

**Minutes**  
**WARRICK COUNTY AREA BOARD OF ZONING APPEALS**  
Regular meeting to be held in the Commissioners Meeting Room,  
Third Floor, Historic Courthouse,  
Boonville, Indiana  
May 22, 2023 at 6:00 P.M.

**PLEDGE OF ALLEGIANCE:**

**MEMBERS PRESENT:** Terry Dayvolt, Chairman, Paul Keller, Doris Horn, Mike Moesner, Jeff Valiant, and Jeff Willis.

Members absent Mike Winge.

Also present was Morrie Doll, Attorney, Molly Barnhill, Executive Director, Jen Hollander, staff.

**MINUTES:** Upon a motion made by Doris Horn and seconded by Jeff Valiant the Minutes of the last regular meeting held April 24, 2023 were approved as circulated.

Chairman Dayvolt said when we call your name you will come to the podium, sign in, state your name and we will have a staff report at that time and we will come back to you and ask you if you have anything to add to it. He continued there is twenty minutes for anything you have to say in length, there will be twenty minutes for any rebuttals.

**SPECIAL USES:**

**BZA-SU-23-07**

**APPLICANT:** Joe & Teresa Lashley

**OWNER:** Mary Daugherty

**PREMISIS AFFECTED:** Property located on the north side of Kelly Road approximately 350 feet west of the intersection formed by Kelly Road and Folsomville Road. Skelton Twp. 5-5-7 (*Complete legal on file*) 1766 Kelly Rd

**NATURE OF THE CASE:** Applicant requests a Special Use, SU-28, from the requirements as set forth in the Comprehensive Zoning Ordinance in effect for Warrick County, IN to allow: 768 square feet in an unattached garage to be used for a home workshop, all in an "A" Agricultural Zoning District. Tabled from the April 24, 2023 meeting. *Advertised in The Standard April 13, 2023.*

Chairman Dayvolt asked for the staff report.

Mrs. Barnhill said we have all of the green cards from the notice to adjacent property owners, existing land use is a single-family dwelling and unattached accessory. She continued the surrounding zoning and land all around is "A" agricultural with single-family dwellings or vacant, there is no floodplain. She said they have an existing drive on to Kelly Road and the applicant's statement says it is a taxidermy business out of the garage.

Joe Lashley, Teresa Lashley and Mary Daugherty were present.

Chairman Dayvolt said we have the applicants and the owner here. He asked do you have anything to add to the staff report.

Joe Lashley said no sir.

Chairman Dayvolt asked if there were any questions from the Board.

Mike Moesner asked is this a seasonal thing or is it going to be pretty well all year long, how does that...

Joe Lashley said all year long, it's not much just a little supplemental income, is all it is basically.

Mike Moesner said okay.

Chairman Dayvolt asked if there were any more questions by the Board. He asked do you have anything else you would like to present the Board.

Joe Lashley said no sir.

Chairman Dayvolt asked is there anyone here to rebut this, remonstrators. He said seeing none any more questions by the Board, if not Chair will entertain a motion.

I, Doris Horn, make a motion finding of fact be made as follows from the testimony and proposed use statement:

1. The USE is deemed essential or desirable to the public convenience or welfare.
2. The USE is in harmony with the various elements or objectives of the Land Use Plan for Warrick County.
3. The USE will not be a nuisance or serious hazard to vehicles, pedestrians, or residents.
4. The USE as developed will not adversely affect the surrounding area.
5. Adequate and appropriate facilities will be provided for proper operation of the USE.
6. The specific site is appropriate for the USE.

And the Application be approved in accordance to the application and plans on file, subject to the following conditions:

1. Subject to the property being in compliance at all times with the applicable zoning ordinances of Warrick County.

2. Subject to all public utility easements and facilities in place.
3. Subject to any required Local, State or Federal Permits.
4. Subject to the owner remaining a resident of the residence.
5. Subject to the home workshop remaining in the existing 768 square foot area as shown on the plot plan.
6. Subject to Article V Special Uses, Section 5 Procedure Subsection K SU-28.

The motion was seconded by Mike Moesner and carried unanimously.

Chairman Dayvolt said you have your workshop.

Joe Lashley said appreciate it.

Teresa Lashley asked do we need anything else after this.

Mrs. Barnhill said no, we will prepare an approval for you. She said you can come by the office and pick it up, we will have it ready by tomorrow afternoon and that is it.

Teresa Lashley said thank you.

Mrs. Barnhill said welcome.

**ATTORNEY BUSINESS:**

Attorney Doll said none.

Chairman Dayvolt said that is good news.

**EXECUTIVE DIRECTOR BUSINESS:**

Mrs. Barnhill said nothing.

Chairman Dayvolt said nothing.

Attorney Doll said it's a record

(Laughing)

Chairman Dayvolt said I will entertain a motion.

Jeff Valiant made the motion to dismiss at 6:07p.m. Paul Keller seconded the motion and it carried unanimously.

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Terry Dayvolt, Chairman

ATTEST:

The undersigned Secretary of the Warrick County Board of Zoning Appeals does hereby certify the above and foregoing is a full and complete record of the Minutes of the said Board at their monthly meeting held May 22, 2023.

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Molly Barnhill, Executive Director