

MINUTES

POSEY COUNTY BOARD OF ZONING APPEALS REGULAR MEETING

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

AUGUST 10, 2023
5:00 P.M.

MEMBERS PRESENT: Mr. Larry Williams – Chairperson, Mr. Ron Fallowfield – Vice-Chairperson, Dr. Keith Spurgeon, Mr. Larry Droege, Mr. Mark Seib, Mrs. Beth McFadin Higgins – Attorney, Mrs. Mindy Bourne - Executive Director, Mrs. Holly Konrath-Part Time Administrative Assistant.

MEMBERS ABSENT: None.

APPROVAL OF MINUTES LAST REGULAR MEETING: Mark Seib made a motion in the affirmative to approve the minutes of the last regular meeting as emailed. Motion seconded by Larry Droege. Roll Call Vote (5-0). **Motion carried.**

APPROVAL OF MINUTES OF EXECUTIVE SESSION: Larry Droege made a motion in the affirmative to approve the minutes of the executive session meeting as emailed with a correction to remove Ron Fallowfield from being present. Motion seconded by Mark Seib. Roll Call Vote (5-0). **Motion carried.**

APPROVAL OF MINUTES OF SPECIAL MEETING: Larry Droege made a motion in the affirmative to approve the minutes of the Special meeting as emailed. Motion seconded by Mark Seib. Roll Call Vote (5-0). **Motion carried.**

VARIANCE – TABLED FROM JUNE 8, 2023 & JULY 13, 2023 MEETINGS:

DOCKET NO: 23-08-V-BZA

APPLICANT: Michael J. Buente/Rev. Ed C. Schnur

OWNER: St. Wendel Catholic Church

PREMISES: Section 12, Township 5 South, Range 12 West, lying in Robinson Township, Posey County, Indiana, containing 6.23 acres more or less. More commonly known as 4725 St. Wendel Cynthiana Road, Wadesville, Indiana. (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests a Variance for relaxation of front yard setback from 25' to 8.5' to build a 2-story addition that will add two classrooms to the existing St. Wendel Catholic School. The classrooms are 1,118 gross sq. feet per floor (2,236 sq. ft. total) in an A (Agricultural) Zoning District Section 153.033 (B)

(1) (b) of the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County.

Mr. Williams confirmed no board members had any conflict of interest. Mr. Williams confirmed with Mrs. Bourne that applicant met all the requirements for notification per statute.

FATHER ED SCHNUR: 4712 St. Wendel-Cynthiana Rd., Wadesville, IN. I am pastor at St. Wendel Church and School.

MIKE BUENTE: Mike Buente with Buente-Buente Architects, 2406 Bellemeade Ave., Evansville, IN. The setback proposal is the same and I want to reiterate that it is 18.5 feet off the edge of the road. In the June meeting you did ask us to come up with a reasonable vehicular barrier for the safety of the children or the occupants of the classrooms that we are adding onto the school. We went away from here and did research, met with our consultant and after about three weeks we came up with different options, engineered solution, which we have sent to Mindy via email. I believe she forwarded that on to everyone here. The rational behind the design on that was itemized in that email. Since then, we did go before the Diocesan Building Commission. Their meeting is actually the day before your meetings. The day before the last meeting they came up with some suggestions for changes. So we have modified that one barrier and sent a drawing to Mindy which I think she has also sent to you.

FATHER ED SCHNUR: Because of the traffic that goes through there, I contacted Bryan Schorr, who is Posey County Commissioner about that intersection, and I asked him about the two stop signs for the three roads coming into that intersection. He was a little surprised. He thought he always remembered a three way stop there. He told me he was going to check into the history of that. To see if and when why it was changed to only two stop signs. He was going to check with Steve Schenk, the highway superintendent, but he has been on vacation. Steve has. Because when the traffic is coming on St. Wendel Road around that curve they slow up a little bit but that are not required to stop. So he's checking in to see if that should be a three way stop there to slow traffic down.

LARRY WILLIAMS: Why don't we add some questions from some board members? And the revised plans have been given to everybody. Are there any questions from the board?

MARK SEIB: I guess with that being said, I think that anything we can do to slow down the traffic is that not a school zone as well?

MIKE BUENTE: It is. I suggest that they also, it's not just school, you got parish activities and parking across the street. So I suggested that they try to get maybe a more control of that yellow flashing light to say instead of when children presents, because you turn that 45 degree intersection there and you're right there in front of Saint Wendel's church. To say something like, you know, when flashing and then have control of it and have it flashing while school is in session the whole time. And or when they have any kind of other activity, parish activity, because there's a lot of people there.

LARRY DROEGE: And who did you have that conversation with?

MIKE BUENTE: I don't know that he's gone that far yet. I started with the three way stop thing because, quite frankly, I come down all the years we've been working there I come down Boonville New Harmony Road and turn right. A long time ago I came the other way, but I had forgotten or it has changed because when I used to come that way, the Dutch Corner was still there. So I stopped there and turned right. But until we had this conversation in June, I drove out that I came the other way. I couldn't believe there wasn't a stop sign there or the other way. It doesn't say, you know, cross traffic does not stop. So you could actually just turn out and some guys smack you right there. So that's what sort of prompted this. I don't know. You've actually worked into the yellow light.

FATHER ED SCHNUR: We haven't really talked about the yellow light yet.

MIKE BUENTE: We started off trying to figure out who has control of that intersection because it's Vanderburgh and Posey County. I found out there wasn't an engineer in Posey County, so I knew that the Vanderburgh County engineer started with him. He didn't really know, so he had to do some research. And so it's come out full circle and I was just trying to find who he should contact. So that's where it is right now.

RON FALLOWFIELD: Well, I'm fairly comfortable in saying that at one time that was a three way stop. It's like a 45 degree angle almost there. So which is part of my concern about traffic speed to begin with was because of not being a three way stop.

LARRY DROEGE: I would think both of those recommendations would be pretty easy to get past Vanderburgh County. I think every school in the county has a 20 mile an hour speed limit in front of the schools in city limits. So I would think that both of those would be achievable. Good ideas. Good recommendations.

MIKE BUENTE: They have a yellow flashing light there. I don't know how they say they have control of when they put it on. So it's just a program issue, I think, and maybe some signage that goes along with it.

RON FALLOWFIELD: It's definitely a weird situation because Vanderburgh County is on one side of the road and Posey on the other.

LARRY WILLIAMS: Okay. Anything else? Any more questions from the board?

MARK SEIB: I think that that those are you've got a good start. You're trying to help with the speed and everything. Now, back to the original conversation that we had was with the wall. And it looks like you have, with the stone, the sandstone that was on top of it before. You've taken that pretty well off. You've blocked it with concrete behind it now. So the full wall you've got two foot nine and an eighth inch of concrete at the south end. And that's concrete. That's not just something that can get mortared and knocked off. I think that that helps us even more yet through that aspect of what you've done with the wall. Then we later found out that the as you go down the wall towards the north, the elevation starts to that's why the wall gets taller. It's not really taller, it's just the grade falls away. And you're three foot four in a quarter down at the

other end. I think those are some of the things that we needed to see as far as I'm concerned, to see that that has been done and being addressed and going from there. So I think that's good. You still have your stone or your brick in there to give it the cosmetic type desire that you want with it as well. But yet I think you still have the integrity of the wall being there to help stop. And then before there was some concern as far as some thoughts, that this was also where kids could be dropped off and everything. And we understand now that the kids are dropped off in the parking lot between the church and the school. If we understand correctly?

MIKE BUENTE: In front of this wall, the sidewalk is being moved out so that they cannot drop off. There is no drop off in front of that area. It's closer down toward the entrance of the school.

MARK SEIB: I think with those kind of things, I think that that helps me with my understanding of the concerns that I had as well.

LARRY DROEGE: The only additional question that I had, and it's probably in regards to the absence of any kind of structural drawings of the of the classroom itself that we don't have in front of us. It would be helpful if we did. But we've talked a little bit—

MIKE BUENTE: The drawings we sent had the barrier and next to it the building construction with the reinforcing in it.

LARRY DROEGE: Here's my question, and I don't know if that answered that that question that I have, that's the wall of the addition that's going to be facing the roadway?

MIKE BUENTE: Yes.

LARRY DROEGE: How many windows are in that wall?

MIKE BUENTE: There's one on each floor. The windows are actually at the corner. They're not along there. There are square windows are not all the way across the classroom like the existing.

LARRY DROEGE: I know you had mentioned that you reinforced all of the walls with reinforcing, So how are we accomplishing that reinforcement if there's a window in that wall that's facing the road?

MIKE BUENTE: The walls go up to the heights where you would put a guard wall, which is to the window sill. So above the window sill, we're not continuing that other than seismic reinforcement all the way up the whole building to the roof. But in that lower area on the two sides, the side toward the road and also the side toward the church, we're putting block. We usually use two core blocks so it has two holes in it. Seismic reinforcing is it reinforcing at every 48", we're putting one in each core. So it's every 16". That entire area is all filled with grout. There is a bond beam at the bottom, which has two rebars in it and there's at the top of that area. So basically it's a reinforced wall. We got another bond beam with two rebars there. It's shown in that section we have that goes around that entire outside area.

LARRY DROEGE: But it only goes up as high as the bottom of the windows?

MIKE BUENTE: Yes, which is the proper height.

LARRY DROEGE: That part wasn't clear to me by the drawings.

MIKE BUENTE: So if you look at that horizontal relationship, it's very similar to the to the guard wall that's out toward the street. The posts go up a little higher just because that's, that's a different animal that's taken more direct impact and there's some bending involved with that. And that's the recommended height on a pipe.

LARRY DROEGE: The windows were a necessity because?

MIKE BUENTE: Well, first of all, it's schoolhouse rules. They used to say you should have natural light. It's a good thing. So we don't have a lot of them in this one because in reality they do. Now, with all the screens like this they use, they end up using light filtering screens anyway. But just for the environment to have some daylight in a classroom. So it's not like an internal classroom in some of these big high schools you see where you can't get any natural light. It mimics the other side of the building where the office area is the same kind of windows on the existing school. But this addition is done on the other corner where the where the office. There's classrooms on the second floor and there's offices on the bottom floor. Those don't have a large amount of windows either. And with the energy code we don't usually put a whole lot of windows in like you used to see back in the 50s and 60s where you had whole walls. That's kind of gone by the wayside.

LARRY DROEGE: My concern was hopefully we're not putting windows all the way across.

LARRY WILLIAMS: Any further questions on the board?

KEITH SPURGEON: Tell me again, how far is the building from the edge of the road?

MIKE BUENTE: The closest area is 18.5' from the edge of the road.

KEITH SPURGEON: To the corner of that building.

MIKE BUENTE: Yes. So the 8.5' setback, that's from a right of way, imaginary line, 20' away from the center line of the road.

KEITH SPURGEON: So potentially, if they expanded the road out, they could get within 8.5'.

MIKE BUENTE: That's where they run the utilities. And the church wall out there is seven and a half off the right away. So it's unlikely they could do the road that direction. They could do it the other way.

KEITH SPURGEON: So the the sidewalk that you're putting in that will go on top of that 8.5', that right of way, on top of the right of way?

MIKE BUENTE: There is a sidewalk along there now and there is a bus/car drop off along the entire front of the school. We're shortening the bus/car drop off area so they don't have as much. It occurs further to the north west and we're tearing out the sidewalk and then moving a curb out further to the roadway. It doesn't go all the way to the roadway. It's about three feet back from the side of the road. So the side of the road is the white stripe. And we did that for a couple of reasons. Again, we wanted to move the cars and buses or whatever, away from that intersection for visibility. And we wanted to get the cars coming out of the parking lot. If you look in one of those original submittal, we're trying to get the cars that are coming out to get closer to the road so they can see visibility on both sides. You're supposed to be in a ten foot back from the edge of the road so you can see both ways. Currently, if you don't know where the edge of the road is, you don't see that white line, you kind of hang back a little bit and you cannot see if there's cars in that pull off lane there. So that's why we've moved the curb and the sidewalk out. And we made it all concrete. So there's no plantings that can be planted there to inhibit visibility.

LARRY WILLIAMS: This time we'll open up the public portion. Is there anybody here wishing to speak for or against this variance? Hearing none, we'll close the public portion.

Mr. Williams confirmed with Mrs. Bourne that there were no phone calls, emails, or letters.

Ron Fallowfield made a motion to approve docket 23-08-V-BZA. Motion seconded by Mark Seib. Variance Voting Sheet was read. (4-1) **Yes. Motion carried.**

MINDY BOURNE: Variance has been granted so you will need to come into the office to get your improvement location permit before you start construction.

SPECIAL USE:

DOCKET NO: 23-11-SU-BZA

APPLICANT: Alisa Payne, LA+D

OWNER: Metropolitan School District of Mt. Vernon

PREMISES: A Part of the Northwest Quarter of the Southwest Quarter of Section 3, Township 7 South, Range 12 West, lying in Marrs Township, Posey County, Indiana, containing 16.17 acres more or less. More commonly known as 9201 State Road 62 East, Mt. Vernon, Indiana. (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests a Special Use to build a 629 sq. ft. storage room addition in an A (Agricultural) Zoning District Section Use Unit 4 Community Services Section 153.032 (B) (4) Section 153.149 (B) (21) of the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County.

Mr. Williams confirmed no board members had any conflict of interest. Mr. Williams confirmed

with Mrs. Bourne that applicant met all requirements for the notification per statute.

CHARLES SEIFERT: I'm Charlie Seifert MSD of Mount Vernon. I'm the Director of Buildings and Grounds. Address is 1000 West Fourth Street.

JASON BARISANO: Jason Barisano architect. LA+D. Address is 10400 State Road 662 West in Newburgh, Indiana.

LARRY WILLIAMS: Okay. And tell us about your application, please.

JASON BARISANO: Yeah, we're adding a storage room to the Marrs Elementary School. You should be able to see this in your packet, but there's an inside corner on the outside of the building that we're kind of rounding out that corner or that gap with a 629 square foot storage room for the school. So you should be able to see in there the details of what it's made out of. But yeah, just miscellaneous storage for the school.

LARRY WILLIAMS: Okay. Questions from the board?

KEITH SPURGEON: So does this storage, you have access to it from the inside or the outside or what is it?

JASON BARISANO: Outside.

KEITH SPURGEON: So you're going to be storing equipment or mowing equipment or?

JASON BARISANO: No, it'll be inside equipment. We have inside renovation is taking over previous storage space, so we need to put stuff where things won't freeze in the winter, things like that.

MARK SEIB: On the drawing, it doesn't show any roads or anything so I'm assuming no trucks or anything will be coming around that way?

JASON BARISANO: Correct.

KEITH SPURGEON: So this will actually be attached to the building and be kind of part of that building? You don't have any good way to get to it from the inside, I guess?

JASON BARISANO: Correct.

LARRY DROEGE: Any idea why that offset was in that building to start with?

JASON BARISANO: I do not know. I mean, it's a very, very small space. And it's like I would imagine at the time, they just the classroom sizes were the classroom sizes. So they stopped, just didn't want to make their bigger.

LARRY DROEGE: The existing building, there's no doors, windows, anything that you're

going to be covering up, it's just against a brick wall, basically just a blank wall?

JASON BARISANO: Yeah. Just to fill in the space.

LARRY WILLIAMS: Any more questions from the board? Can you have a seat, please? Thank you. At this time, we'll open up the public portion. Is there anybody here wishing to speak for or against this application? I'll ask one more time, anybody here wishing to speak for or against the application? Hearing none, we will close the public portion.

Mr. Williams confirmed with Mrs. Bourne that there were no emails, phone calls, or letters.

MINDY BOURNE: We received one phone call on July 26th, 2023, from Christina Seifert. She called at 3:50 pm after receiving a letter of intent. She has no problem as long as the addition is attached to the building. She wishes them all the best.

LARRY WILLIAMS: This time we'll turn over the board for discussion and or action.

KEITH SPURGEON: Just a quick follow up question, I guess, is it going to be brick on the outside?

JASON BARIANO: It will be a concrete masonry. It'll be block.

Mark Seib made a motion to approve 23-11-SU-BZA. Motion seconded by Larry Droege. Special Use Voting Sheet was read. (5-0) **Yes. Motion carried.**

MINDY BOURNE: Special Use has been granted. You will need to come into the office to get your improvement location permit.

SPECIAL USE:

DOCKET NO: 23-12-SU-BZA

APPLICANT: Karl A. Baro

OWNER: Karl A. & Dwight W. Baro

PREMISES: The East Half of Lot One (1) in Block Twenty-five (25) in Company's Enlargement to the City of Mt. Vernon of Section 5, Township 7 South, Range 13 West, in Black Township, Posey County, Indiana, containing 0.450 acres, more or less. More commonly known as 1309 Locust Street, Mt. Vernon, Indiana. (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests Special Use for a 40' x 60' residential storage structure in a an RT (Residential Townhouse) Zoning District Section 153.044 (B) (1) Use Unit 2 – Areawide Special Exception Uses and Section 153.147 (B) (14) of the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County.

Mr. Williams confirmed no board members had any conflict of interest. Mr. Williams confirmed with Mrs. Bourne that applicant met all requirements for notification per statute.

KARL BARO: Karl Baro. 11347 Lower Mount Vernon Road, Evansville, Indiana. 47712.

LARRY WILLIAMS: Okay. And tell us about your application.

KARL BARO: I think it's a special use variance. I think it's what it's called. And we're wanting to build a 40 x 60 foot pole barn. We had the two lots joined together and we're wanting to build a 40 x 60 pole barn for personal storage.

LARRY WILLIAMS: What type of things are you going to be storing inside there?

KARL BARO: We've got some cars and just other household items.

LARRY WILLIAMS: Do you plan on starting any kind of hazardous materials?

KARL BARO: No.

RON FALLOWFIELD: Exterior lighting?

KARL BARO: Well, we haven't we haven't discussed that. My brother and I, we're going to run the electricity to it for interior lighting, but we haven't discussed any exterior lighting.

KEITH SPURGEON: What's the little 8 x 8 thing?

KARL BARO: That's a porch that's over the entry door.

KEITH SPURGEON: You're going to have any, like, big sliding doors.

KARL BARO: It'll be the main door will be a 16 foot wide by eight foot high overhead door.

MARK SEIB: Where is that located at?

KARL BARO: That will be on the side facing Locust Street.

KEITH SPURGEON: You're going to have a driveway cut into that too?

KARL BARO: Eventually. For right now, we're spending enough money. If we get approval, we'll be spending enough money so the driveway will have to wait.

LARRY DROEGE: Pole barn is a post-frame type construction or do you have a contractor or are you going to build it yourself?

KARL BARO: No, we're leaning toward Graber. We got estimates from Graber Post. And we also had an estimate from DC Metal.

LARRY WILLIAMS: How tall is the building going to be?

KARL BARO: The side walls are ten feet and the upper elevation would be 17 feet. Nine and 11/16 inches will be the peak.

LARRY WILLIAMS: Is there going to be a drainage issue without being that size?

MARK SEIB: Which way does the water flow off the property currently?

KARL BARO: I've never been up there when it's raining.

MARK SEIB: Okay. So what we're worried about here is that you're putting that size of a shed on there. Of course, when it comes off the downspouts, I'm assuming you're going to have gutters and everything on it. That's going to be a little bit more force so that water will travel faster and we don't want it to go on adjacent neighbors through the process. We need to make sure that the water flow from the runoff from the rain doesn't go on to the adjacent neighbors or whatever. If it goes out to the street, then that's that that's a workable situation. Which direction does the drainage go?

DWIGHT BARO: Dwight Baro. 1328 Cardinal Drive, Mount Vernon, Indiana. It goes towards Lincoln. All of it.

LARRY WILLIAMS: How close is the building going to be to the nearest neighbor?

KARL BARO: It'll be on the side facing it'll be the 60 foot sidewalk be facing locust, and it's 40ft on the ends from property lines and then off the street Locust, it'll be 50 feet. And then from the back or the west property line, it'll be 50 feet also.

MARK SEIB: Larry, I guess the answer to that would be 40 foot.

KARL BARO: Yes, that's. That'll be the closest distance.

KEITH SPURGEON: And you said this just storage? You're not operating any business out of there?

KARL BARO: Correct.

LARRY WILLIAMS: And you said you had property replatted?

KARL BARO: Yes. That was approved at the January 12th meeting.

MARK SEIB: I guess the other thing is that was brought up before was lighting, any lighting that you do on the outside of it. We want to make sure that it's not shining into the neighbors or anything like that. It's directed downward and being able to do that kind of stuff. So I guess that's what we're concerned about whenever you are talking about lighting and we don't want it to

become a compound and the lights are all over the place and disturbing the neighbors. And obviously you're not going to have any signage or anything on it as well. Is that correct?

KARL BARO: Correct.

LARRY WILLIAMS: Are you having a plumbing or anything like that inside the building?

KARL BARO: No. We would have to heat it and I don't want to pay the heating bill.

LARRY WILLIAMS: Any more questions from the board? Thank you. At this time, we'll open up the floor for the public portion. Is there anybody here wishing to speak for or against this application? Last one more time, anybody wants to speak for or against the application? Hearing none, we'll close the public portion.

Mr. Williams confirmed with Mrs. Bourne that there were no phone calls, emails, or letters.

Larry Droege made a motion to approve 23-12-SU-BZA. Ron Fallowfield seconded the motion. The Special Use Variance Sheet was read. Roll Call Vote (5-0) **Yes. Motion carried.**

MINDY BOURNE: The special use has been approved. So before you start construction, you need to come into the office to get your improvement location permit. Thank you.

VARIANCE:

DOCKET NO: 23-09-V-BZA

APPLICANT: Donald W. & Haley Darr

OWNER: Donald W. & Haley Darr

PREMISES: Lots 39, 40, 41, 44 and 45, Section "D", Ryans Place Section 36, Township 6 South, Range 12 West, lying in Marrs Township, Posey County Indiana. More commonly known as 11001 Bayer Court, Evansville, Indiana. Containing 6.40 acres more or less. (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests a Variance for placement of an above ground pool in the side yard in an R-1 (Residential Single-Family) Zoning District under Section 153.024 (B) (7) of the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County.

Mr. Williams confirmed no board members had any conflict of interest. Mr. Williams confirmed with Mrs. Bourne that the applicant met all requirements for notification per the statute.

DONALD DARR: Donny Darr. Address 11001 Bayer Court, Evansville, Indiana. 47712. Basically, we're just looking to put a 24 foot round pool in 24 foot diameter by 54" tall. We're looking to put it on the north side of the house and the side lot in between our pole barn or our porches on our barn and the house. Basically, the reason why we're wanting to do it there is absolutely nobody will see it. I did take a few pictures here. I can pass those around, too, if you guys want to see where we can do it. (Exhibit A – 4 pictures).

LARRY WILLIAMS: Anything you give us, we have to keep as and put it in the docket for showing evidence and everything. That's up to you if you'd like to. We're happy to look at it, but like I said, we just have to keep them.

DONALD DARR: I'll kind of pass them. It's no big deal. Just to kind of show you that there's no neighbors around or anything like that, you know?

MARK SEIB: And this would be behind the shed?

DONALD DARR: So it's basically in between, the if you look at the picture, like in between the house and the barn. They're they're kind of in front of that porch.

LARRY DROEGE: Is your subdivision off Saint Philip's Road?

DONALD DARR: Yes.

KEITH SPURGEON: You can put any fencing around that?

DONALD DARR: You know, we may end up we possibly may do a deck eventually, you know, but nothing right now. So, maybe just landscape around it a little bit, but possibly a deck in the future.

MARK SEIB: You may want to check with your insurance on that on on the fencing either I think you either have to have the fencing or some type of a pool cover that protects from child falling in the latter has to be the latter has to fold up collapsible something to that effect.

BETH MCFADIN HIGGINS: Yes. That's a building code. It depends on the depth of the pool. And at a certain depth, you're required to have events or a locking, not just the ladder out, but a locking cover, like an automatic pool cover. I know this is above ground, but yeah. So be sure to check and your installer should know, but be sure to check with the local building code on that.

LARRY WILLIAMS: Any further questions from the board? This time we'll open up the public portion. Is there anybody here wishing to speak for or against this application?

Mr. Williams confirmed with Mrs. Bourne that there were no phone calls, letters, or emails.

LARRY WILLIAMS: We will open up the board for further discussion or action.

RON FALLOWFIELD: He's well enough away where I see no issues personally.

MARK SEIB: Yeah, I mean that's the only thing is that it falls into those categories with the side yard being the front yard being the back yard being. And we're going to get to that ordinance. Whenever we get done with the Comprehensive Plan, then we're going to start working on that to clean this kind of stuff up a little bit because we need to address that. We need to address that at and we have it on the tentative schedule for next year to start opening those

ordinances up, making the corrections on the ones that we have and being able to do it. The thing is, is that whenever we make a change in an ordinance, it usually takes somewhere between at least three months to get that accomplished through all the public hearings and everything else. And to do each and every one of them is quite lengthy and quite intense to do. So that's why we want to combine them all together and take those. And we'll form a committee that will then look into that and seeing what we need to do to make some of those adjustments as well. But I appreciate you with your patience and everything of working with us on this.

Mark Seib made a motion to approve 23-09-V-BZA. Motion seconded by Larry Droege. Variance Voting Sheet was read. Roll Call Vote (5-0) **Yes. Motion carried.**

MINDY BOURNE: Variance has been granted. You will need to come into the office to get your Improvement Location Permit before you start, before they place the pool. Thank you.

ADDITIONAL BUSINESS None

CITIZEN CONCERNS

LARRY WILLIAMS: Is there any citizens concerns be addressed for the board? State your name and address for the record, please.

DESIREE EICHENBERGER: Desiree Eichenberger. 11120 Kramer's Drive, Evansville, Indiana, 47712. And we are here representing our church, Saint Peter's On The Hill, formerly Saint Peter's United Methodist Church at 2800 Saint Philips Road. And we disaffiliated from the United Methodist Church so we changed our name. And upon doing that and considering the difficulty of changing the letters on our sign, we looked into getting an electronic sign. So we hired Husk signs to replace our sign with our new name, where our current sign is. It's not going to be a newly built sign or anything, and we were thinking it would not be a problem because there's many other churches in Posey County that have electronic signs. So when Husk signs went to apply for our Special Use, we were told that we could not apply for it because we're zoned R-1. We would have to apply for zoning to make our church commercial the property commercial. Upon looking into the other zoning of other churches with electronic signs, we have found that the norm in Posey County is that they are not zoned commercial. There is a precedent that allows churches for Special Use to have electronic signs without being zoned commercial. In Posey County, Saint Philip Catholic Church, just a mile or so up the road from us, they have an electronic sign and they are zoned R-1 and that was put in 2015. Immanuel on Ford Road in Saint Philip's is zoned agricultural, that electronic sign was put in in 2019. Mount Zion General Baptist at 1425 Oliver Road in Wadesville was just approved for a Special Use permit in August of 2022 to get their electronic sign. And then right here in the city of Mount Vernon, you have Calvary Baptist Church on Main Street and its zoned RM. So since it has not been the precedent for other churches to not become zoned commercial, we are requesting that you will allow us to apply for our Special Use so we can get our electronic sign installed as all the other churches have done.

LARRY WILLIAMS: As I understand it, it's been brought to our attention that whatever's happened in the past, the way the ordinance reads now, it is not allowed. So it's not something we can even grant you. We don't have the authority to do so.

DESIREE EICHENBERGER: So will you go back to these other churches and have them be zoned commercial?

LARRY WILLIAMS: I can't address that. I have no idea. And it's not something we can get into. The Citizen's Concern you brought to our attention and it sounds like getting rezoned is probably your best option and it's not going to be much more difficult to get rezoning than it is for a Special Use. Beth, would you care to address anything?

BETH MCFADIN HIGGINS: There is a Special Use option for electronic message boards, but the R-1 is not listed in that. So paths forward, I mean, it doesn't mean that they can't have one, but there are a couple of paths forward. One is a rezone and there's a number of different rezoning categories. So that would allow them. Is it a non-conforming use in an R-1?

MINDY BOURNE: Yes.

BETH MCFADIN HIGGINS: So currently they're non-conforming use, which as you know from the board, nonconforming uses you can't enlarge them, you can't change them, you can't. You have to stay in the exact same footprint. So rezoning would allow them to make additions.

DESIREE EICHENBERGER: And we're not concerned about making additions. An electronic sign is all we want.

LARRY WILLIAMS: We understand that but we have rules we have to go by.

BETH MCFADIN HIGGINS: From a standpoint of saying what the board can do, the rezone would obviously start with the Commissioners or any type of amendment to the ordinance would also start with the Commissioners.

KIP HUSK: Kip Husk. 530 Clear Cross Lane, Evansville, Indiana. Was there a code change at any time in the last five years or so that has changed the precedent that allows churches to have digital signs? I know that I've installed two in non-commercial areas myself and we were able to get that variance under the same code. So I guess my question is, has it been changed since then? I don't think that it has. I actually helped consult on the last code change that actually went into place as far as signage and things like that. That would be my only point of order question.

BETH MCFADIN HIGGINS: This is a what, a 2012? There's been a number of amendments to it since then. I can't say that any part of the sign has or hasn't been changed.

KIP HUSK: I don't believe it has. As far as the sign part, you've changed other things, but I don't think that anything has changed as far as the signs go. So I know that there have been several that have gone up under the same code that's there, and the precedent is there for that. The only thing that they're asking is for the same consideration to be given to them.

DESIREE EICHENBERGER: Mount Zion, they were issued a Special Use for an electronic sign just August of 2022.

LARRY DROEGE: Is it possible that they were zoned agricultural?

DESIREE EICHENBERGER: Yes, they are. And the Calvary Baptist in Mount Vernon's are RM and Saint Philip is the same as us. And they were granted the Special Use in 2015.

MARK SEIB: And you're exactly right. The only problem is, is that now we understand that we have not we need to address the ordinance the way we read it and been brought to our attention that that's not the ordinance is a little bit different than what's been interpreted before. So now we can't keep going forward with making the same mistake. So we have to back up now and take a look at this and try to make the adjustments that we need to. With that being said, you can work with the office to make the zoning change for right now until we get to the point where, like I just mentioned before in the last one, that we have to have a change to the ordinance and that will be done most likely in '24. So we'll be able to adjust it from there but to help you at this point in time, we need for you to go into the office and see what we can do and with making a zoning change, then it allows you, if you ever want to make a growth in that, it will be easier for you to be able to do that. So there are some pluses to do the change, but I understand if you don't want to do the changes, that's your decision. But at the same time, we cannot continue to go forward with knowing that there is a problem with not adhering to the ordinance the way it's designed. We've found this situation. We're now going to move forward with the way the ordinance states it until we can get it fixed and going from there. So that's we're in this time warp until we can get that taken care of.

KIP HUSK: There's also some ambiguity that's in the code in different sections in regards to this that probably need to be looked at and addressed as well. Because part of the ambiguity allows the signs in the residential areas. So I guess that's the point that I was trying to make. There are parts of the ordinance that allow it and there are parts of the ordinance that don't, correct? So it's really more of a direction in which you're looking, whether it's a positive or a negative. And if it's a positive, then it's been allowed.

LARRY WILLIAMS: I don't see doing that. There is still a path forward that they can get that sign put up. It's just, work with Mindy on it and she'll help you get through that. Any further Citizen's Concerns?

Julie and Greg Renshaw spoke to address a complaint but was directed to speak at the Area Plan Commission meeting as it was not with Board of Zoning Appeals jurisdiction.

Ron Fallowfield made a motion to adjourn the meeting at 6:03 pm. Motion seconded by Keith Spurgeon.

A handwritten signature in blue ink, appearing to be "Larry Williams", written over a horizontal line.

Mr. Larry Williams, Chairperson

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

Mrs. Mindy Bourne, Executive Director

minutes
COPY

VARIANCE VOTING SHEET

POSEY COUNTY BOARD OF ZONING APPEALS

Report of Findings of Fact

BZA NO: 23-08-V-BZA

Michael Bueckle / Rev. & C. Schmier - St. Vincent Catholic Church

1. Will the granting of this variance be injurious to the public health, safety, morals and general welfare to the community?

Larry Droege	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*	Keith Spurgeon	(<input type="checkbox"/>) NO	(<input checked="" type="checkbox"/>) YES*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*	Larry Williams	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*	<u>4</u>	<u>1</u>
Mark Seib	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*					

2. Will the use or value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?

Larry Droege	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*	Keith Spurgeon	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*	Larry Williams	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*	<u>0</u>	<u>5</u>
Mark Seib	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*					

3. Does the need for this variance arise from conditions peculiar to the property included in the variance?

Larry Droege	(<input type="checkbox"/>) NO*	(<input checked="" type="checkbox"/>) YES	Keith Spurgeon	(<input type="checkbox"/>) NO*	(<input checked="" type="checkbox"/>) YES	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input type="checkbox"/>) NO*	(<input checked="" type="checkbox"/>) YES	Larry Williams	(<input type="checkbox"/>) NO*	(<input checked="" type="checkbox"/>) YES	<u>5</u>	<u>0</u>
Mark Seib	(<input type="checkbox"/>) NO*	(<input checked="" type="checkbox"/>) YES					

4. Are these conditions general in the same zone?

Larry Droege	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*	Keith Spurgeon	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*	Larry Williams	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*	<u>0</u>	<u>5</u>
Mark Seib	(<input checked="" type="checkbox"/>) NO	(<input type="checkbox"/>) YES*					

5. Will the strict application of the applicable Ordinance constitute unusual and unnecessary hardship if applied to the property in question?

Larry Droege	(<input type="checkbox"/>) NO*	(<input checked="" type="checkbox"/>) YES	Keith Spurgeon	(<input checked="" type="checkbox"/>) NO*	(<input type="checkbox"/>) YES	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input type="checkbox"/>) NO*	(<input checked="" type="checkbox"/>) YES	Larry Williams	(<input type="checkbox"/>) NO*	(<input checked="" type="checkbox"/>) YES	<u>1</u>	<u>4</u>
Mark Seib	(<input type="checkbox"/>) NO*	(<input checked="" type="checkbox"/>) YES					

6. Will the granting of this variance interfere substantially with the comprehensive plan or materially increase street congestion?

Larry Droege	(<input checked="" type="checkbox"/>) NO	() YES*	Keith Spurgeon	(<input checked="" type="checkbox"/>) NO	() YES*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) NO	() YES*	Larry Williams	(<input checked="" type="checkbox"/>) NO	() YES*	<u>0</u>	<u>5</u>
Mark Seib	(<input checked="" type="checkbox"/>) NO	() YES*					

*If any one of your answers above is followed by an asterisk, under the statute you must deny the application.

DECISION: It is therefore the decision of the Board, that the variance:

is hereby granted _____ (☒)

is hereby denied _____ ()

subject to any conditions stated in the minutes of the Board, and incorporated herein and made a part of the decision. Adopted this 10th day of August 2003

(date)

minutes
COPY

**POSEY COUNTY
SPECIAL USE VOTING SHEET**

Posey County Board of Zoning Appeals
Report of Finding Fact

BZA NO: 23-11-56-B2A

Metropolitan School District of Mt. Vernon

HAS THE APPLICANT PROVEN BY SUBSTANTIAL EVIDENCE THE FOLLOWING:

1. The Zoning Ordinance authorizes the Special Use.

Larry Droege (✓) YES () NO*
Ron Fallowfield (✓) YES () NO*
Mark Seib (✓) YES () NO*

Keith Spurgeon (✓) YES () NO*
Larry Williams (✓) YES () NO*

YES **NO**
5 0

2. The proposed Special Use is essential or desirable to the public convenience and welfare.

Larry Droege (✓) YES () NO*
Ron Fallowfield (✓) YES () NO*
Mark Seib (✓) YES () NO*

Keith Spurgeon (✓) YES () NO*
Larry Williams (✓) YES () NO*

YES **NO**
5 0

3. The proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

Larry Droege (✓) YES () NO*
Ron Fallowfield (✓) YES () NO*
Mark Seib (✓) YES () NO*

Keith Spurgeon (✓) YES () NO*
Larry Williams (✓) YES () NO*

YES **NO**
5 0

4. Granting the proposed Special Use is consistent with the public interest/welfare and the Comprehensive Plan in regard to the location, size, use, that nature of intensity of the operation and the site layout with relation to existing or future traffic patterns.

Larry Droege (✓) YES () NO*
Ron Fallowfield (✓) YES () NO*
Mark Seib (✓) YES () NO*

Keith Spurgeon (✓) YES () NO*
Larry Williams (✓) YES () NO*

YES **NO**
5 0

5. The proposed Special Use will constitute an environment of sustained desirability and stability.

Larry Droege (✓) YES () NO*
Ron Fallowfield (✓) YES () NO*
Mark Seib (✓) YES () NO*

Keith Spurgeon (✓) YES () NO*
Larry Williams (✓) YES () NO*

YES **NO**
5 0

6. The proposed Special Use is in conformity and in harmony with the goals and objectives of the Comprehensive Plan.

Larry Droege (✓) YES () NO*
Ron Fallowfield (✓) YES () NO*
Mark Seib (✓) YES () NO*

Keith Spurgeon (✓) YES () NO*
Larry Williams (✓) YES () NO*

YES **NO**
5 0

7. Under the circumstances of the particular case, the proposed Special Use is detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity.

Larry Droege () YES* (☒) NO
Ron Fallowfield () YES* (☒) NO
Mark Seib () YES* (☒) NO

Keith Spurgeon () YES* (☒) NO
Larry Williams () YES* (☒) NO

YES NO
0 5

8. If the request is for a "Home Occupation" it meets the definitional requirements found in the applicable Zoning Ordinance.

Larry Droege () YES () NO*
Ron Fallowfield () YES () NO*
Mark Seib () YES () NO*

Keith Spurgeon () YES () NO*
Larry Williams () YES () NO*

YES NO

NA

9. The proposed Special Use will comply with regulations and the conditions specified in The Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County for such use and with stipulations and conditions made a part of the authorization granted by the Board.

Larry Droege (☒) YES () NO*
Ron Fallowfield (☒) YES () NO*
Mark Seib (☒) YES () NO*

Keith Spurgeon (☒) YES () NO*
Larry Williams (☒) YES () NO*

YES NO

10. Conditions, limitations or temporary uses deemed necessary for the protection of the surrounding area in order to carry out the intent and purpose of the Zoning Ordinance of Posey County:

None

*IF ANY ONE OF YOUR ANSWERS ABOVE IS FOLLOWED BY AN ASTERICK, UNDER THE STATUE YOU SHOULD DENY THE APPLICATION.

DECISION: It is therefore the decision of the Board that the Special Use:

is hereby granted (☒)

is hereby denied ()

subject to any conditions stated in the minutes of the Board, and incorporated herein and made a part of the decision. Adopted this 10th day of August, 2023

**POSEY COUNTY
SPECIAL USE VOTING SHEET**

minutes
COPY

Posey County Board of Zoning Appeals
Report of Finding Fact

BZA NO: 23-12-54-BZA

Karl A. & Dwight W. Bero

HAS THE APPLICANT PROVEN BY SUBSTANTIAL EVIDENCE THE FOLLOWING:

1. The Zoning Ordinance authorizes the Special Use.

Larry Droege	(<input checked="" type="checkbox"/>) YES () NO*	Keith Spurgeon	(<input checked="" type="checkbox"/>) YES () NO*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) YES () NO*	Larry Williams	(<input checked="" type="checkbox"/>) YES () NO*	<u>5</u>	<u>0</u>
Mark Seib	(<input checked="" type="checkbox"/>) YES () NO*				

2. The proposed Special Use is essential or desirable to the public convenience and welfare.

Larry Droege	(<input checked="" type="checkbox"/>) YES () NO*	Keith Spurgeon	(<input checked="" type="checkbox"/>) YES () NO*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) YES () NO*	Larry Williams	(<input checked="" type="checkbox"/>) YES () NO*	<u>5</u>	<u>0</u>
Mark Seib	(<input checked="" type="checkbox"/>) YES () NO*				

3. The proposed use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

Larry Droege	(<input checked="" type="checkbox"/>) YES () NO*	Keith Spurgeon	(<input checked="" type="checkbox"/>) YES () NO*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) YES () NO*	Larry Williams	(<input checked="" type="checkbox"/>) YES () NO*	<u>5</u>	<u>0</u>
Mark Seib	(<input checked="" type="checkbox"/>) YES () NO*				

4. Granting the proposed Special Use is consistent with the public interest/welfare and the Comprehensive Plan in regard to the location, size, use, that nature of intensity of the operation and the site layout with relation to existing or future traffic patterns.

Larry Droege	(<input checked="" type="checkbox"/>) YES () NO*	Keith Spurgeon	(<input checked="" type="checkbox"/>) YES () NO*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) YES () NO*	Larry Williams	(<input checked="" type="checkbox"/>) YES () NO*	<u>5</u>	<u>0</u>
Mark Seib	(<input checked="" type="checkbox"/>) YES () NO*				

5. The proposed Special Use will constitute an environment of sustained desirability and stability.

Larry Droege	(<input checked="" type="checkbox"/>) YES () NO*	Keith Spurgeon	(<input checked="" type="checkbox"/>) YES () NO*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) YES () NO*	Larry Williams	(<input checked="" type="checkbox"/>) YES () NO*	<u>5</u>	<u>0</u>
Mark Seib	(<input checked="" type="checkbox"/>) YES () NO*				

6. The proposed Special Use is in conformity and in harmony with the goals and objectives of the Comprehensive Plan.

Larry Droege	(<input checked="" type="checkbox"/>) YES () NO*	Keith Spurgeon	(<input checked="" type="checkbox"/>) YES () NO*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) YES () NO*	Larry Williams	(<input checked="" type="checkbox"/>) YES () NO*	<u>5</u>	<u>0</u>
Mark Seib	(<input checked="" type="checkbox"/>) YES () NO*				

7. Under the circumstances of the particular case, the proposed Special Use is detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity.

Larry Droege () YES* (✓) NO
Ron Fallowfield () YES* (✓) NO
Mark Seib () YES* (✓) NO

Keith Spurgeon () YES* (✓) NO
Larry Williams () YES* (✓) NO

YES NO
0 5

8. If the request is for a "Home Occupation" it meets the definitional requirements found in the applicable Zoning Ordinance.

Larry Droege () YES () NO*
Ron Fallowfield () YES () NO*
Mark Seib () YES () NO*

Keith Spurgeon () YES () NO*
Larry Williams () YES () NO*

YES NO
NA 0

9. The proposed Special Use will comply with regulations and the conditions specified in The Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County for such use and with stipulations and conditions made a part of the authorization granted by the Board.

Larry Droege (✓) YES () NO*
Ron Fallowfield (✓) YES () NO*
Mark Seib (✓) YES () NO*

Keith Spurgeon (✓) YES () NO*
Larry Williams (✓) YES () NO*

YES NO
5 0

10. Conditions, limitations or temporary uses deemed necessary for the protection of the surrounding area in order to carry out the intent and purpose of the Zoning Ordinance of Posey County:

None

*IF ANY ONE OF YOUR ANSWERS ABOVE IS FOLLOWED BY AN ASTERICK, UNDER THE STATUE YOU SHOULD DENY THE APPLICATION.

DECISION: It is therefore the decision of the Board that the Special Use:

is hereby granted (✓)

is hereby denied ()

subject to any conditions stated in the minutes of the Board, and incorporated herein and made a part of the

decision. Adopted this 10th day of August, 20 23.

minutes
COPY

VARIANCE VOTING SHEET

POSEY COUNTY BOARD OF ZONING APPEALS

Report of Findings of Fact

BZA NO: 23-09-V-BZA

Donald W. & Haley Darr

1. Will the granting of this variance be injurious to the public health, safety, morals and general welfare to the community?

Larry Droege	(<input checked="" type="checkbox"/>) NO	() YES*	Keith Spurgeon	(<input checked="" type="checkbox"/>) NO	() YES*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) NO	() YES*	Larry Williams	(<input checked="" type="checkbox"/>) NO	() YES*	0	5
Mark Seib	(<input checked="" type="checkbox"/>) NO	() YES*					

2. Will the use or value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?

Larry Droege	(<input checked="" type="checkbox"/>) NO	() YES*	Keith Spurgeon	(<input checked="" type="checkbox"/>) NO	() YES*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) NO	() YES*	Larry Williams	(<input checked="" type="checkbox"/>) NO	() YES*	0	5
Mark Seib	(<input checked="" type="checkbox"/>) NO	() YES*					

3. Does the need for this variance arise from conditions peculiar to the property included in the variance?

Larry Droege	() NO*	(<input checked="" type="checkbox"/>) YES	Keith Spurgeon	() NO*	(<input checked="" type="checkbox"/>) YES	<u>YES</u>	<u>NO</u>
Ron Fallowfield	() NO*	(<input checked="" type="checkbox"/>) YES	Larry Williams	() NO*	(<input checked="" type="checkbox"/>) YES	5	0
Mark Seib	() NO*	(<input checked="" type="checkbox"/>) YES					

4. Are these conditions general in the same zone?

Larry Droege	(<input checked="" type="checkbox"/>) NO	() YES*	Keith Spurgeon	(<input checked="" type="checkbox"/>) NO	() YES*	<u>YES</u>	<u>NO</u>
Ron Fallowfield	(<input checked="" type="checkbox"/>) NO	() YES*	Larry Williams	(<input checked="" type="checkbox"/>) NO	() YES*	0	5
Mark Seib	(<input checked="" type="checkbox"/>) NO	() YES*					

5. Will the strict application of the applicable Ordinance constitute unusual and unnecessary hardship if applied to the property in question?

Larry Droege	() NO*	(<input checked="" type="checkbox"/>) YES	Keith Spurgeon	() NO*	(<input checked="" type="checkbox"/>) YES	<u>YES</u>	<u>NO</u>
Ron Fallowfield	() NO*	(<input checked="" type="checkbox"/>) YES	Larry Williams	() NO*	(<input checked="" type="checkbox"/>) YES	5	0
Mark Seib	() NO*	(<input checked="" type="checkbox"/>) YES					

6. Will the granting of this variance interfere substantially with the comprehensive plan or materially increase street congestion?

Larry Droege (☒) NO () YES*
Ron Fallowfield (☒) NO () YES*
Mark Seib (☒) NO () YES*

Keith Spurgeon (☒) NO () YES*
Larry Williams (☒) NO () YES*

YES

NO

0

5

***If any one of your answers above is followed by an asterisk, under the statute you must deny the application.**

DECISION: It is therefore the decision of the Board, that the variance:

is hereby granted _____ (☒)

is hereby denied _____ ()

subject to any conditions stated in the minutes of the Board, and incorporated herein and made a part of the decision. Adopted this 10th day of August 2012

(date)

Exhibit A - Darr
1 of 4 pictures →
23-09-V-BZA

minutes
COPY

4 of 4 picture →

8-10-2023

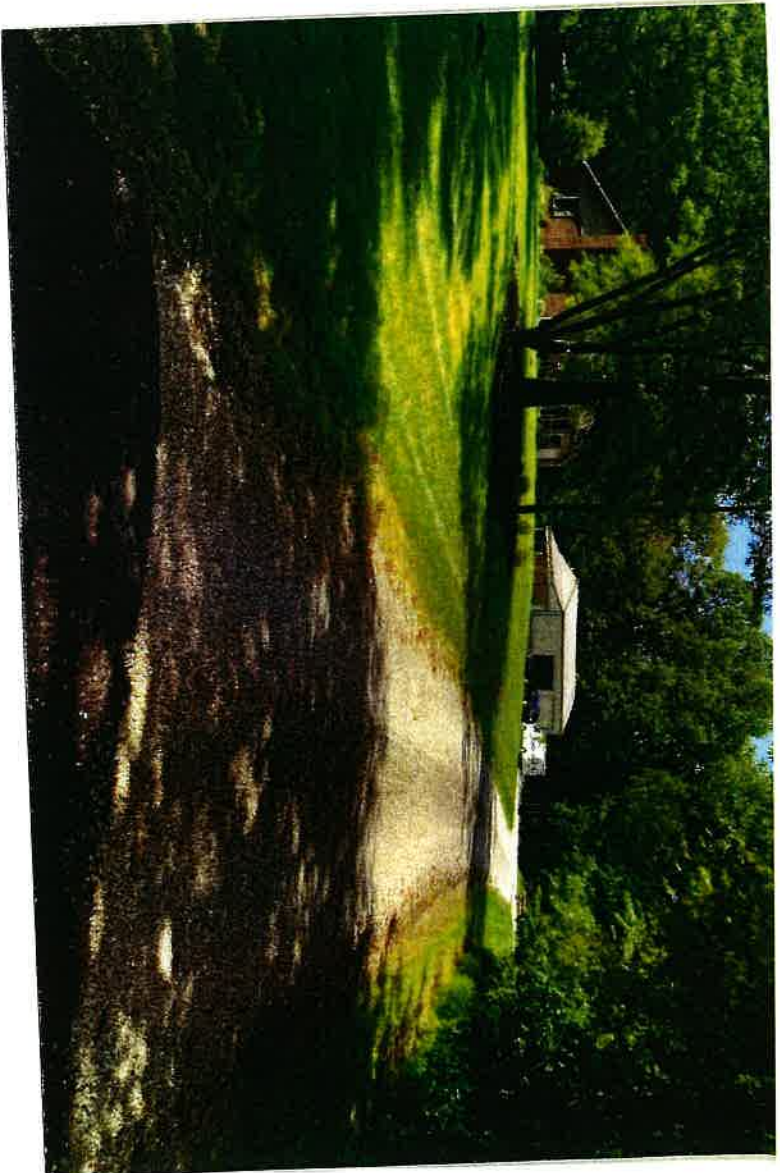


Exhibit A - Door
3 of 4 pictures →
23-09-1-B2A

minutes
COPY

2 of 4 pictures →



0-10-2023