

CITY OF PERU

BOARD OF ZONING APPEALS

Board of Zoning Appeals
Tuesday, December 30th, 2024
6:00PM Common Council Room
35 S. Broadway Peru IN 46970

ROLL CALL:

Called to order: Brent Wedding

Time: 6:20 PM

Brent Wedding (P), Mike Siblisk (P), Ron Rylands (P), Max Glassburn (A)

READING & APPROVING PREVIOUS MONTH'S MINUTES

Motion to waive the reading and accept the minutes

1st: Brent Wedding 2nd: Ron Rylands 3rd: Mike Siblisk

OLD BUSINESS:

Rules of Decorum: Motion to use what the planning commission had already approved and is in place.

1st: Brent Wedding 2nd: Ron Rylands 3rd: Mike Siblisk

NEW BUSINESS:

- Parcel # 52-08-27-206-007.000-016 also known as 37 E. 8th St., Circus City Gymnastics requested a parking variance.
 - Joe Molyneux spoke about the Circus City Gymnastics plans to handle parking.
 - Motion to table until more information is gathered.

1st: Ron Rylands 2nd: Mike Siblisk 3rd: Brent Wedding
- Parcel # 52-08-26-100-007.000-015 also known as 1741 E. Wabash, Kokomo Gravel, requested a fence variance.
 - Mike Boyer spoke and would like a fence variance for the 8ft. berms being built around the property to be considered as the fence.

Zoning Administrator
35 S. Broadway
Peru, IN 46970
Phone: 765-473-4881
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- Brent Wedding stated the fence ordinance, any property used for manufacturing, mining or such things there should be a fence, or a screen put up if it is less than 200ft. from other zoning districts.
- Chad Sutton a neighbor located at 1642 E. Paw Paw Pike spoke of the 2-mile zoning radius and it is going back to the county due to rezoning. He stated he feels that the BZA should not vote on this issue and the vote should go to the county as this parcel will be county jurisdiction. He is also concerned that only 3 of the 5 BZA board are present for a vote and the matter should be tabled. Chad spoke of deaths in areas of gravel pits and how many residences are within 1300ft. of the gravel pit, and of how many kids are there to catch the school bus. He stated many are unsupervised and guarantees they will go down to the gravel pit at some point, and trespass on Mike property. Chad spoke of animals, elderly, or possibly the special needs child that lives on the same road wandering and falling in the pits. Chad stated this is why the rules are in place. Brett Wedding responded that the board would love to pass this to the county, but since it started with us it stays with us. Chad stated that this could put the city in a liability situation. Chad re-stated that there are only three board members in attendance to vote and he mentions board member Mike Siblisk has a substantial business relationship with Mr. Boyer. Chad asks that the chairman of the board has Mike Siblisk recuse himself from the vote. Brent Wedding stated that the board spoke of the matter at the last meeting, and it was determined that Mike Siblisk feels he can vote fairly without any bias. Brent stated they could table the matter, but it would not change where the vote is taken, that the vote on this matter stays with the city and not the county even when the zoning is changed. Chad feels it should be tabled until all board members are present.
- Sarah Sisk who lives directly across from the Kokomo gravel pit says she has two young children and is concerned about their safety. She asked the board to consider how they would feel if it was their kids or grandkids living there.

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- Steve Constable, who resides at 2391 Paw Paw Pike, stated he grew up at the east end of Peru and they used to walk to the gravel pit to play. He feels it's a natural attraction and there are many kids living on the same road as the pit and feels they will venture there, if they haven't already. Steve said the fence may not prevent this, but it would help.
- Joe Molyneux states fences are for safety.
- Brent Wedding states that the law of attraction nuisance says owners have the responsibility to be safe.
- Lynn Hunt, who resides at 1682 E. Paw Paw Pike, states she has been here since the beginning and wants to make the board aware that there are twenty-five kids under the age of fifteen living around the gravel pit.
- Michelle Wilson states her parents live right next to the gravel pit. She wants to point out that safety should come first, that in the winter the kids would think it fun to sled down one of the berms into the frozen water, which would be a huge liability without fences.
- Brent Wedding asks if there are any other concerns. There are no others. Brent makes a motion to vote.

Vote: Yes (Y) No (N)

Brent Wedding (N) Mike Siblisk (N) Ron Rylands (N)

○ Meeting dates for 2025

- Motion to except proposed meeting dates for 2025.

1st: Brent Wedding 2nd: Mike Siblisk 3rd: Ron Rylands

ADJOURNMENT:

1st: Brent Wedding 2nd: Mike Siblisk

Time: 6:38 pm

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