

STATE OF INDIANA

BEFORE THE BOARD OF COMMISSIONERS OF CLARK COUNTY

ORDINANCE NO. 15 -2026

**AN ORDINANCE ESTABLISHING THE
RICSHIR FOREST PLANNED UNIT DEVELOPMENT DISTRICT**

WHEREAS, RicShir Forest LLC, an Indiana limited liability company is the record owner of property described in instruments #202401500 in the office of the Clark County Recorder (Parcel Nos. 10-13-01-300-053.000-035), and the legal description of which property is more particularly described in Exhibit A attached hereto (the “Property”); and,

WHEREAS, RicShir Forest LLC, filed a petition with the Clark County Plan Commission seeking to establish a portion of the Property as a planned unit development district pursuant to the provisions of Ind. Code § 36-7-4-1505(b); and,

WHEREAS, the Clark County Plan Commission conducted a public hearing on the petition on March 11, 2026, at which time it received comments and evidenced from all interested persons, and following the close of which it passed a motion by majority of its membership present to forward the petition to this Board of Commissioners of Clark County, Indiana (the “Board”), with a no recommendation; and,

WHEREAS, the Board now adopts this Ordinance establishing the RicShir Forest Planned Unit Development District for the Property.

NOW, THEREFORE, BE IT ORDAINED by this Board as follows.

- 1. Establishment of Planned Unit Development District.** The RicShir Forest Planned Unit Development District is hereby established for the Property described in attached Exhibit B (the “PUD District”).
- 2. Permitted Uses and Development Standards.** The permitted uses and general development standards in the PUD District are set forth in attached Exhibit C.
- 3. Written PUD Description.** The approved supporting description applicable to the use and development within the PUD District are set forth in attached Exhibit D.
- 4. Effective Date.** This Ordinance shall be in full force and effect upon its passage by majority vote of the entirety of the membership of this Board.

This Ordinance adopted by majority vote of the Board of Commissioners of Clark County, Indiana, taken during a duly noticed and convened public meeting held on April 23, 2026.

So Ordained this 21 day of ~~April~~ ^{May}, 2026.


Members voting "NO":

Bryan Glover, Commissioner

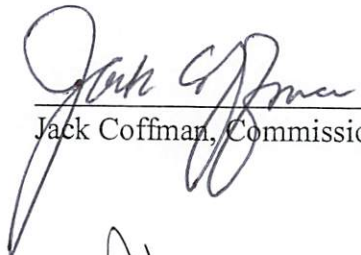
Jack Coffman, Commissioner

David Decker, Commissioner

Members voting "YES":



Bryan Glover, Commissioner



Jack Coffman, Commissioner

Absent

David Decker, Commissioner

Attested by:



Danny Yost, Clark County Auditor

EXHIBIT A
(RicShir Forest PUD)(1 page)

Parent Parcel Legal Description

Being a 21.22 acre parcel of land lying in the Southwest quarter of Section 13, Township 1 South, Range 5 East, Wood Township, Clark County, Indiana, same being part of lands as conveyed to Joe Huber Farms, Inc. -0D17-2078, bounded as follows: Beginning at a 5/8 Moffet rebar at the Southeast corner of the said Southwest quarter of Section 13; thence South 89 deg. 09' 06" West with the Section line, a distance of 500.00' to a mag nail at the place of beginning; thence South 89 deg. 09' 06" West, with St. John's Road and Section line, 855.89' to a mag nail; thence North 00 deg. 15' 46" West with the quarter quarter line and Dow Knob Road, 400.11' to a mag nail; thence North 89 deg. 44' 33" East with Bev Engleman line, passing rebars at 20' and 225', a total of 330.00' thence North 00 deg. 15' 46" West a distance of 220.00' to a 5/8 rebar and cap; thence North 40 deg. 25' 29" East a distance of 953.64' to a 5/8 rebar and cap; thence North 89 deg. 09' 09" East passing a rebar at 355.53', a total distance of 405.53' to a point; thence South 00 deg. 12' 14" East with the quarter section line, 633.49' to a DJR rebar and cap; thence South 89 deg.09' 24" West with Kaiser line (1-201202894), 507.93' to a DJR rebar and cap; thence South 00 deg. 51' 11" East with Kaiser West line, a distance of 700.00' to the beginning.

EXHIBIT B
(RicShir Forest PUD)(1 page)

PUD District Legal Description

BEING A 1.81 ACRE PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 5 EAST, WOOD TOWNSHIP, CLARK COUNTY, INDIANA, SAME BEING PART OF RICSHIR FOREST LLC, INSTRUMENT NO. 202401500, SAME AS COMPOSED BY DAVID J. RUCKMAN PS #80040393, MAP DATE OCTOBER 28, 2025. BEGINNING AT A MAG NAIL IN THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13, CLARK COUNTY SURVEY RECORDS; THENCE NORTH 00 DEG. 15' 56" WEST WITH THE QUARTER QUARTER LINE AND DOW KNOB ROAD, 337.74 FEET TO A MAGNAIL; THENCE SOUTH 68 DEG. 31' 24" EAST, PASSING A 5/8" REBAR AT 43.31 FEET A DISTANCE OF 139.56 FEET TO A 5/8" REBAR; THENCE SOUTH 46 DEG. 05' 04" EAST A DISTANCE OF 240.79 FEET TO A 5/8" REBAR; THENCE SOUTH 33 DEG. 24' 15" EAST A DISTANCE OF 94.20 FEET TO A 5/8" REBAR; THENCE SOUTH 00 DEG. 59' 45" EAST A DISTANCE OF 35.75 FEET TO A MAGNAIL IN ST. JOHN'S ROAD; THENCE SOUTH 89 DEG. 09' 06" WEST WITH SAID ROAD A DISTANCE OF 354.28 FEET TO THE BEGINNING.

EXHIBIT C
(RicShir Forest PUD)(2 pages)

DEVELOPMENT STANDARDS FOR THE
RICSHIR FOREST PLANNED UNIT DEVELOPMENT DISTRICT

All site improvements existing at the time of PUD creation are considered to be in compliance. The existing number of parking spaces and design shall be the maximum required. Modifications to existing structures that increase the enclosed ground floor area shall require amendment of the PUD District.

All other modifications, excluding signs and landscaping, shall require Development Plan Approval to ensure the following PUD development standards will be met.

Structure Standards	
Maximum height of structure	
• Primary structure	60 feet
• Accessory structure	20 feet
Lot Standards	
Minimum front yard setback (Building)	30 feet
Minimum side yard setback	10 feet
Minimum rear yard setback	N/A
Maximum impervious surface coverage	95%
Landscaping	
	N/A
Outdoor lighting	All fixtures shall be full cut-off
Parking and loading – parking spaces	9' x 18' minimum
Signage –	Same standards as AG with internal illumination of signs permitted.

EXHIBIT C (RicShir Forest PUD)(page 2)

The PUD will allow for the following uses:

Food & Beverage

- Restaurant, Café, Bar & Grill-
 - Allowing outdoor patio dining with wind and rain shelter inside the fenced in area
 - Allowing outdoor fire pits, casual patio sitting and music.
 - Allowing Classified Forest activities to be integrated with the experience if desired
 - Allowing the second floor of the building to be a loft dining or a small event Venue
 - Allowing a gift shop selling convenience and food items
 - Allowing a small arcade-type game room that entertains all ages
 - Allowing takeout and delivery
- Winery, Brewery, or Distillery
- Catering Facility

Retail & Consumer Services

- General Retail
- Specialty Retail Store – Furniture, Décor, Outdoor Lifestyle Products
- Auction House or Secondhand Dealer
- Grocery or Convenience Store
- Farmers Market
- Fitness/Wellness/Spa or Hair and Nail Salon

Office, Professional & Research

- Professional Offices
- Research / Development
- Church or Place of Worship

Medical, Health & Care Services

- Urgent Care
- Medical or Dental Office
- Animal Hospital or Veterinary Clinic

Education, Childcare & Community Services

- Childcare Center or Adult Day Care Facility
- Preschool
- Tutoring Assistance
- Fire Station or other Emergency Services

Agriculture & Agritourism

- Plant Nursery

Manufacturing & Artisan Uses

- Manufacturing, light
 - NO fugitive dust, noise or odors
- Artisan Workshops (wood, metal, glass, textiles)
 - NO fugitive dust, noise or odors

Entertainment, Events & Assembly

- Banquets, Meetings & Small Wedding Venue

EXHIBIT D (RicShir Forest) (1 page)

RicShir Forest PUD

The vacant 5500 SQFT building located at 9699 St Johns Road Borden, IN sits on 1.81 acres in Starlight, IN at the crossroads between Huber Winery and Joe Huber Family Farm. The property is part of a much larger tract of forest land that is currently zoned as Agricultural / Agritourism. On 11/15/2021 Petition Number 2021-24-PC allows the public to take guided ATV tours down the log roads within the 572 acres of Classified Forest while viewing the natural beauty deep in the forest, observing sustainable forestry practices, erosion control and invasive species management. The Agritourism status also allows for dining, cultural/agricultural activities, and other natural resource-based activities.

It is understood that with the agricultural zoning currently in place the future uses of this building are limited. If zoned commercial or residential the uses are expanded beyond what may fit the surroundings. It was suggested that a PUD (Planned Unit Development) be established to allow the use to be planned in alignment to the surroundings. For example, the PUD would **NOT** allow businesses that required outside storage of nuisance items like vehicles or inventory sitting outside the fenced in area overnight, no apartments or multifamily dwellings, no fugitive dust, no offensive odors, and limited light pollution.

The PUD will allow flexibility for low-impact commercial, hospitality, or community-oriented uses that support local economic activity while maintaining the rural character of the area. The rezoning will enable adaptive reuse of the existing structure without extensive new construction or environmental disturbance. The outside of the facility will maintain a similar look to its current facade, allowing it to blend in with the rural surroundings. The inside and fenced-in areas may take on a new look that fits the new business goals and operations.

On PC Form 5, you will see a list of different types of businesses that we believe would either compliment the neighborhood or at least not have a negative impact. If the request for this PUD is approved, my wife Shirley and I would prefer the future use to be an upscale Mexican restaurant with an inviting family friendly atmosphere, full-service bar able to sell beer, wine and liquor, outside patio seating within the fence that has wind and rain shelter.

The facility has 67 parking spaces and is fully ADA compliant. Other items we need to confirm for the restaurant use are the capacity of the septic system and available liquor license. If these 2 items are not showstoppers, the upscale Mexican restaurant will be our preferred target business to bring in. All other permitted uses listed will be a back-up plan, and just for clarity we have no intention of owning or running a restaurant.

Regarding hours of operation, it will depend on the business secured, I would think 6:00 am until 11:00 pm would cover most businesses unless there is a special event being hosted.

Regarding number of employees, it will also depend on the business I would guess between 6 and 20. Regarding traffic concerns, this area currently is in a tourist area and will have little impact on traffic.

BY THE CLARK COUNTY PLAN COMMISSION

RESOLUTION 2026-7

WHEREAS, the Clark County Plan Commission met on March 11, 2026, and heard the Docket No. PC26-05, RicShir Forest LLC, PO Box 278, Borden, Indiana, a request for a zone map amendment to create a Planned Unit Development (PUD District) for of Parcel # 10-13-01-300-053.000-035;

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 and I.C. 36-7-4-1500:

1. The Petition to rezone the real estate described in Exhibit A a PUD district with development standards described in Exhibit B, and development description Exhibit C 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:

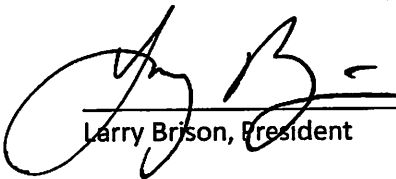
___ FAVORABLE RECOMMENDATION: The real estate described in Exhibit A should be changed to a PUD District.

___ UNFAVORABLE RECOMMENDATION: The real estate described in Exhibit A should NOT be changed to a PUD District.

X 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 March 11, 2026.



Larry Brison, President



Eric M. Wise Executive Director

PC Form 1: Application Form

For Office Use Only	
Petition #	_____
Fee	_____
Filing Date	_____
Hearing Date	_____
<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: RicShir Forest, LLC

Street Address: PO Box 278

City, State, Zip: Borden, IN 47106

Applicant is (choose one) Corporation LLC Partnership Individual(s) Other (specify)

Primary Contact Person	Name: Chandler Klein	Phone: 502-780-2122	Email: chandler@kentuckianatrading.com
Surveyor/Engineer	Name: Jason Copperwaite	Phone: 812-738-4124	Email: jcopperwaite@ppa-eng.com

Will the Project Use A Temporary Work Trailer: Yes No

PROPERTY OWNER INFORMATION

Full Legal Name: Same as applicant

Street Address: _____

City, State, Zip: _____

Phone: _____ Email: _____

Property Owner is (choose one) Corporation LLC Partnership Individual(s) Other (specify)

PROPERTY INFORMATION

10-digit Parcel Number: Part of Parcel # 10-13-01-300-053.000-035

Property Address (Actual, approximate address or location from major streets): 9699 St Johns Road, Borden, IN 47106

County Road Serving Property: St Johns Road Township: WOOD

Subdivision Name (if applicable): N/A Lot Number(s) (if applicable): N/A

Total Acreage: 1.81 Property Located in Floodway or Floodplain: Yes No

Development will be served by: Septic Sewer (specify provider: _____)

Current Zoning of Subject Property: AG Current Use of Subject Property: Agritourism Operation

Proposed Zoning: PUD Proposed Land Use: _____

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

I, (we) _____, 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 application 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)	_____
Printed Name(s)	_____
Date	_____

Notary Public's Name (printed): _____ Signature of Notary: _____

My Commission Expires: _____ Subscribed and sworn to before me this _____ day of _____, 20_____

State/County of Residence: _____

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

Signature of Applicant: *[Signature]* Date: 1-12-26 ^{PM}

Notary Public Name (printed): Bobbi J Mitchell Signature of Notary: *[Signature]*

My Commission Expires: 7-18-2032 Subscribed and sworn to before me this 12th day of January

State/County of Residence: Washington, IN _____, 20 26

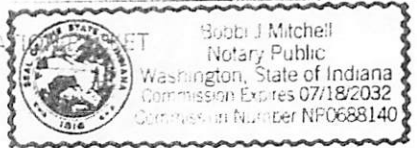


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