

**Area Plan Commission Regular Session**  
**July 11<sup>th</sup>, 2024**  
**Second Floor, Courthouse**

The, July 11<sup>th</sup>, 2024 regular session of the Area Plan Commission was called to order at 6:00 p.m. by President Lary Langley. Those members who answered roll call were Bob Alexander, Lary Langley, Brian Stevens, Barbara Phillips, Phil Cox and Ron Mack. Also present: Attorney Ron Severt, Executive Director/Recording Secretary Penney Carpenter, Judy Paloncy, and Brian Ramirez-PBM Wireless Services Agent for Southern Towers, Brad Johnson of Ground Rules Inc, Scott Carpenter, Kenneth High, Charles Winkle, Joyce Winkle, Charles D. Finley and Buddy High. Sheriff Holtkamp was also present.

The June 13<sup>th</sup>, 2024 minutes were examined. Mrs. Phillips made a motion to approve the minutes as presented. Mr. Mack seconded. MC.

**Old Business**

**a. Update on Ongoing Violations:**

Loren Lomax, 5173 N Elm Tree Rd, Cayuga, IN 47928 – Still working on cleaning up the violation.

Kenneth High II & Kenneth & Marjorie High and Charles Finley 6534 N Arnold Dr, Cayuga, IN 47928 – We are waiting for Mr. Severt to get a court date.

Ron Finger Jr, 15072 S Main, Blanford, IN 47831 – We had court on July 8<sup>th</sup>, 2024 Mr. Finger is addressing the violation and says he will be in compliance within 30 days.

Jeff & Stacy Kabbany, 11285 S SR 71, Clinton, IN 47842 –Mrs. Carpenter will request their presence for the July meeting, let the record show neither of the Kabbany's were present. Mr. Alexander made the motion to send upstairs before the judge. Mrs. Phillips seconded. MC

Timothy & Danyell Kaperak, 3016 W Grand Ave, Clinton, IN 47842 – Still need to address debris on the county right of way. We have court again on August 19<sup>th</sup> and we will be asking for a bench warrant.

Kevin Campbell, 11320 S ST Rd 71, Clinton, IN 47842 – No improvement since last month, We will be asking for a bench warrant during the August 19<sup>th</sup> status hearing.

**b. Update on Unified Development Ordinance (UDO) Project:**

Brad Johnson of Ground Rules Inc. emailed this update on Draft B; it was distributed to the steering committees on July 2, 2024. It included a Table of Contents, Blue Box Cross References, In-line references, and mini table of contents at the beginning of Article 5 and Article 7. In addition to requested changes by the committees, I re-read the whole document and tried simplifying and removing content that wasn't fitting of the county/city. I found and corrected a variety of conflicts, terminology inconsistencies, and cleaned up the definitions. After Draft B was delivered, I started working on a zoning map for the county and city. I will be meeting with the both steering committee on July 19<sup>th</sup>, if all goes well I will be sending out the UDO to all APC/BZA/County & Clinton City Officials to review.

**New Business:**

**Jack Kelly has filed with the Vermillion County Board of Zoning Appeals, a Petition 24-02 requesting a Special Exception for the placement of a 1977 14' X 70' mobile home on the following real estate located in Clinton Township, Vermillion County, Indiana, commonly known as 3163 Porter St, Clinton, IN. Parcel Number 83-12-09-410-019.000-001 and further described as: Lot Numbers 544, 545, 546 and 547 in Jacksonville First Addition, Clinton Township Vermillion County, Indiana.**

**Claims paid June 13<sup>th</sup> – July 11<sup>th</sup> 2024:**

6/13/2024	Penney Carpenter	Mileage	\$241.08
6/13/2024	Ron Severt	3 <sup>rd</sup> Quarter	\$1,000.00
6/20/2024	Heartland Media Group	Legal Notice	\$61.17
7/09/2024	Torch Newspaper	Legal Notice	\$25.00

Mr. Mack made the motion to accept the claims and budget as presented. Mr. Alexander seconded. MC  
With no further business before the board, Mr. Mack made a motion to adjourn the meeting at 6:27 p.m. Mrs. Phillips seconded. MC

**Penney Carpenter**

Penney Carpenter, Recording Secretary

**Vermillion County Board of Zoning Appeals**

**June 13<sup>th</sup>, 2024**

The June 13<sup>th</sup>, 2024 regular session of the Board of Zoning Appeals was called to order at 8:25p.m. by Chair Barbara Phillips. Those members who answered roll call were Joe Ellis, Barbara Phillips, Travis Newman and Judy Paloncy. Also present: Attorney Ron Severt, Recording Secretary/Executive Director Penney Carpenter, Scott Carpenter and petitioner Brian Ramirez.

The October 12, 2023 and the January 11, 2024 minutes were examined. Mr. Newman made the motion to approve the minutes as presented. Mr. Ellis seconded. MC

**New Business:**

Brian Ramirez on behalf of Southern Towers BTS has filed Petition 24-01 requesting a Special Exception and a Variance for the placement of a communications tower 250 feet in height, in an Agriculture Zoning District, on property owned by Sisson Farms INC, located in Clinton Township, Vermillion County, commonly known as 14217 S ST RD 71, Clinton, IN 47842 and further described as: Parcel #83-12-09-100-003.000-001 NE PT NE ¼ 9-14-10 40AC N PT SE ¼ NE ¼ 9-14-10 3.33 AC Mrs. Carpenter stated all adjacent property owners had been contacted by certified mail and the legal notice had been run in the Clintonian for the May meeting. Mr. Ramirez gave a short presentation on the Verizon tower project and presented the Fall Certification Letter for the Blanford (IN-012) 250' Self Support Tower. Mr. Ramirez also stated that INDOT has changed their requirements for driveways and they will be using the new requirements for this project. Mr. Ramirez answered a few follow questions from the BZA. Mrs. Phillips opened the public hearing on Petition 24-01. With seeing none and hearing none Mrs. Phillips closed the public hearing. Mrs. Phillips then read the findings of facts for Petition 24-01:

Findings of fact #1 Mrs. Paloncy made the motion to accept Findings of Fact #1. Mr. Ellis seconded. MC

Findings of fact #2 Mr. Ellis made the motion to accept Findings of Fact #2. Mrs. Paloncy seconded. MC - Mr. Newman objected.

Findings of fact #3 Mr. Ellis made the motion to accept Findings of Fact #3. Mr. Newman seconded. MC

Findings of fact #4 Mrs. Paloncy made the motion to accept Findings of Fact #4. Mr. Ellis seconded. MC

Findings of fact #5 Mr. Ellis made the motion to accept Findings of Fact #4. Mrs. Paloncy seconded. MC

IT IS THEREFORE, the decision of the Vermillion County Board of Zoning Appeals that **PETITION NUMBER 24-01** a Special Exception for the placement of a 250' cell tower located in Clinton Township, Vermillion County, Indiana, commonly known as 14217 S ST RD 71, Clinton, IN 47842 is hereby **GRANTED** subject to any conditions stated in the minutes of this Board (which conditions are incorporated herein by reference and made a part of this decision). **Adopted this 13<sup>th</sup> day of June 2024.**

Conditions; INDOT approval, adjacent property owner be provided with a copy of the engineers letter regarding the fall certification and that our ordinance has been superseded by the Indiana State Statue 8-1-32.3-17 in regards to the 200 foot setback. (Include with the letter to the property owner a link to the State Statue.)

With no further business before the board Mr. Ellis made the motion to adjourn at 8:58p.m. Mrs. Paloncy seconded. MC

Penney Carpenter

Penney Carpenter, Recording Secretary