

MINUTES

POSEY COUNTY AREA PLAN COMMISSION REGULAR MEETING

THE HOVEY HOUSE
330 WALNUT STREET
MT. VERNON, IN 47620

SEPTEMBER 14, 2023
6:00 P.M.

MEMBERS PRESENT: Mr. Mark Seib – President, Dr. Keith Spurgeon – Vice President, , Mrs. Stefani Miller, Mr. Greg Newman, Mr. Randy Owens, Mr. Joe Marvel, Mr. Andy Hoehn, Mr. Adam Farrar – Attorney, Mindy Bourne – Executive Director, Mrs. Taylor Elmendorf – Administrative Assistant.

MEMBERS ABSENT: Mr. David Dausman and Mr. Mike Baehl.

APPROVAL OF MINUTES: Mr. Seib explained that the minutes from the last regular meeting had not been completed in time for this meeting but should be available for review at the next regular meeting.

REZONING:

DOCKET NO: 23-08-RE-APC

APPLICANT: David M. Wassmer

OWNER: Robert & Juana Sue Wassmer

PREMISES: Part of the Fractional Section 5, Township 4 South, Range 12 West, lying in Robb Township, Posey County, Indiana. More commonly known as 7301 Wassmer Rd, Poseyville, Indiana. Containing 1.01 & 1.00 acres more or less (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Petition to rezone property from A (Agricultural) Zoning District to R-1 (Residential Single Family) Zoning District under the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County.

MARK SEIB: Does anyone on the committee have a conflict of interest with this application?

Mark Seib confirmed with Mindy Bourne that the applicant has met all the requirements for notification per the statute.

MARK SEIB: Who is here to speak concerning this application? David would you please come to the podium, state your name and where you live for the record. Then could you please state what it is you are wanting to do.

DAVID WASSMER: 7405 Wassmer Rd., Poseyville. Basically my dad has 40 acres left there, give or take a few and some of the kids wanted it petitioned off we all live right around him and when we did that it broke it into some one acre lots basically where dad lives already was farming but now it needs to be residential because Kevin is wanting an acre on the other end of the lot right beside my sister who has a house there already. So that is what we are trying to accomplish to just get it from agricultural to residential.

MINDY BOURNE: Everyone should have a copy of the subdivision and the proposed plot.

DAVID WASSMER: It has been surveyed; you should have the drawing there.

MARK SEIB: So it is a one acre lot.

DAVID WASSMER: Its 1.01 and his house has been there for over 100 years. That is where dad lives.

MINDY BOURNE: It is all out of the same parcel, but there is a gap in between.

DAVID WASSMER: There is a gap now between the farm ground and his 1.01 where sis lives. The other acre is just past my sisters house on the gravel road.

MINDY BOURNE: You can see that part in the aerial photo.

MARK SEIB: And this is because another one in the family wants to build a house?

DAVID WASSMER: Potentially. There is no plans that I am aware of right now, but dad is 91 and Kevin wanted to get an acre of the property before something might have to happen to the rest of the property gets sold or whatever.

MARK SEIB: Any questions? Any questions from the committee for Mr. Wassmer at this time?

MINDY BOURNE: This has to be rezoned, after it gets rezoned after it goes through this body and then it goes to County Commissioners and it will be coming back to this board for minor subdivision approval.

MARK SEIB: Are there any questions for Mr. Wassmer? Thank you, David, you may have a seat. At this time, we will open the floor for public comment. Is there anyone here wishing to speak for or against this proposed rezoning, please come forward. Hearing and seeing no one coming forward we will close the public portion.

Mr. Seib confirmed with Mrs. Bourne that there had not been any phone calls, letters or emails concerning this application.

MARK SEIB: We will leave it up to the board to discuss amongst themselves and take action as they see fit.

Greg Newman made a motion to approve the rezoning request 23-08-RE-APC, motion was seconded by Andy Hoehn. Roll Call Vote (7-0) **Yes. Motion carried.**

MINDY BOURNE: Findings of Facts are in your packets.

Andy Hoehn made a motion to approve the Findings of Facts and seconded by Joe Marvel. Roll Call Vote (7-0) **Yes. Motion carried.**

MINDY BOURNE: This is a recommendation to the County Commissioners; their next meeting is Tuesday, September 19th at 9:00 AM in this room. I will be there to present your application to them, but they do wish for the applicant to be there to answer any questions.

MARK SEIB: Once approved by the Commissioners then the rezoning is done and they will need to come back here to file for minor subdivision.

DEVELOPMENT PLAN APPLICATION WECS TIER 3:

DOCKET NO: 2023-01-WECS-3-APC
APPLICANT: Steven Wolf
CO-APPLICANTS: Amy Wolf, Patrick Wolf, Matthew Wolf, Chanda Wolf, Jordan Wolf
OWNER: Steve & Amy L. Wolf, Steven P. & Amy Wolf Etal, Matthew J. Wolf
PREMISES: Part Northeast Quarter Southeast Quarter of Section 27, Township 6 South, Range 12 West, lying in Marrs Township, Posey County Indiana. More commonly known as 4600 Hartman Road, Mt. Vernon, Indiana. Containing 2.747 acres, 1 acre more or less and Pt 63.786 acres more or less.
(Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: The applicant requests Development Plan Approval to develop a Wind Energy Conversion System (WECS) – Tier 3

MARK SEIB: Does anyone on the committee have a conflict of interest with this application?

Mark Seib confirmed with Mindy Bourne that the applicant has met all the requirements for notification per the statute.

MARK SEIB: Who is here is to speak concerning this application? Would you please come to the podium, state your name and where you live for the record. Then could you please state what it is you are wanting to do.

STEVEN WOLF: My name is Steven P. Wolf, I live at 4600 Hartmann Rd., Mt. Vernon, Indiana. What I am wanting to do is put up a 15KW wind turbine. I am not sure where they come up with farm there, it is just one turbine for my personal use.

MINDY BOURNE: It actually says Wind Energy Conversion System it doesn't say farm.

STEVEN WOLF: Well, he said wind farm while ago. It is just one and it is for my use. But if it does work, I may put another one up by the grain bin site. What we are trying to do is to cut down our electric bill at the shop. I am going solar and wind. I just had to get this permit to do the wind turbine.

STEVEN WOLF: It will be on the roof, if you have a plan there it is the building directly east of my house. I don't know if you can see the FM tower. We have a FM tower there which we no longer use, we will be taking it down and this wind turbine tower will go straight south of where it was at. Approximately 30 feet. All of the ground around us is a part of the Wolf family which is all ours now. The reason my boys are on there is we are in a transition of turning it all over to them. But I am wanting to do this stuff myself now and they will get more benefit out of it than I will.

MARK SEIB: So you FM tower is probably 100 feet?

STEVEN WOLF: 110 feet.

MARK SEIB: So you have a tower that is 110 feet and you are going to put a turbine up that will be 100 feet. The tower height, is that the total height of it with the propellers?

STEVEN WOLF: No. I am pretty sure it is a 120 foot tower and it is a 30 foot prop.

GREG NEWMAN: It says 116 in our packet.

MINDY BOURNE: The tower height is 100 feet and the highest point to the tip of the blade is 116.

STEVEN WOLF: Whatever it says there is what it is.

MINDY BOURNE: You have two plot plans in your file because you first submitted one which is the one with the yellow and green. Then he later submitted one which is the black and white showing that he was moving it. I tried to make notes of the new location and draw arrows. However, I put both of them in your packets because the first one really showed the distances to the property lines better. Even though the location moved slightly, it moved south in between the two buildings.

GREG NEWMAN: So where the red dot is?

STEVEN WOLF: What I did was putting it back on my original acre of ground. Where it was before was right on the line with the family. But I moved it to put it completely on my own property. Before it was splitting the line. Which really doesn't matter because the boys want it just as much as I do. That is kind why everyone is listed as co-applicants.

MINDY BOURNE: That is why we advertised it with everyone including the kids and we advertised it with all three parcels. Because it was sitting right on that line.

STEVEN WOLF: But it is no longer on that line. Now it is inside my original acre which was given to me from the family fifty years ago.

MARK SEIB: Are there any questions?

GREG NEWMAN: How close is that going to put it to the building? Between the shop there.

STEVEN WOLF: I think it is going to be right at 40 feet. I thought I had a dimension on the plot plan. They want it right next to the building, the wind people do.

GREG NEWMAN: For the transmission access.

STEVEN WOLF: Yes. What was Mark's question?

MARK SEIB: There was a formula that was used to calculate the setback requirements for the height of the structure. I guess that is what I was asking Mindy about and she said the attorney has reviewed it as well and has went through the process of checking this.

MINDY BOURNE: He actually owns the parcel across the road as well.

JOE MARVEL: I was more concerned about setbacks by building height. I wasn't sure what they were for TIER 3.

MARK SEIB: Does the Committee have any further questions? Seeing none, you may have a seat. At this time, we will open the floor for public comment. Is there anyone here wishing to speak for or against this proposed application, please come forward. Hearing and seeing no one coming forward we will close the public portion.

Mr. Seib confirmed with Mrs. Bourne that there had not been nay phone calls, letters or emails concerning this application.

MARK SEIB: We will leave it up to the board to discuss amongst themselves and take action as they see fit.

Andy Hoehn made a motion to approve the docket 2023-01-WECS-3-APC, motion was seconded by Stefani Miller. Roll Call Vote (7-0) **Yes. Motion carried.**

MINDY BOURNE: This has been approved, before it is put into place you will need to come get your Improvement Location Permit.

REPLAT& VARIANCE:

DOCKET NO: 23-07-S-APC

APPLICANT: Laird Davis, Larry Davis & Lonna Berridge

OWNER: James F. Davis Trust

PREMISES: NE portion of Lot 1, Blk 19 in Company's Enlargement to the City of Mt. Vernon & Southeast Quarter Section 5 Township 7 South, Range 13

West, lying in Black Township, Posey County, Indiana.
More commonly known as 608 E. Grant St., Mt. Vernon, Indiana. Containing
2.56 acres more or less. (Complete legal description is on file at the Posey
County Area Plan Commission Office).

APPLICANT/OWNER OF THE ABOVE DESCRIBED PROPERTY HAS REQUESTED:

Approval of Replat and Variance of Section 4.3 Streets in CG (Commercial General) & RS
(Residential Single Family) Zoning District under The Subdivision Control Ordinance of the
City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated
Posey County.

MARK SEIB: Does anyone on the committee have a conflict of interest with this application?

Mark Seib confirmed with Mindy Bourne that the applicant has met all the requirements for
notification per the statute.

MARK SEIB: Who is here is to speak concerning this application? Would you please come to
the podium, state your name and where you live for the record. Then could you please state what
it is you are wanting to do.

GREG KIESEL: Greg Kiesel, Kiesel Surveying, 1263 E 900 South, Fort Branch, Indiana.
What the Davis's are wanting to do is they have 2.5 acres in Mt. Vernon really in the city, which
is unusual piece of property and they are wanting to split it into two different parcels. We have
actually been through the previous meeting and spoke about the Variances for the setbacks. So
now we are requesting approval to divide this piece of property.

MINDY BOURNE: And a Variance for street standards.

GREG KIESEL: Variance for the drive.

MINDY BOURNE: Which is under the Section 4.3 in the subdivision ordinance.

GREG KIESEL: So one of the parcels or lots does not touch Grant Street. There is a dedicated
easement on the plat which will be recorded which will grant them the right to use the existing
drives. It is my understanding that is the Variance we are requesting.

MARK SEIB: So the Variance is strictly for the drive.

MINDY BOURNE: Correct. It is basically saying they are asking for a variance from the street
standards per the ordinance. Usually, the ordinance says you have to put in a road 50 foot
wide.... So they are asking for a variance from that standard.

MARK SEIB: Everyone understand?

MINDY BOURNE: I know we have new faces on the board, but this is similar to Alan
Schelhorn and Blackford Road Estates. I think it was last year this is basically the same kind of
scenario in what we did there. He had some existing lots and an outlot and we actually created a

new lot and they used an existing structure and converted it to a residence. But it needed setbacks for the BZA as well as a variance from the street standards. Section 4.3 just like this one. Then we actually created a lot. Which is what we are doing here now too, because a portion of the property is in the City of Mt. Vernon and a portion of it is not. A subdivision within the City of Mt. Vernon.

MARK SEIB: The BZA like Mindy said approved it with the understanding that we at the APC would approve it.

MINDY BOURNE: This has went through subdivision committee as well, there is report in your folder on that. They recommended it for approval, the only comment we got from the letters that I sent out to jurisdictions, fire department, utilities was from AT&T and they said they had no objections.

MARK SEIB: Does the Committee have any further questions? Seeing none, you may have a seat. At this time, we will open the floor for public comment. Is there anyone here wishing to speak for or against this proposed application, please come forward. Hearing and seeing no one coming forward we will close the public portion.

Mr. Seib confirmed with Mrs. Bourne that there had not been nay phone calls, letters or emails concerning this application.

MARK SEIB: We will leave it up to the board to discuss amongst themselves and take action as they see fit.

Andy Hoehn made a motion to approve the docket number 23-07-S-APC motion was seconded by Greg Newman. Roll Call Vote (7-0) **Yes. Motion carried.**

MINDY BOURNE: Are we making a motion for the Replat and the Variance together or are we doing them separate? Second comment is this will have to have final approval after 30 days have lapses.

MARK SEIB: I will ask the motion maker. Andy, do you want to do them together?

ANDY HOEHN: Yes, together, everything.

MARK SEIB: Greg you had seconded it.

GREG NEWMAN: Yes, I will second it together.

MARK SEIB: Can we add the stipulation with the approval that after the 30 day lapse if everything is still approved that Mindy can go ahead and issue the final approval?

ANDY HOEHN: Yes

GREG NEWMAN: Yes

MARK SEIB: Does everyone understand that we are approving the application for replat and variance and after 30 days Mindy will be able to sign final approval for this. Is there any further discussion about this? Roll Call Vote (7-0) **Yes. Motion carried.**

MINDY BOURNE: The replat/variance has been approved. 30 days has to lapse before final approval can be signed off and it recorded.

COMPLAINTS – TABLED:

221 Nettleton Street, Mt. Vernon (Bebout)
236 S. Maple Street, Mt. Vernon (Spray)
1101 E. Sycamore St., Mt. Vernon (Ridley)
532 E. 3rd Street, Mt. Vernon (Allyn)

MARK SEIB: Next up are the complaints which were tabled last meeting, we have four of them here. Our first is 221 Nettleton Street, Mt. Vernon, Indiana, Bebout.

MINDY BOURNE: I will start this off. We had someone here to discuss this one last meeting. This was the derby cars, he did bring in a picture of gravel with a date on here of 2012 to show that there was gravel at that time. Then there are photos from September 5th which appears that he sprayed. In your folders you should have the complaint, my original letter, original photos which were submitted with the complaint, and you should have the photos from Bebout showing the gravel and the last pictures are from September 5th.

GREG NEWMAN: It appears to me that we are seeing different sides of the house does it not?

MARK SEIB: I think one picture does show the other side of the house, which he has a vehicle parked in the grass there.

MINDY BOURNE: That was in 12’.

MARK SEIB: Now on 9-5-23.

MINDY BOURNE: I think when he was here last month, there was question as to whether there was gravel and to show us proof.

MARK SEIB: He has obviously given us a ten year or eleven year back picture showing that the rock was there.

RANDY OWENS: So now he shows us that it was gravel but there is a derby car there. Is that what that car is, a derby car on 9/5?

MARK SEIB: I don’t think that creates any issue. Mindy or Adam do you know?

ADAM FARRAR: I don’t think that it matters that is a derby car.

MINDY BOURNE: I believe what matters is if it is operative. The amendment has been passed by the city and gravel is now an accepted cover. Right Andy?

ANDY HOEHN: Yes.

RANDY OWENS: Since it is on gravel, is it no longer in violation?

MARK SEIB: I don't think there is.

JOE MARVEL: Other than being an inoperable vehicle. I don't know if that makes it a violation or not.

RANDY OWENS: We had that a few months ago and Trent said it was the cars parked in a driveway in front of a garage and because they were parked on a driveway they weren't, it was if they were parked on grass.

MARK SEIB: That is correct.

GREG NEWMAN: It does appear there were two vehicles in the original photo.

KEITH SPURGEON: The original complaint mentions unlicensed vehicles. Is the current one there licensed or does that make it an issue?

MARK SEIB: If it is a derby car, they are not really licensed. Like you said we went through this discussion in a previous case that was presented to us as well. At that time Trent made the comment that as long as it was parked on the driveway it did not create an issue.

STEFANI MILLER: I believe he had an older car himself.

RANDY OWENS: Trent said the only time it made a difference is if it was parked on grass.

MINDY BOURNE: The ordinance says no inoperative or unlicensed motor vehicle shall be parked or stored on the front or exterior side yard. So a yard is determined as the grass area.

JOE MARVEL: So it can be stored in front of the house on the gravel way.

Randy Owens made a motion that complaint was resolved, motion seconded by Joe Marvel. Is there any further discussion? Roll Call Vote (6-1) **Yes. Motion carried.**

MARK SEIB: Next up is 236 Maple Street, Mt. Vernon.

MINDY BOURNE: In the 9-5 pictures the camper is still there.

MARK SEIB: Yep, in the first 9-5 picture the camper is still there, and they were supposed to remove it.

MINDY BOURNE: Trent was supposed to send the letter back in August, but I don't have a copy to confirm that.

ATTORNEY ADAM FARRAR: I can check on that in the office.

MARK SEIB: So that leaves a decision up to the board. The question being did Trent send the letter. Trent is on vacation. I don't think it would hurt to have a motion that if Trent hasn't sent the letter then he needs to send the letter when he gets back for sure and Adam can get an answer for sure if that letter has or hasn't been sent. That if it hasn't been sent, then Adam can go ahead send the letter. If the letter has been sent then the board would go ahead and take the legal action, is that what we want to do? Because that is usually the next step after the attorney has sent a letter. Discussion?

ANDY HOEHN: I would say yes.

JOE MARVEL: I think we move ahead.

Joe Marvel made a motion in the affirmative to move ahead if the letter has been served. The motion was seconded by Andy Hoehn. Roll Call Vote (7-0) **Yes. Motion carried.**

MARK SEIB: Next up is 1101 E. Sycamore St., Mt. Vernon.

MINDY BOURNE: Photos show the car is gone.

Joe Marvel made a motion in the affirmative to show the complaint has been resolved, motion seconded by Randy Owens. Roll Call Vote (7-0) **Yes. Motion carried**

MARK SEIB: Next item is another tabled complaint which is the last one of those, 532 E 3rd St., Mt. Vernon.

MINDY BOURNE: The one vehicle is still there.

MARK SEIB: As of what date?

MINDY BOURNE: As of September 5th.

DR. KEITH SPURGEON: Has it been moved?

MARK SEIB: Yes

JOE MARVEL: It looks like it is half in the gravel and half in the grass.

MINDY BOURNE: They did not contact the office. That was back in August. It was filed in June and on August 3rd the vehicle was still there. On August 10th Trent sent a letter and it was tabled until September. Then my photo from 9/5 shows it is still there but different location. No one has contacted the office concerning this matter.

MARK SEIB: What does the board think? Discussion?

MARK SEIB: Is there any further discussion.

RANDY OWENS: The only thing that bothers me is that I don't know where the gravel is now that the vehicle has been moved.

MARK SEIB: I believe that is what Andy was meaning that it would be pursued on whether there is any rock there. Is that correct Andy?

ANDY HOEHN: Yes, there is a whole lot of things going on there. The tires are still flat, the plates could be expired and it is in a side yard.

MARK SEIB: We have a person that takes the pictures and we will have him go by and take the pictures. Obviously it is in a location they can take the pictures from off the street. See if the plates are good and if tires are still flat and then report back to Trent. Then Trent can send a letter or Adam you can if you would.

MINDY BOURNE: So you want our person to go out and take pictures?

MARK SEIB: Yes, we are having our person take pictures of the plates, the tires and anything else that they can see and take pictures from the street. If they can give an opinion of how far that rock goes. And anything else they think is an issue that Adam or Trent needs to put in the letter.

MINDY BOURNE: Trent sent a letter once.

ATTORNEY ADAM FARRAR: It does seem like they have responded since they moved it.

Andy Hoehn made a motion to pursue, motion seconded by Stefani Miller. Roll Call Vote (7-0)
Yes. Motion carried.

COMPLAINTS – NEW;

319 W. 8th Street, Mt. Vernon (Stillwagoner)

MARK SEIB: Our last one is a new complaint which is 319 W. 8th St., Mt. Vernon.

MINDY BOURNE: This is 3 vehicles parked in the rear of the property see photos attached with two vehicles with license plates which are expired. The van is not properly tagged. They have been parked in the rear of the property for an extended amount of time. These vehicles are in violation of 153.024 (C)(1) and 153.024 (C)(2).

MINDY BOURNE: You will see the letter I sent as well as photos submitted with the complaint which are dated 7/13, my letter and 9/5 photos. No one has contacted me concerning this.

MARK SEIB: Trent has not sent a letter?

MINDY BOURNE: This is a new one so this is the first time you have seen it.

MARK SEIB: They are obviously not here tonight. What is the pleasure of the board?

JOE MARVEL: It looks like the van has been moved.

Andy Hoehn made a motion in the affirmative to pursue, motion seconded by Greg Newman.
Roll Call Vote (7-0) **Yes. Motion carried.**

DIRECTOR'S REPORT

MINDY BOURNE: I am happy to announce that I have an Administrative Assistant, Taylor Elmendorf. She has been here a week and a day and things are going very well. Holly Konrath is leaving us. Holly has stepped up to the plate. She has been awesome. After Becky left, I called Holly because Holly has helped me in the past. She has been keeping the office functioning, but Holly has taken a full time position so tomorrow is her last day in the office

MARK SEIB: From the board Holly, we thank you. Taylor welcome.

GREG NEWMAN: I would like an update on the Comprehensive plan.

MARK SEIB: We met 2 weeks ago. Entire Committee present. We gave Structure Point more information of what we are looking at. They did a survey during the Posey County Fair and have been to River Days. The next thing is the Poseyville Festival. They are trying to get things wrapped up by the end of the calendar year.

APPROVAL OF PAYROLL AND BILLS

Joe Marvel made a motion to approve payroll and bills, seconded by Dr. Keith Spurgeon.

REPORT OF COLLECTIONS

Joe Marvel made a motion to approve collections, seconded by Stefani Miller.

CITIZEN CONCERNS: None

MARK SEIB: There was one other action that I was going to ask the board to take on. The workload in the office has went way up again. Of course, Taylor is just new, Holly is leaving, Mindy is in the office and it was getting to be quite a workload. The County Council has given us a second person to work in the office now in addition to Taylor we will be able to hire another person to be in the office. That will be effective immediately. We won't have to wait until next budget year in January to do that. So I was going to ask the board which items we should start putting on the shelf. So we start putting complaints on the shelf? So we start putting certain permits on the shelf? What do we do to get through everything? I don't know if we really wanted to do the permits and all of those kind of things. Those have always been our priority.

Of course, there will some slow down with everyone going through training and understanding?

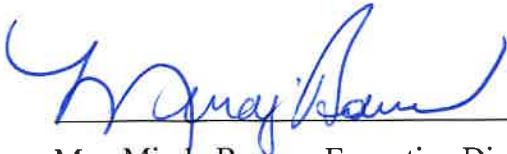
After much discussion, Joe Marvel made a motion to give Mindy Bourne discretion on the progress of complaints. Motion was seconded by Stefani Miller. Roll Call Vote (7-0) **Yes.**
Motion carried.

ADJOURNMENT

Joe Marvel made a motion to adjourn at 7:17 PM, seconded by Andy Hoehn.

A handwritten signature in blue ink, appearing to read "Mark Seib", written over a horizontal line.

Mr. Mark Seib – President

A handwritten signature in blue ink, appearing to read "Mindy Bourne", written over a horizontal line.

Mrs. Mindy Bourne, Executive Director

COPY

July 25, 2023

Staff Comments: The property being petitioned to be rezoned from A (Agricultural) to R-1 (Residential Single Family) Containing 1.01 & 1.00 acres more or less. The property is located at 7301 Wassmer Road, Poseyville, IN. Property abutting this site is owned by the following:

1. Bernard J. Schmitt Int. Credit Trust-8324 St. Wendel Cynthiana Rd., Poseyville, IN 47633
2. Pamela Jo & Alan J. Spahn, 7411 Wassmer Rd, Poseyville, IN 47633
3. Michael A. & Leeanna E. Wassmer, 7401 Wassmer Rd, Poseyville, IN 47633
4. David M. & Lori A. Wassmer, 7405 Wassmer Rd, Poseyville, IN 47633
5. Ruth Ann Zerbe-2974 Country Woods Ln., Palm Harbor, FL 34683
6. Allen Gray LTD Partnership II Locust St.-20 NW Third St., Suite 200, Evansville, IN 47708
7. Alan D., Susan M., Daniel J, Sandra J.Bender-10650 S. Highway 165, Poseyville, IN 47633
8. Andrew Harold & Bradley Edwin Hartman-18625 Owensville Rd., Haubstadt, IN 47639

Abutting properties are zoned A (Agricultural). This property is currently agricultural. The owners are proposing to rezone the property to R-1 (Residential Single Family) for a proposed Minor Subdivision. The uses adjacent to the proposed rezoning are as follows: Residential & Agricultural.

- Favorable recommendation by the APC
- Unfavorable recommendation by the APC
- No recommendation by the APC

COPY

PROPOSED FINDINGS OF FACT
ON DOCKET NO: 23-08-RE-APC
PETITION TO REZONE: David M. Wassmer
OWNER: Robert & Juana Sue Wassmer

1. Current conditions and the character of the current structures and uses in each district.

The Commission finds that the proposal ~~WILL~~/WILL NOT have an adverse impact on the current conditions in the area.

2. Responsible development and growth.

The Commission finds that the proposal ~~WOULD~~/WOULD NOT be consistent with development and growth.

3. Comprehensive Plan.

The Commission finds that the proposal ~~WOULD~~/WOULD NOT address the goals of the Comprehensive Plan.

4. The conservation of property values throughout the jurisdiction.

The Commission finds that the proposal ~~WILL~~/WILL NOT have effect on property values in the jurisdiction.

5. The most desirable use for which the land in each district is adapted.

The Commission finds the proposal ~~DOES~~/DOES NOT represent the most desirable use for which land is adapted.

Motion made to adopt the foregoing findings of fact by:

Andy Hoehn

Motion seconded by:

Joe Marvel

Adopted by Posey County Area Plan Commission

President: Mark Setz

Date: 9-14-23