

Decatur County Board of Zoning Appeals Minutes
Decatur County Courthouse
150 Courthouse Square
Meeting Room

The regular scheduled meeting of the Decatur County Board of Zoning Appeals was convened at 6:34 p.m. on Wednesday, November 2, 2022 at the Decatur County Courthouse. The meeting was called to order by Brad Schutte. All 5 board members were present. Also attending the meeting was Melissa Scholl – BZA Attorney, Krista Duvall – Decatur County Area Plan Director and Debbie Martin – Administrative Assistant.

*** Approval of Minutes: October 5, 2022:** Joyce Brindley made a motion to approve the minutes as mailed; Gary Fischer seconded the motion with all members present voting yes.

*** BZA Petition 2022-13 – Maurice & Wendy Bohman** are requesting a “**Special Exception**” in an A-1 zoning classification to build a Wedding Venue (Event Center). This request falls under Decatur County **Ordinance #925**. The property is currently owned by the petitioners and is located North of 541 S CR 850 E, Greensburg in **Salt Creek Township**.

Taylor Bohman: We are interested in building an event space on our farm. What is going to separate us from other venues in our county and surrounding counties is that ours will be tucked away in our 13 acres woods located on the backside of our property behind the ground that we farm and will continue to farm. Our venue will be a high-end venue with a rustic, industrial elegance decor. Picture antique brick, industrial lighting and beautiful chandeliers. Basically the venue will be turnkey for couples. So for the bride on a budget, there will be very little for them to do except add their personal touches. It will be private and picturesque while offering many amenities - heating/AC, ample parking, handicapped accessible, outdoor cocktail areas, bridal & groom suites just to name a few. I hope you all were able to use the QR code to watch the video of the location we have chosen for our venue. We wanted to give you the opportunity to see how secluded it is and how it will make the perfect space for a venue. Our venue will help bring outside revenue to Decatur County. Located about a mile off the New Point exit, we are perfectly located halfway between Indianapolis & Cincinnati. We believe our venue will be a top choice in Decatur County. We also hope to promote local vendors and put them on our preferred list. So clients from out of town will know that they are hiring vendors that will give them the same quality of care as we will. We are fortunate to be located less than a mile from North Branch golf course. Our venue will pair perfectly with North Branch. Groomsmen can go out and play a round of golf while the bridal party decorates. Not to mention that a beautiful bed and breakfast and Airbnb are located just up the road as well as local hotels for accommodating guests from out of town.

Wendy Bohman: Decatur County needs a high-end event space. For several years, North Decatur (where I work) has had to have their prom out of the county as well as the Decatur County Memorial Hospital with their Gala. In fact, my friend's son got married in Lafayette this summer. The bride was from Indy and the groom from here, but due to the lack of a high-end venue in Decatur County and the high cost of venues in Indy, they chose Lafayette for the look and price. That was roughly 200 guests traveling to their wedding that paid for lodging for 1-2 nights. My good friends Destiny and Landon

wanted to get married in our venue but are now getting married in Bloomington this April at a venue very similar to our design. So people are willing to travel to get the look they want. And these venues are twice as expensive than what we are pricing ours at. Since we began this journey, I have read books, articles, watched podcasts and talked to other venue owners all about what it takes to be successful in this business. I even taught myself how to build and design our website. So I have researched enough about venues to know that drunks and kids are your 2 biggest liabilities at a wedding. We plan on always having 1-2 venue managers on site at every wedding. We are not just going to hand the keys over and hope for the best. That would not be responsible as venue owners. It's our business so we plan on being very present at every event. On top of that, there will also be a security guard at every wedding. I have talked to several law enforcement officers who will work security. This will include them being in constant communication with the bartenders and managers and when people are starting to leave, they will be in the parking lot to ensure that drivers are not impaired. There will also be inside and outside cameras that will also be monitored. Our butts are on the line if anyone gets hurt so we do not take this lightly. Also our contracts will have a strict no outside alcohol policy as well as no shots allowed. According to Page 26 & 43 of the Plan, Decatur County 2016 Comprehensive Plan; Agricultural areas may also include agritourism businesses, wineries, farm stands and limited commercial uses that support the agriculture industry. The plan also states that Decatur County needs to: Support the expansion of farm related businesses, non-traditional agriculture businesses, and direct market rural businesses. Agritourism is defined as tourism that involves any agriculturally based operation or activity that brings visitors to a farm or ranch for recreational, entertainment or educational purposes. Rural weddings & events are included in Agritourism. In your packet, I have included a local Permitting & Zoning Resource guide for Agritourism Operations from the Indiana State Department of Agriculture. I included the counties that had information about rural wedding venues and how they include it under Agritourism Zoning Ordinance Article 9 Section 925 Permanent Special Exceptions in A-1 and A-2 Districts from the Decatur County Area Plan Website states: The following are permitted as permanent special exceptions in the Agricultural A-1 and A-2 Districts when authorized by the Decatur County Board of Zoning Appeals: #7 Recreational Developments. Now refer to Article 2 Definitions Recreational Use is a private or public use of a building, structure or property which involves either an active or passive activity conducted indoors or out for the purpose of pleasure, leisure or fellowship. An event space qualifies under these articles and have nothing to do with agritourism. I would also like to point out on the map where our property is located on 850, we are 1 ½ miles from New Point. And in that stretch of land there are 8 businesses located along 850. So for them to argue that this is a residential area is not true. One of which is a 100-acre golf course whose backside is basically located 500 feet from our property line. So I would like to point out that it is not just residential area, there are plenty of businesses along that route. Also Page 56 of the Plan, Decatur County 2016 Comprehensive Plan states: The County should focus on attracting young families to the area to off-set the generational shift. The reason being, as people marry, have children and acquire job experience, they may choose to relocate to a smaller town or rural county due to "quality of life" and "small town value" reasons. This is a great opportunity for our venue to bring couples from out of town to experience their wedding in our small town. It will give our town exposure to couples just starting out and have them experience first-hand the quality of life in our rural town. Our neighbors have a petition opposing us. The majority of the names on the list are not neighboring property owners. There are even names of people that do not even live on the same road. The current petition states that all adjoining property owners

have supported their document. This is a false statement. Two adjoining property owners have yet to sign any of their petitions. My in-laws are one of them. The issue with petitions is that they are subjective, one sided, easily influenced by personal feelings and opinions. We have no idea what is being told to these people to get them to sign the petition. The only known fact in this matter is that we want to build an event center. Everything else is an assumption. They are focusing on the worst-case scenarios and trust me, after all my research, I would not be doing my job if I have not as well. That is why we have made safety a top priority. So for our neighbors to call us disrespectful is hurtful because we have had our neighbors in mind every step of the way. For one, we are putting in a separate driveway that will take care of the issues of the shared drive with the Kickers. Two we have decided on the special exception instead of the rezoning for a business which the neighbors were upset about. Nothing about our business plan has changed since the first meeting in September. So instead of focusing on every negative thing that “could” happen I would like to focus on the positive that our venue will bring - revenue for Decatur County, uniting a couple in marriage, bringing friends & families together to celebrate a new baby, birthdays, anniversaries, graduations, reunions and a place where our local schools can host their proms. I would like to end by reading 2 letters of support from two people who know a thing or two about starting a business in Decatur County. They have seen all my research, ideas and business plans. The first is from Bryan Robbins the Director of The Economic Development Corporation of Greensburg/Decatur County. **Taylor Bohman:** Members of the Decatur County Planning Office: The Economic Development Corporation of Greensburg/Decatur County (EDC) strives to encourage and assist local entrepreneurs whenever possible, as such businesspeople represent the future of what our community can be. We don't do this blindly however, as not all dreamers make great owners/managers, and not all business plans ensure success. We rely greatly on a combination of internal conversations and review, as well as a strong partnership with other entities such as the Greensburg/Decatur County Chamber of Commerce and the vital Indiana Small Business Development Center (ISBDC). With this in mind, I would like to express our support of the “Into the Woods” Event Space devised by the Bohman family. Our organization completed a study back in 2015 which identified numerous opportunities in the event sector, and since that time many of the large-to-medium regional spaces have closed (not due to business) or limited their schedules – adding to the marketability of additional venues. The Bohmans have worked with the ISBDC to carefully develop and refine their business plan, assessing the needs of the start-up stages, as well as what would be required for sustainment and growth of the company. An essential aspect to this business plan, one that will set this venue apart from others and represent its greatest strength, is the location and environment it can provide its patrons. The combination of a secluded wooded area within a rural country setting allows them to not only market themselves as a unique destination, but also capitalize on the growing popularity of the agritourism as their opportunities expand. Understandably, great care needs to be taken in the design and layout of such a space, so it may preserve and flow with the surrounding environment that makes it special. The Bohmans understand this and have been – and remain—accommodating. The EDC stands ready to support this project in the same capacity as any of our community businesses, as all were once budding entrepreneurs in some fashion. There is still much work to be done, but the Bohman's' effort to take the necessary steps toward an effective business launch has been unmistakable, and we feel with this continued strategic progress the “Into the Woods” Event Center stands to be another successful attraction in our community. Sincerely, Bryan Robbins, Director, The Economic Development Corporation of Greensburg/Decatur County.

Wendy Bohman: The second letter is from Dawn Lowe, the Executive Director of the Greensburg/Decatur County Chamber of Commerce. My name is Dawn Lowe and I am the Executive Director for the Greensburg Decatur County Chamber of Commerce. Our job at the Chamber is to support those businesses in and around Decatur County by providing advocacy, leadership and resources for our members. While Into the Woods is not yet a member, we have had several conversations with Ms. Wendy Bohman and are excited for her and her family to provide a destination venue right here in Decatur County. We know that by providing a tranquil escape in the woods, our county will reap greater rewards than just being a host site for an event. Our hotels will see an increase in traffic throughout the year, local catering businesses will pick up, rental businesses will be utilized more, our restaurants will see increased business and more. We are blessed to have great tenants of land who have a good sound vision for sharing the beauty of Decatur County with others. I have seen Wendy's research, her business plan, financial package and visions for Into the Woods Event Space and I will say I am quite impressed. She has done more preparation than most businesses that start up here in Decatur County so I believe with that firm foundation she has set and in partnership with the Indiana Business Development Center and other local organizations, she and her family will make Decatur County proud. I would like to extend my support of Ms. Wendy Bohman and Into the Woods Event Space and look forward to them being a GDC Chamber member in the near future. Sincerely, Dawn Lowe, Executive Director.

Joyce; I appreciate the work that you have done, I can't believe the work that you have put into this and everything that you have said, we have a new event center in Westport and it is very nice. We have no problem with it whatsoever there. Some of the problems are unfounded and some problems are just from being afraid. I understand, with everything that you have around you, I understand why you want to do this. I do appreciate all of the research that you have done. Brad; I will read a letter that was submitted today. To board members, regarding the request to table the approval of property for an event center on county road 850 east. We are opposed to a variance for the rezoning of the property or any further actions which would permit an event center to be built on the petitioner's property located on county road 850 E in Decatur County, Indiana. We are formally requesting that the decision to grant this variance be tabled. Our reason for this request to table the decision are listed below. 1) the petitioners have property right, BUT so do the property owners adjacent, adjoining and surrounding the area. 2) the petitioners have completely changed the request for rezoning. This is a big change and we need time to investigate our rights. The adjacent and adjoining neighbors only received notice of this change last week. We need time for due process to study, understand and evaluate the new plan. We need to know our rights as property owners who will be impacted. 3) We need time to discuss our options with our attorney to determine what our rights are as property owners. 4) we need time to continue conversations with Decatur County Soil Management concerning soil erosion and water runoff onto our property. 5) We need time to continue conversations with IDEM concerning soil erosion and water run off onto our properties. 6) We need time to further investigate what truly qualifies as agri-business or agri-tourism. An event center that hosts social events, such as weddings, galas, proms and other social events are NOT agri-business nor agri-tourism. 7) We need time to investigate and request that a traffic study of the number of vehicles and the speed of the vehicles be conducted. We would like to request that the study focus on two area: a) intersections of Base Road and CR 850 East and b) vehicles going north and south at the intersection of CR 300 N and 850 E. 8) The Board members need sufficient time to review, understand and evaluate the documents we just presented to them. NOTE that these documents are supported by and signed by ALL adjacent and adjoining property owners, as well as other concerned property owners in the area. At least seven of these individuals are adjacent or adjoining property owners and they are out of town this week.

They did not have the opportunity to sign this request to table the decision. In summary, at the end of the day, no matter what variance/zoning or other actions that are taken, which would allow this event center to operate as a business in the middle of a residential area, (residential cluster as defined and documented in the Decatur County Comprehensive Plan) is in DIRECT conflict with the Comprehensive Plan.

Audience: Nancy Wallpe; my name is Nancy Wallpe, my husband Gene and I are adjoining property owners to Maurice and Wendy, we would love to have them as neighbors but not in this way. I do have a handout for the board members. I am giving each of you a copy, each one of our initial petition reasons for opposing the event center in our residential cluster. Following pages, 2-9 are the second set of signed documents showing direct violations to the comprehensive plan for Decatur County. This venue is allowed in our residential cluster. We took these actions to fight a rezoning to B2. Today we filed a third signed document showing all, all adjoining and adjacent homeowners, opposition requesting any decision to be tabled and our legitimate reasons why we do not want a business here. Your decision affects three plus adjoining and adjacent family members who chose to live in, prosper in Decatur County. We do have additional adjoining property owners who would like to voice their concerns also. **Andy Kinker;** I am a 5th generation of Kinkers who live on the family farm. My family has chosen to live back here for a reason, it is secluded. My parents' house is ½ mile off the road. My grandparents are even further back than that. My parents are 80 years old, my moms' chair is facing this, I just want people to realize that we live back here, we have chose, my parents and my family have chose to live back privately. I'm heavily involved with agriculture, ever since I got out of college. I have seen agri-tourism. There needs to be a plan put together on what defines agri-tourism in this county. You see, like the tree farms and Harper Valley. They bring people in from the outside and teach them stuff. We have no plan in place with how this will support agriculture. There is no way as being an event center. My question is, as people of agriculture, what are we going to see from this to help promote agriculture in Decatur County? **Bobby Koors;** I own across from 850 E from the property in question. I have some points to read off. A background of my own family's situation and explain why we, as new homeowners in the area and as a young family starting out, are opposed to this special exception. My wife and I started our family 6 years ago and it has been a dream of ours to build a home in the country so we can raise our family on a rural setting. We happened to find that piece of property directly across from Bohman's, which fit our expectations perfectly for building our family home. Looking a Beacon Schneider, initially we noticed that there were parcels across the road for us, 4 parcels zoned for residential that were surrounding a cul-de-sac, which was an initial concern. But after speaking with some of our neighbors they said that McCamment had owned that and had intended to sell that off a home build sites, but had since sold to a local farmer who told us that they would never sell of commercialize it, so that resolved that concern of ours. You can probably understand how surprised we were, after we got halfway through our build, which is currently right now that we were surprised that this kind of came out of nowhere and really caught us by surprise. I don't know whether Enochsburg recent changing of its policy to only allow rental of its facility to parishioners has anything to do with the timing of this but I can only imagine the very reasons that they were limiting the use of their venue, being traffic noise, pollution, litter and impaired drivers, etc. I imagine that would be part of the reason why they are limiting the rental of their property. Those would be things that we as neighbors of this new venue would have to deal with. I don't want to be mistaken and I do want to say that I do believe in small businesses and folks having their opportunity to do what they want to do and people following their dreams of pursuing their own passions. I support that, whether that be building a wedding venue and pursuing your own small business, or building your forever home, as we intend to do to raise our family. As with anything there is a time and place and I believe that community consensus is important in determining outcomes in these scenarios. It is my understanding that another board often referred to the comprehensive plan that our community spent so much time with putting it together when making these important decisions. Such as the matter at hand. On page 20 of the Comprehensive Plan it reads; Decatur County has a rural

landscape, people desire to live in this rural landscape, it is imperative to maintain the future population and employment base in the county. The county supports residential, commercial, service and industrial growth and will target it around existing developmental clusters in the county and around existing cities and burghs. I myself was raised in Decatur County and always wanted to live here, in the aforementioned rural landscape and give back to the community from which I was raised. I currently work a job with remote working options which gives me and my family a unique opportunity to work anywhere we want to in the continental US, we chose to live in Decatur County for the reasons stated earlier and to give back to the same community for which I was raised. Additionally we know that the residential cluster on 850 east, which we chose to live within would provide that experience that we have been looking for, for our family. It is a residential cluster with 12 homes in just a half mile radius. If my wife and I knew that there was going to be a wedding venue coming up right across the road, we would have to seriously reconsider the purchase of the property. Aside from all the other conflicts between the comprehensive plan, which were provided to you and the proposed wedding venue land use, I understand that this is a special exemption, which means that it does not follow the standard process in respect that the land can be used in conflict with its current zoning spec., but only in accordance with the details of that special exception. This is my first experience with the Board of Zoning Appeals but I would imagine that special exceptions would take special considerations and would have to be scrutinized to a higher degree than normal and require more careful examination of all (inaudible). In my line of work when someone has a need for a special exception to the rules that were thoughtfully put in place, reviews are performed and all individuals with concerns come together and come to a consensus with all concerns being adequately addressed and resolved. In this matter, many concerns have been addressed but many are still not satisfied or resolved, in the opinions of neighboring homeowners. I am not aware of any member of this residential cluster of homeowners that advocates from the special exception to be put in place and as far as I am aware, there is no community wide consensus (inaudible..) this residential cluster on wanting the exception approved. As mentioned earlier, I am not at all opposed to the Bohmans following their dreams, as with anyone in our community, and I do wish them success in all of their ventures, I just don't see the proposed location being one in which everyone involved would be happy with the outcome. **Chris O'Dell**; I adjoin to the south, a couple of our concerns that have kind of been talked about at the last couple of meetings, so I just want to touch on a few of those. The first one is in regards to the impaired drivers. The Bohmans have mentioned that they would have security guards of off duty police officers working at each event and stopping people from leaving. I think that is a nice gesture and a great hope to have but I think the reality is that you are not going to have many security guards at an event, at a wedding, going up to guests and saying "I think you are over the legal limit, you need to stop drinking", or going up to a bride or groom or wedding party and saying the same thing to them. I just don't see that being reality. When the event lets out, how are one or two security officers going to be monitoring a couple of hundred people? Logistically that is not going to happen, there is going to be impaired drivers leaving this facility and putting the community member, neighbors at risk. Another along those line, increased traffic is a concern. In the October meeting it was mentioned that they may only be booking forty Saturdays for weddings and in the September meeting it was mentioned that they would consider any kind of banquet or event during the week. This is definitely going to be increasing the number of events for a year and not just forty. Ultimately being a source of revenue for them, any opportunity that they will have to book it, I would imagine that they would, so I don't see the number of events getting limited to help with traffic concerns. Another point regarding general safety surrounding homeowners and the risk of property damage, there is nothing that I have heard yet that could be put in place to prevent their guests from wandering off of their property onto surrounding properties to being a threat to homeowners and their families or their property. I want to just bring up the risk that would be for their guests on their property as well during hunting seasons. There are numerous hunters around that property that surrounds it. Every hunter, you hope that hunters understand hunting safety and you are not going to shoot anything if there is something behind your target but accidents happen and you put 250 people in the event center and the

people are milling around, an accident could happen. Especially with the approval of a lot more high-powered rifles, it might not be just somebody hunting in the woods adjacent, it could be a little further behind, accidents could happen and I would hate to see that. Lastly, like a lot of them have said, this seems to be a more commercial wedding venue, it is not an agricultural business or related industry. To me it is more of location that this request should be more in a business commercial zone versus agriculture. **Beth Brandenburg**; I'm in favor of this venue, I think it is much needed in this community. I personally am not living in the surrounding area, I live at Lake Santee, I go up and down that road quite a bit. I don't see how that is any different than church letting out or, and as far as security guards not making sure people aren't being over served. That is their job if they want to come back the next week, absolutely they are going to make sure that everybody is leaving safe. When he said their butts are on the line, it will all come back on them. As far as the hunting goes, I can be sitting out in my yard and if somebody chooses to shoot a high-powered rifle in my direction, it is going to take me out no matter where I am. **Greg Kinker**; I am an adjoining property owner down the Kinker driveway. Just a couple other things to point out. Like the parking lot, they talk about it being secluded back in the woods, all the lights will be pointing towards our houses when they leave. It wouldn't be as secluded as they say. Also, I was one that really concerned about the traffic study and stuff like that. When you have an increase of traffic, even if there are more accidents, you have to look into how the county and the officers have to respond more out there. It is a rural setting as we say, our rural fire department, we are relying on them to come out and for first responders (inaudible) because you are having people from, outside people coming in that don't understand that that road is dangerous, the intersections are dangerous and definitely need more time to look at how that will be impacted by increase in traffic, especially in the evenings when it is dark. **David Bohman**; the issue is, it is his property, when we sit here and you said 100% of the people signed that petition against it, we did not. The other part is, they are talking about traffic, there is nine houses that have been built between the interstate and this piece of property and they all drive on it. You all have cars and kids, so that traffic is not an issue. There is the issue, they drive a lot. **Kevin Wallpe**; the only thing I am concerned about, we just built a new business and I was going to do it at your house which is down the road. I never did go in front of the board but I did talk to everybody here at the courthouse about commercial property going in front of my house. Most of my neighbors were fine with it because I was going to go before the board but when I came and talked to individuals, they all told me that there is no way that is going to get passed. This is all zoned for residential housing from here to Lake Santee, so I didn't go in front of the board. To me, we ended up having to have, we couldn't find ground, we finally found ground to build in New Point 2 years later. There was a lot more cost involved in that, I tried to do it and was told by everybody at the courthouse that this was residential, you are not going to be able to build anything commercial out here and all the headache I went through, through that and never did get processed. If this goes in, I was told that all the other businesses, I said the same thing you guys did, look at all these commercial businesses up and down 850. I was told that all of those businesses have been around for x number of years, the plan has changed and those people are grandfather in. You have to go through all the new stuff which is not grandfathered in and this is how it is. That is what I was told, I don't know about the businesses and how they are or how long they have been around. That is what I was told when I was wanting to put our business close to home for convenience and not having to spend the money to go buy ground in town. Everybody said that the commercial spot that they want is around the exits and by New Point and town, between 74 and 46. That's all I have to say is to keep in into consideration. **Wendy Bohman**; a couple of points that they brought up, I have talked to several people about the security, one of the venues I talked to has security. That is the job of that security officer. To make sure, they are not arresting people, they are just making sure that they get a ride home safely. That is our intention here. Like my husband said at one of the previous meetings, we could have built our venue right on the road, we chose the woods because it is secluded, it dips down in and hidden away from the majority of the neighbors around there. As far as the parking lot is concerned, we would be willing to plant trees, there is nothing that we are not willing to do to appease the neighbors. We tried to keep

them in mind every step of the way. As far as trash along the road side, it is a high-end venue, why would we leave trash whether or not it is ours, I will be out there every night picking it up because I have a tour coming in the next day. I want them to see that it is a high-end venue. The road that they are questioning having the survey done on, the 300 is on the other side of St. Maurice. So I don't understand why we need a road survey on that road that isn't even 3.7 miles away from our property. The 40 wedding a year is what we are trying to market it as, if someone wants to have a training session, a company or something, it will be a small group of people, it's not going to be a large sized wedding of people coming, to do a baby shower or something like that. Not everyone leaves a wedding venue at the same time. People leave throughout the night. I don't think the traffic will be as big of a nuisance as they think. The only complaints about the traffic leaving Enochsburg from a church service or a wedding or North Branch when a tournament lets out, trust me, I'm sure that when those people have been drinking all day playing golf. No one seems concerned about that issue. We are trying to put in place, is things to prevent that. We have the security in place, we will be at every event to make sure that things are going right. Someone brought up the point of neighboring homeowners and the safety of people. We will have cameras in use. If you see the property down in the woods there, there is a big embankment on the south side, I don't see people wandering off and climbing an embankment to get to people's houses, we will have cameras inside and out. I work at North Decatur, I have a whole TV screen next to me that has 20 plus cameras from the school, I sit there and monitor and make sure that things are not going... safety issue. That is what we will install in our business also, we will have people monitoring cameras, if something is going on outside, we will radio someone to go take care of the situation. We know that this is a big liability on our shoulders and we are not taking that lightly. I just want to reassure the neighbors that if there are any issues that we are not covering, I feel like I have repeated myself several times and they kept bringing up issues that I haven't addressed when I already said it. We are not, it's a dream that we have had and like I said it will be tucked into the woods, which I think is the draw of it, people will not come from a metro area to get married somewhere in town. They want that rural setting, we want the high-end look. Most modern brides right now, they want to waltz in with everything ready to go. They are busy women and they don't want to be decorating a hall that looks like a gym, they want things turn key, ready to go and that is what we want to offer here in Decatur County and I think it will be a big draw to get people out of town to come to our venue. **Janey**; I'm concerned with what kind of weddings you people are seeing. **Mary Trenkamp**; I don't have anything planned or anything, I live on east Base Road which would be adjoining 850 and our property would be at an angle from their property. What I think Wendy and Maurice has done, I think it is great work, I think it is an excellent plan that they have put together but my concern, my first concern is on Base Road, we have Enochsburg who has the weddings and they travel. Probably in the last 15 years our mailbox has been hit 10-12 times. We have had 2 people come back and say they hit it and would replace it. Our neighbors the same, sometimes they would be hit together and sometimes not. People run into the fence, that are just down from our house. Poles have been clipped, there are accidents, I mean that, it's a given and we know it. Will that happen, I think it's impossible, and I do think the security is great. I think it is impossible because people will be leaving at different times, some of these were earlier in the day, some were later. Some were when they were decorating. Accidents are going to happen, that is a given. It happens. My concern, I think it's a great place, a great plan, I don't think the placement is right, only because it is an already established residential area. You have houses all along, you have houses on the other size. We live in the valley here so the music will carry to our property. We probably won't have anyone drunk head in our way but we will have sound and noise and that will be every weekend. Depending on how that works, but I am really here to see if the board is going to say, ok, we can establish a public venue in a residential cluster, and if that does happen, it will make me question whether or not I want to continue to live in Decatur County or would it be better when I get older to move into the Batesville area, or any county around that would not allow a public venue to sit in the middle of a residential area. That is really my concern, it is already established, yes, there is a golf course, but people will pay high money to live on the back side or around the golf course because it is

pretty scenery. The grass is always mowed. That is my only concern and again the accidents. That is a bad intersection, Base Road and 150, it is hard to get out of, in the day when everybody is sober, it is hard to get out of. I do think that their plan is great, I think it will work, I just think it needs to be in a different location, not in a residential area that has already been established.

Brad; ok board, the first think you need to decide on is do you want to table this or not? **Janey**; no, what else could be said against it? I think it is made pretty clear, they have done an awesome job stating for the plan, they have been very thorough with their concerns so I don't know that tabling, what is it going to add except maybe... **Joyce**; the thing that I got most from these papers here, there are 7 Kinkers on there, 7 have signed it, there is 4 in another family. We are getting not really the whole context of everyone, we are just getting who they chose to right down there. I know that, and too, for her question for when I saw the video of where you will put this, it's not residential, it is way back there in a big valley and it was beautiful. Like she said, I don't know what kind of weddings you all go to but I have been to many, many weddings in my life and you might find one or two of where the people get a little under, but for the most part at 10 o'clock at night you don't see a whole lot there. You are going to always have, like you said about the shooting and hunting, things like that can happen anytime. You don't have to have a wedding venue or you don't even have to be setting in your yard, something like that to happen anytime. Seriously folks, if we all just be neighbors and be good neighbors, I think they are trying to be good neighbors and you probably are to because you know what you do and don't want. But as far as stopping them from having this, you would have to stop everything and anything in the county from doing this, and I know for a fact that they are not stopped, they keep on going. I don't know, I **Janey**; from the lady here, that I would point out is, if I lived in a rural area, I'm not blessed enough to do that, I don't want a lot of loud noise either and the hoo-ha, but would you not be able to control that? **Wendy**; yes, the music would be strictly contained inside the reception hall... **Janey**; I know noise will carry, I doubt it will carry but you as a responsible owner would have to.... **Joyce**; how far are you apart? **Maurice**; from Miss Trenkamp? **Joyce**; yes. **Maurice**; 3/8 of a mile, half mile. **Janey**; but sound does carry. **Wendy**; shut down would be 11 p.m. That will be the time that they will be told to be done and off the property. **Joyce**; that is a good point. **Maurice**; I think mostly we are going to be looking at DJs that will be inside the building. If they want to stand outside and keep the (inaudible...) **Janey**; and is this an insulated building? **Maurice**; yes, part of the reason of why it sets back into the trees, or woods. I want to use the natural habitat to block out some of the light, the sound and give it a secluded area. Keep the areas outside maintained as far as the wooded under growth. If they want to get over to Kinker's they will have to crawl through briars to get through some of it. I tried very hard to keep everything contained as much as I can and think about some people, if they would have come and talked to us a little bit, maybe we could have worked some of this out beforehand. I'm sorry to the Koors', I have never met you before in my life. This is not something we were planning on doing 3 years ago. **Wendy**; we had no address to get ahold of you because you had not started building yet. I have tried facebook but I didn't know who these people are. **Maurice**; I tried very hard to try to keep this as neighbor friendly as I can, maybe they don't agree with me and that is their right, they don't have to agree with me. But I'm not out there to try to make enemies. To me the woods is a complete wasted space for what I do. I farm and work in a factory, I don't want to put it in farm ground, I don't want to take good farm ground out of production to put a building and parking lot up. I'm trying to find basically worthless ground that I can make productive and do something with. **Janey**; I think you are making enough of an investment that if whoever the neighbor was that had a concern about lights, because that would bother me, I don't want a bunch of cars coming out with their lights on but you made the comment that you would go to the expense of putting in additional, whatever **Maurice**; we can talk about it once we get to the

parking lot, of putting a row of spruce trees down through there. **Janey**; I think that would be good. **Maurice**; it would not be good for my farm ground but it would be good for them. **Janey**; the thing that I noticed, the land that you are putting this on, because we did get the video of where it is going, you couldn't farm that land if you want to anyway. You are going to try to leave as many of the trees as you can. That too, will stop a lot of the sights and all that stuff. Maybe these folks need to go back and look at this. Look at the property. **Brad**; if we are thinking... **Audience?**; (inaudible) the rural area, residential... **Melissa**; Brad, I would just like to point out to the board that this is under section 925 and this is for a permanent special exception in an A1/A2 class, in that district it has all been talking about residential clusters but there are several things that are permitted in that zoning classifications pursuant to our ordinances so if you go through section 925 there are a total of 13 categories of agriculture related businesses. (copied from Section 925 of the Ordinance) Airports, Privately owned County Clubs, campgrounds, golf courses, riding stables; Group homes or residential rehabilitation facilities; Day care facilities; Recreational developments, campgrounds, outdoor theaters, sports activities or facilities; A bed and breakfast, small tourist facilities, private detached guest house, or special employee living quarters; Public utility structures, radio, microwave, television or other similar towers; Any firearms ranges, game preserves or all-terrain vehicle or motocross courses subject to such conditions as are necessary to protect nearby property and subject to all conditions specified by the Decatur County Board of Zoning Appeals in their approval of the requested Application. The game preserve shall be at least One Hundred Sixty (160) acres. Firearm ranges, all-terrain vehicle, motorcycle, motocross, or any other race track or course shall be located at least One Thousand Three Hundred Twenty feet (1320) from the nearest residential dwelling other than the residence of the person seeking the special exception. All firearms ranges shall follow all requirements as set forth by the Indiana Department of Natural Resources for shooting ranges. Game / Hunting Preserves shall be located on One Hundred Sixty (160) contiguous acres or more of land, shall comply with all regulations and licensing requirements of the Indiana Board of Animal Health and all other State agencies that pertain to a game preserve, and shall comply with any other conditions as set forth by the Decatur County Board of Zoning Appeals in their approval of the requested Application. Any public all-terrain vehicle or motocross courses, motorcycle tracks, or race tracks shall be located One Thousand Three Hundred Twenty (1320) feet from the nearest residential dwelling, other than the residence of the person seeking the special exception, and any other conditions as set forth by the Decatur County Board of Zoning Appeals in their approval of the requested Application. Any public or municipal water reservoir. I know that discussion has been all about this being a residential district but there are, pursuant to the ordinance, there are other things that are permitted within this district that probably maybe are a little bit more unappealing to residential. **Gary**; how, the concerns of the residents and with this type of business in there, are they compatible? And as Missy just pointed out in 925, does that fit? A couple of other things from my point of view, across the road from my home there is 299 cattle that live in a confinement facility that wasn't there when our house was built in 1915. The lights are on all night, when the winds in the right direction the cows and feeders defecate, you ship cattle at night in the dark in the cool part of day so somebody is coming by at different types of hours. That is direct agriculture, that is the reason I bring up the previous question. Do I like all that? No, but that is just part of it. I have no issue with that. At the same time I travel south central and southern Indiana and north central Indiana every day, I drive county roads and I see stone quarry after stone quarry and what that does to the neighborhood and what it does to the road and what it has done to my windshield. I'm not responsible for broken windshields. I would like to have \$100 for every windshield I have had broken due to rocks coming off of people's trucks. I think rock quarries been there a long time, you can deduce the rest of my thoughts. But going back to the original point is, does this feel like a fit. I think the APC had looked at a few months ago when a gentleman wanted to

put in a storage facility west of the truck stop there and change the zoning on that, they said no. I bring these things up as thoughts. **Joyce**; we are not asking for a rezone. The only question is; would you rather see something nice like this or a motorcycle course, think about that. **Brad**; so you are looking at a special exception, that is what you need to understand. **Melissa**; (inaudible) I think it is more liken to a country club. A country club is more of, when you define things in a category, you can't define everything possible. **Brad**; we struggle with several things that we try to categorize and it's just not... **Melissa**; but it is very similar to what you would do at a country club, minus the golf course, which the golf course is there, but it has very similar components of the country club which is one of the approved.... **Janey**; and it wouldn't be daily, as a country club would be. **Melissa**; a country club usually offers seven days a week and more like restaurant dining and things like that, so it's not to that level but has similar (inaudible). **Gary**; another thing I'd add is I got the pleasure, along with some other people in this room to sit in the Comprehensive Plan discussion, which took about 3 hours every meeting for about (inaudible) times. I got to be involved in part of this discussion. There were some heated discussions in that, let me tell you. **Brad**; so what we are looking at is, if we are not going to table, we need a motion.

Joyce Brindley made a motion to vote on BZA 2022-13 for the special exception; Janey Livingston seconded the motion with all members present voting yes. Brad; your petition passes, thank you.

Gary Fischer made a motion to adjourn with a second from Joyce Brindley, meeting was adjourned at 7:39 p.m.

Decatur County Board of Zoning Appeal

Secretary, Janey Livingston

Decatur County Area Plan Commission

ATTEST:

Brad Schutte, President Decatur County Board of Zoning Appeals