



**CLARK COUNTY BOARD OF ZONING APPEALS  
OF THE CLARK COUNTY PLAN COMMISSION  
January 17, 2018**

The regularly scheduled meeting of the Clark County Board of Zoning Appeals was held on January 17, 2018, at 5:00 p.m. in the Conference Room, Room 418, Fourth Floor, Clark County Government Building, Jeffersonville, Indiana.

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

Kim Baker  
Michael Killen  
Duard Avery  
Guy Guernsey  
Stacia Franklin – Executive Director  
David Nachand – Attorney  
Ilpo Majuri – Code Enforcement Officer

The following Board Members and Staff were absent from the meeting:

The following appeared on the agenda:

1. Call to Order. Michael Killen called the meeting to order at 5:00 p.m.
2. Election of Officers. Duard Avery nominates Michel Killen as Chairman. Approved 4-0. Michael Killen nominated Duard Avery as Vice Chairman. Approved 4-0.
3. Approval of the prior minutes from the October 18, 2017 meeting. Kim Baker mad a motion to approve as written. Gur Guernsey seconded the motion. Motion carried 4-0.
4. BZA-16-17: Goodwill of Central & Southern Indiana, Jon Eller, 1635 W. Michigan Street, Indianapolis, filed a petition for a development variance to allow for less parking spaces than required in the Clark County Zoning Ordinance for their store expansion located at 1212 Applegate Lane, Clarksville, Indiana.

Dustin Foster, American Structure Point, 2832 Redskins Ave, Fishers, Indiana, described the site and the proposed project for Goodwill. He also described the new building will be warehouse and thus, does not require parking spaces since the retail portion is not expanding. He asked for 132 parking spaces in total for the facility.

Stacia Franklin read the list of adjoiners. No adjoiner spoke to the petition. No other audience member spoke to the petition. Stacia Franklin read the findings of fact.

Guy Guernsey made a motion to approve the developmental variance. Kim Baker seconded the motion. Motion carried 4-0.

5. BZA-15-17: Pamela Davidson, 196 West County Line Rd, Underwood, filed a petition for a Special Use for a campground located at 501 North Miles Road, Bethlehem, Indiana.

Greg Fifer, Applegate, Pulliam, & Fifer law firm, 428 Meigs Avenue, Jeffersonville, represented the applicants and explained proposed petition.

Pamela Davidson, 196 West County Line Road, Underwood, as the applicant, described the history of the property to the Board.

Mr. Fifer stated even though the Special Use is for a “public campground”, the petitioners would volunteer that no space will be leased to non-family members for any amount of time as a condition for approval. He also stated he was open to any reasonable conditions the Board may offer.

Stacia Franklin read the adjainer list.

Jeff Meek, 7529 Bethlehem Road, New Washington, stated there were complaints about the number of campers on the lot. He asked the Board only to allow for two campers on the lot. He also expressed concern regarding the portable latrines due to ground wells in the future.

Donald Goldstein stated he agreed with Mr. Meeks’ comments.

Michael Killen asked if any other member of the audience would like to speak to the petition. No audience member spoke to the issue. Stacia Franklin read a letter of opposition from Jason & Tonya Combs to the Board.

Stacia Franklin read the findings of fact for and against the petition.

Mr. Nachand asked the location of the campers if approved. Mr. Fifer referred to the Special Use Facts form submitted to the Board and a previous aerial showing the location of the campers. Mr. Nachand pointed out a camper in the floodplain. Pamela Davidson stated that camper was removed and Mr. Fifer said no permanent or temporary structures would be placed in the floodplain.

Duard Avery spoke on the utilities for the lot and area. Mr. Fifer Volunteered the condition having a licensed electrician to inspect the existing electrical utility and confirm it is compliant with the codes.

Michael Killen questioned the outhouses.

Duard Avery made a motion to approve the Special Use with restrictions: maximum of three campers, no public use, the electric must meet both Duke Energy and the County’s requirements, and no permanent sewage or any sewage which would allow for sewage to go into the groundwater and would have to be portable latrines by an approved company which services such latrines. He also added no campers would be allowed in the floodplain and an elevation determination of the electric meterbase be submitted to the County.

Kim Baker seconded the motion. Mr. Fifer asked for a May 1, 2018 deadline for all restrictions to be completed. Motion carried 4-0.

6. BZA-03-18: David Spear Sr./New Washington Conservation Club, 3332 Kettle Bottom Road, New Washington, have filed a petition for a Special Use for a public campground located at 3332 Kettle Bottom Road, New Washington, Indiana.

David Spear Sr. explained the campground was existing and they wanted to make some improvements to the campsites and property, which was how they discovered it had never gone through the Special Use process for a campground. He described the campsites as having individual port-o-potties and no running water for each camp site and his desire to add individual outlets to each camp site.

Stacia Franklin stated the campground is listed the DNR camp registry. Mr. Spear stated there is a year round caretaker to watch over the campground during the winter months and non-camping season. He also confirmed camping there is only open to the members of the New Washington Conservation Club.

Stacia Franklin read the list of adjainers. No adjainers spoke to the issue. No member of the public spoke to the issue. Stacia Franklin read the findings of fact.

Duard Avery made a motion to approve the campground as a Special Use. Guy Guernsey seconded the motion. Motion carried 4-0.

7. BZA-01-18: Alex Houchens, 1101 Logan Street, Louisville, has filed a petition for a use variance in order to reside in the same structure as a meadery business located at New Washington Bethlehem Road, New Washington, Indiana.

Mr. Houchens explained his prior approval from the Plan Commission to rezone the property to allow for a meadery with a tasting room. He proposed to have his living quarters built into the same building as the meadery and tasting room and reviewed the financial benefits and socio-economic impact on the surrounding area.

Stacia Franklin read the list of adjoiners. James Bower, 634 McIntyre Road, New Washington, spoke for approval of the variance. Stacia Franklin read the findings of fact.

Kim Bakes made a motion to approve living quarters inside of the business building. Guy Guernsey seconded the motion. Motion carried 4-0.

8. Board of Zoning Appeals business: Stacia Franklin presented the 2017 Annual Report from the Office of Planning and Zoning. Kim Baker made a motion to approve the annual report into the records. Duard Avery seconded the motion. Motion carried 4-0.

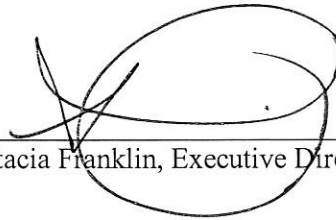
David Nachand gave an update on the pending Esham litigation and there is no decision from the judge as of yet.

Michael Killen made a motion to adjourn. Guy Guernsey seconded the motion. Motion carried 4-0. Meeting adjourned at 6:50 p.m.



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Michael Killen, Chairman



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Stacia Franklin, Executive Director