



# **Minutes**

## **May 4, 2023**

### **Tipton County Plan Commission**

The Tipton County Plan Commission held its regularly scheduled meeting on Thursday, May 4, 2023, in the 1<sup>st</sup> floor meeting room of the Tipton County Courthouse, 101 East Jefferson Street, Tipton, Indiana.

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

#### **Roll Call**

Members in attendance: Jason Henderson, Jim Purvis, Doug Heron, Jeremy Bennett, Jovon Rayl, Carroll CoHee, Tracey Powell and Michelle Owens (City Liaison).

Members absent: Chase Meyncke and Gary David.

Staff in attendance: Steve Niblick, David Langolf Smith and Judy Coker.

Staff absent: None.

#### **Modifications to agenda**

None.

#### **Minutes**

Jim Purvis made a motion to approve the minutes of April 6, 2023, as presented; seconded by Carroll Cohee. Motion carried 7-0.

#### **Public Hearings**

a) CO-Z-07-23 Pierce Rezoning

Steve Niblick provided a brief overview of the petition.

Tom Cowen came forward to present the petition for rezoning from AG (Agriculture) to B-4 (General Business).

Michelle Owens motioned to close the public hearing; seconded by Jovon Rayl. Motion carried 7-0.

Jovon Rayl asked what were the two variances that were approved by the Board of Zoning Appeals. Steve Niblick explained that the first variance was to eliminate the buffer yard requirements along the south and west property lines and the second variance was a reduction in required parking spaces from 34 to 43.

Jovon Rayl asked what the dash line running through the south side of the building is. Jason Henderson stated that the dashed line indicates the regulated drainage easement and noted that the Tipton County Drainage Board took action to approve a reduction of that easement from 75 feet to 25 feet.

With no further discussion, Jovon Rayl motion to submit a favorable recommendation to the Tipton County Board of Commissioners; seconded by Carroll CoHee. Motion carried 7-0 by a roll call vote.

Roll Call-

Carroll CoHee – Yes

Jeremy Bennett – Yes

Tracey Powell – Yes

Jim Purvis – Yes

Doug Heron – Yes

Jovon Rayl – Yes

Jason Henderson - Yes

b) CO-ZA-09-23 Solar Amendment

Jason Henderson briefly explained the revisions that were made to the solar ordinance.

Discussion ensued concerning the solar ordinance changes.

Carroll CoHee motioned to close the public hearing; seconded by Jeremy Bennett. Motion carried 7-0.

With no further discussion, Jim Purvis motion to give a favorable recommendation to the Tipton County Board of Commissioners for the Solar Amendment Ordinance CO-AZ-09-23; seconded by Carroll CoHee. Motion carried 7-0 by a roll call vote.

Roll Call-

Carroll CoHee – Yes

Jeremy Bennett – Yes

Tracey Powell – Yes

Jim Purvis – Yes

Doug Heron – Yes

Jovon Rayl – Yes

Jason Henderson - Yes

c) CO-ZA-10-23 Mineral Extraction Amendment

Jeremy Bennett presented the proposed mineral extraction ordinance amendment.

Gerald Shuck came forward to ask how the board arrived at the 150 feet setback. Gerald Shuck expressed concerns about vibration, dust, noise, septic and well damage, decreased water quality and water loss. Gerald Shuck asked that the Board take another look at the ordinance.

Pam Shuck came forward to express concerns that her home would not withstand the vibration from constant blasting. Pam Shuck expressed concerns that the dust that would be created by the blasting would not be safe for the children who play in the area. Pam Shuck asked for a timeline to be placed in the ordinance on the decommissioning of the quarry.

Megan Marden came forward to express concerns about vibration, blasting, dust, extra truck traffic on the roads, and her children and grandchildren being able to ride their bikes in the road.

Michelle Owens motioned to close the public hearing; seconded by Jovon Rayl. Motion carried 7-0.

Jovon Rayl stated that the setbacks were determined by sampling other ordinances, and they all seemed to be in the 150 to 200 feet range. Jovon Rayl stated that he also likes the idea of specifying a timeline during the decommissioning process.

Carroll CoHee asked if blasting is a typical method of extraction for gravel. Jovon Rayl stated that the suction method is typically used for gravel extraction.

Michelle Owens asked if it is known what a typical extraction operation area is, for clarification on where the setback would begin. Jim Purvis stated he believes that the property line is the beginning of the extraction operation area but agreed that the ordinance language could be cleaned up to reflect this.

Discussion ensued concerning whether reasonable conditions can be placed on a Board of Zoning Appeals special exception approval, performance standards, and other ordinance language.

With no further discussion, Jim Purvis motioned to send the quarry ordinance back to the subcommittee to work on the items that were discussed during the public hearing; seconded by Doug Heron.

Carroll CoHee asked if there would need to be another public hearing after the changes are made. Jason Henderson explained that once the changes are made, the Plan Commission would take a roll call vote and send the ordinance to the Board of Commissioners with a recommendation.

With no further discussion, the motion carried 7-0.

### **Reports**

#### **a) Staff Reports**

April reports will be presented next month.

### **Old Business**

None.

### **New Business**

#### **a) Fee Schedule.**

Discussion ensued concerning the current fee schedule and fees that should be added to the fee schedule.

#### **b) Parking, fence and mobile home regulation discussion.**

Discussion ensued concerning the regulation of fences without requiring a permit.

#### **c) Trail amendment to comprehensive plan discussion.**

Steve Raber came forward to ask that the board set a public hearing to add a county bike and pedestrian plan addendum to the Tipton County Comprehensive Plan.

Discussion ensued concerning the bike and pedestrian plan, as well as the process for adopting the plan.

With no further discussion, Jim Purvis motioned to set a public hearing for the Tipton County Bike and Pedestrian Plan at the next regularly scheduled meeting; seconded by Jovon Rayl. Motion carried 7-0.

### **Public Comments**


Gerald Shuck came forward to ask that the setbacks for the quarry be moved out as much as they can without impeding the quarry owner's right to mine, while still protecting the homeowner.

Pam Shuck came forward to express concerns about the acreage of the quarry.

Terry Connelly came forward to ask about the follow up procedure for the quarry ordinance and to express opinions about fences and the trail plan.

**Adjournment**

There being no further business, Jovon Rayl made a motion to adjourn the meeting at 7:38 pm; seconded by Jeremy Bennett. Motion carried 7-0.

  
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President

6-8-23  
Date

  
\_\_\_\_\_  
Executive Director

JUNE 8, 2023  
Date