

The Madison County Board of Zoning Appeals met on the above date at 9:00 A.M. with, Vice Chairman, Curt Stephenson, presiding.

Members Present: Vice Chairman – Curt Stephenson, Jerry Stamm, Cory Bohlander and Lisa Hobbs

Members Absent: Chairman, John Simmermon

Staff Present: Stacey Hinton and Jeff Graham

CURRENT BUSINESS

1. Prayer – Curt Stephenson
2. Pledge of Allegiance
3. Roll Call – 4 present and 1 – Absent (Chairman, John Simmermon)
4. January 25th, 2022 Board minutes – Member Stamm made a motion to accept the January 25th, 2022, board meeting. Seconded by Member Hobbs. **Motion Approved**
5. Internal Rule Change for Mailings –

The BZA and Plan Commission determines how to provide direct notice to interested parties. Three ways to notify 1. Certified Return Receipt Mail, 2. A sign in the yard and 3. General Notice in the newspaper. Certified Mail is expensive compared to proof of mailing. The current rule only allows Certified Return Receipt. The board could change the rule to allow Proof of Mailing instead. If the board would like to change that rule, a Resolution could be drafted to change it to Proof of Mailing. Discussion was had among board members and Attorney Graham. The board agreed that if the Plan Commission is on board with changing this rule, then they will make that decision. No action will be taken at this time.

Old Business

Attorney Graham introduced Interim Planning Director Rachel Christenson to the board members.

1. Petition: 2021-SU-007
Address: 2266 North 150 West, Anderson
Location: Lafayette Township, District 2 Commissioner
Petitioner: Pete McNamee
Landowners: Fidel Lopez
Zoning: CR
Request: A Special Use to allow a business to store materials on site in the Conservation Residential (CR) Zone District

Attorney Graham indicated that the first Petition 2021-SU-007 is a Special Use for Fidel Lopez and opened the floor for any Remonstrators to speak for or against this petition. Hearing none, the Board had discussion regarding the order to hear the petitions. Vice Chairman Stephenson suggested that the Variance be heard before the Special Use.

Discussion was had regarding Petition 2021-SU-007. Petitioner Pete McNamee provided the board with what the Technical Review Committee had given them. Member Stephenson made a motion to table Petition 2021-SU-007 until Interim Director Christenson can review the petition and Findings of Fact can be put together. Seconded by Member Stamm. Roll Call vote taken and was unanimous. **Petition 2021-SU-007 Tabled until the Interim Director has time to review the petition.**

2. Petition: 2021-V-014
 Address: 2266 North 150 West, Anderson
 Location: Lafayette Township, District 2 Commissioner
 Petitioner: Pete McNamee
 Landowners: Fidel Lopez
 Zoning: CR
 Request: A Variance to build a 2-Story home with living quarters on the 2nd floor with the garage on the first floor in the Conservation Residential (CR) Zone District

Petitioner spoke to board members explaining how they had gotten to this point and what their intention have been. The Variance is to allow living quarters on the second floor. Ordinance requires 40% living space on the first floor. Discussion was had among board members, Mr. Lopez's contractor Pete McNamee and Mr. Lopez. Remonstrators were present and spoke to board members.

After discussion was had among board members, Interim Director Christenson and Petitioner, Member Hobbs made a motion to table Petition 2021-V-014 until Interim Director Christenson could review the petition and Findings of Fact can be put together. Seconded by Member Stamm. Roll Call vote taken and was unanimous. **Petition 2021-V-014 Tabled until the Interim Director has time to review the petition.**

NEW BUSINESS

1. Petition: 2022-V-001
 Address: 193 Suburban Drive, Anderson
 Location: Union Township, District 1 Commissioner
 Petitioner: Jeffrey Kinder
 Landowners: Jeffrey Kinder
 Zoning: R2
 Request: A Variance to build an Accessory Structure in Front of a Primary Structure in the Sing-Family Residential (R2) Zone District

Vice chairman Stephenson indicated that Petition 2022-V-001 is a variance to build an accessory structure in front of a primary structure in the R2 zoning district. Petitioner, Jeff Kinder spoke to the board and what his plans were. Remonstrators were present and

spoke. Vice Chairman Stephenson read a letter from a Gunther Fix who stated he was not properly notified of the meeting and contest the building of the pole barn next to his property.

After discussion was had among board members, Attorney Graham, petitioner and Interim Director Christenson, Member Hobbs made a motion to table Petition 2022-V-001 until proper notification has been sent out. Seconded by Member Bohlander. Roll Call vote taken and was unanimous. **Petition 2021-V-001 Tabled for proper Notification until the next meeting.**

2. Petition: 2022-V-002
 Address: 10986 South 400 West, Pendleton
 Location: Fall Creek Township, District 1 Commissioner
 Petitioner: Matthew Collins
 Landowners: Matthew Collins
 Zoning: AG
 Request: A Variance to build an Accessory Structure in front of a Primary Structure in the Agriculture (AG) Zone District

Vice Chairman Stephenson indicated that Petition 2022-V-002 is for a Variance to build an Accessory Structure in front of a Primary Structure in the Ag zoning district. Petitioner spoke to the board and explained why he would like the pole barn in the location indicated on the site plan. Interim Director Christenson indicated to the Petitioner that she would like to see a survey of the property so she can make a better recommendation to the board. No Remonstrators were present.

After discussion was had among board members, Attorney Graham, Petitioner and Interim Director Christenson, Vice Chairman Stephenson made a motion to table Petition 2022-V-002. Seconded by Member Stamm. Roll Call vote taken and was unanimous. **Petition 2022-V-002 Tabled until the March meeting.**

3. Petition: 2022-SU-001
 Address: 8010 West 1000 South, Fortville
 Location: Green Township, District 2 Commissioner
 Petitioner: Kay DeLullo
 Landowners: Samuel Dowden
 Zoning: CR
 Request: A Special Use for a Horse Boarding Facility in the Conservation Residential (CR) Zone District
4. Petition: 2022-SU-002
 Address: 8010 West 1000 South, Fortville
 Location: Green Township, District 2 Commissioner
 Petitioner: Kay DeLullo
 Landowners: Samuel Dowden
 Zoning: CR
 Request: A Special Use for a Seasonal Farm Worker Housing in the Conservation Residential (CR) Zone District

5. Petition: 2022-V-003
Address: 8010 West 1000 South, Fortville
Location: Green Township, District 2 Commissioner
Petitioner: Kay DeLullo
Landowners: Samuel Dowden
Zoning: CR
Request: A Special Use for a Horse Boarding Facility in the Conservation Residential (CR) Zone District

Vice Chairman Stephenson indicated that Petition 2022-SU-001 is a Special Use for a Horse Boarding Facility in the CR Zone District. Attorney Graham asked if the board would like to hear all 3 Petitions together. The board agreed.

The first petition is a Special Use for a Horse Boarding Facility, the second is a Special Use for Seasonal Farm Worker Housing and the last is a Variance for Season Worker Housing square footage to be less than 1000 square feet. Petitioner Kay DeLullo spoke to the board and explained what she does and what her plans are for this facility and the land. Remonstrators were present and spoke.

After much discussion was had among board members, Attorney Graham, Petitioner, and Interim Director Christenson, Member Hobbs made a motion to continue the meeting until Tuesday, March 8th at 11am. Seconded by Member Stamm. Roll Call vote taken and was unanimous. **Meeting Continued until Tuesday, March 8th at 11am.**

Miscellaneous

Member Stamm indicated that the November 23rd meeting minutes were tabled at the last meeting due to lack of majority vote. Since the November minutes were not on this month's agenda, they will need to be tabled until the March meeting. Member Stamm made a motion to table the November 23rd, 2021 meeting minutes for approval until the March meeting date. Seconded by Member Hobbs. Roll call vote taken and was unanimous. **Motion Approved**

Interim Director Rachel Christenson indicated that they still had someone who would like to speak regarding the Horse Boarding Facility. Morgan Finky spoke to the board regarding the tabled petitions by Petitioner Kay DeLullo. She was asking for some clarification. Attorney Graham helped to answers her questions.

Adjournment

Vice Chairman Stephenson made a motion to continue the February meeting until Tuesday March 8th at 11 am. **Meeting continued**



Curt Stephenson, Vice Chairman



Stacey Hinton, Board Secretary