

**MINUTES**

**POSEY COUNTY  
AREA PLAN COMMISSION  
REGULAR MEETING**

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

**MAY 9, 2024  
6:00 P.M.**

**MEMBERS PRESENT:** Mr. Mark Seib - President, Mr. Joe Marvel - Vice President, Dr. Keith Spurgeon, Mr. Greg Newman, Mr. Andy Hoehn, Mr. Justin Rutledge, Mr. Randy Owens, Mrs. Stefani Miller, Mrs. Amy Rhodes (non-voting), Mr. Adam Farrar - Attorney, Jerry Cotner - Executive Director, Mrs. Taylor Elmendorf - Administrative Assistant, Mrs. Savannah Axley - Clerical Assistant

**MEMBERS ABSENT:** Mr. Aaron Wilson

**APPROVAL OF MINUTES:** Joe Marvel made a motion in the affirmative to approve the minutes of the last regular meeting as emailed. Motion seconded by Stefani Miller. **Motion Carried.**

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**MINOR SUBDIVISION:**

**DOCKET NO:** 24-03-S-APC  
**APPLICANT:** Greg Kissel – Kissel Land Surveying, LLC  
**OWNER:** Kent W & Sandra D. Wenderoth and K & S Wenderoth, LLC  
**PREMISES:** Part of the Southwest Quarter of Section 8, Township 5 South, Range 12 West, lying in Center Township, Posey County, Indiana. More commonly known as 7240 & 7238 Hwy 66 and 4170 & 4178 Princeton St., Wadesville, IN. Containing 1.687 acres more or less. (Complete legal description is on file at the Posey County Area Plan Commission Office).

**APPLICANT/OWNER OF THE ABOVE DESCRIBED PROPERTY HAS REQUESTED:**

Approval of Minor Subdivision Plat in a R-1 & B-2 Zoning Districts under The Subdivision Control Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County.

Mr. Seib confirmed with Mr. Cotner that the applicant met all the requirements for notification per the statute.

Mr. Seib confirmed no board member had any conflicts of interest.

Zach Boop, 104 S. Walter St., Ft. Branch, here to speak on behalf of the application.

No comments from the public.

Mr. Seib confirmed with Mr. Cotner there were no emails, phone calls, or letters.

Mr. Seib opened the floor to the committee for discussion or action.

A motion was made by Greg Newman for approval of 24-03-S-APC and authorizing the Executive Director to give final approval waiving the 30-day waiting period (per Section 3.4.6 of the Subdivision Ordinance). Motion seconded by Joe Marvel. **Roll Call Vote (8-0) Yes. Motion Passed.**

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**SITE DEVELOPMENT PLAN:**

APPLICANT: Cameron Maier  
OWNER: Cameron Paul & Kennedy Rachelle Maier  
PREMISES: Part of the Southwest Quarter of Section 12 and part of the Northwest Quarter of Section 13, all in Township 5 South, Range 13 West, in Center Township, Posey County, Indiana. Containing 7.508 acres more or less. More commonly known as 4010 Lang Road, New Harmony, IN. (Complete legal description is on file at the Posey County Area Plan Commission Office).

**APPLICANT/OWNER OF THE ABOVE DESCRIBED PROPERTY HAS REQUESTED:**

Approval of Site Development Plans in a B-2 Zoning District under The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County.

Mr. Seib confirmed with Mr. Cotner that the applicant met all the requirements for notification per the statute.

Mr. Seib confirmed no board member had any conflicts of interest.

Kennedy Maier- 7116 S 1675 W., Griffin, IN, here to speak on behalf of the application.

No comments from the public.

Mr. Seib confirmed with Mr. Cotner there were no emails, phone calls, or letters.

Mr. Seib opened the floor to the committee for discussion or action.

Motion was made by Joe Marvel to approve the Site Development Plan contingent on Soil and Water permits and State Design release approval. Motion seconded by Andy Hoehn. **Roll Call Vote (8-0). Yes. Motion Passed.**

No members had any additional comments on Finding of Facts.

Joe Marvel made a motion to approve the Finding of Facts. Seconded by Keith Spurgeon. **Roll Call Vote (8-0) Yes. Motion Passed.**

**COMPLAINTS - TABLED:**

Joe Marvel made a motion to table all tabled complaints from April 11, 2024, regular meeting seconded by Randy Owens. **Motion Carried with a vote of (8-0). Yes.**

1010 W. 2<sup>nd</sup> Street, Mt. Vernon (Newman)  
435 W. 8<sup>th</sup> Street & Lot 65 Next Door, Mt. Vernon (Strobel)

203 W. 8<sup>th</sup> Street, Mt. Vernon (York & Poole)  
629 W. 8<sup>th</sup> Street, Mt. Vernon (McConnell)

### **COMPLAINTS – NEW:**

3000 Brandt Road, Wadesville (Coon)

Matt Coon, 3000 Brandt Road, Wadesville, IN, here to address the complaint.

Joe Marvel makes motion to resolve the complaint at 3000 Brandt Road, Wadesville seconded by Andy Hoehn. **Motion Carried with a vote of (8-0). Yes.**

1129 E. 3<sup>rd</sup> Street, Mt. Vernon (Pettyjohn)

APC members discussed the complaint. Joe Marvel made a motion to resolve the complaint at 1129 E. 3<sup>rd</sup> Street, MV seconded by Stefani Miller. **Motion Carried with a vote of (8-0). Yes.**

521 Wolflin Street, Mt. Vernon (Better With Meador Investments, LLC)

APC members discussed the complaint. Joe Marvel made a motion to resolve the complaint at 521 Wolflin Street, MV seconded by Greg Newman. **Motion Carried with a vote of (8-0). Yes.**

1227 E. 3<sup>rd</sup> Street, Mt. Vernon (Coe)

APC members discussed the complaint. Joe Marvel made a motion to resolve the complaint at 1227 E. 3<sup>rd</sup> Street, MV seconded by Andy Hoehn. **Motion Carried with a vote of (8-0). Yes.**

1235 E. 3<sup>rd</sup> Street, Mt. Vernon (Schenk)

APC members discussed the complaint. Andy Hoehn made a motion for Trent VanHaaften to send letter to owner seconded by Keith Spurgeon. **Motion Carried with a vote of (8-0). Yes.**

716 W. 7<sup>th</sup> Street, Mt. Vernon (Willis)

APC members discussed the complaint. Andy Hoehn made a motion for Trent VanHaaften to send letter to owner seconded by Keith Spurgeon. **Motion Carried with a vote of (8-0). Yes.**

515 N. Locust Street, Mt. Vernon (Black)

APC members discussed the complaint. Andy Hoehn made a motion for Trent VanHaaften to send letter to owner seconded by Keith Spurgeon. **Motion Carried with a vote of (8-0). Yes.**

### **OTHER BUSINESS**

Joe Marvel made motion to allow the City of Mt. Vernon to attempt to resolve city complaints regarding The Zoning Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County, Section 153.024 (C)(1) states, “no inoperative or unlicensed motor vehicles (including recreational vehicles or trailers) shall be parked or stored within the front or exterior side yard in any Residential or Office District. No inoperative or unlicensed motor vehicles (including recreational vehicles or trailers) parked or stored in an exterior rear yard shall be visible from the public way or adjacent property in any Residential or Office District”. Section 153.024 (C)(2) states, “no vehicle shall be parked except on a hard surfaced area constructed of dust free “all-weather” material in any Residential or Office District”. If the City of Mt. Vernon is unable to resolve the APC will take over the complaint. Motion seconded by Greg Newman

The City of Mt. Vernon attorney is working up a memorandum for APC members to discuss and take action.

Members discussed the 2025 Budget. Joe Marvel made motion to approve the Executive Director to submit the 2025 Budget seconded by Greg Newman. **Motion Carried with a vote of (8-0). Yes.**

Mark Seib passed out the list for the Posey County Area Plan Ordinance Committee. Board members discussed. Andy Hoehn made motion to adopt Posey County Area Plan Ordinance Committee seconded by Joe Marvel. **Motion Carried with a vote of (8-0). Yes.**

Andy Hoehn requested to be updated on county complaints from County Building Commissioner.

### **DIRECTOR'S REPORT**

None.

### **APPROVAL OF PAYROLL AND BILLS**

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

### **REPORT OF COLLECTIONS**

A motion was made in the affirmative by Joe Marvel and seconded by Stefani Miller to approve collections. **Motion Carried.**

### **CITIZEN CONCERNS**

None.

### **ADJOURNMENT**

Joe Marvel made a motion to adjourn the meeting at 7:13 p.m. Motion was seconded by Keith Spurgeon. **Motion Carried.**



Mr. Mark Seib – President



Mr. Jerry Cotner, Executive Director



## Findings of Fact

Owner: Cameron Paul and Kennedy Rachelle Maier  
New Events Center at 4010 Lang Road, New Harmony IN 47631

I Joe make a motion in the findings of fact be made as follows:

1. Development is co partible with surrounding land use. The zoning of this property is B-2. The surrounding property is zoned agricultural.
2. Water and other utilities are available. Liquid waste is handled by on-site septic.
3. The design and location of the entrance and streets are favorable to health, safety, convenience and are harmonious to the development and adjacent developments.
4. The plan meets the setback requirements for the B-2 zoning district.
5. The plan meets the building coverage requirements for the B-2 zoning district.
6. The plan meets building separation.
7. The plan meets vehicle and pedestrian circulation.
8. The plan meets parking requirements.
9. There are no landscaping requirements.
10. The building plans meet the length, height, and width of the B-2 zoning requirements. The plan also meets the materials and style of the B-2 zoning requirements.
11. Signage will be submitted for approval.
12. The plan meets the recreational space.
13. The plan provides for outdoor lighting including the parking lot and driveway.
14. The development is in conformance with the zoning ordinance for the city of Mount Vernon, the town of Cynthiana, the town of Poseyville and un-incorporated Posey County and with the Posey County Comprehensive Plan.

Motin seconded by: Keith  
Adopted by Posey County Area Plan Commission

Mark LaH  
President, Posey County Area Plan Commission

5/9/24  
Date