

***FULTON/KEWANNA  
BOARD OF ZONING APPEALS***

**FULTON TOWN HALL**

September 8, 2020

7:00 P.M.

---

**CALL TO ORDER**

**ELECTION OF OFFICERS**

**ADOPTION OF MEETING RESOLUTION**

**BOARD OF ZONING APPEALS MINUTES:**

June 3, 2019

**OLD BUSINESS:**

**NEW BUSINESS:**

Erik & Shaun Henderson-Vigil (#200467)

**PLAN DIRECTOR REPORT**

**PUBLIC COMMENTS**

**BOARD COMMENTS**

**ADJOURNMENT**

FULTON/KEWANNA BOARD OF ZONING APPEALS  
June 3, 2019

FULTON/KEWANNA  
BOARD OF ZONING APPEALS

JUNE 3, 2019

7:00 P.M.

KEWANNA TOWN HALL

CALL TO ORDER

ELECTION OF OFFICERS

ADOPTION OF MEETING RESOLUTION

BOARD OF ZONING APPEALS MINUTES:

December 3, 2018

OLD BUSINESS

NEW BUSINESS

Michael Mihalik (#559-0519)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

## FULTON/KEWANNA BOARD OF ZONING APPEALS

June 3, 2019

The Fulton/Kewanna Board of Zoning Appeals met on 3<sup>rd</sup> day of June 2019, at 7:00 P.M. in the Kewanna Town Hall. Executive Director, Casi Cowles called the meeting to order at 7:00 P.M. The following members were present: Larry Baldwin, Rachael Moore, Kathy Hobbs, Larry Kimble, and John Moore. Also in attendance Executive Director, Casi Cowles, Board Attorney, Andy Perkins and Administrative Secretary Heather Redinger.

IN RE: ELECTION OF OFFICERS

Executive Director, Casi Cowles opened the floor to nominations for Chairperson. Kathy Hobbs nominated Larry Baldwin as Chairperson. Rachael Moore seconded the nomination. Being no further nominations, Rachael Moore moved to close the nominations for Chairperson. Kathy Hobbs seconded the motion. Motion carried as follows: Rachael Moore, Kathy Hobbs, Larry Kimble, John Moore and Larry Baldwin all being in favor and no one opposing. Larry Baldwin was elected as Chairperson for the Fulton/Kewanna Board of Zoning Appeals.

Chairperson, Larry Baldwin, opened the floor to nominations for Vice-Chairperson. Larry Kimble nominated Kathy Hobbs as Vice-Chairperson. Larry Baldwin seconded the nomination. Being no further nominations, Larry Baldwin moved to close the nominations for Vice-Chairperson. Rachel Moore seconded the motion. Motion carried as follows: Rachael Moore, Kathy Hobbs, Larry Kimble, John Moore and Larry Baldwin all being in favor and no one opposing. Kathy Hobbs was elected as Vice-Chairperson for the Fulton/Kewanna Board of Zoning Appeals.

Larry Baldwin asked for nominations for Executive Secretary. Kathy Hobbs nominated Rachel Moore as Executive Secretary. Larry Kimble seconded the nomination. Motion carried as follows: Rachael Moore, Kathy Hobbs, Larry Kimble, John Moore and Larry Baldwin all being in favor and no one opposing. Rachael Moore was elected as Executive Secretary for the Fulton/Kewanna Board of Zoning Appeals.

Larry Baldwin stated the Board needed to appoint an Administrative Secretary. Rachael Moore nominated Heather Redinger as Administrative Secretary. Larry Kimble seconded the nomination. Motion carried as follows: Rachael Moore, Kathy Hobbs, Larry Kimble, John Moore and Larry Baldwin all being in favor and no one opposing. Heather Redinger was appointed as the Fulton/Kewanna Board of Zoning Appeals Administrative Secretary.

Larry Baldwin stated the Board needed to hire an Attorney to represent them. Kathy Hobbs moved to hire PW&P Law Office, Rochester, IN. Rachael Moore seconded the motion. Motion carried as follows: Rachael Moore, Kathy Hobbs, Larry Kimble, John Moore and Larry Baldwin all being in favor and no one opposing. PW&P Law Office was hired as the Fulton/Kewanna Board of Zoning Appeals Attorney.

IN RE: ADOPTION OF MEETING RESOLUTION

Larry Baldwin, read Resolution 06032019 regarding the meeting dates and times for the Fulton/Kewanna Board of Zoning Appeals in 2019. Larry Baldwin entertained a motion to adopt Resolution 06032019 Rachael Moore moved to adopt Resolution 06032019 for the Fulton/Kewanna Board of Zoning Appeals meeting dates and times in 2019. Kathy Hobbs seconded the motion. Motion carried as follows: Rachael Moore, Kathy Hobbs, Larry Kimble, John Moore and Larry Baldwin all being in favor and no one opposing. Resolution 06032019 reads as follows:

**FULTON/KEWANNA BOARD OF ZONING APPEALS**  
**June 3, 2019**

RESOLUTION 06032019

A RESOLUTION OF THE FULTON/KEWANNA BOARD OF ZONING APPEALS, OF THE COUNTY OF FULTON, INDIANA, ESTABLISHING MEETING TIMES FOR 2019.

WHEREAS, the Fulton/Kewanna Board of Zoning Appeals has established that they will meet on the first (1<sup>st</sup>) Monday each month at 7:00 P.M. in the Kewanna Town Hall unless that Monday falls on a County observed Holiday, then the meeting will be held on the first (1<sup>st</sup>) Tuesday at 7:00 P.M. in the Kewanna Town Hall.

WHEREAS, the Fulton/Kewanna Board of Zoning Appeals have established meeting times as set out under Indiana Code 36-2-2-6 et. seq.;

NOW THEREFORE, Be It Resolved by the Fulton/Kewanna Board of Zoning Appeals that:

1. The Fulton/Kewanna Board of Zoning Appeals will meet on the first (1<sup>st</sup>) Monday every month at 7:00 P.M. in the Kewanna Town Hall unless that Monday falls on a County observed Holiday, then the meeting will be held on the first (1<sup>st</sup>) Tuesday at 7:00 P.M. in the Kewanna Town Hall.
2. Other meetings will be scheduled and a public notice will be given.

Adopted this 3<sup>rd</sup> day of June 2019.

FULTON/KEWANNA BOARD OF ZONING APPEALS

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Vice Chairperson

\_\_\_\_\_  
Executive Secretary

ATTEST: \_\_\_\_\_  
Heather Redinger, Administrative Secretary

FULTON/KEWANNA BOARD OF ZONING APPEALS

June 3, 2019

IN RE: MINUTES

December 3, 2018

Larry Baldwin asked for any additions, deletions, or corrections to be made to the December 3, 2018 minutes. Rachael Moore moved to approve the December 3, 2018 minutes. Kathy Hobbs seconded the motion. Motion carried as follows: Rachael Moore, Kathy Hobbs, Larry Kimble, John Moore and Larry Baldwin all being in favor and no one opposing.

IN RE: OLD BUSINESS

It is duly noted there was no old business at this time.

IN RE: NEW BUSINESS

Mr. Mihalik (#559-0519) is requesting a development standard variance of forty-two (42') feet off of the required minimum lot width for the purpose of land split, within the Kewanna (KW) District located at 214 E Elm Street, Kewanna, IN.

In the KW District the required minimum lot width is 75'. Mr. Mihalik would like to split off approximately 28' feet off of lot 350 to remain with the existing home that sits on lots 350 & 349. Therefore, a variance of forty-two (42') feet off of the required minimum lot width is requested

Larry Baldwin asked the petitioner if they had anything further to add at this time.

They did not have anything at this time.

Larry Baldwin entertained a motion to open the public hearing. Rachael Moore moved to open the public hearing. Larry Kimble seconded the motion. Motion carried as follows: Rachael Moore, Kathy Hobbs, Larry Kimble, John Moore and Larry Baldwin all being in favor and no one opposing.

Being no public questions or comments, Larry Baldwin entertained a motion to close the public hearing. Rachael Moore moved to close the public hearing. Kathy Hobbs seconded the motion. Motion carried as follows: Rachael Moore, Kathy Hobbs, Larry Kimble, John Moore and Larry Baldwin all being in favor and no one opposing.

Mr. Baldwin asked if there were any further Board comments, being none, he then entertained a motion. Kathy Hobbs moved to approve Mr. Mihalik (#559-0519) is requesting a development standard variance of forty-two (42') feet off of the required minimum lot width for the purpose of land split, within the Kewanna (KW) District located at 214 E Elm Street, Kewanna, IN. Rachel Moore seconded the motion.

The Board members filled out there finding of facts. Heather then took roll call vote.

Kathy Hobbs	Yea
John Moore	Yea
Larry Kimble	Yea
Rachael Moore	Yea
Larry Baldwin	Yea

Motion to approve Mr. Mihalik (#559-0519) is requesting a development standard variance of forty-two (42') feet off of the required minimum lot width for the purpose of land split, within the Kewanna (KW)

**FULTON/KEWANNA BOARD OF ZONING APPEALS**

**June 3, 2019**

District located at 214 E Elm Street, Kewanna, IN. Passed with five votes being in favor and no one opposed.

IN RE: PLAN DIRECTOR REPORT

Casi Cowles presented to the Board the end of the year report.

Larry Kimble stated he will re resigning from the Board.

IN RE: ADJOURNMENT

Being no further business to come in front of the Board of Zoning Appeals, Larry Baldwin, entertained a motion to adjourn the June 3, 2019 Fulton/Kewanna Board of Zoning Appeals meeting Larry Kimble moved to adjourn the June 3, 2019 Fulton/Kewanna Board of Zoning Appeals meeting at 7:25 P.M. John Moore seconded the motion. Motion carried as follows: Rachael Moore, Kathy Hobbs, Larry Kimble, John Moore and Larry Baldwin all being in favor and no one opposing.

FULTON/KEWANNA BOARD OF ZONING APPEALS

---

ATTEST: \_\_\_\_\_  
Heather Redinger, Administrative Secretary

**Docket #200467**  
**Erik & Shaun Henderson-Vigil**  
**Special Exception**

Erik & Shaun Henderson-Vigil (#200467) are requesting a special exception to operate a farmer's market/flea market, within the Residential Cluster (R1) District located on 251 N Jefferson Street, Fulton, IN.

Erik & Shaun Henderson-Vigil would like to operate Dragonfly Moon Meadows, a farmer's market/flea market, on their property. They stated the hours of operation would be 8am-5pm on weekends, there would be no additional employees. There will be parking available on the property.

---

The request is for special exception to operate a farmer's market/flea market, within the Residential Cluster (R1) District located on 251 N Jefferson Street, Fulton, IN.

## SPECIAL EXCEPTION QUESTIONNAIRE FOR BUSINESSES

- What is the proposed project or business, and where will it be located?

Dragonfly Moon Meadows - farmers/flee Market  
251 N. Jefferson St - Fulton, In 46931

- What are the proposed hours of operation?

Weekends 8AM - 5PM

- How many employees?

0 employees

- Will there be a restroom facilities and has Health Department approval been obtained?

No restroom

- Where will the parking lot be located, where will the driveways be located and what material will be utilized for those?

Parking at 251 Jefferson St - Fulton, In 46931 - No  
driveways - looking for foot traffic

- How many deliveries will there be per day or per week and what type of deliveries (UPS, Fed-Ex, etc)?

None

- Will an existing structure be utilized for the project/business or is a new structure proposed? What are the dimensions of the existing or new structure?

No

- Will there be an office located in the structure for the project/business?

No

- Will there be any signs needed for the project/business? If so, what size/type will the sign(s) be? Location of sign(s)?

No

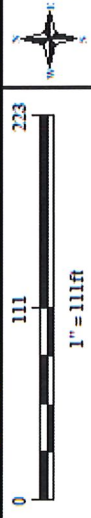


- City Town Boundary
- Parcels
- Miscellaneous misc points
- Addresses
- Highways
- Roads
- Parcels
- Dimensions
- Lots
- Miscellaneous misc points



Drawn to Scale

- City Town Boundary
- Parcels
- Miscellaneous misc points
- Addresses
- Highways
- Roads
- Parcels
- Dimensions
- Lots
- Miscellaneous misc points



0 111 223  
1"=111ft

Interested Party Legal Notification

CASA

**READ ALL ATTACHED SHEETS PRIOR TO PLACING YOUR SIGNATURE ON THIS SHEET**

I the undersigned interested party, do hereby attest that I've read in complete and fully understand the Legal Notice of Public Hearing for A Special Exception Before the Fulton and Kewanna Board of Zoning Appeals supplied to you by the applicant of said public hearing,

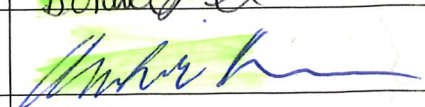
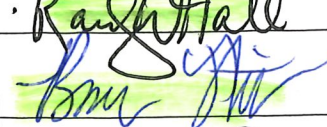
Erik & Shaun Henderson-Vigil  
# 200467

Located at: 251 N Jefferson Street, Fulton, IN 46931

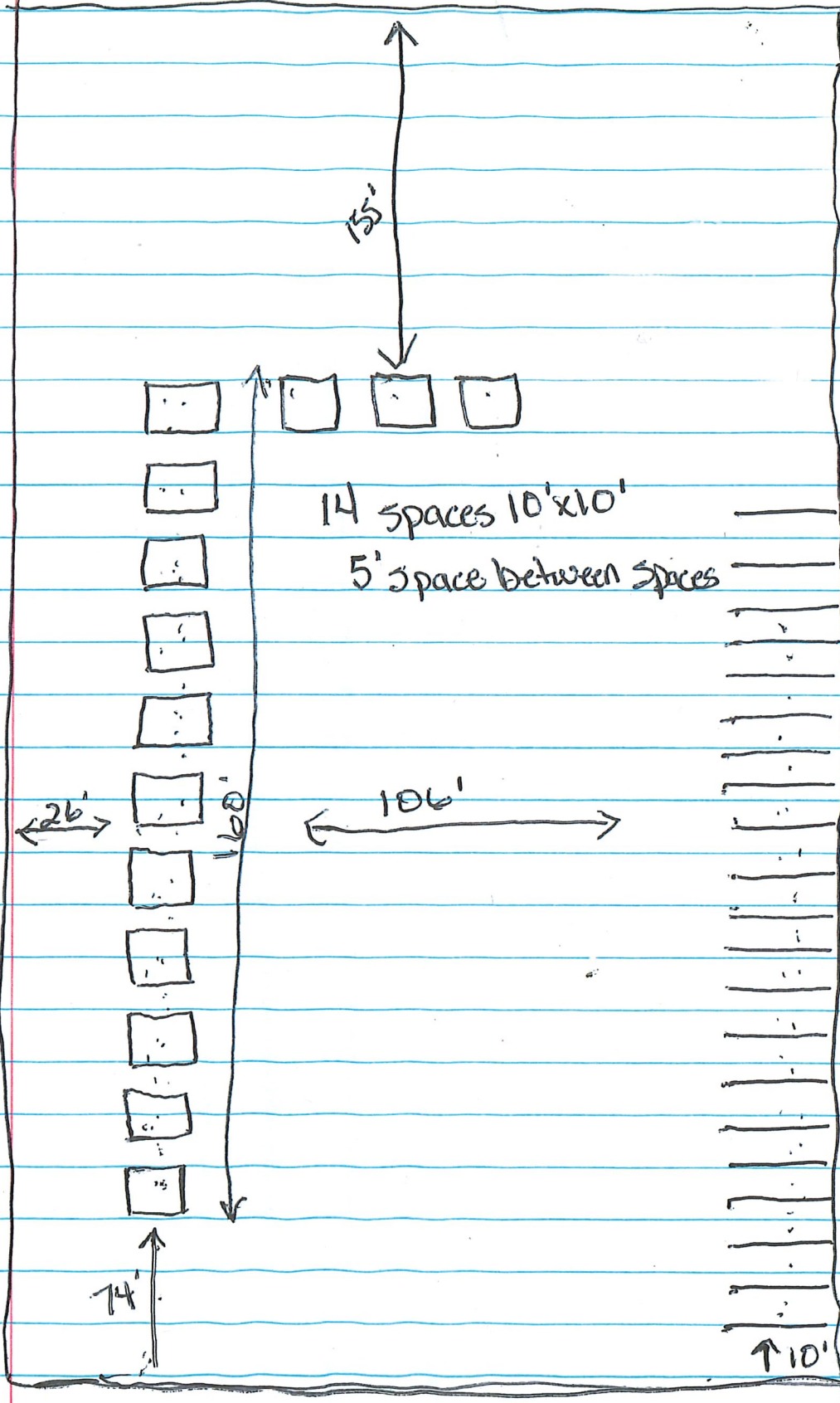
**Legal Notification Requires:**

- The legal notice of public hearing is sent via certified return receipt requested mail at least 25 days prior to the public hearing to all interested parties, and the receipts of said action are included in the application's supportive information to the Board; or
- Signatures written on a form supplied by the Plan Commission Office are presented with the application's supportive information to the Plan Commission Office verifying that each interested party received a copy of the Notice of Public Hearing.

The signature of any person on the form is not to be construed as a waiver or consent to the petition, but merely evidence that the person has received notice of the hearing.

NAME	ADDRESS	SIGNATURE
Matthew A Pearce	304 W Davis St Fulton, IN 46931	sent 7/25
John D & Mary A Williamson	2783 E Cr 475 N Logansport, IN 46947	sent 7/25
John A & Bonita A Lee ✓	2594 Southway 31 Rochester, IN 46975	Bonita Lee
✓ Andrew C Kerr	P O Box 282 Fulton, IN 46931	
Riley Lipps	3050 N CR 625 W Royal Center, IN 46978	sent 7/25
Pinkston Properties, Inc	422 N Wood Sage St. Bristol, IN 46507	sent 7/25
Ronald L & Darlene R Vice	P.O. Box 117 Fulton, IN 46931	<del>sent 7/25</del> Ron Vice
Randy W & Kendra S Hall	P O Box 218 Fulton, IN 46931	Randy Hall
Roger D Flint	200 W Davis St Fulton, IN 46931	
Michael & Tamara Olinger	P O Box 173 Fulton, IN 46931	Tamara Olinger





14 spaces 10'x10'  
5' space between spaces

20 Parking spaces 9'x18'

155'

106'

26'

160'

14'

10'