

MINUTES

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

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

**SEPTEMBER 11, 2025
5:00 P.M.**

MEMBERS PRESENT: Mr. Joe Marvel - Chairperson, Ms. Kathy Yearwood - Vice-Chairperson, Mr. Justin Schmitt, Mr. Jeff Hoehn, 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: None.

APPROVAL OF MINUTES FOR LAST REGULAR MEETING: Justin Schmitt made a motion in the affirmative to approve the minutes of the last regular meeting as emailed. Motion seconded by Kathy Yearwood. **Roll Call Vote (5-0). Yes. Motion Carried.**

SPECIAL USE:

DOCKET NO: 25-04-SU-BZA

APPLICANT: Jeffrey Hunt

OWNER: Jeffrey R. & Mallory A. Hunt

PREMISES: Part of the Southwest Quarter of Section 22, Township 4 South, Range 12 West in Smith Township, Posey County, Indiana. More commonly known as 9360 Wiggins Rd., Poseyville, IN. Containing 15.6 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 place a pole barn for personal use 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. Cotner that the applicant met all the requirements for notification per the statute.

Jeff Hunt – 2095 Old Evansville Rd., New Harmony, 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.

Jeff Hoehn made a motion in the affirmative to approve Special Use #25-04-SU-BZA. The motion was seconded by Kathy Yearwood. The Special Use Voting Sheet was read. Roll Call Vote (5-0) **Yes. Motion Carried.**

VARIANCE:

DOCKET NO: 25-08-V-BZA

APPLICANT: Mackenzie Dowdy/Salas O'Brien

OWNER: AstraZeneca Pharmaceuticals, LP

PREMISES: Part of the Southwest Quarter of Section 2, Township 7 South, Range 13 West lying in Black Township, Posey County Indiana. More commonly known as 4601 Hwy 62 E, Mt. Vernon, IN 47620. Containing 18.9 acres more or less (project area 15.5 acres). (Complete legal description is on file at the Posey County Area Plan Commission Office).

NATURE OF CASE: Applicant requests a Variance for non-domestic animals in an M-2 Zoning District under Section 153.021 (B) of the Zoning Ordinance of the City of Mt. Vernon, Town of Cynthiana, 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.

Walter Smith – 7566 Upper Meadow Rd., Newburgh, 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.

Kathy Yearwood made a motion in the affirmative to approve Variance #25-08-V-BZA with the same stipulation as Variance #23-16-V-BZA, automatic water-heads; farm fence inside or outside of chain link; have proof of health papers when sheep arrive on site and DNR approval. The motion was seconded by Justin Schmitt; the Variance Voting Sheet was read. **Roll Call Vote (5-0) Yes. Motion Carried.**

ADDITIONAL BUSINESS

Mr. Jerry Cotner and Mrs. Beth McFadin Higgins gave a UDO update.

CITIZEN CONCERNS


None.

ADJOURNMENT

Keith Spurgeon motioned to adjourn at 5:32p.m., seconded by Kathy Yearwood. **Voice Call Vote (5-0). Yes. Motion Carried.**



Mr. Joe Marvel, BZA Chairperson



Mr. Jerry Cotner, Executive Director

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POSEY COUNTY
SPECIAL USE VOTING SHEET

Posey County Board of Zoning Appeals
Report of Finding Fact

BZA NO: 25-04-SU-BZA
Owner: Jeffrey A. & Mallory A. Hunt

HAS THE APPLICANT PROVEN BY SUBSTANTIAL EVIDENCE THE FOLLOWING:

1. The Zoning Ordinance authorizes the Special Use.

Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Kathy Yearwood	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u> <u>NO*</u>
Justin Schmitt	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	
Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*				

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

Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Kathy Yearwood	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u> <u>NO*</u>
Justin Schmitt	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	
Keith Spurgeon	<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.

Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Kathy Yearwood	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u> <u>NO*</u>
Justin Schmitt	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	
Keith Spurgeon	<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.

Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Kathy Yearwood	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u> <u>NO*</u>
Justin Schmitt	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	
Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*				

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

Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Kathy Yearwood	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u> <u>NO*</u>
Justin Schmitt	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	
Keith Spurgeon	<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.

Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Kathy Yearwood	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u> <u>NO*</u>
Justin Schmitt	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	
Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*				

VARIANCE VOTING SHEET

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POSEY COUNTY BOARD OF ZONING APPEALS

Report of Findings of Fact

BZA NO: 25-08-V-BZA

Owner: AstraZeneca Pharmaceuticals, LP

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

Jeff Hoehn	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Kathy Yearwood	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<u>YES*</u>	<u>NO</u>
Justin Schmitt	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Joe Marvel	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO		
Keith Spurgeon	<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?

Jeff Hoehn	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Kathy Yearwood	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<u>YES*</u>	<u>NO</u>
Justin Schmitt	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Joe Marvel	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO		
Keith Spurgeon	<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?

Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Kathy Yearwood	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Justin Schmitt	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Keith Spurgeon	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*					

4. Are these conditions general in the same zone?

Jeff Hoehn	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Kathy Yearwood	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<u>YES*</u>	<u>NO</u>
Justin Schmitt	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Joe Marvel	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO		
Keith Spurgeon	<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?

Jeff Hoehn	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Kathy Yearwood	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	<u>YES</u>	<u>NO*</u>
Justin Schmitt	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*	Joe Marvel	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO*		
Keith Spurgeon	<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?

Jeff Hoehn	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Kathy Yearwood	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	<u>YES*</u>	<u>NO</u>
Justin Schmitt	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO	Joe Marvel	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO		
Keith Spurgeon	<input type="checkbox"/> YES*	<input checked="" type="checkbox"/> NO					

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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 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 11 day of September, 2025.