



CLARK COUNTY BOARD OF ZONING APPEALS

July 16, 2025

The regular meeting of the Clark County Board of Zoning Appeals (BZA) was held on Thursday July 16 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: Guy Guernsey John Eurton, and Larry Brison

The following Board members were absent: Kim Baker (one vacancy).

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

The following appeared on the agenda:

1. **Call to order:** Mr. Gurnsey called the meeting to order at 5:00 P.M.
2. **Meeting Rules:** Mr. King read the rules of the meeting.
3. **Items to be tabled**
 - a. **BZA25-03: Special Exception (Solar Energy System- Commercial)** for the Applicant: MAHI bn LLC

Mr. Wise informed the board that the applicant has submitted a written request to table the matter until the August 20, 2025 meeting due to a lack of all voting members being present and explained that when such a request is made the rules of procedure specify the request must be honored.

There being no further discussion Mr. Eurton motioned to table the request which was seconded by Mr. Brison and unanimously passed.

- b. **BZA25-06: Use Variance (Lawncare and firewood processing and sales)** for property located at 115 Station Rd. Henryville IN 47126 (Parcel No 10-06-25-500-312.000-027) Applicant/Owner: Dennis Lee Bettis and Allison Bettis

Mr. Wise informed the board that the applicant failed to advertise public notice within the newspaper and it was recommended that the matter be tabled until the August 20, 2025 meeting so that proper notice can be provided.

There being no further discussion Mr. Brison motioned to table the request until August 20, 2025 which was seconded by Mr. Eurtion and unanimously passed.

4. Public Hearing Items

- a. **BZA25-05:** Dimensional standards variance (reduce side yard setback) for property located at 154 E. River Rd. Charlestown IN 47111 (Parcel No 10-08-05-800-073.000-029) Applicant/Owner: Leon and Debra Lewis

Mr. Brad Reinhart, 618 E. Court Ave, Jeffersonville IN, presented the request indicating that a new home under construction was placed on the property to 1 foot to close to the property line and a proposed air conditioner will extend an additional 3 ft closer to the neighbor, It was also indicated that due to flood plain requirements the air conditioner is approximately 15 feet above grade and the 3'x3'platform will be attached to the home without any ground support.

Judy Obrien and Bryan Obrien 7010 Uranus Dr Louisville, KY indicated there was no concern regarding a suspended air conditioner however they did not support a concrete deck along the side of the house.

Shelt Lewis, 2270 Hardinsburg Rd, Fordsville Ky indicated that he was familiar with planning law and recommended that the request be approved as submitted.

There being no further public comment Mr. Brison made a motion to adopt the findings of fact prepared by staff and approve the request to include the structure and 3ftx3ft. air conditioner platform as described which was seconded by Mr. Eurtion and unanimously passed.

- b. **BZA25-07:** Special Exception (Short Term Rental) for property located at 2635 Crone Rd. Borden, IN 47106 (Parcel No 10-02-21-700-035.000-026)
Applicant/Owner: Stephannie Kaye Wilson

Ms. Stepanie Wilson, 2121 Ebenezer Church Rd, presented the request indicating they had originally planned to live in the home but they would like to begin using the home for short term rental. She also indicated a new separate driveway has been constructed and the existing shared driveway will no longer be used.

No comments were made by the public.

Mr. Brison inquired if the property would be used for events such as weddings.

Ms. Wilson indicated that it would not be used for such purposes.

Mr. Wise indicated that such use would require a new request and public hearing prior to the new activities taking place.

There being no further comments Mr. Brison motioned to adopt the findings of fact prepared by staff and approve the request as submitted which was seconded by Mr. Gurnsey and unanimously passed.

- c. **BZA25-08:** Dimensional Standards Variance (reduce front setback and waive bufferyard requirements) for property located on the south east corner of SR 60 and CR311 (Parcel No 10-09-08-800-381.000-030)
Applicant: Vyom Donut of Louisville LLC Owner: C&T Huber LLC Borden IN.

Chris Compton, 4350 Brownsboro Rd Louisville KY, presented the request indicating that due to size and shape of the lot it was difficult to meet the applicable setbacks and buffer standards. He the displayed slide of the property showing the proposed layout and alternative landscaping proposed as well as development that exists on other corners of the intersection.

Mr. Wise then read the list of adjoining property owners. No one called wished to speak.

The President then asked if anyone ales was present that wished to speak on the request.

Mr. John Kraft, 126 W Spring St, New Albany IN, spoke on behalf of the owner indicating their support for approval of the request.

There being no further public comments Mr. Brison asked for clarification on the Landscape plan in regards to the amount of landscaping that is actually on the property.

Mr. Compton indicated that all but the existing trees located to the south were on the property.

Mr. Brison then motioned to adopt the findings of fact as prepared by staff and approve the request as presented with the condition that the landscape plan be installed as shown which was seconded by Mr. Eurtion and unanimously passed.

- a. **BZA25-09:** Special Exception (Accessory Dwelling) for property located at 2246 Hansberry Rd. Charlestown, IN 47111. (Parcel No 10-03-20-600-040.000-003)
Applicant: Michael Guthrie Owner: Chelsey & Kyle Brenneman

Micheal Guthrie, 2019 Cedar Creek Dr. Henryville IN presented the request indicating the owners desire to construct an accessory dwelling for a family member. He also indicated an approximated size of 700 sq.ft., the existing driveway will be used for access and septic service has been approved by the health department.

Mr. Wise then read the list of adjoining property owners.

Robert Graeter, 2244 Hansberry Rd Charlestown IN, indicated his opposition to the request referencing only one home being permitted on a lot and his concern about setting a precedent for more rental units in the area.

Mr. Wise indicated that under current zoning it would be possible to divide the property and develop 4 additional homes without a variance.

Mrs. Brenneman indicated that the home would be for her parents.

There being no further discussion Mr. Eurton motioned to adopt the findings of fact as prepared by staff and approve the request with the following stipulations: 1. Access by primary driveway/loop and the dwelling not be used for rental purposes, which was seconded by Mr. Guernsey which passed unanimously.

- d. **BZA25-10:** Special exception amendment (site plan) for property located at 6820 and 6906 Salem Noble Rd Charlestown IN (No 10-03-09-200-369.000-003, 10-03-09-200-179.000-003, 10-03-09-200-209.000-003, 10-03-09-200-368.000-003
Applicant/owner: Greater Clark County Schools

Mr. Harold Hart, 958 Water St Charlestown IN and Nate Coots, 2112 Utica Sellersburg Rd, Jeffersonville IN presented the request by presenting a revised site plan for the special exception previously approved for the property. It was indicated that the layout had been changed to delete one entrance, expand parking and student drop off/pickup areas and shift the improvements to the west to eliminate any new run being directed toward Whispering Oaks Subdivision. It was also indicated that the plans had been reviewed by the county engineer and modifications were made to satisfy the Highway department's needs.

Mr. Wise then read the list of adjoining property owners. No adjainers wished to speak.

The President then asked if anyone was present that wished to speak on the request.

Mr. Michael Bush, 7714 Stone Creek Rd Charlestown Rd. expressed his concern regarding traffic and the ability of the roads to handle the improvement.

Mr. Scott Simpson, 6617 Westwood Dr. Charlestown IN, supported the single entrance design and questioned how runoff will not be increased in whispering woods subdivision.

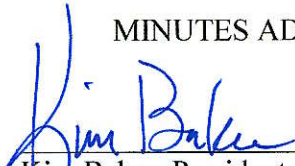
Mr. Hart explained that all new runoff will be captured with curbs and drains and directed toward Salem Noble Rd.

There being no further public comments Mr. Brison motioned to adopt the findings of fact as prepared by staff and approve the request as submitted which was seconded by Mr. Gurnsey and unanimously passed.

There being no one that wished to speak Mr. Brison made a motion to adopt the findings of fact prepared by staff and approve the request which was seconded by Mr. Guernsey and unanimously passed.

5. Approval of the prior minutes from the June 18, 2025 meeting. Mr. Eurtion motioned to approve the minutes as presented which was seconded by Mr. Brison and passed unanimously.
4. Reports, and Communications- Mr. King reviewed newly adopted state statues effecting the Boards operation regarding agendas and executive session.
5. Adjournment - There being no further business the meeting adjourned at 6:15 p.m. on a motion by Mr. Brison, second by Mr. Eurtion and unanimous vote.

MINUTES ADOPTED THIS 20 DAY OF AUGUST, 2025



Kim Baker, President



Eric M. Wise, Director