

April 8, 2019

Commissioners' Conference Room

Vigo County Annex

Terre Haute, Indiana

Roll Call:

Present: Brad Anderson, Judy Anderson, Brendan Kearns

Others Present: County Attorney Mike Wright, County Auditor James Bramble, Jared Bayler, Dale Sowards, Sydney Holmberg, Richard Shagley II, Howard Greninger, Carl Bender, Joanne Woodcock, Buzz Woodcock, Laurie Elliott, Michelle Welch, Meri Kay Hoopingarner, Angela Scoggins, John Hoopingarner, Dale Sowards, Gary Krackenbeager, Farris Scoggins

10:30 AM the Board held a rezoning hearing.

UZO #3-19; Parcel No. 84-09-26-351-008.000-004. Common Address 8680 S. US Highway 41, Terre Haute, IN 47802. The location of the property is located at the corner S. US Hwy 41 and East Dallas Drive. Rezone from R-1 Single Family Residential District to C-3 Regional Commercial District. Proposed use is Storage units and other commercial use. Property owner is JML,LLC. There were no remonstrators present at the Area Plan Commission meeting or at this meeting. Received a favorable recommendation from the Area Plan Commission with the following conditions:

1. Approval of a landscape plan.
2. Hard surfacing of current public use areas or approval by the BZA for relief of the standard.
3. Evidence of the removal of all livable areas from the property.

Motion: to approve rezoning, **Action:** Approved, **Moved by:** Brendan Kearns, **Seconded by:** Judy Anderson, **Passed:** all ayes.

UZO #4-19; Parcel No. 84-07-15-353-003.000-008. Common Address 7990 E. Gospel Grove Avenue, Terre Haute. The location of the property is located approximately 367 feet east of the intersection of North Chamberlain Street and East Gospel Grove Avenue. Rezone from R-1 Single Family Residential District to P.U.D District. Proposed use is boarding facility for service animals and private residence. Property owner and petitioner is Farris and Angela Scoggins. There were a few remonstrators at the Area Pan Commissioner meeting and at this meeting. Received an unfavorable recommendation from the Area Plan Commission.

Some of those present to speak against the rezoning were as follows:

1. Carl Bender- 1164 N. Farrier Street Terre Haute, IN 47803
2. Joanne Woodcock- 1251 N. Hunters Court Terre Haute, IN 47803
3. Buzz Woodcock- 1251 N. Hunters Court Terre Haute, IN 47803

Their concerns were the smell, manure not being picked up and possibly running down the stream causing bacteria, the maintenance of the property not staying kept up, not giving the horses their proper care and the horses not having enough room to run and grow on the property.

Those that spoke in favor were as follows:

1. Laurie Elliott- 3279 E. Margaret Ave Terre Haute, IN 47802
 - a. Laurie stated the manure is being picked up and she is receiving the manure from Angela's horses. Laurie owns The Pickery and is using the manure for her garden.
2. Michelle Welch- 1045 N. Chamberlain Street Terre Haute, IN 47803
 - a. Michelle lives next door to Angela and stated Angela is always outside 2 to 3 times a day taking care of her horses. The horses keep Angela going every day to live her life as she has kept the horses going to live their life. The horses don't make constant noise, there is no odor and they are friendly to everyone.
3. Meri Kay Hoopingarner- 4596 W. Thralls Ave West Terre Haute, IN 47885
 - a. Meri is Angela's sister and she stated these horses keep Angela going in life. She loves these horses, gives them constant care and love and plays with them.
4. Angela Scoggin- 7990 E. Gospel Grove Ave Terre Haute, IN 47803
 - a. She is willing to do anything to keep her horses at home with her. She stated she gives them constant care and they make her happy.

Dale Sowards, Vigo County Code Enforcement, presented a copy of Horse Care from The Humane Society and stated Angela Scoggins is not providing the proper care for her horses.

Richard Shagley II, an attorney, is representing Angela Scoggins. He stated at the time Angela had no recollection of knowing she couldn't have horses as pets where she lives. She has had a pony for about 10 years now and has had the miniature horses for the past 2 years. These horses are therapeutic to her they are just not pets. She takes care of the horse's everyday throughout the day.

Commissioner Kearns stated he drove to Angela Scoggins property to see the horses and noticed a stream of water running with a possibility of the horses manure running into it causing bacteria and the chance of children playing in it.

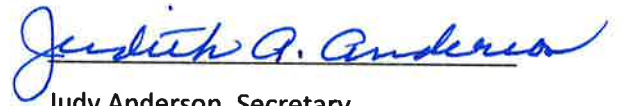
Motion: to deny rezoning, **Action:** Denied, **Moved by:** Judy Anderson, **Seconded by:** Brendan Kearns, **Passed:** all ayes.

Jerad Bayler, Director of Area Planning presented Resolution 2-19. The Vigo County Area Plan Commission's findings for a favorable recommendation to amend the floodplain ordinance section of the Vigo County unified zoning ordinance.

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



Brad Anderson, President

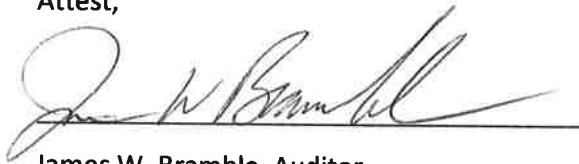


Judy Anderson, Secretary



Brendan Kearns, Member

Attest,



James W. Bramble, Auditor