

**MINUTES of the GRANT COUNTY
AREA BOARD OF ZONING APPEALS
SPECIAL MEETING
June 26, 2017**

A PUBLIC HEARING OF THE GRANT COUNTY BOARD OF ZONING APPEALS was held on Monday, June 26, 2017 at 6:00 P.M. on the first floor of the Grant County Office Complex at 401 South Adams Street, Marion, Indiana.

The following members were present: Craig Freeman, Lois Jones, Chip Long, Rex Maynard, Bob Monroe and Chairman Bill Johnson.

Members absent were: Teresa Mendoza.

Staff present was Executive Director Larry Strange and Recording Secretary Debbie Wallace; Attorney Kyle Persinger was also present.

Bill Johnson brought the meeting to order with the Pledge of Allegiance and a moment of silence.

Lois Jones moved Rex Maynard seconded that the minutes from April 3, 2017 be approved; all members present voted yes; except Bob Monroe and Bill Johnson who abstained. Vote was 4-0-2; motion carried.

Larry Strange went over the rules and procedures.

Docket: 01SP-17 (Public Hearing) Name: Mike Riddle/Junior Stone

Address: 4455 S Meridian Street, Marion

Zoning District: Light Industry (I1)

Legal Description: Being 26.9 acres more or less and located in the Southwest quarter of Section 20, Center Township, Grant County, Indiana.

Request: to hold events that allows mud bogging and musical entertainment at the "Mudd Yard"

Larry Strange reviewed the petition and staff recommendation; the proposed dates for events to be held would be every weekend starting June 30, 2017 through November 26, 2017. The events would be held on Friday, Saturday and Sunday of each weekend. The APC staff based on the criteria recommends approval of the Special Exception with the stipulations and conditions listed are followed. The Grant County Commissioners gave no recommendation to this petition.

Junior Stone, contract buyer of the property, was present; they have tried to comply with the noise ordinance during the last two events held. He is no longer associated with the 'Red Neck Rave'. They would like to hold a toy drive at this site in December and another person wants to do a fund raiser for their parents whose house burnt. Without the approval from the board they cannot do these. Mr. Stone has purchased a decimal meter and has ten to twelve security people on site at all times. He has also purchased a street sweeper to get the mud off the streets after the events. The primary function would be mudding; there would not be live entertainment every weekend,

Bill Johnson feels twenty-two events would be too many for the rest of the year; are all events for all weekend or any for an individual night. How often will there be live entertainment.

Lois Jones questioned how many people attend these events.

Bob Monroe questioned who the insurance provider is and is not sure there is enough coverage. Also asked if security has had any formal training.

Mr. Stone responded that there were approximately one hundred people at the last event. When the insurance policy was purchased it was for one year and every weekend. They have live entertainment approximately at half of the events. The insurance company requires all dates to be set.

The board reviewed the insurance policy.

Craig Freeman and Lois Jones would like to give Mr. Stone a chance to upgrade his insurance and security.

Ms. Jones questioned if there would be any campers other than during an event.

Mr. Johnson questioned how they are going to ensure mud will be washed off the vehicles and kept off the road.

Mr. Freeman questioned where parking for the non-mudding vehicles would be.

Mr. Stone stated he has a washer that sprays underneath the vehicles and the sides; the vehicles leaving the site will be monitored; parking would be in the lane leading back to the site everything is held.

Mr. Strange stated there could be no campers allowed in the lane but should be ok to use as parking.

Support of petition:

Ryan McMurray, with Top Dog Security – helps with the wash; tries to keep everyone under control, they also use colored wrist bands to identify underage drinking. There is no place in or close to Grant County to go mudding. Liability releases are signed before participating in any events. Mr. McMurray said that the mudding events and live entertainment were not held at the same time.

Paul Dooley – he ran the street sweeper for the last event; ran it down Meridian Street and also at Speedway gas station. To go mudding you have to drive three to four hours away; cannot book any big names for entertainment because the dates have to be set in advance. There was someone at the gates stopping the vehicles from leaving covered with mud.

Against the petition:

Sandy Vest, 3902 S Harmon – she can see a difference in how the events are being held; feels the events can grow larger in the future

James Heasley, 3912 S Felton, - lives approximately half mile from the gate, between 10:30 and 11:00PM music so loud it was heard over his TV; recent events not as bad as when this first started. He has no problem as long as they comply with the noise ordinance and keep the mud off the streets

Bill Corey; owns the car wash at 38th & Adams Street; he is against this request; his customers could not use the car wash because of the mud from the 'Mudd Yard'. When the 'Rave' was held it was very bad, the last event was better but it cost him \$2000 to pump out the mud from his wash bays. He lost money because the car wash had to be closed down to prevent muddy vehicles from trying to use it.

Steve Hoover, 4104 S Meridian – the vehicles are not washed off before they leave the muddyard; doesn't want this type of event in a residential neighborhood. The street sweeper had no water so all it did was grind the mud and dirt into the roads, which will have to be replaced because of the damage.

Ed Hartman - 2640 E 1050 S, Fairmount – the exception should not cause the people in the neighborhood discomfort or disruption. These type of events should not be held in this location, should be held away from housing.

Carol Murphy – her mother owns the property next to this site; she is concerned that people might go onto her property and concerned about what they could be liable for if someone got hurt.

Debbie Huston, 4011 S Meridian, - lives on Meridian and owns the Idyle Wine skating rink; at the last event both ends of Meridian Street were blocked off and people could not get to the skating rink; totally against this.

Keith Koon, 3908 S Meridian – most of his concerns were already voiced; there would be some benefit to the community but too many events to hold these every weekend.

Julie Hartman, 2640 E 1050 S – these events will decrease property value in the neighborhood; three days in a row is too much; they start early in the morning and go late into the night. Ms. Hartman read portions of the Special Exception chapter from the Areawide Ordinance.

Who is the insurance provider Mr. Monroe does not feel that there is enough coverage
David Steiner, **5335 S Western Ave**, - against this petition

Lois Jones, the rave was with different people; these events should not be judged as the previous events; they should be given a chance.

Cecil Purvis, owns a food truck, he was asked to come to the last event, they broke even did not make any money. He went to Speedway gas station and Circle K on 38th saw no mud at either location. Asking the board to give Junior Stone a chance, if he doesn't comply with the ordinances then stop him.

Bill Johnson closed the public hearing.

Motion: Bob Monroe moved Rex Maynard seconded to deny Docket #01SP-17 as presented. All members present voted yes; except Freeman, Jones and Johnson. Vote 3-3 tie; motion did not carry.

Motion: Craig Freeman moved Bob Monroe seconded to continue Docket #1SP-17 until the August 7, 2017 meeting. All members present voted yes; motion carried.

Other business:

There being no other business meeting adjourned at 7:30 PM.

Bill Johnson, Chairman

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