

**FULTON COUNTY
AREA PLAN COMMISSION**
FULTON COUNTY OFFICE BUILDING
COMMISSIONERS/COUNCIL ROOM
Meeting will be held in person and virtual.

April 26, 2021

7:00 P.M.

CALL TO ORDER

PLAN COMMISSION MINUTES FOR:

February 22, 2021

PUBLIC COMMENTS

(Comments Not To Pertain To Agenda Items)

OLD BUSINESS:

NEW BUSINESS:

PLAN DIRECTOR REPORT:

Proposed amendments

PUBLIC COMMENTS:

BOARD COMMENTS

ADJOURNMENT

FCAPC April 2021

Mon, Apr 26, 2021 7:00 PM - 10:00 PM (EDT)

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FULTON COUNTY AREA PLAN COMMISSION
February 22, 2021

**FULTON COUNTY
AREA PLAN COMMISSION
MEETING**

WEDNESDAY, FEBRUARY 22, 2021

**7:00 P.M.
COMMISSIONERS/COUNCIL ROOM
VIRTUAL**

CALL TO ORDER

**AREA PLAN COMMISSION MINUTES FOR:
January 25, 2021**

PUBLIC COMMENT (Not to pertain to Agenda Items)

OLD BUSINESS

NEW BUSINESS:

North Shore Estates:
Certificate of Partial Vacation
Sidewalk Waiver

Primary and Secondary Plat (#210017 & 210018)

PLAN DIRECTOR REPORT:

Proposed Amendments

PUBLIC COMMENTS

**BOARD COMMENTS
ADJOURNMENT**

FULTON COUNTY AREA PLAN COMMISSION
February 22, 2021

The Fulton County Area Plan Commission met on Wednesday the 22nd of February 2021, at 7:00 P.M. in the Commissioners/Council Room located within the Fulton County Office Building and virtually. Executive Director, Casi Cowles called the meeting to order at 7:00 P.M. The following members were present: David Roe, Seth White, Debbie Barts, Rick Ranstead, Kathy Hobbs, Ruth Gunter, Randy Sutton, and Phil Miller. Also in attendance were: Plan Director, Casi Cowles; and Administrative Secretary, Heather Redinger

In attendance virtually were the following: Racheal Moore, Crystal Weida, Cathy Miller, Mark Kepler and Board Attorney, Andy Perkins.

It is duly noted Duane Border was absent.

IN RE: MINUTES

January 25, 2021

Vice-chair Randy Sutton asked for any additions, deletions or corrections to be made to the January 25, 2021 minutes. Debbie Barts moved to approve the January 25, 2021 minutes as written. Phil Miller seconded the motion. Motion carried as follows: David Roe, Seth White, Debbie Barts, Rick Ranstead, Kathy Hobbs, Ruth Gunter, Racheal Moore, Crystal Weida, Cathy Miller, Mark Kepler and Phil Miller being in favor and no one opposing.

IN RE: NEW BUSINESS

North Shore Estates:
Certificate of Partial Vacation

North Shore Estates is requesting a partial vacation of lots 5, 6, 7, 8, 9 & 10 of Hida Park. The request is needed to create the new sub-division plat.

Randy Sutton asked for any comments or questions.

Ted Edwards, 1700 Colonial Drive, asked questions about the entrance location and the expected number of people in the sub-division.

Ken Hoff stated the mobile home park had about 40 mobile homes, the proposed sub-division will have 11 buildable lots. He also stated the entrance would be located in the same area.

Being no further questions or comments Randy entertained a motion. Rick Ranstead moved to approve the partial vacation request. Seth White seconded the motion. Motion carried as follows: David Roe, Seth White, Debbie Barts, Rick Ranstead, Kathy Hobbs, Ruth Gunter, Racheal Moore, Crystal Weida, Cathy Miller, Mark Kepler and Phil Miller being in favor and no one opposing.

North Shore Estates: Sidewalk Waiver

North Shore Estates is requesting a waiver regarding sidewalk construction. They would like to require sidewalk construction at the time of home construction, instead of street construction. If sidewalks are constructed prior to home construction, they feel they may be damaged during home construction, due to heavy equipment. They then stated the convention would be every homeowner to install a sidewalk when a home is constructed.

FULTON COUNTY AREA PLAN COMMISSION

February 22, 2021

Randy Sutton asked for any Board questions. Being none, he entertained a motion to open public hearing. David Roe moved to open public hearing. Phil Miller seconded the motion. Motion carried as follows: David Roe, Seth White, Debbie Barts, Rick Ranstead, Kathy Hobbs, Ruth Gunter, Racheal Moore, Crystal Weida, Cathy Miller, Mark Kepler and Phil Miller being in favor and no one opposing.

Randy asked if anyone would like to speak in favor or opposed. Being no one, he entertained a motion to close public hearing. Debbie Barts moved to close public hearing. David Roe seconded the motion. Motion carried as follows: David Roe, Seth White, Debbie Barts, Rick Ranstead, Kathy Hobbs, Ruth Gunter, Racheal Moore, Crystal Weida, Cathy Miller, Mark Kepler and Phil Miller being in favor and no one opposing.

North Shore Estates: Primary and Secondary Plat (#210017 & 210018)

Casi stated North Shore Estates is requesting the approval of a primary and secondary plat application for a proposed ten (11) lot subdivision, the property is located at 1535 E 9th Street, Rochester containing approximately 2.82 acres. She also stated instead of a surety bond, they were presented with an acceptance letter from the bank.

Randy Sutton asked for any questions or comments.

Randy Sutton asked Board Attorney, Andy Perkins if the Board could accept a letter from the bank in lieu of a surety bond.

Attorney Perkins, stated they could accept the letter from the bank. He stated they will need to add the approval in the motion.

Being no further comments Randy Sutton entertained a motion. Debbie Barts moved to approve North Shore Estates is requesting the approval of a primary and secondary plat application for a proposed ten (11) lot subdivision, the property is located at 1535 E 9th Street, Rochester containing approximately 2.82 acres, with acceptance letter from the bank, as presented, as surety. Rick Ranstead seconded the motion. Motion carried as follows: David Roe, Racheal Moore, Debbie Barts, Kathy Hobbs, Randy Sutton, Phil Miller, Rick Ranstead, Crystal Weida, Cathy Miller, Seth White, Mark Kepler and Duane Border being in favor and no one opposing.

IN RE: PLAN DIRECTOR REPORT

Casi told the Board they received a list of proposed amendments that will be presented to the Board at the next scheduled meeting.

IN RE: BOARD COMMENTS

IN RE: ADJOURNMENT

With no further business to come before the Board, Duane Border entertained a motion to adjourn the February 22, 2021 meeting. Debbie Barts moved to adjourn the February 22, 2021 Fulton County Area Plan Commission Board at 8:45 P.M. Phil Miller seconded the motion. Motion carried as follows: David Roe, Racheal Moore, Debbie Barts, Kathy Hobbs, Randy Sutton, Phil Miller, Rick Ranstead, Crystal Weida, Cathy Miller, Seth White, Mark Kepler and Duane Border being in favor and no one opposing.

FULTON COUNTY AREA PLAN COMMISSION
February 22, 2021

Heather Redinger, Administrative Secretary

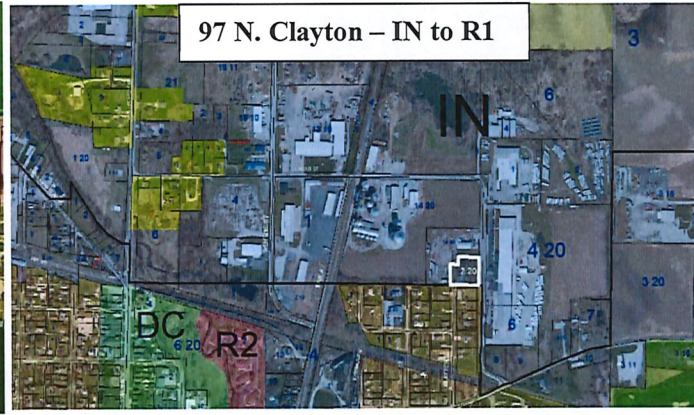
Zoning Code	Suggested Amendment
Accessory Structure Standards – Article 4 - Channel Lots, Accessory Structures, & Campsites	<ul style="list-style-type: none"> -Define Boat House -Define Channel Lots as ‘Lakeside Lots’ or ‘Roadside Lots’ -Put clear direction that the buildings listed are the only buildings allowed unless granted a DSV by the BZA (?) -Allow pole barns/storage structures without a primary structure adjacent (?) Maybe put a maximum square footage on them to allow some, but not others (?) -Instruct that tents may only be used for recreational purposes on residential lots [except RR (?)] if a primary structure is located on the lot or directly adjacent lot -In the RR, tents may only be used for 30 days out of the year for recreational purposes (?)
Permanent Sign Standards – Commercial districts Article 5	<ul style="list-style-type: none"> -Put HD in its own section and give a 40 sf Maximum instead of using the 1:1 ratio on building width - DC/VC Change to allow freestanding with height restriction – like Enyart’s - GC Change 1:1 to just have a maximum sign allowance for all signs instead of separating a max for freestanding and a max for other signs? Two current maximums added together would be 350 sf -Add ground/monument sign as allowed in other districts -State lighted signs are allowed in districts where it is not listed -Change SR and/or R1 size requirements for commercial (churches etc.) Right now allows 24 sf max – have had
Ground/Monument Sign Article 5	Height max in SI-01 = 9’. Height max in definition = 6’ – suggest to change definition to 9’
All Districts allowing single family housing Article 4	Detached Additional Living Spaces a Permitted Use with Health Department approval on sewage and different/no living space square footage requirement – Man Cave in Barn – apartment in loft area of garage - apartment in back ½ of barn. Currently a special exception
RR/R3 Rear setback on Roadside Lots - Article 4	Add a 10’ rear setback for roadside lots in RR & R3 District - currently 25’ off the lakeside/river/rear for all lots in the RR & R3
DC District – Minimum Lot Depth	Remove or change to Maximum
HD District Article 4	Add apartments as a permitted use – only lists single family dwelling on upper floors; most of the buildings in the downtowns have apartments on the upper floors or had them at one time.
HC District - Add Permitted & Special Exception Uses	Add “Light Manufacturing” to permitted uses in the Highway Commercial District and apartment complexes (define unit #'s maybe) and Heavy Manufacturing (special Exception with strict guidelines – no odor, no outdoor storage, etc) (?)
Cargo Containers Article 5	Change language to add “shipping/cargo container” to the list: <i>Existing language- No vehicle or tractor, semitrailer, hauling trailer, or railroad boxcar of any type may be used for the purpose of storage.</i>

	Up for Discussion: Allow cargo containers in IN/IU – but require to be set behind building, not in front -existing language only allows for 6 months. Allowing (1) cargo container in the AG district – behind house, maintained the same color as the home – kept in good repair; no rust, holes, or worn paint, etc.
RV Codes Article 5	Allow the usage of an RV for temporary housing if permit is pulled to build a home/add-on to a home – whether for disaster repair or voluntary construction; Otherwise the 30 days out of the year remains in effect.
Article 5-1.5: Solar	Comparison of our code with St. Joe County’s code (recommended as a good example of a code that works well to protect all parties involved from neighboring properties to the developer)
Article 5-1.11 Telecommunications	Review to ensure compliance with state code (there have been some changes) including any changes approved by House and Senate at the end of this week – there’s a bill floating that will also amend this code.
Subdivision Code	Suggested Amendment
Article 3	Change the number of hard copies required with App submittal – I would prefer an electronic copy and 2 hard copies for signature.
Article 4-2	-Delete Sidewalk construction standards – the incorporated areas that have/require sidewalk construction have their own construction codes within their building codes or follow ADA requirements. -Allow construction of sidewalks at time of road installation by developer or within the covenant-installation by owner as the homes are built
Article 4-1.7 & 4-2.8	Update Road design standards – ROW width doesn’t equate with required size of sidewalk distance from curb face and city’s required tree lawn; pavement specifications are outdated
Zone Map	Suggested Amendment
1535 E 9th St	Change from MP to R3 to match surrounding residential area – developmt planned for single & two family homes
2006 Sweetgum Rd	Change from HC to IR –County Commissioner own; New Sheriff’s Office and Detention Center
97 N Clayton Ave	Change from IN to R1 – Residential Home
179 Monticello Rd	Change from IN to R1 – Residential Home(s)
2132 Boulevard St	Change from GC to R3 – Residential Home
US 31 & 200N	Change from AG & HC to IN – Future Planning

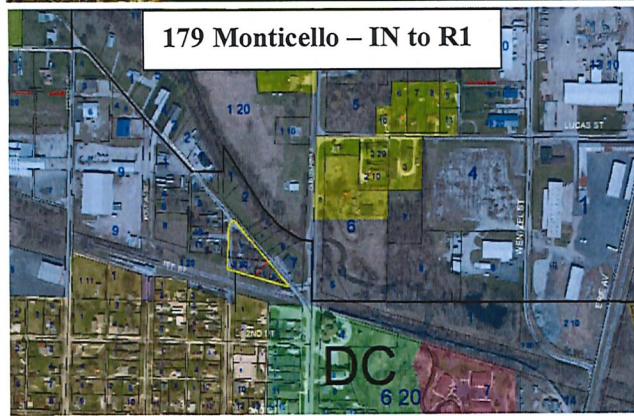
Zone Map Amendment Discussions



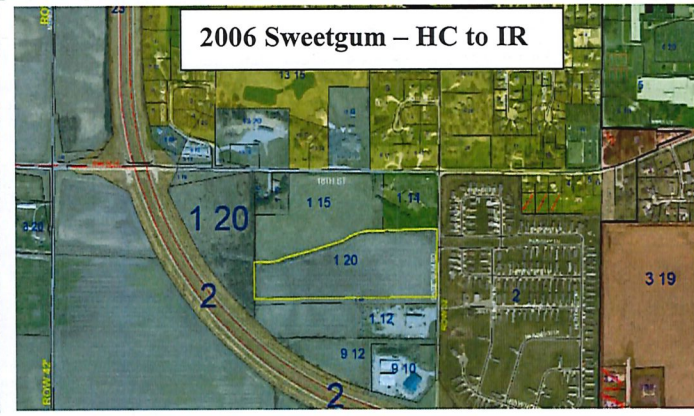
1535 E 9th St – MP to R3



97 N. Clayton – IN to R1



179 Monticello – IN to R1



2006 Sweetgum – HC to IR



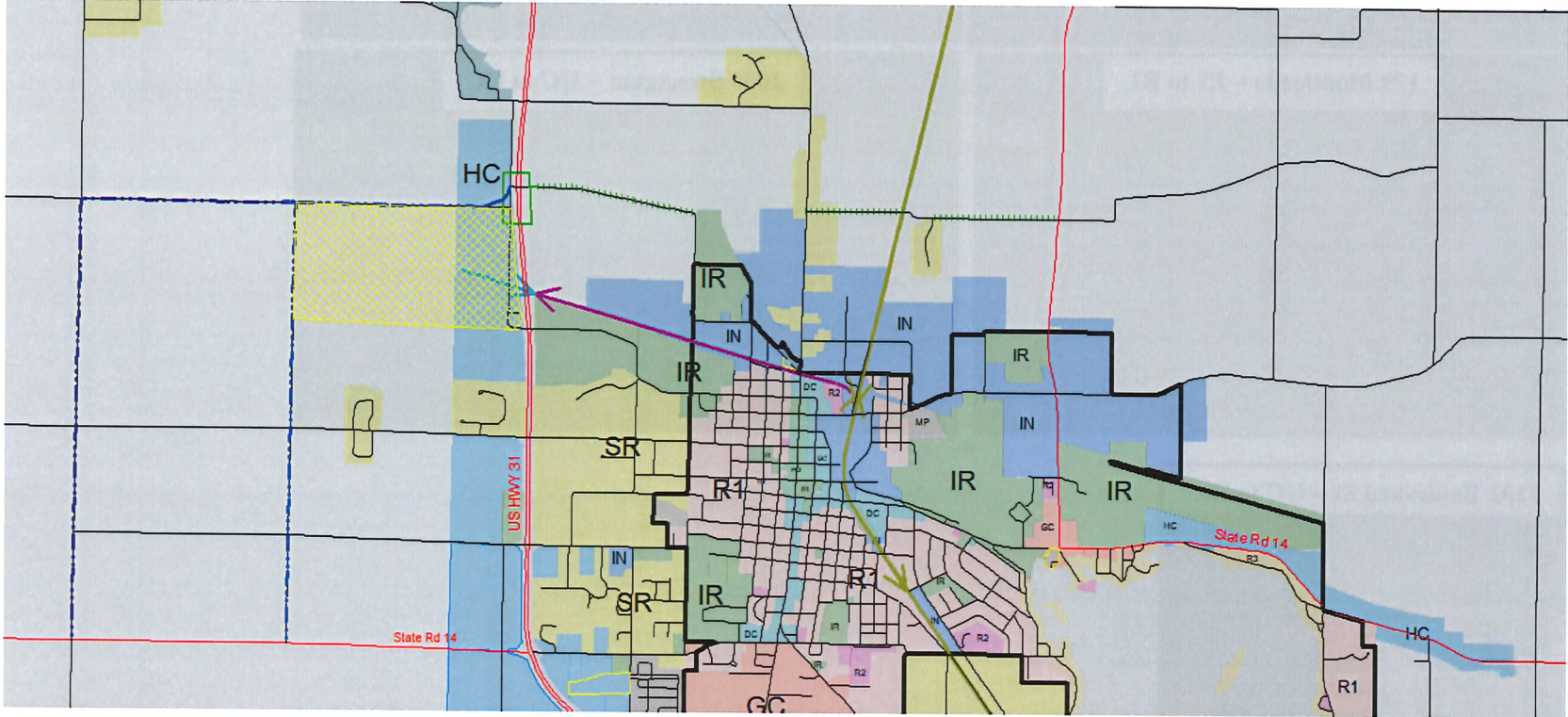
2132 Boulevard St – GC to R3

Area Zone Map
Feature Name:

AG
DC
GC
HC
IN
IR
MP
R1
R2
SR



US 31 – AG & HC to IN for Future Land Use Planning



TMData

Feature Name	District	Type	Regulated Amount	Variance Amount
Action Realtors	DC	signage	42_	134_
Creative Sign Resources/Wells Fargo	DC	additional 56.88 sf signage	14.45	56.88
Enyart_s True Value	DC	Sign Standards	Freestanding Sign	
First Baptist Church	DC	DSV/Perm Sign Standard & FY Setback	10_ OFF FY Setback & Only 1 Perm Sign	6_ Off FY Setback & Free Standing Sign
Good Oil Company	DC	additional signage & height	50 sf signage & 15_ height	34 sf additional signage & 5_ height
Kimberly Green	DC	Signage		48 SF
Rochester Bagel & Coffee Shop	DC	Sign Standards	ROW Setbacks	10_ off Monroe St & 5_ Off 9th Street
Clay_s Properties	GC	Signage	93 sq ft	76 additional sq ft
Courtney Lynch Starbucks	GC	Sign Height	35_	5_
Pilot Travel Centers, LLC	GC	Signage		196.25 SF Additional (See Note)
Trinity Development Group	GC	Sign		118.61 SF Additional Signage
Baldwin Accounting Corporation	HD	Additional Signage	1 Sign	2 Signs
Good Oil Company	HD	Additional Signage	100 SF	66 SF
Fulton County Public Library	IR	sign setback	25_ sign setback	10_ off sign setback
Grace United Methodist Church	R1	Signage Ht, Sq FT & Lighting	6_ Ht, 24 Sq Ft & Only Static Lighting	1_ 7" Ht, 28.8 Sq Ft & Mobile Illuminat
Shane Reffett	R1	Sign regulations	none	4_ x 8_ sf sign and temporary
Liberty Baptist	SR	Sign regulations-Max sf	24sf	27 sf



Fee Summary Paid Totals

03/01/2021 - 03/31/2021

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
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Group: 1001.03201.000.0036

A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.03201.000.0036	\$2,567.40	29
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.03201.000.0036	\$953.99	29
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.03201.000.0036	\$640.00	16
A-2. County, Akron, & Town of Fulton Commercial - Inspection Fee	Enter Number of Inspections	1001.03201.000.0036	\$560.00	7
A-2. County, Akron, & Town of Fulton Commercial - Permit Fee		1001.03201.000.0036	\$462.50	7
			\$5,183.89	88

Group Total: 5

Group: 1001.03203.000.0036

B. City of Rochester Residential Permit Fee		1001.03203.000.0036	\$692.50	14
B-1. City of Rochester	Enter Number of Inspections	1001.03203.000.0036	\$903.30	14

Residential- Inspection Fee				
B-2. CITY OF ROCHESTER ELECTRICAL PERMIT		1001.03203.000.0036	\$120.00	6
B-3. City of Rochester Commercial Permit Fee		1001.03203.000.0036	\$160.00	3
B-4. City of Rochester Commercial- Inspection Fee		1001.03203.000.0036	\$200.00	3
B-5. City of Rochester Residential- Renewal		1001.03203.000.0036	\$30.00	1
			\$2,105.80	41

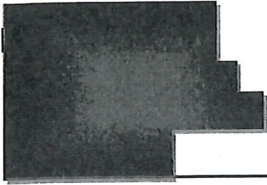
Group Total: 6**Group: 1001.07101.000.0036**

BZA. Amendment		1001.07101.000.0036	\$175.00	1
BZA. Development Standard Variance		1001.07101.000.0036	\$1,050.00	6
BZA. Special Exception		1001.07101.000.0036	\$175.00	1
ZO. LIP		1001.07101.000.0036	\$2,050.00	41
ZO. Signs	Enter Square Feet	1001.07101.000.0036	\$498.00	1
			\$3,948.00	50

Group Total: 5

			\$11,237.69	179
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Total Records: 16**4/1/2021****Page: 1 of 1**



Fulton County Area Plan Commission

125 East 9th Street, Suite 012 - Rochester, IN 46975

Phone: (574) 223-7667 Fax: (574) 223-3652

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Entity Fee Repo

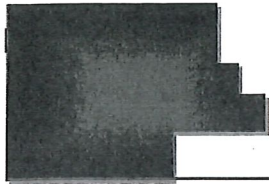
03/01/2021 - 03/31/2021

Fee Date	Account Number	Contractor Name	Fee Name	Paid By	Fee Amount	Payment Type	Payment Date	Receipt #
3/30/2021	1001.03203.000.0036	Small's Maintenance & Electrical	Electrical Registration Fee		10.00	Cash	3/30/2021	68
3/12/2021	1001.03203.000.0036	Daniel Franklin	Electrical Registration Fee		10.00	Card	3/12/2021	66
3/12/2021	1001.03203.000.0036	Daniel Franklin	Plumbing Registration Fee		25.00	Card	3/12/2021	66
3/8/2021	1001.03203.000.0036	Rick Alber & Son Construction	Electrical Registration Fee		10.00	Check	3/8/2021	65
3/8/2021	1001.03203.000.0036	Rick Alber & Son Construction	Plumbing Registration Fee		25.00	Check	3/8/2021	65
3/17/2021	1001.03203.000.0036	Eric Murphy	Electrical Registration Fee	Eric Murphy	10.00	Check	3/17/2021	67
					90.00			

Total Records: 6

4/1/2021

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Fulton County Area Plan Commission

125 East 9th Street, Suite 012 - Rochester, IN 46975

Phone: (574) 223-7667 Fax: (574) 223-3652

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Case Fee Paid Report Bet

03/01/2021 - 03/31/2021

Case #	Owner Name	Address of Violation	Fee Amount	Payment Date	Payment Amount	Paid By
194	Jorge Martinez	412 E Walnut	50.00	3/3/2021	\$50.00	
110		202 E Dunn St	200.00	3/31/2021	\$200.00	
67	My Properties LLC	410 Water Street	100.00	3/8/2021	\$100.00	
67	My Properties LLC	410 Water Street	200.00	3/8/2021	\$200.00	
67	My Properties LLC	410 Water Street	50.00	3/8/2021	\$50.00	
			600.00		\$600.00	

Total Records: 5

4/1/2021

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