

The Madison County Plan Commission met on the above date at 9:00 A.M. with Vice President Cory Bohlander presiding.

Members Present: Cory Bohlander, Vice President, John Simmermon, Tom Shepherd, Lindsay Brown, Jerry Alexander, and Mark Gary

Members Absent: President - Wes Likens, John Richwine, and Denise Spooner

Also Present: Larry Strange – Planning Director, Jeff Graham - Attorney, and Stacey Hinton - Board Secretary

### Current Business

Prayer – John Simmermon

Pledge of Allegiance

Roll call : 5 - Present and 4 – Absent (Denise Spooner, Lindsay Brown, John Richwine, Wes Likens)

**Amendment:** Vice President Bohlander indicated the board would need a motion to amend the agenda to add the August 31<sup>st</sup> special meeting minutes to the agenda. Member Gary made a motion to amend the agenda, Seconded by Member Simmermon. Voice call vote taken and was unanimous. **Motion approved.**

**Approval of the August 31<sup>st</sup>, 2022, Special Meeting Minutes.** Member Simmermon made a motion to accept the August 31<sup>st</sup>, 2022, board Minutes. Second by Member Shepherd. Voice call taken and was unanimous. **Minutes Approved.**

**Approval of the September 13<sup>th</sup>, 2022, board minutes.** Member Simmermon made a motion to accept the September 13<sup>th</sup>, 2022, Board Minutes. Since there were not enough voting members to approve the September minutes, meeting minutes would be tabled until the November 7<sup>th</sup> meeting.

Secretary Hinton indicated that at our last meeting Member Brown stated he was present at the August meeting and would like the record to state that. However, after rewatching the meeting, he was not present at that meeting and that minutes would stay the same with no corrections.

**Old Business**

1. Petition: 2022-Z-006 and 2022-Z-007 – ***Tabled from July & August***  
 Address: Multiple Addresses -  
 Location: Green Township, District 2 Commissioner  
 Petitioner: Gradison Land Development, Inc  
 Landowners: Multiple Landowners  
 Zoning: AG – Agriculture  
 Request: A Rezone from AG to R3 and MR for proposed residential development in the (AG) Agricultural Zone District

Director Strange indicated to board members that he received notice from Gradison requesting a continuance until November. They were going back to the drawing board. Member Simmermon made a motion to accept the requested continuance until the November 7<sup>th</sup> board meeting. Seconded by Member Gary. Voice call vote taken and was unanimous. **Petition 2022-Z-006 and 2022-Z-007 tabled until the November 7<sup>th</sup> board meeting.**

**New Business**

1. Petition: 2022-Z-010  
 Address: 705 E School Street  
 Location: Richland Township, District 3 Commissioner  
 Petitioner: Kelly Drews  
 Landowners: Kelly Drews  
 Zoning: LI – Light Industrial  
 Request: A Rezone from LI to GI to bring into compliance in the (LI) Light Industrial Zone District

Director Strange indicated to board members that Kelly Drews did not get his ad placed in time and that he was requesting a continuance until November meeting. Member Gary made a motion to table Petition 2022-Z-010 until the November 7<sup>th</sup> board meeting. Seconded Member Alexander. Voice call vote taken and was unanimous. **Petition 2022-Z-010 tabled until the November 7<sup>th</sup> meeting date.**

2. Petition: 2022-Z-008  
 Address: 3574 East State Road 236, Anderson  
 Location: Union Township, District 1 Commissioner  
 Petitioner: John Spears  
 Landowners: John Spears  
 Zoning: CR  
 Request: A Rezone from CR to AG to allow a business classified as industrial uses (low impact) to operate in the (AG) Agriculture Zone District

Director Strange indicated to board members that the request is a rezone from Conservation Residential to Agriculture. Director Strange noted that the original application was for a rezone to Local Commercial and was done before he came in. When he reviewed the file, he felt, in his opinion, that it would be more appropriate for it to be rezoned to Agriculture. They would still be able

to get to the same outcome which is a Special Use to do what they want to do, and the zoning would also be less of a change from the current zoning of Agriculture to the current zoning of Local Commercial activity. Proposal states that Mr. Spears is rezoning his property to AG and that he would have to get a Special Use from the Board of Zoning Appeals. Petitioner operates a business called Speartech Fuel Injection Systems which has been sold. Director Strange did go out and visit the site. Staff recommendation is to approve the rezone request and forward to the board of commissioners with a favorable recommendation. Discussion was had among board members and Director Strange.

Petitioner and the Petitioners Attorney Jonathon Cook was present and spoke to board members. Attorney Cook indicated that Mr. Spears does live on the property in the front. He has been running the business out of his garage for 10 years. They have 6 full-time employees and 1 part-time employee. They have operated like for at least 10 years. The business just sold to Holley Performance Products. Holley does not intend on moving or increasing the size of the operation. The plan is to keep the business at the location until Mr. Spears no long runs the business or they grow a little more, than they would move out of that location. No remonstrators were present. Mr. Spears did speak to board members. He indicated it was an internet-based business and no customers were on site.

Vice President Bohlander asked that Stacey make a note that Lindsay Brown came in at 9:13 a.m.

After discussion was had, Member Simmermon made a motion for a Favorable Recommendation to the Board of Commissioners with Staff Findings of Fact. Findings of Fact were not done so Member Simmermon amended his motion to not include the Findings of Fact. Seconded Member Shepherd. Voice call vote taken and was unanimous. **Petition 2022-Z-008 Motion Approved for a Favorable Recommendation to the Board of Commissioners.**

- 3. Petition: 2022-W-005
- Address: 2320 East US 36, Markleville
- Location: Adams Township, District 1 Commissioner
- Petitioner: Richard & Lana Evans
- Landowners: Richard & Lana Evans
- Zoning: AG – Agriculture
- Request: A Waiver for relief of lot width from 200' to 168.25' in the (AG) Agriculture Zone District

Director Strange indicated to board members that the request is a waiver to reduce required lot with from 200' to approximately 170'. The petitioner seeks to create a new 2-acre lot on their family farm in Adams township for their daughter to continue to live in the home that is currently there. Discussion was had among board members and Director Strange. Planning and Zoning Administrator, Elizabeth Bruns, was present is spoke to board members explaining how the split would work. No Remonstrators were present.

Petitioner was present and spoke to board members. After discussion was had Member Gary made a motion to approve Petition 2022-W-005 based on Staff Findings of Fact. Seconded by Member Brown. Voice call vote taken and was unanimous. **Petition 2022-W-005 Motion Approved**

Member Gary noted that the agenda stated the petition was 2022-W-010 but the staff reports states 2022-W-005. Board agreed and Secretary Stacey agreed it should have been 2022-W-005. Duly noted and would be correct on minutes.

FINDINGS OF FACT FOR WAIVER

1. The granting of the waiver will not be detrimental to public safety, health, or welfare – No. There is nothing in this proposal that would cause a change to result in a negative living environment.
2. The granting of the waiver will not be injurious to the reasonable use and development of other property – No. There is no major change to how the property is used.
3. The conditions upon which the request for waiver is based are unique to the property for which it is sought and are not applicable generally to other property. Yes. The owners wish to keep the farmland as part of their property.
4. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a hardship to the owner would result if the strict letter of these regulations were carried out. – The property as configured does not allow for the required width waiver.
5. The waiver will not contradict the intent of the Madison County Zoning Ordinance or Comprehensive Plan. – No. There is no contradiction to the zoning ordinance as a result of this waiver.

Miscellaneous

Fee Schedule – Director Strange present the fee schedule and explained how staff went about the increase. After Discussion, Member Brown made a motion for a Favorable Recommendation to the Board of Commissioners for approval with amendments. Seconded by Member Simmermon. Voice call vote taken and was unanimous. **Fee Schedule Approved with a Favorable Recommendation to the Board of Commissioners.**

Public Comment:

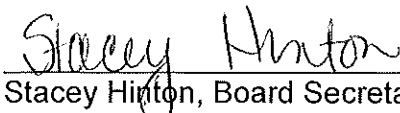
Township trustee Greg Valentine spoke to the board regarding a run-down property that has a violation. Planning & Zoning Administrator, Elizabeth Bruns, spoke as well regarding Mr. Bucklou. Discussion was had among board members, Director Strange, Attorney Graham and Elizabeth Bruns.

Member Brown made a motion to adjourn, seconded by Member Simmermon. **Motion approved.**

**Meeting Adjourned 09:50:43 a.m.**

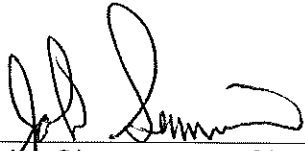


Cory Bohlander, Vice President



Stacey Hinton, Board Secretary

The Madison County Board of Zoning Appeals did not meet on the above date at 9:00 A.M.



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John Simmermon, Chairman



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Stacey Hinton, Board Secretary