

MINUTES

POSEY COUNTY BOARD OF ZONING APPEALS REGULAR MEETING

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

DECEMBER 14, 2023
5:00 P.M.

MEMBERS PRESENT: Mr. Larry Williams-Chairperson, Mr. Ron Fallowfield-Vice Chairperson, Mrs. Beth McFadin Higgins-Attorney, Mr. David Ripple-Interim Executive Director, Mr. Larry Droege, Mr. Mark Seib, Mr. Keith Spurgeon, Mrs. Taylor Elmendorf-Administrative Assistant, Mrs. Savannah Axley-Clerical Assistant

MEMBERS ABSENT: NONE

APPROVAL OF MINUTES LAST REGULAR MEETING: Larry Droege made a motion to approve minutes from November 9, 2023, regular meeting. Motion seconded by Ron Fallowfield. Roll Call Vote (5-0). **Motion carried.**

Mark Seib made a motion to approve minutes from November 9, 2023, executive meeting. Motion seconded by Larry Droege. Roll Call Vote (5-0). **Motion carried.**

Larry Droege made a motion to shift the agenda to start with docket 23-17-V-BZA and then move onto 23-16-V-BZA. Motion Seconded by Ron Fallowfield. **Motion carried.**

VARIANCE:

DOCKET NO: 23-17-V-BZA

APPLICANT: Andrew Reich

OWNER: Andrew L. & Kelsey N. Reich

PREMISES: Part of the Southwest Quarter of the Southwest Quarter of Section 1, Township 6 South, Range 12 West, laying in Robinson Township, Posey County, Indiana. Containing 2.500 acres more or less. More commonly known as 720 St. Philip Rd. S. Evansville, IN 47712(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 9' to place a detached garage in A Zoning District under Section 153.033(B) (1) (a) 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 Mr. Ripple that the applicant met all the requirements for the

notification per the statute.

LARRY WILLIAMS: Who is here to speak on behalf of the application? Please step to the podium and state your name and address.

ANDREW REICH: 720 St. Philip Rd. S. Evansville, IN 47712. What we would call the front of our property actually faces South and our driveway comes in from this side of St. Philip Road which is the Westside which we view as our side yard. It's the only spot that is suitable for a structure because everything else is wooded and hilly. The reason it's so close to that line is because of where we put our well between our house and where that structure is going to be. We would be encroaching on our well if we moved the structure over anymore. The property that it is next to is a family farm that is owned by my father who is fine with the situation.

LARRY DROEGE: So that well is in that 108' that is left in between the garage and the house.

LARRY WILLIAMS: Any more questions from the board? At this time, we will open the public portion for comments. Is there anyone here that would like to make comments. for or against this application? Hearing none, we will close the public portion.

Mr. Williams confirmed with Mr. Ripple there were no emails, phone calls or letters.

Mr. Williams opened the floor to the board for discussion or action.

RON FALLOWFIELD: I don't see any issues with it at nine feet.

Mr. Ron Fallowfield made a motion to accept docket 23-17-V-BZA. Seconded by Keith Spurgeon.

The Variance Voting sheet was read by David Ripple. Roll Call Vote (4-0). **Motion carried.** Mark Seib abstained due to being out of the room during discussion of application.

DAVID RIPPLE: The next step is to come into the office and get your Improvement Location Permit.

VARIANCE: TABLED FROM NOVEMBER 9, 2023 MEETING.

DOCKET NO: 23-16-V-BZA

APPLICANT: Mackenzie Dowdy/Salas O'Brien

OWNER: Astrazeneca Pharmaceuticals, LP

PREMISES: Parts of the Northeast Quarter of the Southwest Quarter and Southeast Quarter of the Southwest Quarter of Section 2, Township 7 South, Range 13 West and part of the Northeast Quarter of the Northwest Quarter of Section 11, Township 7 South, Range 13 West. Lying in Black Township, Posey County Indiana. Containing 7.58 acres and 26.70 more or less.
More commonly known as 4601 Hwy 62 E, Mt. Vernon, IN 47620.
(Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests a Variance for non-domestic animals in an M-2 Zoning District under Section 153.021 (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 Mr. Ripple that the applicant met all the requirements for the notification per the statute.

LARRY WILLIAMS: Who is here to speak on behalf of the application? Please step to the podium and state your name and address.

JESSICA ZIRKLEBACH: 4601 Hwy 62 E. Director of site services.

LARRY WILLIAMS: From the last meeting we had a lot of questions, and you were supposed to come back with us for answers the floor is yours

JESSICA ZIRKLEBACH: The land is M2. Someone asked last time we have around 800 people out there normally with 20-30% being Posey County residents. We have a 25 acre solar field and it is painful to mow and has safety concerns. The team here did a great job and came up with different options, one being solar grazing. I live in Posey County and one of the things we are known for is our agriculture. The idea seemed like a great way to use our land to help support agriculture. M2 is clear what is allowed or not but we were unclear whether it needed a variance or not so we came here to be a good partner and have the conversation. We would have sheep as a trial at first hopefully long term. They would be grazing in that solar field during mowing season. I have Walter who is our engineering partner, Green Pastures who is the sheep farmer we selected. Derek and Craig, who are a part of our Compass group run all our facilities. They do all our buildings and grounds. We are all here to answer all the questions needed.

LARRY WILLIAMS: At this time, I will open it up to the board.

MARK SEIB: The list of questions we had are important, to understand the care and how the sheep will be answered. You had the option to answer the question but stated you wanted it to be on the recorded that is why we have wanted until now.

JESSICA ZIRKLEBACH: Maybe there was miscommunication, I thought we had reached out to meet in person. It was said we shouldn't do that, I wanted to follow the process. There is nothing to hide.

MARK SEIB: I understand that but with the list of question we were going to try to limit the amount of time we spent on it tonight. The most concern is for the livestock themselves. There are many other solar fields that are using solar grazing some are year-round some or for the season. The way I understand from you it will be for the season for the grass. The questions you couldn't answer from last time was how many sheep per acre was it going to be segregated

because all those things make a difference. One of the major things we got into as well was how many people would be doing it. The herdsman would only be there once a month that raised a red flag. You said the employees would be there and then I asked would they be trained or not which is a concern. Do you want to go down this list or do you want me to ask the questions?

JESSICA ZIRKLEBACH: Whichever you prefer I just ask if we are going to go down the whole list that Jason and Derek come up here they are the brains behind this.

JASON WEBSTER: Green Pasture Farms, 10479 E Blue River Rd Pekin, Indiana.

DEREK MARVEL: 4601 Hwy 62 E, I work at Astrazeneca.

MARK SEIB: What is the maximum and minimum amount of sheep per acre? What is the situation going to be with the fencing.

JASON WEBSTER: Right now, we are going to bring 40-50 head in the Spring, that is not going to be near enough and we are going to add to it when needed because we don't want to over tax the field.

MARK SEIB: 40-50, where Purdue University is saying it's going to take a minimum of 10 per acre which is 250 to be able to maintain that lot. Are you going segregate that lot into different pastures or is it going to be open grazing?

JASON WEBSTER: Our plan now is going to be open grazing we are going to setup mineral and water tubs at separate locations to encourage them to travel. I will also say, it's a rule of thumb 1000 pound of animal per acre which is where Purdue comes up with that ten, you also have the solar panels on the field so you aren't looking at a full 25 acres. Until we get our feet wet a little bit with this and see how many it takes to keep up with it. In my opinion it's better to have the grass a little taller than over graze it.

KEITH SPURGEON: Will you have the ability to add sheep if needed?

JASON WEBSTER: I will, I have 65 head of breed to use which average twins so I'm looking to have about 120ish animals. They are due right now.

LARRY WILLIAMS: What type of fence are you going to use?

DEREK MARVEL: I'm assuming that it will be a 6' chain-link fence. Keep in mind this will be an additional fence.

MARK SEIB: You are going to build a fence within a fence?

DEREK MARVEL: Yes, sir.

MARK SEIB: As you know a chain link fence doesn't hold to the ground very well. What are you going to keep coyotes, dogs, and sheep from going under the fence?

DEREK MARVEL: That is where our onsite property management from our grounds team help. We have PMs in place we can change the frequency. We also have site security that does drone inspections and they drive the property and that would become a part of the inspection.

LARRY WILLIAMS: My main concern is keeping the sheep away from the highway.

DEREK MARVEL: I don't know the exact distance, but it will be way off the highway.

JASON WEBSTER: A few of my pastures are barbwire. Sheep aren't necessary rooters like goats. That is what makes sheep better and they don't climb. I feel like a chain link fence is fine to keep them from getting out. The predator side of things, I have been around there a few times and I work with the state for hunter education. I'm not an expert but I do know from being a hunter myself, there are enough mice, rabbits, and quail. Coyotes are hunters of opportunity so I don't see them going after sheep and unless there is a severe freeze, they aren't going to be there over the winter.

MARK SEIB: You understand that most of the sheep killed in the State of Indiana are from Dogs, so what are we going to do to keep them out?

JASON WEBSTER: No, in fact there are a few places I told him we would have to stake it down and put some paneling in because it doesn't come right to the ground. We have also talked about staking it down in some areas and putting hog panels in.

MARK SEIB: It would be cheaper to put up a farm fence up withing the fence. The fence is still a concern of mine.

DEREK MARVEL: Keep in mind that our property is also bordered by 20-25 foot ditch which the animals would also have to cross to get to our property.

MARK SEIB: I see dogs swim every day.

DEREK MARVEL: I understand, just making sure you guys were aware of it.

JESSICA ZIRKLEBACH: We will take the feedback on the fence with us and we can decide to change it now or monitor it and if there is a problem with it, we can make adjustments. This is a trial, we have done a ton of work up front planning but we will learn as me go too.

LARRY WILLIAMS: I have every confidence that you will do that. Astrazeneca is a good neighbor and everyone wants to do this the right way. We just want to make sure we are on the same page.

JESSICA ZIRKLEBACH: I agree, I don't want to have a bunch of injured sheep.

MARK SEIB: We don't want that either. We want to make sure we are doing things to keep them safe inside and out.

LARRY DROEGE: Jason question for you. What is your experience with raising sheep on solar farms?

JASON WEBSTER: None.

JESSICA ZIRKLEBACH: I don't believe there was anyone local we could find.

MARK SEIB: No, there are local sheep raisers.

DEREK MARVEL: We reached out to a couple of local sheep farmers they were unfamiliar with this particular application and they were unable to propose us a contract. We reached out to Jason and another local farmer and when I mean local it's almost 250 miles away. Jason was able to provide the most information and most credible.

KEITH SPURGEON: When you say you couldn't find anyone local, do you mean raising sheep on a solar field?

DEREK MARVEL: Yes, sir and they were unable to provide a contract.

JASON WEBSTER: I think it also has to do with the breed of my sheep. I raise a sheep called St. Croix ,we just changed the registration with the livestock so we are with the grass root program and I am the president of that group. We are doing a genetic project. There breed is an all hair sheep they are not mixed with anything. They were brought to the Virgin Islands to feed people. Then we started importing them in the 60s, they were used to develop the breed Katahdin. Then they started making them their own heirloom breed. They found out they were hoof rot and parasite resistant, good temperament there are a lot of benefits.

LARRY DROEGE: How often are you going to check, last meeting you said once a month? Is that sill your contract with Astrazeneca?

JASON WEBSTER: I believe it is actually once every other month. I have proposed to them, to send some guys to me and I will train them on how to care for the sheep and what to look for. On top of that I'm really not that far away and they can call me anytime and I can run down there.

MARK SEIB: You don't have any sheep on a solar farm right now so your experience isn't even different than the locals.

JASON WEBSTER: I think the difference is the breed and my ability to work with them.

MARK SEIB: Are there going to be biosecurity on these sheep?

JASON WEBSTER: That is the plan. That is one of the trainings that I do with them. Teach them different biosecurity with different animals. Changing shoes when feeding different animals.

MARK SEIB: I assume you have all the health papers to be able to transport.

JASON WEBSTER: You don't need health papers unless you are crossing state lines.

MARK SEIB: I thought the Board of Animal Health told me 2 weeks ago, in order to move livestock within the state of Indiana. We need to look into that.

JASON WEBSTER: I did. I was told that unless the person I was transporting to requested it you don't need health papers because the sheep aren't transferring ownership and staying within state line.

MARK SEIB: Since you are out of the county, I would suggest health papers.

JASON WEBSTER: If that is required absolutely.

MARK SEIB: ASGA, American Solar Grazing Association. Have you heard of them?

JASON WEBSTER: Yes, I'm all about education. I think we plan on sending me and maybe an employee or two to a course.

MARK SEIB: I think it's very important for the amount of time in between the times you have eyes on them that someone knows what to look for.

JASON WEBSTER: That doesn't have to do with the solar grazing that has to do with the management of the fields the solar panels are on. The management of the flock's health is something any good shepherd is going to do. We actually run courses on a local level. I also the president of the Washington County Sheep Association, we do a lot of outreach.

MARK SEIB: The main thing is that we keep healthy animals. Having someone trained on Health, that is very important to keep the whole herd well. When we are talking about taking care of these animals. You have 25 acres of fence, and you don't want to chase sheep all around that, are you going to put a corral in?

JASON WEBSTER: Yes, sir.

MARK SEIB: Is this going to be a portable one?

JASON WEBSTER: The plan is to build a feed lot that is big enough to contain them all and that will be their catch. I will also have potable corral panels that I bring with me.

MARK SEIB: Are you also going to have an offside for the ones that are sick?

JASON WEBSTER: A dry lot? Yes, that is the intention. The feed lot could also be a dry lot. All it takes is a few extra corral panels and some sheets.

MARK SEIB: If there is an emergency in the solar field such as an electrical fire or Maintenance, is that where you are going to try and push them into to so they can complete the work? I'm trying to make sure that the obvious is taken care of.

JASON WEBSTER: Basically, a feed lot is a form of containment that you can keep them. If something happens, like the solar panels catching fire, sheep are smart they will stay away from the hot spots.

MARK SEIB: Will they be able to load them out of that feed spot?

JASON WEBSTER: If something like that ever happens it would be like trying to create a rubber stall. You can't plan for everything. If you have solar panels on fire, there is going to be chaos, those sheep are going to run away from them. The benefit is that sheep are flock animals, they are going to stay away from that. I don't think there will be a need for that however if we need to get them corralled, I have corral panels and I'm 2 ½ hours away.

MARK SEIB: I'm just concerned about the procedure of corralling them. Are there going to be any sheds?

JASON WEBSTER: The solar panels are shelter. If we were talking about winter, I would say yes, but they aren't going to be there.

MARK SEIB: What grazing months are they going to be there?

JASON WEBSTER: March through November.

DEREK MARVEL: Yes, depends on the winter months.

JASON WEBSTER: And how the grass grows, I'm going to find out if the grass is ready. We are going to work together.

MARK SEIB: Is there going to be signs with numbers to call if there is an emergency about the sheep?

DEREK MARVEL: Yes. The site fencing would have signage on it with multiple contact numbers.

MARK SEIB: They need to be directed to the right direction. What are we going to do for the obnoxious weeds and how are you going to take care of that with the sheep in there?

JASON WEBSTER: Sheep have such a fine month they avoid them. Also, 24D doesn't have a withdraw period on it and can be spot sprayed. They might eat it if there is nothing else for them to eat. That is the other reason we are starting with less sheep, so we have enough grass for them and not over graze.

MARK SEIB: The thing we don't want to see within the fencing not getting taken care of, then

we have it all over the county. It sounds like you have some way to address the issue. Are these going to be ewes or rams?

JASON WEBSTER: These are going to be rams, so they can all be market animals, makes it simple.

MARK SEIB: The other concern is water, how are you going to handle watering the sheep?

DEREK MARVEL: We have plenty of water sources on site to be able to transport and provide water. We would maintain that on a daily basis or as needed.

MARK SEIB: My view is that you have an automatic waterer there, so you are not worried about the water getting hot or algae. To make sure you have a fresh supply of water, so that means running a waterline.

DEREK MARVEL: We can overcome that, to provide that.

MARK SEIB: You are trying. My thoughts are quiz you to make sure you thought about all of this. Making sure you can take care of issues as they come up. I would like to see a waterline, I would like to see a farm fence inside that fence. Those are the two things I would like to see. The rest of it I think you will find what is to be needed, and I would like to see some proof of training for the day-to-day operators.

JASON WEBSTER: My plan is to have a few of them come down and stay a few days with me.

LARRY DROEGE: Is the waste that is produced by these animals a concern?

JASON WEBSTER: It is an awesome fertilizer.

LARRY DROEGE: I'm showing my lack of knowledge, but it is biodegradable and small enough?

JASON WEBSTER: Yes.

MARK SEIB: I think the number of sheep there wouldn't be a worry with needing to remove waste.

JESSICA ZIRKLEBACH: If you give us the approval for the Variance, are you going to include the automatic water and the fence?

MARK SEIB: Do you feel you can do that?

JESSICA ZIRKLEBACH: We are capable of doing it, fencing is also possible. Remember we are inside the facility and want it to be visually pleasing. We want to meet your requirements as well as do the right thing. If we do go forward with this, we would be happy to pull whoever in later after the first season or midway through and talk about what is going well and what is not

and we can share our learning.

LARRY WILLIAMS: Any more questions from the board? At this time, we will open up the public portion for comments. Is there anyone here that would like to make comments for or against this application? Hearing none, we will close the public portion.

Mr. Williams confirmed with Mr. Ripple there were no emails, phone calls or letters.

Mr. Williams opened the floor to the board for discussion or action.

RON FALLOWFIELD: I think the automatic water is the most important thing.

MARK SEIB: Yes, I think if Jason was here the first time, we would have been able to address the issues at that time. I still feel the fence is a must to keep the sheep safe. I think for the health and safety of it is the upmost importance. I also feel like training is a must.

KEITH SPURGEON: I think having health papers is a good idea. If we would choose to approve this with these stipulations is there a mechanism that we could review in a year? Could we have them come back in a year and review? It would be nice to know who they trained and how many hours and where the training was provided so we could use that as a standard to move forward. Can you do a provisional variance and have them come back to make sure they have everything in place?

BETH MCFADIN HIGGINS: It's not really a provisional variance but you could put stipulations on the variance to require filing of certain documents with the Area Plan Commission office. So, the only time you would get into the variance like when you say provisional is not making it provisional but if they don't follow through with the stipulations when you would have a violation. So, you would have to address it that way. If you are going to make stipulations make that part of the motion and then like on the training if you want them to file proof of training, who provided, you went and how many hours.

KEITH SPURGEON: It would be difficult for me to say right now ok. What is the standard for that training?

RON FALLOWFIELD: With that said to me he is the expert. He needs to setup what training needs to be. I just don't see us keeping control of the paperwork. That's my personal opinion.

MARK SEIB: I would like to see so kind of report periodical for the first year.

DAVID RIPPLE: You want an annual proof of training?

MARK SEIB: That would take care of it. I was trying to find out how long America Solar Grazing Association, I think their classes are a day or two. I feel like a training to the degree they are knowledgeable to do that and we will leave it up to the herdsman to do that.

KEITH SPURGEON: And then once we see the report and we feel that it is not enough at that

point it becomes a violation.

DAVID RIPPLE: Potentially.

BETH MCFADIN HIGGINS: It would be up for discussion, because its AstraZeneca that is the application that received the variance.

DAVID RIPPLE: At this point I have four items that may be conditions. First is automatic Waterhead, second is annual report of proof of sheep training for daily employees, certification, hours, and who provided it, a farm fence instead of a chain link fence and proof of health papers before transport. Representative for AstraZeneca are you comfortable with those four conditions?

JESSICA ZIRKLEBACH: Yes, I'm comfortable with the four conditions. I think it's a good idea to get back together after the first season, discuss what went well, what didn't, I do think automatic water is a good idea. We will learn from, and you need to think is that the standard that you will want for everything moving forward and the answer could be yes, so we will do these things. You guys could even come out if you want and we can do a review after the first season to set you up for the future. We already though about solar grazing certification but it is only offered at certain times of the year. Whatever Jason but together if it makes sense we can share that information also it could be helpful for a check list for the future. Yes, we are ok with these.

RON FALLOWFIELD: I like it because you are the first. There could be plenty of others.

JESSICA ZIRKLEBACH: I don't mind the papers, I think that is a good thing to do. Is that the Posey County standard moving forward?

MARK SEIB: I think any livestock coming in, we would have that a standard. I think that the training by March hopefully one, two, or three that you want assigned and should be done before the sheep even get on the site. The uniqueness is you having wells. We are setting this up as a Cadillac of what you need to be doing, if you are having grazing on a solar farm.

RON FALLOWFIELD: I said I had faith in you guys, and you just proved it.

JESSICA ZIRKLEBACH: Good, Thank you.

LARRY DROEGE: There is a lot of new and I hope you understand all our questions and concerns. From at least my knowledge I don't know if I have ever approved using farm animals on a commercial property. With more solar farms coming into our county this is a big deal and we have to get it right.

JESSICA ZIRKLEBACH: I appreciate the positive encouragement and I personal love this idea and I really hope this works out.

BETH MCFADIN HIGGINS: Let's clarify one that Dave read. I think Mark said a chain link with a farm fence.

MARK SEIB: Yes, an addition of two fences.

BETH MCFADIN HIGGINS: Ok, I just wanted to make sure. Just so we get that clarified before.

MARK SEIB: The other thing is that the certification of training would be completed before the sheep arrive.

Mark Seib made a motion to approve docket number 23-16-V-BZA with the stimulation a automatic waterer, training to be complete before the sheep arrive, a farm fence be established within side the perimeter or the outside whichever they choose, and before the sheep arrive or when they arrive have to come with health papers. Seconded by Ron Fallowfield.

The Variance Voting sheet was read by David Ripple. Roll Call Vote (5-0). **Motion carried.**

ADDITIONAL BUSINESS

David Ripple addressed the board regarding an amendment for board members to review how to handle corner lot Variances.

CITIZEN CONCERNS

None

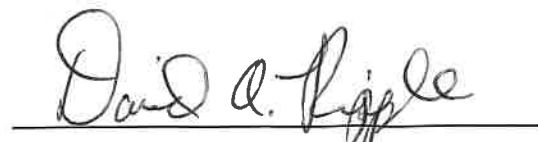
ADJOURNMENT

Ron Fallowfield motioned to adjourn. Seconded by Keith Spurgeon at 6:12pm.



Mr. Larry Williams, Chairperson

Mr. Ron Fallowfield



Mr. David Ripple, Interim Executive Director

VARIANCE VOTING SHEET

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POSEY COUNTY BOARD OF ZONING APPEALS

Report of Findings of Fact

BZA NO: 23-16-V-BZA-Mackenzie Droege/Salas O'Brien

Owner: Astrazeneca Pharmaceuticals, CP

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

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>5-0</u>
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? *as around at Astra*

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>5-0</u>
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? *Again manufacture due to*

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	<u>5-0</u>	
Mark Seib	() NO*	(<input checked="" type="checkbox"/>) YES					

4. Are these conditions general in the same zone? *unique due to solar panels*

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>5-0</u>
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? *difficult to move without*

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	<u>5-0</u>	
Mark Seib	() NO*	(<input checked="" type="checkbox"/>) YES					

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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*		5-0
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 _____ day of _____

(date)

VARIANCE VOTING SHEET



COPY

POSEY COUNTY BOARD OF ZONING APPEALS

Report of Findings of Fact

BZA NO: 23-17-V-BZA Owner: Andrew L & Kelsey N Reich

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*	YES	4-0
Mark Seib	(<input checked="" type="checkbox"/>) NO	() YES*	<i>abstain</i>				

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*	YES	4-0
Mark Seib	(<input checked="" type="checkbox"/>) NO	() YES*	<i>abstain</i>				

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	4-0	
Mark Seib	() NO*	() YES	<i>abstain</i>				

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*		4-0
Mark Seib	(<input checked="" type="checkbox"/>) NO	() YES*	<i>abstain</i>				

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	4-0	
Mark Seib	() NO*	() YES	<i>abstain</i>				



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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*		4-0
Mark Seib	() NO	() YES*					

abstain

***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 _____ day of _____

(date)