

MINUTES

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

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

**JANUARY 9, 2025
5:00 P.M.**

MEMBERS PRESENT: Mr. Joe Marvel - Chairperson, Ms. Kathy Yearwood— Vice-Chairperson, Mr. Ron Fallowfield, Dr. Keith Spurgeon, Mrs. Beth McFadin Higgins- Attorney, Mr. Jerry Cotner, Executive Director, Mrs. Taylor Elmendorf - Administrative Assistant, Mrs. Savannah Axley - Clerical Assistant

MEMBERS ABSENT: Mr. Jeff Hoehn

Attorney Beth McFadin Higgins administered a new Oath of Office to all present members.

APPROVAL OF MINUTES FOR LAST REGULAR MEETING: Ron Fallowfield made a motion in the affirmative to approve the minutes of the last regular meeting as emailed. Motion seconded by Keith Spurgeon. **Roll Call Vote (4-0). Yes. Motion Carried.**

ELECTION OF OFFICERS 2025

Keith Spurgeon made a motion in the affirmative to nominate Joe Marvel as Chairperson. Motion was seconded by Ron Fallowfield. **Vote (4-0) Yes. Motion Carried.**

Joe Marvel made a motion in the affirmation to nominate Kathy Yearwood as Vice-Chairperson. Motion was seconded by Keith Spurgeon. **Vote (4-0) Yes. Motion Carried.**

ATTORNEY 2025

A motion was made in the affirmative by Ron Fallowfield and seconded by Keith Spurgeon to retain McFadin Higgins & Folz as primary attorney for 2025. **Roll Call Vote (4-0). Yes. Motion Carried.**

RULES OF PROCEDURE 2025

A motion was made in the affirmative by Ron Fallowfield and seconded by Keith Spurgeon to accept the Rules of Procedure for 2025 as presented with the minor changes as emailed. **Roll Call Vote (4-0). Yes. Motion Carried.**

DESIGNATED NEWSPAPER

Keith Spurgeon made a motion to designate the Posey County News as media source for 2025. Kathy Yearwood seconded the motion. **Roll Call Vote (4-0). Yes. Motion Carried.**

SPECIAL USE:

DOCKET NO: 24-20-SU-BZA
APPLICANT: MSD of Mt. Vernon, Dr. Charles Seifert
OWNER: Mt. Vernon of Posey County Multi-School Building Corporation
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., Mt. Vernon, Indiana. Containing 3.38 acres more or less. (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests a Special Use to install an electronic message board in a B-2 (Commercial General) Zoning District per 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. Cotner that the applicant met all the requirements for notification per the statute.

Dr. Charles Seifert - 1000 W 4th St., Mt. Vernon, IN, here to speak on behalf of the application.

Public Comment:

Greta Ransford - 715 E 9th St., Mt. Vernon, IN, voiced concerns about lights and if any homes would be/were rezoned.

Mr. Marvel addressed Ms. Ransford's concerns, no other property aside from the school was rezoned.

Mr. Marvel confirmed with Mr. Cotner 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 24-20-SU-BZA, motion was seconded by Keith Spurgeon.

The Special Use Voting sheet was read by Mr. Cotner. **Roll Call Vote (4-0). Motion Carried.**

VARIANCE:

DOCKET NO: 24-23-V-BZA
APPLICANT: James Young
OWNER: Billie G. Greene
PREMISES: Part of the Southeast Quarter of the Northwest Quarter of Section Twelve (12), Township Seven (7) South, Range Fourteen (14) laying in Black Township, Posey County Indiana. More commonly known as 7474 Heritage Dr., Mt. Vernon, Indiana. Containing 1.2500 acres more or less. (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests a Variance for placement of a 5' fence in the front yard and street side yard in an R-1 (Residential Single-Family) Zoning District under Section 153.026 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. Cotner that the applicant met all the requirements for notification per the statute.

James Young – 7474 Heritage Dr., Mt. Vernon, 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.

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

Keith Spurgeon made a motion to approve docket 24-23-V-BZA, motion was seconded by Kathy Yearwood.

The Variance Voting Sheet was read by Mr. Cotner. **Roll Call Vote (4-0). Yes. Motion Carried.**

VARIANCE:

DOCKET NO: 24-24-V-BZA

APPLICANT: Chad Hoehn

OWNER: Chad W. Hoehn

PREMISES: Part of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 19, Township 4 South, Range 12 West, lying in Poseyville, Robb Township, Posey County, Indiana. Containing 1.12 acres more or less. More commonly known as 228 S. Cale St., Poseyville, Indiana. (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests a Variance to decrease side yard setback from 20' to 12' in a B-3 Zoning District per section 153.089 (B)(2)(c) to construct a new open storage building and for existing building 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. Marvel confirmed with Mr. Cotner that the applicant met all the requirements for notification per the statute.

Chad Hoehn – 228 Cale 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.

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

Motion was made by Ron Fallowfield to approve Variance #24-24-V-BZA contingent upon the approval of the Rezoning 24-16-RE-APC and the Site Development Plan. Motion seconded by Kathy Yearwood.

The Variance Voting Sheet was read by Mr. Cotner. **Roll Call Vote (4-0). Yes. Motion Carried.**

SPECIAL USE:

DOCKET NO: 24-21-SU-BZA

APPLICANT: Todd Slagle

OWNER: MSD of North Posey

PREMISES: A Part of the Southeast Quarter of Section 25, Township 4 South, Range 13 West, lying in Robb Township, Posey County, Indiana, containing 5.7500 acres more or less. More commonly known as 5800 High School Road, Poseyville, IN 47633(Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests a Special Use to build a 3,549 sq. ft. maintenance building in an A (Agricultural) Zoning District Section Use Unit 4 Community Services Section 153.032 (B) (4) Section 153.149 (B) (21) 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. Cotner that the applicant met all the requirements for notification per the statute.

Todd Slagle - 101 N. Church St., Poseyville, IN, here to speak on behalf of the application.

Exhibit 1- handed out by Todd Slagle

Public Comment:

Mark Seib - 186 N Cale St., Poseyville, IN - voiced concerns about drainage issues in area.

Exhibits 2-4 were handed out by Mark Seib

Todd Slagle - returned to podium address concerns

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

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

Ron Fallowfield motioned to table docket 24-21-SU-BZA until February 13, 2025, meeting to allow applicant time to have a written drainage plan with implementation schedules. Motion seconded by Kathy Yearwood. **Roll Call Vote (4-0). Yes. Motion carried.**

ADDITIONAL BUSINESS

None.

CITIZEN CONCERNS


None.

ADJOURNMENT

Ron Fallowfield motioned to adjourn at 6:12 p.m., seconded by Kathy Yearwood. **Voice Call Vote (5-0). Yes. Motion Carried.**



Mr. Joe Marvel, BZA Chairperson



Mr. Jerry Cotner, Executive Director

Exhibit 1 pg 1

Todd Slagle <tslagle@northposey.k12.in.us>



COPY

Maintenance facility construction

1 message

Adam Bigge <adam.bigge@poseycountyin.gov>
To: "tslagle@northposey.k12.in.us" <tslagle@northposey.k12.in.us>

Thu, Jan 9, 2025 at 12:10 PM

Greetings.

I was recently contacted In regard to the waterway that runs immediately to the north and west of the North Posey high School facility. Property managers were curious as to whether said waterway was a regulated drain under the authority of the Posey County surveyor's office and drainage board. I have attached an image of the area for reference.

The referenced waterway (highlighted in red) is a mutual, private drain that is owned by the property owners on either side of the waterway. In this case, the owners are the North Posey Building Group (shown in yellow) and the Iris M Williams Revocable Trust (shown in blue). I informed him that it was not a regulated drain and not subject to any oversight by my office.

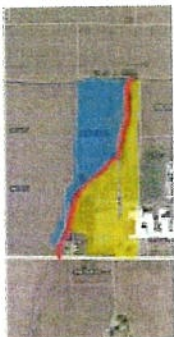
Further, I informed him that my office has no objection to any type of construction project that EITHER party may perform on their property providing that they abide by all state and federal environmental and drainage laws.

There is not enough information at this time to grant an opinion on whether a building project would negatively or positively affect the waterway. However, as with all waterways, it would likely benefit the waterway to remove any brush and vegetation that might be blocking the channel and impeding the flow.

Adam Bigge
Posey County Surveyor

Sent via the Samsung Galaxy S24 Ultra, an AT&T 5G smartphone
Get [Outlook for Android](#)

2 attachments



Screenshot_20250109_120449_Chrome.jpg
485K



Screenshot_20250109_121022_Chrome.jpg
661K

COPY



Type notes here

Printed
01/09/2025

The purpose of this map is to display the geographic location of a variety of data sources frequently updated from local government and other agencies. Neither WTH Technology nor the agencies providing this data make any warranty concerning its accuracy or merchantability. And no part of it should be used as a legal description or document.

- General
- Payments
- Bills
- Deductions
- Assessments

Owner and General Parcel Information

Property Card	Show Property Card
Tax History Data	Show Tax History
Images	Show Images(7)
Sketches	Show Sketches(2)
OwnerName	CARNER, STEVEN E.
StateParcelNumber	65-04-17-100-004.000-011
ParcelNumber	65-04-17-100-004.000-011
MapNumber	
RoutingNumber	080-004
LegalDescription	S/2 SW NE 17-4-13 16A
Acreage	16.0000
LocationAddress	1810 STONE RD NEW HARMONY, IN 47631-0000
OwnerAddress	1810 Stone Rd NEW HARMONY, IN 47631
DeedBook	

COPY

Mortgage	3000
Standard Homestead	45000
Supplemental Homestead	13580
2021 PAY 2022	
Mortgage	3000
Standard Homestead	45000
Supplemental Homestead	10920
2020 PAY 2021	
Mortgage	3000
Standard Homestead	45000
Supplemental Homestead	10850
2019 PAY 2020	
Standard Homestead	45000
Supplemental Homestead	10850
2018 PAY 2019	
Standard Homestead	45000
Supplemental Homestead	11970
2017 PAY 2018	
Standard Homestead	45000
Supplemental Homestead	11410
2016 PAY 2017	
Standard Homestead	45000
Supplemental Homestead	11410

Assessment History Information

TaxYear	Land	Impr	Total
2022 PAY 2023	19400	85600	105000
2022 PAY 2023	19400	85600	105000
2022 PAY 2023	19400	85600	105000
2021 PAY 2022	16900	76700	93600
2020 PAY 2021	16600	76700	93300
2019 PAY 2020	18700	77200	95900
2018 PAY 2019	23200	79600	102800
2017 PAY 2018	26000	77800	103800
2016 PAY 2017	27100	78500	105600

Exhibit 2

COPY

Untitled Map
Write a description for your map.

Legend
● North Posey Jr High School

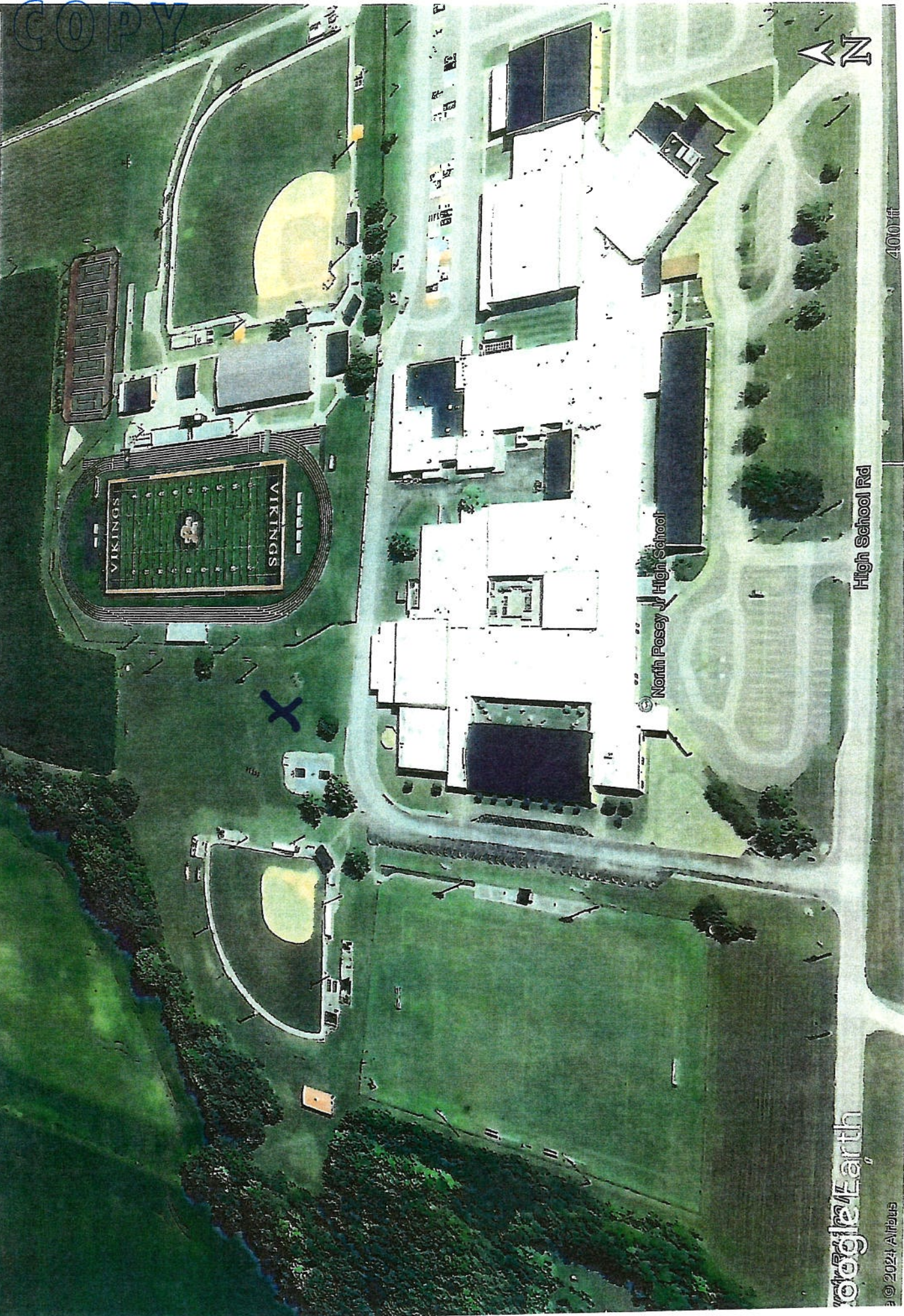


Exhibit 3

COPY



January 1, 2025

COPY

TO WHOM IT MAY CONCERN:

I would like to express my concerns over water management on two ditches that affects farmland on north and west side of North Posey High School. The proposed building project on the north and west section of the property will affect the small ditch running north and emptying into the big ditch running east. The small ditch should be cleaned out, straightened and properly tilled.

A few years ago, then superintendent, John Wood of North Posey schools and I came to an agreement in which I would fix drainage on my land on the south side of North Posey High School. His agreement, if I would control water from flooding the school running off my land, he would fix the big ditch on the north side of the school. The damage to this big ditch was caused by a tile draining from school property with such force it washed away the ditch bank, damaging my farm land.

I upheld my part of the agreement, but the part of the school was never upheld. This ditch needs to be fixed. North Posey should fix both ditch problems because they changed the speed and flow of water.

Enclosed is a copy of the letter of appreciation from John Wood for what I did to control water runoff.

Robert I Williams

**POSEY COUNTY
SPECIAL USE VOTING SHEET**

Posey County Board of Zoning Appeals
Report of Finding Fact

BZA NO: 24-20-SU-B7A

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 type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Kathy Yearwood	<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 type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Kathy Yearwood	<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 type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Kathy Yearwood	<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 relation 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 type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Kathy Yearwood	<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 type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Kathy Yearwood	<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 type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Kathy Yearwood	<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 type="checkbox"/> NO	Joe Marvel	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO		
Kathy Yearwood	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO					

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

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*	Joe Marvel	<input type="checkbox"/> YES	<input type="checkbox"/> NO*		
Kathy Yearwood	<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 type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Kathy Yearwood	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

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:

*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

Report of Findings of Fact

BZA NO: 24-23-V-BZA

COPY

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 type="checkbox"/>	NO	Joe Marvel	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO			
Kathy Yearwood	<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 type="checkbox"/>	NO	Joe Marvel	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO			
Kathy Yearwood	<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 type="checkbox"/>	YES	<input type="checkbox"/>	NO*	Joe Marvel	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*			
Kathy Yearwood	<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 type="checkbox"/>	NO	Joe Marvel	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO			
Kathy Yearwood	<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*			
Kathy Yearwood	<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 type="checkbox"/>	NO	Joe Marvel	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO			
Kathy Yearwood	<input type="checkbox"/>	YES*	<input checked="" type="checkbox"/>	NO								

COPY

*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 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_____.

VARIANCE VOTING SHEET

POSEY COUNTY BOARD OF ZONING APPEALS

Report of Findings of Fact

BZA NO: 24-24-V-BZA

COPY

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			
Kathy Yearwood	<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			
Kathy Yearwood	<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 type="checkbox"/>	YES	<input type="checkbox"/>	NO*	Joe Marvel	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*			
Kathy Yearwood	<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			
Kathy Yearwood	<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 type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO*	Joe Marvel	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO*			
Kathy Yearwood	<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			
Kathy Yearwood	<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_____.