



## CLARK COUNTY PLAN COMMISSION

**SEPTEMBER 11, 2019**

The regular scheduled meeting of the Clark County Plan Commission was held on Wednesday, Sept. 11, 2019, starting at 5:00 p.m. in the County Council Room 418, Fourth Floor, Clark County Government Building, Jeffersonville, Indiana.

The following Board Members and Staff were present in the open meeting:

David Blankenbeker-County Surveyor  
Dan Callahan  
Connie Sellers  
Wally Estes  
Simon Kafari  
Michael Killen-President  
David Nachand-Attorney  
Stacia Franklin-Executive Director  
Jason Stanley-Building Commissioner  
Cathy Denison-Administrative Assistant

The Following Board Members were Absent:

Tony Bennett  
Eric Morris  
Jim Atcher

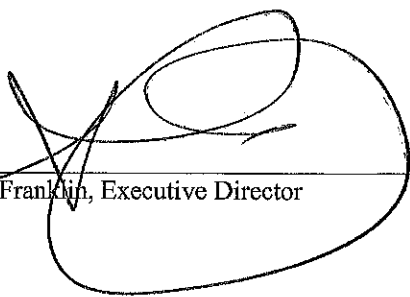
The following appeared on the Agenda:

1. The meeting was called to order by Michael Killen at 5:00 p.m.
2. David Nachand read the rules of the meeting.
3. Approval of the minutes from the August 14, 2019 meeting. Connie Sellers made a motion to approve. Wally Estes seconded the motion. Motion carried 6-0.
4. 2019-15-PC: Wildcat Project LLC, 120 South 10<sup>th</sup> St., Louisville, Ky. Steve Klein filed a petition for the approval of a revised primary plan for Kingsland Fields, located at Ebenezer Church Road and TCB Boulevard, Union Township, Memphis, Indiana. Jason Copperwaite from Paul Primervera & Associates, spoke on behalf of developer, Steve Klein. Jason stated that the primary plat for Kingsland Fields in 2016, had 38 acres resulting in 98 lots. Petitioner is requesting a revision of the primary plat which would result in increasing the lot size, decreasing the number of lots in the back Section 2 to 57, a reduction of 39 lots. The purpose is to increase the lot size and provide easier access to the subdivision. Stacia Franklin read the list of adjoiners. Questions were asked regarding drainage. It was stated that the October Drainage meeting will be held Tuesday, October, 15, 2019. Discussion was held by the Board. Motion was made by Wally Estes to approve. Motion seconded by David Blankenbeker.. Motion carried 6-0.
5. David Blankebeker recused himself at this time. 2019-14-PC: Shungate Commons, LLC, 2500 Forest Creek Court, Lanesville, Indiana, filed a petition for the approval of the preliminary plat of Shungate Commons – 22 lots-Utica Township, Shungate Road, Jeffersonville, Indiana. Jake Elder, 2500 Forest Creek Court, Lanesville, Indiana, is seeking primary approval of the final plat of Shungate Commons. Petitioner is requesting changes in the right of way and has discussed with Brian Dixon in regards to the width of the driveway. Petitioner requested to allow 40' from center of road rather than the required 50'. David Nachand stated the 50' setback is a zoning ordinance, not a subdivision ordinance and thus would require a variance from the BZA. Stacia Franklin read the list of adjoiners. John Phillips of 2711 Salem Noble Rd. had concerns about drainage. Michael Killen replied to call the County Surveyor's Office for the date and time for the Drainage Board Meeting. Michael Killen asked for Board Discussion. Dan Callahan made the motion to approve. Connie Sellers seconded the motion. Motion carried 5-0.

6. 2019-13-PC-CCCG Investors LLC, 600 East Main Street, Louisville, filed a petition to amend the recorded PUD plat of Champion's Pointe – 737 lots – Blue Lick Road and Howser Road, Monroe Township, Henryville, Indiana. Jason Copperwaite regarding Cottage Homes and the revision of Section 9 and the setbacks from 5' to 3' and realign the entrance to Howser Rd. resulting in several lot configurations. Stacia Franklin read the list of adjoiners, however, since there are over 700 residents in Champions Pointe, the board asked if anyone was present and wanted to speak. Present was Roxanne Pena, 1763 Bayhill Place, voiced concerns about apartments being built in Champions Pointe. Michael Killen explained single family residents do not include apartments or duplexes. No one else spoke from the audience. The Board discussed the petition. Wally Estes made a motion to approve. Simon Kafari seconded the motion. The motion carried 5-0. David Blankenkemper returned to the meeting.
7. 2019-PC: Larry & Laura Hess, 2403 Plum Woods Drive, Sellersburg, have filed a petition to amend the Clark County Zoning maps from R-2 Two-Family Residential to B-1 Limited Business for the purpose of an in-home psychic reading and life coaching business located at 6729 CR 311, Sellersburg, Indiana. Mr. Hess stated he had attempted to rent or sell his property. He has a buyer that wants to have a physic business in the home with up to 4 clients per week. The business would be run on the lower level of the home. He stated that this wouldn't cause any increase in traffic. The potential buyer's daughter, Tammy Lee, 2907 E. 10<sup>th</sup> Street, Jeffersonville, Indiana came forward on behalf of her mother who lives in Wisconsin. Petitioner stated there would be no retail items sold from the home. David Blankenkemper inquired about a restriction so no other type of business could go into the location. David Nachand named the list of possible B-1 businesses that could operate in a B-1 Zone. At this time, the property was shown and the Board discussed the possible uses of a B-1 Zone. The property was brought up on the overhead view to point out the location in regards to other businesses and residences. Stacia read the list of adjoiners.
  - a. John Bradley, 6733 Hwy 311, Sellersburg, Indiana, made reference to a letter he sent to the Board against the re-zoning.
  - b. Michael Bollard, 7924 CR 311, Sellersburg, Indiana spoke against changing the zoning due to concerns of septic issues and having a B-1 Zone in the middle of residential property. He also expressed concerns regarding additional businesses coming in to the area if this petition was approved.
  - c. Ed Tash, 7926 CR 311, Sellersburg, Indiana, expressed concerns regarding additional businesses coming into the same area if this petition was approved
  - d. Joyce Morland, 6701 CR 311, Sellersburg, Indiana, expressed opposition to another business coming in B-1 zoning.
  - e. Ray Leat, 6819 CR 311, Sellersburg, Indiana, expressed opposition to the re-zoning. His concerns are due to parking and signage. He also expressed concern that if the business closed the property would be abandoned.

Michael Killen asked if there were any other comments from the audience. He then asked Mr. Hess if there were any amendments or changes to be made prior to a vote. Mr. Hess was asked whether signage was needed to advertise for customers. Ms. Lee stated that is how the business would advertise for clients. Dan Callahan asked about parking and if there was enough parking for up to 4 clients. Ms. Lee agreed to a condition of running the business from 10 a.m. to 4 p.m. only. Connie Sellers stated she is against the re-zoning because of the spot zoning. The Board discussed the petition. Dan Callahan made the motion to deny. David Blankenkemper seconded the motion. Motion denied 5-0.

8. Michael Killen asked if there was any other business to discuss. There was no other business.
9. Dan Callahan made the motion to adjourn the meeting. Michael Killen seconded the motion. Meeting was adjourned at 6:00 p.m.



Stacia Franklin, Executive Director



Michael Killen, Chairman