



CLARK COUNTY BOARD OF ZONING APPEALS SEPTEMBER 18, 2019

The regularly scheduled meeting of the Clark County Board of Zoning Appeals was held on Wednesday, September 18, 2019, starting at 5:00 p.m. in the County Council Room, Room 418, Fourth Floor, Clark County Government Building, Jeffersonville, Indiana.

The following Board Members and Staff members were present at the meeting:

Duard Avery
Michael Killen
Kim Baker
Guy Guernsey
David Nachand-Attorney
Stacia Franklin-Executive Director
Jason Stanley-Building Commissioner
Cathy Denison-Administrative Assistant

The following Board Member was absent from the Meeting:

Keith Coats

The following appeared on the agenda:

1. Call to Order: Michael Killen called the meeting to order at 5:00 p.m.
2. Approval of the prior minutes from the August 21, 2019 meeting. Motion made to approve by Guy Guernsey. Kim Baker seconded the Motion. Motion carried 4-0.
3. Reading of the Rules by David Nachand.
4. BZA-15-19 Motion made to table the amendment. Motion made to approve made by Kim Baker, Guy Guernsey seconded the motion. Motion carried 4-0.
5. BZA-12-19; John Shaw, Toni Shaw, & Pamela Combs, 840 CR 160, Charlestown, have filed a petition for a Special Use to allow for a guest house on the same deeded lot at their residence located at 840 CR 160, Charlestown, Indiana.

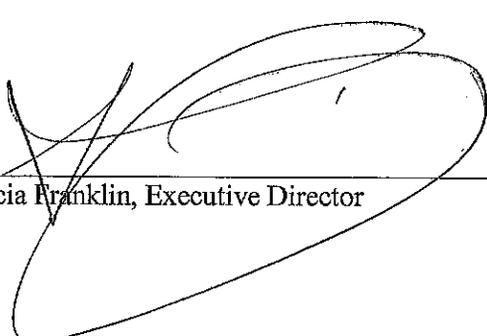
John Shaw, Pam Combs requested permission to build a guest house at the lake on their property to entertain family for private use. The building will be 840 square feet but agreed to a commitment that it not be a rental. Stacia Franklin read the list of adjoiners. No one spoke to the matter. Stacia read the conditions of the R-2 Zone which included the property cannot be used for rental. Kim Baker made a Motion to approve the Motion. Duard Avery seconded the Motion. Motion carried 4-0.

6. BZA-13-19: Marquetta Coulter, 2619 Autumn Way, Sellersburg, has filed a petition for a Special Use to allow for an in-home child care business located at 2619 Autumn Way, Tanner Estates, Sellersburg, Indiana. Petitioner stated she is State Licensed in the State of Indiana to care for 12 children, currently caring for up to 10 children. She operates the daycare in her basement and her home has a fenced in yard. She has three

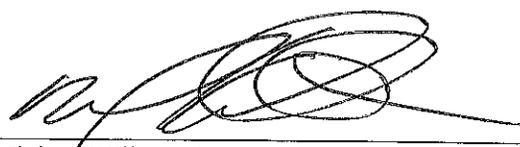
family members who are licensed assistants. State Licensing is now requiring in-home daycare operators to receive approval from the County. The Daycare is State monitored and inspected on a regular basis. She has operated the daycare in her home for 13 years.

Stacia Franklin read the list of adjoiners. Jeff Graf, President of the Homeowners Association of Tanner Estates. He said he was not aware of a daycare being operated in the home. He stated that there had been several complaints with regard to the traffic coming and going from the home. On behalf of the HOA, he said their Board will address the business at the next HOA meeting and possibly require a Cease and Desist. Phil Newman, neighbor across the street stated that he was concerned about the increase in traffic. The Petitioner stated there is no signage for the daycare. Stacia Franklin read the Findings of Fact. David Nachand stated that if the Board approves the Motion, the HOA would have the final decision. Duard Avery discussed there would be many more petitions regarding Licensed daycare due to the licensing requirements, meaning this petition would set a precedent for other petitioners. Guy Guernsey made a motion to approve. Kim Baker seconded the motion. Motion carried 4-0.

7. BZA-14-19: 403 Properties, LLC, PO Box 2427, Clarksville, has filed a petition for a setback variance to allow for the placement of a monument sign eleven (11) feet from the ROW located at 5307 CR 403, Charlestown, Indiana. Loraine Nichols, representing Earth First, spoke requesting the variance due to the old Sign being removed due to the Dept. of Transportation realigning a bridge requiring the property owner to deed over a portion of the property that included a business sign for Earth First of Kentuckiana. They are requesting a variance to install a new sign on the property. The list of adjoiners was read. The record shows no one was present. The record shows there was no one present. Stacia read the Findings of Fact. Duard Avery made the Motion to approve. Guy Guernsey seconded the Motion. Motion carried 4-0.
8. BZA-17-19: Troy & Karen Albert, 1724 Henryville Bluelick Rd., Henryville, have filed a petition for a Special use to allow for a dog breeding/kennel operation at 1724 Henryville Bluelick Rd., Henryville, Indiana. On behalf of the applicant, Stacia Franklin tabled the petition until the October 16, 2019 meeting.
9. BZA Business:
 - a. There was no other BZA Business.
10. The meeting was adjourned at 5:30 p.m.



Stacia Franklin, Executive Director



Michael Killen, Chairman