

## **BZA MINUTES**

**OCTOBER 18, 2022**

Members present: Drew Cleveland, Bill Davis, Jason Hawley, Tim Hart

Members absent: Don Calhoun, Jim Hufford, Jon Peacock

Legal Representation: Jason Welch

Staff present: Debra Johnting, Director and Recording Secretary

Others present: Ed Thornburg, Charity Cox, Tyler Cox, Missy Williams, Bob McCoy, Ron & Shirley Stauffer, James Noggle

Chairman Hawley: Alright, good evening ladies and gentlemen. Today is October 18, 2022, this is the Board of Zoning Appeals. I now have 7:02 on my watch. Just as a quick clarification because we only have 4 members, which is enough for a quorum. However, for any action to be taken it needs to be a unanimous vote among the members. So, if anybody wishes to delay their petition they can feel free to do that. It would be postponed until January. So, just as a fair warning before we get started, just so everyone's noted you have a right to pull your petition before the vote. Any time before the vote. You can get up and make your case before you decide. As always, our agenda states that we are given 15 minutes for the person to make an argument about their proposal, 3 minutes for rebuttal, and 5 minutes for a counter rebuttal. So, with those in order I would like call the meeting to order. First on the agenda is the approval of minutes for both August 16, 2022 and September 20, 2022. Has everybody had a chance to look over the minutes?

B. Davis: I make a motion to approve as presented.

D. Cleveland: Second.

J. Hawley: All those in favor of approval of minutes as presented state the affirmative. Aye. All those opposed say nay, all those abstained? Motion has passed for the approval of minutes for both August 16<sup>th</sup> and September 20<sup>th</sup> of 2022. Alright, first up on the docket we have BZA2022-30-SP Charity and Steven Cox. I have been given a small outline of what is presented. Charity and Steven have a purchase agreement with the owner for the land at 456 East 100 S. Winchester, across from Willow Ridge. This property you may know has been a junk yard for many years. Through the purchase agreement, the current owners are cleaning up the property at this time. When that is complete the sale will be finalized and the Coxes plan to build an event building there. There will be an outside venue for weddings and photos, ample parking, beautiful landscaped areas that will also serve to create privacy from the road and other properties. I've had a conversation with the residents that said they've had contact with many other residents and they are thrilled to see the property being cleaned up and do not have any reservations regarding this venue. The Coxes have agreed to comply with all drainage, sewage, and water requirements as directed by the Surveyors office, the City of Winchester, and American Water Company. They are working on plans with each of them to obtain those services. Do I

have anyone here that would like to speak in favor of the proposal? If you would please come to the table, state your name and address for the record.

C. Cox: Hi, I'm Charity Cox

S. Cox: And Steven, local people might know me as Tyler, Cox.

Chairman Hawley: And have you received all of the outlines for this meeting tonight? Article V?

C. Cox: Yes.

Chairman Hawley: Alright, if you'd like to tell us a little about your proposal, the clock starts.

C. Cox: We have this idea to have a wedding venue. When we got married just over 3 years ago, we were looking for a space that could cater 200 plus people for a wedding around Winchester and we couldn't find any. There wasn't any that was large enough for an outdoor wedding, or that could hold the number of guests we would like. So, we had to travel to the Delaware Country Club to have our wedding and we also had to, even there, we had to rent additional rooms to accommodate the size of our wedding. So, we just had that idea then and we just feel like there is a need here in Randolph County to have a venue large enough to keep people here so they don't have to travel. I know at our wedding, we did serve alcohol and we had people that had to have people come pick them up and it was a half hour to forty-minute drive, which wasn't very convenient for them to travel whether they were drinking or not. And then they had to get hotels and stuff like that. So, we just feel like there is a need for a larger venue here in Winchester. That is the overview.

Chairman Hawley: About how big is the property? I'm just trying to eyeball it.

C. Cox: The property is just shy of five acres.

D. Cleveland: And you will obtain a liquor license?

C. Cox: We are not going to obtain a liquor license. We are not going to sell anything. They will have to purchase through us to be able to have liquor or alcohol on our premises, but they have to provide their own licensed bartender and that will be in our contract that we have for them to sign.

T. Hart: So, right now it's not zoned in Winchester city limits, right? So, are you going to have that in it?

C. Cox: Well, we've worked with the mayor and we decided that it probably will not help us in the long run to be zoned in the city. The big trouble that we're running into is that we wanted city water to get the sprinkler system and it's going to cost us a lot of money to get city water to us because we have to run off of the new housing that Kevin Cook is doing down there. So, I think we're just going to do a well, but unfortunately, I don't think we'll be able to get in to the city. So, we have to try other avenues to get water.

T. Hart: So that's going to be on your own septic and well?

C. Cox: Yes, we plan to do our own well at this point and we're going to do a grinder pump that will be tied into the city septic. And we're working currently with some fire marshals from the State of Indiana. We had an appeal in for a sprinkler system and it got passed from the district to the state. We have a meeting November 1st, the final meeting in Indy for a yes or no if the sprinkler system gets approved or not approved. And we have folks from Koorsen for a sprinkler system and then another system if the appeal goes through, we still have to get safety measures in lieu of a sprinkler system. So we are working with Koorsen and all of the state to dot our I's and cross our T's.

Chairman Hawley: With it being a junkyard for so long, is there any environmental impacts or concerns? That's not really in our purview here, just kind of out of idle curiosity.

C. Cox: We were told about the cars that were sitting there for so long and that no newer cars were moved in so the ground should be okay, but we are going to have water testing and stuff like that done before we get our well and if we have to do extra filters to make sure the well and the water is safe.

T. Hart: I saw you guys, somewhere I read, were thinking about breaking ground first of November is that so?

C. Cox: I wish. I'm pretty gung-ho and optimistic. Back in the summer when we were working, I thought with a timeline to get things done, but some things have been tied up and our engineer is taking a bit longer to get things finalized and then permits take forever to get back and you don't really know when they're going to get back. So, I would love to say still we're going to break ground this fall, but it looks more realistic to the early spring. And our plans are not only to have weddings and stuff there, but also other events like Christmas parties, baby showers, bridal showers. And in our blueprints we have rooms separated. It's a big area, but then it has smaller rooms and we have a caterer room, I think it's 15' x30', that's like a boardroom type area so if anybody wanted to have meetings or anything on the smaller scale, there is room available for them as well.

D, Cleveland: Will the parking lot be paved?

C. Cox: We have been working with Ed and if you guys see in the map on the back, we do have a county tile that goes through there. And working with Ed, we've decided we're going to replace the whole tile. First thing to help with any flooding issues or anything like that, we're just going to take it out and Ed has verbally said that we can do a gravel parking lot, but under the assumption that anything breaks, we have to pay to fix it. So, we do plan to have a 1 acre gravel parking lot and then we'll have additional half acre to acre of just grass for additional parking if needed. And I don't know if any of you guys have been by there recently, they've cleared a lot of it out and it looks really good. They've taken out a lot more trees down than what we would like, but there were tons of walnuts and we didn't want walnuts on there for tripping hazards and such. So, our plan is to go around the whole outside and put landscaping and it's in these pictures, so that it's really enclosed. So, you can't see the road or they can't see in. I think that is a want for brides to have good landscaping and be more secluded.

Chairman Hawley: Do we have anything as far as security is concerned, like fence or anything?

C. Cox: There is fencing around some of the property just like wire fencing and we've talked about leaving that to let vines and stuff grow on it, but the majority of it will be just trees. Kind of like a natural fencing, but if we need fencing, we don't see a reason why we couldn't.

Chairman Hawley: Yeah, I was just curious. Obviously, this isn't going to be a residential area so I was just curious about what would happen if on a wild Tuesday night and somebody wanted to go out there and do donuts in your parking lot.

S. Cox: There will probably be a gate up where the access goes into the property, so sneaking a car in there might be tough.

B. Davis: Looks like you've given it a lot of time and thought.

C. Cox: Yes. Like we've said, we've been looking for land ever since we've had this idea years ago. Any land, we've been looking thinking we can do this, this is a need. We've done plenty of weddings here at the Town Center and it's just so cramped and small, you couldn't have a lot. And we just know this is a need and I'm a very big planner. I'm an AG teacher, is my profession and he works for AEP. So, I'm a very organized type person so I wanted to make sure we did this right before we move forward. We've worked with Deb a lot to make sure we have every step before, because like I've said, we want to dot our I's and cross our T's. I'd rather have it done right than done wrong and have to redo it.

Chairman Hawley: Are there any other questions from board members? Alright, is there anyone in the audience that would like to speak on behalf of the project moving forward? And if you'd like to come forward and state your name and address for the record. Again, you'll have 3 minutes a footer you state your name and address for the record.

R. Stauffer: My name is Ronald Stauffer, and my address is 46 Stonebridge Drive. Because I'm right across the road where they are going to do the venue. I'm kind of excited about them doing it and I don't have a problem with them doing it, but I have a bit of a concern about the water that comes from the south and runs to the north. I don't know what that farmer is going to say that has that field there to the south because I think that water goes to the north and goes into the golf course. So that's not a concern to me, but it should be a concern to them. The other concern to me is the traffic and I don't know where the people are going to come in to that venue from. If they come in through Stonebridge Drive, it could be a lot of people coming by there and there's no speed limit signs or anything is there?

M. Williams: No, it should be 20 though, it's inside the city limits so we can get some posted there.

R. Stauffer: Yeah, but that's my concern and maybe road 100 ought to be improved if they're going to do that, because that is not a safe road, especially if it's a little bit icy.

Chairman Hawley: Yeah, I wouldn't say Huntsville is much better as far as that's concerned.

R. Stauffer: Yeah, both of those roads should have something done to them, they've been there a long time.

M. Williams: I'm Missy Williams, I live at 37 Stonebridge Drive in the Willow Ridge addition. My husband and I are very excited about this going in. I don't know anything about drainage or any of that, but I think Winchester and Randolph County really needs this kind of a venue. I think it would really be helpful. I guess I look at it as an old school teacher also, that rather than our kids having to go out of town to do a prom because we don't have... (I don't want to say) there are very nice venues in town at Town Square Cinema community room, but not big enough to accommodate our high schools and I'd like to see them stay in the community rather than driving. And I agree with Ron, I'm hoping to put some bugs in the right peoples' ears about 100 South. It needs repaved right now, it's got some dips in it and it's been really slick. When we get a little ice or snow, it can be pretty hazardous in the winter, but that's that way right now. I do see some of the water come across there, but I think with the right tile, putting some tile in it, I think that might even help kind of remediate that issue. But you're right Ron, it does come across there, but I think it can be a great project and I greatly appreciate the Burton brothers for cleaning that up and working the deal out with the people because it was a really an eye sore. And I've never walked in it before, but I can guarantee you there were some rodents and some cats in there, but I think it would be a really nice improvement for Winchester and Randolph County.

B. Davis: I agree. Ed can you come up and give us your thoughts on the water issue please? Thanks, Missy.

Chairman Hawley: Ed for the record, can you please state your name and address?

E. Thornburg: I'm Ed Thornburg, 623 South 400 East. I don't live anywhere near this thing. I am the County Surveyor and they approached me early on. As far as the problem with the ditch that comes through them, it's part of the Edwards Cox Sugarcreek Ditch comes through there. I didn't think to look it up, I'm going to say about 400 acres upstream of them and the ditch in the junkyard, currently there's 3 or 4 holes open in it today. Funny thing when you get the junk off of them they show up. And for them to want to build a parking lot over it, we discussed this early on. The best move is just replace the tile clear through the project and I am planning a surface inlet at the low point there, there will be a breather at the south end where water comes in. It's still a surface water course, surface water is still going to run into this thing. If we get it out of there, in the best fashion possible, one thing I didn't see and I don't remember ever seeing a big problem with it, I've worked with [ ] who farms the ground upstream, I don't remember that being a particular bad place for crop residue washing in like everybody's personal favorite over at the edge of Farmland where they have 600 acres that comes under the highway and fills that waterway in Farmland, that's always a good time. The grade is not so radical that I don't see a problem with that. While I like a good junkyard they're doing a great job of cleaning it up.

B. Davis: So you don't really see, in your professional opinion, that the water being an issue.

E. Thornburg: No, I say we're going to improve what's there and I don't see it being a particular issue. It's still a surface water course, surface water is going to come across there. It's not something that's

going to wash people's cars out the road. It's a wide flattened area that's coming in, it's not like it's a surface drain or waterway like in a field. The water has to go somewhere and that's where it is, but they only have an area that's going to be affected by that. I think it will work fine, they've put together a nice plan.

B. Davis: Thank you, sir.

M. Williams: So, Ed, my other question is, are you planning on replacing this tile or all of the tile?

E. Thornburg: Just across them. We have repaired sections of the upstream tile as it needs it. Even the Edwards Cox Sugarcreek Ditch doesn't have the money to replace that whole thing in one shot. And honestly, that ditch is not a particularly bad one.

M. Williams: And I don't know anything about it, I was just thinking.

E. Thornburg: We've done a large section in the area that's been replaced in the last few years. Truthfully, they're probably going to replace this whole ditch, but that has nothing to do with their property, that's another problem all together. But, we'll replace everything from the road to their south line and the rest of it is in pretty fair shape.

M. Williams: I don't know, I would just hate to have the adjoining property owners have water problems a footer that, but I trust your judgment.

E, Thornburg: I'd say the upstream guy is going to have a better outlet and the upstream was replaced when they built the golf course so it should be good.

M. Williams: Great, thanks.

Chairman Hawley: Is there anyone else that would like to speak in favor or against the proposal?

Mayor McCoy: Winchester Mayor, Bob McCoy, 196 South Tamarac Drive. I've been working with Charity for probably a year. What the project is. It's a needed thing in the county. The junkyard getting cleaned up is a bonus. The people that lived there probably never thought that junkyard would ever get cleaned up. We are working with her, have provided her with some estimates on getting the sewer over there and like she said, a grinder pump. One thing I will tell you is as soon as you can get your engineering done, you need to get your IDEM permit applied for. That will slow you down quite a bit if you don't get that applied for. And if you're planning on having Comcast for internet, you need to tackle that as soon as possible because I have been dealing with them for over two years to get internet to the houses on Huntsville. You might actually consider New Lisbon maybe for the wireless or something with the antenna, but the Comcast may be difficult and even though you think it's right across the road, it's just ugly dealing with them sometimes. That's really all I have, I support the project and we will work with and help them all we can even though they're not in the city. She did ask about annexation and it really does not benefit her when it comes down to dollars and cents and if she wants annexed, I mean voluntary annexation, we can do that, we may be able to help her a little bit with the sewer that way, but in my opinion in the long run, the savings isn't really worth it to her.

Chairman Hawley: Thank you.

B. Davis: I have a question for Mr. Stauffer. Were you okay with that answer that Ed provided? Or do you have an additional follow up on the water issue?

R. Stauffer: Yes. I was just trying to do it for their benefit.

Chairman Hawley: Is there anyone else here that would like to speak either in favor or opposition to the proposal? I was going to say most of my questions personally seems to have been answered pretty well. The water and the environmental survey seem to be the big issues that I was having, I don't know how anyone else was thinking about the situation.

B. Davis: I'm good with it moving forward to vote.

Chairman Hawley: Was there anybody opposing the project?

C. Cox: Really quick, the 456 address that is my home address and the property is 627 East 100 South. You read that at the beginning 456, but it's 627. 456 is our home address. I think they've touched on the driveway part. Entrance we're going to try to have 2 entrances like an in and an out and we will have a gate. With traffic, we are planning to put on our website a map of how to get there, to come straight from 27 on 100 or Huntsville angle road from the city so that the Stonebridge, there shouldn't be people going in and out of there. That's our hope, we obviously can't control people, but we will put in there how the entrance and how to get to the place as much as possible. I don't know if we have to work with anybody to get signs up, like slow, we live one 100 and I use to run on it every day and it gets pretty crazy.

T. Hart: You can even put in your literature "please do not use the entrance to the golf course" or something like that to help out.

T. Cox: And we've been working with Ed in replacing that tile, we thought was just probably just the thing to do. It wasn't necessarily something we had to do, but a footer I spoke with Mark Todd at the golf course because obviously he was concerned about what we were doing over there. And he said yeah, as long as you replace that tile it will help make sure the water gets to what we have drainage wise and that they've improved on some over the years, to make sure it gets out and goes where it needs to go. So, he was not concerned, I know most of that water goes toward his course and then on out. I'm speaking for him, I know, but I did have a conversation with him.

Chairman Hawley: Alright, if there are no other questions I motion to have a roll call vote.

B. Davis: So motioned.

T. Hart: Second.

D. Johnting: And you're comfortable with just 4?

Chairman Hawley: It has to be unanimous and if you want to withdraw, you'll have to wait till January.

C. Cox: No, I think we can go for it.

Chairman Hawley: Alright..

D. Johnting: Jason Hawley, yes, Bill Davis, yes, Tim Hart, yes, Drew Cleveland, yes. Don Calhoun, Jim Hufford, and Jon Peacock are absent, motion approved.

Chairman Hawley: Good luck, thank you.

T. Cox: Thank you for your time.

C. Cox: Thanks guys.

Chairman Hawley: Alright moving on, next up we have BZA2022-32-CU, BZA2022-33-V James Noggle it looks like. Once again, I have a brief outline of the proposal. James wants to non-commercial wind turbine as for Unified Zoning Ordinance he must obtain additional conditional use. It looks like it would be taller than as permitted and be closer to the right of way, is that correct?

D. Johnting: Conditional use is just required, for any wind turbine of that height. And the variance is because it's closer to the house and the south property line.

Chairman Hawley: Okay. Alright, if you'd like to state your name and address for the record. Once again, you will have 15 minutes and tell us what you're looking for sir.

J. Noggle: Name is James Noggle, address 77 N. 500 E. Union City, Indiana. The higher tower there that I have is full length if it were to fall toward the road it's 31 foot. short from the edge of the road if it fell in that direction. The neighbor's property line, he's, any building that's even close to this it's 200 foot away and he's helped me work and he's not opposed to this. My house, a footer you get through all the figures, the tower at the closest point if it could do that would be 2 foot over my roof edge. I have something here for you guys to look at so you maybe know what I'm talking about.

Chairman Hawley: You want us to accept this?

D. Johnting: That's up to you guys. I think we discussed that, but I don't know if we had voted on it.

B. Davis: If it's only one or two pages, I'll accept it.

Chairman Hawley: Alright.

J. Noggle: Did you want to look at that?

D. Johnting: I have to have one to keep it for the record. You're very fortunate, a footer tonight we'll no longer be accepting anything in the meeting because they don't have a chance to look it over.

J. Noggle: Oh, well, it says what I'm going to tell you. Okay I got you. So, the concern to me is on the height of it, it directly goes to the construction and materials that I used to do it and I have 5 guide wires on this. And that tower is actually called 25G, that type of tower and I have 50 foot of that and I have another 20 foot section of heavy commercial tower, which is larger rugged stuff. The base of it,



my brother and I used to have a business in Union City, we had an electronic store. I used to put tower up, I used to service tower, put cabling in folks' homes. I got hired by a guy in Fort Recovery, he used me to do that. I've been in electronics and industrial maintenance for 35 years. So, I had a heads up in what I was doing. The base unit of this, the best way I found when you install these is you can actually put the tower down in barrel of pea gravel so it will drain and won't freeze. You don't get bulging where they go through your anchor cement. So, you get down below the freeze level on this and then your cement, which I listed there, I think is 1,040 pounds. I put in. It goes down there over the sides of your barrel and encases the tower itself. And then that insulation goes up to 18 foot. At 18 foot, there's an adapter plate that adapts to the other size, regular size tower. It goes up five sections to the top so it puts it at 68 foot. And then the windmill itself will sit on a schedule 80 pipe over it. It's approximately a six foot span, the blade of it is. Its weight was 42 pounds. As far as vertical wind shear and air on it, it's negligible, the things and they're tested to 100 mph wind tunnel, that particular one. There's a vast market in these things, but I also have this to show you the difference. That 25G tower, which you see all over the place, is free standing 40 foot and I was looking at the John Deere building down there and they have 5 antennas and a 65 foot tower. Their two-guide wire at this size clinging onto their metal roof on a plane. I never put an antenna up like that and I'm making a point about this because it's got one support to the west of it and predominately, you get northwest and southwest winds. The point I was making is how long it has been there. I don't think it was under this ordinance when it was installed, but we've had some pretty good winds to deal with so, to me, I don't want any problem with this or anymore work because I have to do this so I overkilled everything. Here's the cabling I put in which I paid dearly for. It's way stronger than the standard cable. The turnbuckles that I used, which is what you center your tower up and draw tight, I think they have a rating of 2200 pounds which is in far in excess. The eye bolts which go on my anchors, they're rated 5200 pounds. The poles themselves are cemented at 4.5 foot deep, they're 3 inch by a quarter inch thick schedule 80 hot dipped galvanized poles, I have five of those, a triangular figure at the top. Those are laid out southwest, northwest, straight east and the other pair are on north or south, so I'm protected in a circle. I truly believe it would take a tornado to take the thing down, I still don't think it would reach my house because I don't believe it will pull the poles down, bend them, or break the cable. And there's one more, I'll call it fluff to this. The 18 foot base piece I put on there with the adapter plate, this thing if it could be torn down by a storm which I don't think I should have to build the thing tornado proof because it's not reasonable and nobody does. It would actually break over at the adapter, shortening 18 foot the fall distance and being a circle of that which would still reach. Using the figure, you have 1.1 when they figure fall distance you have to add the 1.1 x the height of yours and I think that figured out to 2 foot above the corner of my roof, but again if this thing gets torn up, the house is going to go with it. I went out that far for my own benefit.

Chairman Hawley: Well I think that was pretty thorough. Does anybody have any questions or concerns from the panel?

T. Hart: Just curious, it says the top of yours with the blade would be 72 foot. In my mind I'm trying to picture, compared to the big commercial one we have, do you have any idea how tall those are?

J. Noggle: They're higher than it looks and my tree tops are about 65-70 foot and I'm just right above those tree tops. And if you look at those, it's up around the woods. Their blades look like their 50-100 foot higher than the tree tops and I don't know the spans of them, but they are up there.

T. Hart: Okay, so your 72 foot is approximately the big tall trees around here is what you're saying?

J. Noggle: Yes, and actually the state recommends they want you to be 30 foot above to get clean air, for the benefit of your turbine working, which I don't like climbing that high any more, I'm happy with what I have. They call it dirty air up there when it passes because it goes through trees and it can knock your equipment around. There was another part to this I didn't understand, it was about a 1KW weighting on there. I think Debbie told me that the ordinance said that was the limit on it. Was that for so high or just flagged?

D. Johnting: I have no idea. That's just the breaking point that they gave.

J. Noggle: Well, it's evidently wrote by someone who didn't know or long enough ago. You can get wind generators, there's PMA's, PMG's, open course, custom design, their 12v, 24v, 48v, clear up to 250v, you get 3 phase AC, direct DC, they make them slow RPM and the weights of them can run, it's just the size of a car alternator. You can find that rating of 1KW from 20 pound to 291 pounds with a 1KW rating and I notice in the ordinance it stated about 1KW. So, if you think about it being pertinent, wind shear pushing on a tower, you think it was against the weight and the how many blades it has on it for how hard it's pushing. Well, to say 1KW when you have that kind of span it shouldn't even be rated that way, it should be per weight and the generator type rather than what they got. And I didn't know if that was a problem for what I'm doing because mine is a 1.6KW and that's barely enough to run a hair dryer. It wouldn't do that because it's a low voltage, but I read this stuff online. If you have questions I'm ready for questions.

M. Williams: Do you want to know how tall the windmills are? They are about 320 foot without the blade being on there. So, the blades about another 95 foot or something like that.

E. Thornburg: The two main turbines down at Losantville are just under 500 foot at the top of the blade on them with 175-190 foot from the blade to the ground at the bottom.

D. Cleveland: So, you are doing this for your own energy?

J. Noggle: Yes. I'm not interested at all in hooking and feeding back to the line.

D. Cleveland: Will it provide enough for your needs?

J. Noggle: Oh no, I'll never recoup what this is costing me. I love electronics, I've done it for years and it just interests me greatly. I will get some recoup when I'm old and retired and it gives me something to do. Junior Burton that you were talking about is a friend of mine and I do work for him repairing stuff he can't figure out. And he has all these industrial machines I can rob and make stuff, it's awesome.

B. Davis: Just a couple of follow up questions. If the mass outweighs the EMC squared, what's the outcome? And then, if the positives are negative, is it neutral? [Laughter] That was the salad and the dressing for the day.

J. Noggle: There's a lot of interesting stuff about breaking in these generators, the types of them. If you do this with anybody anymore, it's not what it says. You don't turn something on and it stops, it doesn't work like that. You take 3 phase and you short two wires together, it puts the full load on them so they turn harder because they generate all the time, that's another thing about them that I didn't know. I started reading this stuff, you don't regulate like you do a car battery.

Chairman Hawley: I apologize sir, that is your 15 minutes.

J. Noggle: Okay, I like taking about this, I'll shut up.

Chairman Hawley: That's quite alright. Is there anyone here that would like to speak in favor or opposition to the proposal? Since I see no one, would you still like to move forward on this? Again, it needs to be a unanimous vote tonight. If not, it will be January before we can take it before the BZA again.

J. Noggle: Yeah, I don't want to climb that thing in the cold.

D. Johnting: Two votes. One for the Conditional Use, one for the Variance.

Chairman Hawley: Okay, so everybody got that? There are two votes tonight. One for Conditional Use and one for the Variance? Please make sure you fill out both sheets. Alright, which one should we start with?

D. Johnting: Conditional use.

Chairman Hawley: Alright, I call for a roll call vote for the Conditional Use.

B. Davis: So moved.

D. Johnting: Bill Davis, yes, Tim Hart, yes, Jon Peacock is absent, Drew Cleveland, yes, Don Calhoun and Jim Hufford are absent, Jason Hawley, yes, motion approved.

Chairman Hawley: So now the Variance?

D. Johnting: Yes, so now you can have it, but it may not be able to be as tall as you wanted.

Chairman Hawley: Once again, I'd like to call for a roll call vote.

B. Davis: So moved.

D. Cleveland: Second.

D. Johnting: Tim Hart, yes, Drew Cleveland, yes, Jason Hawley, yes, Bill Davis, yes, and Jon Peacock, Don Calhoun, and Jim Hufford are absent, motion approved.

Chairman Hawley: Congratulations sir. Moving on to any old business, I believe there was the matter of accepting proposals the night of. Oh, we did pass that one sorry, my mistake.

D. Johnting: But he had actually went in before we did, so he made it in.

Chairman Hawley: Alright, any new business?

D. Johnting: This is the last meeting of the year, there won't be anything in November or December, but we definitely have petitions for January.

Chairman Hawley: So let me be the first to wish everybody a Happy Thanksgiving and a Merry Christmas or Happy Holidays whatever the case may be. Any reports from officers, committees, and staff? Motion to adjourn.

B. Davis: So moved.

Chairman Hawley: All those in favor say aye. Aye. Alright, thank you very much.

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Jason Hawley, Chairman

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Debra Johnting, Recording Secretary

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Bill Davis, Chairman