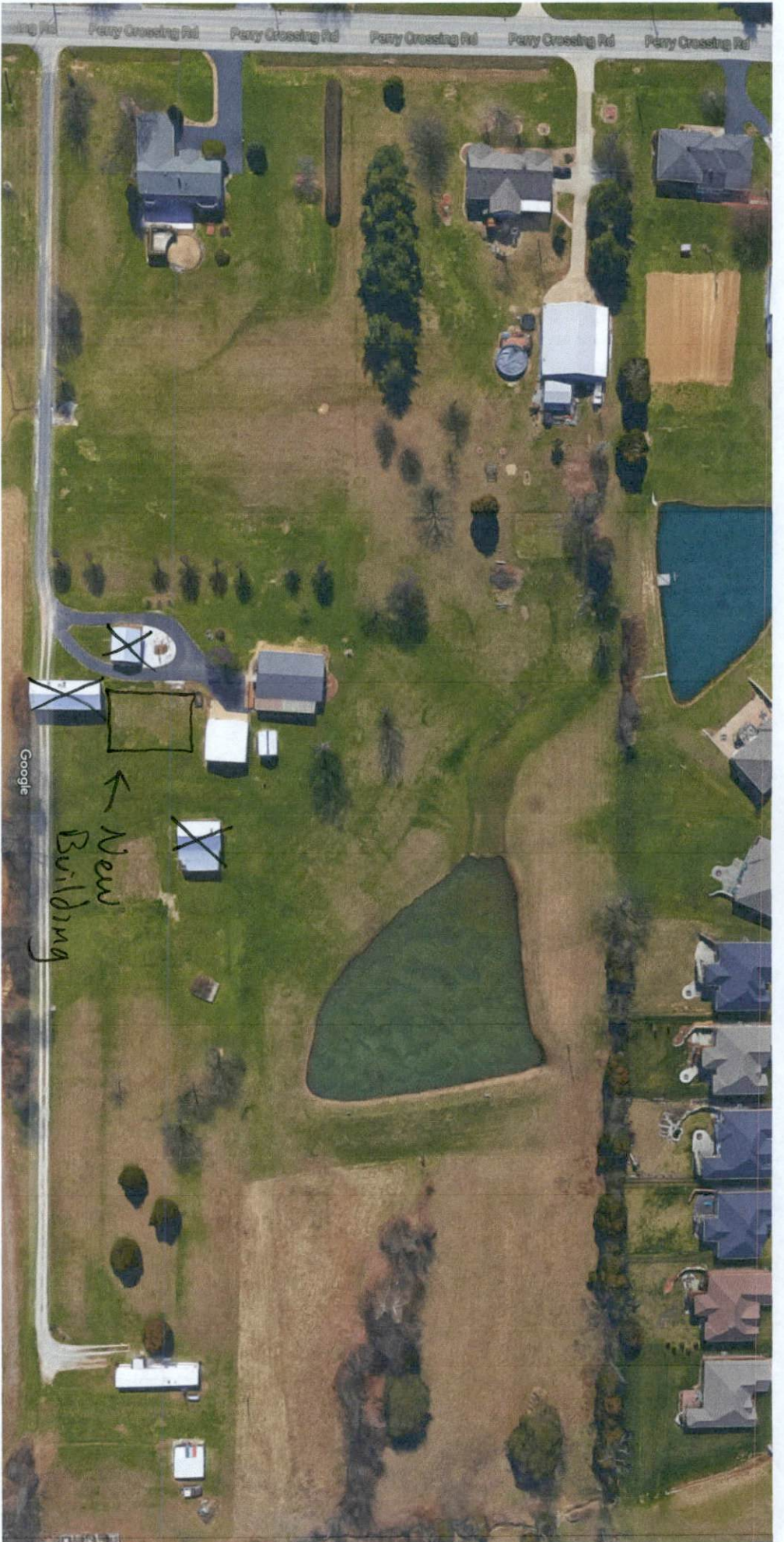
2.1.2.2 - Contingent Uses

The following uses are permitted subject to conditions set forth in Section 3.5 and the granting of a "contingent use" permit by the Board of Zoning Appeals after a public hearing:

- (1) Fire and Police Stations.
- (2) Municipal Buildings (Garage/Repair/Storage).
- (3) Religious Organizations.
- (4) Schools.



2213 Perry Crossing Road



# Mueller, Inc.

## 3D Design

### Tool

### Project

## Specifications

[Mueller Internal Sales Spec](#)

Project Email:

[jr.dreyer@yahoo.com](mailto:jr.dreyer@yahoo.com)

Project Name: New

**Barn Rough Layout**

Project Date: 2017-04-06 12:45:22

#### Building Details:

Basics (in ft.):

width: 40

length: 80

height: 14

pitch: 3

overhang\_sides: 1

overhang\_end: 1

no\_walls: false

single\_slope: none

ridge\_vent\_type: low

ridge\_vent\_mode:

continuous

Wainscot: Yes

Gutter: Yes

Leanto Right: length:

15, pitch: 1, drop: 2,

cut\_front: 0, cut\_back:

0

#### Colors:

Wall: Charcoal

Roof: Smokestack  
Gray

Trim: Black

RollUp: White

Vent: Smokestack  
Gray



Wainscot: Black

**Addons:**

door\_4x7, wall: right,  
horizontal: 35.825,  
vertical: 0

rollup\_12x10, wall:  
right, horizontal:  
-31.92656380223948,  
vertical: 0

rollup\_12x10, wall:  
right, horizontal:  
-10.985241908005074,  
vertical: 0

rollup\_12x10, wall:  
right, horizontal: 8.35,  
vertical: 0

window\_6x3, wall:  
right, horizontal:  
26.70190596722881,  
vertical: 5.5005

rollup\_12x12, wall:  
front, horizontal: 0,  
vertical: 0

rollup\_12x12, wall:  
back, horizontal: 0,  
vertical: 0

Print Spec

Close Window



Cynthia Dalgarn  
 Clark County Assessor  
 501 E Court Avenue, Rm 111  
 Jeffersonville, IN 47130




**NOTICE OF ASSESSMENT OF LAND AND STRUCTURES**  
 State Form 21366 (R15 / 11-15)

Prescribed by Department of Local Government Finance

**FORM 11**

This notice indicates the assessed value of your property. Information on the valuation of your property and a copy of the property record card can be obtained from the Assessing Official at the telephone and address below.

Name and Address of property owner  
 31995 \*\*\*\*\*AUTO\*\*5-DIGIT 47170 T65 P1  
 BASHAM MARIANN M AND DREYER JR  
 2213 PERRY CROSSING RD  
 SELLERSBURG, IN 47172-9347



Legal Description  
 GT 165 7.8913 AC

Parcel or Identification number  
 10-45-16-500-002.000-043

Property address (number and street, city state and ZIP code)  
 2213 PERRY CROSSING, SELLERSBURG, IN

**Notice to the taxpayer of the opportunity to appeal (IC 6-1.1-15-1):**

If the taxpayer does not agree with the action of the Assessing Official giving this notice, an appeal can be initiated to challenge that action if the taxpayer files a notice for review in writing with the Township Assessor (if any) or the County Assessor not later than forty-five (45) days after the date of this notice of assessment. The written notice for review should include the name of the taxpayer, the address of the property, the key number or the parcel number of the property, the address of the taxpayer (if different from the property address), and the telephone number of the taxpayer. An Assessing Official who receives a notice for review must attempt to hold a preliminary informal meeting with the taxpayer to resolve as many issues as possible. The taxpayer may use a Form 130-Short to file this appeal. This form is available from the Assessing Official or at <https://forms.in.gov/Download.aspx?id=6979>. An appeal of this assessed value requires evidence relevant to the value of the taxpayer's property as of the assessment date.

PREVIOUS ASSESSMENT		NEW ASSESSMENT EFFECTIVE JANUARY 1, 2017	
LAND	\$33,400.00	LAND	\$33,000.00
STRUCTURES	\$131,700.00	STRUCTURES	\$144,600.00
<b>TOTAL</b>	<b>\$165,100.00</b>	<b>TOTAL</b>	<b>\$177,600.00</b>

Reason for revision of assessment: ANNUAL ADJUSTMENT

**THIS IS NOT A BILL (RETAIN FOR YOUR RECORDS)**

This notice was sent to inform you of your assessment for January 1st, 2017 payable 2018. You have **45 days** from the date of this notice to appeal your assessment.

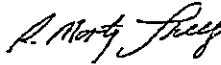
The Deadline to file an appeal will be **Monday, June 12<sup>th</sup>, 2017**.

**You will not be able to appeal your assessment from the tax bill that you will receive next spring.** Review your property record card to ensure accuracy. Your property record card is available on our website at <http://www.39dn.com> or <http://www.xsoftin.com/clark>

If the change in assessment is due to a new home, a taxpayer should be aware that there are many property tax benefits or deductions available. Please see INDIANA PROPERTY TAX BENEFITS (State Form 51781) available on the DLGF website, [www.in.gov/dlgr](http://www.in.gov/dlgr). If the real property is reassessed because it has been rehabilitated, a taxpayer may be eligible for rehabilitation deductions - see Form 322A or Form 322/RE. If the non-residential real property is reassessed because it has been rehabilitated, a taxpayer may be eligible for rehabilitation deductions - see Form 322A. Other non-residential construction may be eligible for deductions - see Forms 322/RE & Form 322/VBD.

County CLARK	Taxing District Number - Name 043 - CARR TWP-SELLERSBURG TOWN	Date of Notice (month, day, year) <b>04/28/2017</b>
Assessing Official CYNTHIA DALGARN		Telephone Number (812)285-6225
Address (number and street, city, state ZIP code) 501 E. COURT AVENUE, ROOM 111, JEFFERSONVILLE IN 47130		

Parcel Number:  
10-45-16-500-002.000-043  
Alt Parcel Number  
45-00001-002-0  
Grantee's(s) Name(s), Address,  
Property Address, and  
Mail Tax Statements To:  
Mariann M. Basham and J. R. Dreyer  
2213 Perry Crossing Rd Sellersburg, IN 47172

Duly Entered For Taxation  
Subject To Final Acceptance  
For Transfer  
Mar 27 2017 - GA  
  
Auditor of Clark County

**QUITCLAIM DEED**

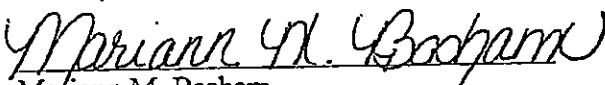
This indenture witnesseth that, **MARIANN M. BASHAM**, an adult, of Clark County, Indiana, does hereby, for valuable consideration, the receipt whereof is acknowledged, but no monetary consideration, CONVEY AND QUITCLAIM to herself, **MARIANN M. BASHAM**, an adult, of Clark County, Indiana, and **J. R. DREYER**, an adult, of Clark County, Indiana, as Joint Tenants with Rights of Survivorship, the following described real estate in Clark County, Indiana, to-wit:

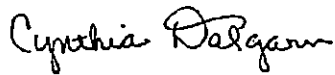
See Exhibit A, attached hereto and incorporated herein.

This conveyance is subject to any and all easements and/or restrictions of public record that may apply to the above described real estate and all real estate taxes now due or hereafter payable on the above described real estate.

Being the same property acquired by Mariann M. Basham by Deed dated August 6, 2015, and recorded August 11, 2015, as Instrument Number 201514453, in the Office of the Recorder of Clark County, Indiana.

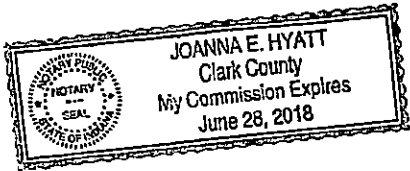
In witness whereof, Mariann M. Basham executed this Deed on this 27 day of March, 2017.

  
Mariann M. Basham

  
CLARK CO, IN ASSESSOR

STATE OF INDIANA COUNTY OF CLARK )

Before me, a Notary Public in and for said County and State, this 27 day of March, 2017, personally appeared Mariann M. Basham who swore to the truth of the representations contained herein and who acknowledged the free and voluntary execution hereof.



Joanna E. Hyatt  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Resident of \_\_\_\_\_ County, Indiana

Prepared without benefit of title search, based upon information provided by the Grantees and/or the Grantor, by Culler Law Office, LLC, Ronald D. Culler, Attorney, 2123 Veterans Parkway, Jeffersonville, Indiana 47130, phone 812-284-2685, at the specific request of the parties and is based solely on information supplied by one or more those parties and without examination for accuracy. This preparer assumes no liability for any errors, inaccuracy or omissions in this instrument resulting from the information provided. The parties accept this disclaimer by Grantor's execution of this document or Grantees' acceptance.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law, Joanna E. Hyatt.  
Person's name presenting for recording



Exhibit A

Being Lot Number 5 in the partition of the real estate of Stephen Allen, deceased, made by Moses Poindexter and George Davis, Commissioners, as shown by report and plat of such partition recorded on Pages 98 and 105 of Deed Record No. 64 of the Recorder's Office of Clark County, Indiana, and being part of Survey No. 165 of the Illinois Grant and bounded thus: Beginning at a stake in the center of the highway and south corner of Lot No. 4 of said partition; thence North 39 deg. 30' West 102.2 poles to the original grant line dividing Surveys Nos. 165 and 182 of said grant; thence S. 50 deg. 30' W. 29 poles with said original line to the north corner of Lot No. 6 of said partition; thence S. 39 deg. E. 102.2 poles to a stake in the center of the highway; thence N. 50 deg. 30' E. 29 poles to the place of beginning, containing 18 Acres, 2 rods and 3 poles.

EXCEPTING THEREFROM the following described real estate: A part of Survey No. 165 of the Illinois Grant, Carr Township, Clark County, Indiana, described as follows: Beginning at an iron pipe found on the line between Surveys No. 164 & 165, Thence N. 55 deg. E. 497.01 feet along the center of Perry Crossing Road to a nail THE TRUE PLACE OF BEGINNING, Thence N. 55 deg. E. 208.71 feet to a nail, Thence N. 33 deg. 50' W. 208.71 feet to an iron pin, Thence S. 55 deg. W. 208.71 feet to an iron pin, Thence S. 33 deg. 50' E. 208.71 feet to THE TRUE PLACE OF BEGINNING, containing 1.0 acre more or less, subject to the County Road right-of-way and any easements of record.

ALSO EXCEPTING THEREFROM the following described real estate, to-wit: A part of Survey No. 165 of the Illinois Grant, Carr Township, Clark County, Indiana, described as follows: Beginning at an iron pipe found on the line between Surveys No. 164 & 165, Thence N. 55 deg. E. 252 feet along Perry Crossing Road to a spike found, THE TRUE PLACE OF BEGINNING, Thence N. 55 deg. E. 208.71 feet to a nail, thence N. 33 deg. 56' W. 340 feet to an iron pin, Thence S. 55 deg. W. 75 feet to an iron pin, Thence N. 33 deg. 56' W. 123.8 feet to an iron pin, Thence S. 55 deg. W. 133.71 feet to an iron pin in a fence line, Thence S. 33 deg. 56" E. 463.8 feet along the fence to THE TRUE PLACE OF BEGINNING. Containing 2.0087 acres more or less, subject to the County Road right-of-way and any easements of record.

ALSO EXCEPTING THEREFROM the following described real estate, to-wit: A part of Survey Number 165 of the Illinois Grant, Carr Township, Clark County, Indiana, and a part of lands described in Will Drawer 20, Instrument No. 1552 described as follows: Beginning at a pipe found on the line between Surveys No. 164 & 165 at the projected centerline of Perry Crossing Road; thence North 55 deg. East 730.72 feet along the center of Perry Crossing Road to a nail; Thence North 33 deg. 50' West 717.52 feet along a fence line and Meyers (19-282) to an iron pin, THE TRUE PLACE OF BEGINNING, Thence North 33 deg. 50' West 517.8 feet to an iron pin, Thence South 56 deg. 10' West 168.25 feet to an iron pin, Thence South 33 deg. 50' East 517.8 feet to an iron pin, Thence North 56 deg. 10' East 168.25 feet to THE TRUE PLACE OF BEGINNING. Containing 2.0 acres. ALSO, a roadway and utility easement, serving said 2.0 acres, described as follows: Beginning at the East corner of the above described tract, thence South 33 deg. 50' East 717.52 feet along a fence to a nail in Perry Crossing Road, thence South 55 deg. West 25 feet to a nail in Perry Crossing Road, thence North 33 deg. 50' West 718.03 feet to the Southeast line of the above described tract thence North 56 deg. 10' East 25 feet to THE TRUE PLACE OF BEGINNING.

Exhibit A, Continued

ALSO EXCEPTING THEREFROM: Being a part of Survey #165 of the Illinois Grant to Clark County, Indiana, further described as follows: Beginning at a stone on the west corner of said Survey 165; Thence N. 54 deg. 40' 31" E., along the northwestern line of said Survey, 277.05 feet to a steel pin, THE TRUE PLACE OF BEGINNING; Thence N. 54 deg. 27' 16" E., along said northwestern line, 479.87 feet to a steel pin; Thence N. 34 deg. 25' 52" E., 464.4 feet to a steel pin on the northernmost corner of a tract of land described in Deed Drawer 20, Instrument 11,404; Thence S. 49 deg. 35' 04" W., along the northwestern line of said tract 165.56 feet to a steel pin; Thence N. 48 deg. 55' 20" W., 316.4 feet to a steel pin in the easternmost corner of Lot 23 in Autumn Ridge Subdivision, as shown in Plat Book 14, Page 31 of said County records; Thence N. 34 deg. 31' 37" W., along the northeastern line of said subdivision, 508.95 feet to THE TRUE PLACE OF BEGINNING. Containing 5.35 acres and being subject to all easements of record.

**Proof of  
Publication**

**Public Notice  
Sellersburg, Indiana  
Board of Zoning Appeals/  
Plan Commission**

The Board of Zoning Appeals/Plan Commission will meet on 19<sup>th</sup> day of June, 2017 at 6 p.m. at 316 East Utica Street Sellersburg, Indiana 47172 for the purpose of holding a public hearing and acting on the following:

Requested Action: The applicant is requesting a Variance to Build a Pole Barn

At the following commonly known address: 2213 Perry Crossing Rd. Sellersburg, IN 47172

The petition is available for public review at the Commission of Buildings and Code Enforcement 316 East Utica Street Sellersburg, Indiana 47172 between the hours 9 a.m. to 4 p.m. 10 days prior to the meeting.

Interested persons desiring to present comments either in writing or verbally will be given the opportunity to be heard at the aforementioned time and place. Written comments to the proposal that are filed with the Building Commissioner before the hearing will be considered. The hearing may be continued from time to time, as may be found necessary. hspaxlp

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

**Ginger Baxter 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: 05-11 2017**

(x) Ginger Baxter

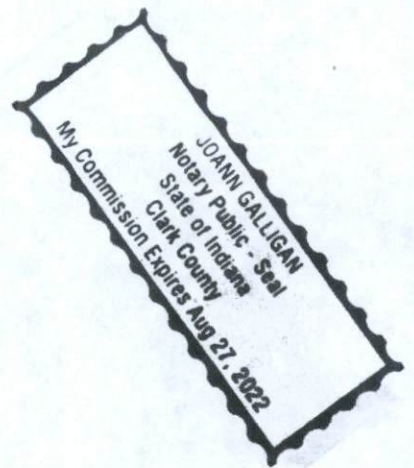
**STATE OF INDIANA  
COUNTY OF CLARK**

**Subscribed and sworn to before me this**

12<sup>TH</sup> day of May 2017

(X) Joann Galligan  
Joann Galligan

**Notary Public, Clark County, Indiana  
(My Commission Expires August 27, 2022**



**Publication  
Fee \$ 97.65**

**1322944**

2111 Commercial Exchange Blvd SE  
Salem, OR 97302  
503-586-1111  
Fax: 503-586-1112

# Sellersburg Board of Zoning Appeals

May 15, 2017

The minutes as written are not verbatim from the meeting

## **CALL TO ORDER:**

President Vincent C. Thacker, Jr., called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:01 p.m. at Sellersburg Town Hall, 316 East Utica Street on May 15, 2017.

## **ROLL CALL:**

Members present: President Vincent C. Thacker, Jr., Vice-President, Francis A. Conroy, Members, Dennis V. Amos, Charles Popp and Randall W. Mobley. Also, present was Attorney Brock Dawson.

## **APPROVAL OF MINUTES:**

Francis A. Conroy moved, seconded by Dennis V. Amos, to approve the minutes of April 17, 2017 meeting. 4-aye, 0-nay, 1-abs, motion is approved.

## **UNFINISHED BUSINESS:**

NONE

## **NEW BUSINESS:**

Petition # 0517-001 Christopher Dan Kummer requesting a variance of the required 5-foot rear yard as required in 2.9.4

Charles E. Popp moved, seconded by Francis A. Conroy, to close the regular meeting. 5-aye, 0-nay, motion is approved.

Randall W. Mobley moved, seconded by Charles E. Popp, to open a public hearing. 5-aye, 0-nay, motion is approved. Hearing opened at 6:04 p.m.

The following from the public spoke about the petition:

C. Dan Kummer 616 E. Utica St., Sellersburg, IN

Joe Booher 255 Highland Ave., Sellersburg, IN

Kenneth Alexander 701 E. Utica St., Sellersburg, IN

Francis A. Conroy moved, seconded by Randall W. Mobley, to close the public hearing. 5-aye, 0-nay, motion is approved.

Charles E. Popp moved, seconded by Randall W. Mobley to reopen the regular meeting. 5-aye, 0-nay, motion is approved. Meeting reopened at 6:11 p.m.

# Sellersburg Board of Zoning Appeals

May 15, 2017

The minutes as written are not verbatim from the meeting

Francis Conroy moved, seconded by Randall W. Mobley, that the variance will not be injurious to the health, safety and welfare of the community. 5-aye, 0-nay, motion is approved.

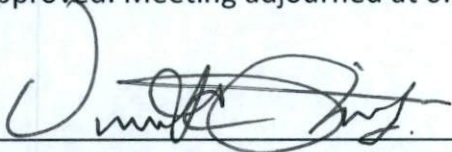
Randall W. Mobley moved, seconded by Francis A. Conroy, that the variance will not have substantial adverse effect on any neighboring or adjacent property owners. 5-aye, 0-nay, motion is approved.

Francis A. Conroy moved, seconded by Dennis V. Amos, that the variance arises from some uncommon condition particular to the property in question and that the variance requested is otherwise in compliance with Town Ordinance 4.3.1(3). 5-aye, 0-nay, motion is approved.


Randall W. Mobley moved, seconded by Charles E. Popp to approve petition #0517-001. 5-aye, 0-nay, motion is approved.

## ADJOURN:

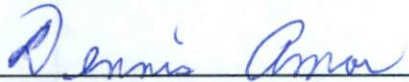
Dennis V. Amos moved, seconded by Francis A. Conroy, to adjourn the meeting. 5-aye, 0-nay, motion is approved. Meeting adjourned at 6:17 p.m.



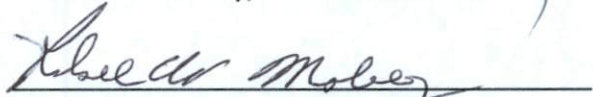
Vincent C. Thacker, Jr., President



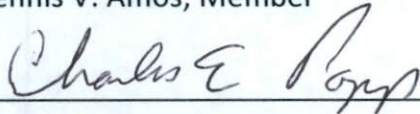
Francis A. Conroy, Vice-President



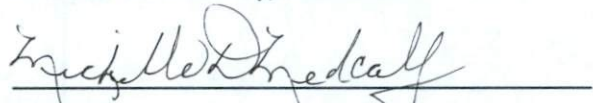
Dennis V. Amos, Member



Randall W. Mobley, Member



Charles E. Popp, Member



ATTEST:

Sellersburg Board Of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Petition #: 0517-001

By Petitioner(s): Christopher Dan Kummer

Concerning Variance at the address of: 616 E. Utica St.

Yea  #  #  #  
Yea  5 Nay  0 Abstain  Pass  X

1. Motion to determine that the variance will not be injurious to the health, safety and welfare of the community.

Yea  5 Nay  0 Abstain  Pass  X

2. Motion to determine that the variance will not have substantial adverse effect on any neighboring or adjacent property owners.

Yea  5 Nay  0 Abstain  Pass  X

3. Motion to determine that the need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested is in otherwise compliance with Town Ordinance 4.3.1(3).

Yea  Nay  Abstain  Pass

4. Motion to determine that strict application of the Zoning Ordinance will constitute an unnecessary economic hardship on the property owner. *(Not required if the requested relief is a dimensional variance from development standards.)*

Yea  Nay  Abstain  Pass

5. Motion to determine that the variance is the minimum necessary to permit the proposed development, such that the substantial intent and purpose of the ordinance is preserved.

Yea  5 Nay  0 Abstain  Pass  X

6. Motion to approve/not approve the variance based on the overall votes above.

The decision of the Sellersburg Board of Zoning Appeals concerning Petition # 0517-001

Approved  X Denied

Special Conditions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

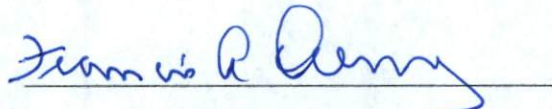
Sellersburg Board Of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Signature Page – Petition # 0517-001

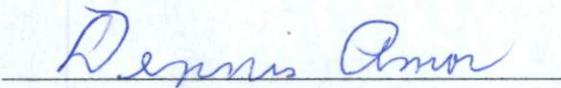
Signed this 15<sup>th</sup> day of MAY, 2017



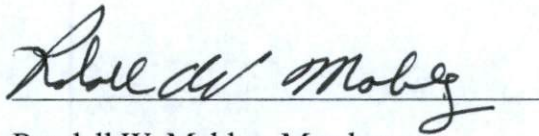
Vincent C. Thacker, Jr., President



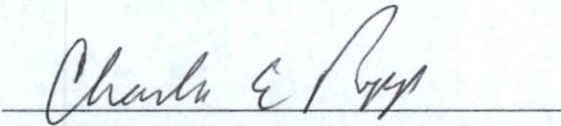
Francis A. Conroy, Vice-President



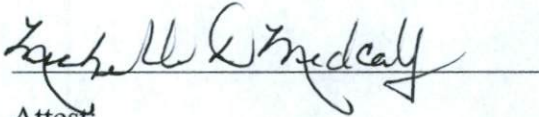
Dennis V. Amos, Member



Randall W. Mobley, Member



Charles E. Popp, Member



Attest:





PETITION#: 0517-001  
FEE: \$200.00  
RECIPT# 5667

# PETITION

PLEASE PRINT LEGIBLY

SELLERSBURG, INDIANA

PETITION FOR: BOARD OF ZONING APPEALS  PLANNING COMMISSION

Name of Applicant: Christopher Dan Kummer

Applicant's Address: 616 E UTICA ST

Email Address: DNKUMR@GMAIL.COM

Telephone Number: 502 777-9013 Fax Number: \_\_\_\_\_

Date of Application: \_\_\_\_\_ Township: SILVER CREEK

Address or Property Subject to This Petition: 616 E UTICA ST

Grant: \_\_\_\_\_ or Section: \_\_\_\_\_ Congressional Township: \_\_\_\_\_ Range: \_\_\_\_\_

Municipal Township: \_\_\_\_\_ Zoning Classification: B-2 Subdivision (if applicable): \_\_\_\_\_

Please Check the Applicable Box:

<b>Amendment to the Official Zoning Maps of Sellersburg</b>	<b>Variance to the Zoning Ordinance of Sellersburg</b>	<b>Special Exception as Required by the Zoning Ordinance of Sellersburg</b>	<b>Other</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Describe Detailed Use: Residential Garage

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(ATTACH MORE SHEETS IF NECESSARY)

**Specific Reason for Requesting:**



A Rezoning from \_\_\_\_\_ to \_\_\_\_\_

A Variance to the Zoning Ordinance of Sellersburg

A Subdivision Plat as required by the Zoning Ordinance of Sellersburg

Special Exception as required by the Zoning Ordinance of Sellersburg

**Please Explain (BE SPECIFIC AND INCLUDE DETAILS):**

For Set back for 5' to 3' on  
2 sides

Dated and signed by petitioner(s) in the county of Clark, State of Indiana, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Petition Prepared By (Signature)

\_\_\_\_\_  
All Legal Owners (Named on Deed) Must Sign

- FOR OFFICE USE ONLY
- FOR **RECOMMENDATION** BY PLAN COMM TO COUNCIL
  - FOR **FINAL DECISION** BY PLAN COMMISSION
  - FOR **FINAL DECISION** BY BOARD OF ZONING APPEALS

DRAWING ATTACHED OR UNDER SEPARATE COVER  
\*\*REQUIRED\*\*



Please Provide the Following:

1. Attach the legal description of the property.
2. Attach a development plan depicting all information required and information the applicant believes necessary for review by the Board or Commission; including, as applicable: parcel dimensions, locations of streets, driveways, location and number of parking spaces, sewer and water lines, and other appropriate information.
3. Proof of Zoning ( 1993 zoning map will apply without recorded proof of zoning )
4. Include any additional evidence necessary to support the petition.

I affirm, under the penalties of perjury that the foregoing representations are true.

Applicant's Signature: *Christopher D Kummer* Date: 4 - 17

Applicant's Name (printed): Christopher D Kummer

Please complete and attach the Findings of Fact worksheets of this Petition before submitting to the Commission of Buildings and Code Enforcement, as well as the Affidavit of Notice of Public Hearing found within this Petition application. Please note the following requirements regarding time-sensitive notices, required by IC 36-7-4-604 and IC 5-3-2, and read in the Sellersburg Zoning Ordinance as follows:

1. The petitioner must mail a notice of hearings by certified mail, return receipt to each of the abutting property owners no less than ten (10) days prior to the hearing.
2. Notice of public hearing shall be published one time at least ten (10) days before the date of the hearing.
3. A sign depicting the Notice of a Public Hearing must be posted in a conspicuous space on the subject property, along all road frontage of the subject property, at least ten (10) days prior to the hearing.

Please submit proof of mailings and proof of publication from the newspaper to the Commission of Buildings and Code Enforcement 7 days prior to the hearing of the Petition.

Please use the Public Notice templates within this Petition application for the mailings and publication. DO NOT ALTER ANY WORDING IN THIS TEMPLATE, ONLY FILL IN THE BLANKS WITH THE APPROPRIATE INFORMATION.

# Clark County, IN

Property Assessment Detail Report  
Parcel Number: 10-17-11-000-140.000-031  
39°North- 855.GIS.3939



## Parcel Information

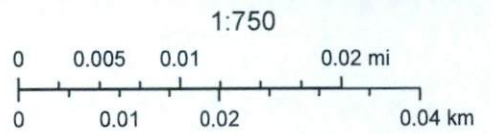
**Parcel Number:** 10-17-11-000-140.000-031  
**Alt Parcel Number:** 17-00011-003-0  
**Property Address:** 616 UTICA STREET  
**Neighborhood:** silver creek # 10  
**Property Class:** 1 Family Dwell - Platted Lot  
**Owner Name:** KUMMER CHRISTOPHER D.  
**Owner Address:** 616 EAST UTICA STREET  
SELLERSBURG, IN 47172  
**Legal Description:** DOLD-POPP ADD PT LOTS 1-2-3 BLK 1

## Taxing District

**Township:** SILVER CREEK TOWNSHIP  
**Corporation:** WEST CLARK COMMUNITY

## Land Description

<u>Land Type</u>	<u>Acreage</u>	<u>Dimensions</u>
F	None	46x50
F	None	46x50
F	None	46x50



616 East Utica Street Sellersburg

# SELLERSBURG BOARD OF ZONING APPEALS

April 17, 2017

The minutes as written are not verbatim from the meeting

## CALL TO ORDER:

President Vincent C. Thacker Jr. called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:01 PM at Sellersburg Town Hall, 316 East Utica Street on April 17, 2017.

## ROLL CALL:

Members Present: President Vincent C. Thacker, Jr., Vice-President, Francis A. Conroy, Members, Dennis V. Amos and Charles E. Popp. Also present was Attorney Brock Dawson and Building Commissioner J. Greg Dietz. Member Randall Mobley was absent.

## APPROVAL OF MINUTES:

Francis A. Conroy moved, seconded by Charles E. Popp, to approve the minutes of the March 20, 2017 meeting. 4-aye, 0 -nay, motion is approved.

## UNFINISHED BUSINESS:

NONE

## NEW BUSINESS:

Petition # 0417-001 Adrian Brown requesting a variance to build 50' X 90' pole barn at 1617 Allentown Road to store lawn mowing and excavating equipment.

Francis A. Conroy moved, seconded by Charles E. Popp, to close the regular meeting. 4-aye, 0 -nay, motion is approved.

Charles E. Popp moved, seconded by Francis A. Conroy to open a public hearing. 4-aye, 0 -nay, motion is approved. Hearing opened at 6:10

The following spoke about the petition:

Adrian Brown 2138 Allen Way  
Dan Christiani 815 Saint Joe Road East  
James Haynes 1716 Allentown Road  
Terry Haas 1727 Allentown Road  
Martina Webster 2518 Allentown Road

Francis A. Conroy moved, seconded by Charles E. Popp, to close the public hearing. 4-aye, 0 -nay, motion is approved.

Charles E. Popp moved, seconded by Francis A. Conroy, open the regular meeting. 4-aye, 0 -nay, motion is approved. Meeting reopened at 6:27 PM

Charles E. Popp moved, seconded by Francis A. Conroy, that the variance will be injurious to the health, safety and welfare of the community. 4-aye, 0 -nay, motion is approved.

# SELLERSBURG BOARD OF ZONING APPEALS

April 17, 2017

The minutes as written are not verbatim from the meeting

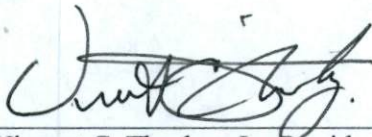
Francis A. Conroy moved, seconded by Charles E. Popp, that the variance will have substantial adverse effect on any neighboring or adjacent property owners. 4-aye, 0 -nay, motion is approved.

Francis A. Conroy moved, seconded by Charles E. Popp, that the need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested in otherwise in compliance with Town Ordinance 4.3.1(3). 4-aye, 0 -nay, motion is approved.

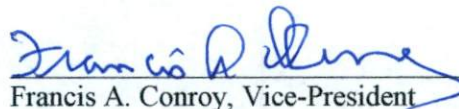
Francis A. Conroy moved, seconded by Dennis V. Amos, to deny Petition # 0417-001. 4-aye, 0 -nay, motion is approved.

## ADJOURN:

Francis A. Conroy moved, seconded by Charles E. Popp, to adjourn the meeting. 4-aye, 0 -nay, motion is approved. Meeting adjourned at 6:37 PM.



Vincent C. Thacker, Jr., President

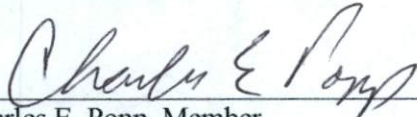


Francis A. Conroy, Vice-President

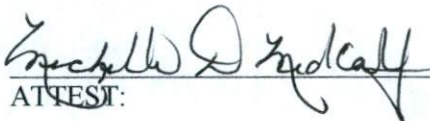


Dennis V. Amos, Member

Randall W. Mobley, Member



Charles E. Popp, Member

  
ATTEST:

417-001



PETITION#:	<del>0457</del>
FEE:	\$200.00
RECIPT#	_____

# PETITION

PLEASE PRINT LEGIBLY

SELLERSBURG, INDIANA

PETITION FOR:

BOARD OF ZONING APPEALS

PLANNING COMMISSION

Name of Applicant:

Craig Adrian Brown

Applicant's Address:

2138 Allen Way Sellersburg IN 47172

Email Address:

cadrianbrown@germanamerican.com

Telephone Number:

812-620-2818

Fax Number:

Date of Application:

2-25-17

Township:

Address or Property Subject to This Petition:

1617 Allentown Rd Sellersburg IN 47172

Grant:

\_\_\_\_\_

or Section:

\_\_\_\_\_

Congressional Township:

\_\_\_\_\_

Range:

\_\_\_\_\_

Municipal Township:

Silver Creek

Zoning Classification:

AG

Subdivision (if applicable):

\_\_\_\_\_

Please Check the Applicable Box:

Amendment to the Official Zoning Maps of Sellersburg

Variance to the Zoning Ordinance of Sellersburg

Special Exception as Required by the Zoning Ordinance of Sellersburg

Other

Describe Detailed Use:

This tract was the corner of a Soybean field until it was purchased in 2013. Currently it is vacant.

(ATTACH MORE SHEETS IF NECESSARY)



Specific Reason for Requesting:

- A Rezoning from \_\_\_\_\_ to \_\_\_\_\_
- A Variance to the Zoning Ordinance of Sellersburg
- A Subdivision Plat as required by the Zoning Ordinance of Sellersburg
- Special Exception as required by the Zoning Ordinance of Sellersburg



Please Explain (BE SPECIFIC AND INCLUDE DETAILS):

The buyer of the property is planning to build a 30x40 metal sided Pole Building with three 18 foot Doors on the front. He will not be running a business out of this location. He does light excavation and mowing and will be storing equipment at this location.

Dated and signed by petitioner(s) in the county of Clark, State of Indiana, this 04<sup>th</sup> day of March, 2017

C. Ad B  
 Petition Prepared By (Signature)

Cristy A. Brown  
C Ad B  
 All Legal Owners (Named on Deed) Must Sign

FOR OFFICE USE ONLY  
 FOR RECOMMENDATION BY PLAN COMM TO COUNCIL  
 FOR FINAL DECISION BY PLAN COMMISSION  
 FOR FINAL DECISION BY BOARD OF ZONING APPEALS

DRAWING ATTACHED OR UNDER SEPARATE COVER  
 \*\*REQUIRED\*\*



Please Provide the Following:

1. Attach the legal description of the property. *A*
2. Attach a development plan depicting all information required and information the applicant believes necessary for review by the Board or Commission; including, as applicable: parcel dimensions, locations of streets, driveways, location and number of parking spaces, sewer and water lines, and other appropriate information. *B*
3. Proof of Zoning ( 1993 zoning map will apply without recorded proof of zoning ) *N/A*
4. Include any additional evidence necessary to support the petition. *N/A*

I affirm, under the penalties of perjury that the foregoing representations are true.

Applicant's Signature: \_\_\_\_\_

*C. Adams*

Date: \_\_\_\_\_

*3-6-17*

Applicant's Name (printed): \_\_\_\_\_

**Craig Adrian Brown**

Please complete and attach the Findings of Fact worksheets of this Petition before submitting to the Commission of Buildings and Code Enforcement, as well as the Affidavit of Notice of Public Hearing found within this Petition application. Please note the following requirements regarding time-sensitive notices, required by IC 36-7-4-604 and IC 5-3-2, and read in the Sellersburg Zoning Ordinance as follows:

1. The petitioner must mail a notice of hearings by certified mail, return receipt to each of the abutting property owners no less than ten (10) days prior to the hearing.
2. Notice of public hearing shall be published one time at least ten (10) days before the date of the hearing.
3. A sign depicting the Notice of a Public Hearing must be posted in a conspicuous space on the subject property, along all road frontage of the subject property, at least ten (10) days prior to the hearing.

Please submit proof of mailings and proof of publication from the newspaper to the Commission of Buildings and Code Enforcement 7 days prior to the hearing of the Petition.

Please use the Public Notice templates within this Petition application for the mailings and publication. DO NOT ALTER ANY WORDING IN THIS TEMPLATE, ONLY FILL IN THE BLANKS WITH THE APPROPRIATE INFORMATION.

A

EXHIBIT A

Legal Description

Being a part of Survey 129 of the Illinois Grant to Clark County, Indiana and being further described as follows:

Beginning at a railroad spike on the north corner of said Survey 129; Thence S.54°35'56"W., along the northwest line of said Survey, 1651.68 feet to an iron pipe; Thence S.35°02'04"E., (passing through a "MAG" nail over a bolt at 33 feet) 113 feet to a "MAG" nail in the centerline of Allentown Road, THE TRUE PLACE OF BEGINNING:

Thence continuing S.35°02'04"E., along said centerline, 350.84 feet to a "MAG" nail;  
Thence S.55°09'16"W., (passing through a steel pin at 25 feet) 215.13 feet to a steel pin;  
Thence N.41°43'30"W., (passing through a steel pin at 100 feet) 351 feet to a steel pin;  
Thence N.54°37'35"E., (passing through a steel pin at 231.03 feet) 256.03 feet to THE TRUE PLACE OF BEGINNING.

Containing 1.89 acres and being subject to all legal highways and easements of record.



The Special Flood Hazard Area was derived from the digital representation of FEMA Flood Insurance Rate Maps (FIRM). While this map is provided for information, the FIRMs as published by FEMA are the authoritative documents for the National Flood Insurance Program.



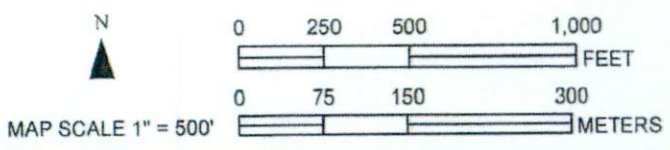
- Legend**
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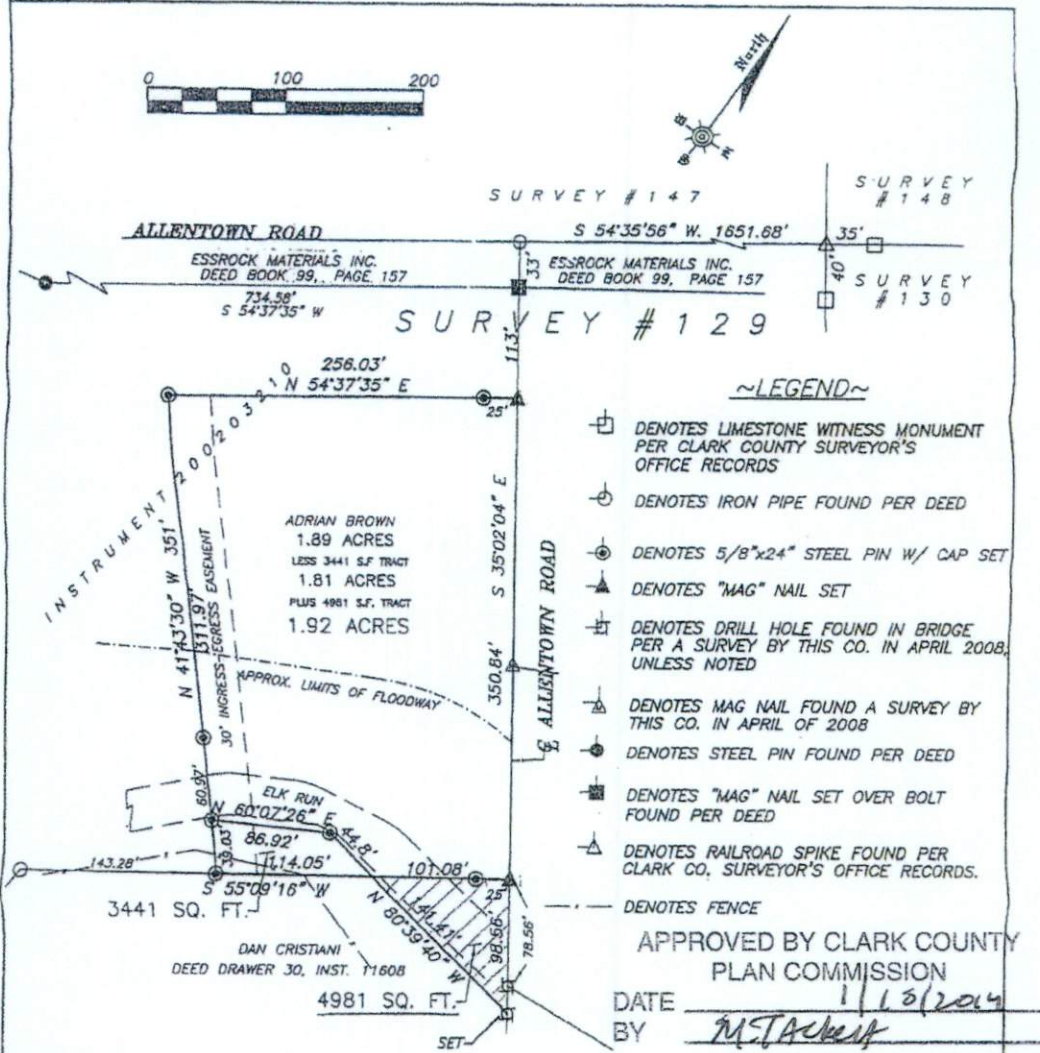
Copies of those maps can be found at <http://msc.fema.gov>

Map Source: FIRM

File Number: GN-32553

**Disclaimer**  
 This map does not reflect changes or amendments which may have been made subsequent to the effective date





- ~LEGEND~**
- DENOTES LIMESTONE WITNESS MONUMENT PER CLARK COUNTY SURVEYOR'S OFFICE RECORDS
  - ⊙ DENOTES IRON PIPE FOUND PER DEED
  - ⊕ DENOTES 5/8"x24" STEEL PIN W/ CAP SET
  - ▲ DENOTES "MAG" NAIL SET
  - ⊕ DENOTES DRILL HOLE FOUND IN BRIDGE PER A SURVEY BY THIS CO. IN APRIL 2008, UNLESS NOTED
  - ▲ DENOTES MAG NAIL FOUND A SURVEY BY THIS CO. IN APRIL OF 2008
  - ⊙ DENOTES STEEL PIN FOUND PER DEED
  - ⊕ DENOTES "MAG" NAIL SET OVER BOLT FOUND PER DEED
  - ▲ DENOTES RAILROAD SPIKE FOUND PER CLARK CO. SURVEYOR'S OFFICE RECORDS.
  - DENOTES FENCE

APPROVED BY CLARK COUNTY  
PLAN COMMISSION

DATE 1/13/2014  
BY M. Stack

SURVEY AND DRAWING OF PART OF SURVEY 129 OF THE ILLINOIS GRANT TO CLARK COUNTY, INDIANA AND BEING SITUATED ON ALLENTOWN ROAD, SELLSBURG.

- Notes:
- (1) Title examination may reveal other easements and/or Rights of ways not shown hereon. Wetlands, environmental issues, zoning regulations, and other items which may encumber this property were not included in the scope of this survey.
  - (2) All monuments shown are within 0.3 feet of flush with the surface of the ground, unless otherwise noted.
  - (3) The bearings shown hereon are grid per the Indiana State Plane Coordinate System, east zone, by G.P.S. observations.
  - (4) All tracts shown are currently vacant.

I, David R. Blankenkemper, hereby declare that I have surveyed the tract of land shown above and that this survey was executed according to the requirements of Title 865, I.A.C. 1-1 through 29 to the best of my knowledge, information, and belief, and that the field work was completed on 11 August 2013.

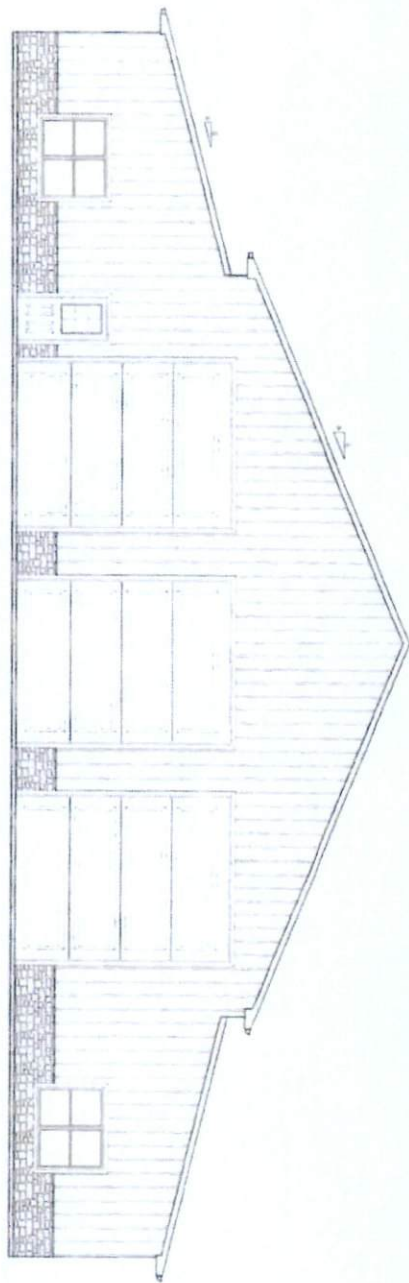
*[Signature]*  
Registered Land Surveyor No. 900011 Date



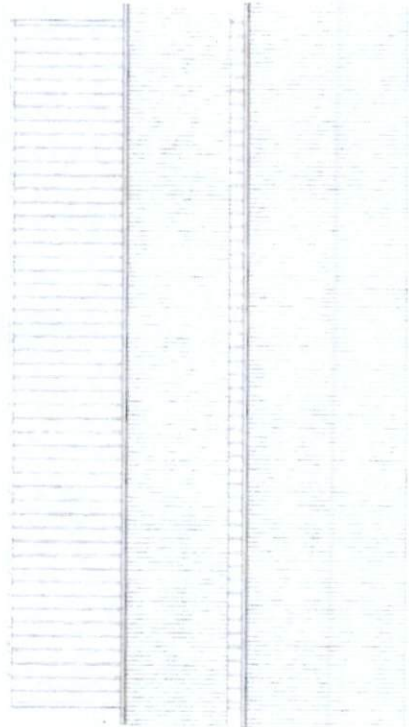
DRB  
REVISED 16 DECEMBER 2013

Copyright © 2013 Blankenkemper and Son Land Surveyors Inc., P.C. All rights reserved.	
<b>BLANKENBEKER &amp; SON</b> LAND SURVEYORS INC., P.C. 618 E. COURT AVENUE P.O. BOX 157 JEFFERSONVILLE, INDIANA 47131-0157 TELEPHONE 812-292-4189 FAX 812-292-4197 WWW.BLANKENBEKERANDSON.NET	FOR: ADRIAN BROWN 3131 GRANT LINE ROAD NEW ALBANY, IN. 47150  OWNERS: WILLIAM & CLARISSA WEBER PAGE 1 OF 2
DRAWN BY: D.R.B.	SCALE: 1" = 100 FEET
DATE: 20 AUGUST 2013	JOB No. 21,112

1. The owner hereby authorizes the Designer to prepare the Plans for the construction of the above described project and to make such changes as may be necessary to conform to the requirements of the applicable laws, codes, ordinances, regulations, and orders of the appropriate authorities. The Designer shall be responsible for obtaining all necessary permits and for complying with all applicable laws, codes, ordinances, regulations, and orders of the appropriate authorities. The Designer shall also be responsible for coordinating with the appropriate authorities to ensure that the Plans comply with all applicable laws, codes, ordinances, regulations, and orders of the appropriate authorities. The Designer shall also be responsible for providing the owner with a copy of the Plans and for explaining the Plans to the owner. The Designer shall also be responsible for providing the owner with a copy of the Plans and for explaining the Plans to the owner. The Designer shall also be responsible for providing the owner with a copy of the Plans and for explaining the Plans to the owner.



FRONT



RIGHT



SCALE NOTE: SCALE SHALL BE 1/4" = 1'-0". UNLESS OTHERWISE NOTED, ALL DIMENSIONS SHALL BE IN FEET AND INCHES. DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED. DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED. DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.

09/21 AM 1/22/2016

SheetPlan 2016 SHEET 1 OF 5

PLAN SPECIFICATIONS	
MAIN FLOOR WALLS	CONCRETE SLAB
FOUNDATION WALLS	1.00 FT
FLOOR SYSTEM	ENGINEERED TRUSS
ROOF	

DESIGN: TAYLOR SWEENEY  
 REVISED: 1/22/2016  
 DESIGNER: J&K  
 BETTER BY DESIGN  
 NEW ALBANY, IN  
 46074-2148  
 WWW.BYD-PLANS.COM  
 EMAIL: SALES@BYD-PLANS.COM



**BETTER**  
 by **DESIGN** LLC

PROJECT:  
**T. SWEENEY GARAGE**

THIS SET OF PLANS IS THE PROPERTY OF T. SWEENEY GARAGE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART OF THIS SET OF PLANS IS TO BE REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF T. SWEENEY GARAGE. ANY SUCH REPRODUCTION OR TRANSMISSION WITHOUT THE WRITTEN PERMISSION OF T. SWEENEY GARAGE IS STRICTLY PROHIBITED. THE USER OF THESE PLANS AGREES TO HOLD T. SWEENEY GARAGE HARMLESS FROM AND AGAINST ALL LIABILITY, INCLUDING REASONABLE ATTORNEY'S FEES, FOR ANY AND ALL DAMAGES, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE INCURRED BY T. SWEENEY GARAGE AS A RESULT OF THE USER'S USE OF THESE PLANS. THE USER OF THESE PLANS AGREES TO HOLD T. SWEENEY GARAGE HARMLESS FROM AND AGAINST ALL LIABILITY, INCLUDING REASONABLE ATTORNEY'S FEES, FOR ANY AND ALL DAMAGES, LOSSES, AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE INCURRED BY T. SWEENEY GARAGE AS A RESULT OF THE USER'S USE OF THESE PLANS.



SCALE

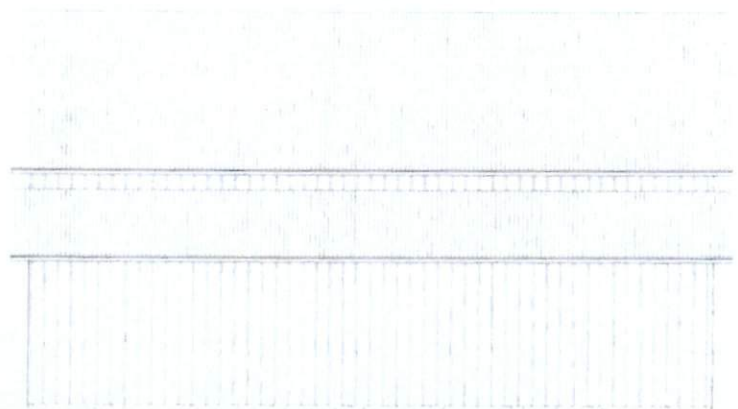
SCALE NOTE: SCALE SHALL BE 1/4" = 1' (WHEN PRINTED IN ARCH D (24X36) SIZE, WHEN PRINTED IN OTHER SIZES COMPARE RULER TO SCALE ABOVE. EACH BLOCK EQUALS 1 FOOT.

PLAN SPECIFICATIONS

MAIN FLOOR WALLS:	
FOUNDATION WALLS:	CONCRETE SLAB
FLOOR SYSTEM:	JOIST
ROOF:	ENGINEERED TRUSS



REAR



LEFT

PROJECT:  
T. SWEENEY GARAGE



DESIGN: TAYLOR SWEENEY  
 1000 W. MAIN ST.  
 CHESTER, NJ 08013  
 (609) 399-1111  
 WWW.BETTERBYDESIGN.COM  
 WWW.BDD-PLANS.COM  
 WWW.SALESMID-PLANS.COM

**T. SWEENEY GARAGE/SHED**

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

2. ALL WALLS ARE CONCRETE UNLESS OTHERWISE NOTED.

3. ALL FLOORS ARE CONCRETE UNLESS OTHERWISE NOTED.

4. ALL ROOFS ARE ENGINEERED TRUSS UNLESS OTHERWISE NOTED.

5. ALL CEILING ARE 8' CEILING UNLESS OTHERWISE NOTED.

6. ALL LIGHT STORAGE ARE LIGHT STORAGE ABOVE UNLESS OTHERWISE NOTED.

7. ALL JOISTS PER MANUFACTURER UNLESS OTHERWISE NOTED.

8. ALL LVL PER MANUFACTURER UNLESS OTHERWISE NOTED.

9. ALL 2X10 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

10. ALL 2X12 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

11. ALL 2X14 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

12. ALL 2X16 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

13. ALL 2X18 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

14. ALL 2X20 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

15. ALL 2X22 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

16. ALL 2X24 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

17. ALL 2X26 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

18. ALL 2X28 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

19. ALL 2X30 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

20. ALL 2X32 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

21. ALL 2X34 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

22. ALL 2X36 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

23. ALL 2X38 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

24. ALL 2X40 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

25. ALL 2X42 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

26. ALL 2X44 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

27. ALL 2X46 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

28. ALL 2X48 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

29. ALL 2X50 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

30. ALL 2X52 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

31. ALL 2X54 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

32. ALL 2X56 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

33. ALL 2X58 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

34. ALL 2X60 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

35. ALL 2X62 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

36. ALL 2X64 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

37. ALL 2X66 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

38. ALL 2X68 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

39. ALL 2X70 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

40. ALL 2X72 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

41. ALL 2X74 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

42. ALL 2X76 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

43. ALL 2X78 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

44. ALL 2X80 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

45. ALL 2X82 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

46. ALL 2X84 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

47. ALL 2X86 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

48. ALL 2X88 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

49. ALL 2X90 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

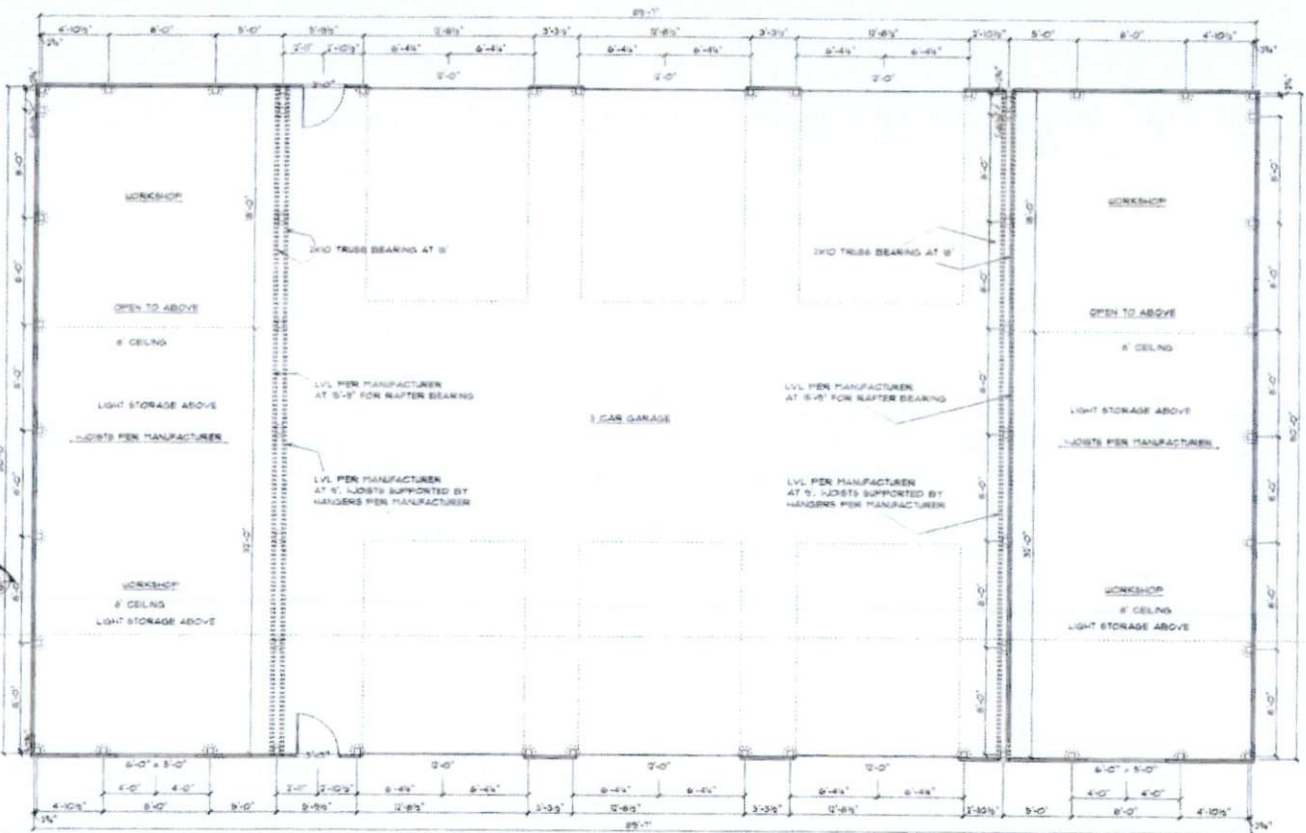
50. ALL 2X92 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

51. ALL 2X94 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

52. ALL 2X96 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

53. ALL 2X98 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.

54. ALL 2X100 TRUSS BEARING AT 8' UNLESS OTHERWISE NOTED.



**MAIN FLOOR**

SHEET 3 OF 9



**SCALE**

SCALE NOTE: SCALE WILL BE 1/4" = 1' WHEN PRINTED IN ARCH D (24X36) SIZE. WHEN PRINTED IN OTHER SIZES COMPARE RULER TO SCALE ABOVE. EACH BLOCK EQUALS 1 FOOT.

PLAN SPECIFICATIONS	
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FOUNDATION WALLS:	CONCRETE SLAB
FLOOR SYSTEM:	JOIST
ROOF:	ENGINEERED TRUSS

PROJECT  
**T. SWEENEY GARAGE**

**BOO**  
**BETTER**  
by **DESIGN** LLC

DESIGN: TAYLOR SWEENEY  
ARCHITECTURE  
CREATING ARCHITECTURE  
BETTER BY DESIGN  
NEW ALBANY, IN  
SOCIETY OF ARCHITECTS  
www.boobetterbydesign.com



#### 2.1.2.1 - Uses Permitted by Right

No building or structure, or part thereof, shall be erected, altered, or used, in the whole or in part, for other than one or more of the following specified areas

- (1) Agricultural crops.
- (2) Commercial Greenhouses.
- (3) Farm Products (i.e., produce).
- (4) Livestock Raising.
- (5) Parks and Playgrounds.
- (6) Single-family Dwellings.

2.1.2.2 - The following uses are permitted subject to conditions set forth in Section 3.5 and the granting of a "contingent use" permit by the Board of Zoning Appeals after a public hearing:  
Contingent Uses

- (1) Fire and Police Stations.
- (2) Municipal Buildings (Garage/Repair/Storage).
- (3) Religious Organizations.
- (4) Schools.

#### 2.1.2.3 - Special Exceptions

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) Airport/Heliport.
- (2) Civic and Community Clubs.

# Clark County, IN

Property Assessment Detail Report  
Parcel Number: 10-17-12-900-730.000-031  
39°North- 855.GIS.3939



## Parcel Information

**Parcel Number:** 10-17-12-900-730.000-031  
**Alt Parcel Number:** 17-00043-116-0  
**Property Address:** SAINT JOE ROAD EAST  
SELLERSBURG, IN  
**Neighborhood:** Silver Creek Res #1-Annex 13-14  
**Property Class:** Vacant - Unplatted (0 to 9.99 Acres)  
**Owner Name:** Brown C Adrian & Cristy A  
**Owner Address:** 2138 Allen way  
Sellersburg, IN 47172  
**Legal Description:** Gt 129--1.81 Ac

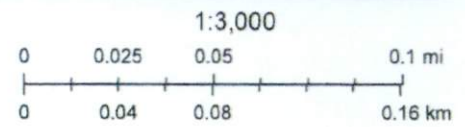
## Taxing District

**Township:** SILVER CREEK TOWNSHIP  
**Corporation:** WEST CLARK COMMUNITY

## Land Description

<u>Land Type</u>	<u>Acreage</u>	<u>Dimensions</u>
91Rr	0.81	
9Rr	1.0	

1617 Allentown Road Sellersburg Indiana



Sellersburg Board Of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Petition #: 0417-001

By Petitioner(s): Craig Adrian Brown

Concerning Variance at the address of: 1617 Allentown Road, Sellersburg, IN 47172

Yea  #  #  #  
Yea  4 Nay  0 Abstain  Pass

1. Motion to determine that the variance will ~~not~~ <sup>VCT</sup> be injurious to the health, safety and welfare of the community.

Yea  4 Nay  0 Abstain  Pass

2. Motion to determine that the variance will ~~not~~ <sup>VCT</sup> have substantial adverse effect on any neighboring or adjacent property owners.

Yea  4 Nay  0 Abstain  Pass

3. Motion to determine that the need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested is in otherwise compliance with Town Ordinance 4.3.1(3).

Yea  Nay  Abstain  Pass

4. Motion to determine that strict application of the Zoning Ordinance will constitute an unnecessary economic hardship on the property owner. *(Not required if the requested relief is a dimensional variance from development standards.)*

Yea  Nay  Abstain  Pass

5. Motion to determine that the variance is the minimum necessary to permit the proposed development, such that the substantial intent and purpose of the ordinance is preserved.

Yea  4 Nay  0 Abstain  Pass

6. Motion to ~~approve~~ <sup>VCT</sup> /not approve the variance based on the overall votes above.

The decision of the Sellersburg Board of Zoning Appeals concerning Petition # 0417-001

Approved  Denied

Special Conditions: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

417-001



PETITION#:	<u>04-1</u>
FEE:	<u>\$200.00</u>
RECIPT#:	_____

# PETITION

PLEASE PRINT LEGIBLY

SELLERSBURG, INDIANA

PETITION FOR:      BOARD OF ZONING APPEALS            PLANNING COMMISSION     

Name of Applicant: Craig Adrian Brown

Applicant's Address: 2138 Allen Way Sellersburg IN 47172

Email Address: cadrianbrown@germanamerican.com

Telephone Number: 812-620-2818      Fax Number: \_\_\_\_\_

Date of Application: 2-25-17      Township: \_\_\_\_\_

Address or Property Subject to This Petition: 1617 Allentown Rd Sellersburg IN 47172

Grant: \_\_\_\_\_ or Section: \_\_\_\_\_ Congressional Township: \_\_\_\_\_ Range: \_\_\_\_\_

Municipal Township: Silver Creek Zoning Classification: AG Subdivision (if applicable): \_\_\_\_\_

Please Check the Applicable Box:

<b>Amendment to the Official Zoning Maps of Sellersburg</b>	<b>Variance to the Zoning Ordinance of Sellersburg</b>	<b>Special Exception as Required by the Zoning Ordinance of Sellersburg</b>	<b>Other</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Describe Detailed Use: This tract was the corner of a soybean field until it was purchased in 2013. Currently it is vacant.

(ATTACH MORE SHEETS IF NECESSARY)



**Specific Reason for Requesting:**

- A Rezoning from \_\_\_\_\_ to \_\_\_\_\_
- A Variance to the Zoning Ordinance of Sellersburg
- A Subdivision Plat as required by the Zoning Ordinance of Sellersburg
- Special Exception as required by the Zoning Ordinance of Sellersburg

**Please Explain (BE SPECIFIC AND INCLUDE DETAILS):**

The buyer of the property is planning to build a 50x90 metal sided Pole Building with three 18 foot Doors on the front. He will not be running a business out of this location. He does light excavation and mowing and will be storing equipment at this location.

Dated and signed by petitioner(s) in the county of Clark, State of Indiana, this 04<sup>th</sup> day of March, 2017

*C. Ad-B*

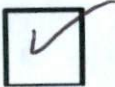
Petition Prepared By (Signature)

*Cristy A. Brown*  
*C. Ad-B*

All Legal Owners (Named on Deed) Must Sign

- FOR OFFICE USE ONLY
- FOR **RECOMMENDATION** BY PLAN COMM TO COUNCIL
  - FOR **FINAL DECISION** BY PLAN COMMISSION
  - FOR **FINAL DECISION** BY BOARD OF ZONING APPEALS

DRAWING ATTACHED OR UNDER SEPARATE COVER  
\*\*REQUIRED\*\*





Please Provide the Following:

- ✓ 1. Attach the legal description of the property. *A*
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- ✓ 3. Proof of Zoning ( 1993 zoning map will apply without recorded proof of zoning ) *N/A*
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I affirm, under the penalties of perjury that the foregoing representations are true.

Applicant's Signature:

*C. Adrian Brown*

Date:

*3-6-17*

Applicant's Name (printed):

Craig Adrian Brown

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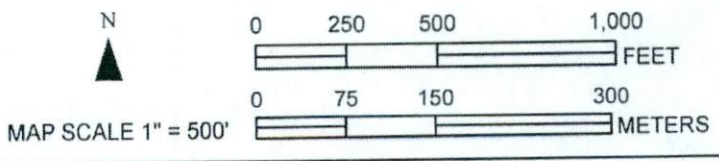
- Legend**
- Special Flood Hazard Area
  - Community Boundaries
  - Tract Boundaries

Copies of those maps can be found at <http://msc.fema.gov>

Map Source: FIRM

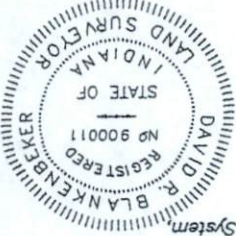
File Number: GN-32553

**Disclaimer**  
 This map does not reflect changes or amendments which may have been made subsequent to the effective date



DRAWN BY: D.R.B.      SCALE: 1" = 100 FEET      DATE: 20 AUGUST 2013      JOB No. 21,112  
 FOR: ADRIAN BROWN      3131 GRANT LINE ROAD      NEW ALBANY, IN. 47150  
 OWNERS: WILLIAM & CLARISSA WEBER      PAGE 1 OF 2  
 BLANKENBEKER & SON      LAND SURVEYORS INC., P.C.      618 E. COURT AVENUE      P.O. BOX 157      JEFFERSONVILLE, INDIANA 47131-0157      TELEPHONE 812-282-4188      FAX 812-282-4197      WWW.BLANKENBEKERANDSON.NET

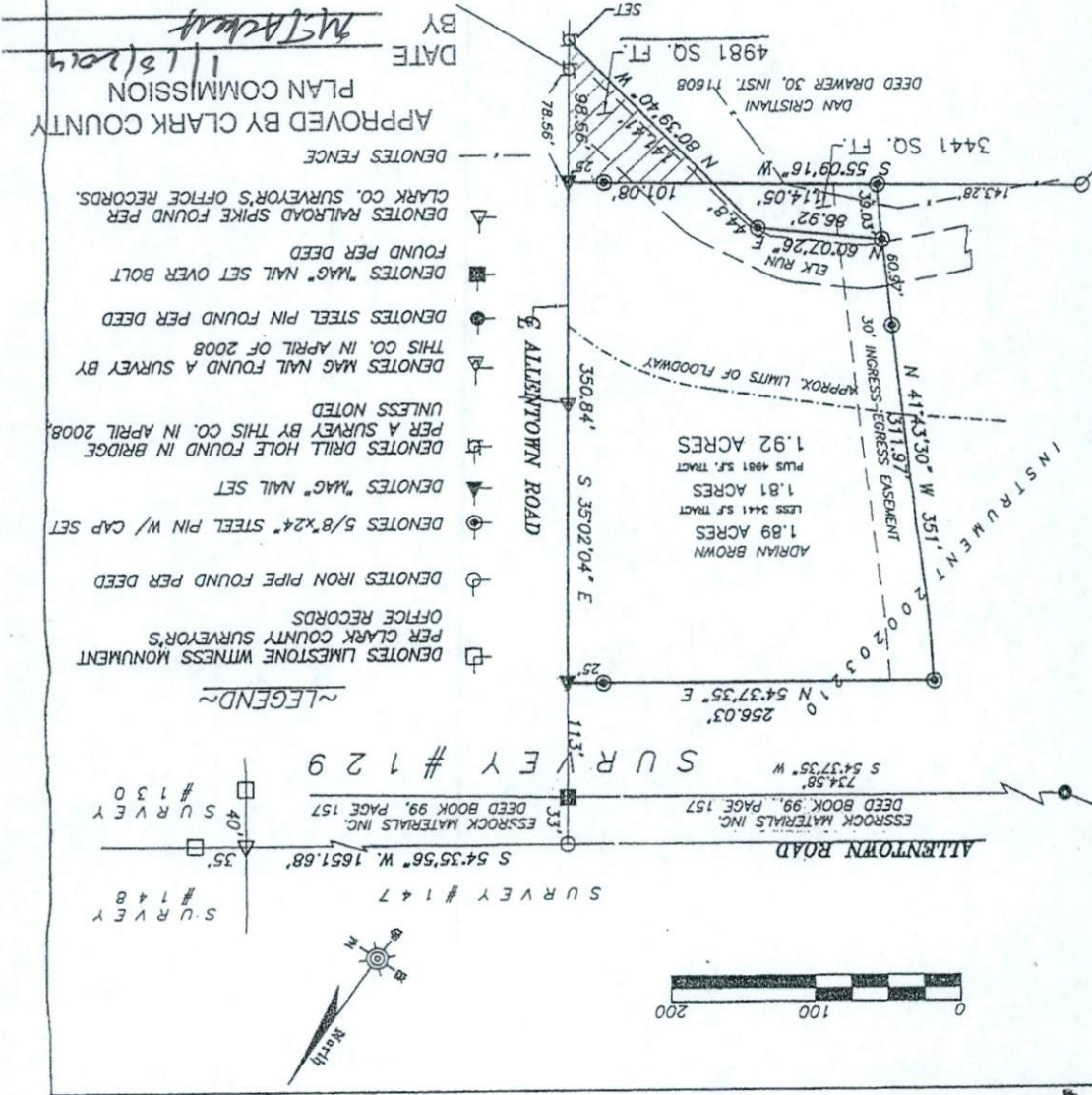
Registered Land Surveyor No. 900011      Date      Revised 16 DECEMBER 2013



I, David R. Blankenbeker, hereby declare that I have surveyed the tract of land shown above and that this survey was executed according to the requirements and belief, and that the field work was completed on 11 August, 2013.

- Notes:
- (1) The examination may reveal other easements and/or Rights of ways not shown hereon. Wetlands, environmental issues, zoning regulations, and other items which may encumber this property were not included in the scope of this survey.
  - (2) All monuments shown are within 0.3 feet of flush with the surface of the ground, unless otherwise noted.
  - (3) The bearings shown hereon are grid per the Indiana State Plane Coordinate System east zone, by G.P.S. observations.
  - (4) All tracts shown are currently vacant.

SURVEY AND DRAWING OF PART OF SURVEY 129 OF THE ILLINOIS GRANT TO CLARK COUNTY, INDIANA AND BEING SITUATED ON ALLENTOWN ROAD, SELERSBURG.

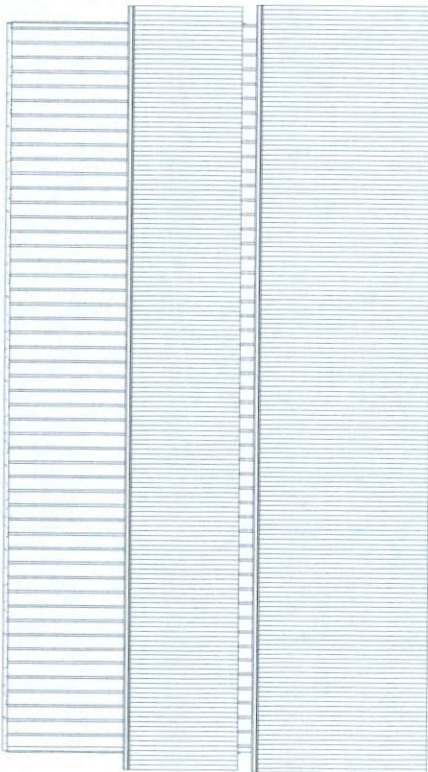
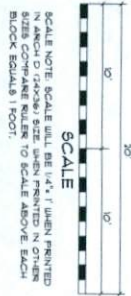


APPROVED BY CLARK COUNTY PLAN COMMISSION      DATE: 11/13/2014      BY: M. Stewart

DENOTES DRILL HOLE FOUND IN BRIDGE PER A SURVEY BY THIS CO. IN APRIL 2008. UNLESS NOTED  
 DENOTES MAG NAIL FOUND A SURVEY BY THIS CO. IN APRIL OF 2008  
 DENOTES STEEL PIN FOUND PER DEED  
 DENOTES "MAG" NAIL SET OVER BOLT  
 DENOTES RAILROAD SPIKE FOUND PER CLARK CO. SURVEYOR'S OFFICE RECORDS.  
 DENOTES FENCE

Exhibit B      15

PLAN SPECIFICATIONS	
MAIN FLOOR WALLS:	CONCRETE SLAB
FOUNDATION WALLS:	CONCRETE SLAB
FLOOR SYSTEM:	1 JOIST
ROOF:	ENGINEERED TRUSS



RIGHT

Use of these plans by the construction of Better By Design LLC entails that the construction professional and agrees to all of the following terms and conditions of use:

Better By Design LLC is hereby employed and/or agrees to all of the following terms and conditions of use by the construction professional for the project described herein.

Better By Design LLC reserves the right to make any changes to these plans at any time without notice to the construction professional. The construction professional agrees to accept any such changes to these plans without objection. The construction professional agrees to accept any such changes to these plans without objection. The construction professional agrees to accept any such changes to these plans without objection.

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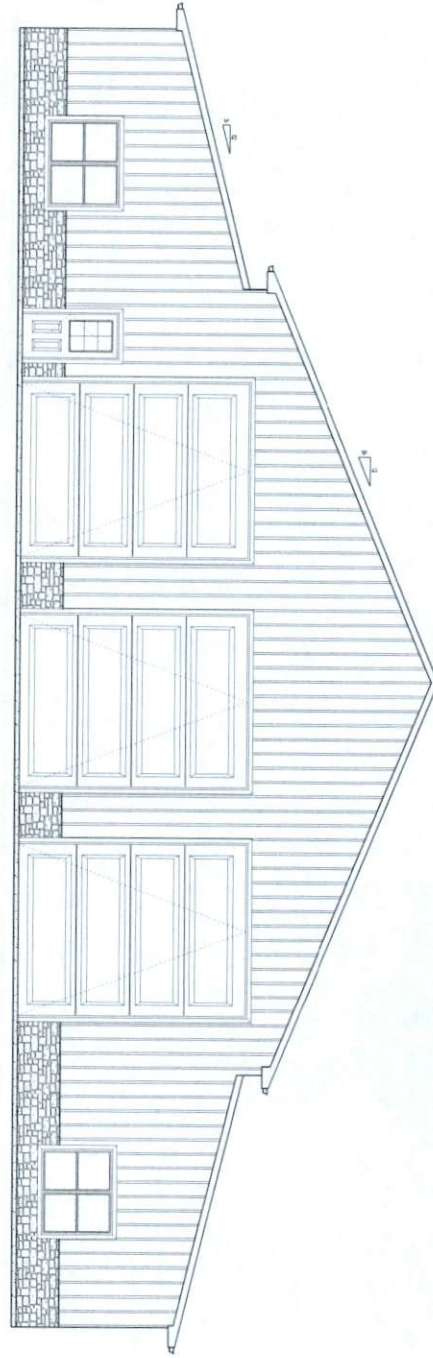
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The construction professional agrees to accept any such changes to these plans without objection. The construction professional agrees to accept any such changes to these plans without objection. The construction professional agrees to accept any such changes to these plans without objection.



FRONT





#### 2.1.2.1 - Uses Permitted by Right

No building or structure, or part thereof, shall be erected, altered, or used, in the whole or in part, for other than one or more of the following specified areas

- (1) Agricultural crops.
- (2) Commercial Greenhouses.
- (3) Farm Products (i.e., produce).
- (4) Livestock Raising.
- (5) Parks and Playgrounds.
- (6) Single-family Dwellings.

2.1.2.2 - The following uses are permitted subject to conditions set forth in Section 3.5 and the granting of a "contingent use" permit by the Board of Zoning Appeals after a public hearing:  
Contingent Uses

- (1) Fire and Police Stations.
- (2) Municipal Buildings (Garage/Repair/Storage).
- (3) Religious Organizations.
- (4) Schools.

#### 2.1.2.3 - Special Exceptions

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) Airport/Heliport.
- (2) Civic and Community Clubs.

# Clark County, IN

Property Assessment Detail Report  
Parcel Number: 10-17-12-900-730.000-031  
39°North- 855.GIS.3939



## Parcel Information

**Parcel Number:** 10-17-12-900-730.000-031  
**Alt Parcel Number:** 17-00043-116-0  
**Property Address:** SAINT JOE ROAD EAST  
SELLERSBURG, IN  
**Neighborhood:** Silver Creek Res #1-Annex 13-14  
**Property Class:** Vacant - Unplatted (0 to 9.99 Acres)  
**Owner Name:** Brown C Adrian & Cristy A  
**Owner Address:** 2138 Allen way  
Sellersburg, IN 47172  
**Legal Description:** Gt 129--1.81 Ac

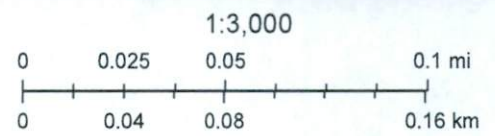
## Taxing District

**Township:** SILVER CREEK TOWNSHIP  
**Corporation:** WEST CLARK COMMUNITY

## Land Description

<u>Land Type</u>	<u>Acreage</u>	<u>Dimensions</u>
91Rr	0.81	
9Rr	1.0	

# 1617 Allentown Road Sellersburg Indiana





# SELLERSBURG BOARD OF ZONING APPEALS

March 20, 2017

The minutes as written are not verbatim from the meeting

## **CALL TO ORDER:**

President Vincent C. Thacker Jr. called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:01 PM at Sellersburg Town Hall, 316 East Utica Street on March 20, 2017.

## **ROLL CALL:**

Members Present: President Vincent C. Thacker Jr., Vice-President, Francis A. Conroy, Members, Dennis V. Amos, Charles E. Popp and Randall W. Mobley. Also present was Building Commissioner J. Greg Dietz

## **APPROVAL OF MINUTES:**

Francis A. Conroy moved, seconded by Charles E. Popp, to approve the minutes of the February 20, 2017 meeting. 5-aye, 0 -nay, motion is approved.

## **UNFINISHED BUSINESS:**

NONE

## **NEW BUSINESS:**

Petition # 0217-001 Jim Burkhead representing Matt Toole to build a standalone 40' X 60' private garage at 117 Finn-Bridge Court.

Randall W. Mobley moved, seconded by, Francis A. Conroy, to close the regular meeting. 5-aye, 0 -nay, motion is approved.

Charles E. Popp moved, seconded by Dennis V. Amos to open a public hearing. 5-aye, 0 -nay, motion is approved. Hearing opened at 6:10

The following spoke about the petition  
Jim Burkhead and Suzanne Burkhead 119 Finn Bridge Court  
Joe and Kim Maymon 9623 Hwy 60  
Melanie Hardsaw 9627 Highway 60  
Thomas Boyd 9611 Highway 60

Francis A. Conroy moved, seconded by Randall W. Mobley, to close the public hearing. 5-aye, 0 -nay, motion is approved.

Charles E. Popp moved, seconded by Francis A. Conroy, open the regular meeting. 5-aye, 0 -nay, motion is approved. Meeting reopened at 6:29 PM

Charles E. Popp moved, seconded by Francis A. Conroy, that the variance will not be injurious to the health, safety and welfare of the community. 5-aye, 0 -nay, motion is approved.

Charles E. Popp moved, seconded by Randall W. Mobley, that the variance will not have substantial adverse effect on any neighboring or adjacent property owners. 5-aye, 0 -nay, motion is approved.

Charles E. Popp moved, seconded by Francis A. Conroy, that the need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested in otherwise in compliance with Town Ordinance 4.3.1(3). 5-aye, 0 -nay, motion is approved.

Charles E. Popp moved, seconded by Randall W. Mobley, that strict application of the Zoning Ordinance will constitute an unnecessary economic hardship on the property owner. 5-aye, 0 -nay, motion is approved.

Randall W. Mobley moved, seconded by Charles E. Popp, to approve Petition # 0217-001 with the following special conditions. Lot #33 and Lot # 34 will be combined into a single lot, Construction material (external) to match house on Lot #33, and building can only be used as a private garage. 5-aye, 0 -nay, motion is approved.

Petition # 0217-002 Terry Purlee representing the Sellersburg Recreation Board to install a 10' fence around the pool located at 411 Oak Street.

Randall W. Mobley moved, seconded by, Dennis V. Amos, to close the regular meeting. 5-aye, 0 -nay, motion is approved.

Francis A. Conroy moved, seconded by Dennis V. Amos, to open a public hearing. 5-aye, 0 -nay, motion is approved. Hearing opened at 6:39

The following spoke about the petition  
Terry Purlee

Randall W. Mobley moved, seconded by Charles E. Popp moved, to close the public hearing. 5-aye, 0 -nay, motion is approved.

Randall W. Mobley moved, seconded by Charles E. Popp, open the regular meeting. 5-aye, 0 -nay, motion is approved. Meeting reopened at 6:43 PM

Francis A. Conroy moved, seconded by Charles E. Popp, that the variance will not be injurious to the health, safety and welfare of the community. 5-aye, 0 -nay, motion is approved.

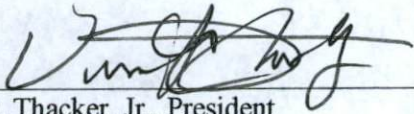
Francis A. Conroy moved, seconded by Randall W. Mobley, that the variance will not have substantial adverse effect on any neighboring or adjacent property owners. 5-aye, 0 -nay, motion is approved.

Randall W. Mobley moved, seconded by Charles E. Popp, that the need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested in otherwise in compliance with Town Ordinance 4.3.1(3). 5-aye, 0 -nay, motion is approved.

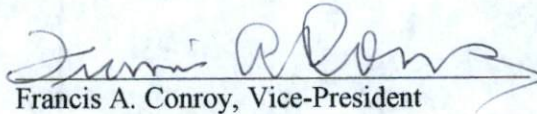
Francis A. Conroy moved, seconded by Dennis V. Amos, to approve Petition # 0217-002. 5-aye, 0 -nay, motion is approved.

### **ADJOURN:**

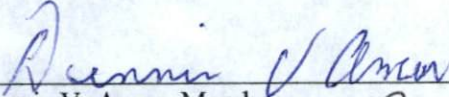
Francis A. Conroy moved, seconded by Dennis V. Amos, to adjourn the meeting. 5-aye, 0 -nay, motion is approved. Meeting adjourned at 6:52 PM.



Vincent C. Thacker, Jr., President

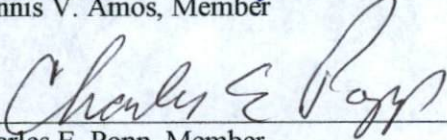


Francis A. Conroy, Vice-President

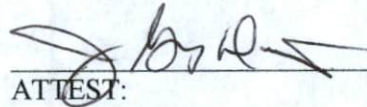


Dennis V. Amos, Member

Randall W. Mobley, Member



Charles E. Popp, Member



ATTEST:

Sellersburg Board of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Petition #: 0317-001

By Petitioner(s): Sellersburg Pool

Concerning Variance at the address of: 415 Oak Street, Sellersburg, IN 47172

Yea  #  5 Nay  #  0 Abstain  #  Pass

1. Motion to determine that the variance will not be injurious to the health, safety and welfare of the community.

Yea  #  5 Nay  #  0 Abstain  #  Pass

2. Motion to determine that the variance will not have substantial adverse effect on any neighboring or adjacent property owners.

Yea  #  5 Nay  #  0 Abstain  #  Pass

3. Motion to determine that the need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested in otherwise in compliance with Town Ordinance 4.3.1(3).

Yea  #  0 Nay  #  0 Abstain  #  Pass

4. Motion to determine that strict application of the Zoning Ordinance will constitute an unnecessary economic hardship on the property owner. *(Not required if the requested relief is a dimensional variance from development standards).*

Yea  #  0 Nay  #  0 Abstain  #  Pass

5. Motion to determine that the variance is the minimum necessary to permit the proposed development, such that the substantial intent and purpose of the ordinance is preserved.

Yea  #  5 Nay  #  0 Abstain  #  Pass

6. Motion to approve/not approve the variance based on the overall votes above.

The decision of the Sellersburg Board of Zoning Appeals concerning Petition # 0317-001

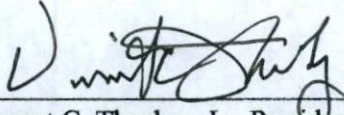
Approved  Denied

Special Conditions: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

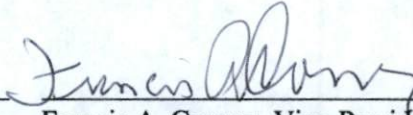
Sellersburg Board of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Signature Page – Petition # 0317-001

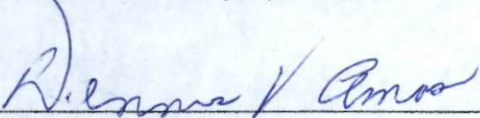
Signed this 20<sup>th</sup> day of March, 2017



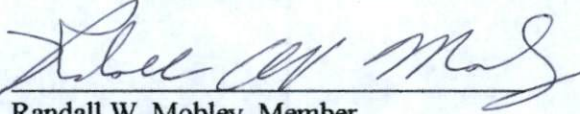
Vincent C. Thacker, Jr., President



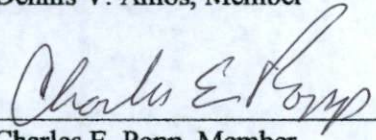
Francis A. Conroy, Vice-President



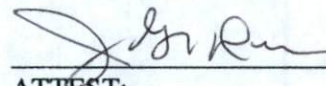
Dennis V. Amos, Member



Randall W. Mobley, Member



Charles E. Popp, Member



ATTEST:



PETITION#: 0317-001  
FEE:             
RECIPT#           

# PETITION

PLEASE PRINT LEGIBLY

SELLERSBURG, INDIANA

PETITION FOR:

BOARD OF ZONING APPEALS

PLANNING COMMISSION

Name of Applicant: Sellersburg Pool  
Applicant's Address: 415 OAK STREET Sellersburg  
Email Address: Sellersburg Pool @ gmail.com  
Telephone Number: 812-246-8067 Fax Number: NONE  
Date of Application: 2/6/17 Township: Silver Creek  
Address or Property Subject to This Petition: 415 OAK street

Grant: \_\_\_\_\_ or Section: \_\_\_\_\_ Congressional Township: \_\_\_\_\_ Range: \_\_\_\_\_

Municipal Township: \_\_\_\_\_ Zoning Classification:  Subdivision (if applicable): \_\_\_\_\_

Please Check the Applicable Box:

Amendment to the Official Zoning Maps of Sellersburg

Variance to the Zoning Ordinance of Sellersburg

Special Exception as Required by the Zoning Ordinance of Sellersburg

Other

Describe Detailed Use: Parks BOARD Redoing Swimming  
Pool Changing the Outer Fence To  
Black Vinyl 8 To 10 Feet Tall

(ATTACH MORE SHEETS IF NECESSARY)

Specific Reason for Requesting:



A Rezoning from 6' Fence to 8' to 10'

A Variance to the Zoning Ordinance of Sellersburg

A Subdivision Plat as required by the Zoning Ordinance of Sellersburg

Special Exception as required by the Zoning Ordinance of Sellersburg

Please Explain (BE SPECIFIC AND INCLUDE DETAILS):

The PARKS BOARD IS Redoing The City Pool  
we would like to TAKE Down The  
Fence and put up A BLACK Vinyl  
Fence 8 To 10 Foot TALL. The Chief of  
Police recommended A 10' Fence the  
Parks APPROVED 10' Fence.

Dated and signed by petitioner(s) in the county of Clark, State of Indiana, this 6 day of Feb., 20 17

Tony Parker (PARK BOARD)

[Signature] Board Member  
All Legal Owners (Named on Deed) Must Sign

Petition Prepared By (Signature)

- FOR OFFICE USE ONLY
- FOR **RECOMMENDATION** BY PLAN COMM TO COUNCIL
- FOR **FINAL DECISION** BY PLAN COMMISSION
- FOR **FINAL DECISION** BY BOARD OF ZONING APPEALS

DRAWING ATTACHED OR UNDER SEPARATE COVER   
\*\*REQUIRED\*\*



Please Provide the Following:

1. Attach the legal description of the property.
2. Attach a development plan depicting all information required and information the applicant believes necessary for review by the Board or Commission; including, as applicable: parcel dimensions, locations of streets, driveways, location and number of parking spaces, sewer and water lines, and other appropriate information.
3. Proof of Zoning ( 1993 zoning map will apply without recorded proof of zoning )
4. Include any additional evidence necessary to support the petition.

I affirm, under the penalties of perjury that the foregoing representations are true.

Applicant's Signature:

[Handwritten Signature]

Date:

2-6-17

Applicant's Name (printed):

Greg Fritze

Please complete and attach the Findings of Fact worksheets of this Petition before submitting to the Commission of Buildings and Code Enforcement, as well as the Affidavit of Notice of Public Hearing found within this Petition application. Please note the following requirements regarding time-sensitive notices, required by IC 36-7-4-604 and IC 5-3-2, and read in the Sellersburg Zoning Ordinance as follows:

1. The petitioner must mail a notice of hearings by certified mail, return receipt to each of the abutting property owners no less than ten (10) days prior to the hearing.
2. Notice of public hearing shall be published one time at least ten (10) days before the date of the hearing.
3. A sign depicting the Notice of a Public Hearing must be posted in a conspicuous space on the subject property, along all road frontage of the subject property, at least ten (10) days prior to the hearing.

Please submit proof of mailings and proof of publication from the newspaper to the Commission of Buildings and Code Enforcement 7 days prior to the hearing of the Petition.

Please use the Public Notice templates within this Petition application for the mailings and publication. DO NOT ALTER ANY WORDING IN THIS TEMPLATE, ONLY FILL IN THE BLANKS WITH THE APPROPRIATE INFORMATION.



- (5) Other Specified Structures: Walks, driveways, curbs, retaining walls, mailboxes, nameplates, lamp posts, bird baths, fences, and structures of a like nature shall be permitted in any required yard.
- (C) Front Yard:
- (1) If there are buildings on both abutting lots and they are within one hundred (100) feet of the intervening lot and the buildings have front yards of less than the required depth for the zone, the depth of the front yard for the intervening lot need not exceed the average depth of the front yards of the abutting lots.
  - (2) If there is a building on one abutting lot which is within one hundred (100) feet of the lot, and the building has a front yard of less than the required depth for the zone, the front yard for the lot need not exceed a depth halfway between the depth of the front yard of the abutting lot and the required front yard.
  - (3) Where twenty-five (25) percent or more of the lots in a block are occupied by buildings, the setback of such buildings shall determine the dimension of the front yard in the block.
- (D) One-half of an alley width abutting the rear of a lot may be included in the rear yard in the B-1 and B-2 districts, but such alley space shall not be included for loading and unloading berths.

#### **Section 1.21 - Fences, Walls and Hedges**

- (1) Fences, walls, and hedges which block visibility not to exceed six (6) feet in height, may be permitted in any required yard, or along any property line, provided that no fence, wall or hedge shall be permitted in a required front yard in the R-1, R-2, and R-3 Districts, to exceed three (3) feet in height in the RPO, GO, B-1, B-2, and I-I districts and to exceed six (6) feet in the 1-2 district. However, the Board of Zoning Appeals may require security fences not to exceed eight (8) feet for special exceptions in the 1-2 district. (NOTE: A fence height variance may be requested of the Board of Zoning Appeals).
- (2) Trees, shrubs, flowers or plants shall be permitted in any required yard, provided it does not violate the corner setback as required in this Section.
- (3) To maintain corner visibility, no fence, wall, hedge or other planting or other obstruction to vision extending in excess of three (3) feet above the established street center-line grade shall be erected or maintained on that part of the corner lot that is included between the lines of intersecting streets and a line intersecting them at points of twenty-five (25) feet distance from the intersection of the street line.

#### **Section 1.22 – Re-platted Land**

No lot improved with a building or buildings shall be divided into two (2) or more lots, and no portion of any lot which is improved with a building or buildings shall be sold, unless all lots resulting from such division conforms to all regulations of the zoning district in which the property is located.

# Clark County, IN

Property Assessment Detail Report  
Parcel Number: 10-17-11-100-726.000-031  
39°North- 855.GIS.3939



## Parcel Information

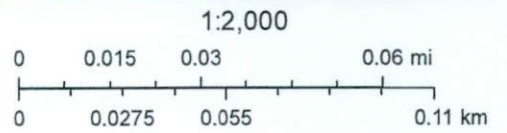
**Parcel Number:** 10-17-11-100-726.000-031  
**Alt Parcel Number:** 17-00002-001-0  
**Property Address:** 411 OAK STREET  
SELLERSBURG, IN  
**Neighborhood:** sc twp com base dist 031  
**Property Class:** Exempt, Township  
**Owner Name:** TOWN OF SELLERSBURG INDIANA  
**Owner Address:** SELLERSBURG, IN 47172  
**Legal Description:** GT 111 5.77 AC

## Taxing District

**Township:** SILVER CREEK TOWNSHIP  
**Corporation:** WEST CLARK COMMUNITY

## Land Description

<u>Land Type</u>	<u>Acreage</u>	<u>Dimensions</u>
11	1.0	
13	4.77	



## Sample Legal Notice

Complete and publish the following legal notice in a daily newspaper of general circulation in Clark County at least 10 days prior to the date of the public hearing. The applicant should be aware that the newspaper has deadlines for submittal of public notices. It is the sole responsibility of the applicant to meet these deadlines.

### Public Notice Sellersburg, Indiana Board of Zoning Appeals/Plan Commission

The Board of Zoning Appeals/Plan Commission will meet on 20 day of MARCH, 2017 at 6 p.m. at 316 East Utica Street Sellersburg, Indiana 47172 for the purpose of holding a public hearing and acting on the following:

Requested Action: The applicant is requesting a VARIANCE to

To Install 10' Fence at The Pool

At the following commonly known address: See Legal Description Below

The petition is available for public review at the Commission of Buildings and Code Enforcement 316 East Utica Street Sellersburg, Indiana 47172 between the hours 9 a.m. to 4 p.m. 10 days prior to the meeting.

Interested persons desiring to present comments either in writing or verbally will be given the opportunity to be heard at the aforementioned time and place. Written comments to the proposal that are filed with the Building Commissioner before the hearing will be considered. The hearing may be continued from time to time, as may be found necessary.

Share Number 9, Map "A" being part of Survey Number 111 of the Illinois Grant, bounded thus: Beginning at a stake in the Grant line dividing Number 111 and 130, a distance of 15.10 rods from the West corner of said Survey Number 111; thence South 37 degrees 45 minutes East 61.88 rods to a stake; thence South 10 degrees West 6.75 rods to a stake; thence North 80 degrees West 15.12 rods to a stake on the Grant line dividing Number 110 and 111; thence with said last mentioned line North 37 degrees West 54.28 rods to a stone, the West (sometimes called the Northwest) corner of said Survey Number 111; thence North 51 degrees 15 minutes East with the line dividing Surveys Numbers 111 and 130 a distance of 15.10 rods to the place of beginning, containing 5.77 Acres, more or less.





PETITION#: QR17-001  
FEE: \$100.00  
RECIPT# 5565

## PETITION

PLEASE PRINT LEGIBLY

SELLERSBURG, INDIANA

PETITION FOR:

BOARD OF ZONING APPEALS

PLANNING COMMISSION

Name of Applicant:

Jim + Suzanne Burkhead

Applicant's Address:

119 Finn Bridge Court Sellersburg IN 47172

Email Address:

SuzanneBurkhead@twc.com

Telephone Number:

(812) 989-0351  
(502) 741-9706

Fax Number:

(502) 415-7155

Date of Application:

12/15/16

Township:

Address or Property Subject to This Petition:

Lot 34 Stonegate Manor

Grant: \_\_\_\_\_ or Section: \_\_\_\_\_ Congressional Township: \_\_\_\_\_ Range: \_\_\_\_\_

Municipal Township: \_\_\_\_\_ Zoning Classification: \_\_\_\_\_ Subdivision (if applicable): Stonegate Manor

Please Check the Applicable Box:

Amendment to the Official  
Zoning Maps of Sellersburg

Variance to the Zoning  
Ordinance of Sellersburg

Special Exception as Required by the  
Zoning Ordinance of Sellersburg

Other

Describe Detailed Use:

Garage Detached to match our existing house. (Brick + Stone exterior)

(ATTACH MORE SHEETS IF NECESSARY)



Please Provide the Following:

1. Attach the legal description of the property.
2. Attach a development plan depicting all information required and information the applicant believes necessary for review by the Board or Commission; including, as applicable: parcel dimensions, locations of streets, driveways, location and number of parking spaces, sewer and water lines, and other appropriate information.
3. Proof of Zoning ( 1993 zoning map will apply without recorded proof of zoning )
4. Include any additional evidence necessary to support the petition.

I affirm, under the penalties of perjury that the foregoing representations are true.

Applicant's Signature:

Suzanne Burkhead

Date:

12/16/15

Applicant's Name (printed):

Suzanne Burkhead

Please complete and attach the Findings of Fact worksheets of this Petition before submitting to the Commission of Buildings and Code Enforcement, as well as the Affidavit of Notice of Public Hearing found within this Petition application. Please note the following requirements regarding time-sensitive notices, required by IC 36-7-4-604 and IC 5-3-2, and read in the Sellersburg Zoning Ordinance as follows:

1. The petitioner must mail a notice of hearings by certified mail, return receipt to each of the abutting property owners no less than ten (10) days prior to the hearing.
2. Notice of public hearing shall be published one time at least ten (10) days before the date of the hearing.
3. A sign depicting the Notice of a Public Hearing must be posted in a conspicuous space on the subject property, along all road frontage of the subject property, at least ten (10) days prior to the hearing.

Please submit proof of mailings and proof of publication from the newspaper to the Commission of Buildings and Code Enforcement 7 days prior to the hearing of the Petition.

Please use the Public Notice templates within this Petition application for the mailings and publication. DO NOT ALTER ANY WORDING IN THIS TEMPLATE, ONLY FILL IN THE BLANKS WITH THE APPROPRIATE INFORMATION.

**Specific Reason for Requesting:**



A Rezoning from \_\_\_\_\_ to \_\_\_\_\_

A Variance to the Zoning Ordinance of Sellersburg

A Subdivision Plat as required by the Zoning Ordinance of Sellersburg

Special Exception as required by the Zoning Ordinance of Sellersburg

**Please Explain (BE SPECIFIC AND INCLUDE DETAILS):**

Build garage on lot 34 to match existing house. (Brick & stone exterior)

Dated and signed by petitioner(s) in the county of Clark, State of Indiana, this 5 day of Dec, 2016

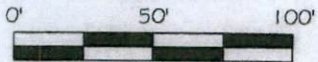
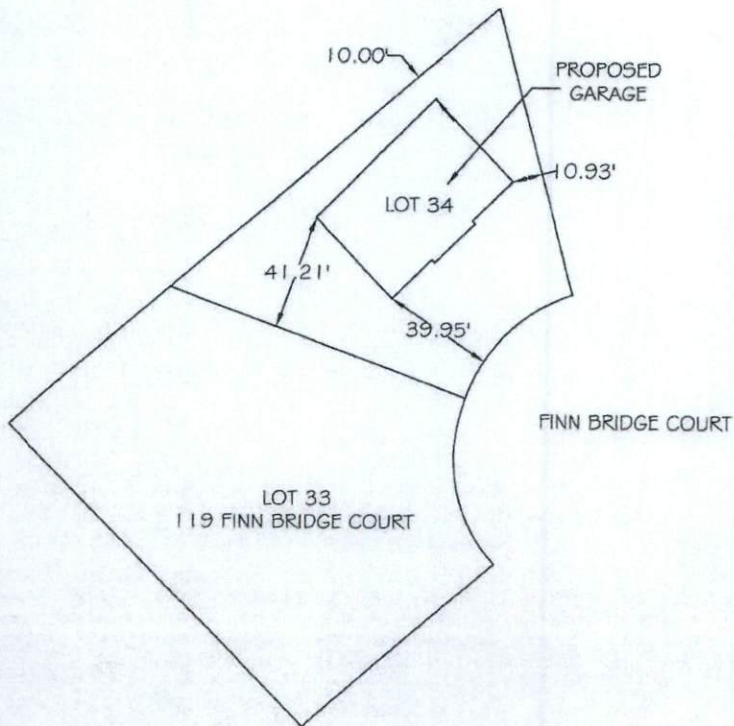
Suzanne Burkhead  
Petition Prepared By (Signature)


Jim Burkhead  
Suzanne Burkhead  
[Signature]  
All Legal Owners (Named on Deed) Must Sign

FOR OFFICE USE ONLY  
Ⓒ FOR **RECOMMENDATION** BY PLAN COMM TO COUNCIL  
FOR **FINAL DECISION** BY PLAN COMMISSION  
FOR **FINAL DECISION** BY BOARD OF ZONING APPEALS

DRAWING ATTACHED OR UNDER SEPARATE COVER  
**\*\*REQUIRED\*\***





Sheet 1 Of 1	Dwn by: ADS Chk by: NG Scale: 1" = 50' Date: 11-22-16 Project No: 2016-400	 <b>RENAISSANCE DESIGN BUILD, INC.</b> 117 S Indiana Avenue Sellersburg, IN 47172 Tel: 812-246-5897 Fax: 812-248-4320 <a href="http://www.renaissancedesignbuild.com">www.renaissancedesignbuild.com</a>
	<b>PLOT PLAN</b> JIM BURKHEAD 119 FINN BRIDGE COURT SELLERSBURG, INDIANA 47172	
	Revisions:	

# Clark County, IN

Property Assessment Detail Report  
Parcel Number: 10-17-10-900-798.000-031  
39°North- 855.GIS.3939



## Parcel Information

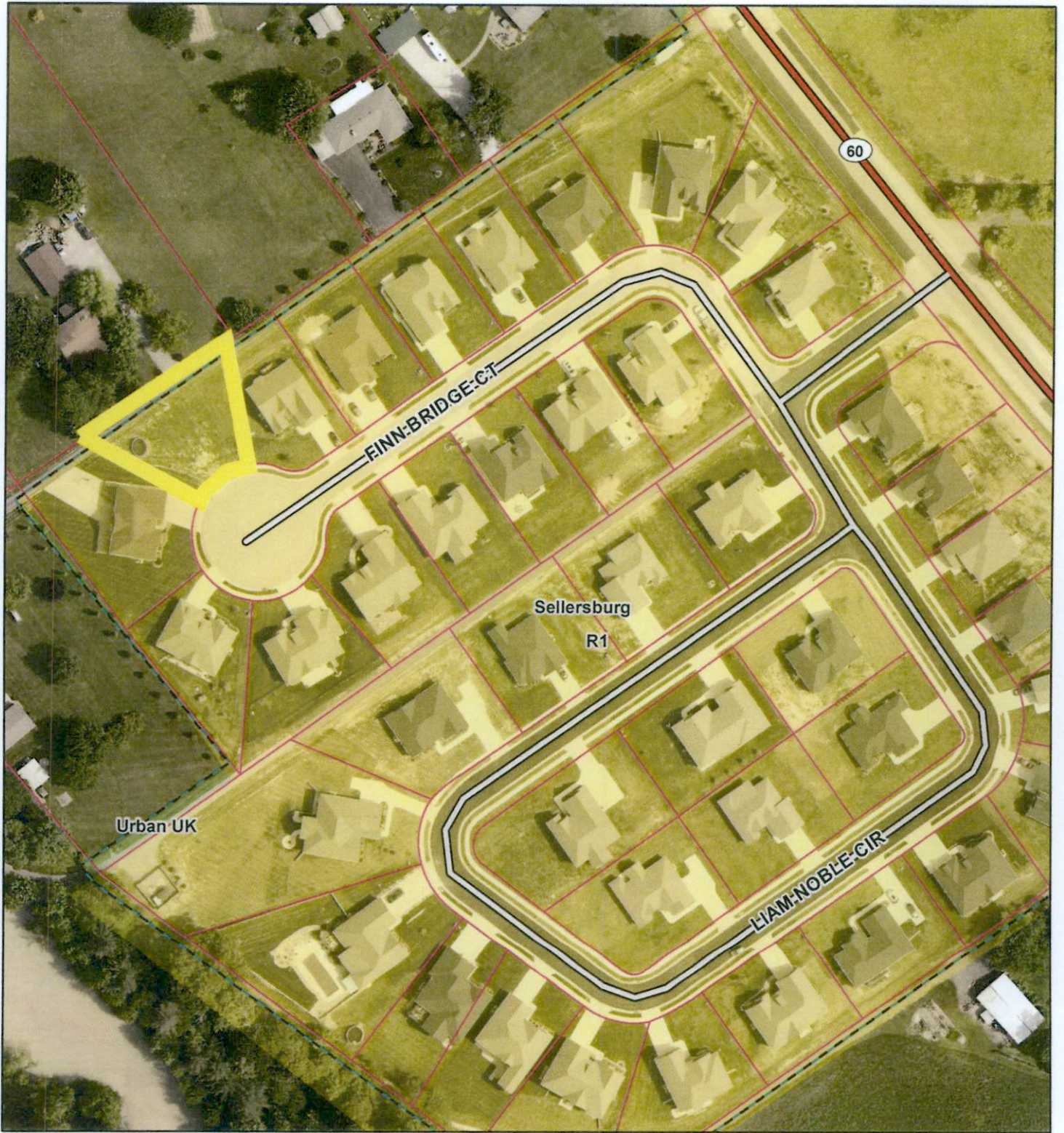
**Parcel Number:** 10-17-10-900-798.000-031  
**Alt Parcel Number:** 17-00094-009-0  
**Property Address:** 117 FINN BRIDGE COURT  
SELLERSBURG, IN  
**Neighborhood:** STONE GATE MANOR - 031  
**Property Class:** Vacant - Platted Lot  
**Owner Name:** Kalos Development LLC  
**Owner Address:** 122 Bowling Lane  
Clarksville, IN 47129  
**Legal Description:** Stone Gate Manor Subd Phase 1 Lot  
34 .22 AC

## Taxing District

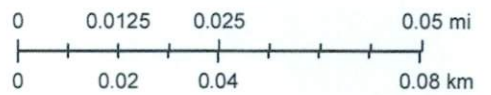
**Township:** SILVER CREEK TOWNSHIP  
**Corporation:** WEST CLARK COMMUNITY

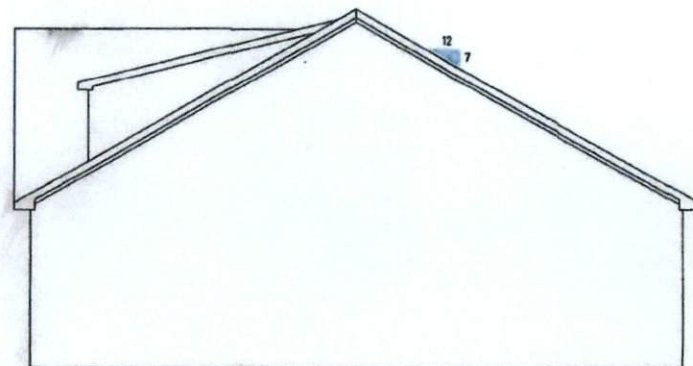
## Land Description

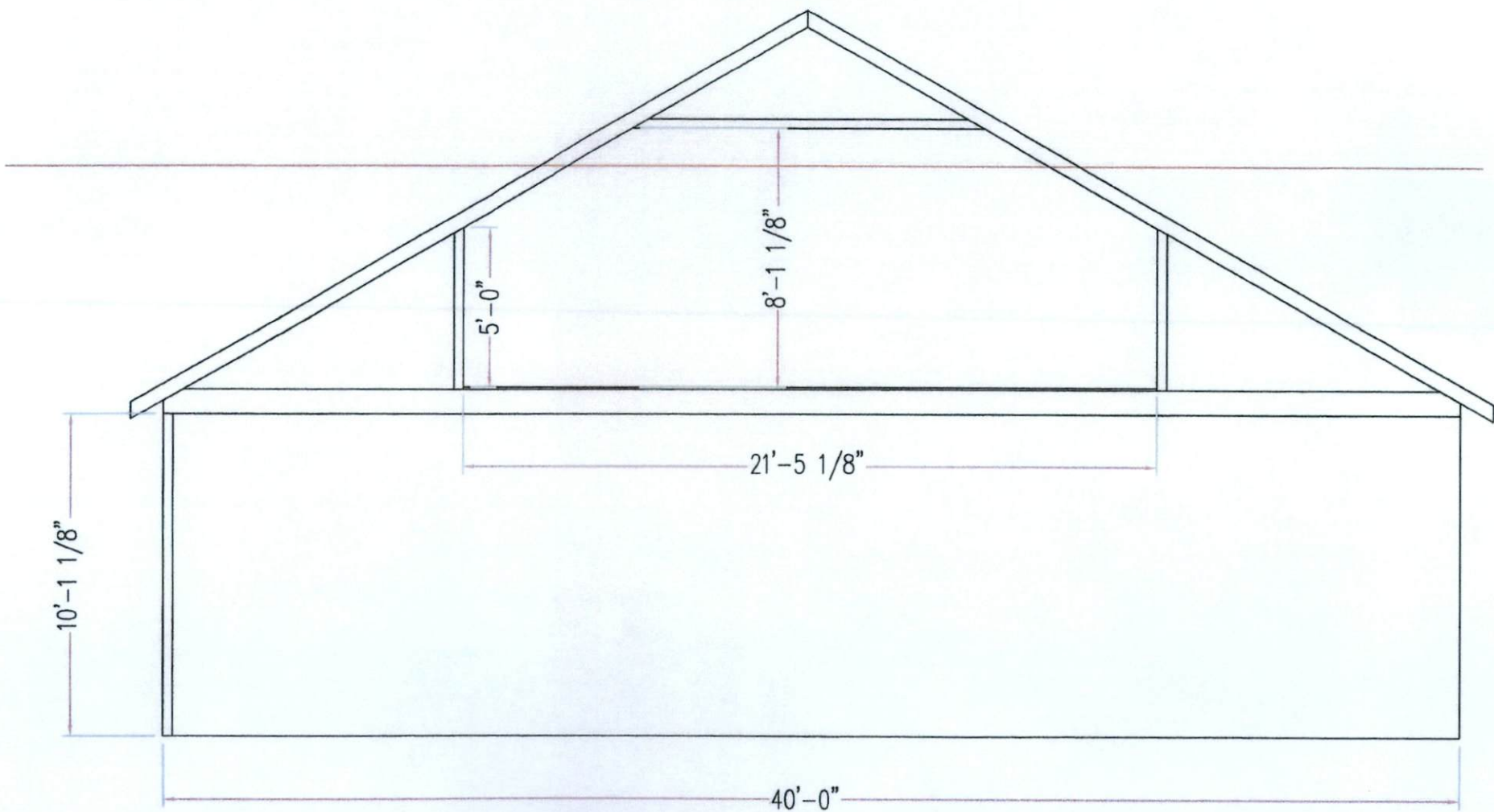
<u>Land Type</u>	<u>Acreage</u>	<u>Dimensions</u>
9	0.22	

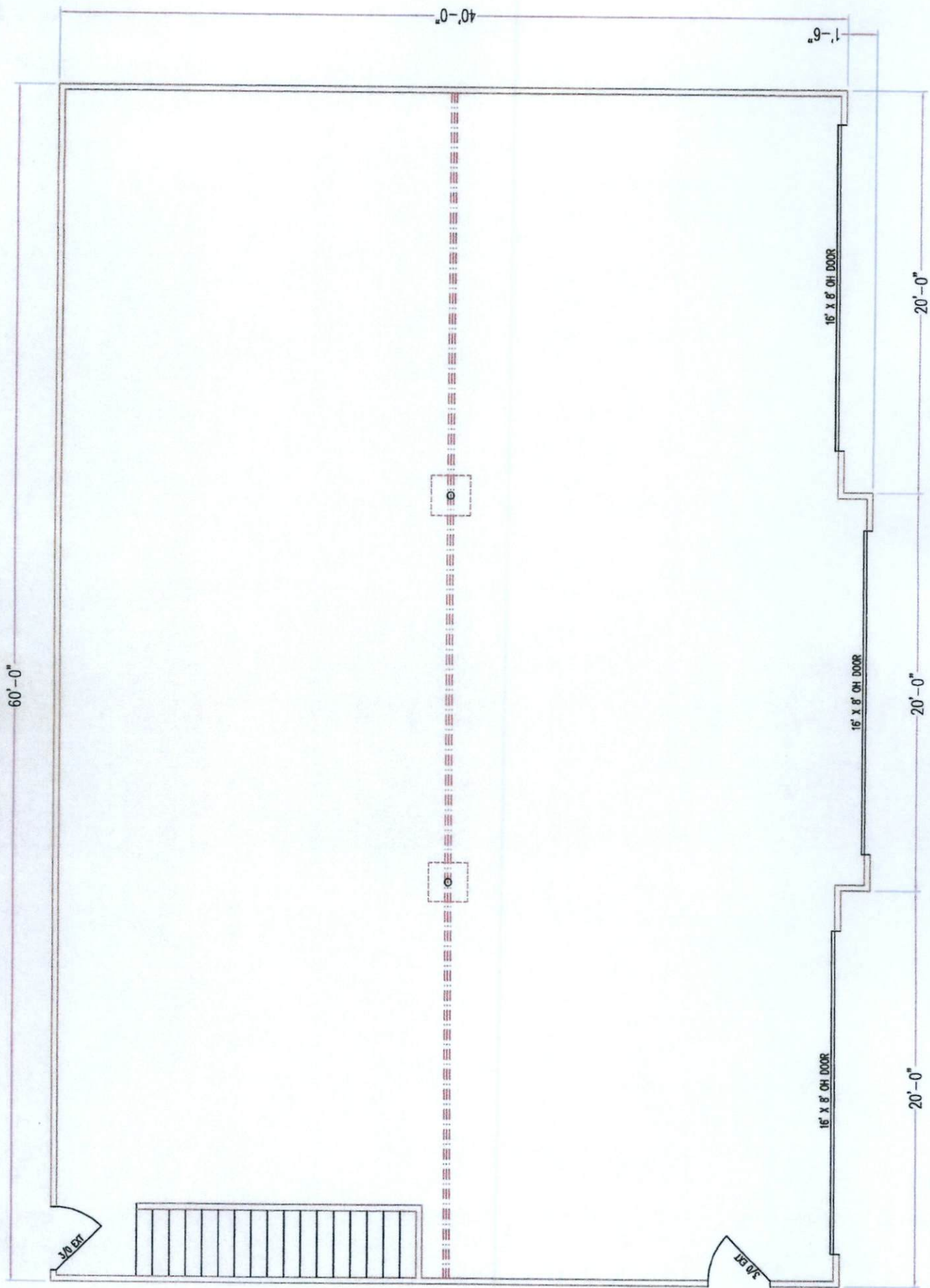


1:1,500









Sellersburg Board of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Petition #: 0217-001

By Petitioner(s): Jim & Suzanne Burkhead

Concerning Variance at the address of: 119 Finn Bridge Court, Sellersburg, IN 47172 (LOT 34 Stonegate Manor)

Yea  #  5 Nay  #  0 Abstain  #  Pass

1. Motion to determine that the variance will not be injurious to the health, safety and welfare of the community.

Yea  5 Nay  0 Abstain  Pass

2. Motion to determine that the variance will not have substantial adverse effect on any neighboring or adjacent property owners.

Yea  5 Nay  0 Abstain  Pass

3. Motion to determine that the need for the requested variance arises from some uncommon condition particular to the property in question and that the variance requested in otherwise in compliance with Town Ordinance 4.3.1(3).

Yea  5 Nay  0 Abstain  Pass

4. Motion to determine that strict application of the Zoning Ordinance will constitute an unnecessary economic hardship on the property owner. *(Not required if the requested relief is a dimensional variance from development standards).*

Yea  Nay  Abstain  Pass

5. Motion to determine that the variance is the minimum necessary to permit the proposed development, such that the substantial intent and purpose of the ordinance is preserved.

Yea  6 Nay  0 Abstain  Pass

6. Motion to approve/not approve the variance based on the overall votes above.

The decision of the Sellersburg Board of Zoning Appeals concerning Petition # 0217-001

Approved  Denied

Special Conditions: \_\_\_\_\_

Lot # 33 and Lot # 34 Will Be Combined into 1 Lot <sup>(single)</sup>

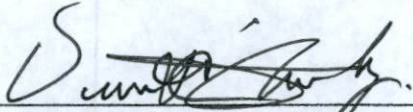
CONSTRUCTION MATERIAL (EXTERNAL) TO MATCH HOUSE ON LOT 33

BUILDING CAN ONLY BE USED AS A <sup>PVT</sup> GARAGE

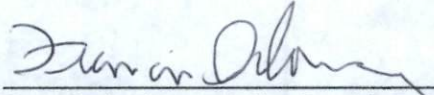
Sellersburg Board of Zoning Appeals  
316 East Utica Street  
Sellersburg, Indiana 47172

Signature Page – Petition # 0217-001

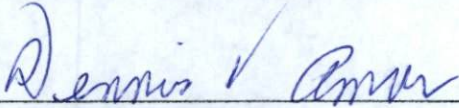
Signed this 00<sup>th</sup> day of March, 2017



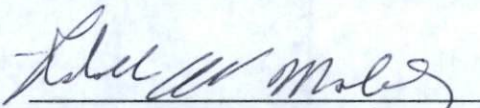
Vincent C. Thacker, Jr., President



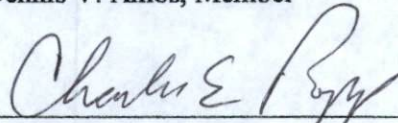
Francis A. Conroy, Vice-President



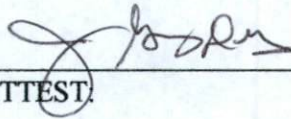
Dennis V. Amos, Member



Randall W. Mobley, Member



Charles E. Popp, Member

  
ATTEST



# SELLERSBURG BOARD OF ZONING APPEALS

February 20, 2017

The minutes as written are not verbatim from the meeting

## **CALL TO ORDER:**

President Vincent C. Thacker Jr. called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:00 PM at Sellersburg Town Hall, 316 East Utica Street on February 20, 2017.

## **ROLL CALL:**

Members Present: President Vincent C. Thacker Jr., Vice-President, Francis A. Conroy, Members, Dennis V. Amos, Charles E. Popp and Randall W. Mobley. Also present was Building Commissioner J. Greg Dietz and board attorney Brock Dawson

## **APPROVAL OF MINUTES:**

Francis A. Conroy moved, seconded by Randall W. Mobley, to approve the minutes of the January 16, 2017 meeting. 5-aye, 0 -nay, motion is approved.

## **UNFINISHED BUSINESS:**

NONE

## **NEW BUSINESS:**

Petition # 01217-001 Jim Burkhead representing Matt Toole to build a standalone 40' X 60' private garage at 117 Finn-Bridge Court.

Charles E. Popp moved, seconded by Dennis V. Amos, to close the regular meeting. 5-aye, 0 -nay, motion is approved.

Randall W. Mobley moved, seconded by Charles E. Popp, to open a public hearing. 5-aye, 0 -nay, motion is approved.

Proper public notice was not posted for petition # 0217-001. Francis A. Conroy moved, seconded by Charles E. Popp, to table until March 20, 2017 meeting. 5-aye, 0 -nay, motion is approved.

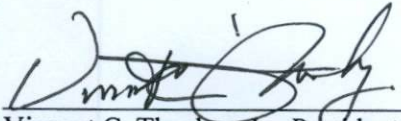
Francis A. Conroy moved, seconded by Charles E. Popp, to close the public hearing. 5-aye, 0 -nay, motion is approved.

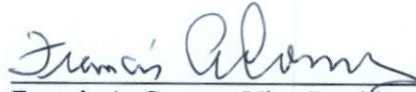
Francis A. Conroy moved, seconded by Randall W. Mobley, open the regular meeting. 5-aye, 0 -nay, motion is approved.

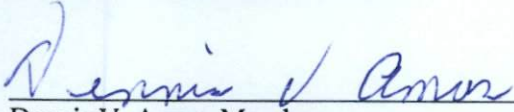
President Vincent C. Thacker Jr. announced that petition # 0217-001 would be tabled until the March 20, 2017 meeting

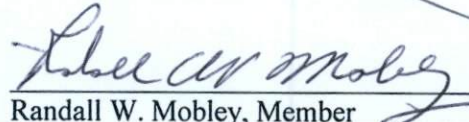
## **ADJOURN:**

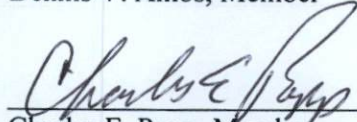
Randall W. Mobley moved, seconded by Francis A. Conroy, to adjourn the meeting. 5-aye, 0 -nay, motion is approved. Meeting adjourned at 6:22 PM.

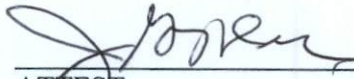
  
\_\_\_\_\_  
Vincent C. Thacker, Jr., President

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

  
\_\_\_\_\_  
Dennis V. Amos, Member

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

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

  
\_\_\_\_\_  
ATTEST:

# SELLERSBURG BOARD OF ZONING APPEALS

January 16, 2017

The minutes as written are not verbatim from the meeting

## CALL TO ORDER:

President Vincent C. Thacker Jr. called the meeting of the Sellersburg Board of Zoning Appeals to order at 6:00 PM at Sellersburg Town Hall, 316 East Utica Street on January 16, 2017.

## ROLL CALL:

Members Present: President Vincent C. Thacker Jr., Vice-President, Francis A. Conroy, Members, Dennis V. Amos and Randall W. Mobley. Also present was Building Commissioner J. Greg Dietz and board attorney Brock Dawson

## APPROVAL OF MINUTES:

Francis A. Conroy moved, seconded by Dennis V. Amos, to approve the minutes of the December 19, 2016 meeting. 4-aye, 0 -nay, motion is approved.

## ELECTION OF OFFICERS

Randall W. Mobley moved, seconded by Francis A. Conroy, to nominate Vincent C. Thacker Jr as President for 2017. Hearing no other nominations President Vincent C. Thacker Jr. closed nominations 4-aye, 0 -nay, motion is approved.

Dennis V. Amos moved, seconded by Randall W. Mobley, to nominate Francis A. Conroy as Vice President for 2017. Hearing no other nominations President Vincent C. Thacker Jr. closed nominations. 4-aye, 0 -nay, motion is approved

## UNFINISHED BUSINESS:

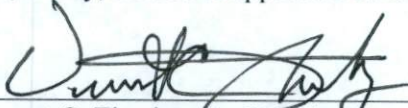
NONE

## NEW BUSINESS:

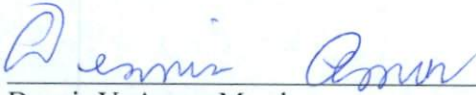
NONE

## ADJOURN:

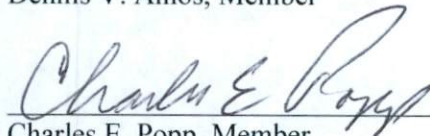
Francis A. Conroy moved, seconded by Randall W. Mobley, to adjourn the meeting. 4 -aye, 0 -nay, motion is approved. Meeting adjourned at 6:05 PM.

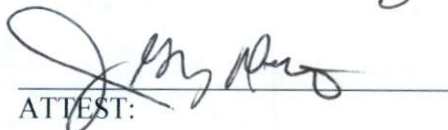
  
\_\_\_\_\_  
Vincent C. Thacker, Jr., President

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

  
\_\_\_\_\_  
Dennis V. Amos, Member

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

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

  
\_\_\_\_\_  
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- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

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Total Postage and Fees

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1700 Allentown Rd

City, State, ZIP+4®

Sellersburg IN 47172

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- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
  - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;

for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.

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- Return Receipt (electronic) \$ \_\_\_\_\_
- Certified Mail Restricted Delivery \$ \_\_\_\_\_
- Adult Signature Required \$ \_\_\_\_\_
- Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postmark  
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Total Postage and Fees

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City, State, ZIP+4®

WILLIAM & Charissa Weber

1706 Allentown Rd

Sellersburg IN 47172

7016 3560 0000 7278 1034

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**IMPORTANT: Save this receipt for your records.**

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SELLERSBURG, IN 47172

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Certified Mail Fee

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\$ ~~SELLERSBURG, IN 47172~~ \$3.75

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ ~~\$0.00~~
- Return Receipt (electronic) \$ ~~\$0.00~~
- Certified Mail Restricted Delivery \$ ~~\$8.99~~
- Adult Signature Required \$ ~~\$8.99~~
- Adult Signature Restricted Delivery \$ ~~\$8.99~~

Postage

\$0.49

\$ ~~\$0.00~~

Total Postage and Fees

\$6.59

\$ ~~\$0.00~~

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~~\$0.49~~  
RICHARD or REBECCA BAKER

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City, State, ZIP+4®

Sellersburg IN 47172

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9501 0000 0956 9101



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OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy)

\$

Return Receipt (electronic)

\$

Certified Mail Restricted Delivery

\$

Adult Signature Required

\$

Adult Signature Restricted Delivery

\$

Postage

\$

Total Postage and Fees

\$

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DONALD + KATHY WEBER

1710 Alkentan Rd

Sellersburg IN 47172



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  - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;

for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.

- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

**IMPORTANT: Save this receipt for your records.**

U.S. Postal Service™  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ \_\_\_\_\_  
 Return Receipt (electronic) \$ \_\_\_\_\_  
 Certified Mail Restricted Delivery \$ \_\_\_\_\_  
 Adult Signature Required \$ \_\_\_\_\_  
 Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

\$

Total Postage and Fees

\$

Sent To

ADAM Buress  
Street and Apt. No., or PO Box No.

City, State, ZIP+4®

1616 Allentown Rd.  
Sellersburg IN 47172



7220T 822L 0000 7278 1027  
2016 3560 0000 7278 1027  
095E 910Z

## Certified Mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

### Important Reminders:

- You may purchase Certified Mail service with First-Class Mail®, First-Class Package Service®, or Priority Mail® service.
- Certified Mail service is *not* available for international mail.
- Insurance coverage is *not* available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
  - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;

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**IMPORTANT: Save this receipt for your records.**

# RECEIPT

DATE

5-8-17

No.

928873

RECEIVED FROM

J. R. Dreyer

\$

97<sup>65/100</sup>

Acct. # 222567 Ad # 1322944

DOLLARS

 FOR RENT FOR

Cash

News &amp; Tribune

ACCOUNT	
PAYMENT	
BAL. DUE	

 CASH CHECK MONEY  
ORDER CREDIT  
CARD

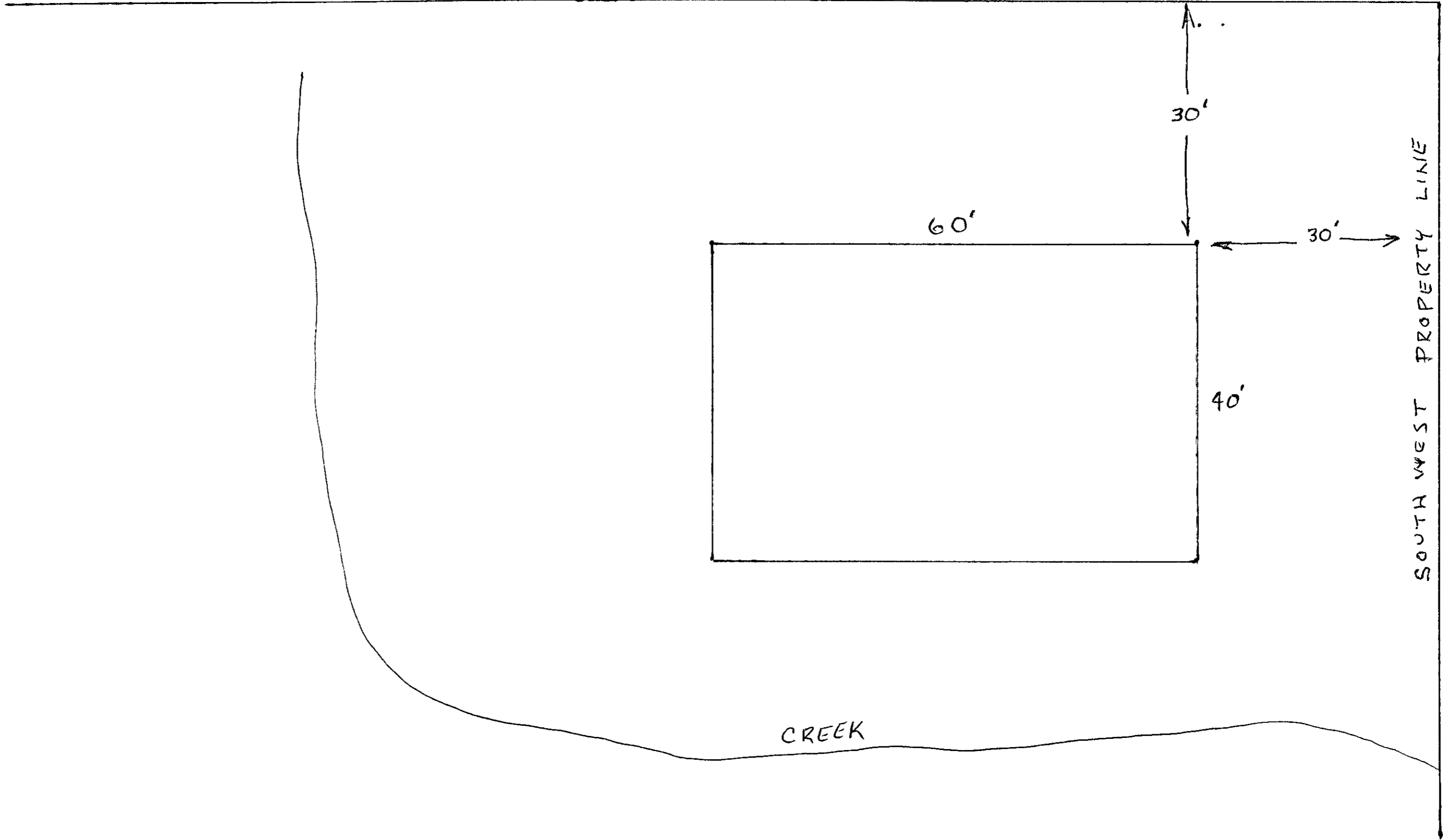
FROM

TO

BY

Marger Baxter

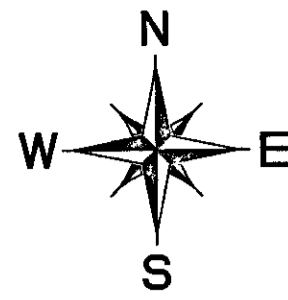
SOUTH EAST PROPERTY LINE



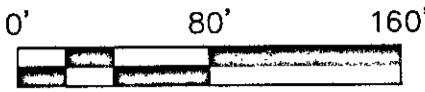
SOUTH WEST PROPERTY LINE

ADAMS CREEK

CREEK



NORTH AND ALL BEARINGS SHOWN HEREON ARE BASED ON NAD 1983, INDIANA EAST ZONE, STATE PLANE COORDINATES AS DERIVED FROM GPS CONTROL AND OBSERVATIONS.

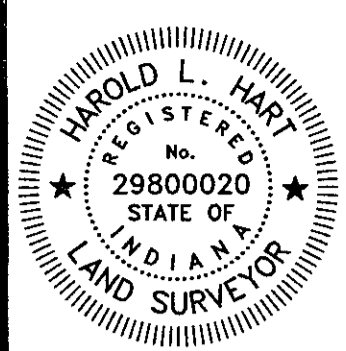


### LEGEND

- These standard symbols will be found in the drawing unless otherwise noted.
- STEEL PIN AND CAP SET THIS SURVEY
  - △ MAG NAIL FOUND THIS SURVEY PER DEED OR CLARK COUNTY SURVEY CORNER REFERENCES
  - ▲ RAILROAD SPIKE FOUND
  - STEEL PIN AND CAP FOUND
  - T.P.O.B. TRUE POINT OF BEGINNING
  - P.O.C. POINT OF COMMENCEMENT
  - IRON PIPE FOUND PER DEED
  - ⊗ BURNSTEN DURANAIL SET THIS SURVEY
  - ◇ MAG NAIL WITH COLLAR SET THIS SURVEY OVER MAGNETIC READING AT THE REPORTED LOCATION OF A DEED MONUMENT
  - (=RA) EQUAL TO RECORD ANGLE
  - (=I-S) DENOTES A 20' WIDE INGRESS AND EGRESS EASEMENT
  - (=I-S) EQUAL TO RECORD DISTANCE (RESULT OF ISGRIGG SURVEY)

I, Harold L. Hart, hereby certify that I have surveyed the subject tract shown and that this survey was executed according to the standards set forth in Title 865, Article 1, Rule 12 of the Indiana Administrative Code to the best of my knowledge and belief. Field work was completed on April 13, 2015.

*Harold L. Hart*  
4-15-15  
Registered Land Surveyor No. 29800020

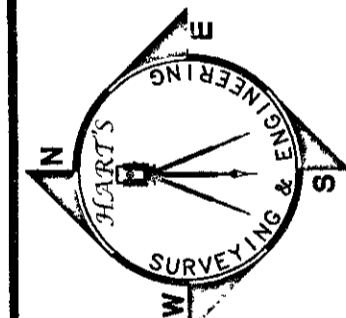


### REVISIONS

1)
2)
3)
4)

DATE: 4-15-15  
DRAWN: H.L.H.  
CHECKED: H.L.H.  
SCALE: 1" = 80'  
DRAWING NO. 15-17

**HART'S**  
SURVEYING & ENGINEERING, LLC  
958 WATER STREET  
CHARLESTOWN, IN 47111  
(812) 256-7781

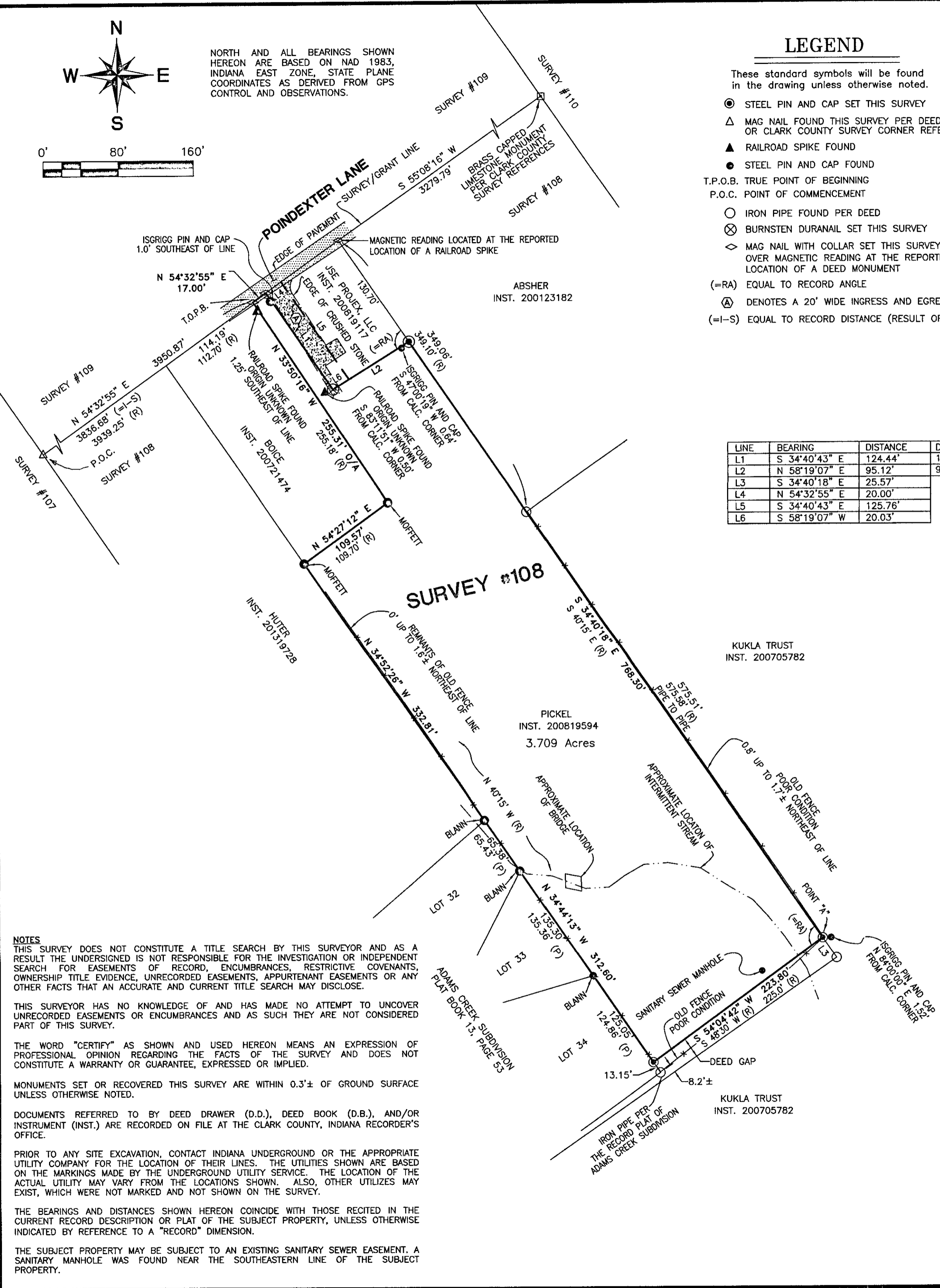


TITLE HOLDER:  
DELORES F. PICKEL AND  
DAVE C. PICKEL

CLIENT:  
DAVE PICKEL

SHEET NO.  
1 OF 1

JOB No. 15-17



LINE	BEARING	DISTANCE	DISTANCE (R)
L1	S 34°40'43" E	124.44'	124.08'
L2	N 58°19'07" E	95.12'	95.12
L3	S 34°40'18" E	25.57'	
L4	N 54°32'55" E	20.00'	
L5	S 34°40'43" E	125.76'	
L6	S 58°19'07" W	20.03'	

### SURVEYOR'S REPORT

In accordance with the Indiana Survey Standards as defined in Title 865, Article 1, Rule 12 of the Indiana Administrative Code, the following observations and opinions are submitted with reference to the uncertainties in the locations of the lines and corners established or re-established on this survey as a result of:

- Availability and condition of reference monuments;
- Occupation or possession lines;
- Clarity or ambiguity of the record description used and/or adjoiner's description, and;
- The relative positional accuracy of the measurements.

The relative positional accuracy of the measurements taken while conducting this survey is within the specifications for a "Rural" class survey (0.26 feet; plus 200 parts per million) as defined by IAC 865.

This is a retracement survey of a tract of land described in Instrument 200819594. The subject property was surveyed by Bob Isgrigg & Associates in July of 2012 (Job #1206-18). The client is wanting to build some improvements on the property and wanted the monuments set as a result of the Isgrigg survey verified as being in the correct location or know if the correct theory of location was applied.

The record description for the subject property is comprised of two tracts with two exceptions (being the Boice Tract and the JSE Projex, LLC tract). Only the exceptions call for any survey monuments. The two exceptions appear to be the result of work performed by Paul Moffett.

The northeast line of the subject property was re-established by recovering three monuments called for in the Absher and Kukla Trust deeds. Said monuments were a railroad spike in Poindexter Lane and two iron pipes. Said monuments measured within 0.04 feet up to 0.07 feet of record dimension. An Isgrigg pin and cap was found in the vicinity of the east corner of the JSE Projex, LLC tract, which measured 0.64 feet from calculated position. According to Isgrigg's survey, the deed referenced pipe found along the western perimeter (designated at Point "A") of the Kukla Trust tract was not found or used in the determination of the subject line.

The southeastern line of the property being surveyed was re-established at record angle in relation to the northeast line of the subject property and terminated at the northeast line of Adams Creek Subdivision. This line measured 1.2 feet short of record dimension.

The southwest line of the subject property was re-established by holding the plat and deed referenced monuments found along this line.

The southeast line of JSE Projex, LLC was re-established at record angle and distance as it relates to the northeast line of the parent tract.

The remaining lines were re-established by recovering the deed called for monuments.

As a result of the above observation, it is my opinion that the uncertainties in the locations of the lines and corners established on this survey are as follows:

- Due to availability and condition of reference monuments: 0 feet up to 0.36 feet ±.
- Due to occupation or possession lines: 0 feet up to 13 feet ± as a result of fencing.

Due to clarity or ambiguity of the record description used and/or adjoiner's description: There is a variance with a magnitude of 102.57 feet between the record distance from the west corner of Survey Number 108 and the measured distance. Also, based upon found record monuments and deed dimensions, there is a deed gap along the southeast line of the subject property between Pickel and Kukla Trust.

### MODERNIZED DESCRIPTION

That part of Survey Number 108 of the Illinois Grant, Clark County, Indiana being further described as follows:

Commencing at a Mag Nail that marks the west corner of said Survey Number 108; Thence along the dividing line of Survey Numbers 108 and 109, North 54 degrees 32 minutes 55 seconds East, 3950.87 feet to a Mag Nail with an aluminum collar in Poindexter Lane the True Point of Beginning;

Thence continuing along said dividing line, North 54 degrees 32 minutes 55 seconds East, 17.00 feet to a Mag Nail with an aluminum collar in Poindexter Lane; Thence along the southwestern line of a tract of land conveyed to JSE Projex, LLC (Instrument 200819117) South 34 degrees 40 minutes 43 seconds East, 124.44 feet to a Bernsten Duranail marking the south corner of the above-mentioned tract of land; Thence along the southeast line of said tract, North 58 degrees 19 minutes 07 seconds East, 95.12 feet to a steel pin and cap marking the east corner of said tract, said steel pin and cap marked "Hart 29800020"; Thence South 34 degrees 40 minutes 18 seconds East, 768.30 feet to a steel pin and cap in the northeastern line of Adams Creek Subdivision; Thence along said northeast line, North 34 degrees 44 minutes 13 seconds West, 312.60 feet to a steel pin and cap; Thence North 34 degrees 52 minutes 26 seconds West, 332.81 feet to a steel pin and cap marking a tract of land conveyed to Boice (Instrument 200721474); Thence along the southeast line of said tract, North 54 degrees 27 minutes 12 seconds East, 109.57 feet to a steel pin and cap at the east corner of said tract; Thence along the northeast line of said tract, North 33 degrees 50 minutes 16 seconds West, 255.31 feet to the True Point of Beginning.

The above-described tract of land contains 3.709 acres, which is subject to all rights-of-ways and easements, whether of record or not.

### DESCRIPTION OF A 20-FOOT WIDE INGRESS AND EGRESS EASEMENT

Being a 20-foot wide Ingress-Egress easement situated all along and adjacent to the southwest line of a tract of land conveyed to JSE Projex, LLC (Instrument 200819117). Said easement being a part of Survey Number 108 of the Illinois Grant, Clark County, Indiana being further described as follows:

Commencing at a Mag Nail that marks the west corner of said Survey Number 108; Thence along the dividing line of Survey Numbers 108 and 109, North 54 degrees 32 minutes 55 seconds East, 3967.87 feet to a Mag Nail with an aluminum collar in Poindexter Lane, which marks the east corner of the above-mentioned tract of land conveyed to JSE Projex, LLC, the True Point of Beginning;

Thence continuing along said dividing line, North 54 degrees 32 minutes 55 seconds East, 20.00 feet; Thence South 34 degrees 40 minutes 43 seconds East, 125.76 feet to the southeast line of said tract; Thence along said southeast line, South 58 degrees 19 minutes 07 seconds West, 20.03 feet to a Bernsten Duranail marking the south corner of said tract; Thence along the southwest line of said tract, North 34 degrees 40 minutes 43 seconds West, 124.44 feet to the True Point of Beginning.

The above-described easement contains 0.057 acres, which is subject to all rights-of-ways and easements, whether of record or not.

**NOTES**  
THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THIS SURVEYOR AND AS A RESULT THE UNDERSIGNED IS NOT RESPONSIBLE FOR THE INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, UNRECORDED EASEMENTS, APPURTENANT EASEMENTS OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

THIS SURVEYOR HAS NO KNOWLEDGE OF AND HAS MADE NO ATTEMPT TO UNCOVER UNRECORDED EASEMENTS OR ENCUMBRANCES AND AS SUCH THEY ARE NOT CONSIDERED PART OF THIS SURVEY.

THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

MONUMENTS SET OR RECOVERED THIS SURVEY ARE WITHIN 0.3'± OF GROUND SURFACE UNLESS OTHERWISE NOTED.

DOCUMENTS REFERRED TO BY DEED DRAWER (D.D.), DEED BOOK (D.B.), AND/OR INSTRUMENT (INST.) ARE RECORDED ON FILE AT THE CLARK COUNTY, INDIANA RECORDER'S OFFICE.


PRIOR TO ANY SITE EXCAVATION, CONTACT INDIANA UNDERGROUND OR THE APPROPRIATE UTILITY COMPANY FOR THE LOCATION OF THEIR LINES. THE UTILITIES SHOWN ARE BASED ON THE MARKINGS MADE BY THE UNDERGROUND UTILITY SERVICE. THE LOCATION OF THE ACTUAL UTILITY MAY VARY FROM THE LOCATIONS SHOWN. ALSO, OTHER UTILITIES MAY EXIST, WHICH WERE NOT MARKED AND NOT SHOWN ON THE SURVEY.

THE BEARINGS AND DISTANCES SHOWN HEREON COINCIDE WITH THOSE RECITED IN THE CURRENT RECORD DESCRIPTION OR PLAT OF THE SUBJECT PROPERTY, UNLESS OTHERWISE INDICATED BY REFERENCE TO A "RECORD" DIMENSION.

THE SUBJECT PROPERTY MAY BE SUBJECT TO AN EXISTING SANITARY SEWER EASEMENT. A SANITARY MANHOLE WAS FOUND NEAR THE SOUTHEASTERN LINE OF THE SUBJECT PROPERTY.



SEP 20 2017

201716732 WD \$25.00  
09/20/2017 10:53:23A 2 PGS  
Zachary Payne  
Clark County Recorder IN  
Recorded as Presented  


*R. Mark Sully*  
Auditor, Clark County

Tax Parcel Number: 10-17-08-900-121.000-031  
Tax ID Number: 17-00041-008-0

Address for tax statements:  
7919 Hwy. 31 E.  
Sellersburg, IN 47172

### WARRANTY DEED

**THIS INDENTURE WITNESSETH** That MICHAEL R. CONN and MARY JANE CONN, husband and wife ("Grantors"), for the sum of \$1.00 and other good and valuable consideration, receipt of which is hereby acknowledged,

### CONVEYS AND WARRANTS

To DAVID J. GRAVES and CASSIE J. GRAVES, husband and wife ("Grantees") the following described real estate situated in Clark County, State of Indiana, to-wit:

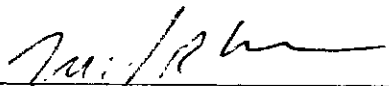

The following described real estate situated in the County of Clark and State of Indiana, to-wit: Being a part of Survey No. 89 of the Illinois Grant, Clark County, Indiana and more particularly described as follows, to-wit: Beginning at a stone, the North corner of Bloor tract in Survey No. 89; thence South 54° West 495.85 feet to an iron pin; thence South 08° 46' East 174 feet to a stake, the true place of beginning; thence continuing South 08° 46' East 235 feet to a stake; thence North 54° East 80' to a stake; thence North 08° 46' West 235 feet to a stake; thence South 54° West 80 feet to the place of beginning; containing 0.34 acres, more or less. ALSO, an easement for purposes of ingress and egress over and across the following described roadway leading from U.S. Highway 31-E to the above described real estate: Being a part of Survey No. 89 of the Illinois Grant described thus: Beginning at a stone, the North corner of the Bloor tract in Survey No. 89; thence South 54° West 56.3 feet to an iron pin in the West right-of-way line of U.S. Hwy 31-E; thence South 08° 46' East 174 feet to the true place of beginning; thence South 54° West 379.55 feet to a stake; thence North 08° 46' West 10 feet to a stake; thence North 54° East 379.55 feet to the West right-of-way line of U.S. Hwy 31-E; thence South 08° 46' East along said right-of-way line 10 feet to the true place of beginning. Including the house trailer located on the above described real estate. Subject to all easements and restrictions of record or apparent which affect said property.

The above described real estate is conveyed subject to applicable planning and zoning ordinances, rules, regulations and statutes, all other government laws and regulations affecting the property, all legal highways, legal drains, rights of way, covenants, easements and/or restrictions whether visible or of public record affecting said real estate.

Also subject to the lien of real estate taxes and any other assessments due and payable in May 2017 and thereafter, which Grantees assume and agree to pay.

This conveyance is in compliance with a certain real estate contract dated the 19th day of January, 2017, wherein Michael R. Conn and Mary Jane Conn, husband and wife were Sellers and David J. Graves and Cassie J. Graves, husband and wife were Purchasers and which contract is recorded in Instrument No. 201701568 in the Office of the Recorder of Clark County, Indiana. The warranties of title by Grantor after the date of said contract are limited to a warranty against the acts or omissions of the Grantor and not otherwise.

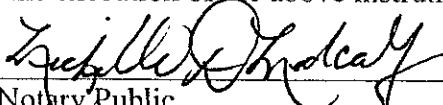
IN WITNESS WHEREOF, the Grantors have caused this Deed to be executed this 20 day of September, 2017.

  
MICHAEL R. CONN  
  
MARY JANE CONN

STATE OF INDIANA  
§  
COUNTY OF CLARK

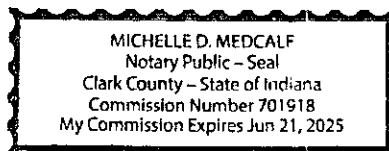
Before me, the undersigned, a Notary Public in and for said County and State, this 20 day of September, 2017 personally appeared Michael R. Conn and Mary Jane Conn, who are personally known by me or who I have confirmed the identify of to the extent required by law and those persons then acknowledged the execution of the above instrument.

Witness my hand and notarial seal.

  
Notary Public,  
Resident of Clark County, Indiana  
MICHELLE D. MEDCALF  
Printed Name

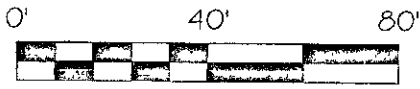
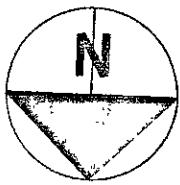
My Commission Expires:  
\_\_\_\_\_

My Commission Number:  
\_\_\_\_\_



THIS INSTRUMENT PREPARED WITHOUT REQUEST FOR  
OR BENEFIT OF TITLE SEARCH BY:  
**DAVID NACHAND**  
ATTORNEY AT LAW  
426 E. COURT AVENUE  
JEFFERSONVILLE, INDIANA 47130  
(812) 282-1361

I AFFIRM, UNDER PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW. DAVID NACHAND

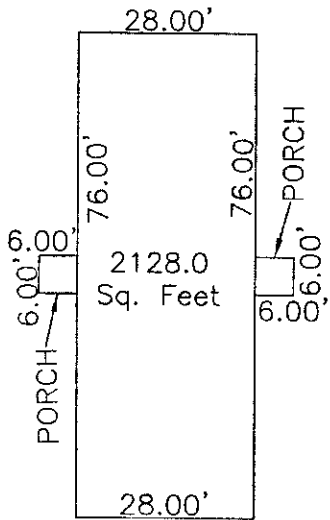


NOTES:

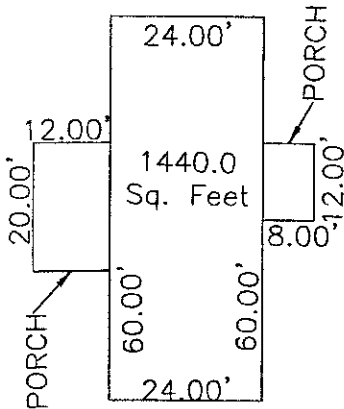
THIS IS NOT A BOUNDARY RETRACEMENT SURVEY  
BUT A DEVELOPMENT PLAN BASED ON PUBLIC RECORDS  
THE BASIS OF BEARINGS FOR THIS EXHIBIT IS BASED  
UPON THE CURRENT DEED, INSTRUMENT 201716732.

NOTES:

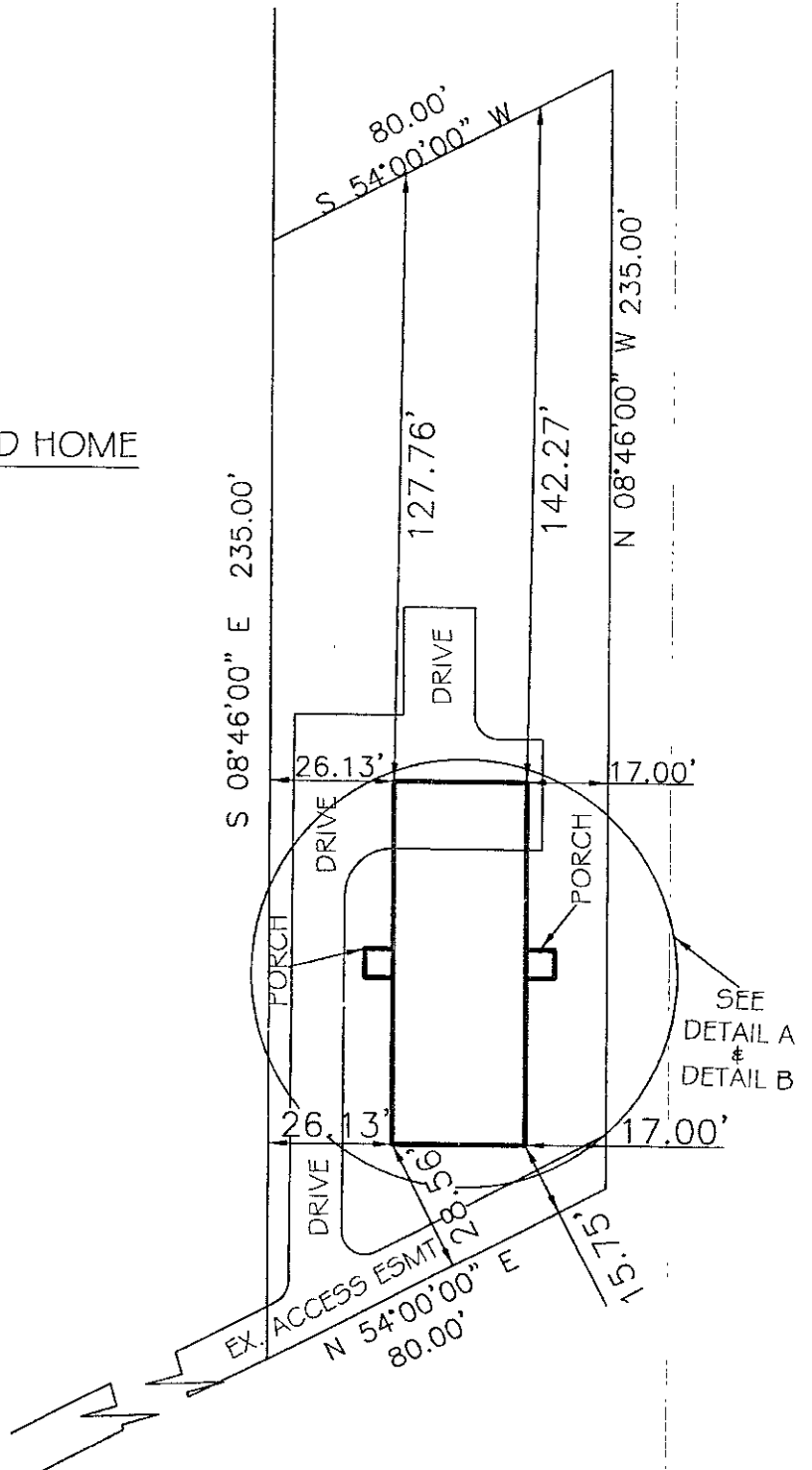
1. EX. MOBILE HOME BURNED DOWN AUGUST 2017.
2. PROPOSED HOUSE TO BE A 2017 CLAYTON MANUFACTURED HOME MODEL THE BREEZE II.
3. CURRENT & PROPOSED ZONING = R1



DETAIL A - PROPOSED MANUFACTURED HOME



DETAIL B - EXISTING MOBILE HOME  
(BURNED DOWN IN AUGUST 2017)  
SCALE: 1" = 30'



*Nathan R. Grimes*

Sheet	Dwn by: BAS	Chk by: NG	Scale: 1" = 40'
	Date: 9-28-17	Project No: 2017-391	
Of	DEVELOPMENT PLAN DAVID & CASSIE GRAVES 7919 HIGHWAY 31 SELLERSBURG, INDIANA 47172		
	Revisions:		

**RENAISSANCE DESIGN BUILD, INC.**



117 S Indiana Avenue  
Sellersburg, IN 47172  
Tel: 812-246-5897 Fax: 812-248-4320  
[www.renaissancebuild.com](http://www.renaissancebuild.com)