

MINUTES

**POSEY COUNTY
AREA PLAN COMMISSION
REGULAR MEETING**

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

**OCTOBER 10, 2024
6:00 P.M.**

MEMBERS PRESENT: Mr. Joe Marvel -Vice President, Dr. Keith Spurgeon, Mr. Greg Newman, Mr. Andy Hoehn, Mrs. Stefani Miller, Mr. Randy Owens, Mr. Trent Van Haften -Attorney, Mr. Jerry Cotner, Executive Director, Mrs. Taylor Elmendorf - Administrative Assistant, Mrs. Savannah Axley - Clerical Assistant

MEMBERS ABSENT: Mr. Mark Seib - President, Mr. Justin Rutledge, Mrs. Amy Rhodes (non-voting), Mr. Aaron Wilson

APPROVAL OF MINUTES: Gerg Newman made a motion in the affirmative to approve the minutes of the last regular meeting as emailed. Motion seconded by Stefani Miller. Motion carried.

SITE DEVELOPMENT PLAN – TABLED FROM SEPTEMBER:

APPLICANT: Storm Kollak
OWNER: CountryMark Refining and Logistics, LLC.
PREMISES: The Northwest Quarter of Section Six (6), Township Seven (7) South, Range Thirteen (13) West, Black Township, Posey County, Indiana. More commonly known as 1785 Givens Rd., Mt. Vernon, Indiana. Containing 73.1760 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 Site Development Plans in an M-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. Marvel confirmed with Mr. Cotner that an email was received from Storm Kollak to table application until November 14, 2024, meeting.

REPLAT:

DOCKET NO: 24-06-S-APC
APPLICANT: Andy W. Nottingham
OWNER: Andy W. Nottingham
PREMISES: Lot 9 & Lot 10 in the Original Plat of The Town of Poseyville, Posey County,

Indiana, part of Section 18 Township 4 South, Range 12 West, lying in Robb Township, Posey County, Indiana. More commonly known as 33 Main St., Poseyville, Indiana. Containing 0.342 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 Replat in a B-3 Zoning District under The Subdivision Control Ordinance of the City of Mount Vernon, the Town of Cynthiana, the Town of Poseyville and Unincorporated Posey County.

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

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

Andy Nottingham – 33 Main St., Poseyville, IN here to speak on behalf of the application.

No comments from the public.

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

Keith Spurgeon made a motion to close the public hearing. Motion seconded by Greg Newman.

Motion Carried.

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

A motion was made in the affirmative by Andy Hoehn for preliminary approval of replat and to authorize Executive Director to give final approval after 30 days have elapsed. Motion seconded by Stefani Miller. **Motion carried by roll call vote (6-0) Yes. Motion Passed.**

SITE DEVELOPMENT PLAN:

APPLICANT: Dustin Rogers, Diamond R Equipment, LLC

OWNER: Dustin W. Rogers

PREMISES: Part of the Northwest Quarter of Section 8, Township 6 South, Range 13 West lying in Lynn Township, Posey County, Indiana. More commonly known as 1251 Springfield Rd., Mt. Vernon, Indiana, containing 3.66 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 Site Development Plans in an M-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. Marvel confirmed with Mr. Cotner that the applicant met all the requirements for notification per the statute.

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

Joe Kiesel - 2711 West State Road 68, Haubstadt, IN here to speak on behalf of the application.

Dustin Rogers - 6511 Upton Rd., Mt. Vernon, IN here to speak on behalf of the application.

Public Comment:

Diane Johnson- 1100 Springfield Rd., Mt. Vernon, IN with multiple concerns.

Joe Kiesel and Dustin Rogers address questions.

Stefani Miller made a motion to close the public hearing. Seconded by Andy Hoehn. **Motion Carried.**

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

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

Motion was made by Andy Hoehn to approve the Site Development Plan, contingent upon State Design Release and Soil Test Approval. Motion was seconded by Stefani Miller. **Motion carried. Roll Call Vote (6-0). Yes.**

No members had any additional comments on Finding of Facts.

Keith Spurgeon made a motion to approve the Finding of Facts. Seconded by Greg Newman. **Roll Call Vote (6-0) Yes. Motion Passed.**

SITE DEVELOPMENT PLAN:

APPLICANT: Justin Collins
OWNER: Posey Storage, LLC
PREMISES: Part of the West Half of the Southwest Quarter of Section 17, Township 4 South, Range 12 West lying in Robb Township, Town of Poseyville, Posey County, Indiana. More commonly known as 128 N. St. Francis Street, Poseyville, Indiana. Containing 4.29 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 Site Development Plans in an M-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. Marvel confirmed with Mr. Cotner that the applicant met all the requirements for notification per the statute.

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

Justin Collins - 113 S. Cale St., Poseyville, IN here to speak on behalf of the application.

Barry Tanner - 625 E. 8th St., Mt. Vernon, IN here to speak on behalf of the application.

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

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

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

Motion was made by Andy Hoehn to approve the Site Development Plan. Motion seconded by Greg Newman. **Roll Call Vote (6-0) Yes. Motion Carried.**

No members had any additional comments on Finding of Facts.

Andy Hoehn made a motion to approve the Finding of Facts. Seconded by Stefani Miller. **Roll Call Vote (6-0) Yes. Motion Passed.**

COMPLAINTS - TABLED:

2001 Stierley Rd., Wadesville (Donaldson & Sapp)

Mathew Donaldson - 2001 Stierley Rd., here to speak about the complaint. Mr. Donaldson stated that he has filed with legal aid for an attorney, and it was recommended to him to table the complaint.

Randy Owens made a motion to table the complaint at 2001 Stierley Rd., Wadesville, seconded by Stefani Miller. **Motion Carried with a vote of (6-0). Yes.**

302 Coronado Dr., MV (Drissel/Parker)

APC members discussed the complaint, Stefani Miller motioned for Trent to send a letter to the owners of the property at 302 Coronado Dr., Mt. Vernon seconded by Keith Spurgeon. **Motion Carried with a vote of (6-0). Yes.**

COMPLAINTS – NEW:

746 Smith Rd., MV (Hoehn)

APC members discussed the complaint Andy Hoehn motioned to resolve the complaint at 905 Walnut Street, Mt. Vernon, seconded by Greg Newman. **Motion Carried with a vote of (6-0). Yes.**

POSEY COUNTY REDEVELOPMENT COMMISSION - RESOLUTION FOR THE MARRS TOWNSHIP ALLOCATION AREA

Stefani Miller recused herself.

Justin Collins - 113 S. Cale St., Poseyville, IN and Joe Harrison - 25 NW Riverside Dr. 2nd Floor, Evansville, IN spoke about resolution.

Greg Newman motioned to approve the resolution seconded by Andy Hoehn. **Motion Carried with a vote of (5-0). Yes.**

Stefani Miller returned after voting.

DIRECTOR'S REPORT

None.

OTHER BUSINESS

Jerry Cotner gave a solar update to the APC members.

APPROVAL OF PAYROLL AND BILLS

Andy Hoehn 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 Andy Hoehn and seconded by Keith Spurgeon to approve collections. **Motion Carried.**

CITIZEN CONCERNS

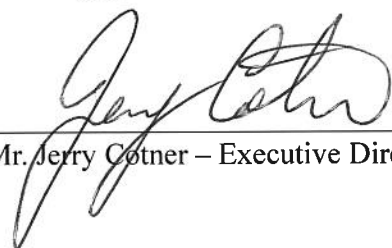
None.

ADJOURNMENT

Andy Hoehn made a motion to adjourn the meeting at 7:26 p.m. The motion was seconded by Stefani Miller. **Motion Carried.**



Mr. Mark Seib – President
Joe Marvel Vice



Mr. Jerry Cotner – Executive Director

FINDINGS OF FACT

Dustin Rogers, Diamond R Equipment, LLC.

Dustin W. Rogers

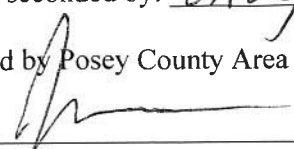
Heavy Equipment Repair and Sales Shop & Future Office Building

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

1. Development is compatible with surrounding land use. Zoning of this property is M-2. The surrounding property is zoned Agricultural. Surrounding land use is Agricultural and Residential. Springfield Environmental Services is abutting this site.
2. Water, sewer, and other utilities are available – plans to use a Presby system for sewer and well for water.
3. The design and location of the entrance, 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 M-2 Zoning District.
5. The plan meets the building coverage requirements for the M-2 Zoning District.
6. The plan meets building separation.
7. The plan meets vehicle and pedestrian circulation.
8. The plan meets parking requirements.
9. Landscaping – there is proposed Green Space around the building.
10. Building Specs. Building 80 'x 120', 27' high to peak, 18' at eaves.
11. Sign will be on side of building.
12. Recreation space- Not applicable for this project.
13. The plan meets outdoor lighting requirements.
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 Unincorporated Posey County and with the Posey County Comprehensive Plan.

Motion seconded by: Greg

Adopted by Posey County Area Plan Commission


Vice-President, Posey County Area Plan Commission

10-10-24
Date

FINDINGS OF FACT
POSEY STORAGE, LLC
2 BUILDING ADDITION

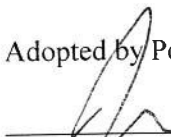
 COPY

I, Audy ^{1-14 To APPROV}, make a motion in the findings of fact be made as follows

1. Development is compatible with surrounding land use. Zoning of this property is M-2 and is compatible with surrounding land use. Existing facility.
2. Water, sewer, and other utilities are available – No drainage changes, using existing.
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. Nothing is changing on the site with the existing traffic flow. Very minimal impact.
4. The plan meets the setback requirements for the M-2 District, except for the side yard requesting a Variance from rear yard setback from 10' to 5'.
5. The plan meets the building coverage requirements for the M-2 District.
6. The plan meets building separation.
7. The plan meets vehicle and pedestrian circulation. No changes to vehicle circulation.
8. The plan meets parking requirements. Not applicable.
9. Landscaping. Not applicable.
10. Building Specs 130' x 12' and 232' x 24'. Pole barn, match existing structures.
11. Signage. No signage.
12. Recreation space - Not Applicable.
13. The plan meets outdoor lighting requirements.
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 Unincorporated Posey County Zoning Ordinance and with the Posey County Comprehensive Plan.

Motion seconded by: Stephanie

Adopted by Posey County Area Plan Commission


Vice- President, Posey County Area Plan Commission

10-10-24
Date