



MEETING RESULTS ZIONSVILLE BOARD OF ZONING APPEALS

Wednesday, January 5, 2022

6:30 PM (Local Time)

THIS PUBLIC MEETING WILL BE CONDUCTED ONSITE AND ELECTRONICALLY AS ALLOWED BY VARIOUS EXECUTIVE ORDERS OF THE GOVERNOR OF INDIANA AND GOVERNOR HOLCOMB’S EXERCISE OF HIS POWERS UNDER INDIANA’S EMERGENCY MANAGEMENT AND DISASTER LAW, IND. CODE 10-14-3, *et seq.* ADDITIONAL INFORMATION REGARDING THE MEETING IS PROVIDED IN THE ANNEX PUBLISHED WITH THIS NOTICE.

The following items are scheduled for consideration:

- I. Pledge of Allegiance
- II. Attendance **5 of 5 members attended. (In-person- J. Wolff, S. Mundy, L. Jones, L. Campins; Virtual- C. Lake)**
- III. Approval of the November 3, 2021 & the December 1, 2021, Minutes
- IV. Continuance or Withdrawal Requests

Docket Number	Name	Address of Project	Item to be considered
2021-57-DSV	R. Carr	802 S 1100 E Zionsville, IN 46077	BZA accepted the withdrawal request of this petition. 5 in Favor, 0 Opposed Petition for a Development Standards Variance to permit existing accessory structures which results in exceeding the square footage of the primary structure in the General Agricultural Zoning District (AG).
2021-58-DSV	J. Gilman	290 S Sixth Street Zionsville, IN 46077	BZA accepted the withdrawal request of this petition. 5 in Favor, 0 Opposed Petition for Development Standards Variance to provide for an addition to a patio which: 1) Exceeds the allowable lot coverage 2) Deviates from the required side and aggregate side in the Urban Residential Village Zoning District (R-V).

- V. Continued Business

Docket Number	Name	Address of Project	Item to be considered
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2021-56-SE	R. Carr	802 S 1100 E Zionsville, IN 46077	<p>Approved as presented & filed w/exhibits, per staff report & per the condition that <i>The Petitioner agrees that all the noise sensitive requirements with regard to building parameters shall apply for Lots #1 and #2, and any future redevelopment of Lot #3 and these be included in their Commitments for the Minor Plat to be approved by the Plan Commission.</i></p> <p>5 in Favor, 0 Opposed</p> <p>Petition for Special Exception to allow for:</p> <p>1) A division of land to create a residential Minor Plat 2) New residential homes (3) to be permitted in an Agricultural Zoning District (AG).</p>
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VI. New Business

Docket Number	Name	Address of Project	Item to be considered
2021-61-SE	T. Everett	4141 (est.), 4077, 4075 S 250 E Lebanon, IN 46052	<p>Approved as presented & filed w/exhibits & per staff report.</p> <p>5 in Favor, 0 Opposed</p> <p>Petition for Special Exception to allow for:</p> <p>1) A division of land to create a residential Minor Plat 2) To provide for a new Single-Family Dwelling and to provide for two existing Single-Family Dwellings and related accessories in the Rural Agricultural Zoning District (AG).</p>
2021-62-DSV	D. Everett	4077 S 250 E Lebanon, IN 46052	<p>Approved as presented & filed w/exhibits & per staff report.</p> <p>5 in Favor, 0 Opposed</p> <p>Petition for Development Standards Variance in order to provide for the establishment of a 1.71-acre lot. (Minimum lot size is 2 acres) in the Rural Agricultural Zoning District (AG).</p>
2021-63-UV	R. Hopwood	2055 S US 421 Zionsville, IN 46077	<p>Approved as presented & filed w/exhibits & per staff report.</p> <p>4 in Favor, 1 Recusal</p> <p>Petition for a Use Variance in order to provide for the use of a tasting room and retail that deviates from the allowed intended uses in the Rural Agricultural Zoning District and the Rural Michigan Road Overlay District (AG & MRO).</p>
2021-64-DSV	R. Hopwood	2055 US 421 Zionsville, IN 46077	<p>Approved as presented & filed w/exhibits & per staff report.</p> <p>4 in Favor, 1 Recusal</p> <p>Petition of a Development Standards Variance to:</p> <p>1) Reduce front yard setbacks for an existing barn 2) Reduce the thirty (30) foot wide landscape buffer required along US 421 in the Rural General Agricultural Zoning District and the Rural Michigan Road Overlay District (AG & MRO).</p>

VII. Other Matters to be considered:

Docket Number	Name	Address of Project	Item to be considered
			<p>Approved</p> <p>5 in Favor, 0 Opposed</p> <p>2022 Contractual BZA Legal Services</p>

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In Attendance: John Wolff, Larry Jones, Steve Mundy, Laura Campins in person. Chris Lake virtual.

Staff attending: Suzanne Baker, Janice Stevanovic, Roger Kilmer, Wayne DeLong and Darren Chadd, attorney.
A quorum is present.

Wolff Good evening and welcome to the January 5, 2022 Board of Zoning Appeals. The first item on our agenda is the Pledge of Allegiance.

All Pledge.

Wolff Next item on our agenda is attendance. Mr. DeLong?

DeLong Certainly. Mrs. Campins?

Campins Here.

DeLong Mr. Jones?

Jones Here.

DeLong Mr. Mundy?

Mundy Present.

DeLong Mr. Lake?

Lake Here.

DeLong Mr. Wolff?

Wolff Present. Mr. Lake, thank you for making extra efforts to join us tonight. Certainly appreciate it.

Lake No problem.

Wolff The next item on our agenda is the approval of the November 3, 2021 Board of Zoning Appeals minutes. Any discussion amongst the group? Otherwise, I will entertain a motion to approve.

Mundy I have a correction to make.

Wolff Certainly.

Mundy Page 61. About mid-page, under my name, there fourth line down. That line starts with "remonstration letter which was subjecting" and that was "objecting" not "subjecting."

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- Wolff Thank you, Mr. Mundy. Is there any other corrections? If not, is there a motion to approve the corrected November 3, 2021 minutes?
- Mundy So moved.
- Wolff Thank you, Mr. Mundy. Is there a second?
- Campins I second.
- Wolff Thank you, Ms. Campins.
- Wolff Any those in favor, please say aye?
- All Aye.
- Wolff Those opposed, please say nay.
[No response.]
- Wolff Mr. Lake, I'm assuming you're sneezing and not voting 'nay.'
- Lake No, I said, "aye."
- Wolff Thank you, sir. Motion passes 5-0. Is there a motion—any discussion amongst the group for the December 1, 2021 meeting minutes? If not, I will entertain a motion to approve as submitted.
- Jones So moved.
- Wolff Thank you, Mr. Jones. Is there a second to that motion?
- Mundy Second.
- Wolff All those in favor, please say aye?
- All Aye.
- Wolff Those opposed, please say nay.
[No response.]
- Wolff Motion carries. Thank you. Next item on our agenda is continuance or withdrawal requests. We have two in front of us that we need to act upon. Then, we'll ask if there are any other things that we need to address. The first item, is there a motion to accept the withdrawal for Docket #2021-57-DSV?
- Jones Yes, so moved.
- Wolff Thank you, Mr. Jones. Is there a second to that motion?
- Campins I second.
- Wolff Thank you, Ms. Campins. All those in favor, please say aye?

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- All Aye.
- Wolff Those opposed, please say nay.
[No response.]
- Wolff Motion carries. Is there a motion to accept the withdrawal of Docket #2021-58-DSV?
- Mundy So moved.
- Wolff Thank you, Mr. Mundy. Is there a second to that motion?
- Campins I second.
- Wolff Thank you, Ms. Campins. All those in favor, please say aye?
- All Aye.
- Wolff Those opposed, please say nay.
[No response.]
- Wolff Motion passes with a vote of 5 to 0. Are there any other members—I'm sorry, are there any other community members who are on our agenda tonight that would like to seek a continuance or withdrawal? Okay. That moves us on to agenda item #5 which is continued business which brings us to Docket #2021-56-SE for the property located at 802 South 1100 East. Will the petitioners please come forward and state your name and address for the record?
- Resetarits Good evening, Mr. Chairman, members of the Board, my name is Kyle Resetarits. I'm an attorney with the law firm of Dentons Bingham Greenebaum in Indianapolis, 10 W. Market Street. Thank you for your time this evening. I stood before you last month albeit virtually asking for a continuance. Then on our revised subdivision plan submittal we then withdrew the development standards variance that you just accepted and so, tonight here standing before you, um, with the petitioner, Robert Carr, and other development members including Scott Senefield with their engineering team for petition #2021-56-SE. I have a very short slide deck to present. Appreciate the second slide there. So, the petition this evening is to allow for the division of a 41-acre parcel to create a three-lot residential minor subdivision and new residential homes to be constructed in an agricultural zoning district. The subject property located at 802 South County Road 1100 East is currently zoned rural agricultural AG. Next slide, please.
- To orient the Board here, you'll see a Google aerial image of the property. The property is found on the eastern boundary, the right boundary as indicated by, as we all know, the little Google red dot there. Next slide, please. To zoom in here, this is that 41-acre parcel. It is currently improved with an existing home and additional accessory structures complement that home and it's traditional agricultural use. As you'll see, the southern half, if not more of that, is currently agricultural use, farming. So, the house is currently unoccupied and, in fact, is untenable. It has some utility issues, drainage, septic. In addition to that, it has

some structural issues including roof and foundation and other things. The owner of the property, Ms. Robin Boling, is in the audience this evening along with their, her representation so I, just to note that as well. So, with the zoning designation of AG, um, we have submitted this, this petition and in light of that, submitted a site plan—next slide, please—that would subdivide this 40-acre parcel into three residential lots. The first lot, Lot 1, northwest corner being 7.8 acres, the second lot, primarily in that northern, northeastern area being 11.5 acres and then the third lot, Lot 3 being 21.4 acres approximately. You'll notice that Lot 3 in sort of a laying down L-shape does include the existing home and all of the other improvements, the existing accessory agricultural structures which does include two, two barns and some other agrarian uses there. Part of the re-drawing of the subdivision was so that this Lot 3 would be greater than 20 acres to fulfill that definition of a "farm" by the terms of the zoning ordinance. So, we have been able to re-engineer or to redraw these property lines to facilitate that. And, I certainly want to acknowledge Roger Kilmer and his assistance through that process. He has been very, very helpful through that and I appreciate that.

Um, the Lots 1 and 2 would be accessed by a shared drive off of County Road 1100. You'll see that follows sort of the southern property line of Lot 2 and then terminates at a cul-de-sac at the southern corners of Lots 1 and 2. Certainly, Lot 3 by the function of that shared drive crossing over its property, should have access over that property certainly. But, the primary access to the residence would remain the existing driveway off of County Road 1100. So, the primary vehicular use of the shared driveway would be to access Lots 1 and 2. I would note that this petitioner subject to this evening's decision would be submitting the subdivision plat to the Plan Commission and go through that process. I know that Roger called this out in the staff report. The shared drive is longer than code would permit by, excuse me, I think it's about 100 feet. And so, there would be a waiver in connection with that subdivision request in front of the Plan Commission. We certainly, certainly acknowledge that.

So, I just want to talk just for a few additional moments about the Carr family's plan for this development. It's very much an estate home use, a family use. The intention is to redevelop the farmhouse. As I said, it would involve some significant improvements particularly revolving around the septic, new roof, shoring up some structural walls and then, of course, cosmetic changes. Once that renovation is completed, the petitioner's son, Bobby Carr, who is in attendance, would move into the home while the petitioner and Bobby construct a second home on what is proposed as Lot 2, that middle lot. Bobby would move into that home once constructed and Robert and his wife would move into the farmhouse. So, that is the near-term construction goals of the Carr family. Of course, that does leave Lot 1 for an additional home, again for purposes of family growth and family development. This is not a traditional development purpose in which they're building three homes or even two additional homes and then selling them off or even renting them. These would be used for the Carr family and very much for their personal, personal residences. So, we hope that would be, that this intended development would be a significant improvement to the current condition of the property certainly as well as a very low-density but improved economic, you know, development of, of this 40-acre parcel beyond what is currently existing but still consistent with the Town plans, the current Comprehensive Plan for development.

So, really, tonight I'm in front of you to ask for this special exception on account of the real estate being zoned as agricultural and needing both the special exception for the residential minor subdivision as well as the single-family residential use. Um, so I think I will take a pause and welcome any questions but certainly appreciate again Roger's time, staff's time, would incorporate just by this reference the findings of facts that we submitted with our application and certainly think that this would be a, a positive development particularly for this area of Town consistent with the current Comp Plan. And, really, you know, on behalf of the Carr family, they would be very grateful for the Board's decision and approval of the two petitions as they look to create this area as their new home. Thank you for the Board's time.

Wolff Thank you. I'll start our conversation or continue it from this perspective. The staff recommendation, they do acknowledge a couple points. One is that the, your client acknowledges the right to farm, and are they agreeable to that?

Resetarits Yes, so, um, thank you, Mr. Chairman. The right to farm they are agreeable to as well as there was another note there on the sound ordinance and restrictions relative to the construction. They are agreeable and acknowledge that. So, I think those two items were called out in the staff report as well as the note about the cul-de-sac length being too long and they are agreeable to working with the Plan Commission on a waiver of that standard as well.

Wolff Perfect. Thank you for acknowledging that. And, the other one that I'm thinking about is, you know, the proximity to the airport. We are obligated to listen to this petition and make a judgment on this petition with the information we have and the rules that are right in front of us right now. But, this particular lot may change in the near future. Um, and your customers, your clients are aware of that and they're aware that there may be excessive noise and—

Resetarits Yes, Mr. Chairman. They are well aware of that. I've certainly counseled them on the discussions that the Plan Commission and the Council have had on the plans and the proximity to the airport, the noise involved with that. Certainly, the noise already exists with the proximity of the airport to this parcel and similarly to the agricultural uses surrounding the property and the farming and the noise and noise, excuse me, particularly the smell that perhaps might come along with that. They acknowledge that. They're aware of that. And, um, I will add that at least near-term plans would be for the Carrs to continue having a farming tenant on the south side of that property. So, um, certainly, realize and recognize everything that comes with moving to this area of the town.

Wolff Thank you. What other questions do we have for the petitioner's representative? Mr. Lake, I'll single you out because it's difficult to look you in the eye right now. Do you have any questions for the petitioner's representative?

Lake I do not, thank you.

Wolff Thank you, sir. If there's no questions, are there any members of our public who wish to speak for or against this particular petition? If you would, please state your name and address for the record.

Andreoli My name is Mike Andreoli, 1393 W. Oak Street. I represent the Bolings who have owned this property for many, many years. Mr. and Mrs. Boling, Mrs. Boling's mother grew up on the property, lived on the property for many years. Echo what counsel has said about the current house and its state of habitation or lack thereof actually. It's just in modestly poor shape with the septic system that must be removed and either replaced or totally repaired. They are already under notice of that. So, he was correct in suggesting to you that there are problems with the home. They're just very pleased that the Carr family was able to make arrangements with them to purchase this so that it could be kept in a low-density development. There's a lot of emotional attachment for them with this particular property. They're very pleased that the Carrs are going to be able to do this and have high kudos to counsel and the Carrs for working with staff to make sure that staff's concerns were appropriately addressed. So, we do appreciate that.

Wolff Thank you, Mr. Andreoli. Any other members of our community who wish to speak for or against this particular project? It looks like we may have one online. If you want to, you can go ahead and promote them.

Frye Hi, I'm, uh, let me get this going here. I'm Bill Frye at 11329 State Road 32. I'm the president of the Hamilton County Airport Authority and I'm representing the airport tonight. Um, I don't have any real objections to the petition. This is not a large development, not a concentrated development. As long as they are aware of the potential noise issues with the airport. They also should realize—and I'm sure they do—that this land is designated for a runway protection zone and a future crosswind runway which may or may not be constructed in the future. As long as they are aware of that, we can go forward. The only comment that I do have is in one of the original drawings they showed, they showed a pond being constructed on the grounds. Again, as we've discussed with both the planning board and the Town Council and the Zoning Board of Appeals in the past, wildlife attractants near an airport, especially one that's in the flight path of aircraft making landings to the airport is not a good idea, particularly with jet engines. Geese don't go well with jet engines. The only thing I would ask and probably more for the Plan Commission is that they not allow any water retention ponds or wildlife attractants on this property. Thanks.

Wolff Thank you, Mr. Frye, for participating. Any other members of our community who wish to participate at this time? If not, may we have the staff report?

Kilmer Thank you. Mr. Resetarits did a good job of explaining the petition and many of the details. In response to a comment from the remonstrator, Mr. Frye, the original version of the plat that was submitted did reflect a pond somewhat in the middle of the proposed plat. This most recent version does not depict that. But, it is something that we will want to confirm prior to the action by the Plan Commission. The only other thing I would like to add, and it was touched on by Mr. Frye, is the potential for an east-west runway is out there and should that be developed at some point, just want it on the record and acknowledged that these lots would be in direct alignment with the end of that east-west runway. Other than that, staff is supportive of this special exception request. I'd be glad to answer any questions you might have.

Wolff Thank you very much. Any questions for staff? So, Mr. Frye knows more about these things than I do but it sounds like pond or retention pond has been eliminated from the proposal. Just to make sure we're all clear, your clients are aware of that proposed east-west runway? It may never happen. It may happen. We don't know that. But, we're obligated to hear this petition under the rules that we currently have and your clients are aware of that?

Resetarits Yeah, and I just wanted to recognize Robert Carr, Bobby sitting to the right of them, just acknowledging that they're certainly aware of this just for the group and again, I really appreciate Counselor Andreoli's comments about the Carr's involvement with the Bolings and we look forward to, you know, taking ownership of the property and acknowledge what Mr. Frye has said. With respect to the drainage facility, certainly understand that that's an item that needs to be discussed with the Plan Commission. Um, as the boundary lines were redrawn, the engineering of a retention facility if needed has not been fully vetted but I would note that there is a notable waterway, creek that runs along the western, maybe northwestern area of the lot in the wooded area. So, there is certainly already an existing waterway that might attract wildlife and other concerns of—as you said, I'm not as familiar as Mr. Frye might be on the topic but I would certainly hope that we can find a solution with the Plan Commission to address both the drainage needs of the property as well as the concerns of the Airport Authority.

Wolff Thank you very much. Any discussion amongst the group?

DeLong Mr. Wolff before you continue or before—on that, on that point, I mean this is in essence, again we're discussing this project under the current regulations and the current regulations would prohibit a major subdivision. And a major subdivision is a subdivision that is more than three lots. So, certainly, working with the petitioner and discussing drainage, it's oftentimes you find that subdivisions, minor subdivisions do not require drainage features such as are being discussed. And, so, this is one of the reasons why of many, the Comprehensive Plan is being updated so the ordinance can reflect those, those necessities. Um, certainly the petitioner or some future owner, would not be restricted from building a pond just simply for recreation or simple enjoyment even regardless if it serves any drainage purpose or not. The Town could not prohibit that. But, as this property—and as indicated tonight—this is low density, not a major subdivision. Zoning would not support a major subdivision. The drainage is much less of an issue. So, certainly wanted to point that out, that if current/future owner wished to build a pond for any purpose, Plan Commission could not restrict that nor could this body. So, I just wanted to point that out.

Wolff Thank you, Mr. DeLong. I think I understand the point. And, I—as you look at the exhibits, there does appear to be a fairly significant water feature, creek, something. I think what I would be most interested in, my point of the water feature would be, Mr. Frye is an expert and he thinks it's probably a bad idea so I think I would encourage the property owners to listen to experts. But, it's their property. Right? Okay.

Resetarits Understood, Mr. Chairman, thank you.

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- Wolff Any other discussion amongst the Board members?
- Jones The only other item I've got is, and it'll come up for the Plan Commission is the over 800-foot drive and then, you know, currently what we're looking at, it's being shown as a gravel drive, so we'll have to—but that's a Plan Commission issue to address.
- Wolff Thank you, Mr. Jones. Any other discussion? If not, I would entertain a motion.
- Campins I motion.
- Wolff Thank you.
- Lake Second.
- Wolff Well, can we read the actual motion, please?
- Campins Okay. I move that Docket #2021-56-SE Special Exception petition for property currently addressed at 802 South County Road 1100 East Zionsville being in the agricultural Zoning District for 1) the development of a 3-lot minor subdivision and 2) to permit single-family dwellings on the three proposed lots be approved based upon the staff report as presented and the finalized findings of fact and it shall be required that the petitioner execute the right to farm acknowledgement documentation.
- Wolff Thank you, Ms. Campins. Is there a second to that motion?
- Lake Second.
- Mundy But should we also include the commitment that staff has identified with regard to noise for Lots 1 and 2?
- Wolff Ms. Campins, would you be amenable to including the commitment that the petitioner agrees that all noise-sensitive requirements regarding building perimeters shall be applied for Lots 1 and 2 and any future development on Lot 3 and that this be included in the commitments for the minor plat to be approved by the Plan Commission? Would you be amenable to adding to that to your motion?
- Campins I do, yes.
- Wolff Thank you. Is there a second to the revised motion?
- Mundy Second.
- Wolff Thank you, Mr. Mundy. Let's, Mr. DeLong, let's do a roll call vote.
- DeLong Certainly. Mr. Jones?
- Jones Aye.
- DeLong Mr. Mundy?

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- Mundy Aye.
- DeLong Mr. Lake?
- Lake Aye.
- DeLong Mr. Wolff?
- Wolff Aye.
- DeLong Mrs. Campins?
- Campins Aye.
- Wolff Motion carries. Good luck with your project.
- Resetarits Thank you all for your time.
- Wolff Next item on our agenda is Docket #2021-68-SE for the property located at approximately 4141 and 4047 and 4075 South 250 East Lebanon, Indiana. Will the petitioner please come forward and state your name and address for the record?
- Everett Hi there. My name is Tyler Everett. I live at 5010 South 300 East Lebanon. And, this is in regards to 4141 South 250 East, Lebanon. Estimated address. My name is Tyler and this is my wife, Brittany, and this is our 2-1/2 month old, Charlie. And, I've been farming for 10 years with my dad and I brought my grandma with us as well. We've been farming that farm in my family for over 100 years now. I think it was 101 this year. So, my grandpa got to see it in the 100th year before he passed this fall. So, I've been farming like I said, there for 10 years now and, and the house that I bought when I was single we've outgrown. So, we'd like to build a home on our family's farmland that we've owned for like I said, 100 years and I think what we're planning to build and what we'd like to build is very comparable to what rural Zionsville shows and has throughout the township and the county. Um, I've been around Perry Township my whole life and my dad and I are both on the Perry Township Fire Department so we know the community very well and I think this would fit in great along 250 East. So, if you have any questions, I'd be happy to answer.
- Wolff Thank you, Mr. Everett. I do have a couple. So.
- Everett Okay.
- Wolff We have a couple petitions in front of us. So, let's start with the first one.
- Everett So, I am asking for a special exception because my house is on an AG zone property and my dad is asking for a special deviance variance on an existing lot that was placed there 17 years ago in 2003, um, to memorialize that it's under two acres at 1.71 acres. So, we were not Zionsville until just a handful of years ago, so, um, that rule wasn't in our, on our list then. So, for me to get my plat

approval, he has to memorialize his existing home. So, we were instructed that that would be the best way to do it by the helpful staff in the BZA office.

Wolff I think you articulated that very well. Um, I would like—the other one I’m looking at. It just seems odd and I’m sure there’s a logical reason is, why is the layout of Lot 2 configured as such?

Everett So, in the early ‘90s, when I was a little kid, Vectren Gas brought a line down 400 South, um, and that is the road to the north and part of the deal was is that since they went across my grandpa’s property at the time that they had to run a line down 250 East so we could run our grain dryer on natural gas. And, natural gas is significantly much cheaper than propane. So, we—I contacted a person that I knew at Vectren, now ES. He said that off the record, he said they won’t bring it to your house if you don’t have gas line in your property but if your property has gas line, they’re more likely to bring it up to you. So, I don’t want anymore of the barn lot than I have to have, so we ran a little strip just up there to tag the end of that gas line and IPL because IPL is a lot, lot cheaper than REMC.

Wolff Sounds like a farmer’s practical solution to a bureaucracy problem.

Everett It really is. And, you talked about another funny layout, along the bottom edge, that’s been noted several times by the staff that, “Well, why didn’t you just go to the far edge?” Well, we don’t, we didn’t want to give me any more property, we didn’t want to rename any more property for me out of my family’s farm because then it would exceed a certain amount of value and then we would have to file a gift tax and all that good stuff, so we—I also have seven brothers and sisters and cousins that we can’t all do this for—we wanted to make it as small as possible of a piece and still be in the ordinance and still meet all the rules and follow all the laws. So, that’s why it looks the way it does.

Wolff Perfect. Good explanation. Do we have any other questions for the petitioner at this time? Mr. Lake, I’ll single you out again. Any questions for the petitioner?

Lake I don’t have any questions. Thank you.

Wolff Thank you, sir. With that, are there any members of our public who wish to speak for or against this particular petition? Actually, let’s be clear. At this time, we’ve sort of heard both 61 and 62. So, if there are any members of our public who wish to speak for petition 61 or against 61 or 62, please come forward.

Everett May I also add one note?

Wolff Of course.

Everett We also own the property on the west side of the road for the next 1/2 mile. We own the parcel to the south, to the southeast and to the north and to the northwest. So, I contacted every one of my neighbors and told them and none of them have a problem.

Wolff Do they share a similar last name?

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- Everett Well, a couple of them do. So, uh, so, yeah.
- Wolff Is there anyone online? Okay, very good. With that, may we have the staff report?
- Baker Yes, I think the Everetts did a good job summarizing what their request is but I can clarify a little bit further. Um, there are currently two homes on the property. There's one on the 1-1/2 acre property that was established 17 years ago, I think is what Mr. Everett said and then there's another home on Lot 3 which if you look on the plat, you can see how that's outlined. They're wanting to split off another piece for Mr. Everett to put his new home on. So, the special exception is for the minor subdivision which has to go to planning commission to memorialize the two existing residences on the property. Um, which as far as we know, haven't gotten special exceptions previously and then also the special exception for the new home on Lot 2. So, that's what the special exceptions are for. The development standards variance is for Lot 1 which is an existing lot that has a home on it. It's currently 1.7 acres. Once it gets platted through the planning commission, it has to—right away, it will be 1-1/2 acres. So, I think that pretty much summarizes those two petitions and staff is favorable of both of those petitions and I'm happy to answer any other questions.
- Wolff So, as I look at petition 62, this is an existing condition we're just memorializing?
- Baker Correct.
- Everett I'll add that my grandmother built that house in 1990 that's not—it's on Lot 3. So, that was one of the, the second house to be built on that. I said it wrong.
- Wolff Any questions for staff? If not, any discussion amongst the group?
- Jones I just want to check. So, then, the other buildings that are on Lot 3 are all farm structures?
- Everett [nodding head yes]
- Jones So, there's no residences to any of those?
- Everett [shaking head no]
- Jones And, when you say 90 acres, that's just the first parcel, you're showing Lot 1, 2 and 3 combined?
- Everett Um, I don't think—
- ? Yeah, it is.
- Everett Okay, so yeah, 90 acres would be the total from 250 East all the way to 300 and then all three lots. Sorry, I've just never heard the full acreage.

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Wolff Any other questions or comments or discussion? So, we do have two petitions in front of us. We should absolutely treat them individually. So, if there's no further discussion, I would entertain a motion on petition 61.

Mundy I move that Docket #2021-61-SE special exception petition in the agricultural district for the property located at 4141 (that's estimated) and 4077 and 4075 South County Road 250 East for a division of land to create a residential minor plat and to provide for a new single-family dwelling and to provide for two existing single-family dwellings and related accessories be approved based upon the staff report, the proposed findings as presented. If approved, it shall be required that the petitioner execute the right-to-farm acknowledgement document.

Wolff Thank you, Mr. Mundy. Is there a second to that motion?

Jones Second.

Wolff Thank you, Mr. Jones. Mr. DeLong, why don't we do a roll call vote?

DeLong Certainly. Mr. Mundy?

Mundy Aye.

DeLong Mr. Lake?

Lake Aye.

DeLong Mr. Wolff?

Wolff Aye.

DeLong Mrs. Campins?

Campins Aye.

DeLong Mr. Jones?

Jones Aye.

Wolff Thank you. Motion passes. Let's move on to petition or Docket #62?

Campins I move that Docket #2021-62-DSV Development Standards Variance in order to allow for the establishment of a 1.5 acre lot which results in a deviation from the required minimum 2-acre lot size within the Rural Agricultural Zoning District AG for the property located at 4077 South County Road 250 East be approved as filed based upon the findings of fact as presented.

Wolff Thank you, Ms. Campins. Is there a second to that motion?

Jones Should we have a right-to-farm act added to this?

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Wolff I would think the petitioner would be amenable to it.

Jones Just for somewhere down the road. I understand you're not going to oppose to farming your own property but . . .

Everett Well, there's no room to farm on that 1.5 acres.

Wolff The right-to-farm acknowledges the fact that your neighbors have the right to farm. And, with farming comes, there's smells that go along with farming or—I'm sure you're familiar with it, but.

Everett Yep.

Wolff Do we need to put that on there?

Chadd It can't hurt, might as well.

Wolff Okay, so ah, Ms. Campins, would you be amenable to adding that the petitioner is required to execute the right to farm?

Campins I agree, yes.

Wolff Thank you. Is there a second to the amended motion?

Mundy Second.

Wolff Thank you, Mr. Mundy. Mr. DeLong?

DeLong Certainly. Mr. Lake?

Lake Aye.

DeLong Mr. Wolff?

Wolff Aye.

DeLong Mrs. Campins?

Campins Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Mundy?

Mundy Aye.

Wolff Thank you. Motion passes. Good luck with your projects.

Everett Thank you very much.

Wolff Pardon me for reaching. The next item on our agenda is Docket #2021-63-UV for the property located at 2055 South U. S. 421. Will the petitioner's representative please come forward?

Lake Mr. Wolff, this is Mr. Lake. I have to recuse myself from both of these next two items as we are pursuing work with this client.

Wolff Understood. Thank you, Mr. Lake.

Andreoli Thank you. For the record, my name is Mike Andreoli 1393 W. Oak Street. I'm representing the Hopwood family. Mr. and Mrs. Hopwood and the kids are here tonight in furtherance of this particular application. I also, after many years of doing this, I picked up some new tricks tonight. It's easier if I brought a baby along, these things would go so much smoother for me. Unfortunately, I'm no longer in that position. None of the kids will lone me one of the small grandkids to come.

Jones I have to believe, you show up with a baby, there's going to be more than—

Wolff That still wouldn't help you. Mr. Andreoli, if it makes sense, we have two petitions in front of us. If we can discuss them holistically, we can certainly vote on them individually.

Andreoli Yes, very good. First is the use variance. As staff report adequately and very detailed dissertation, this matter came before the Board and the use variance was granted for a larger tract for Hopwood Cellars to put their vineyards and an event center on the property. Subsequently, Mr. Hopwood was working with staff in terms of the next steps and the next logical step would be to go and file a development plan application for the use of that and then moving forward with that, I was brought along to hopefully provide some clarity in working with staff so that this would go smoothly. Mr. Hopwood had decided since the last approval for the use variance of the adjacent tract that he wanted to create in the old barn that existed on the property right at the corner of 421 and County Road 100, to use that as a tasting center and sales distribution office right there in that particular barn as part of his overall vineyard. Um, and when approached with this, it became obvious that he was going to need a use variance for that. That's not permitted. This is an AG Agricultural District so kindly after several meetings with staff, we were able to wade through all that he was going to need in order to move forward with the project, now and through the development plan stage. The other thing that we determined before I talk a little bit more about the use variance was that County Road 100 has a presumed right of way that will have to be dedicated when we go to the Plan Commission for the development plan. We're going to have to dedicate right of way along there and quite a bit of right of way. That right of way, if dedicated, would go through the barn, cut right through the middle of the barn and that barn would have to be removed. He has already made substantial improvements to the exterior of the barn. We provided pictures to you in that regard to show what he's done to the exterior. There's work yet to be done on the interior. We're holding off on that depending on what the Board does and how we go through the process itself. So, in essence, that

gave rise to several other variances from development standards that we're going to need.

As far as the use variance is concerned, we're asking use variance to allow this facility to be located for the tasting and sales room and to allow the single-family residential that has been previously been given permission to sit there. He, they live there, they anticipate that at some point that they move and maybe have the caretaker of the facility or somebody that's connected with the facility reside in there to be able to oversee the operations and be close to the operations if they decide to move at some point. So, that is essentially what we're seeking for the 2.34 acre site is a use variance to allow for that and that will essentially tie in to the use variance that was previously granted for the vineyard and the larger event center for the winery.

Ah, with regard to the two variances, obviously when we, when we looked at the, at the overall plan and where the dedicated right of way would have to be that we would anticipate filing with the development plan we noted that, as I mentioned, that would cut right through the middle of the barn. So, essentially what we've done is request, and the drawings that we have, that we dedicate all the right of way in the area that we need to except with regard to the barn and we cut around the barn. Ah, we met with Boone County Highway Department; they had no problems with that. We also have had our consultants meeting with INDOT with regard to all of this. You should know that the major entrance off of this particular facility will be off of Michigan Road. We worked through that with INDOT. We will need to put in deceleration lanes/acceleration lanes, those types of things as part of INDOT's requirements. We will have to assume that cost in order to move forward with the development plan for that. So, the major entrance will be off 421 and there is a cut right where the barn is that serves that property, part of that property now that comes in off of County Road 100. You need to know and understand that that will be vacated. We are not going to use that as a cut. That's too close to the intersection.

I'll share with you some additional things we're doing with regard to right of way dedication that suggests that that simply wouldn't be a good idea to maintain that cut. Our proposal is going to be that we use it as an emergency entrance in the event that emergency vehicles need to get in there off County Road 100 for any reason. So we'll maintain it as an emergency entrance but it will not be a general cut that will be utilized by a) the general public or our clients. They can access off of 421. So, there will be a gate there and that will be secured. The only other access to the winery will be down the road farther to the west on County Road 100 and that will be for the facility where they will do distilling and those types of things down on that particular end of the property and that will be part of our development plan proposal as well when we come in and that's being worked on now. Mr. Lake had indicated he is performing some services with regard to some of the work that's being done from an architectural standpoint for the winery itself, perhaps even helping with regard to how we might deal with the inside of the barn in order to use it. It will not need to be sprinklered in our opinion. We are not going to be maintaining or making any product in the barn. It will only be tasting and it will only be a sales office. There will be no distillation or any of those types of things in the old barn. That will be done at the facility down to the west off of County Road 100.

So, that requires two variances. We will need a variance to zero setback as it relates to the barn and, in addition, we will need a setback, 30-foot wide buffer yard along 421, we'll need to have a variance with regard to that area. The only thing we're planning on doing and in discussions that we had with not only INDOT but Boone County Highway Department, that, that intersection is going to be improved at some point. With this going in and not having any development on the other corners, at some point, there's going to be development on that corner and that is going to need improvements to that corner whether it be a round-about, whether it be, you know, a traffic control device at some point, whatever it's going to be, there's going to be major improvements in that particular corner given the fact that we've got three other sides that do not have substantial development or any development there but will in the future, one would hope. So, one of the things that we've done and the exhibit that should have been included in your packet and I'm sure it was, is we're dedicating additional roadway along 421 to either INDOT, to Boone County Highway Department, Town of Zionsville, whoever would want jurisdiction of that additional dedication in an area so that in the event additional road improvements need to be made, a lot of them can be made on our side, on our property. If there's going to be a round-about, we've dedicated additional, we propose to dedicate additional land along there for right of way. There is current right of way on 421. We will be required to have some additional right of way as a better course with regard to deceleration lanes and those types of things but in addition to that, we've, that exhibit that we showed portrays additional dedication of right of way that we're going to give in and along that corner on 421 going north and on the south, southeast side, all the way up to the County Road 100 that will aid in any improvements to that corner in the future. It's ground we can't use. The barn's located right there. So, we thought it best to be helpful to see if we could dedicate that and provide for dedication of that moving forward.

So, at this point, a lot of moving parts to this particular development. We're trying to get them all in a reasonable order to bring before the various Boards. I would be happy to answer any questions. Thanks again to staff for all the time meeting with us to make sure we've included everything at each stage of this process. Thank you.

Wolff Thank you, Mr. Andreoli. The, fellow Board members, we have two in front of us so feel free to raise questions about either one of the particular petitions.

Campins I have a question. I'm looking at Exhibit 3—oh, I'm sorry. Is this parking that's already designated for that area? Is that what that is or is there a designated parking area?

Andreoli No. This. I'll give you this. That was an exhibit that was shown and it was generated—that was an exhibit that was shown and that was generated when the first site plan was prepared for the winery and then we were adding that particular area designated where the barn was to show the particular area of roadway dedication. That road that's going back there will be an internal road. It will not be a road that will be utilized for general traffic. The, the, the—you should have a larger site plan that shows the major entrance off of 421. That, that roadway will pick up the parking area and the access through 421 and people can

- use that roadway to get back to the tasting room and the sales room which is the old barn.
- Campins Okay. Okay.
- Andreoli But that will not be a roadway—when you look at that site plan, you can see how close it is to 421 and the intersection. Nobody we talked to suggested that would be a good idea that we utilize that for general traffic.
- Campins Okay.
- Andreoli It just, it just was going to create a traffic issue and so we eliminated that from any potential access off of County Road 100.
- Campins Okay, great, thank you.
- Wolff Thank you, Ms. Campins. Any other questions for the petitioner’s representative? Mr. Andreoli, I guess I do have one. I’m looking at, so I think I have my hands around the use variance. The second petition, DSV, the exhibit that Ms. Campins was referring to, I think you are articulating this particular area as additional area that you are—
- Andreoli Yes.
- Wolff Okay.
- Andreoli That additional area will be dedicated for additional right of way.
- Wolff Okay. So, that additional area or that area that you are dedicating for additional right of way has, is, did your client come up with that or—I’m sorry, I’m asking a not very articulate question. Has a road engineer or the Boone County Highway Department or INDOT looked at that and said that would be, we could use, that is of use to us?
- Andreoli Yes, yes and no.
- Wolff Okay.
- Andreoli I’ve met with Boone County Highway Department and their thought to us was anything that we can dedicate that we can’t use, they want. So, that’s how that came up with it because the hatched area is the area that goes up to the area that we’ll dedicate. Remember, the dedication goes all the way to the barn up around the barn, back and then continues on to, to the property line at 421. This hatched area is the additional area that they may need or may want in discussing roundabouts, those types of things. We have no idea right now what they may want. They just want as much dedication as possible so when things start happening out there, they have the land to be able to do with it what they need.
- Wolff Okay, so the comment from the people who build roads was, they didn’t put a roadmap on top of it or some sort of overlay, they just said, whatever land we can get a hold of that you’re willing to dedicate to us, we will gladly accept.

- Andreoli Yes. They basically wanted as much right of way that we, unusable ground from us that wasn't necessarily required as part of the approval process, anything else we could give them, they would want to be able to utilize for road improvements. Having not known what is going on in any of the other corners, they'd rather have as much ground from us, especially if there's going to be a round-about and that's the thing we talked about. Not necessarily to get the Board invested that that's going to happen because none of us really know if that's where it's headed but in discussions about that, they need so much more ground with that because of the semis that traverse 421 to be able to get around these round-about. So, it's not a little, small little round-about for cars. You've got a lot of semis and heavy vehicles on that road and so they thought trying to get as much ground from us as possible, if it's ground we can't use and can't need given the fact that the barn is right there. If we're going to tear the barn down and we can use that additional ground, that might be different but with the barn being there, we can't use the ground on the west side of it anyway. So, my client said, "Sure, let's give them whatever they think they're going to want so long as it doesn't cause us problems in terms of accessing our development. We'll give them what they, what they ask for."
- Wolff Thank you for the clarification. Any other questions for the petitioner's representative?
- Mundy What is the distance between that land which will be dedicated and the barn? It looks like it's very close all along the north side at the northwest corner. What is that distance?
- Andreoli It's very small. If you [inaudible] again, so that I understand. Show me your [inaudible].
- Mundy This is the area dedicated. So, this little sliver of land and this little piece right here, now how—
- Andreoli About five feet.
- Mundy Five feet, okay.
- Andreoli We asked for zero. Obviously, we're not going to put, we asked and our request for our variance for that particular line, we asked for zero variance but as a practical matter, we're not going to put it right up to that. It's going to be a few feet off of that but we asked for zero because we weren't sure exactly how much ground we were going to need but we know it was very, very, very small. So, we asked for zero but I can suggest to you, Mr. Mundy, we're not going to put it right in conjunction with the barn itself. We're going to have to move it off there five feet.
- Mundy Well, it's sufficient for foundation plantings or that sort of thing, then.
- Andreoli Right, right.

Wolff Thank you, Mr. Mundy. Any other questions? If not, are there any members of our public who would like to speak for or against this particular petition? In that case, may we have the staff report?

Baker Yes, thank you. I think Mr. Andreoli did a good job summarizing. Um, I'll start with the use variance. Like Mr. Andreoli said, you heard the petition previously in 2018, um, there was a special exception for the house on this parcel and then the adjacent parcel is for the winery and the event center. Now, it's come to our attention that they plan to, wanting to use the existing barn as a tasting room and for retail sales. Um, so that's what the request is for the use variance. Um, and then as far as the development standards, it's for the setback and the buffer yard. With this having to go to Plan Commission, the dedication of right of way as described would go through the barn itself and that's kind of why they've come up with this plan to go around the barn so it's not in the right of way. With that, goes along not needing the required setbacks and the buffer yard requirements. Um, and I will note that there is—we did get, we did show this plan to Boone County Highway and they were acceptable to this proposed plan which you all have. So, staff is favorable to both requests and happy to answer any other questions.

Wolff Thank you. Any questions for staff?

Mundy Is there any need to go to the state since 421 is a state highway, isn't it?

Baker I mean, any dedication would obviously have to be acceptable to the state. I'm not sure of the status of those discussions.

Mundy Okay. That we don't know?

Baker No.

Wolff I think it's been discussed. But there's not an active plan for this particular intersection. It's just more than likely something will be approved at some point but there's not a plan to improve it right now.

Baker Correct.

Wolff That we're aware of.

Baker Correct, yeah.

Wolff Any discussion amongst the group? I guess, I'll lead. I drove by the barn the other day. I've been by it several times but it looks, I think it looks spectacular. The thing that is a little bit striking to me is when you look at that, the portion of the property that they have to dedicate to the street department, it seems pretty significant when you see it on a map like this. So, I'm a little bit sensitive to the request. I mean, it seems like a large portion, that 55 feet off the center line is significant. My thoughts. But, any other discussion amongst the group?

Jones Um, there was one note in here about a timeline or putting some sort of sunset date on this zoning variance and I just want to make sure we don't do that. My

opinion on sunset dates for variances is when we're allowing something in a, you know, a business type use in a residential area or there's something where, as long as they kind of comply with what their plan is, it would be agreeable but we want to keep a little control in case something changes. This is a case where what's going on here now is actually preceding anything else going on around it. I really don't see any need for that kind of sunset.

Wolff Yeah, we've used the sunset period on, when, you know, a barn in the middle of a residential area that want to hold weddings at and we were unsure about the parking and things like that but your comment is that this type of use is going to become more intensive in that particular area and so it's not necessary.

Jones Correct. And they are preceding any other type of development.

Wolff Right. They're leading the charge.

Jones Yes.

Andreoli May I comment on that?

Wolff Certainly.

Andreoli There's a heavy financial component with regard to what we're doing out there. We're not going to be able to get appropriate financing if we have a sunset date on the approval and I think this Board has been well served in some past approvals with regard to your sunset provisions, especially if there's some modest objection to it and we're not sure how it's going to turn out. I know you've done that several times on wedding venues and those types of things, just to see whether these are going to work out the way that you would hope or they're portrayed. I get that. I understand that, especially ones that are in old barns but there's going to be a heavy investment in the development out there and I would like to allay any concerns that Mr. Jones might have, we're going to, we're already actively now working on the development plan. So, that will be coming in front of the Plan Commission, sooner rather than later. The engineering firm has been turned loose to work. The architectural people are moving forward. So, the overall development plan that will incorporate all of this will be coming in to the Plan Commission fairly soon for approval. So, given the fact that we have another major step to take, I'm not sure that putting some type of sunset timeline on this. There wasn't a sunset timeline put on the initial use variance.

Wolff Mr. Andreoli, I think this is the rare exception where you and Mr. Jones agree. So, yeah, no lightning.

Andreoli I get it. I understand and it's served the Board well in a number of instances to have those as a protection. I'm not sure this is the vehicle that –

Wolff And, Mr. Andreoli, I think I would agree with you, too. And, I would note that, you know, we've done that a few times. Mr. Jones, you're probably the second most tenured person here. I can't recall one of those sunset periods coming back to us. Meaning I don't think that, I think we've done it to protect ourselves and

the neighbors but I can't particularly recall where we've had to make a revision on those. I don't, Wayne, do you remember anything like that?

DeLong You've—there was a check in on Keeker, Mr. Andreoli represented and it was just a check-in, a five-year. Um, I don't recall any—

Wolff It's still a valuable tool but it has its place. So, any other discussion amongst the group? Otherwise, I would entertain a motion on petition #63.

Mundy I move that Docket #2021-63-UV a use variance supporting the location of a tasting room and retail sales located at 2055 South U. S. 421 be approved based upon the findings of fact and the staff report.

Wolff Thank you, Mr. Mundy. Is there a second to that motion?

Campins I second.

Wolff Thank you, Ms. Campins. Mr. DeLong, let's do a roll call vote. I would also note that Mr. Lake did recuse himself.

DeLong Certainly. Mr. Wolff?

Wolff Aye.

DeLong Mrs. Campins?

Campins Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Mundy?

Mundy Aye.

Wolff Thank you. Motion carries. With that, let's discuss or I would entertain a motion for petition #64.

Jones I move that Docket #2021-64-DSV development standards variance in order to reduce the front setbacks up to zero for an existing barn in the rural general agricultural zoning district in the rural Michigan Road overlay district, AG and MRO, be approved as filed based upon the findings of fact and substantial compliance with the submitted site plans and concepts.

Wolff Thank you, Mr. Jones. Is there a second to that motion?

Campins I second.

Wolff Thank you, Ms. Campins. Mr. DeLong?

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DeLong Certainly. Mrs, Campins?

Campins Aye.

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Mundy?

Mundy Aye.

DeLong Mr. Wolff?

Wolff Aye. Motion carries.

Andreoli Thank you, sir.

Wolff Mr. Hopwood, thank you for your continued investment in our community.

Mundy We also need to include in that motion, there is the 30-foot landscape buffer. Does that need to be read into that motion?

Wolff I defer to Mr. Chadd.

Chadd I'm not sure I know what he's referring to.

Mundy It's the page immediately after the recommended motion. The motion I think carries into the next page.

Campins Oh, it does, yeah.

Jones Oops, my bad.

Wolff Okay. So, then, where we at? 64. Let's clean this up. Yes, so then, uh, could we entertain another motion on petition 64?

Jones Keep on going then?

Wolff Yes, we had the first one. Let's do the second one.

Jones I move that Docket #2021-64-DSV development standards variance in order to provide to reduce the 30-foot wide yard landscape buffer required to, Jiminy Christmas—let me start again.

Wolff Redo.

Jones Thank God, we aren't doing math, right? I move that Docket #2021-64-DSV development standards variance in order to provide to reduce the 30-foot wide yard landscape buffer required to zero in the rural general agricultural zoning district in the rural Michigan Road overlay district, AG and MRO, be approved

as filed based upon the findings of fact and substantial compliance with the submitted site plans and concepts.

Wolff Thank you, Mr. Jones. Is there a second to that additional motion?

Campins Second.

Wolff I got Ms. Campins first. Ah, Mr. DeLong?

DeLong Mr. Jones?

Jones Aye.

DeLong Mr. Mundy?

Mundy Aye.

DeLong Mr. Wolff?

Wolff Aye.

DeLong Mrs. Campins?

Campins Aye.

Wolff Motion carries. Thank you very much, Mr. Mundy. Good eyes. Good catch. Which concludes our new business which brings us to other matters to be considered which we have on our agenda the 2022 contractual BZA legal services. Mr. DeLong, are you prepared to discuss this?

DeLong Certainly. Um, and I'm sure Mr. Chadd could discuss it at great length but, in summary, this is an agreement that we've had with Mr. Chadd's law firm which he is a member of. Certainly, this firm has served the Town well. Staff is of the opinion that the firm should continue to serve the Town equally or better and, yeah, we're certainly happy with the service that we are receiving and certainly would encourage the execution—and I would offer that budgetarily, this is very friendly to the Town. We do very well.

Wolff Do we need—Mr. DeLong, do we need a motion to approve the proposal?

DeLong If that's the desire of the firm, that's—

Chadd I think you should, just to be clean about it.

Wolff Fellow Board members, I'm not sure how often you interact with Mr. Chadd. My experience is that he brings a lot of wealth of knowledge and I certainly like sitting next to a lawyer when we discuss some of these stickier matters. So, I am supportive of this. I don't know if anyone else has any comments. Mr. Lake, you certainly, speak up if you have further thoughts.

Lake Uh, no, I've read the proposal and find it to be fine, thank you.

- Wolff Thank you, Mr. Lake. If there's no further discussion, is there a motion to approve the 2022 BZA Legal Service proposal?
- Mundy So moved.
- Wolff I got Mr. Mundy. Is there a second to that?
- Campins I second.
- Wolff Thank you, Ms. Campins. All those in favor, please say aye?
- All Aye.
- Wolff Thank you. Those opposed, please say nay.
[No response.]
- Wolff Motion carries. Before we adjourn, fellow Board members, this is more than likely my last BZA meeting. Um, I have spoken with the mayor and have requested not to seek reappointment. It has been a pleasure to work with you, so thank you. Staff, staff in the back, thank you. You are uniquely talented and it's been a lot of fun these last eight years. We don't always agree which has made it more fun. So, thank you for your service to our community and I look forward to seeing you around town. With that, this meeting is adjourned.