

Commissioners' Conference Room
Vigo County Government Center
Terre Haute, Indiana

Present: Mike Morris and Mark Clinkenbeard

9:15 a.m. the Board held a rezoning hearing.

UZO #3-24: During 2022, Senate Enrolled Act 411 was passed which created voluntary, consistent statewide commercial solar and wind energy standards. If we choose to adopt either or both of the solar and wind energy standards, Vigo County would then be declared a "solar energy ready community" and/or a "wind energy ready community". This is voluntary participation in providing information concerning permits required for commercial solar projects and wind power projects and establishes our community for any future incentives that may come should any of them choose to locate here. The County's original application had been declined because of the interpretation of the term "regulation". This was revisited with the Ordinance Committee, who offered a favorable recommendation, the Area Plan Commission forwarded a favorable recommendation, and staff also forwarded a favorable recommendation. If this is approved, we will be re-applying in June and anticipate receiving a favorable status from the State. Mike Morris made a motion to adopt the amendment to the Unified Zoning Ordinance under the Special Districts. Mark Clinkenbeard seconded the motion. Upon a voice vote of 2-0, the motion unanimously passed.

UZO #4-24: Parcel Nos. 84-02-34-255-007.000-013/020/003 and 84-02-34-251-002.000-013/003/004. This is property located at 5155, 5171, and 5273 North 13th Street, Terre Haute, Indiana. Currently zoned R-1 Single Family Residential District, with the proposed zoning to be C-3, Regional Commercial District. Surrounding uses are R-1 to the north, R-1 to the south, R-1 to the east, and M-2 Heavy Industrial to the west. Property owner and petitioner is Mackenzie Patrick Goodman. The petitioner has requested the rezoning to allow for an automobile diesel repair shop. Property owner owns and operates a diesel repair shop at 5171 North 13th Street which currently operates in an R-1 under the umbrella of legal nonconforming. He has been operating since late 2022 and there have been no complaints filed. He now wishes to expand and add on which would end the protections offered under the legal nonconforming status. He therefore wishes to bring the property into compliance and also rezone the property to the north for use in conjunction with the business. He will be expected to install a type C buffer against residential uses. Hard surfacing of public use areas is needed and BZA relief for front setbacks. Staff offered a favorable recommendation with the conditions aforementioned. Area Plan Commission also offered a favorable recommendation. There was one remonstrator at the meeting with some concerns about traffic in the alley and possible potential runoff. There was a brief discussion. Mark Clinkenbeard made a motion to approve this rezoning. Mike Morris seconded the motion. Upon a voice vote of 2-0, the motion unanimously passed.

UZO #5-24: Parcel No. 84-02-18-130-003.000-025. This is property located at 2477 Durkees Ferry Road, West Terre Haute, Indiana. Currently zoned R-S Single Family Residential Suburban District, with the proposed zoning to be C-3, Regional Commercial District. Surrounding uses are R-S to the north, C-41 to the south, R-1 to the east, and R-1 to the west. Property owners and petitioners are Jason and Amber Cowger. The petitioners have requested the rezoning to rezone the New Goshen Pub from R-S to C-3.

The property currently contains a single family home and Pub. Both uses are allowed to exist under the blanket of nonconformity as long as no changes or alterations are made. Property owner would like to bring the property into compliance. Commercial zoning will require the existing single family home to either be

removed or converted to a use to support the business or any other use allowed in a C-3 District. Variances (setbacks, parking, hard surfacing, landscaping—type C buffer) will be needed to allow the property to comply with development standards. Staff offered a favorable recommendation with BZA approval for the aforementioned items. Area Plan Commission also forwarded a favorable recommendation. One letter of remonstrance was received from Renda Thornton stating she was in favor as long as it did not become an eyesore but was against it if was going to become an eyesore, increase property taxes, or decrease property values. Attorney Richard Shagley, who represented the property owners, briefly reviewed the matter. After a short discussion, Mark Clinkenbeard made a motion to approve this rezoning. Mike Morris seconded the motion. Upon a 2-0 voice vote, the motion unanimously passed.

The meeting was adjourned at 9:30 a.m.



Chris Switzer



Mike Morris

Attest:


James W. Bramble, Auditor

Mark Clinkenbeard