

STATE OF INDIANA
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 26 -2026

**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 9th day of September 2026, the Clark County Plan Commission passed Resolution 2026-16 (see the said Resolution 2026-16) 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 2026-16, dated September 9, 2026, as attached hereto as **Exhibit “A”**, is hereby approved, and the County’s zoning maps are reclassified pursuant to the attached Resolution and subject to any conditions contained 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 24 day of September 2026.

Members voting "NO":

Bryan Glover, Commissioner

Jack Coffman, Commissioner

David Decker, Commissioner

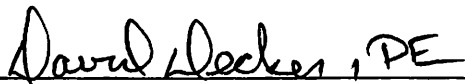
Members voting "YES":



Bryan Glover, Commissioner



Jack Coffman, Commissioner



David Decker, Commissioner

Attested by:



Danny Yost, Clark County Auditor

BY THE CLARK COUNTY PLAN COMMISSION

RESOLUTION 2026- 16

WHEREAS, the Clark County Plan Commission met on September 9, 2026, and heard the Docket No. **PC26-25**: Mulzer Crushed Stone, Inc., 534 Mozart St, Tell City, IN 47586 a request for a zone map amendment from AG and M2 to M2 for Parcel # 10-03-10-100-059.000-003;

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 6 - 0 vote as follows:

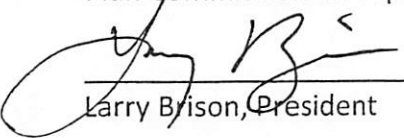
X FAVORABLE RECOMMENDATION: The real estate described in Exhibit A should be changed.

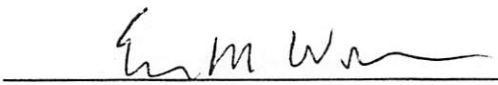
 UNFAVORABLE RECOMMENDATION: The real estate described in Exhibit A should NOT be changed.

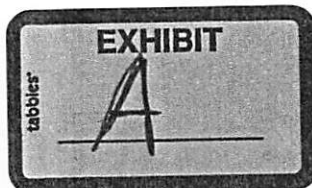
 NO RECOMMENDATION: The Plan Commission sends the rezoning petition to the Clark County Commissioners WITHOUT A RECOMMENDATION.

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

I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on September 9, 2026.


Larry Brison, President


Eric M. Wise Executive Director

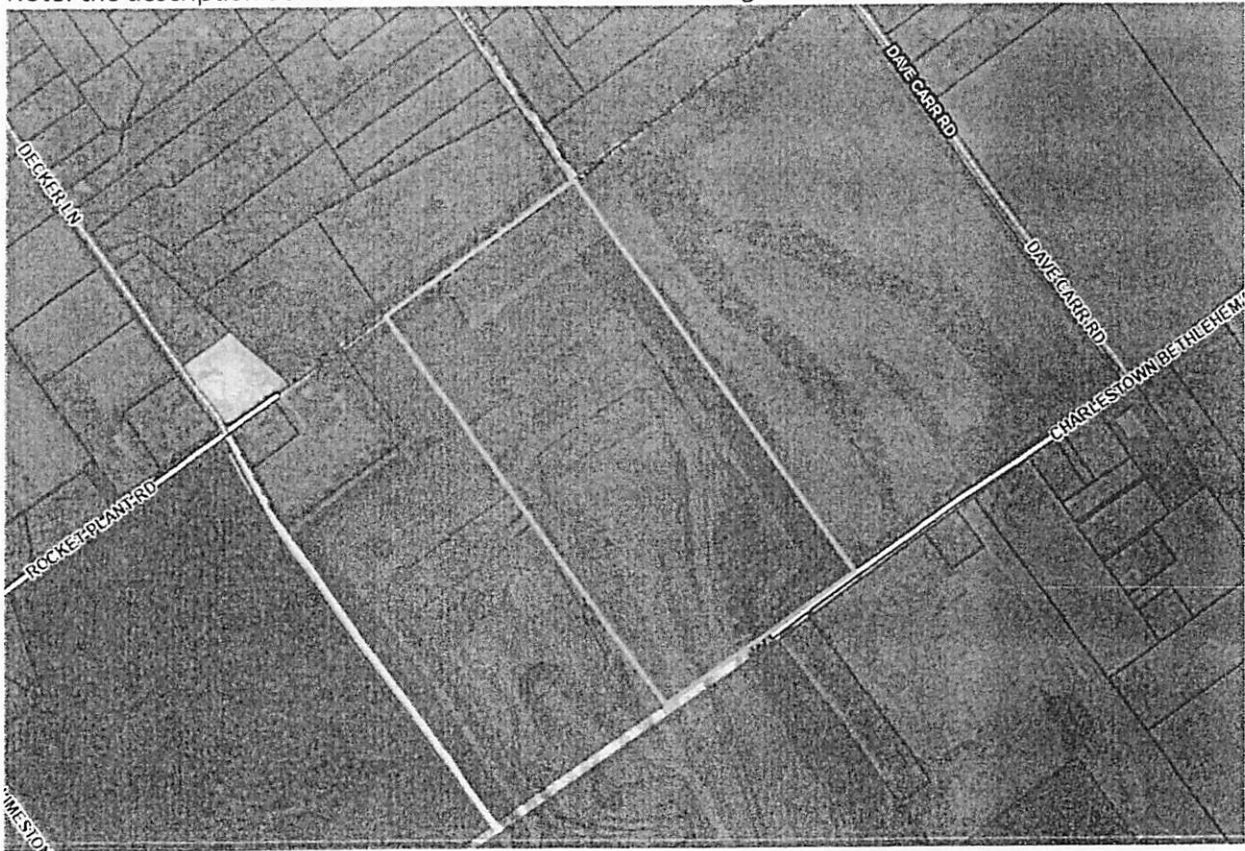


Parcel No.: #10-03-10-100-059.000-003

A part of Survey No. 101 of the Illinois Grant and more particularly described as follows:

Commencing at an iron pin at the common corner of Survey 101, 102, 80 and 79: thence South $54^{\circ} 48' 57''$ West, (basis of all bearings used for this description) 1704.00 feet along the grant line to an iron pin and the true point of beginning of the tract herein described; thence South $54^{\circ} 48' 57''$ West 1250.00 feet along grant line to an iron pin: thence North $35^{\circ} 38' 11''$ West 2521.98 feet to a railroad spike in the center of a private road; thence along the centerline of said road North $54^{\circ} 17' 16''$ East 1246.21 feet to a jackpost; thence along the centerline of said road North $54^{\circ} 13' 19''$ East 3.79 feet; thence South $33^{\circ} 38' 08''$ East 2533.50 feet to the point of beginning and containing 72.53 acres more or less and subject to all right of ways and easements of record.

Note: the description above is zoned AG and M2 and the change will zone the entire tract M2



PC Form 1: Application Form

This application is being submitted for (check one):

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

APPLICANT INFORMATION

Full Legal Name <u>Mulzer Crushed Stone, Inc.</u>			
Street Address: <u>534 Mozart St, PO Box 249</u>			
City, State, Zip: <u>Tell City, IN 47586</u>			
Applicant is (choose one): <u>Corporation</u> LLC Partnership Individual(s) Other (specify)			
Primary Contact Person	Name: <u>Wenona Fosselman</u>	Phone: <u>(812)407-8536</u>	Email: <u>wenona.fosselman@mulzer.com</u>
Surveyor/Engineer	Name:	Phone:	Email:
Will the Project Use A Temporary Work Trailer: Yes ☐ No ☒			

PROPERTY OWNER INFORMATION

Full Legal Name: <u>Mulzer Crushed Stone, Inc.</u>	
Street Address: <u>534 Mozart St, PO Box 249</u>	
City, State, Zip: <u>Tell City, IN 47586</u>	
Phone: <u>(812) 547-7921</u>	Email: <u>Ken.mulzerjr@mulzer.com</u>
Property Owner is (choose one): <u>Corporation</u> LLC Partnership Individual(s) Other (specify)	

PROPERTY INFORMATION

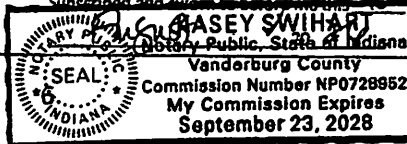
18-digit Parcel Number: <u>10-03-10-100-059.000-003</u>	
Property Address (Actual/approximate address or location from major streets): <u>Charlestown Bethlehem Road, Charlestown, In</u>	
County Road Serving Property: <u>Charlestown Bethlehem Road</u>	Township: <u>Charlestown</u>
Subdivision Name (if applicable):	Lot Number(s) (if applicable):
Total Acreage: <u>72.53</u>	Property Located in Floodway or Floodplain: Yes ☐ No ☒
Development will be served by: Septic Sewer (specify provider:) Not applicable	
Current Zoning of Subject Property: <u>AG</u>	Current Use of Subject Property: <u>Unused</u>
Proposed Zoning: <u>M2</u>	Proposed Land Use: <u>Mining</u>

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

I (we), <u>Kenneth Mulzer, Jr.</u> , after being first duly sworn, depose and say that I/we are the owner(s) of the real estate located 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 not) a condition to the sale or lease of the above referenced property.	Property Owner(s): <u>Ken Mul</u>
	Printed Name(s): <u>Kenneth Mulzer</u>
	Date: <u>8/10/2026</u>
	Signature of Notary: <u>[Signature]</u>
Notary Public's Name (printed): <u>Kasey Swihart</u>	Subscribed and sworn to before me this <u>10th</u> day of <u>August</u> , 20 <u>26</u>
My Commission Expires: <u>09/23/28</u>	
State/Country of Residence: <u>Warrick</u>	

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

Signature of Applicant: <u>Wenona Fosselman</u>	Date: <u>8/10/2026</u>
Notary Public's Name (printed): <u>Kasey Swihart</u>	Signature of Notary: <u>[Signature]</u>
My Commission Expires: <u>09/23/28</u>	Subscribed and sworn to before me this <u>10th</u> day of <u>August</u> , 20 <u>26</u>
State/Country of Residence: <u>Warrick</u>	



PC APPLICATION PACKET

VERSION: April 2026