

**BZA MINUTES**

**AUGUST 17, 2021**

Members present: Jon Peacock, Don Calhoun, Bill Davis, Drew Cleveland, Jim Hufford

Absent: Bryn Albertson, Jason Hawley

Legal Representation: Jason Welch

Staff present: Randy Abel, Executive Director, Debra Johnting, Recording Secretary

Others present: Trent Kritsch, Christa Kritsch, Ed Thornburg

Vice Chairman Davis: All right, good evening. It's a little after seven, we'll get this meeting started. Today is August 17th, 2021. First item on the agenda is to call this meeting order. So, next is to approve the minutes from our last meeting, July 20th, 2021. Do I have a motion to approve, as presented?

J. Hufford: I'll make a motion that we accept the minutes as presented.

D. Calhoun: Second.

Vice Chairman Davis: All in favor say aye. All opposed.

Vice Chairman Davis: Motion approved per minutes. First on the agenda tonight is BZA2021-10-SP, Rob Pruitt. If he's here come up to the front. This is requesting a special exception for a single wide mobile home in a residential zone. Zone R-2. Please state your name for the record and your address.

R. Pruitt: My name is Rob Pruitt and I live at 8419 S 800 W, Lot 11, Modoc, Indiana.

Vice Chairman Davis: And did you receive Article V Conduct of Hearing? And Deb, this got published properly? Please state for the record what you'd like to do.

R. Pruitt: I would like to put a mobile home that I own on the property at 234 N Walnut Street in Modoc, Indiana.

Vice Chairman Davis: Does the board have any questions at this time? I would just like to know what, did it say how old it was In here?

R. Pruitt: I think it's a 1978 or 1976, somewhere in there, it's been awhile since I've looked at the title on it.

R. Abel: I will mention, Debra, you talked to some of the council members, right?

D. Johnting: I emailed Mr. Sexton, from the council and Rod spoke to Tom Griffey, that's the president of the council, and Modoc does not have any ordinance against having mobile homes and said they're happy to have residents to build up the city, and pay revenues and there's two mobile homes across the street from this one.

Vice Chairman Davis: Right, I read that. Anyone in the audience that would like to come up and speak for or against? Let the record show nobody came forward. Any further questions by the board? If not, I will entertain motion to...

J. Hufford: I make a motion for a roll call vote.

D. Calhoun: Second.

Vice Chairman Davis: All in favor? Deb?

D. Johnting: Don Calhoun, yes, Jim Hufford, yes, Jason Hawley is absent, Bill Davis, yes, Bryn Albertson is absent, Jon Peacock, yes, and Drew Cleveland, yes. Motion approved.

Vice Chairman Davis: Good luck.

R. Pruitt: Thank you.

Vice Chairman Davis: Next on the agenda is represented by BZA-2021-11-SP for Tyler Martin requesting a variance to put a solar array in front of his business closer to the road than the UZO allows. Zoned M-1. Tyler, please state your name and address for the record.

T. Martin: Tyler Martin 10324 West US Highway 36, Modoc, Indiana.

Vice Chairman Davis: Did you receive Article V, Conduct of Hearings?

T. Martin: Yes.

Vice Chairman Davis: Deb, was this published timely?

D. Johnting: Yes.

Vice Chairman Davis: Please tell us what you like to do.

T. Martin: I'd like to put a couple rows of solar panels on my property, close to the, I guess it would be the, what do you guys call it this the right of way? Closer than what is allowed by 38 feet I think? So, I need a 38 foot variance.

R. Abel: 50. 50 foot is the setback. From the right of way.

T. Martin: So I need a 38 foot variance.

D. Johnting: And you said you thought that that would not be as deep as we thought it would.

T. Martin: Oh yes, I'm sorry about that, yeah, on there if you read it says that they are 60 feet deep by 200 across. I did the math, and I don't know what happened, I think they're roughly about 13 and a half feet to 14 feet by the time the array is made on the depth, and then they're at an 18 degree pitch, so I'd have to get a calculator out, but I'm guessing between 13 and 14 feet deep is how wide they would be, I think that makes that a little bit simpler to read.

R. Abel: And still 200 feet?

T. Martin: Hmm, 40 times, I don't have my calculator. 40 inches times 60, divided by 12.

R. Abel: They are only 40 inches long?

T. Martin: They are 40 inches wide, each panel is 40 inches by 80 inches.

R. Abel: I'm talking about the length of the...200 feet length. Most panels are 6 feet or 7 feet long.

J. Hufford: Here it says 40 inches x 80 inches, is that right?

R. Abel: Yes, that sounds about right, so that's about six feet, right? It says 200 feet, so it's not going to be 60 panels then?

T. Martin: Yes, 60 panels wide.

R. Abel: Okay, times 6 feet. That's 360 feet.

T. Martin: They're 40 inches wide.

J. Welch: So, they're going to be in there perpendicular?

R. Abel: I guess, I don't know. They're putting them perpendicular to the road?

T. Martin: No, they'll be parallel with the road. I guess I mean, let me make it this way for you.

R. Abel: So, you are saying that length is going to be along US Highway 36.

T. Martin: Correct.

R. Abel: So, you're talking about 360 feet, not 200 feet.

T. Martin: Shouldn't be.

R. Abel: 60 panels times 5 feet.

T. Martin: The panels are 40 inches wide by 80 inches tall, okay, they sit like, I guess like this piece of paper. Like, if you guys are the road. If this was 80 inches long, 40 inches wide, there will be 2 rows of them.

R. Abel: So, they are going perpendicular.

T. Martin: Yes, if that makes sense.

R. Abel: That makes more sense.

T. Martin: Sorry about that.

R. Abel: I will say also and we didn't mention it. We should mention this up front that the new solar ordinance under 19-6-1-3, a, ii, says freestanding solar panels shall only be permitted in the rear and side yards, except when given a waiver under section 9-6-1-4. 9-6-1-4 allows a waiver either by me or by the BZA. So in this instance, if we're having this variance hearing anyway, I would delegate that waiver to the BZA tonight. Because obviously if you grant a variance, you'll also grant the waiver, and if you don't grant one, you won't want the other, so, if it is decided that they can be moved somewhere else on the property and it actually is behind the front of the building, then there will be no waiver required for that, so. And also if it was a commercial solar energy system, the setback on a solar energy system is 60 feet from the right of way to the panels. So it would be more than this actual 50 feet that the zoning requires for an industrial lot. And if you drive down US Highway 36, the plans that we have in our office there are four sites where this new solar company is placing solar panels along US Highway 36. The proposed distances are 100 feet, 75 feet, 75 feet and 188 feet of setbacks to the right of way that the solar company is putting in at this time. So when we had our hearing for that, we had another solar company besides EDPR come in and their actual recommendation, what they said was something to the effect that they'd never put them closer than 100 feet to a highway. But they didn't explain is that for health, safety, and welfare, is that for glare, is that for..., they didn't actually say specifically. The company just made this blanket statement that, to us anyway, that they would not put them closer than a hundred feet to a highway. And that may be

a PR thing, we don't know. So that's something that we should consider here in the meeting anyway, is this going to affect health, safety and welfare?

Vice Chairman Davis: So, to be clear we're still addressing his request for a variance?

R. Abel: Yes. And looking at the findings of facts and all that, yeah.

J. Hufford: So, right now he's just going to be 12 feet from the right of way?

R. Abel: Right, yeah, he is proposing 12 feet from the right of way. And like I said, the closest one that EDPR has is 75 feet.

J. Hufford: Yes.

J. Peacock: 75 feet to the right of way?

R. Abel: 75 feet to the right of way. And if you go, and actually, 80 feet is a pretty small, most of our highways have 100 feet setbacks. US 227 has a 100 feet right of way on it.

J. Peacock: 227?

R. Abel: 227, yeah, figure that out. That's kind of crazy.

J. Peacock: So why do we have a 50 feet right of way, is that what I am reading here?

R. Abel: The setbacks are generally 50 feet from a right of way for manufacturing.

J. Peacock: That's what our zoning is?

R. Abel: To a highway. It's smaller to a county road or to a, you know something like Greenville Pike or to a collector road, or to a city street. You know the setbacks get smaller.

J. Peacock: So why is it 50 feet?

R. Abel: Because it's a highway. I mean that's why the ordinance says 50 feet from the right of way for a highway.

D. Johnting: I think the 60 deep on here may be a typo, it's probably supposed to be at least 30 feet or less.

T. Martin: It should be 15 feet.

D. Johnting: 15? So it wouldn't go as far into the parking lot, or if necessary could be moved a little further away from the right of way?

T. Martin: Your picture looks pretty...pretty spot on, on the sizing of how it would look when it's there.

D. Johnting: Yeah, because I meant that the red line there where the parking lot begins that's the 50 foot mark, that's where everything would begin.

T. Martin: And if you take it slightly back, it's hard to see in the picture, but it would be hard for our semis to turn around and things of that nature, and I guess I don't know on the defense side of it we have a fence that's close to the blue line in your picture and I guess Deb was saying that we can park our cars and our vehicles 10 feet from that fence which would have, uh, if you if you're worried about glare or anything like that I would think it would be no different than a solar panel I guess, but I also was going to raise the solar panels so that it would be like I would be utilizing the space where the vehicles would still be kind of tucked underneath them is how they've explained it to me. Like the company I'm going with this company out of Texas and they say that that's how they build them so that you actually get some coverage for vehicles if you can pull your equipment underneath it and still utilize the structure I guess.

J. Welch: Is there a reason that it can't be in the back of the lot? The northernmost part of the lot? That's part of the ordinance you have to show and present practical difficulties to comply with the ordinance, so is there any reason it couldn't be in the back on that hill?

T. Martin: If you're looking at your pictures and it's the same as mine, I'm planning on building a storage, another storage, I got storage units out there that I rent out. I'm planning on building another unit parallel to the one that's there and then all my semis and everything else, it just works better...the flow, like the flow of like, because we when we deliver products and whatnot and things are delivered, we take, we use the circle drive and for everybody to pull in and not back blindsightedly. You just, I guess you just have to see it, it just functions so much better. And in the future there's a grain bin that's going to be out here, maybe two. Because on our manufacturing right now we just bought--without going into much detail, we just bought robotic equipment so that we can bag 24/7 and I'm hoping to be able to store all my grain from farming there and be able to manufacture my own product line for like clean corn and soybeans and whatnot.

J. Welch: So if this wasn't granted, you would just start at 50 feet back and park between the panels and the road? Would that be the plan? If this was not granted?

T. Martin: I don't know what I'll do if it's not granted. I'll have to really brainstorm, I guess. Maybe not do it or I don't know. I just, I thought that would be the easiest way. I didn't realize there was going to be such a big deal, because you know the fence is already there? I didn't think it would be that big of a deal, but off of what he's saying, you know it makes sense on if you're not allowing somebody else to do it I understand. I didn't know there was that much controversy for just solar panels, I guess.

R. Abel: Is that a drainage swale at the back where that hill is, before the woods?

T. Martin: Well, that's another thing like, behind there, it's all, that's all woods, so I'm still facing the south, you need south facing for solar, so that won't be a factor, I even thought about trying to have them out back where that grain bin is, but I'd have to level all the trees and it would be another, and that's a hill. You can't see the demographics of how the...or the contour of them. It's probably a 20 to 30 feet...there would be a lot of dozer work, it would be a lot of work.

J. Welch: On the west line?

T. Martin: Yes, the northwest side, yes.

J. Welch: Right.

J. Peacock: So this is north of the truck parking right here, right?

T. Martin: That is north.

J. Peacock: So it doesn't fit back in there?

T. Martin: That is a big...like when they paved US Highway 36, I let all the equipment that they used and they put all the millings on our property and they dozered the dirt back. So it's just a huge hill.

R. Abel: Here's a picture from the GIS. That's Google Maps I think.

Vice Chairman Davis: Any further questions from the board?

D. Cleveland: How far from the property line to the east are these supposed to be?

T. Martin: That's a good question. I don't have that measurement.

D. Johnting: The zoning ordinance says it should be 15 feet.

T. Martin: It'll be more than 15 feet.

D. Calhoun: How far now is your fence from the edge of the road? I've been past there, but I can't remember the fence.

T. Martin: I think it's right on the...

D. Johnting: I think it's about right at the right of way line. Yeah, just below the panels where that blue line is in the picture, that's where the fence is. It's pretty much right on the line.

D. Calhoun: So, basically you're going to be 12 feet behind the fence.

T. Martin: Behind the chain link fence, yes.

D. Johnting: And possibly could you move back any considering the employees will park under it and consolidate that to make some room?

T. Martin: It's--if there was a, if I needed to give an extra 5 or 10 feet to make it work I could figure something out. To make it work, I can figure something out. I just--to put it back 50 feet, and that's well. If you put those panels back another 38 feet you kind of can see...all this it's a different color, but all that is gravel. All that whole area is. So if you set that whole thing back, you're making it kind of difficult to do anything I guess. It would look weird. It would be like you know, you can still use your curtains on your window, but you'd have them hanging all the way over here. I mean, I know I'm being silly, but it's kind of, if you saw where they would be sitting out, it would look out of place.

J. Hufford: Now, I've got a question for Randy, is this from the roadway? Supposed to be 50 feet or...

R. Abel: From the right of way.

J. Hufford: Right of way, so they've got from the roadway all the way over to this fence. And then beyond that, I just wondering, I didn't know how wide the right of way was there.

D. Johnting: It's 80 feet, so the panels would start 90 feet from the center. You take half of the right of way and add 50 feet.

J. Hufford: Which is the right of way, probably around 45-50 foot wide?

D. Johnting: The right of way is 80 feet, so from the center of the road it's about 90 feet away.



R. Abel: With a setback.

D. Johnting: Yeah, with a 50 foot setback.

R. Abel: So, 40 feet from the center of the road plus 50 feet is 90 feet.

D. Johnting: So, 90 feet from the center of the road.

J. Peacock: So, there's no way it can go towards the back of the truck parking? That's to the edge of where the raised area is?

T. Martin: It's a...not really, not really. It would be, well, of course if you backed, I guess. Without doing a lot of dozer work, you'd have to do a lot of dozer work for one and for two if you parked, I guess if you parked all the equipment in front of it, you're going to be blocking your solar because the front edge is going to have to be lower than the back edge that's why it kind of works on the other side. You see? You gotta go back.

R. Abel: You can put it on the hill right?

T. Martin: Yeah, if you could put it on the hill.

R. Abel: You can, that's why I'm saying, you can. You can easily put those on hills. That raises it another 10 or 20 feet if the hill is 20 feet tall. The only thing you have to cut down it looks like two trees on the west maybe? And the rest of it would be sitting south of the woods, right?

T. Martin: Yeah, the hill that's right behind the truck parking. To be more clear, the hill on the northwest side, where the grain bin would be sitting is a 20 foot hill. It goes up a long ways. This is dug out or where you see the gravel part where it says truck parking that's actually been dozered down and the hill that's behind it looks like this. And then it's flat behind it I mean, that's a little bit of an exaggeration, but it's not like a gradual, like climbing hill. I know it's hard to see with the picture, but I don't know how you would, and it's all topsoil, so it's all loose dirt. I mean, it's been sitting there for ten years or seven years, but it's not like clay or anything like you would want to put solar panels on. You want to have them to where they can handle, withstand well the storm we just had, you want 70 to 120 mile per hour wind, you don't want them just to be not anchored well, I guess is what I'm trying to say.

J. Peacock: This back here, there's no choice. You couldn't put it back in there?

T. Martin: It's woods on both sides. The power company just cleaned that out. It's literally this tree line, here is a creek, and there's woods all the way the whole way and then this whole section here is all woods.

Vice Chairman Davis: Tyler, it seems like you've given a lot of thought on where you would prefer to have this, How long have you been on this project, or thinking about it?

T. Martin: About a year, probably. Enough time where I was going to have Joel Davis I think do it. He normally does all the solar panels in the area, but I've pretty much priced everything out individually and have it down to getting panels out of Texas, and I mean different inverters and I have to have three phase inverters versus single phase inverters. I mean, it's there's a little bit of a process of trying to figure everything out. And that doesn't even start with the power company. I have to go through them and get the...I forget what it's called, but there's a process there also, that you have to go through.

D. Calhoun: Now, the solar panels that you're putting in, is that, I know they try to match It for the power use that you have?

T. Martin: Yeah, you have to. The power company will only let you use up to 100% of what you,,you can't go above and beyond. If you are with Indiana Michigan, so you get 100%. If you are on REMC like a lot of us are, you really only want to go 50% because they don't buy your power back at the same rate as Indiana Michigan does.

Davis: Any further questions? Anyone in the audience that would like to speak now for or against?

E. Thornburg: I have a question, if he was to put his next set of storage buildings back from that fence along that easement, what would that setback be, would it be fifteen feet?

R. Abel: He's setting it where?

E. Thornburg: If you set it parallel to road right of way.

R. Abel: His storage building?

E. Thornburg: Yes.

R. Abel: Yeah, it would be 50 feet plus...probably 50 feet.

E. Thornburg: You said 50?

R. Abel: For the business.

J. Peacock: So it would have the same...

R. Abel: It would have the same setback, yes, it would still be 50 feet if there was a lock and store there.

J. Peacock: Well, I'd like to encourage his business, because that sounds kind of interesting but 38 feet is a big request next to a highway.

T. Martin: Can we go with 30 feet?

J. Peacock: What would be acceptable guys? Randy?

R. Abel: That's not really up to me, all I can give you is the information that says, here's what EDPR's doing, the Solar Ordinance says 60 feet, like on every road, basically it says 60 feet.

J. Peacock: And the reason it's 60 feet on every road from the solar companies is, is it safety? Is it reflection? What was the reason?

R. Abel: That's all of it together, I would say.

J. Welch: I don't think they've given us specific reasons.

R. Abel: I don't think they've given us a specific reason, but technically, they're for health, safety and welfare. It's not property value.

J. Peacock: It's kind of wasted space if you don't use it somehow. So I can understand why you didn't think there'd be a problem.

T. Martin: It's like within our caged in area, I guess it's how I kind of look at it, you know.

J. Peacock: But at the same time, that's a big change. Instead of having 50 feet off their right of way having 12 feet.

D. Johnting: But the cars can park up there.

D. Cleveland: Jon, are you thinking for future reference or? I mean, if you're making a variance, why does it matter if it's 38 feet or 10 feet or 12 feet?

J. Welch: We have to approve it specific if we're going to approve it, you could approve it at 10 feet, or 20 feet.

D. Cleveland: I understand that I'm just asking. You have a train of thinking I can tell, I just wondered where you were going with that.

R. Abel: I also don't know if there's any liabilities to be worried about, if they put it at 12 feet and then something happens.

J. Peacock: I'd like to work with him, but I think that's too much, and I don't know if 30 feet is going to matter that much. So this group, I never know how this group is going to vote by the way.

Vice Chairman Davis: Tyler, what is the bare minimum that you feel comfortable with?

T. Martin: I'd have to go walk out in the lot and kind of see it, but if you can kind of imagine like what he's saying with the fence and it's 12 feet off the fence. That line right there, that's what you're saying. It's the small red line 30 foot in there, right?

Vice Chairman Davis: Tyler, think on this, if we vote tonight, on as presented or what you feel comfortable with, if we're able to change it, the request tonight, if the vote is not in your favor, you can still come back with, the next month or so, and amend your proposal.

T. Martin: Okay, so you're saying on the 38 feet you guys would lean towards that I should amend it? To 30 feet? Or well, I guess it's about...

Vice Chairman Davis: No, I guess what I'm asking you is do you want to go with what's presented or do you want to change it? Can we accept the change tonight?

D. Johnting: He can amend it tonight or you can think it over and come back in September, September 21st.

T. Martin: If we went to 30 feet instead of 38 feet, that would put me 20 feet off the fence, would that be, would that make it more likable? For you guys, I mean, you're still going to think that between my fence there's going to be 20 feet, about 200 feet long. That is going to be completely wasted. Wasted space in my eyes, but, you know, I could park cars in front of the solar panels, but you don't have people in there backing into them you know, I guess I could maybe lift them up higher where they just drive right underneath it. I mean...

R. Abel: Well, they have a height restriction.

T. Martin: Do they? Okay, well I didn't know that part.

R. Abel: Yeah, they have a height restriction too.

J. Peacock: However, what you're asking is to be how much closer to the right of way than any other solar panels in the county around?

R. Abel: Well, right now the closest one is 75 feet. Off a highway right of way.

J. Peacock: Off of a highway right of way it's 75 feet, right now.

R. Abel: Technically the ordinance says 60 feet, and he's asking for 12 feet.

D. Cleveland: What's the setback to property lines?

R. Abel: For which setback? Front-side-rear?

D. Johnting: 15 feet.

R. Abel: 15 feet on the side.

J. Welch: If you left it at 50 feet you could in theory park between the panels and the road? You could put your parking lot there instead? Is that a possibility?

T. Martin: I mean, the only downside to that is somebody hitting it, or on the other side of it I still have semis that come in and out there and use our dock space and back into our dock every single day. And turn around 53 footers and then they have to back them in and park them.

J. Welch: So, it would be tough to maneuver a semi?

T. Martin: You're just tightening the circle of what you have to work with I guess.

R. Abel: Can you double stack them? And move them back? Instead of doing 200 feet do a hundred? Or do 40 feet just row them back?

T. Martin: You can make them go...it adds a lot of cost to them, but you can make them go perpendicular with the property, but you'd have to build a whole bunch of arrays. You see what I'm saying? I have thought about, actually trying to do it on the far west side at the very beginning, I'd still have to clear out some of those trees, but it just wasn't going to be very economical and then I still think I would be too close to the, where that driveway that goes all the way around the building and the field is right there. By the time I would build them, I still think I would be, I would need a variance to be within the 15 feet to be able to, it was just going to be more problems.

D. Cleveland: In my mind, there's already a fence there on the property, or the right of way, so it's not like...

Vice Chairman Davis: No harm, no foul?

D. Cleveland: Well, there's already a fence there though, so, he's building on the other side of the fence.

D. Johnting: And a fence can be right on the line. The fence is okay.

Vice Chairman Davis: Okay young man, you decide--do you want to keep it as it or do you want to modify your petition?

T. Martin: What do you want me to do, what do you guys recommend?

Vice Chairman Davis: [Laughter] We can't tell you what to do.

T. Martin: Well, I guess....

D. Johnting: If you modify it and they say no, you can still come back in September with a different request. If you want to come back with the same request, you have to wait six months.

T. Martin: So, I can leave it how it is and then come back next month with a different request also?

D. Johnting: Yes.

J. Peacock: Alright, then I have a question before you do that.

T. Martin: Okay.

J. Peacock: Number one that we have to vote on, okay, "The variance requested will or will not be injurious to public health safety morals and general welfare." Are we sure that the solar panels aren't, if we put them closer than is normal, that doesn't open us up to something?

Vice Chairman Davis: Such as?

J. Peacock: Oh, I don't know, why is it 60 feet, why is it whatever distance?

Vice Chairman Davis: I think they just pulled it out of their rear to be honest with you.

J. Peacock: If they're pulling it out of their rear let him put it where he wants to.

R. Abel: Well, quite truthfully, if you look at all the ordinances we've looked at, which has been dozens and dozens of ordinances, 60 feet is about the least we ever looked at. And that's why we gave EDPR 60. Most are over 100 feet plus.

Vice Chairman Davis: But they don't give a reason, is that fair?

R. Abel: No, no, but most of them are health, safety and welfare that's the reasoning of any ordinance any zoning ordinance, health, safety and welfare, and to protect the property values. And I don't think there's any property value issues here because there's no properties within who knows how far down the road.

T. Martin: There shouldn't be no health issues either, I wouldn't think, but...

R. Abel: But I'm just telling you that's the general things on ordinances of zoning ordinances, health, safety and welfare, and property value protection. That's the two things, or four things, however you want to look at it.

Vice Chairman Davis: Jon, do you see health issues? I don't.

J. Peacock: I know I'm just looking to see if there's any reason, reflecting wise or something.

D. Johnting: Randolph Central has panels, on US 27...has anybody ever notice those having any glare? I haven't.

Jon Peacock: They're not even close.

D. Johnting: Okay. Sorry, I don't know, I shouldn't have said anything.

J. Welch: No one will really know what it will look like until it's built. That's the problem.

E. Thornburg: Another question, the front of the building is what determines whether we're going to the front or side setback, correct? It could be the front entrance to the building?

R. Abel: The highway.

E. Thornburg: The highway, are we talking about the front of the building or are we talking parallel to the highway?

R. Abel: His address. In the right of ways, you go the right of ways. So it's not parallel to the building, unless you are trying to figure behind the building. So you draw a line, parallel to the front of the building, then that determines whether

you're in front of or behind the building. Setbacks are determined by the right of ways. So if the road is at an angle your setback is going to be at an angle. But then if any portion of it comes in front of that parallel line in front of the building, then that determines whether it's front or back of the building. I would say most of this would be considered at the side of the building.

E. Thornburg: I'm going to say this, you know, when you strike a line on this, at the front where his building is, that line crosses right at the edge of the driveway and this whole thing is beside the building.

R. Abel: At the 12 foot setback. It could be. But just to be safe, if I was, if you were going to go with the 12 foot setback, I'd also give the waiver just in case somebody goes out there and says that doesn't quite measure right. But if he keeps it at 50 feet, I'm saying he probably would not need a waiver because it would be considered beside the building. Does that make sense?

Vice Chairman Davis: Well, is there any further discussion questions?

D. Calhoun: So basically, if you're going off of the...by the side of the building, looking at this map, his second row was basically even with the side of his building.

R. Abel: Yeah, it's close

J. Hufford: Very close.

J. Welch: That only matters for the waiver.

R. Abel: I mean, that only matters on the waiver. Which I would grant, just in case, if it gets moved a little bit up and down the right of way. If he gets a little closer or further, I don't know. You know on that right of way, it might not work.

J. Welch: Have you talked to your company about placing these this close to the road? The people who are installing these? Have they ever put these this close to the road?

T. Martin: I've never asked that question.

J. Welch: Because, I mean if somebody comes through there and gets blinded and crashes...

T. Martin: Yeah.

J. Welch: We're liable to hear about it.



T. Martin: Yeah, I understand that. But I guess my defense on that would be if I can park a bunch of cars with shiny windows and have a car lot sitting there and you know?

J. Welch: I understand what you're saying, I'm just saying that....

T. Martin: Look at all the pretty cars and you drove into the ditch. It's not the cars fault, you know. It's not the cars fault you drove into the ditch. Yeah, I understand that, it's just it's new and nobody knows what.

R. Abel: And technically, a car lot would not go that close.

T. Martin: Oh, okay.

R. Abel: You can park in there, because that's what kind of parking is allowed.

T. Martin: Yeah.

J. Peacock: I wish you didn't have a mound of top soil outside of your barn.

T. Martin: I'd sell it to you and then we could solve both problems.

J. Peacock: We might be able to talk.

R. Abel: Have you questioned the solar company about placement back there?

T. Martin: I have not.

R. Abel: I mean, if that ground has settled for ten years, is there a possibility that they could put the poles down a little deeper?

T. Martin: I mean, I don't know...I mean, I don't know how tall the dirt is actually. I guess, but like my...

R. Abel: It might be iffy. I mean, I don't know, I'm just asking because we see compacted dirt all the time being used at building sites, but you definitely have to pack it as you go, and that probably was not.

Vice Chairman Davis: Just for the record, I think my issue, and I think Jason kind of cleared up a little bit is safety, if it's a glare also, if it could cause harm and who's to say?

T. Martin: Is there anything that you could put in there, if there is an issue within the 1st...? I mean, I don't know how I would do that if I could say that you could take them down afterwards and then I don't know what. I don't know I just...I don't

think that it will be an issue after you see them, but it's kind of that thing that once you go and spend the money and they're there, you know it's not like you just walled them up and...

Vice Chairman Davis: No, I understand. I mean is there research out there that shows that, you know, that this is a safety hazard?

J. Peacock: That's what we don't know.

D. Cleveland: Yeah, the one example I keep thinking of is on Interstate 70. Close to New Castle. I drive by that a lot. And it's not 12 feet from the road. So, it's not exactly the same, but I don't ever remember noticing a glare.

R. Abel: And they're below the road, aren't they?

D. Cleveland: Yeah, so it's not...

R. Abel: I mean you gotta look down on those and the solar farm also has a 20 foot bare grass lane around all their panels, in addition to the panels being there. And I don't know what you're gonna say to the solar company that comes in next year and says we want a 12 foot setback. On any road. I mean, what would you say? I mean, the ordinance says something about not applicable to other places. I don't. I'm just asking. I don't know what would ever happen, but...

T. Martin: I know what you're thinking. I guess if I try to somewhat meet in the middle, if I say "make the change from 38 feet to make it 30 feet variance." That way it actually puts me 20 feet off the setback, am I saying that right?

R. Abel: Off the right of way.

T. Martin: Off the right of way

R. Abel: Be right, 20 feet off the fence.

T. Martin: Twenty feet? To give you that twenty feet and mine are down as far as the ones on Interstate 70, but US Highway 36 is built up from where my lot is a little bit too so that helps. I would move forward with making that motion you know that. You guys could vote on it or whatever and just make, you know change it from 38 to 30 feet and see where it goes from there? I don't know what else, what else we can do or I can do the, if you could put a clause in there if, I don't, I don't know what other options we have like it's just...

D. Johnting: Where do you think your deal breaking number is?

T. Martin: Well, probably about 20' off the fence, I kind of think that's too much...but I feel like if you keep going further than that you might as well just yeah, just wipe it.

Vice Chairman Davis: Tyler, could you reduce the amount of units? Instead of getting all of them, just get part of it or so or. What do you think?

T. Martin: For like, what do you mean for? For what purpose?

Vice Chairman Davis: Instead of you know to use the space instead of, if you don't have enough space to put, everything on there that you want, can you reduce the amount of...

T. Martin: I, I mean I could, but it wouldn't cover the kilowatt usage that I have I guess.

Vice Chairman Davis: Okay.

T. Martin: Yeah, I have that, that's within a few panels I have that pretty much what it will require to be where we need to be.

Vice Chairman Davis: Gottcha.

T. Martin: It might be 58 or 118 or 221. Oh, I said that wrong. I mean 118 or 121. You know it's, but it's going to be really close to that 120 panel.

Vice Chairman Davis: Final question, do you want to leave it as is, or do you want to change anything? For tonight's vote.

T. Martin: I guess let's leave it how it is.

Vice Chairman Davis: Okay. Last call for the board or members of the audience to speak for or against.

J. Hufford: Has he decided to change?

Vice Chairman Davis: He decided not to change.

J. Hufford: I understand.

Vice Chairman Davis: I will entertain a motion.

D. Calhoun: I make a motion for 38 feet.

Vice Chairman Davis: I make a motion for a roll call vote. Anyone?

D. Cleveland: Second.

Vice Chairman Davis: All in favor say aye. Debra?

D. Johnting: Okay, Bill Davis, yes, Bryn Albertson is absent, Jon Peacock, no, Drew Cleveland, yes, Don Calhoun, no, Jim Hufford, no, and Jason Hawley is absent. Motion denied.

T. Martin: All right.

Vice Chairman Davis: Come back next month.

T. Martin: Okay.

J. Welch: It would be helpful if you could get some research from the solar company to see where they have put other ones that close, or if they've done any research on what glare...

T. Martin: Glare and closeness to other...

R. Abel: And maybe you could ask them about the hill at the back, and see how feasible that is.

T. Martin: Okay. Any other information that would help clarify or clear the...

D. Johnting: Take some pictures of your mounds and hills, your problems.

J. Peacock: Check with the state highway, and see if they would have any problems. I mean, as long as they would be okay with it, I'd be fine with it, but we're setting a precedent for every future person. Twelve feet is really close. I understand why you wanted it there.

T. Martin: Do you know who to contact at the state?

D. Johnting: I do.

T. Martin: Alright, then I'll talk to you when you're not busy.

Vice Chairman Davis: Tyler good luck.

T. Martin: Thank you, I will see you next month.

Vice Chairman Davis: Okay, next on the agenda, is BZA2021-12-SP. Christa Kritsch is requesting a special exception to build a dog boarding kennel facility on the south side of their home zoned A-I, Christa, you know the routine.

C. Kritsch: My name is Christa Kritsch, 35 N 300 W, Winchester.

Vice Chairman Davis: And did you receive Article V, Conduct of Hearings?

C. Kritsch: Yes I did.

Vice Chairman Davis: Please state what you want to do.

C. Kritsch: I would like to build my dog kennel at my home. Just for the reasons that I listed in the plan of operation there. We would also like to request to get a variance for an 8 foot fence. It would go around to keep the dogs inside and protect them. Not a lot has changed from the last time.

Vice Chairman Davis: Questions by the board? Anyone in the audience who would like to speak for or against at this time?

M. Shepherd: I'm hard of hearing, I didn't hear you.

Vice Chairman Davis: Please state your name and address.

M. Shepherd: Madonna Shepherd.

Vice Chairman Davis: And what would you like to say?

M. Shepherd: I have two dogs. But that makes a difference with a whole bunch of dogs. And they live just across the field. I'm going to say no. I hate to, but I just can't see putting a dog kennel in their front yard like that. I mean, they've got such a pretty place. Am I the only one that was to vote, or are there other votes on there? These two that came today are neighbors, but they didn't get letters.

Vice Chairman Davis: Are they surrounding neighbors?

D. Johnting: We prepared and sent letters to all abutting property owners.

R. Abel: But anybody can talk.

Vice Chairman Davis: That's right, anybody can talk though.

M Shepherd: Pardon?

Vice Chairman Davis: Anybody in the audience can speak, even they are not abutting property owners. Did you have anything else to say?

M. Shepherd: No, I'm just sorry I have to say no, but it's just too close.

Vice Chairman Davis: I understand.

M. Shepherd: I feel like, to my residence, thank you.

Vice Chairman Davis: Anybody else?

J. Miller: Jason Miller, 2421 W State Road 32, Winchester. I guess I have more of a question for the project, don't really know anything about it, I'm the tenant farmer for Mrs. Shepherd and in the corner of that field just roughly south of where their flags are in the yard, tends to be a low spot in the field. And there is a tile in there with a surface inlet breather pipe, but having said that, during saturated rain events it'll flood and you know, keep ponding water in there for you know a week, or at least a week normally. So my question is, with the addition of a building and I'm assuming maybe more driveway or parking lot impervious area if things have been taken in account to maybe keep all that watershed from hitting that low area all at once?

Vice Chairman Davis: Christa, can you or someone address that?

T. Kritsch: The breather pipe he's talking about, is basically on the top end. The surface water runs just south east through our woods there. So the surface water would be still going through us and be going around the building.

Vice Chairman Davis: Does that answer you Jason?

J. Miller: Right, so you shot the grades and it does go kind of toward the south.

T. Kritsch: When it rains, it runs through the woods, there's a gully that runs behind our garage up to the woods.

J. Miller: Yeah, that's fair because I was assuming it just kind of went to the south.

T. Kritsch: I think that's the top end of that ditch, I believe.

J. Miller: Okay. that was my concern, so thank you.

Vice Chairman Davis: Anyone else? Let the record show that no one in the audience has any further questions, or any more discussion by the board.

J. Hufford: Is this agricultural intensive area?

D. Johnting: Yes.

J. Hufford: So, how far away could you put a CAFO?

R. Abel: At 1500 feet.

J. Peacock: So Mrs. Shepherd's house is 700 feet away? Is that what you're saying?

D. Johnting: About 700 feet away.

E. Thornburg: I had it roughed in at 720 feet a minute ago and I just lost it.

D. Johnting: I know, it's about 700 to 725 feet away. So, a CAFO would be about twice that.

R. Abel: Maybe with more animals too.

J. Peacock: Mrs. Kritsch, this might be closer to your house than it will be to her house.

C. Kritsch: Absolutely.

J. Peacock: And you probably had to sell your husband on this idea, if I had to guess. So, is there any sound suppression that you can do to help not impact the neighbors?

C. Kritsch: Yes, because it is right by our house. Yes, because we've got like the double, what did he call that? The double insulate, insulated walls there. So it is so it will be soundproof even on the inside it won't be nearly...

R. Abel: Is there any tree line or anything on that side?

T. Kritsch: The only trees would be the trees on her property and we, we're wide open on the south side.

R. Abel: Is it possible to plant arborvitaes or something to help? I don't know what's being done for sound suppression...

C. Kritsch: I mean, I don't think the noise will be an issue because the dogs are inside and we do have all the insulation in there. And they're not out at night, ever. They're always enclosed inside.

T. Kritsch: Yeah, I mean it's basically a 60 feet by 80 feet pole barn, going to have 2" x 6" studs, it'll be insulated and dogs won't be outside at night. If you go to the kennel she currently has now, when you pull up there, you never hear a dog. When she's inside, yeah, they bark and you can hear them, but when you're, when you pull up, every time I've been there, I've never heard dog on the outside.

J. Welch: If it was loud, would you want it right next to your house? So, you are confident it's not going to be loud.

T. Kritsch: Yeah, I'm not at all concerned about that.

R. Abel: Here's another question, if it was found that it made more noise than you even thought it was going to, would you be willing to put up some kind of tree line? Or something to help suppress the noise?

T. Kritsch: Yeah, like right now the way we've got it set, we would have the 8 foot fence basically like right on the tree line or on the property line which would help suppress the low noise, and then there's fifteen feet from the property line to the lean-to portion of the building, I mean, we could potentially put some trees in there. We were going to use that as an outdoor run to where the dogs do their business.

C. Kritsch: On the left side.

T. Kritsch: So I mean to put a couple trees in there or something, but to put a whole line in there, there's, there wouldn't be enough room to put big bushy trees in that fifteen foot area. But inside the kennel also is going to be basically An 8 to 9 foot loft that would then cover the kennels and that's also going to be insulated, so they're going to be insulated all the way around. The echoing effect isn't going to be that bad, and we're going to have the day care facility in the middle. So, you're not going to have all that dogs barking and echoing on the inside either, so I think having the loft area with the sidewalls on it is going to help curb the noise also.

C. Kritsch: I mean, I guess I've had this business for a year and my thinking to have it at home was I can take care of the animals better. I've had a couple of cases I, I do care for a couple of diabetic dogs and it is nice if I'm close. Then I don't have to get in my car and drive four miles to make sure that you know, he ate enough to take his insulin, or you know, I've taken dogs home to my house when I haven't thought that they have looked well or they don't feel well or we run him into the vet. I mean, we've had two or three different dogs, stay at the house just so I can keep a better eye on them. I mean, people bring their animals to me, to be cared for, and so that's what I'm trying to do. I've had, for example, a gentleman's home burnt down, and he didn't have anywhere to go. So, you know, I had to meet him at 10:00 o'clock at night at the kennel. He didn't have anywhere to take his dogs. So, I mean it would just be for safety as well for I have, you know, my daughter works there and I have another employee that works there. If they're there, I'm right there with them as well so.

R. Abel: Just out of curiosity, how many dogs will this handle?



C. Kritsch: On average I have 8 to 10 dogs that stay the night. And then I do have daycare dogs, I have four that come on a regular basis and they're always picked up by 5:00 when they get off work.

J. Peacock: Okay, so the exact--what are you asking for on this variance, what exactly is it that has to be asked for here?

D. Johnting: The dog kennel is a special exception, anywhere.

J. Peacock: Anywhere.

D. Johnting: Anywhere, in town, in the country, out in the middle of nowhere. So, the variance is noted in the Unified Zoning Ordinance and the 8 foot fence can be requested to the BZA. They'd like an 8 foot fence which will be to contain any dogs for safety and also help with the noise.

C. Kritsch: And it will look nice.

D. Johnting: And it will look nice. Right.

D. Cleveland: I have a dumb question, is it a solid fence or...?

C. Kritsch: Yes, it's solid vinyl.

Vice Chairman Davis: Further discussion or comments by the board.

D. Johnting: And the fence is going all the way around, not just on the road side?

T. Kritsch: There will be a little bit on the north side. The whole north side will not be fenced in, that would be the driveway.

D. Johnting: But the south will be?

T. Kritsch: Yes, the south, east, and west will all be fenced.

C. Kritsch: Yeah, the south east and west.

J. Welch: You'll technically need two votes, one for the special exception and one for the fence.

D. Johnting: Right, you should have two ballots in your packet. One for the special exception and one for the 8 foot fence variance.

J. Peacock: Is there anything that they could do that would help you feel better about this being at their residence? Is there anything that they could do to make you feel better about them putting this close, 720 feet from your home?

M. Shepherd: Well, I heard you, I heard something about a sound barrier which was news to me, I just know that when I take my dogs to a kennel, it's just bark, bark, bark. I mean it's just. My dogs make enough bark, but they don't bark all the time. I just can't see it in their front yard because they've got such a pretty place. I guess that bothers me too. Maybe it doesn't them, and it's not my place so, I don't know.

T. Kritsch: I don't think it's going to be the typical kennel you have envisioned. It's going to look like a, basically a farm shop is what it's going to look like. You're not going to have the outside runs and all that will be covered. So the kennel, the outside kennels, there's a door from the inside kennel, to the outside kennels, and during the day she'll let them out into those outside kennels if it's nice, but during the night that door is shut to where they stay inside. The outside kennels are 6 feet long and will have a 10 foot overhang coming over it, to protect from the weather and everything.

M. Shepherd: You got enough room for that?

T. Kritsch: Yeah.

M. Shepherd: I know you had stakes in your yard.

T. Kritsch: Yeah, I've got it all staked out. I mean from the fence to the, to the lean to, to the main building. And then the office sitting on this, on the north side.

M. Shepherd: How many dogs do you plan to keep?

T. Kritsch: So, the plan, right now she says she's averaging 8 and 10 dogs a day on average. During spring break and some of the other times there's 30 to 40 dogs there. We're building this facility, and we're trying to get about 35 to 40 kennels on the inside.

M Shepherd: It won't be too big then.

T. Kritsch: It will be a 60 by 80 building. That's what we're trying to do.

M Shepherd: Well, if you think you can do all that.

T. Kritsch: I would not intentionally do something that I think would harm any of my neighbors. I mean, I've got really good neighbors. And if it was going to be that bad, I wouldn't put it at my house.

C. Kritsch: And we wouldn't be putting it at our house. Right?

Vice Chairman Davis: So, Trent, is it fair to say if someone didn't know what that building was?

C. Kritsch: They wouldn't know.

Vice Chairman Davis: They really wouldn't know if they just drove by it they wouldn't know what it was, right?

T. Kritsch: Right.

Vice Chairman Davis: Thank you. I make a motion for a roll call vote.

D. Johnting: One quick thing. We have met to discuss a variance of someone who wanted a pole barn closer to the road than the house. This is closer to the road than their house, but they're far enough away that that's not an issue. They could do that if it wasn't a kennel there could be a barn sitting where that barns sits. It's more than 500 feet from any neighbor. So that's not an issue.

R. Abel: Okay, and it's kind of ag.

T. Kritsch: If the kennel doesn't work, it's gonna be another farm shop.

Vice Chairman Davis: Okay, I will entertain a motion for a roll call vote for a special exception. We'll do the special exception first.

J. Hufford: I'll make a motion for a roll call vote.

D. Calhoun: Second.

Vice Chairman Davis: All in favor? Deb?

D. Johnting: Jon Peacock, yes, Drew Cleveland, yes, Don Calhoun, yes, Jim Hufford, yes, Jason Hawley is absent, Bill Davis, yes, Bryn Albertson is absent. Motion approved.

Vice Chairman Davis: Now I will take a motion for a roll call vote on the 8 foot variance.

D. Calhoun: So moved.

J. Hufford: I second.

Vice Chairman Davis: All in favor. Deb?

D. Johnting: Drew Cleveland, yes, Don Calhoun, yes, Jim Hufford, yes, Jason Hawley is absent, Bill Davis, yes, Bryn Albertson is absent, Jon Peacock, yes. Motion approved.

Vice Chairman Davis: Good luck.

C. Kritsch: Thank you.

Vice Chairman Davis: Hey, any old business that we need to discuss tonight?

D. Johnting: Just that we have a meeting next month and so far we have 4. Three of the four will be sign requests.

D. Cleveland: I didn't get it in quick enough, but you had me in attendance last month.

D. Johnting: I changed it. I sent you guys an amended copy in your email and the one you have tonight may be wrong, but I caught it and fixed it.

Vice Chairman Davis: Any new business? Other than what you just shared Deb?

R. Abel: If there's anybody who knows anybody from the City Council, Winchester, Union City, Losantville, any of the cities, we're going to have to discuss the sign ordinance next time for the APC, so we're trying to get anybody that's got input. I think we're gonna have trouble getting Winchester to like what Lynn's got for example. Maybe not. But, obviously our sign ordinance was kind of a rushed deal. So, we're looking at how we could expand the commercial size. You know, I think we can just kind of compare what we see from other ordinances and kind of go with that, but if you know of anybody on the City Council, got input on that, I know the mayor of Winchester has some interest. So if you will mention that in your city councils. We've got a month to work on this so.

J. Hufford: Okay.

D. Cleveland: I am glad you're working on that, it has needed to be changed for awhile.

R. Abel: Well, we're having too many variances. It's obvious we've got issues.

D. Johnting: Everybody that comes in for a sign permit has to get a variance. If they get it done, the one from Union City may come in, that would be four, and then Tyler would be five.

J. Hufford: Very interesting really.

R. Abel: It's kind of important for you guys to realize with all these variances, we are thinking of changing it.

J. Hufford: It's pretty limited on the signs, right?

R. Abel: 10 square feet on the building. Then if I look at other ordinances. Some are like 50 to somewhere like 70 and then a lot of them are like a distance to the road which makes a lot of sense to me. And in some of which I really like, will take the frontage, and then if you like, say you've got 100 feet, you multiply it by 1.5 so you get that many square feet of signage and then as you move back further from the road, they increase that ten, twenty, thirty percent. So it kind of keeps things proportional. I'd like to see a little change in definitions of some of those, because you go to the Walmart and they've got a sign in there that says Oil and Lube, I really consider that more of a directional sign. That's all done in definitions.

J. Hufford: What about billboards, and stuff like this, that's advertising, are they under our ordinance?

R. Abel: Yeah, ours says no billboards.

D. Johnting: The billboards that are out there are permitted by the state. The one on US 27, like by the overpass, you'll see a tag on them. Those are permitted by the state if they're in commercial, and they've applied for a permit from the state. They can be there.

J. Hufford: I see a lot of businesses put billboards up on their own, that's the reason I was wondering.

D. Johnting: If they're on a highway, Susie will find them and take them down. I was going to have sign ordinances printed out for you guys and I didn't get that done. The main thing for this group would be just the commercial table part of it, probably.

R. Abel: And I think we're in agreement. It's making some of the county members nervous, but we don't want to change the wording, just numbers. I mean, that's basically right isn't it?

J. Welch: Yeah.

R. Abel: We don't want to endanger that lawsuit we got into.

D. Johnting: But we've had some issues in the office now because they can't fit into the sign ordinance, so they're going ahead and putting the signs up anyway. So that's creating a whole other can of worms, because then do you go to them and say, well, you have to apply for a variance now and they say, well, this guy didn't even get a permit. And that's going on too and I don't want to advertise, hey, if you put up a sign you need a permit--and then have 30 people come in to get permits and we say, well, you can only have one this big, until the sign ordinance is done.

J. Hufford: Now like Casey's when they built out here. Their name would probably be bigger than 10 square feet.

D. Johnting: Yes, it would be. They couldn't do anything now like they did then. That was under the old ordinance, the old commercial table. That is what is in your UZO still.

R. Abel: And I think those came from some bigger city where they've got massive amounts of commercial areas. So, what I would suggest if you want, so if you drive down, and I gave this example earlier, you go down through Winchester here and you look at that little sign that hangs out that says around the corner cafe right on the square. It's not 10 square feet but anybody can see that right? So, you drive on through town and you go down to the House of Flavors and it's about half the size of this wall here. What would that look like if you had that on every commercial building uptown had this great big 30 square foot sign? So you gotta balance somewhere, right? The 10 square foot sign does work in places. It really does. But I don't think it fits all our commercial areas, and that's where some of those zoning ordinances differentiate between C-1, C-2, C-3. The problem we have is we've got C-1, C-2, uses in C-3. We've got C-3 uses in manufacturing, I mean. The whole problem is our zoning really needs to go to uses more than zoning.

D. Johnting: So, at the tobacco place, that sign is 120 square feet. If you count the background and everything. It's way better than it was before. It's very pretty.

R. Abel: But, if you just count the lettering and it's not quite that big.

D. Johnting: But if you count it all it's 110 square feet bigger than what our ordinance allows.

R. Abel: What we're really going to have to do is go out with a tape measure and see how much frontage you've got, and do the percent trick that I kind of like because it's balanced, right? Or just go with the flat number and I think the flat number would be a mistake. Because then you could put a big sign on a little building and that wouldn't be good.

D. Johnting: Think about going by Roots, it sits way back off the road and then go by the tobacco place right on the road. Do you need the same size of sign?

J. Hufford: Because the problem we're going to have is a lot of these are not just privately owned businesses, like people in Winchester where you've got places like Casey's, McDonald's, they come in and they pretty well got theirs set up what they're going to put in.

D. Johnting: Yes, they all look the same, everywhere you go.

J. Hufford: Right, yeah? So and if we all of a sudden say you're McDonald's sign that you brought can only be 10 square feet, they're going to look at you like, say what?!

R. Abel: With the graphics nowadays, though, you can punch in the percentage of graphic you want and they can shrink the signs or make them bigger. It's not hard to do that anymore. Back in the day when they press formed them and stuff yeah, but not anymore. That's not what they do.

J. Hufford: Yeah, even the signs with the changes of numbers for the price of gas is more than ten square feet.

D. Cleveland: So what's the whole point of the sign?

R. Abel: Huh?

D. Cleveland: What's the whole point of the sign?

Vice Chairman Davis: To get business.

D. Cleveland: So can you read what they're putting on the sign?

E. Thornburg: Not in Charleston you can't. They've got some sign nazi that prepared their ordinance and you can't find crap.

[Laughter]

Vice Chairman Davis: I make a motion to close this meeting. I've got a birthday party to go to. This meeting is adjourned.

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Jason Hawley, Chairman

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Debra Johnting, Recording Secretary

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Bill Davis, Vice Chairman