

STATE OF INDIANA  
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 27-2022

**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 9<sup>th</sup> day of November, 2022, the Clark County Plan Commission passed Resolution 12-2022 (see the said Resolution 12-2022 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 12-2022, dated November 9, 2022, as attached hereto, is hereby approved, and the County’s zoning maps are reclassified pursuant to the attached Resolution and subject to the Conditions set forth 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 23<sup>rd</sup> day of November, 2022.

*Members voting "NO":*

\_\_\_\_\_  
Bryan Glover, Commissioner

\_\_\_\_\_  
Connie Sellers, Commissioner

\_\_\_\_\_  
Jack Coffman, Commissioner

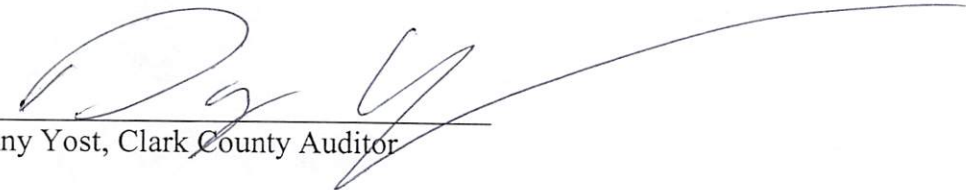
*Members voting "YES":*

  
\_\_\_\_\_  
Bryan Glover, Commissioner

  
\_\_\_\_\_  
Connie Sellers, Commissioner

  
\_\_\_\_\_  
Jack Coffman, Commissioner

*Attested by:*

  
\_\_\_\_\_  
Danny Yost, Clark County Auditor

BY THE CLARK COUNTY PLAN COMMISSION

RESOLUTION 12-2022

WHEREAS, the Clark County Plan Commission met on Nov. 9, 2022, and heard the Petition of requesting a zone map change from R-1 to B-1 on Parcel numbers; 10-03-11-900-154.000-003, 10-03-11-900-156.000-003, 10-03-11-900-161.000-003, 10-03-11-900-155.000-003, 10-03-110-00-157.000-003, 10-03-11-900-158.000-003, 10-03-11-900-160.000-003, and 10-03-11-960-159.000-003 (8 parcels), located at 2200 Tunnel Mill Rd., Charlestown, In. 47111

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:

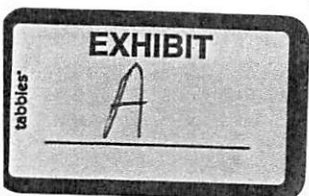
1. The Petition to rezone the real estate described in Exhibit A was heard after notice to interested persons was properly given in accordance with the ordinance and Indiana Law;
2. The Plan Commission heard and received the relevant evidence presented and deliberated on such evidence in a public meeting; and
3. The Plan Commission recommends to the Board of Commissioners of Clark County with a     -     vote as follows:

**FAVORABLE RECOMMENDATION:** The real estate described at Parcel No. 10-03-11-900-154.000-003, 10-03-11-900-156.000-003, 10-03-11-900-161.000-003, 10-03-11-900-155.000-003, 10-03-110-00-157.000-003, 10-03-11-900-158.000-003, 10-03-11-900-160.000-003, and 10-03-11-960-159.000-003 ( Should be changed from R-1 to B-1.

**UNFAVORABLE RECOMMENDATION:** The real estate described at Parcel No. 10-03-11-900-154.000-003, 10-03-11-900-156.000-003, 10-03-11-900-161.000-003, 10-03-11-900-155.000-003, 10-03-110-00-157.000-003, 10-03-11-900-158.000-003, 10-03-11-900-160.000-003, and 10-03-11-960-159.000-003 ( should NOT be amended.

**NO RECOMMENDATION:** The Plan Commission sends the rezoning petition for Parcels: 10-03-11-900-154.000-003, 10-03-11-900-156.000-003, 10-03-11-900-161.000-003, 10-03-11-900-155.000-003, 10-03-110-00-157.000-003, 10-03-11-900-158.000-003, 10-03-11-900-160.000-003, and 10-03-11-960-159.000-003 ( to the Clark County Commissioners WITHOUT RECOMMENDATION.

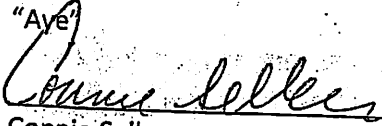
**CONDITIONS:** The Plan Commission sends the rezoning petition for re-zoning of parcels 10-03-11-900-154.000-003, 10-03-11-900-156.000-003, 10-03-11-900-161.000-003, 10-03-11-900-155.000-003, 10-03-110-00-157.000-003, 10-03-11-900-158.000-003, 10-03-11-900-160.000-003, and 10-

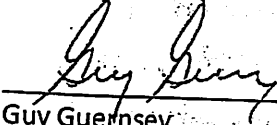


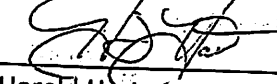
dated this 9<sup>th</sup> November, 2022

I hereby certify this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on Nov. 9, 2022.

"Aye"

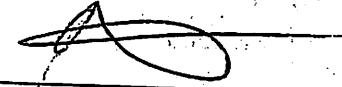
  
\_\_\_\_\_  
Connie Sellers

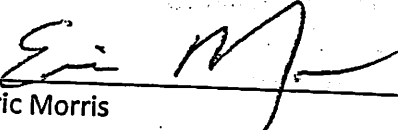
  
\_\_\_\_\_  
Guy Guernsey

  
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Harold Hart

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Kevin Christman

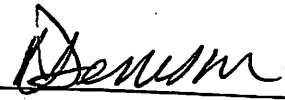
\_\_\_\_\_  
Wally Estes

  
\_\_\_\_\_  
Bart Meyer

  
\_\_\_\_\_  
Eric Morris

  
\_\_\_\_\_  
Janne Newland

ATTEST:

  
\_\_\_\_\_  
Secretary or Executive Director

"Nay"

\_\_\_\_\_  
Connie Sellers

\_\_\_\_\_  
Guy Guernsey

\_\_\_\_\_  
Harold Hart

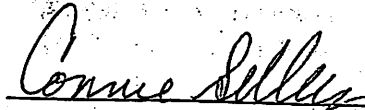
\_\_\_\_\_  
Kevin Christman

\_\_\_\_\_  
Wally Estes

\_\_\_\_\_  
Bart Meyer

\_\_\_\_\_  
Eric Morris

\_\_\_\_\_  
Janne Newland

  
\_\_\_\_\_  
Connie Sellers, President

2022-18-PC

# PC Form 1: Application Form

For Office Use Only	
Petition #	
Fee	500 + 10
Filing Date	
Hearing Date	11-9-22
<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
- Primary Plat
- Secondary Plat
- Development Plan
- Zone Map Change
- PUD District

### APPLICANT INFORMATION

Full Legal Name:	Jennifer Susan Kramp / Christopher John Kramp		
Street Address:	2200 Tunnel Mill Rd. "		
City, State, Zip:	Charlestown, IN 47111 "		
Applicant is (choose one):	Corporation	LLC	Partnership <input checked="" type="checkbox"/> Individual(s)
Primary Contact Person	Name: Chris Kramp	Phone: 812-987-2252 *	Email: cjkrampe@gmail.com
Surveyor/Engineer	Name: N/A	Phone: N/A	Email: N/A
Will the Project Use A Temporary Work Trailer:	Yes	<input checked="" type="checkbox"/> No	

### PROPERTY OWNER INFORMATION

Full Legal Name:	Jennifer Susan Kramp / Christopher John Kramp		
Street Address:	2200 Tunnel Mill Rd		
City, State, Zip:	Charlestown, IN 47111		
Phone:	812-946-1085 Jen / 812-987-2252 Chris	Email:	jdrakemills@aol.com (Jen) cjkrampe@gmail.com
Property Owner is (choose one):	Corporation	LLC	Partnership <input checked="" type="checkbox"/> Individual(s)

### PROPERTY INFORMATION

10-digit Parcel Number:	1) State ID#: 10-03-11-900-154.000-003/03-00035-070-0 (See back of page + attached (Lot #2) for rest of info)		
Property Address (Actual/approximate address or location from major streets):	380 Tunnel Mill Rd		
County Road Serving Property:	Tunnel Mill Rd	Township:	Charlestown
Subdivision Name (if applicable):	Home Wood Park	Lot Number(s) (if applicable):	2, 32, 27, 1, 31, 30, 28 + 29
Total Acreage:	3.0	Property Located in Floodway or Floodplain:	Yes <input checked="" type="checkbox"/> No
Development will be served by:	<input checked="" type="checkbox"/> Septic	Sewer (specify provider: _____)	
Current Zoning of Subject Property:	R1	Current Use of Subject Property:	Vacant
Proposed Zoning:	B1	Proposed Land Use:	Business - holistic; rent to practitioners + work there also

### 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 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):
	Printed Name(s):
	Date:
Notary Public's Name (printed):	Signature of Notary:
My Commission Expires:	Subscribed and sworn to before me this ____ day of
State/County of Residence:	_____ 20____

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

Signature of Applicant:	Jennifer Kramp	Date:	9/19/22
Notary Public's Name (printed):	_____	Signature of Notary:	
My Commission Expires:		Subscribed and sworn to before me this ____ day of	
State/County of Residence:		_____ 20____	

# Clark County Plan Commission

## Staff Report: Nov. 9, 2022

Petition 2022-18-PC: Jennifer and Christopher Kramp, 2200 Tunnel Mill Rd., Charlestown, In. 47111 is requesting a zone change from R-1 to B-1 on the following parcel numbers: 10-03-11-900-154.000-003, 10-03-11-900-156.000-003, 10-03-11-900-161.000-003, 10-03-11-900-155.000-003, 10-03-110-00-157.000-003, 10-03-11-900-158.000-003, 10-03-11-900-160.000-003, and 10-03-11-960-159.000-003 (8 parcels) in order to operate a business next to their residence for holistic/alternative wellness center with space rented to various practitioners in the form of massage therapists, accupuncture, psychics/mediums astrologers, numerologists, and other forms of therapy. The barn will be renovated and rooms/offices set up, along with an area for group therapy sessions, outdoor areas for classes, and a small store for mementoes, stones, candles, books, herbs, cystals, ets.

### APPLICATION INFORMATION:

- The applicants have provided all materials required for a complete application
- The application was sent to checkpoint agencies for review on Oct. 17, 2022 with comments only from 911 regarding the address.
- The applicant has provided all three forms of public notice as required and attested to completing the public notice as required. Additionally, the notice was sent to all owners adjoining these parcels

### STAFF COMMENTS AND RECOMMENDATIONS:

- Staff recommends approval based on the following findings:
- The Clark County UDO and comprehensive plan supports the area for development
- The area is served by the municipal water and septic-which a BZA Variance is being applied for septic on Nov. 16, 2022
- The Petitioner will maintain the road leading into the parking lot
- The Petitioner is developing land which was abandoned for a subdivision development
- The development supports responsible growth in the county
- All requirements of the UDO have been met if the recommended conditions are included.

# Zone Map Change

## Narrative

My name is Jennifer S Kramp. My husband, Christopher J Kramp, and I have purchased the property at 380 Tunnel Mill Rd, Charlestown, IN 47111. I plan to open a business on the site which is next to our residence at 2200 Tunnel Mill Rd, Charlestown, IN 47111. Therefore, I am applying for a zone map change to consider this property as a B1 zone. Below is a narrative of its proposed development, in whole, or in part, pending any restrictions or partial approvals of the zoning board, and/or based on funding.

**Nature of application:** Zone Map Change from R1 to B1

### Land use

I would like this land and its buildings to be used for a holistic/alternative wellness center with space rented to various practitioners whose work is dedicated to serving others. Renters may include, but are not limited, to the following: massage therapists, shamanic practitioners, yoga practitioners, energy workers, angel therapy practitioners TM, reiki practitioners, psychics/mediums, intuitive readers/advisors, astrologers, numerologists, social workers, and counselors (behavioral, family, marriage, etc.). We understand that we cannot rent space to a practitioner that would be able to prescribe medication and do not intend to do so. Most of these practitioners work is considered an adjunct or complement to traditional western medicine .

The property has a 30 ft x 40 ft pole barn situated behind another 30 ft x 40 ft pole barn that is attached to a 30 ft x 24 ft garage. Since this development will most likely be funded by myself and my spouse, unless we can obtain grants, loans, and/or donations toward the work (if allowed), the plans (pending architect approval and/or design for the whole project) are to build this in phases.

My/our vision is that ideally, we will have the 2 front buildings done first with an estimated 4-6 rooms to be rented. I would like 4 of the rooms to be permanent, and if possible, the other two adjoining rooms may have break away walls which would allow 2 smaller spaced rooms for rental by the day for those that may be starting in their field or who work part time and may not be able to afford a monthly rent. If the room is made larger, it could be used for meetings or smaller sized classes. Another option for that extra space would be for a small store with T-shirts, crystals, pendulums, baubles, notebooks, books, oracle cards, oils, herbs, or other items of interest that could be sold to those who visit. The current plan will be for 2 bathrooms for the front building, handicapped access, a small kitchen for those who work there, and a larger area that can be used for development groups, yoga classes, small mediumship galleries

with audiences, or other classes held by the practitioners, visiting teachers, or possibly even rented out to others in the community that would like to hold classes if not in use by those in the building.

There will also be a small room for recording pod casts or holding zoom classes. This space can also be used for mediumship cabinet training where the medium goes in a room which limits their ability to see and sometimes hear the sitter (the person being read).

The front buildings will have patios along the back (one covered and one uncovered), as well as a patio outside of the front of the building. These areas can be used for space for people to meditate, sit quietly, read, or allow added space for small classes/gatherings. There may be small chimneas, or small fire pits for burning of intentions/moon ceremonies.

I would also like to build some form of labyrinth that people can use for a walking meditation/contemplation and a medicine wheel which could be used for shamanic activities such as drum circles. One would be placed on the front lawn, and one would be placed on the back lawn on the small hill.

I would like to turn the back building into a place where we can have a monthly or quarterly psychic/holistic fairs with student and/or professional readers, alternative practitioners and/or vendors (crystals, jewelry, crafts, notebooks, cards, oils, herbs, etc.). Additional space for vendors or readers could be on some areas of the lawns as well. This gets the practitioners seen by more people and generally, prices are reduced to allow services to those who may not always be able to afford a full session.

Eventually, I would like the back building to house either a larger store and/or some space for a salt cave, themed meditation rooms, and/or more practitioner rooms with some space left for larger classes or smaller fairs as well.

I would like to grow herbs, flowers, and/or vegetables that could be sold fresh, dried, or used to make oils, lotions, or soap to be sold and/or given away. These items could be infused with crystals, reiki energy, light vibrations, and/or prayer/intentions such as abundance, peace, etc.

In the past this land has had some business in the buildings off and on but has been largely vacant and undeveloped. We purchased this property with the vision of creating a space that could benefit both small entrepreneurs and local citizens along with improving and maintaining the property itself creating an attractive space for people to gather, learn, grow, support and nurture positivity and wellness. An added benefit to all this is providing jobs and revenue for our local area.

## **Employees**

Ideally, those in the center will be their own boss and we will not be considered a partnership. We can all have our own DBA or sole proprietorship, but they will rent the space from me/us. It will be a collaborative of individuals that support one another as able. The number of



practitioners will depend on how many offices we can create. Assuming 4 offices, there could be an estimated 4-8 permanent practitioners (including me) if they choose to share space with another practitioner whose hours/days complement the times they are not working. I will either take one of the offices or share the space with others as needed. In addition, there might be 1-4 others who might rent the expandable rooms on any given day.

There has been interest already from potential practitioners for these slots.

We would like to change the designation for all lots on the property currently known as 380 Tunnel Mill Rd, so we may use the whole property for the above and/or any other future additions as allowed to expand the services being offered.

### **Hours of operation**

The hours of operation may vary, but ideally, would be open 5-7 days per week, preferably with hours on Friday, Saturday and Sunday or early evenings during the week to accommodate the clientele that might work during the week or during the day. For most activities, groups, and classes, I would think it's reasonable to assume the hours would be no earlier than 7 am and no later than 9 pm. This may change depending on the types of services offered and what hours the practitioners can work. Those that might stay in the tiny houses/camp, will be expected to adhere to quiet hours per local ordinance.

There may be a few occasions per month where a full moon or new moon ceremony might go later due to the sun setting later in the evening and there may be an occasional overnight experience.

### **Anticipated traffic generation/parking**

I would estimate approximately 4-5 practitioners in the building at any given time, with exception of group meetings, larger classes, or psychic fairs. If each practitioner is seeing 1 client every 30-90 minutes and some clients being seen on zoom instead of in-person, with practitioners working about 4-6 hours per day estimated, I feel that the daily average of clients might be around 20-30 people. However, if there is a development group or class, it's possible to get anywhere between 10-20 people for the class. Classes and special activities will generally be scheduled outside of the normal working hours for regular clients, so there should not be too many people there at once.

Currently, there is a parking lot area that should fit approximately 8 cars. There are additional areas where cars can park along the driveways to the buildings and we can expand into the grassy area to build a larger lot as needed.

### **Dates/details of previous construction/destruction**

When we purchased the property, it had been over-run by raccoons and there were multiple water leaks from the outside. During the past year, we did quite a bit of destruction to remove things that were falling apart, unsafe, or unsanitary. We began by removing part of the outdoor lean-to that was falling apart. We also did work to secure the remaining lean-to on the rear of the pole barn. Next, we tore down the ceiling in the front pole barn because it was falling down/falling apart and urine/feces soaked from the raccoons or whatever else may have been in there. We cleaned the debris that was scattered around on the floors and tore the bathroom out because the raccoons destroyed it. We also removed some of the tile flooring by the front door and front window. This work was done from June through September of 2021.

We had Mr. Roof replace the gutters and soffits on all buildings to make them weather tight and to keep the animals out. We also fixed some areas on the roof where nails were coming out. Spray foam insulation was added. We had Lowe's replace the garage doors with sliding doors because the garage doors were leaking and were not weather tight. We replaced the front door which was falling apart and not weather tight. We added a back door/small ramp for ease of access to the back patio areas. We also put a different drainage pipe out next to the building and have gotten dirt delivered to cover the pipes. Finally, storm doors were installed at the front and back doors on the front building.

We still need to insulate the attic in the smaller front building, then have electric, plumbing, ductless heat/air conditioning put in, and to have the walls for the bathrooms and offices be put up after consulting with an architect. We would like to turn the current front door on the smaller building up front (the garage section) into a wall with a window. The buildings will be painted, patios laid down, door & window trim completed. Eventually, the roof on the smaller front building will need to be replaced. We will need to have the septic system checked and fixed if needed. Similar work will have to be done on the back building as we expand into that area. A labyrinth and shamanic wheel will be built. The patios will need to be finished and furniture bought. Parking lots will need improved and may need to be expanded.

