



Minutes Tipton County Board of Zoning Appeals December 4, 2024 6:00 p.m.

The Tipton County Board of Zoning Appeals held its regular meeting on Wednesday, December 4, 2024, at 6:00 pm, in the 1st Floor Meeting Room of the Tipton County Courthouse, 101 East Jefferson Street, Tipton, Indiana. The minutes are as follows:

Call to Order

Korey Henderson called the meeting to order at 6:00 p.m.

Roll Call

Members in attendance: Doug Heron, Korey Henderson, Gary David, and Joe Mahaney.

Members absent: Bob Powell.

Staff in attendance: Judy Coker, Evan Piske, and David Langolf Smith.

Staff absent: None.

Modifications to Agenda / Agenda Summation

None from staff or members.

Approval of Minutes

a) November 6, 2024, Minutes.

Doug Heron motioned to approve the minutes from the November 6, 2024 meeting. Gary David seconded the motion to approve. Hearing no discussion, the motion passed 4-0.

Public Hearings

a) CO-V-23-24 Hilderbrand Development Standard Variance

Korey Henderson opened public hearing for CO-V-23-24.

Talitha Hilderbrand came forward to represent the petitioner.

There was no public that came forward in opposition.

Discussion ensued concerning plans and existing facilities on the property.

Hearing no further questions for the petitioner Korey Henderson closed the public hearing.

Discussion amongst the board members ensued regarding future use, restrictions possible, and the criteria to be met.

The board made the decision to vote upon each criterion that the petitioner is to meet.

Joe Mahaney made a motion to approve under criteria A. Gary David seconded the motion to approve under criteria A. The motion passed 4-0 by roll-call vote.

Roll Call:

Doug Heron- Yes

Korey Henderson- Yes

Gary David- Yes

Joe Mahaney- Yes

Brief discussion ensued about criteria B; hearing nothing further, Joe Mahaney made the motion to approve under criteria B. Gary David seconded the motion to approve under criteria B. The motion passed 4-0 by roll-call vote.

Roll Call:

Doug Heron- Yes Korey Henderson- Yes Gary David- Yes
Joe Mahaney- Yes

Brief discussion ensued about criteria C; hearing no further discussion, Joe Mahaney made the motion to approve under criteria C. Gary David seconded the motion to approve under criteria C. The motion passed 4-0 by roll-call vote.

Roll Call:

Doug Heron- Yes Korey Henderson- Yes Gary David- Yes
Joe Mahaney- Yes

After further discussion the chair entertained a motion to clarify the previous approvals. The clarification is that only Talitha Hilderbrand is permitted to live in the accessory dwelling. Doug Heron seconded the motion. The motion was passed 4-0.

b) CO-V-24-24 Rieth-Riley Construction Co., Inc. Use Variance

Korey Henderson opened the public hearing for CO-V-24-24.

Rob Kopinski came forward as the petitioner to present to the board about the company that he is representing, the application before the board, and reasons for their plans moving forward.

Scott Stein came forward to speak about plans for operations at the asphalt plant both daily and annually in scale.

Rob Kopinski came forward again to discuss further plans for timing, as well as some community benefits from the plant being located in the proposed parcel. Also, Rob talked through the criteria and how Reith Riley believes that all individual criteria have been met. There was no public that came forward in opposition to the petitioner.

There was no public that came forward in favor of the petitioner.

The board asked staff about the notification of neighbors and the legal notices.

Joe Czarnecki came forward to talk about a specific situation with an adjoining property owner that Ward Stone has spoken to since the November meeting.

Hearing nothing further, Korey Henderson closed public hearing.

Discussion ensued concerning neighboring properties to the petitioner's proposed parcel. Brad Ward came forward to speak about the neighboring properties.

Discussion concerning VOC's (volatile organic compounds) that may be emitted from the asphalt plant, safety, and general specifics about the asphalt plant.

The board then discussed all of the criteria that the petitioner has to meet.

The board made the decision to vote upon each criterion that the petitioner is to meet.

Brief discussion ensued concerning criteria A; hearing no further discussion, the chair entertained a motion by Joe Mahaney to approve under criteria A. The motion passed 3-1 by roll-call vote.

Roll Call:

Doug Heron- No Korey Henderson- Yes Gary David- Yes
Joe Mahaney- Yes

Brief discussion ensued pertaining criteria B; hearing no further discussion, the chair entertained a motion by Joe Mahaney to approve under criteria B. The motion passed 4-0 by roll-call vote.

Roll Call:

Doug Heron- Yes Korey Henderson- Yes Gary David- Yes
Joe Mahaney- Yes

Brief discussion ensued pertaining criteria C; hearing no further discussion, the chair entertained a motion to approve under criteria C. The motion passed 4-0 by roll-call vote.

Roll Call:

Doug Heron- Yes Korey Henderson- Yes Gary David- Yes
Joe Mahaney- Yes

Brief discussion ensued pertaining criteria D; hearing no further discussion, the chair entertained a motion by Joe Mahaney to approve under criteria D. The motion passed 4-0 by roll-call vote.

Roll Call:

Doug Heron- Yes Korey Henderson- Yes Gary David- Yes
Joe Mahaney- Yes

Brief discussion ensued pertaining criteria E; hearing no further discussion, the chair entertained a motion by Joe Mahaney to approve under criteria E. The motion passed 4-0 by roll-call vote.

Roll Call:

Doug Heron- Yes Korey Henderson- Yes Gary David- Yes
Joe Mahaney- Yes

Korey Henderson entertained a motion for the approval of case CO-V-24-24. Joe Mahaney motioned to approve the use variance, seconded by Gary David. The motion carried 3-1, by roll-call vote.

Roll Call:

Doug Heron- No Korey Henderson- Yes Gary David- Yes
Joe Mahaney- Yes

Old Business

a) CO-V-20-24 Ward Findings of Fact

Brief discussion ensued about the findings of fact before the board. Hearing no further discussion, Gary David moved to motion for approval of the findings of fact for CO-V-20-24. Seconded by Doug Heron. Motion carried 4-0.

New Business

a) None.

Staff-Judy Coker- spoke about the changes being made to the board as elected officials are moving forward from the BZA, thanking those that have served on the board and wishing them luck. Also, reminding members of the training that the staff is holding on Dec. 5th and that there are updated ordinances for all members.

Chairman Korey Henderson thanked the board members as he is moving to County Council.

Adjournment

There being no further business or discussion, Gary David made a motion to adjourn the meeting at 7:03 p.m. Seconded by Doug Heron. Motion Carried 4-0.


Chairman


Executive Director

1-8-25
Date

January 8, 2025
Date