

STATE OF INDIANA  
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 25 -2022

**AN ORDINANCE APPROVING AN AMENDMENT TO THE  
CLARK COUNTY ZONING MAP ON RECOMMENDATION BY THE  
CLARK COUNTY PLAN COMMISSION**

WHEREAS, the Board of Commissioners of Clark County, Indiana (the “Board”), is the executive body of Clark County Government pursuant to the provisions of Ind. Code § 36-2-2-2; and,

WHEREAS, the Board is also the legislative body of Clark County Government pursuant to the provisions of Ind. Code 36-1-2-9; and,

WHEREAS, the Clark County Plan Commission has advisory authority regarding zoning pursuant to Ind. Code 36-7-4, *et al*; and,

WHEREAS, on the 9<sup>th</sup> day of November, 2022, the Clark County Plan Commission passed Resolution 9-2022 (see the said Resolution 9-2022 attached hereto as **Exhibit “A”**) to reclassify certain property on the County’s zoning maps as identified in the said Resolution.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Clark County Commissioners as follows:

1. That the Clark County Plan Commission Resolution 9-2022, dated November 9, 2022, as attached hereto, is hereby approved, and the County’s zoning maps are reclassified pursuant to the attached Resolution and subject to the Conditions set forth therein.

2. This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

So Ordained this 23 day of November, 2022.

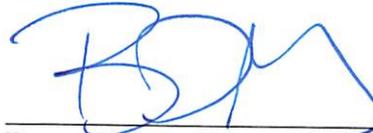
*Members voting "NO":*

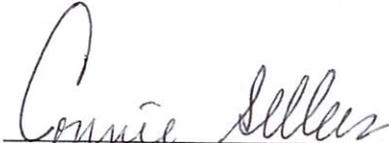
\_\_\_\_\_  
Bryan Glover, Commissioner

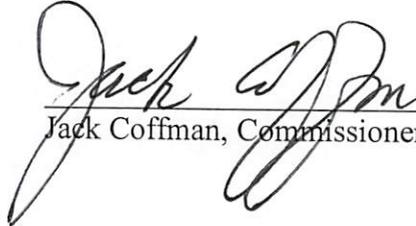
\_\_\_\_\_  
Connie Sellers, Commissioner

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Jack Coffman, Commissioner

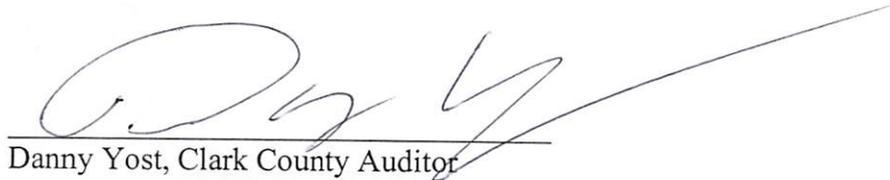
*Members voting "YES":*

  
\_\_\_\_\_  
Bryan Glover, Commissioner

  
\_\_\_\_\_  
Connie Sellers, Commissioner

  
\_\_\_\_\_  
Jack Coffman, Commissioner

*Attested by:*

  
\_\_\_\_\_  
Danny Yost, Clark County Auditor

BY THE CLARK COUNTY PLAN COMMISSION

RESOLUTION 9-2022

WHEREAS, the Clark County Plan Commission met on Nov. 9, 2022, and heard the Petition of Rooflynx, LLC, 9207 Hwy. 62, Charlestown, In. parcel # 10-03-07-200-070.000-003, to request a zone map amendment from AG to B3 in order to operate their roofing business.

WHEREAS, the Plan Commission heard the presentation of the Petitioner(s) and the objections, comments, remonstrations, and other relevant information presented by those in attendance at the hearing, if any:

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission as follows, after giving reasonable regard to the factors set forth in I.C. 36-7-4-603:

1. The Petition to rezone the real estate described in Exhibit A was heard after notice to interested persons was properly given in accordance with the ordinance and Indiana Law;
2. The Plan Commission heard and received the relevant evidence presented and deliberated on such evidence in a public meeting; and
3. The Plan Commission recommends to the Board of Commissioners of Clark County with a \_\_\_ - \_\_\_ vote as follows:

FAVORABLE RECOMMENDATION: The real estate described at Parcel 10-03-07-200-070.000-003 should be reclassified from AG to B3.

UNFAVORABLE RECOMMENDATION: The real estate described at Parcel #10-03-07-200-070.000-003 should NOT be reclassified from Ag to B3.

NO RECOMMENDATION: The Plan Commission sends the rezoning petition to the Clark County Commissioners WITHOUT RECOMMENDATION.

CONDITIONS: The Plan Commission send the rezoning petition to the Clark County Commissioners WITH CONDITIONS TO INCLUDE:

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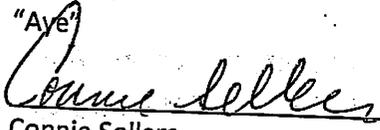
Dated this 9<sup>th</sup> day of November, 2022

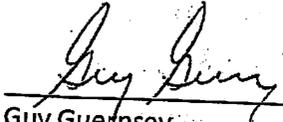


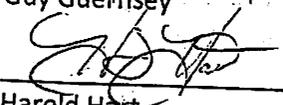
Dated this 9<sup>th</sup> November, 2022

I hereby certify this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on Nov. 9, 2022.

"Aye"

  
\_\_\_\_\_  
Connie Sellers

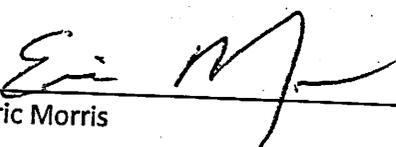
  
\_\_\_\_\_  
Guy Guernsey

  
\_\_\_\_\_  
Harold Hart

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Kevin Christman

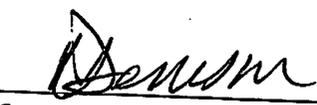
Wally Estes  
  
\_\_\_\_\_

Bart Meyer  
\_\_\_\_\_

  
\_\_\_\_\_  
Eric Morris

  
\_\_\_\_\_  
Janne Newland

ATTEST:

  
\_\_\_\_\_  
Secretary or Executive Director

"Nay"

\_\_\_\_\_  
Connie Sellers

\_\_\_\_\_  
Guy Guernsey

\_\_\_\_\_  
Harold Hart

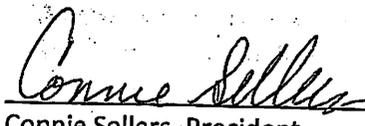
\_\_\_\_\_  
Kevin Christman

\_\_\_\_\_  
Wally Estes

\_\_\_\_\_  
Bart Meyer

\_\_\_\_\_  
Eric Morris

\_\_\_\_\_  
Janne Newland

  
\_\_\_\_\_  
Connie Sellers, President

# PC Form 1: Application Form

|                                       |   |
|---------------------------------------|---|
| For Office Use Only                   |   |
| Petition #                            | 2022-16-PC  |
| Fee                                   | 400 - 10 -  |
| Filing Date                           | 10/13/22  |
| Hearing Date                          | 11/9/2022   |
| <input type="checkbox"/> Staff Review | <input type="checkbox"/> Checkpoint Agencies Review                   |
| <input type="checkbox"/> Favorable    | <input type="checkbox"/> Unfavorable <input type="checkbox"/> No Rec. |
| <input type="checkbox"/> Approved     | <input type="checkbox"/> Approved w/ commitments/conditions           |
| <input type="checkbox"/> Denied       |   |

This application is being submitted for (check all that apply):

- Minor Residential Subdivision       Development Plan  
 Primary Plat       Zone Map Change  
 Secondary Plat       PUD District

## APPLICANT INFORMATION

|  |                      |                     |                        |
|--|----------------------|---------------------|------------------------|
| Full Legal Name: Rooflynx, LLC   |                      |                     |                        |
| Street Address: 9207 Hwy 62  |                      |                     |                        |
| City, State, Zip: Charlestown, IN 47111  |                      |                     |                        |
| Applicant is (choose one): Corporation <input type="checkbox"/> LLC <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Individual(s) <input type="checkbox"/> Other (specify) <input type="checkbox"/> |                      |                     |                        |
| Primary Contact Person   | Name: Brandon Steele | Phone: 812-670-7196 | Email: bj@rooflynx.com |
| Surveyor/Engineer  | Name:                | Phone:              | Email:                 |
| Will the Project Use A Temporary Work Trailer: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>   |                      |                     |                        |

## PROPERTY OWNER INFORMATION

|   |                        |  |  |
|---|------------------------|--|--|
| Full Legal Name: Rooflynx, LLC  |                        |  |  |
| Street Address: 9207 Hwy 62   |                        |  |  |
| City, State, Zip: Charlestown, IN 47111   |                        |  |  |
| Phone: 812-670-7196   | Email: bj@rooflynx.com |  |  |
| Property Owner is (choose one): Corporation <input type="checkbox"/> LLC <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Individual(s) <input type="checkbox"/> Other (specify) <input type="checkbox"/> |                        |  |  |

## PROPERTY INFORMATION

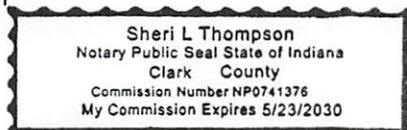
|   |   |
|---|---|
| 10-digit Parcel Number: 10-03-07-200-070.000-003  |   |
| Property Address (Actual/approximate address or location from major streets): 9207 Hwy 62 Charlestown, IN 47111 |   |
| County Road Serving Property:   | Township: Charlestown Township  |
| Subdivision Name (if applicable):   | Lot Number(s) (if applicable):  |
| Total Acreage: 1.363  | Property Located in Floodway or Floodplain: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> |
| Development will be served by: <input checked="" type="checkbox"/> Septic      Sewer (specify provider: _____)  |   |
| Current Zoning of Subject Property: AG  | Current Use of Subject Property: Residential  |
| Proposed Zoning: B3   | Proposed Land Use: General Business   |

## CONSENT OF PROPERTY OWNER(S): Complete if the applicant is different from the property owner

|   |  |
|---|--|
| I (we), Rooflynx LLC, after being first duly sworn, depose and say that I/we are the owner(s) of the real estate located at the above address; that I/we have read and examined the Application, and are familiar with its contents; that I/we have no objection to and consent to such request as set forth in the application; and that such request being made by the applicant (____ is) (____ is not) a condition to the sale or lease of the above referenced property. | Property Owner(s): [Signature]                                 |
|   | Printed Name(s): Brandon Steele / Jeremy Burwell               |
| Notary Public's Name (printed): Sheri Thompson  | Date: 10/2/2022  |
| My Commission Expires: 5/23/2030  | Signature of Notary: [Signature]                               |
| State/County of Residence: IN Clark   | Subscribed and sworn to before me this 3 day of October, 2022. |

## NOTARIZATION: The above information and attached exhibits, to my knowledge and belief, are true and correct.

|  |  |
|--|--|
| Signature of Applicant: [Signature]            | Date: 10/2/2022  |
| Notary Public's Name (printed): Sheri Thompson | Signature of Notary: [Signature]                               |
| My Commission Expires: 5/23/2030               | Subscribed and sworn to before me this 3 day of October, 2022. |
| State/County of Residence: IN Clark            |  |



# Clark County, IN

9207 HIGHWAY 62, CHARLESTOWN, IN 47111  
10-03-07-200-070.000-003



## Parcel Information

**Parcel Number:** 10-03-07-200-070.000-003  
**Alt Parcel Number:** 03-00007-046-0  
**Property Address:** 9207 HIGHWAY 62  
CHARLESTOWN, IN 47111  
**Neighborhood:** chas twp base res  
**Property Class:** 1 Family Dwell - Platted Lot  
**Owner Name:** Rooflynx LLC  
**Owner Address:** 9207 Hwy 62  
Charlestown, IN 47111  
**Legal Description:** GT 72 1.363 AC ANNEX FROM 18-68-09

## Taxing District

**Township:** CHARLESTOWN TOWNSHIP  
**Corporation:** GREATER CLARK COUNTY

## Land Description

| <u>Land Type</u> | <u>Acreage</u> | <u>Dimensions</u> |
|------------------|----------------|-------------------|
| 9Rr              | 1.0            |                   |
| 91Rr             | 0.363          |                   |



# ROOFLYNX

## Zone Map Change

September 30, 2022

To: Whom it may concern

RE: RoofLynx, LLC

Dear Sir or Madam,

This letter is a narrative to inform you of the nature of the application, land use, and reason for request of zone change. We are requesting to change the zone to B-3 general business. We are requesting this change in order to operate our business and display company sign at the previous residential home. There are numerous businesses located near our address.

Regards

B.J. Steele  
Owner / CEO  
bj@rooflynx.com  
812-670-7196

# Clark County Plan Commission Staff Report: Nov. 9, 2022

## Docket 2022-16-PC:

Rooflynx, LLC, 9207 Hwy 62, Charlestown, In. 47111 has applied for a zone change from AG to B3 in order to operate a roofing business from that location, Parcel # 10-03-07-200-070.000-003.

### APPLICATION INFORMATION:

- The applicant has provided all materials for a complete application.
- The application was sent to Checkpoint Agencies for review on 10/13/2022.
- The applicant has provided all three forms of public notice as required and attested to completing the public notice as required. In addition, notice was sent to all adjoining property owners.

### STAFF COMMENTS AND RECOMMENDATION:

Staff recommends a favorable recommendation based on the following criteria:

The location is adjacent to other Commercial parcels

A zone change is required based on a commercial use being conducted in a residential zone

A sign request was received which is not allowed in the AG zone due to size

- Additional information was provided by the applicant in regards to their intent or desire to vacate the plat. This email is provided in your packets for consideration.