

MINUTES
BOARD OF ZONING APPEALS

March 1, 2022 at 5:00 o'clock P.M.

Held at the Jefferson County Surveyor's Office, 315 Jefferson St.,
Annex Bldg., Madison, IN 47250

MEMBERS PRESENT: DARRELL GINN, JENNY BEVERLY, ANDY CROZIER and
JIM KLEOPFER

VISITORS PRESENT: TIM BOWMAN, MICHELLE BOWMAN, MIKE BROWN,
MICHEE GROSSEN, CHRIS GROSSEN, DAN SHEWARD,
KELLIE SHEWARD, BRENDA GUNTER, MISTY GUNTER,
RODNEY PETTIT, SUSAN C., MIKE C., and BOB DEMAREE

STAFF PRESENT: PAT MAGRATH, Attorney at Law, JOSH CLINE, Building
Inspector, and LYNETTE ANDERSON, Secretary

Vice-Chairman Andy Crozier called the meeting to order and welcomed new members Jim Kleopfer and Jenny Beverly. A quorum was present with David Ferguson absent. Darrell Ginn made a motion to approve joint and regular meeting minutes of January 4, 2022. Jenny Beverly seconded the motion. Motion passed unanimously.

New business as follows:

- **Dr. Robert Ellis**, consent given to Rodney Pettit, property located 761 S Rogers Road, Lexington, Indiana, Republican Township, containing a total of 2 acres, requested a variance from developmental standards of ten (10) feet from side property line and eighty (80) feet from center of road to build a 16' x 25' addition to his house. Dr. Ellis owns the property sharing the side property line. The green cards and proofs of mailing were turned in. There were no objections from the audience. The board went through the Findings of Fact as follows: **Findings of Fact** -1. The approval will not be injurious to the public health, safety, morals and general welfare of the community *True*. 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner *True*. 3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property *True*. **Decision-** The Jefferson County Board of Zoning Appeals voted to *approve* the application for a variance from developmental standards in this matter with members voting as follows: 4-0 *approved*. **Conditions of Variance** from developmental standards are as follows: *None*. Darrell Ginn made a motion to approve the application. Jenny Beverly seconded the motion. Motion passed unanimously.
- **Tim Bowman, IXCR Racing**, consent Donald and Brenda Gunter, Shelby Township, containing a total of approximately 765.108 acres, requested a conditional use under #722 Sports Assembly and #749 Other recreation, including camping and picnic areas. The green

cards and proofs of mailing were turned in; however, adjoining land owner, Brittany Jo Hitchell was not given proper notice. After asking Pat Magrath, the options on how to handle the application since proper notice was not given, it was decided to finish conducting the business of the application, table it until the April meeting, and hear any support or objections from the audience. Tim Bowman presented a large map of the approx. 765 acres. A complaint was submitted about traffic flow. Mr. Bowman addressed the traffic flow - they will be entering on Breezy Ridge Road and exiting on NE Prong Road. Last year, they entered and exited on Breezy Ridge Road which caused some traffic issues. They have been racing on property near NE Prong since 2008; just last year they began racing on property near Pleasant Ridge. There were no objections from the audience; however, Dan Sheward, adjoining land owner, asked the applicant for more signage at a certain location near his property/near Hedge Apple Road. Mr. Bowman said no problem and he will make the signs to block a road and direct them to the other road. Mr. Sheward also asked if he would be liable if racers got hurt on his property as there are times the racers get confused of where the trail/track is and get on his property. Andy Crozier told Mr. Sheward he would not be liable. Mr. Bowman said he will make sure the racers are aware of where the appropriate trail/track is by marking it better. Andy Crozier asked if people show up all at once or if it is a continual flow of people. Mr. Bowman said it is a continual flow all weekend – some people begin to show up on Friday and continue through Sunday. Andy Crozier also asked about parking. Mr. Bowman stated there is plenty of parking; the gray area on the map shows the parking locations and Mr. Bowman said they do not fill up those areas. Darrell Ginn asked Mr. Bowman if he plans to race more the two times a year at the locations listed on the application. Mr. Bowman said no. They only race one time a year per location, as he wants to preserve the land. Darrell Ginn made a motion to table the application until April 5, 2022. Jim Kleopfer seconded the motion. Motion passed unanimously. Mr. Bowman will email Lynette Anderson, secretary, the proof of mailing showing Brittany Jo Hitchell was given notice for the April 5th meeting. It was also discussed that IXCR Racing does not have to attend the April 5th meeting.

Other business as follows:

- **Next Meeting: Tuesday, April 5, 2022, at 5:00 o'clock P.M. at the Jefferson County Surveyor's Office, 315 Jefferson St., Annex Bldg., Madison, IN**

Jenny Beverly moved for a motion to adjourn the meeting. Darrell Ginn seconded the motion. The motion passed unanimously. The meeting was adjourned.

Minutes prepared:

BY: Lynette Anderson
Lynette Anderson, Secretary

APPROVED THIS 5 DAY OF April, 2022.

JEFFERSON COUNTY BOARD OF ZONING APPEALS

BY: David B Ferguson
DAVID FERGUSON, Chairman