

**MINUTES**

**POSEY COUNTY  
BOARD OF ZONING APPEALS  
REGULAR MEETING**

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

**February 8, 2024  
5:00 P.M.**

**MEMBERS PRESENT:** Mr. Joe Marvel-Chairperson, Mr. Jeff Hoehn- Vice-Chairperson, Mr. Ron Fallowfield, Dr. Keith Spurgeon, Mr. Randy Rankin, Mrs. Beth McFadin Higgins-Attorney, Mr. David Ripple-Interim Executive Director, Mrs. Taylor Elmendorf-Administrative Assistant, Mrs. Savannah Axley-Clerical Assistant

**MEMBERS ABSENT:** NONE

**APPROVAL OF MINUTES FOR LAST REGULAR MEETING:** Joe Marvel made a motion in the affirmative to approve the minutes of the last regular meeting as emailed. Motion seconded by Randy Rankin **Roll Call Vote (5-0). Yes. Motion carried.**

**APPROVAL OF MINUTES FOR EXECUTIVE SESSION ON JANUARY 11, 2024:** Keith Spurgeon made a motion in the affirmative to approve the minutes of the last regular meeting as emailed. Motion seconded by Ron Fallowfield **Roll Call Vote (5-0). Yes. Motion carried.**

**ELECTION OF OFFICERS 2024:**

Keith Spurgeon made a motion in the affirmative to nominate Joe Marvel for Chairperson. Motion was seconded by Randy Rankin. **Vote (5-0) Yes. Motion carried.**

Randy Rankin made a motion in the affirmation to nominate Jeff Hoehn for Vice-Chairperson. **Vote (5-0) Yes. Motion carried.**

Joe Marvel made a motion in the affirmative to nominate David Ripple for secretary. Motion was seconded by Ron Fallowfield. **Vote (5-0) Yes. Motion carried.**

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**SPECIAL USE:**

**DOCKET NO:** 23-15-SU-BZA

**APPLICANT:** Stephen E. Utley

**OWNER:** Stephen E. & Mary E. Utley

**PREMISES:** Section 6, Township 7 South, Range 12 West in Marrs Township, Posey County, Indiana, containing 0.33 acres, more or less. More commonly known as Harbortown Lot 44, Mt. Vernon, Indiana. (Complete legal description on file on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests Special Use to place a residential storage shed in an A (Agricultural) Zoning District per Section 153.032 (B)(2) Use Unit 2 Areawide Special Exception Uses, Section 153.147 (B) (14) Residential Storage Structure of the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County.

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

Mr. Marvel confirmed with Mr. Ripple that the applicant met all the requirements for the notification per the statute.

Stephen Utley, 6201 Cheshire Dr., Mt. Vernon, IN 47620, here to speak on behalf of the application.

No comments from the public.

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

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

Keith Spurgeon made a motion to approve docket 23-15-SU-BZA with the stipulation to raise storage shed two feet above BFE and have it anchored, motion was seconded by Randy Rankin.

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

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**SPECIAL USE:**

DOCKET NO: 24-01-SU-BZA

APPLICANT: Mersadys Mason

OWNER: Dalton K. Pollard

PREMISES: Lot Three Hundred Ninety (390), in Section "J" of the Charles E. Lawrence Subdivision, located in the Northwest Quarter of Section Five (5), Township Seven (7) South, Range Thirteen (13) West, in Black Township, Posey County, Indiana, containing 0.0000 acres, more or less More commonly known as 421 Southwind Ave., 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 for a home occupation (photography studio) in a RS (Residential Single-Family) Zoning District Section 153.042 (B)(4) Use Unit 28 – Home Occupations Section 153.173 of the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville an Unincorporated Posey County.

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

Mr. Marvel confirmed with Mr. Ripple that the applicant met all the requirements for the

notification per the statute.

Mersadys Mason, 421 Southwind Ave., Mt. Vernon, Indiana 47620, here to speak on behalf of the application.

**Public Comments**

Diana Gruber, 425 Southwind Ave., Mt. Vernon, IN 47620 voiced concerns regarding any possible signage.

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

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

Ron Fallowfield made a motion to approve docket 24-01-SU-BZA, motion was seconded by Keith Spurgeon.

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

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**SPECIAL USE:**

DOCKET NO: 24-02-SU-BZA

APPLICANT: Nancy Denning

OWNER: Wesley T. & Nancy D. Harris

PREMISES: Lot Number Forty-eight (48) in Country Club Estates, a subdivision located in Sections Six (6) and Seven (7), Township Seven (7) South, Range Thirteen (13) West in Black Township, Posey County, Indiana, containing 0.4570 acres, more or less More commonly known as 1100 Tanglewood Drive, 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 for a home occupation (Food Catering) in a RS (Residential Single-Family) Zoning District Section 153.042 (B)(4) Use Unit 28 – Home Occupations Section 153.173 of the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County.

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

Mr. Marvel confirmed with Mr. Ripple that the applicant met all the requirements for the notification per the statute.

Nancy and Ted Denning, 1100 Tanglewood Drive, Mt. Vernon, IN 47620, here to speak on behalf of the application.

**Public Comments**

Elizabeth Dingman, 1101 Tanglewood Drive, Mt. Vernon, IN 47620 voiced support for the

application.

Mr. Ripple read two anonymous complaints regarding the dumpster on the applicants' property.

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

Ron Fallowfield made a motion to approve docket 24-02-SU-BZA, motion was seconded by Randy Rankin.

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

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DOCKET NO: 24-01-V-BZA  
APPLICANT: Dempson Haney, Hafer Design  
OWNER: Posey County Humane Society, Inc.  
PREMISES: Part of the Northwest Quarter of the Southeast Quarter of Section 3, Township 7 South, Range 13 West, Black Township, Posey County, Indiana containing .875 acres, more or less. More commonly known as 6500 N Leonard Rd, Mt. Vernon, IN 47620 (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests Variances for non-residential structures in Flood Fringe per Zoning Ordinance Sections 153.115 (A)(3), 153.115 (B)(1), and 153.115 (B)(3) and conditions for a variance Zoning Ordinance Section 153.116 (D) in a M-1 Manufacturing Light District zoning under the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County.

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

Mr. Ripple stated that the applicant withdrew the application.

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**SPECIAL USE:**

DOCKET NO: 24-03-SU-BZA  
APPLICANT: Desiree Eichenberger  
OWNER: St. Peter's On The Hill Inc.  
PREMISES: Part of the Southwest Quarter of Section 13, Township 6 South, Range 12 West lying in Marrs Township, Posey County, Indiana. More commonly known as 2800 S. St. Philip Rd., Evansville, IN 47712 Containing 6.00 acres more or less and 3.20 acres more or less and .78 acres more or less (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests Special Use to install an electronic message board in a B-2 (Commercial General) Zoning District Section 153.166 (N) of the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville

and Unincorporated Posey County.

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

Mr. Marvel confirmed with Mr. Ripple that the applicant met all the requirements for notification per the statute.

Desiree Eichenberger 11120 Kramers Dr., Evansville, IN 47712, here to speak on behalf of the application.

No comments from the public.

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

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

Keith Spurgeon made a motion to approve docket 24-03-SU-BZA, motion was seconded by Jeff Hoehn.

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

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**SPECIAL USE:**

DOCKET NO: 24-04-SU-BZA

APPLICANT: Posey County Commissioners

OWNER: Jerry L. & Alice J. Lindauer

PREMISES: A part of the Southwest Quarter of Section 28, Township 4 South, Range 13 West, lying in Harmony Twp, Posey County Indiana, containing a 23 x 23 leased area more or less. More commonly known as 2235 Hwy 68, New Harmony, Indiana (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests a Special Use to erect a 911 cell tower in an (A) Agricultural Zoning District Section 153.032 (B)(3) for Use Unit 3 – Public Protection and Utility Facilities Section of the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County.

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

Mr. Marvel confirmed with Mr. Ripple that the applicant met all the requirements for notification per the statute.

Greg Newman, 6995 Briar Ridge Road here to speak on behalf of the application.

No comments from the public.

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

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

Ron Fallowfield made a motion to approve docket 24-04-SU-BZA, motion was seconded by Randy Rankin.

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

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**VARIANCE:**

DOCKET NO: 24-02-V-BZA

APPLICANT: Posey County Commissioners

OWNER: Jerry L. & Alice J. Lindauer

PREMISES: A part of the Southwest Quarter of Section 28, Township 4 South, Range 13 West, lying in Harmony Twp, Posey County Indiana, containing a 23 x 23 leased area more or less. More commonly known as 2235 Hwy 68, New Harmony, Indiana (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests a height Variance to erect a cell tower in an (A) Agricultural Zoning District 153.148 (B)(9) of the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County.

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

Mr. Marvel confirmed with Mr. Ripple that the applicant met all the requirements for the notification per the statute.

Greg Newman, 6995 Briar Ridge Road here to speak on behalf of the application.

No comments from the public.

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

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

Keith Spurgeon made a motion to approve docket 24-02-V-BZA, motion was seconded by Jeff Hoehn.

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

**ADDITIONAL BUSINESS**

NONE

**CITIZEN CONCERNS**

NONE

**ADJOURNMENT**

Ron Fallowfield motioned to adjourn. Motion seconded by Randy Rankin at 6:31pm.



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Mr. Joe Marvel-BZA Chairperson



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Mr. David Ripple, Interim Executive Director

**POSEY COUNTY  
SPECIAL USE VOTING SHEET**

Posey County Board of Zoning Appeals  
Report of Finding Fact  
BZA NO: 23-15-SU-BZA



**COPY**

HAS THE APPLICANT PROVEN BY SUBSTANTIAL EVIDENCE THE FOLLOWING:

1. The Zoning Ordinance authorizes the Special Use.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	5	0
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	5	0
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	5	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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 and of the operation and the site layout with relaxation to the existing or future traffic patterns.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	5	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	5	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	5	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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.

COPY

Ron Fallowfield	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Keith Spurgeon	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<u>YES*</u>	<u>NO</u>
Jeff Hoehn	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<del>Mark Seib</del>	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO		
Randy Rankin	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Joe Marvel				

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

Ron Fallowfield	<input type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input type="checkbox"/> YES	<input type="checkbox"/> NO*	<del>Mark Seib</del>	<input type="checkbox"/> YES	<input type="checkbox"/> NO*		
Randy Rankin	<input type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel				

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.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<del>Mark Seib</del>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel				

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:

Elevated 2ft. above BFE & anchored.

\*IF ANY ONE OF YOUR ANSWERS ABOVE IS FOLLOWED BY AN ASTERISK, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**POSEY COUNTY  
SPECIAL USE VOTING SHEET**

**COPY**

Posey County Board of Zoning Appeals  
Report of Finding Fact  
BZA NO: 24-01-SU-BZA

HAS THE APPLICANT PROVEN BY SUBSTANTIAL EVIDENCE THE FOLLOWING:

1. The Zoning Ordinance authorizes the Special Use. 153.042(B)(4) and 153.173

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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 and of the operation and the site layout with relaxation to the existing or future traffic patterns.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

COPY

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.

Ron Fallowfield	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Keith Spurgeon	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<u>YES*</u>	<u>NO</u>
Jeff Hoehn	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<del>Mark Seib</del>	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO		<u>5</u>
Randy Rankin	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Joe Marvel				

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<del>Mark Seib</del>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel				

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.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<del>Mark Seib</del>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel				

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:

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\*IF ANY ONE OF YOUR ANSWERS ABOVE IS FOLLOWED BY AN ASTERISK, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**POSEY COUNTY  
SPECIAL USE VOTING SHEET**

Posey County Board of Zoning Appeals  
Report of Finding Fact

BZA NO: 24-02-SU-BZA



**COPY**

HAS THE APPLICANT PROVEN BY SUBSTANTIAL EVIDENCE THE FOLLOWING:

1. The Zoning Ordinance authorizes the Special Use. 153,042(B)(4) & 153.173

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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. *desirable*

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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 and of the operation and the site layout with relaxation to the existing or future traffic patterns. *1 delivery truck*

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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.

**COPY**

Ron Fallowfield	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Keith Spurgeon	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<u>YES*</u>	<u>NO</u>
Jeff Hoehn	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<del>Mark Seib</del>	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<u>  </u>	<u>  5</u>
Randy Rankin	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<i>See Marvel</i>				

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<del>Mark Seib</del>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>  </u>	<u>  </u>
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<i>See Marvel</i>			<u>  5</u>	<u>  </u>

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.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<del>Mark Seib</del>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>  </u>	<u>  </u>
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<i>See Marvel</i>			<u>  5</u>	<u>  </u>

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 ASTERISK, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**POSEY COUNTY  
SPECIAL USE VOTING SHEET**

Posey County Board of Zoning Appeals  
Report of Finding Fact  
BZA NO: 24-03-SU-BZA



**COPY**

HAS THE APPLICANT PROVEN BY SUBSTANTIAL EVIDENCE THE FOLLOWING:

1. The Zoning Ordinance authorizes the Special Use. 153.166(N)

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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 and of the operation and the site layout with relaxation to the existing or future traffic patterns.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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.

**COPY**

Ron Fallowfield	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Keith Spurgeon	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<u>YES*</u>	<u>NO</u>
Jeff Hoehn	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<del>Mark Seib</del>	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO		
Randy Rankin	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<i>See Marvel</i>				

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

*N/A*

Ron Fallowfield	<input type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input type="checkbox"/> YES	<input type="checkbox"/> NO*	Mark Seib	<input type="checkbox"/> YES	<input type="checkbox"/> NO*		
Randy Rankin	<input type="checkbox"/> YES	<input type="checkbox"/> NO*					

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.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<del>Mark Seib</del>	<input type="checkbox"/> YES	<input type="checkbox"/> NO*		
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<i>See Marvel</i>			<u>5</u>	

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 ASTERISK, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**POSEY COUNTY  
SPECIAL USE VOTING SHEET**

Posey County Board of Zoning Appeals  
Report of Finding Fact  
BZA NO: 24-04-SU-BZA



HAS THE APPLICANT PROVEN BY SUBSTANTIAL EVIDENCE THE FOLLOWING:

1. The Zoning Ordinance authorizes the Special Use. *153.032(6)(3)*

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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 and of the operation and the site layout with relaxation to the existing or future traffic patterns.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>5</u>	
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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.

**COPY**

Ron Fallowfield	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Keith Spurgeon	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<u>YES*</u>	<u>NO</u>
Jeff Hoehn	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<del>Mark Seib</del>	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO		<u>5</u>
Randy Rankin	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<i>See Marvel</i>				

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

*N/A*

Ron Fallowfield	<input type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input type="checkbox"/> YES	<input type="checkbox"/> NO*	Mark Seib	<input type="checkbox"/> YES	<input type="checkbox"/> NO*		
Randy Rankin	<input type="checkbox"/> YES	<input type="checkbox"/> NO*					

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.

Ron Fallowfield	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<del>Mark Seib</del>	<input type="checkbox"/> YES	<input type="checkbox"/> NO*		
Randy Rankin	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<i>See Marvel</i>			<u>5</u>	

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*

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\*IF ANY ONE OF YOUR ANSWERS ABOVE IS FOLLOWED BY AN ASTERISK, 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

# VARIANCE VOTING SHEET

POSEY COUNTY BOARD OF ZONING APPEALS

COPY

Report of Findings of Fact

BZA NO: 24-02-V-BZA

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

Ron Fallowfield	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO	Keith Spurgeon	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO	<u>YES*</u>	<u>NO</u>
Jeff Hoehn	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO	Joe Marvel	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO		5
Randy Rankin	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO							

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

Ron Fallowfield	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO	Keith Spurgeon	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO	<u>YES*</u>	<u>NO</u>
Jeff Hoehn	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO	Joe Marvel	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO		5
Randy Rankin	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO							

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

Ron Fallowfield	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*	Keith Spurgeon	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*	Joe Marvel	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*		5
Randy Rankin	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*							

4. Are these conditions general in the same zone?

Ron Fallowfield	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO	Keith Spurgeon	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO	<u>YES*</u>	<u>NO</u>
Jeff Hoehn	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO	Joe Marvel	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO		5
Randy Rankin	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO							

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

Ron Fallowfield	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*	Keith Spurgeon	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*	<u>YES</u>	<u>NO*</u>
Jeff Hoehn	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*	Joe Marvel	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*		5
Randy Rankin	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*							

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

Ron Fallowfield	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO	Keith Spurgeon	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO	<u>YES*</u>	<u>NO</u>
Jeff Hoehn	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO	Joe Marvel	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO		5
Randy Rankin	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO							



COPY

\*IF ANY ONE OF YOUR ANSWERS ABOVE IS FOLLOWED BY AN ASTERISK, UNDER THE STATUTE YOU SHOULD 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 \_\_\_\_\_, 20\_\_\_\_\_.