

December 6, 2021

Council Chambers  
Vigo County Annex  
Terre Haute, Indiana

**Present:** Mike Morris, Chris Switzer and Brendan Kearns

10:30 a.m. the Board held a rezoning hearing.


**UZO #16-21:** Parcel No. 84-03-31-100-013.000-012. This is an existing pole barn with an address of 5215 Rosedale Road, Terre Haute, Indiana. This property is located on the right side of Rosedale Road approximately 230 feet north of N. Mill Dam Road. The proposed use is the on-going use of heavy equipment repair. Currently zoned A-1 Agricultural District with the proposed zoning to be C-7 General Commercial District. Surrounding uses are agricultural or residential. Property owners and petitioners are Frank and Carol Davis and are represented by Tim Hayes.

Petitioners requested rezoning of the newly created Lots 2 and 3 to allow the legal non-conforming use to continue. The rezoning will bring the property into compliance and is necessitated by subdivision of the property. This use and zoning classification would not normally be looked upon favorably but this use has been in place for many years with no complaints. All public use areas will need to be hard surfaced and the site plan calls for white rock to remain. The Board of Zoning Appeals will need to approve a variance for it to remain white rock. There is adequate parking. Adequate vegetative coverage is in place to substitute for the Type C buffer. It did receive a favorable recommendation from the Area Plan Commission with approval of the major subdivision and the Board of Zoning Appeals approval for the variance for the non-hard surface. There were no remonstrators present at the meeting. Attorney Tim Hayes gave additional information about the property being requested for rezoning. After further discussion, Mike Morris made a motion to approve the zoning for the property. Brendan Kearns seconded the motion. Upon a voice vote of 3-0, the motion was unanimously passed.


**UZO #15-21:** Parcel No. 84-10-16-377-012.000-018. This property is located on the west side of State Road 159 approximately 100 feet south of the intersection of State Road 46 with an address of 6221 State Road 159, Terre Haute, Indiana. The proposed use is a beauty salon. It is currently zoned R-2 Family Residential with a proposed zoning to C-1 Neighborhood Commercial.

The corner of State Road 159 and State Road 46 is heavily trafficked and over time commercial uses have developed and been encouraged. The placement of a beauty salon should have a minimal impact on the surrounding uses. Petitioner should have sufficient room for parking. Petitioner must install a Type C buffer yard along the north property boundary. A landscape and buffer plan was not submitted as a part of the site plan. Petitioner will need to demonstrate that the minimum front and side yards can be met or BZA approval for a reduction will be needed. Hard surfaced public use areas are needed. Commercial design and drive cut approval from INDOT is required. A favorable recommendation was received subject to the submittal and approval of a landscape and buffer plan, hard surfacing of all public use areas and approval from INDOT of the commercial drive cut design and location. There were no remonstrators present at the meeting. Brendan Kearns made a motion to approve the zoning for the property. Mike Morris seconded the motion. Upon a voice vote of 3-0, the motion was unanimously passed.


There being no further business, it is now ordered the Board be recessed.

 12-7-2021

Mike Morris, President




Chris Switzer, Vice President



Brendan Kearns, Secretary

Attest:



James W. Bramble, Auditor