

Ref # 201204263



201600277

MARY RHOADES  
POSEY COUNTY RECORDER  
RECORDED ON  
01/25/2016 11:23:39AM  
FEE:0.00  
PAGES: 14

**RESOLUTION OF THE POSEY COUNTY AREA PLAN COMMISSION**

Resolution Number: \_\_\_\_\_ Passed: 11-1315

A RESOLUTION APPROVING AMENDMENTS PROPOSED BY THE POSEY COUNTY AREA PLAN COMMISSION CONCERNING CHAPTER 153-ZONING CODE, SECTION 153.051 RMH RESIDENTIAL MOBILE HOME DISTRICT, SECTION 153.160 USE UNIT 15 OTHER TRADES AND SERVICES, SECTION 153.245 VARIANCES, SECTION 153.246 SPECIAL EXCEPTIONS, SECTION 153.252 ZONING TEXT AND MAP AMENDMENTS, APPENDIX A USE UNIT BY ZONING DISTRICT AND SECTION 153.107 SITE DEVELOPMENT PLAN REVIEW OF THE ZONING ORDINANCE OF THE CITY OF MOUNT VERNON, THE TOWN OF CYNTHIANA, THE TOWN OF POSEYVILLE, AND UNINCORPORATED POSEY COUNTY

WHEREAS, The Posey County Area Plan Commission did on November 12, 2015 hold a duly advertised public hearing to amend the texts of the Zoning Ordinance of City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and the Unincorporated Area of Posey County, Indiana, until all objections and remonstrances were heard; and

NOW, THEREFORE, BE IT RESOLVED, by the Posey County, Indiana Area Plan Commission that an amendment to the "Zoning Ordinance of the City of Mt. Vernon, the Town of Cynthiana, the Town of Poseyville and the Unincorporated Area of Posey County is approved as follows:

The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section 153.051 RMH Residential Mobile Home District, Section 153.160 Use Unit 15 Other Trades and Services, Section 153.245 Variances, Section 153.246 Special Exceptions, Section 153.252 Zoning Text and Map Amendments, Appendix A Use Unit by Zoning District and Section 153.107 Site Development Plan Review be amended as follows:

**I. Section 153.051(A) (3) Use Regulations - RMH Residential Mobile Home District - Use by Right**

Amendment for this section to replace previous text and to now read as follows (deletions shown by ~~strikeout~~ and additions shown by underline):

153.051(A) (3) Use Unit 8- Manufactured or Modular Dwelling

**II. Section 153.051(B) (4-5) Use Regulations - RMH Residential Mobile Home District - Use by Special Exception**

Amendment for this section to replace previous text and to now read as follows (deletions shown by ~~strikeout~~ and additions shown by underline):

153.051(B) (4) Use Unit 8- Manufactured or Modular Dwelling

(4) Use Unit 28- Home Occupations

(5) Use Unit 29-- Mobile Office Trailers

**III. Section 153.160(B)(2)(duplicate "e") USE UNIT 15 OTHER TRADES AND SERVICES**

Amendment for this section to replace previous text and to now read as follows (deletions shown by ~~strikeout~~ and additions shown by underline):

153.160(B)(2)(e-f) Recycling Center/Collection Point (aluminum, glass, paper and plastics)

**IV. Section 153.245(F) Variances**

Amendment for this section to replace previous text and to now read as follows (deletions shown by ~~strikeout~~ and additions shown by underline):

~~(F) Time Limitation on Re-filing. A new application and/or rehearing of Variance on the same property shall not be permitted in less than one year, whether or not the Variance has been approved or denied. A rehearing of a Variance which has been denied, or a new filing or re-filing for a Variance which has been denied, shall not be permitted for one (1) year following the denial.~~

**V. Section 153.246(F) Special Exceptions**

Amendment for this section to replace previous text and to now read as follows (deletions shown by ~~strikeout~~ and additions shown by underline):

~~(F) Time Limitation on Re-filing. A new application and/or rehearing of a Special Exception on the same property shall not be permitted in less than one year, whether or not the Special Exception has been approved or denied. A rehearing of a Special Exception which has been denied, or a new filing or re-filing for a Special Exception which has been denied shall not be permitted for one (1) year following the denial.~~

**VI. Section 153.252(D) Zoning Text and Map Amendments**

Amendment for this section to replace previous text and to now read as follows (deletions shown by ~~strikeout~~ and additions shown by underline):

~~(D) Time Limitation on Re-filing for Zoning Map Amendment. A new application and/or rehearing of a proposed Zoning Map amendment on the same property shall not be permitted in less than one year, whether or not the amendment has been approved or denied by the affected local legislative body. A new application and/or rehearing of a proposed Zoning Map amendment which has been denied shall not be permitted for one (1) year following the denial by the affected local legislative body.~~

**VII. Appendix A "Use Unit by Zoning District" Table**

In the cell defined by the RMH column and the Use Unit B row, change the "E" (permitted by Special Exception) to an "X" (permitted by Right).

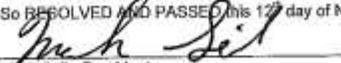
**VIII. Section 153.107 Site Development Plan Review**

Amendment for last sentence in this section to replace previous text and to now read as follows (deletions shown by ~~strikeout~~ and additions shown by underline):

See Section ~~463-233~~ 153.223 which governs the manufacturing site development plan process.

IX. This Ordinance shall be in full force upon its passage.

So ~~RESOLVED AND PASSED~~ this 12<sup>th</sup> day of November, 2015

  
Mark Solb, President  
Posey County Area Plan Commission

  
Mindy Bourke, Executive Director, Secretary  
Posey County Area Plan Commission

POSEY COUNTY, INDIANA BOARD OF COMMISSIONERS  
ORDINANCE NO. 15-~~12-07-02~~  
UNINCORPORATED POSEY COUNTY, INDIANA

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF MOUNT VERNON, THE TOWN OF CYNTHIANA, THE TOWN OF POSEYVILLE AND UNINCORPORATED POSEY COUNTY CHAPTER 153-ZONING CODE, SECTION 153.051-USE REGULATIONS-RMH RESIDENTIAL MOBILE HOME DISTRICT, SECTION 153.160-USE UNIT 15- OTHER TRADES AND SERVICES, SECTION 153.245-VARIANCES, SECTION 153.246 – SPECIAL USES, SECTION 153.252 – ZONING TEXT AND MAP AMENDMENTS, APPENDIX A USE UNIT BY ZONING DISTRICT AND SECTION 153.107 SITE DEVELOPMENT PLAN REVIEW**

Be it ordained by the Posey County Commissioners, Posey County, Indiana that the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Chapter 153-Zoning Code, Section 153.051-Use Regulations-RMH Residential Mobile Home District, Section 153.160-Use Unit 15- Other Trades And Services, Section 153.245- Variances, Section 153.246 – Special Uses, Section 153.252 – Zoning Text And Map Amendments Appendix A Use Unit by Zoning District and Section 15.107 Site Development Plan Review be amended as follows:

**I. Section 153.051(A) (3) Use Regulations - RMH Residential Mobile Home District - Use by Right**

Amendment for this section to replace previous text and to now read as follows (deletions shown by ~~strikeout~~ and additions shown by underline):

153.051(A) (3) Use Unit 8-Manufactured or Modular Dwelling

**II. Section 153.051(B) (4-5) Use Regulations - RMH Residential Mobile Home District - Use by Special Exception**

Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

153.051(B) ~~(4) Use Unit 8-Manufactured or Modular Dwelling~~

(4) Use Unit 28-Home Occupations

(5) Use Unit 29 – Mobile Office Trailers

ORDINANCE NO. 2015 - 12-07-02  
UNINCORPORATED POSEY COUNTY, INDIANA  
Page 2 of 3

**III. Section 153.160(B)(2)(duplicate "e") USE UNIT 15 OTHER TRADES AND SERVICES**

Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

153.160(B)(2)(~~e~~ f) Recycling Center/Collection Point (aluminum, glass, paper and plastics)

**IV. Section 153.245(F) Variances**

Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

(F) Time Limitation on Re-filing. ~~A new application and/or rehearing of Variance on the same property shall not be permitted in less than one year, whether or not the Variance has been approved or denied. A rehearing of a Variance which has been denied, or a new filing or re-filing for a Variance which has been denied, shall not be permitted for one (1) year following the denial.~~

**V. Section 153.246(F) Special Exceptions**

Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

(F) Time Limitation on Re-filing. ~~A new application and/or rehearing of a Special Exception on the same property shall not be permitted in less than one year, whether or not the Special Exception has been approved or denied. A rehearing of a Special Exception which has been denied, or a new filing or re-filing for a Special Exception which has been denied shall not be permitted for one (1) year following the denial.~~

**VI. Section 153.252(D) Zoning Text and Map Amendments**

Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

ORDINANCE NO. 201 5 - 12-07-02  
UNINCORPORATED POSEY COUNTY, INDIANA  
Page 3 of 3

(D) Time Limitation on Re-filing for Zoning Map Amendment. ~~A new application and/or rehearing of a proposed Zoning Map amendment on the same property shall not be permitted in less than one year, whether or not the amendment has been approved or denied by the affected local legislative body. A new application and/or rehearing of a proposed Zoning Map amendment which has been denied shall not be permitted for one (1) year following the denial by the affected local legislative body.~~

VII. Appendix A "Use Unit by Zoning District" Table

In the cell defined by the RMH column and the Use Unit 8 row, change the "E" (permitted by Special Exception) to an "X" (permitted by Right).

VIII. Section 153.107 Site Development Plan Review

Amendment for last sentence in this section to replace previous text and to now read as follows (deletions shown by ~~strikeout~~ and additions shown by underline):

See Section ~~153.223~~ 153.223 which governs the manufacturing site development plan process.

IX. This Ordinance shall be in full force upon its passage.

ORDAINED AND PASSED by the Posey County Commissioner, Posey County, Indiana, this 7<sup>th</sup> day of December, 2015.

POSEY COUNTY COMMISSIONERS  
POSEY COUNTY, INDIANA

Carl A. Schmitz  
Carl A. Schmitz

James Alsop  
James Alsop

Jerry Walden  
Jerry Walden

ATTEST: Kyle J. Haney  
Kyle Haney, Auditor

**ORDINANCE NO. 201 16-2**  
**CITY OF MT. VERNON, IND.,**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF MOUNT VERNON, THE TOWN OF CYNTHIANA, THE TOWN OF POSEYVILLE AND UNINCORPORATED POSEY COUNTY CHAPTER 153-ZONING CODE, SECTION 153.051-USE REGULATIONS-RMH RESIDENTIAL MOBILE HOME DISTRICT, SECTION 153.160-USE UNIT 15- OTHER TRADES AND SERVICES, SECTION 153.245-VARIANCES, SECTION 153.246 – SPECIAL USES, SECTION 153.252 – ZONING TEXT AND MAP AMENDMENTS, APPENDIX A USE UNIT BY ZONING DISTRICT and SECTION 153.107 SITE DEVELOPMENT PLAN REVIEW**

Be it ordained by the Common Council of the City of Mount Vernon, Posey County, Indiana that the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Chapter 153-Zoning Code, Section 153.051-Use Regulations-RMH Residential Mobile Home District, Section 153.160-Use Unit 15- Other Trades And Services, Section 153.245- Variances, Section 153.246 – Special Uses, Section 153.252 – Zoning Text And Map Amendments, Appendix A Use Unit by Zoning District and Section 153.107 Site Development Plan Review be amended as follows:

**I. Section 153.051(A) (3) Use Regulations - RMH Residential Mobile Home District - Use by Right**

Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

153.051(A) ~~(3) Use Unit 8-Manufactured or Modular Dwelling~~

**II. Section 153.051(B) (4-5) Use Regulations - RMH Residential Mobile Home District - Use by Special Exception**

Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

153.051(B) ~~(4) Use Unit 8-Manufactured or Modular Dwelling~~

(4) Use Unit 28-Home Occupations

(5) Use Unit 29 – Mobile Office Trailers

ORDINANCE NO. 201\_\_\_\_ - \_\_\_\_  
CITY OF MT. VERNON, IND.,  
Page 2 of 3

III. Section 153.160(B)(2)(duplicate "e") USE UNIT 15 OTHER TRADES AND SERVICES

Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

153.160(B)(2)(-e\_f) Recycling Center/Collection Point (aluminum, glass, paper and plastics)

IV. Section 153.245(F) Variances

Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

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V. Section 153.246(F) Special Exceptions

Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

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ORDINANCE NO. 201 \_\_\_\_\_  
CITY OF MT. VERNON, IND.,  
Page 3 of 3

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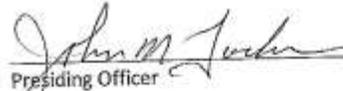
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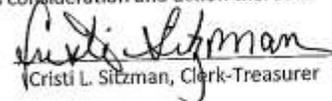
See Section ~~153.223~~ 153.223 which governs the manufacturing site development plan process.

IX. This Ordinance shall be in full force upon its passage.

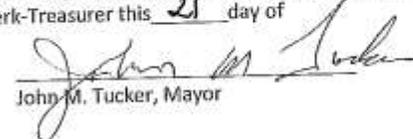
ORDAINED AND PASSED by the Common Council of the City of Mount Vernon, Indiana, this 21 day of JAN, 2016

  
John M. Tucker  
Presiding Officer

Presented to me to the Mayor of the city of Mount Vernon, Indiana at 7:25 o'clock P.m. this 21 day of JAN, 2016 for his consideration and action thereon.

  
Cristi L. Sitzman, Clerk-Treasurer

Having examine the foregoing Ordinance and i do now, as Mayor of the City of Mount Vernon, Indiana, approve said Ordinance and return the same to the Clerk-Treasurer this 21 day of JAN, 2016.

  
John M. Tucker, Mayor

ATTEST:

  
Cristi L. Sitzman, Clerk-Treasurer

CYNTHIANA TOWN COUNCIL  
ORDINANCE NO. 15-12-08  
TOWN OF CYNTHIANA, INDIANA

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF MOUNT VERNON, THE TOWN OF CYNTHIANA, THE TOWN OF POSEYVILLE AND UNINCORPORATED POSEY COUNTY CHAPTER 153-ZONING CODE, SECTION 153.051-USE REGULATIONS-RMH RESIDENTIAL MOBILE HOME DISTRICT, SECTION 153.160-USE UNIT 15- OTHER TRADES AND SERVICES, SECTION 153.245-VARIANCES, SECTION 153.246 – SPECIAL USES, SECTION 153.252 – ZONING TEXT AND MAP AMENDMENTS, APPENDIX A USE UNIT BY ZONING DISTRICT AND SECTION 153.107 SITE DEVELOPMENT PLAN REVIEW**

Be it ordained by the Cynthiana Town Council, Posey County, Indiana that the Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Chapter 153-Zoning Code, Section 153.051-Use Regulations-RMH Residential Mobile Home District, Section 153.160-Use Unit 15- Other Trades And Services, Section 153.245- Variances, Section 153.246 – Special Uses, Section 153.252 – Zoning Text And Map Amendments Appendix A Use Unit by Zoning District and Section 153.107 Site Development Review be amended as follows:

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Amendment for this section to replace previous text and to now read as follows (deletions shown by ~~strikeout~~ and additions shown by underline):

153.051(A) ~~(3) Use Unit 8-Manufactured or Modular Dwelling~~

**II. Section 153.051(B) (4-5) Use Regulations - RMH Residential Mobile Home District - Use by Special Exception**

Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

153.051(B) ~~(4) Use Unit 8-Manufactured or Modular Dwelling~~

(4) Use Unit 28-Home Occupations

(5) Use Unit 29 – Mobile Office Trailers

ORDINANCE NO. 201\_\_\_\_\_  
TOWN OF CYNTHIANA, INDIANA  
Page 2 of 3

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Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

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Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

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ORDINANCE NO. 201 \_\_\_\_\_  
TOWN OF CYNTHIANA, INDIANA  
Page 3 of 3

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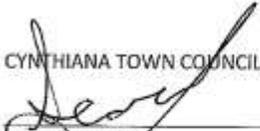
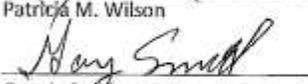
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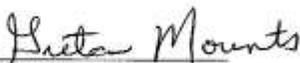
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See Section ~~153.233~~ 153.223 which governs the manufacturing site development plan process.

IX. This Ordinance shall be in full force upon its passage.

ORDAINED AND PASSED by the Cynthiana Town Council, Poseyville, Indiana, this 8th day of December, 2015

CYNTHIANA TOWN COUNCIL  
  
\_\_\_\_\_  
Scott A. Cox  
  
\_\_\_\_\_  
Patricia M. Wilson  
  
\_\_\_\_\_  
Gary L. Smith

ATTEST:   
Clerk-Treasurer

POSEYVILLE TOWN COUNCIL  
ORDINANCE NO. 15-~~33-4-0~~  
TOWN OF POSEYVILLE, INDIANA

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF MOUNT VERNON, THE TOWN OF CYNTHIANA, THE TOWN OF POSEYVILLE AND UNINCORPORATED POSEY COUNTY CHAPTER 153-ZONING CODE, SECTION 153.051-USE REGULATIONS-RMH RESIDENTIAL MOBILE HOME DISTRICT, SECTION 153.160-USE UNIT 15- OTHER TRADES AND SERVICES, SECTION 153.245-VARIANCES, SECTION 153.246 – SPECIAL USES, SECTION 153.252 – ZONING TEXT AND MAP AMENDMENTS, APPENDIX A USE UNIT BY ZONING DISTRICT AND SECTION 153.107 SITE DEVELOPMENT REVIEW**

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ORDINANCE NO. 201\_\_\_\_-\_\_\_\_  
TOWN OF POSEYVILLE, INDIANA  
Page 2 of 3

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Amendment for this section to replace previous text and to now read as follows(deletions shown by ~~strikeout~~ and additions shown by underline):

ORDINANCE NO. 201 5-12-01  
TOWN OF POSEYVILLE, INDIANA  
Page 3 of 3

(D) Time Limitation on Re-filing for Zoning Map Amendment. ~~A new application and/or rehearing of a proposed Zoning Map amendment on the same property shall not be permitted in less than one year, whether or not the amendment has been approved or denied by the affected local legislative body. A new application and/or rehearing of a proposed Zoning Map amendment which has been denied shall not be permitted for one (1) year following the denial by the affected local legislative body.~~

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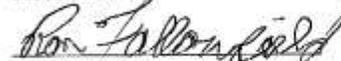
See Section ~~153.223~~ 153.223 which governs the manufacturing site development plan process.

IX. This Ordinance shall be in full force upon its passage.

ORDAINED AND PASSED by the Poseyville Town Council, Poseyville, Indiana, this 4th  
day of December, 2015

POSEYVILLE TOWN COUNCIL

  
Bruce Baker

  
Ron Fallowfield

  
Steve Ahrens

ATTEST:   
Clerk/Treasurer