



**CLARK COUNTY BOARD OF ZONING APPEALS
JANUARY 21, 2026
MINUTES**

The regular meeting of the Clark County Board of Zoning Appeals (BZA) was held on Wednesday January 21, 2025, starting at 5:00 p.m. at the Clark County Government Center, 300 Corporate Drive, Room 103 Jeffersonville, IN. 47130

The following Board members were present: Kim Baker, Guy Guernsey, Bob Ellison, Nathan Combs and Larry Brison

The following Board members were absent: none

The following staff were present: Chris King, Stacy Gettings, Eric Wise

The following appeared on the agenda:

1. **Call to order:** Mrs. Baker called the meeting to order at 5:00 p.m. Ms. Baker welcomed Mr. Ellison to the Board (replaced John Eurton as the council's appointee).
2. **Appointment of Officials-** Mrs. Baker made a motion to elected Mr. Brison for president which was seconded by Mr. Combs and passed unanimously. Mr. Guernsey then motioned to elect Mrs. Baker as vice president which was seconded by Mr. Combs and unanimously passed. Mr. Brison the assumed control of the meeting:
3. **Meeting Rules:** Mr. King read informed the Board that the only docket under consideration was tabled at the last meeting and public comment will not be permitted. He also indicated that the Board may ask questions of anyone present that spoke at the last meeting and take action as determined appropriate. Mr. Ellison then indicated that he had reviewed the file on the case.
4. **Consideration of tabled docket:**
 - a. **BZA25-29: Dimensional standards variance** to reduce the front yard setback on property located on the southeast corner of S. West St. and E. Water St. (Hwy 60)(102 E Water St. Borden IN) (Parcel No. 10-16-00-300-141.000-036)
Applicant/Owner: Progressive Engineering Concepts, LLC

Mr. Brison then asked for a summary of what the Board will be acting one.

Mr. Wise indicated that the denial of the use variance this request would be to allow the use of the 3 existing dwellings for use a short-term rental. He also indicated that regardless of the Board action each home will need to be deeded on a separate parcel to be in compliance with standards zoning requirements.

Mr. Guernsey inquired if adequate utilities are being provided.

Mr. Wise indicated that the health department had indicate that a there are two septic systems on the property and that during the process of bringing the property into compliance the health department requirements must be met.

Mr. Guernsey then made a motion to adopt findings of fact, which were read, and approve the request for 3 short-term rentals.

Mr. Brison asked if correction of compliance issues should be included.

Mr. Wise indicated that including conditions regarding compliance would remove any questions regarding the approval.

Mr. Guernsey the amended his motions to include the conditions that each home be separated on a separate lot and the septic systems meet health department requirements for all 3 dwellings which was seconded by Mrs. Baker and passed with 4 votes in favor and 1 abstention (Mr. Combs).

5. Approval of Minutes from December 17, 2025. Mr. Combs made a motion for approval of the minutes for the regular meeting which was seconded by Mr. Guernsey and unanimously passed. Mr. Guernsey then made a motion to approve the minutes for the executive session which was seconded by Mr. Combs and unanimously passed.

6. Reports, and Communications-

Mr. King provided an update on the Mahi special exception appeal.

Mr. Wise then described suggested amendments to the Boards application packet.

Mr. Combs questions the need to make changes to the requirements for proof of septic systems prior to making application to the Board.

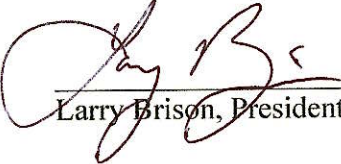
Mr. Wise indicated that the provision of septic and water is a basic requirement prior to a building permit being issued and it places an unnecessary burden on an applicant to force such items prior to having any guarantee that a proposed use would be approved. He also indicated that if the use is approved by the board and such services cannot be provided the project will not be permitted.

Mr. Comb indicated that requiring proof that such services are available prior to making application will prevent the Board from having to consider cases that would later not be permitted when it is determined that a septic system is not possible.

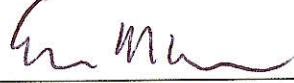
After Mr. Wise completed describing each proposed change and after a brief discussion regarding the deletion of the required certified mail as an option for providing notice Mr. Brison then moved to approve all changes with the exception of item B (1) regarding deletion of certified mailing option and section 2 which should remain unchanged which was seconded by Mrs. Baker and passed on a vote of 4 to 1.

7. **Adjournment-** Mr. Combs then made a motion to adjourn at 6:08 pm which was seconded by Mr. Guernsey and unanimously passed.

MINUTES ADOPTED THIS 18 DAY OF FEBRUARY, 2026



Larry Brison, President



Eric M. Wise, Director

NO AUDIO
RECORDING DUE TO
TECHNICAL
DIFFICULTIES FOR
BZA MEETING
2/18/2026



**CLARK COUNTY BOARD OF ZONING APPEALS
FEBRUARY 18, 2026
MINUTES**

The regular meeting of the Clark County Board of Zoning Appeals (BZA) was held on Wednesday February 18, 2026, starting at 5:00 p.m. at the Clark County Government Center, 300 Corporate Drive, Room 103 Jeffersonville, IN. 47130

The following Board members were present: Kim Baker, Guy Guernsey, Nathan Combs and Larry Brison

The following Board members were absent: none (Ellison (council Appt.) resigned)

The following staff were present: Chris King, Stacy Gettings, Eric Wise

The following appeared on the agenda:

1. **Call to order:** Mr. Brison called the meeting to order at 5:04 p.m. (microphones were not functional- hand held recorder was used).
2. **Legal Services Contract-** Mr. King presented his proposed contract for services during 2026 and indicated that the Plan Commission approved the contract on February 11, 2026. Mrs. Baker motioned to approve the contract which was seconded by Mr. Combs and unanimously adopted.
3. **Meeting Rules:** Mr. King read the rules for the meeting.
4. **Public Hearing Items:**
 - a. **BZA26-01: Dimensional standards variance** to reduce bufferyard, dumpster, parking and driveway requirements for property located on the south side of Tunnel Mill Rd between Beechwood Dr. and Sunflower Ave. (Parcel No. 10-03-11-900-154.000-003, 10-03-11-900-155.000-003, 10-03-11-900-156.000-003, 10-03-11-900-157.000-003, 10-03-11-900-158.000-003, 10-03-11-900-159.000-003, 10-03-11-900-160.000-003, 10-03-11-900-161.000-003) Applicant/Owner: Chrisopher and Jeniffer Kramp

Christopher Kramp presented the request indicating that the location of the existing structure and new septic system made compliance with current standards difficult and the request variances would be the minimum necessary to permit the planned conversion for office type use. He further explained that the existing private drive serving the site would be adequate for the limited traffic expected and the dead-end nature of the drive should prevent any issues with vehicles backing out as proposed.

Mr. Wise then provided a brief history of the private drive/platted subdivision and indicated that due to the failure of the original developer to obtain proper approvals the eight parcels included in the request are treated as a single parcel. He also indicated that when treated as a single parcel, buffers are required around portions of the property that cannot be developed.

The floor was then opened for public comment- no comments were heard.

Mr. Combs then made a motion to adopt the positive findings of fact provided by the staff and approved the request as submitted, which was seconded by Mr. Guernsey and unanimously passed.

b. BZA26-02: Special Exception to permit an accessory dwelling unit on property located on the northwest corner of Kranz Dr and Bethany Rd. (1000 Kranz Dr. Charlestown IN) (Parcel No 10-03-09-300-195.000-003) Applicant/Owner: Edward E. Messer and Angela Messer

c. BZA26-07: Dimensional Standards Variance to increase the permitted size of an accessory dwelling and separate drive on property located on the northwest corner of Kranz Dr and Bethany Rd. (1000 Kranz Dr. Charlestown IN) (Parcel No 10-03-09-300-195.000-003)
Applicant/Owner: Edward E. Messer and Angela Messer

Angie Messer, presented both requests indicating that she wished to construct an apartment above a planned 1,100 sq.ft., garage and rather than finish only 800 sq.ft. of the second floor a total of 1,100 sq.ft. was requested. She also indicated that due to the location of the garage/apartment the use of the driveway to her home would be difficult and an existing driveway adjacent to the building that connects to Old Bethany Rd would be more appropriate.

There being no question from the Board the floor was opened for public comments- no comments were heard.

Mr. Combs then motioned to adopt the positive findings of fact provided by staff and approve Docket BZA26-02 as requested which was seconded by Mrs. Baker and unanimously passed.

Mr. Combs then motioned to adopt the positive findings of fact prepared by staff and approve Docket BZA26-07 as presented which was seconded by Mrs. Baker and unanimously passed.

d. BZA26-03: Dimensional Standards Variance to increase permitted signage on property located on the southeast corner of Crone Rd and Memphis Bluelick Rd.
(Parcel No 10-10-22-000-469.000-032)
Applicant: Eric Carter Owner: PX IN Memphis SVN, LLC

Eric Carter, 10505 N. College Ave, Indianapolis IN presented the using a slide show which described each of the signs proposed on the property. He also indicated that the total sq.ft. and heights being requested were much less than the similar use across the street.

The floor was then opened for public comments- no comments were heard.

Mrs. Baker then made a motion to adopt the positive findings of fact prepared by staff and approve the request as submitted which was seconded by Mr. Combs and unanimously passed.

e. BZA26-05: Dimensional standards variance to reduce size of parking spaces and parking landscaping and permit increased height of parking lighting for property located on the west side of Country Lake Rd between McIntosh Rd and W. County Line Rd. (815 Country Lake Rd, Underwood IN) (Parcel No. 10-06-03-000-063.000-027)

Applicant/Owner: Country Lake, INC.

Mr. Brison informed the audience that this item must be rescheduled for the March 18, 2026 hearing at 5 p.m. in the same meeting room due to improper notice being provide.

f. BZA26-06: Dimensional standards variance to reduce bufferyard requirements for property located on the southeast corner of SR 60 and Perry Crossing Rd. (1804 Perry Crossing Rd Sellersburg IN) (Parcel No. 10-47-01-300-034.000-044)

Applicant/Owner: Perry Crossing LLC

John Kraft, 126 West Spring St. New Albany, IN presented the request indicating that the narrow width of the lot, utility easements prevent installation of the required buffers.

Mr. Nathan Grimes, 117 S. Indiana Ave Sellersburg IN, then described the development plan indicating that installation of the required buffers would reduce the number of parking spaces that could be provide as well as create possible sight distance problems.

Mr. Kraft then indicated that the property was originally zoned commercial prior to the adoption of the current unified development ordinance and application of the new regulations will prevent development of the property as planned when the purchase was made.

The floor was then opened for comments from adjoiners- No adjoining property owners spoke.

The floor was then opened for comments from the general public.

Paul Primavera, 12304 Covered Bridge Sellersburg IN spoke in opposition to the request indicating that planned roadway improvements likely requiring additional right-of-way which may necessitate purchase of the entire tract if the bufferyards are not installed as required.

Jim Koeppel, 12404 Hermitage Trail Sellersburg IN, expressed concerns regarding increased traffic and his opinion that the buffers would maintain the sight distance along SR 60.

Traci Falbo, 2041 Autumn Ridge Dr. Sellersburg IN expressed concern regarding increased traffic.

Tom Gettelfinger, 12514 Greenbrier Blvd. Sellersburg IN, questioned whether the owner objected to the changes proposed in the Udo when it was considered for adoption.

Larry Burke, 12109 Bridgeway Ct. Sellersburg IN, expressed his opinion that the property is not safe for any business and use is not essential.

Nancy Hughs, 12414 Hummingbird Way, Sellersburg IN, indicated that buffers are a safety feature that should not be waived.

Linda Long, 12414 Covered Bridge Rd, Sellersburg IN, felt that the new buffer requirements were established for a reason and should not be waived.

Dorothy Sutherland, 12206 Greenbriar Blvd. expressed concern for safety.

Jennifer Horvath, 2024 Perry Crossing Sellersburg IN, expressed concern regarding increase traffic.

Mr. Glen Hockersmith, 12421 Greenbrier Blvd Sellersburg IN, indicated his disagreement with the idea that a change in rules after they purchased the property was justification for a variance.

Cory Harris, 1916 Perry Crossing, Sellersburg IN, expressed concerns regarding increased traffic and congestion.

Todd Antz 12301 Pinehurst Ct, Sellersburg IN, indicated the new rules were put in place for a reason and should not be waived.

Patrick Suddeth, 12009 New Perry Ln, Sellersburg IN, expressed concern regarding traffic.

Chris Fox, 12814 Covered Bridge Sellersburg IN, expressed concerns regarding traffic and safety.

The public hearing was then closed.

Mr. Combs then made a motion to adopt the unfavorable findings of fact provided by staff and deny the request which was seconded by Mr. Guernsey and passed on a vote of 3 to 1.

5. Approval of Minutes from January 21, 2026. Mrs. Baker made a motion for approval of the minutes for the regular meeting which was seconded by Mr. Combs and unanimously passed.

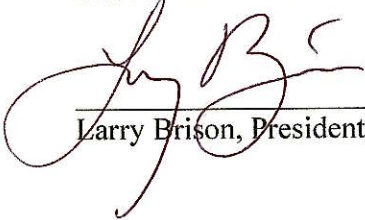
6. Reports, and Communications-

Mr. King the requested the Board consider several suggestions on how to accommodate groups of interested parties that are represented by an attorney as well as adjustments to the


time periods allotted for presentations/comments when dockets involve unusually large number of parcels.

7. **Adjournment-** Mr. Combs then made a motion to adjourn at 6:38 pm which was seconded by Mr. Guernsey and unanimously passed.

MINUTES ADOPTED THIS 18th DAY OF FEBRUARY, 2026



Larry Erison, President



Eric M. Wise, Director



CLARK COUNTY BOARD OF ZONING APPEALS
MARCH 18, 2026
MINUTES

The regular meeting of the Clark County Board of Zoning Appeals (BZA) was held on Wednesday March 18, 2026, starting at 5:00 p.m. at the Clark County Government Center, 300 Corporate Drive, Room 103 Jeffersonville, IN. 47130

The following Board members were present: Kim Baker, Eric Miller, Guy Guernsey, Nathan Combs and Larry Brison

The following Board members were absent: none

The following staff were present: Chris King, Stacy Gettings, Eric Wise

The following appeared on the agenda:

1. **Call to order:** Mr. Brison called the meeting to order at 5:00 p.m.
2. **Meeting Rules:** Mr. King read the rules for the meeting.
3. **Public Hearing Items:**
 - a. . **BZA26-05: Dimensional standards variance** to reduce size of parking spaces and parking landscaping and permit increased height of parking lighting for property located on the west side of Country Lake Rd between McIntosh Rd and W. County Line Rd. (815 Country Lake Rd, Underwood IN) (Parcel No. 10-06-03-000-063.000-027) Applicant/Owner: Country Lake, INC.

Mr. Ross Knecht, 816 Country Lake Rd Underwood IN presented the request indicating that in order to maximize parking for a new gymnasium it is desirable to reduce the size of spaces omit a required landscape island and install lighting above the current maximum height off the UDO. He also indicated that without the variance a substantial number of existing trees will have to be removed which currently provides a mature screen for the new parking area and proposed lighting would point away from neighbors across the street.

The floor was then opened for public comment,

Debra Green, 535 McIntosh Rd, Underwood IN, expressed concerns that additional lighting and structures would be placed close to her property.

Mr. Knecht indicated that the only developed planned near Ms. Green property is a disk golf course and trails.

There being no further comments Mr. Guernsey' made a motion to adopt the findings of fact in support of approval which was seconded by Mr. Combs and unanimously adopted.

b. BZA26-08: Dimensional standards variance to reduce minimum lot area, lot frontage, and front setbacks for property located on the north side of Mill Ln., west side of Commercial St., souths side of Orchard St and east side of Railroad St. (Parcel Nos. 10-10-20-300-269.000-032, 10-10-20-300-265.000-032, 10-10-20-300-057.000-032, 10-10-20-300-270.000-032, 10-10-20-300-268.000-032, 10-10-20-300-267.000-032, 10-10-20-300-266.000-032)

Applicant: KGF Building LLC Owner: Shantz Properties LLC

Austin Dockins, 5565 limestone creek dr. Charlestown IN presented the request by indicating that 12 duplex units could be built on the property and variances are being requested to permit 12 single family homes. He also indicated that the original of widths are 40 ft and two corner lots are impacted by front yard setbacks on two sides which make development of 40 ft wide lots difficult.

Mr. Guernsey questioned the 43 ft indicated on the site plan.

Mr. Dockens indicated the site plan was illustrative and the property will have to be surveyed and platted to determine the actual frontages. He also indicated homes would be between 1050-1,100 sq.ft.

There being no further questions the floor was opened for public comments.

Lori Cook, 912 Mill Ln. Henryville IN, express concern about increased traffic and congestion and two homes would be more appropriate.

There being no further comments the public hearing was closed.

Mr. Guernsey indicated that the proposal would help keep homes affordable in the area.

Mr. Miller inquired if there are special setback for the rail line?

Mr. Wise indicated that the rail road setback would be treated the same as a public roadway.

There being no further comments Mr. Combs made a motion to adopt the findings of fact provided by staff for approval and approve the request with a minimum lot size of 4,400 sq.ft. which was seconded by Mrs. Baker and passed on a vote of 4-1.

c. BZA26-09: Use Variance to permit a family event center/office space on property located on the southwest corner of Main St. and Grove St. (806 Main St. Memphis In) (Parcel No. 10-10-20-300-072.000-032) Applicant: Eric & Carol Hamm
Owner: Memphis United Methodist Church

Carol Hamm 11721 Charlestown Memphis Rd, Memphis IN, presented the request by indicating the proposed use of the church for a community center for birthday parties, family reunions etc. as well as office space.

There being no questions the floor was opened for public comment.

Sean and Sophia Turley 817 Charlestown Memphis Rd, Memphis In expressed concern regarding traffic, parking, noise and use of alcohol.

Mrs. Hamm indicated hours of operation would be 9 am-9pm, limitations will be placed on noise, parking was adequate for church use and no alcohol would be permitted.

There being no further comments Mr. combs made amotion to adopt the findings of fact provided by staff and approve the request with the condition that hours of operation be limited to 9am-9pm which was seconded by Mr. Miller and unanimously passed.

d. BZA26-10: Dimensional standards variance to permit increase fence height for property located on the east side of US31 between Bean Rd and Silver Creek (6003 Propeller Ln. Sellersburg IN). (Parcel Nos. 10-09-06-700-002.000-030, 10-09-06-700-003.000-030, 10-09-06-700-005.000-030, 10-09-06-700-006.000-030, 10-09-04-900-033.000-030, 10-09-06-700-007.000-030, 10-09-06-700-008.000-030, 10-09-06-700-010.000-030, 10-09-06-700-012.000-030, 10-09-06-700-013.000-030, 10-09-06-600-211.000-030, 10-09-06-600-209.000-030, 10-09-06-600-208.000-030, 10-09-04-800-210.000-030)
Applicant/Owner: South Central Regional Airport Authority

Curtis Brown, 6003 Propeller ln. Sellersburg IN, presented the request indicating the proposed fence is designed for wildlife exclusion to help reduce collisions between deer and aircraft.

There being no questions the floor was opened for public comments.

No comments were heard.

Mr. Guernsey then made a motion to adopt the findings of fact for approval provide by staff and approve the request which was seconded by Mr. Combs and passed on a vote of 4 in favor and 1 abstention (Mrs. Baker).

e. BZA26-000004: Special Exception and Development Standard Variance (Solar Energy System- Commercial) generally located north and east of the town of New Washington

including the following parcels: 10-01-00-200-002.000-025, 10-01-00-200-007.000-025, 10-01-00-200-009.000-025, 10-01-00-200-015.000-025, 10-01-00-200-016.000-025, 10-01-00-600-012.000-025, 10-01-01-100-010.000-025, 10-01-01-100-013.000-025, 10-01-01-100-014.000-025, 10-01-01-200-009.000-025, 10-01-01-400-008.000-025, 10-01-02-500-007.000-025, 10-01-02-900-013.000-025, 10-01-03-000-011.000-025, 10-01-03-100-009.000-025, 10-01-03-100-013.000-025, 10-01-03-100-016.000-025, 10-01-03-200-003.000-025, 10-01-03-200-012.000-025, 10-01-03-200-015.000-025, 10-01-03-200-020.000-025, 10-01-03-500-023.000-025, 10-01-03-600-004.000-025, 10-01-03-600-005.000-025, 10-01-03-600-006.000-025, 10-01-03-600-009.000-025, 10-01-03-600-012.000-025, 10-01-03-600-027.000-025, 10-01-03-600-037.000-025, 10-12-00-300-036.000-034, 10-12-00-300-038.000-034, 10-12-00-400-003.000-034, 10-12-00-400-012.000-034, 10-12-02-100-020.000-034, 10-12-02-100-029.000-034, 10-12-02-200-012.000-034, 10-12-02-200-025.000-034, 10-12-02-700-019.000-034, 10-12-02-800-033.000-034, 10-12-02-800-034.000-034, 10-12-02-800-035.000-034, 10-12-02-800-036.000-034, 10-12-02-800-037.000-034, 10-12-02-800-038.000-034, 10-12-02-800-039.000-034, 10-12-02-800-040.000-034, 10-12-02-800-063.000-034, 10-12-02-900-015.000-034, 10-12-03-200-049.000-034, 10-12-03-300-019.000-034, 10-12-03-300-020.000-034, 10-12-03-400-041.000-034

Applicant: IDLEWILD SOLAR PROJECT LLC

OWNERS: Zimmerman Properties II LLC, Schindler Robert V & Paula D, Hostetler Ronda, Hostetler Ronda K. Hostetler Ronda K & Roderick Kelly (TOD) Sawyer Alicia Ann, Land & Farm LLC, Hostetler Roderick Kelly (TOD) Sawyer Alicia Ann, WCM Land LLC Series 1, Farm Investments LLC, Dean Marvin Vera, Foster Michael P, Hostetler Roderick K & Ronda K, Crase Hobie Scott & Yancey Michael, Fields Darwin Dale, Goode Gary L & Wanda G TOD Goode Michael J., Barker Terry L, Vaughn Farms LLC, Holloway Michael G & Paula, Barger John D, Hackman Brian L & Lora D, Bower Family Farm LLC

Mr. Brison informed the audience that the County Commissioners have decided that Solar facilities are permitted as a special exception and the purpose of the hearing is to determine compliance with the 6 special exception standards. He then read the applicable standards and indicated that adjoining property owners will be allowed to speak for 3 minutes and repeating comments already made should be avoided.

Amanda Hoffman, 155 grand avenue, suite 706, Oakland CA, presented the request by playing a recorded presentation.

Mr. Brison inquired about the number of properties that will be eligible for the good neighbor program.

Ms. Hoffman indicated approximately 169 residences.

Mr. Guernsey questioned possible pollution during other times beside during operation and have any such facilities been decommissioned?

Michael Kressner, 155 Grand Ave. #706, Oakland CA, indicated that no solar facilities have yet to be decommissioned and soil tests will be conducted prior to construction, post construction, during operations and after a damage event.

Chris Ollson, 49 Valridge Dr. Ancaster, Ontario Canada, indicated heavy equipment is subject to fluid leaks and any spills would be handled through the normal Indiana Department of Environmental Management procedures. He also indicated that transformers will have to be filled but if any incidents occur, they will be addressed. He further indicated that panels do not have liquid, all will meet federal leaching standards, the installations are designed to withstand 140 mph winds and soil testing will ensure that any contamination will be addressed.

Finally, Mr. Kressner indicated that 95% of a panel is recyclable.

Mr. Miller inquired if a study regarding property values has one been completed for this area and if there is an impact how will property owners be compensated?

Mr. Kressner indicated that the study submitted was prepared for the project and a second study by Paul Wyman.

Mr. Pau Wyman 1533 W. Lincoln Rd Kokomo IN, shared information regarding impacts to property values and it was his opinion that solar facilities in Indiana have had no negative impact on property values.

Mr. Kressner reviewed the county setback requirements which were described as being one of the most conservative in the state.

There being no further questions Mr. Wise clarified that this docket included a special exception and a variance and suggested that comments on both requests be taken at the same time and each adjoining property owner be given 3 minutes for the special exception and 3 minutes for the variance.

The Board agreed and at that point the presentation for the variance was heard.

Mr. Justin Enders, 126 w. spring St New Albany IN presented the request by indicating that the variance does not involve any solar standard but rather an extension of the time period that a special exception must begin construction before the approval expires. He further indicated that the solar projects are unique due to components requiring 4-year lead times, requirements for drainage approvals, building plans, IDEM permitting, roadway use agreement approval and decommissioning plan approval which are not typically required for other types of development. Finally, he indicated that construction time will not be extended and staff was agreeable with the extension.

There being no questions the floor was opened for public comment.

Mr. Wise indicated that due to the scatter nature of the project several participation land owners are also considered adjoining property owners and would be allowed to speak for the allotted time for each separate area in which they are adjoiners.

Mr. Brison then suggested that parties represented by an attorney be called first and be allowed to combine individual times not to exceed 15 minutes for each request.

Ms. Laureen White, 2629 Lindberg Rd, Box 2, Anderson IN, representing John and Anna Owens, 3217 New Washinton Bethlehem Rd, New Washington IN, Tony and Sharon Barger, 6312 Hwy 3, Otisco IN, Robert and Sheila Curry 5515 Bethlehem New Washington Rd, new Washington IN, Jo Ann Curry, 2618 Miles Rd, Nabb IN, Mike and Gail Mason, 1511 McIntyre rd., New Washington IN, Nathan and Ashley Conrad, 3713 Marble Hill Rd, Nabb IN, distributed binder to the Board and summarized the basis of her clients opposition to the request. Items of concern included impacts to public health, noise, phycological and mental aptitude, wildlife, possible damage and hazards from tornados, negative impact on property values, increased heat, removal of topsoil, sale of project invalidating restrictions, in ability to sell property near solar.

In regards to the variance Ms. White expressed opposition based on lack of proof that construction cannot begin within the standard time period.

Chelsea Stanley, 323 E. Court Ave. Jeffersonville IN, representing Vaughn Farms, 1517 Avco Blvd. Sellersburg IN, Carrie Baker (participating owner), Bowers Family Farm LLC., 634 McIntyre Rd New Washington IN, expressed support for the proposal referencing county standards, way for landowners to keep farms viable and in the family, land can be returned to agriculture, and be community will benefit.

In regards to the variance she indicated the requested time is reasonable and provided flexibility to complete the project.

Next was individual not represented by an attorney.

Phylis Ashbrook 3920 Taft Rd New Washington IN, expressed opposition due to impact to property value and marketability.

Zach Brooks 8103 Brooks Rd. Charlestown IN, representing Charles Bays 2619 Miles Rd Nabb IN, expressed opposition to the requests referencing impact to property values, wildlife, lack of valid practical difficulties.

Mickey Martin, 7106 Tunnel Mill Rd Charlestown IN, representing Elizabeth Carpenter, 6417 Flint ridge Rd New Washington IN spoke in opposition referencing impact to farmland, proximity to school and noise, community discourse, traffic, mental/physical impacts, property values, marketability of property.

Brenda Cochran 3701 Taft Rd New Washington IN, questioned why the company is wanting to locate here.

Paul Hornback 6102 Cropper Rd Shelbyville KY representing Anthony Dean 5420 Robertson Rd Nabb IN, Charles Dean 23202 Boyer Rd New Washington IN and Jeramiah Deppe 5105 Flint Ridge Rd New Washington IN spoke in opposition referencing heavy metals, lack of recycling of panels, impacts to honey bees and scattered layout impact more people than one site and

suggested deeded restrictions that follow the land rather than the solar company including decommissioning bonding.

Donald Eaglen 23517 Hwy 62 Nabb IN, spoke referencing community discourse environmental impacts, lack of research to make informed decisions.

Kevyn Miles 3751 Marbel Hill Rd representing David Fellows, 5807 robinson Rd Nabb IN and Devin Fellows, 9001 Giltner Rd Nabb IN spoke in opposition referencing removal of prime farmland, difficulty to restore land for farmland use, hazardous chemicals, cost to decommission and possibility the land cannot be returned to farming, and recommended developed areas be used for such use.

Ken Corder, 8004 Brooks Rd Charlestown IN representing Kenneth Fields, 5308 New Chapel Rd Jeffersonville IN spoke in opposition referencing phycological/cultural impacts, impacts to wildlife and rural character.

Richard Fellows 8515 Taflinger Rd Nabb IN representing Joshua Graber 12720 Nabb New Washington Rd Nabb IN spoke in opposition referencing community discourse, impacts to community character, inconsistency with comprehensive plan, impact to property values, will discourage investment in the area, roads will be damaged and fragmentation/loss of farmland.

Emily Hobson 9610 Giltner Rd Nabb IN spoke in opposition referencing impacts to wildlife, loss of farmland, noise, increased traffic, proximity to school and possible impact during construction, Fire hazards.

Sandy Basham 15219 New Market Rd Marysville IN representing Michael and Gail Hebner 4408 Flint Ridge Rd New Washington IN spoke in opposition referencing denial of the previous project, traffic, impact to property values, loss of farmland, community discourse, community character, noise, difficulty restoring land for farming.

Jason Miles 25730 Gill Rd Nabb IN representing Ronald Horine, 1501 McIntyre Rd New Washington IN, spoke in opposition referencing impacts to wildlife and ecological effects.

Kevin Hosteler 202 e. first St. New Washington IN, spoke in support of the request referencing personal property rights and increased income from the project.

Greg Hostetler, 9203 Westport Rd Marysville IN spoke in support referencing property rights, keeping farms in the family, local revenue for county, no cost to the tax payers, Funding for fire departments/schools, not permanent like subdivisions, and exiting restrictions provide adequate protections.

In regard to the time extension, he indicated that supply chain restrictions and tariffs make it difficult to obtain materials and allowing more time is advisable.

Sean Kaptian 6417 Flint Ridge Rd spoke in opposition referencing impact to property values, noise, environmental risk, traffic, Industrial facility not appropriate in residential area.

Troy May 9009 Zimmerman Rd Marysville IN, representing Thurman Laham, 5621 Flint Ridge Rd New Washington IN spoke in opposition referencing being surrounded on 3 sides, and problems with a project in another county associated with poor workmanship and lessors problems with contractors.

In regards to the variance it was requested that the request be denied.

Sean and Sidney Lowry 3754 Marble Hill Rd Nabb IN spoke in opposition referencing loss of farmland, impacts to wildlife habitat, runoff, land value, loss of local control.

In regards to the time extension it was not deemed necessary.

Olivia Vogel, 2600 Newman Rd Lexington KY, representing Charles Martin 5725 Flint Ridge Rd New Washington IN and Suzanne Martines 7015 Taflinger Rd Nabb IN spoke in opposition referencing loss of farmland, inconsistent with comprehensive plan, increased use of chemicals, decommissioning costs likely be underestimated.

Grayson Stuecker, 901 Squaw Creek Rd Nabb IN, representing Jeane McCutcheon 23903 Harn Rd New Washington IN, spoke in opposition referencing being surrounded by panels, loss of land for new farmers and support services.

Austin Miles, 26406 Gill Rd Nabb IN, spoke in opposition referencing loss of farmland for future generations, degradation of soil quality, fragmentation of fields taking more land out of production.

Terry Vissing, 9812 Westport Rd Maryville IN representing Michael Norman, 1627 McIntyre Rd New Washington IN spoke in opposition referencing increased heat generated by panels, and associated reduced yield. He also indicated wildlife will be pushed to adjoining properties increasing annual yields and possibility that public utility could purchase the project and use eminent domain to acquire surrounding properties.

Steve Parkhill 23901 Hwy 62 Nabb IN spoke in opposition referencing impact to drainage patterns, karst features in the area and reduction of water infiltration.

Missy Bergan, 6412 Flint Ridge Rd representing Peck Living Trust spoke in support of private property rights and clean energy and in opposition of the request referencing irreversible change to the land, incompatibility with zoning, traffic, cost of maintenance for county and impacts to community.

Tony Reardon 5506 Hwy 362 Nabb IN spoke in opposition referencing likely hood that property will be surrounded on 3 sides by panels, truck traffic and noise during construction

Josh Newman, 2730 Taft Rd New Washington IN, representing Carmen Saravia spoke in opposition referencing impacts to property values, marketability of property.

Eric Snatter, 3600 Miles Rd Nabb IN spoke in support of the request referencing additional option for farmers to keep the land in the family, generates income for the county and schools, and no one complains about subdivision taking farmland.

Shelly Blankenbaker 2518 Kettle Bottom Rd Nabb IN representing Stark Farms LLC, 8260 Hwy 62 Nabb IN, spoke in opposition referencing failure to include interconnection infrastructure, and fragmentation of farmland.

Christine Horsley, 22417 Mahan Rd Marysville IN representing Michael Stockdale, 6811 Bethlehem New Washington Rd New Washington IN spoke in opposition referencing heat island effects being incompatible with crops and will increase costs to cool homes.

Christy Marshall 8175 W New Bethel Rd Jefferson County representing Reginald and Deanna Tucker 6744 Harn Rd New Washington IN spoke in opposition referencing industrial use, property value impacts and loss of farmland/rural character.

Jan Boyer 7401 Oscar Long Rd, Marysville IN, representing Michelle Upton, 5314 Robinson Rd Nabb IN, spoke in opposition referencing loss of top soil, inefficiency, dangerous runoff, and lack of longevity of such projects.

Rebecca Schaefer, 8867 S Hwy 62 Nabb IN, representing John and Jessica Wagner, 5310 County Line Rd Lexington IN, spoke in opposition referencing denial of us in Jefferson County, no guarantee energy saving for Clark County, compatibility with neighbors, and impact to community character.

Amanda Williamson, 4806 County Line Rd Nabb IN, representing herself and Shirely Waters 4009 Gross Rd New Washington IN, spoke in opposition referencing being surrounded by solar, no details on maintenance facility or grid connection, Cemetery impacts, airport adjacent to proposed panels, improper notice outside county, improper sign posting, and invalidity of a waiver on Gilmore Rd.

In regards to the variance she also felt the request was just to allow more time secure a connection across the river.

Drexler Meadors, 9202 Mary Martin Rd Charlestown IN, representing Kendall Woodward, 423 E. First St New Washington IN, spoke in opposition referencing damage to roads, damage/cleanup/ flying debris from tornados.

Dan Cristiani, 9621 Hwy 62 Charlestown IN, representing WTH Farms LLC, spoke in opposition referencing loss of farmland for development of homes, and reduced property values/marketability.

Sandy Basham, 15219 New Market Rd, Marysville IN, representing Kenneth and Christina Yeager, 1151 Mcintyre Rd, New Washington IN, distributed photos and spoke in opposition referencing construction noise and drainage issues experienced at other similar facilities, wildlife impacts to nearby field yields, marketability of property.

Bradi Zacharias, 3018 Bethlehem New Washington Rd New Washington IN, spoke in opposition referencing construction traffic/noise, dust, inability to enjoy property, property values, loss of land for homes.

Max Zimmerman, Zimmerman Properties, 6616 Tunnel Mill Rd Charlestown IN, spoke in support referencing lack of Clark County farmer to crop land in county, need to diversify use of property, road agreement will be put in place, loss of farmland is from new homes.

Jerry Dickey, 5203 Flint Ridge Rd New Washington IN, spoke indication that he hoped the board makes the right decision.

The floor was then opened to individuals that did not receive mailed notice.

William Fehribach, 104 N. Ferguson St. Henryville IN, spoke in opposition.

Sandra Schurr, 25203 Gill Rd Nabb IN, expressed a concern regarding length of construction and impacts to bus routes.

Carlos May, 8338 S. Paynesville Rd Hannover IN, spoke in support referencing low-cost energy.

Sophia Skeens, 6915 Nat Rogers Rd Boston KY, spoke in support of the variance referencing long build times.

Zach Silverstein, 9603 Lena Bower Rd Marysville IN, spoke in opposition referencing the adulteration of products coming from China and the unknown number of chemicals in panels and use of farmland for this purpose.

Jason Cochran, 412 S. Poplar St. New Washington IN, spoke in support of the local fire department and its capabilities.

Peter Berthelsen, Conservation Blue Print, 1070 18th Avenue, St. Paul, NE, spoke about the seed mixture designed for the facilities and soil health benefits.

Gary Goode, 8719 S. Hwy 62 Nabb IN, spoke in support of the request as a way to keep the land in the family.

Kelly Khuri, 4819 Salem Knobel Rd, Jeffersonville IN, spoke in opposition referencing amount of material submitted cannot be reviewed tonight.

Wes Thomas, 3665 W. Prospect Rd Hanover IN, spoke in support referencing that the request meets the criteria and should be approved.

There being no further public comments Mr. King recommended that the applicant be given time for rebuttal.

Mr. Brison then made a motion to continue the hearing until April 15, 2026 to allow time to review all information submitted. He also clarified that the applicant and opposition will be allowed to rebut the information submitted and the opposition will be allowed to rebut the rebuttal comments made at the next meeting and no new information will be permitted.

The motion failed for lack of a second.

Mr. Combs then motioned to allow rebuttal tonight and delay decision until April 15, 2026.

Mr. Wise questions the applicant's ability of the applicant to rebut information contained within the binder submitted without have seen the information and suggested that rebuttal be allowed at the next meeting.

Mr. King agreed and Mr. Combs then seconded Mr. Brison's original motion.

Mr. Guernsey inquired if there is anyone that is not prepared to vote on the matter.

Mr. King recommended that rebuttal be permitted prior to a vote.

Mr. Brison then rescinded his motion.

Mrs. Baker then made a motion to suspend the rules and allow fifteen-minute rebuttal from applicant and opposition which was seconded by Mr. Combs and unanimously passed.

Mr. Endres then spoke on behalf of the applicant indicating comments were based primarily of policy decisions that have already been decided by the Board of Commissioners including if, where, how much and is this a good idea. He also indicated that the rules require that if the standards have been met it must be approved and the request satisfies all standards. He further indicated the applicant offers 19 additional conditions to be included as part of the approval.

Mr. Brison inquired about the materials that are not recyclable?

Dr. Chris Ollson, 49 Valridge Dr. Ancaster Ontario Canada, indicated the existence of recycling facilities and the unrecyclable materials include benign plastic material which is used in pavement/concrete. And lead is primarily limited to solder.

Michael Cressner then described the two types of panels available and the cadmium type have the material embedded in glass and meet the federal TCLP leach standard.

Mr. Miller inquired if Orion has sold a completed project and approval agreements become unenforceable.

Mr. Cressner indicated that sale of projects is common across the industry and referred to condition 19 which would be a record statement of conditions that would remain enforceable if ownership changes.

Mr. Brison inquired if the applicant has sold project to a public utility.

Mr. Cressner indicated that they have and they are not discussing a sale of this project.

Mr. Wise, indicated that the conditions as submitted would need to be formatted as a valid written commitment in order for the conditions to transfer with the land.

Ms. Laura White spoke on behalf of the opposition by referencing inconsistency of use with residential land, irreversible damage to soil quality, property value impacts, possible sale of property will invalidate all conditions with county and should be denied.

Mr. Wise then stated for the record that 61 comments in opposition were received by email and 47 were forwarded prior to the meeting and 24 were received today, and all of the comments cited were addressed in the meeting and we also received 33 in support and the comments cited were also heard during the meeting. that several public comments were emailed previous to the meeting and indicated that several emails received today included points mentioned in opposition that were heard during the hearing.

Mr. Brison indicated his concern regarding loss of control if the project were sold to a utility.

Mr. Wise indicated the limits in regards to regulating a utility company will depend on the opinion of the Indiana Regulatory Commission and would likely be limited to site design and not the particular properties.

Mr. Enders then offered to answer any questions the board may have.

Mr. King explained that the Board must determine if the request meets the 6 special exception standards.

Mr. Guernsey then made a motion to deny the Special Exception request based on the findings:

1. The establishment of the Special Exception will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.

False Explanation/Justification:

Property values of surrounding properties will be negatively impacted by a commercial solar facility of this scale and size that encompasses such a large portion of the county.

This application creates areas where non-participating parcels will be completely surrounded or substantially surrounded by Commercial SES. This will limit their potential for future development on these parcels.

The large amount of land involved in this is taking land away from future development that is needed for residential and other growth.

2. The Special Exception will be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.:

False Explanation/Justification:

While the Clark County UDO requires screening for adjacent residential uses and structures, this will be difficult due to the large land area included in this application and topography of Clark County.

The visual impact of this many acres of solar panels will affect the rural residential, open fields, viewsheds, and agricultural character of area and county.

3. The establishment, maintenance, or operation of the Special Exception will not be detrimental to or endanger the public health, safety, morals, or general welfare.

False Explanation/Justification:

The large amount of land that will be converted from agricultural or natural areas will degrade the environment and habitats.

While the decommissioning plan requires the land to be restored to a natural state, it is very difficult to effectively restore a habitat that has been cleared for construction.

The overall rural character of the county will be impacted by converting 1,403 acres of agricultural, open space, or natural areas to a commercial solar facility.

The loss of farm production/food production will impact the general welfare of the public.

The hazardous materials can impact the environment and water sources.

Mr. Combs then seconded the motion which was passed on a vote of 3 in favor and 2 opposed.

Mr. Miller then motioned to take no action on the Dimensional standards variance which was seconded by Mr. Guernsey and unanimously passed.

- 5. Approval of Minutes from February 18, 2026.** Mrs. Baker made a motion for approval of the minutes for the regular meeting which was seconded by Mr. Combs and unanimously passed.

6. Reports, and Communications-

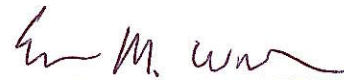
None were given.

- 7. Adjournment-** Mr. Combs then made a motion to adjourn at 11:02 pm which was seconded by Mrs. Baker and unanimously passed.

MINUTES ADOPTED THIS 15th DAY OF APRIL, 332026



Larry Brison, President



Eric M. Wise, Director

