



# **Minutes October 4, 2023 Tipton County Board of Zoning Appeals**

The Tipton County Board of Zoning Appeals held its regular meeting on Wednesday, October 4, 2023, at 7:00 pm, in the 1<sup>st</sup> Floor Meeting Room of the Tipton County Courthouse, 101 East Jefferson Street, Tipton, Indiana.

## **Call to Order**

Chairman Gary David called the meeting to order at 7:00 p.m.

## **Roll Call**

Members in attendance: Bob Powell, Korey Henderson, Doug Heron, and Gary David. Weston Nicholson was in attendance via Zoom.

Members absent: None.

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

Staff absent: None.

## **Modifications to Agenda / Agenda Summation**

None.

## **Approval of Minutes**

a) August 2, 2023, Minutes

Bob Powell made a motion to approve the minutes of August 2, 2023, as presented; seconded by Doug Heron. Motion carried 5-0, with Weston Nicholson voting yes via Zoom.

## **Public Hearings**

a) CO-SE-27-23 Brad Ward Mineral Extraction Facility Special Exception

Steve Niblick provided a staff report for the petition.

Brad Ward came forward to present the petition.

Bob Powell asked if Brad Ward would enforce the tarp law. Brad Ward stated that he does not typically enforce the law, but as a policy, requires drivers to tarp their loads. Brad Ward stated that he welcomes the County to issue citations once the drivers leave his facility.

Bob Powell asked what grade of limestone they found at that location. Brad Ward stated that the limestone is similar to that of the Pipe Creek location.

Discussion ensued concerning the type of rock found in the area and where it is located.

Bob Powell asked if they would pump water in or if this will be a dry quarry.

Brad Ward stated that they are unsure how much water is there, but they will need some water for the washed stone.

Discussion ensued concerning where the water will go during large rain events and at what rate they will release water into Mudd Creek.

Gary David asked what they would do to monitor the neighboring wells. Brad Ward stated that they will pin the four corners of the quarry site and monitor the water table closely. Brad Ward stated that they have insurance to cover any impacted wells in the area.

Nannette Summers came forward to express concerns for how this development would depreciate her property.

Dan Price came forward to express concerns about dust, noise, damage outside the mining area, traffic going south, projectiles coming off the trucks and any impacts on the drainage systems.

Justin Rambarger came forward to express concerns that this development would change the rural character of the area and would be injurious to neighboring properties and that this development is not in line with the comprehensive plan.

Mark Dye came forward to express concerns that he will have to move from his home of 31 years.

With no other public discussion, Korey Henderson motioned to close the public hearing; seconded by Bob Powell. Motion carried 5-0, with Weston Nicholson voting yes via Zoom.

Brad Ward came forward to answer some of the questions and concerns posed by the public.

Steve Niblick provided an explanation of the seven criteria for a special exception request.

Discussion ensued among the board members concerning the petition.

With no further discussion, Korey Henderson made a motion to approve Special Exception CO-SE-27-23 as presented; seconded by Gary David. Motion carried 5-0 by roll call vote, with Weston Nicholson voting yes via Zoom.

**Roll Call Vote –**

Gary David – Yes  
Bob Powell – Yes

Korey Henderson – Yes  
Weston Nicholson – Yes

Doug Heron -Yes

**Old Business**



None.

**New Business**

None.

### Adjournment

There being no further business, Bob Powell made a motion to adjourn the meeting at 8:29 pm; seconded by Korey Henderson. Motion carried 5-0 with Welton Nicholson voting yes via Zoom.

  
Chairman  
Executive Director

11-1-23  
Date

Nov 1, 2023  
Date

