

December 6, 2022

Commissioners Conference Room
Vigo County Government Center
Terre Haute, Indiana

Present: Chris Switzer and Mike Morris
9:20 a.m. the Board held a rezoning hearing.


OLD BUSINESS

UZO #14-22: Parcel No. 84-13-22-200-004.000-006. This property does not have an address but is the vacant field located approximately 3,000 feet south of the intersection of Hook Drive/Pimento Circle on the west side of S. US Highway 41 in Terre Haute, Indiana. This UZO was previously tabled. It is currently zoned A-1 Agricultural and the proposed zoning is for the M-1 Light Industrial District for the research laboratory. At both the Area Plan Commission meeting and the Commissioners' meeting, there have been quite a bit of public comment. There were letters of remonstrance. The petitioner has been at all meetings and has hired counsel. Richard Shagley, attorney for the petitioners Lindy and Marilyn Miller who are the owners of LFM Quality Laboratories, stated that they are requesting this property to be rezoned from A-1 Agricultural and M-1 Light Manufacturing. Many public comments have been made during this process with the majority not pertaining to rezoning. Ultimately the question is whether or not light manufacturing is a good fit for this location. This area is on a state highway with mixed use. They feel it would be a good fit and ask again today that this property be rezoned. Commissioner Switzer asked if there were any comments regarding the rezoning or something they have not heard at prior meetings. Nancy Hoopingartner spoke against the rezoning and gave her reasoning why she felt this should not be rezoned. Howard Kruzan commented about his experience in working in animal facilities and gave his reasoning why he felt that this rezoning should be granted. Steven Gwin, representing the Gwin family who owns property adjoining both parcels in question, expressed his concerns, which included possible added insurance costs living next to an industrialized area; environmental concerns about runoff into area bodies of water that could affect well water and expenses associated therewith; containment of accidents; and fires that could happen in the forested areas of the property. Commissioner Morris asked Vigo County Assessor Kevin Gardner about appraised values of property. There was discussion about property values and classifications and how it affected adjoining properties. Mr. Shagley responded to some of the concerns expressed by Mr. Gwin and said that there should be no negative impact as far as insurance. As far as environmental concerns, all property owners are responsible for what happens on their property. LFM is regulated by several federal and state agencies, but they would have to answer to IDEM if the creeks/ponds become contaminated. Any waste with the business being proposed is self-contained and petitioners intend to be responsible property owners and maintain their property. Mr. Shagley also said that taxes for the county would increase on these parcels and that the company would increase their job numbers from 7 full time jobs to 20 full time jobs. There was a discussion about uses for M-1 Light Industrial classifications and Jared Bayler read Section 10-1-b-1 of the Indiana Code which listed permitted uses under M-1 District. Mr. Gwin asked if they, as property owners, would have to grant any utility easements or rights-of-way and it was determined that all utilities already existed along U.S. 41. Samantha Morton, the Indiana director for the Humane Society of the United States, spoke against the rezoning. There was a discussion about the Area Plan Commission forwarding this with a favorable recommendation and the staff recommendation of unfavorable. The 14-member board of the Area Plan Commission unanimously gave this a favorable recommendation. Commissioner Switzer said that the meeting today was to simply decide to rezone a piece of property if it was fit for a business to grow. Mr. Switzer then made a motion to approve the rezoning and spoke briefly about his reasoning. Mike Morris seconded the motion. Upon a voice vote of 2-0, the motion unanimously passed.

With no further business, the Board recessed at 9:50 a.m.


Chris Switzer, President


Mike Morris, Vice President


Brendan Kearns, Secretary

Attest:


James W. Bramble, Auditor