

**MINUTES**

**POSEY COUNTY  
AREA PLAN COMMISSION  
REGULAR MEETING**

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

**AUGUST 8, 2024  
6:00 P.M.**

**MEMBERS PRESENT:** Mr. Mark Seib - President, Mr. Joe Marvel - Vice President, Mr. Randy Owens, Mr. Greg Newman, Mr. Justin Rutledge (Arrived at 6:18pm), Dr. Keith Spurgeon, and Mrs. Amy Rhodes (non-voting), Trent VanHaaften - Attorney, Jerry Cotner - Executive Director, Mrs. Taylor Elmendorf - Administrative Assistant, Mrs. Savannah Axley - Clerical Assistant

**MEMBERS ABSENT:** Mr. Andy Hoehn, Mr. Aaron Wilson, and Mrs. Stefani Miller

**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 Greg Newman. **Motion Carried.**

Attorney Trent VanHaaften made an announcement that applicants could choose to table their application due to only having five members present which would require all members to agree to pass application.

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**REZONING – TABLED FROM JULY:**

**DOCKET NO:** 24-08-RE-APC  
**APPLICANT:** Decia York  
**OWNER:** Kenneth Alan II & Decia Marie York  
**PREMISES:** Part of the Southeast Quarter of Section 35, Township 4 South, Range 13 West, lying in Harmony Township, Posey County, Indiana. More commonly known as 4800 Old Evansville Rd, Poseyville, Indiana. Containing 3.46 acres more or less. (Complete legal description is on file at the Posey County Area Plan Commission Office).

**NATURE OF CASE:** Petition to rezone property from an M-1 (Light Manufacturing) Zoning District to R-1 (Residential Single Family) Zoning District under the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiaiana, Town of Poseyville and Unincorporated Posey County.

Mr. Mark Seib announced that this application has been withdrawn.

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**REZONING:**

**DOCKET NO:** 24-11-RE-APC  
**APPLICANT:** Andrew Roth  
**OWNER:** Andrew R. & Kelly M. Roth  
**PREMISES:** Part of the Southeast Quarter of the Northwest Quarter of Section 12, Township 6 South, Range 12 West, lying in Robinson Township, Posey County, Indiana. More commonly known as 11400 E. Copperline Rd., Evansville, Indiana. Containing 10.83 acres more or less. (Complete legal description is on file at the Posey County Area Plan Commission Office).

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

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

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

Andrew Roth - 3311 E. Gum St., Evansville, IN 47714, here to speak on behalf of the application.

Public Comment:

Phillip Coleman - 11401 E. Bayview Ct. concerned about smell and number of animals.

Darwin Lashley - 1319 Lavon Dr. concerned about drainage.

Joe Marvel made a motion to close the public hearing. Seconded by Greg Newman. **Motion Carried.**

Mr. Roth returned to answer questions.

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.

Joe Marvel made a motion in the affirmative to recommend approval for the Rezoning from R-1 (Residential Single Family) to A (Agricultural). Randy Owens seconded the motion. **Roll Call Vote (5-0-1 abstained). Yes. Motion carried.**

Joe Marvel made a motion to adopt the Finding of Facts. Motion seconded by Greg Newman. **Roll Call Vote (5-0-1 abstained). Motion Passed.**

Justin Rutledge arrived at 6:18pm.

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**REZONING:**

DOCKET NO: 24-12-RE-APC

APPLICANT: Charles Seifert

OWNER: Mt. Vernon of Posey County Multi-School Building Corporation & MSD Mt. Vernon

PREMISES: Part of Section 4, Township 7 South, Range 13 West lying in Black Township, Posey County, Indiana. More commonly known as 700 Harriett St. and 701 Tile Factory Rd., Mt. Vernon, Indiana. Containing 57.3 acres more or less. (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Petition to rezone property from R-2 (Residential Two Family) Zoning District to B-2 (Commercial General) Zoning District under the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County.

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

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

Charles Seifert - 9320 Middle Mt. Vernon, IN, here to speak on behalf of the application.

No Public Comments.

Joe Marvel made a motion to close the public hearing. Seconded by Keith Spurgeon. **Motion Carried.**

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.

Joe Marvel made a motion in the affirmative to recommend approval for the Rezoning from R-2 (Residential Two Family) to B-2 (Commercial General). Justin Rutledge seconded the motion. **Roll Call Vote (6-0). Yes. Motion carried.**

Joe Marvel made a motion to adopt the Finding of Facts. Motion seconded by Keith Spurgeon. **Roll Call Vote (6-0). Motion Passed.**

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**REZONING:**

DOCKET NO: 24-13-RE-APC

APPLICANT: Todd Slagle

OWNER: Metropolitan School District of North Posey

PREMISES: Part of the Northeast Quarter of the Northeast Quarter of Section 7, Township 5 South, Range 12 West lying in Center Township, Posey County, Indiana. More commonly known as 4922 Hwy 165, Wadesville, IN 47638 Containing .6640 acres more or less (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Petition to rezone property from A (Agricultural) Zoning District to B-2 (Commercial General) Zoning District under the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, Town of Poseyville and Unincorporated Posey County.

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

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

Michelle Walden - 11211 Hwy 66, Evansville, IN, here to speak on behalf of the application.

No Public Comments.

Joe Marvel made a motion to close the public hearing. Seconded by Randy Owens. **Motion Carried.**

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.

Joe Marvel made a motion in the affirmative to recommend approval for the Rezoning from A (Agricultural) to B-2 (Commercial General). Justin Rutledge seconded the motion. **Roll Call Vote (6-0). Yes. Motion carried.**

Joe Marvel made a motion to adopt the Finding of Facts. Motion seconded by Keith Spurgeon. **Roll Call Vote (6-0). Motion Passed.**

**COMPLAINTS - TABLED:**

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

Mr. Trent VanHaften gave an update. APC members discussed the complaint. Joe Marvel made a motion to resolve the complaint at 203 W. 8<sup>th</sup> Street, Mt. Vernon seconded by Randy Owens. **Motion Carried with a vote of (6-0). Yes.**

715 W. 7<sup>th</sup> Street, Mt. Vernon (Lashbrook)

Mr. Trent VanHaften gave an update. APC members discussed the complaint. Joe Marvel made a motion to resolve the complaint at 715 W. St., Mt. Vernon seconded by Randy Owens. **Motion Carried with a vote of (6-0). Yes.**

1131 W. 2<sup>nd</sup> Street, Mt. Vernon (Powell)

Mr. Trent VanHaften gave an update. APC members discussed the complaint. Joe Marvel made a motion to resolve the complaint at 1131 W. 2nd Street, Mt. Vernon seconded by Greg Newman. **Motion Carried with a vote of (6-0). Yes.**

**COMPLAINTS – NEW:**

2001 Stierley Rd., Wadesville (Donaldson & Sapp)

Cathy Sapp and Mathew Donaldson - 2001 Stierley Rd., here to speak about the complaint. APC members discussed the complaint. Joe Marvel made a motion to table the complaint at 2001 Stierley Rd., Wadesville, seconded by Greg Newman. **Motion Carried with a vote of (6-0). Yes.**

**DIRECTOR'S REPORT**

None.

**OTHER BUSINESS**

Greg Newman made a motion to ratify the contract with GRW seconded by Joe Marvel. **Roll Call Vote (6-0). Yes. Motion carried.**

Mr. Mark Seib gave an update regarding the ordinance committee meeting.

Mark Seib gave a solar update to the APC members.

**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 Keith Spurgeon to approve collections. **Motion Carried.**

**CITIZEN CONCERNS**

None.

**ADJOURNMENT**

Joe Marvel made a motion to adjourn the meeting at 7:26 p.m. Motion was seconded by Keith Spurgeon. **Motion Carried.**

A handwritten signature in cursive script, appearing to read "Mark Seib".

Mr. Mark Seib – President

A handwritten signature in cursive script, appearing to read "Jerry Cotner".

Mr. Jerry Cotner – Executive Director

PROPOSED FINDINGS OF FACT  
ON DOCKET NO: 24-11-RE-APC  
PETITION TO REZONE: Andrew Roth  
OWNER: Andrew R. & Kelly M. Roth

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

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

will not

**2. Responsible development and growth.**

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

**3. Comprehensive Plan.**

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

**4. The conservation of property values throughout the jurisdiction.**

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

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

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

Motion made to adopt the foregoing findings of fact by:

Joe Marrel

Motion seconded by:

Greg Newman

Adopted by Posey County Area Plan Commission

President: Bush Set

Date: 8/8/24



July 1, 2024

Staff Comments: The property being petitioned to be rezoned from R-1 (Residential Single Family) to A (Agricultural) is 10.87 acres more or less. The property is located at 11400 E. Copperline Rd., Evansville, IN. Property abutting this site is owned by the following:

1. MSJL Properties, LLC, 3201 Hillcrest Ter, Evansville, IN 47712
2. Jacob Whipple, 11325 Copperline Road, Evansville, IN 47712
3. Ronnie W. & Jo Ann Mullis, 11331 E. Copperline Road, Evansville, IN 47712
4. David A. & Brandi D. Townsend, 11401 Copperline Road, Evansville, IN 47712
5. John Wallace Strader, 11411 Copperline Road, Evansville, IN 47712
6. Michael & Kathy Wolsiefer, 11421 E. Copperline, Evansville, IN 47712
7. Shirley A. Holloman, 11500 E Copperline Road, Evansville, IN 47712
8. Gregory & Cynthia A. Govert, 11405 Bayview Ct., Evansville, IN 47712-8806
9. Phillip L. & Kathleen Coleman, 11401 E. Bayview Ct., Evansville, IN 47712
10. Linda L. & Robert D. Reutter, 11317 Bayview Ct., Evansville, IN 47712
11. James D. Horne, 11309 Bayview Court, Evansville, IN 47712
12. Gary Lashley, 11301 Bayview Ct., Evansville, IN 47712-8882
13. Darwin Jr. & Gail D. Lashley, 1319 Lavon Dr. N., Evansville, IN 47712
14. George B. & Kimberly R. Bouch, 1327 N. Lavon Dr., Evansville, IN 47712
15. Joyce Crandall, 1333 North Lavon Drive, Evansville, IN 47712
16. Beverly S. Kahle, 364 N. Buhrman St., Nashville, TN 62263-1731
17. Donald E. Graner, 1401 N Lavon, Evansville, IN 47712
18. James D. & Christina M. Dugger, 1421 N Lavon Dr., Evansville, IN 47712

Abutting properties are zoned R-1 (Residential Single Family), A (Agricultural) and B-2 (Commercial General). This property is currently residential. The owners are proposing to rezone the property to A (Agricultural). The uses adjacent to the proposed rezoning are as follows: Agricultural and Residential.

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

PROPOSED FINDINGS OF FACT  
ON DOCKET NO: 24-12-RE-APC  
PETITION TO REZONE: Charles Seifert

OWNER: Mt. Vernon of Posey County Multi-School Building Corporation & MSD Mt. Vernon

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

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

**2. Responsible development and growth.**

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

**3. Comprehensive Plan.**

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

**4. The conservation of property values throughout the jurisdiction.**

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

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

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

Motion made to adopt the foregoing findings of fact by:

Joe Marvel

Motion seconded by:

Keith

Adopted by Posey County Area Plan Commission

President: Trish Seifert

Date: 8/8/24



July 10, 2024

Staff Comments: The property being petitioned to be rezoned from R-2 (Residential Two Family) Zoning District to B-2 (Commercial General) Zoning District. Containing 57.3 acres more or less. The property is located at 700 Harriett St. and 701 Tile Factory Rd., Mt. Vernon, In. Property abutting this site is owned by the following:

1. John W. & Greta K. Ransford, 715 E. 9<sup>th</sup> St., Mt. Vernon, IN 47620
2. Alex C. & Chelsea R. Austin, 815 Harriett St., Mt. Vernon, IN 47620
3. John Wayne Griest, 805 Harriett St., Mt. Vernon, IN 47620
4. Sharon J. Barberette, PO Box 825, Mt. Vernon, IN 47620
5. Alex Colton & Andee L. Givens, 733 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
6. Virginia Chavez Stallman, 801 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
7. John Donald Rye Etal, 807 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
8. Paul E. & David, Patricia E. Thompson, 813 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
9. Anthony L. Givens Etal, 2917 Tiara Ln., Evansville, IN 47711
10. Beth A. Baro, 821 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
11. Delene I. Schmitz, 929 Dutchman Rd., Wadesville, IN 47638
12. Zachary R. Allega, 901 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
13. Robyn D. Murphy, 903 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
14. Andrei Sharygin, 5799 Medinah Dr., Newburgh, IN 47630
15. Erica R. Winiger, 921 E. 5<sup>th</sup> St., Mt. Vernon, IN 47630
16. Norris Family Enterprises LLC, 927 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
17. Sarah Elizabeth Thompson, 931 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
18. Diana F. Payne, 1001 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
19. Philip Angermeier, 731 Pine Tree Dr., Mt. Vernon, IN 47620
20. Frank M. Harlem Etal, 771 W. Copperline Rd., Mt. Vernon, IN 47620
21. School City of Mt. Vernon, 1000 4<sup>th</sup> St., Mt. Vernon, IN 47620
22. Quenton C. Price, 742 E. 10<sup>th</sup> St., Mt. Vernon, IN 47620
23. Ronald & Pamela S. Bennett, 743 E. 10<sup>th</sup> St., Mt. Vernon, IN 47620
24. Dylan Peach, 744 Evergreen Dr., Mt. Vernon, IN 47620
25. Jerry R. & Paula J. Ambrose, 743 Evergreen Dr., Mt. Vernon, IN 47620
26. Rhonda A. Vanzant, 1031 Harriett St., Mt. Vernon, IN 47620
27. Hayley Caroline Suzanne Ervin, 1011 E 5<sup>th</sup> St., Mt. Vernon, IN 47620
28. Shutt's Rental Management, LLC, 7010 Lower Mt. Vernon Rd., Mt. Vernon, IN 47620
29. Dennis Hogan, 1021 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
30. Angela Dickey, 1027 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
31. Paula Alane Garrett, 4000 E. Boonville New Harmony Rd., Evansville, IN 47725
32. Crystal D. Mavrick, 1107 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620
33. Amy Thomas & Cynthia (JTFRS) Curtis, 361 Chestnut Rd., Severna Park, MD 21146
34. Tharon Rathgeber, 1111 E. 5<sup>th</sup>, Mt. Vernon, IN 47620
35. Christopher D. Cox, 1117 E. 5<sup>th</sup> St., Mt. Vernon, IN 47620

Abutting properties are zoned RS (Residential Single Family) & RT (Residential Townhouse). The properties are currently schools. The owners are proposing to rezone the properties to B-2 (Commercial General). The uses adjacent to the proposed rezoning are as follows: Residential and Agricultural.

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

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PROPOSED FINDINGS OF FACT  
ON DOCKET NO: 24-13-RE-APC  
PETITION TO REZONE: Todd Slagle  
OWNER: Metropolitan School District of North Posey

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

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

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**2. Responsible development and growth.**

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

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**3. Comprehensive Plan.**

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

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**4. The conservation of property values throughout the jurisdiction.**

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

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

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

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Motion made to adopt the foregoing findings of fact by:

Joe

Motion seconded by:

Keith

Alan

Adopted by Posey County Area Plan Commission

President:

Muh Set

Date:

8/8/24



August 9, 2023

Staff Comments: The property being petitioned to be rezoned from A (Agricultural) Zoning District to B-2 (Commercial General) Zoning District. Containing .6640 acres more or less. The property is located at 4922 Hwy 165, Wadesville, IN 47638. Property abutting this site is owned by the following:

- 1. Wehmer Showpigs, LLC 5001 Highway 165, Poseyville, IN 47633**
- 2. John M. Scheller, 4926 Highway 165, Poseyville, IN 47633-8966**
- 3. Joshua Fulkerson, 4924 SR 165, Wadesville, IN 47638**
- 4. Damon Jon Strange, 4900 Aubrey Lance, Wadesville, IN 47638**
- 5. State of Indiana, 100 North Senate Ave., Room N642, Indianapolis, IN 46204**

Abutting properties are zoned A (Agricultural), B-1 (Neighborhood Commercial), & B-3 (Commercial High Intensity). This property is currently a health clinic. The owners are proposing to rezone the property to B-2 (Commercial General). The uses adjacent to the proposed rezoning are as follows: Residential, Commercial and Agricultural.

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