## FULTON COUNTY BOARD OF ZONING APPEALS

FULTON COUNTY OFFICE BUILDING COMMISSIONERS/COUNCIL ROOM WEDNESDAY, APRIL 14, 2021 7:00 P.M.

### CALL TO ORDER

### **BOARD OF ZONING APPEALS MINUTES FOR:**

JANUARY 12, 2021

### **OLD BUSINESS:**

NEW BUSINESS:
Bryan Hart (#210067
Gale Field (#210068)
Liberty Baptist Church (#210082)
David Partridge (#210119)
Fulton County Commissioners (#210160)

### PLAN DIRECTOR REPORT

**PUBLIC COMMENTS** 

**BOARD COMMENTS** 

**ADJOURNMENT** 

# FULTON COUNTY BOARD OF ZONING APPEALS

**WEDNESDAY, JANUARY 12, 2021** 

7:00 P.M.
COMMISSIONERS/COUNCIL ROOM

**CALL TO ORDER** 

**ELECTION OF OFFICERS** 

ADOPTION OF MEETING RESOLUTION

BOARD OF ZONING APPEALS MINUTES FOR: October 14, 2020

**OLD BUSINESS:** 

NEW BUSINESS: Nick Tuleja (#200804)

PLAN DIRECTOR REPORT

**PUBLIC COMMENTS** 

**BOARD COMMENTS** 

**ADJOURNMENT** 

The Fulton County Board of Zoning Appeals met on Wednesday the 12<sup>th</sup> day of January 2021, at 7:00 P.M. in the Commissioners/Council Room located in the Fulton County Office Building. Board Attorney, Andy Perkins, called the meeting to order at 7:00 P.M. The following members were present: Debbie Barts, Phil Miller, Barry Baldwin, and Scott Hizer. Also in attendance were: Board Attorney, Andy Perkins and Administrative Secretary, Heather Redinger

It is duly noted Executive Director, Casi Cowles was absent.

#### IN RE: ELECTION OF OFFICERS

Board Attorney, Andy Perkins, opened the floor to nominations for Chairperson. Debbie Barts nominated Scott Hizer as Chairperson. Phil Miller seconded the nomination. Being no further nominations, Debbie Barts moved to close the nominations for Chairperson. Phil Miller seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller and Scott Hizer being in favor and no one opposing. Scott Hizer was elected as Chairperson for the Fulton County Board of Zoning Appeals.

Chairperson, Scott Hizer asked for nominations for Vice-Chairperson. Debbie Barts nominated Barry Baldwin as Vice-Chairperson. Phil Miller seconded the nomination. Being no further nominations, Debbie Barts moved to close the nominations for Vice-Chairperson. Phil Miller seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller and Scott Hizer being in favor and no one opposing. Barry Baldwin was elected as Vice-Chairperson for the Fulton County Board of Zoning Appeals.

Chairperson, Scott Hizer asked for nominations for Executive Secretary. Debbie Barts nominated Phil Miller as Executive Secretary. Barry Baldwin seconded the nomination. Being no further nominations, Debbie Barts moved to close the nominations for Executive Secretary. Barry Baldwin seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller and Scott Hizer being in favor and no one opposing. Phil Miller was elected as Executive Secretary for the Fulton County Board of Zoning Appeals.

Chairperson, Scott Hizer told the Board they needed to appoint an Administrative Secretary. Debbie Barts nominated Heather Redinger as Administrative Secretary. Phil Miller seconded the nomination. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller and Scott Hizer being in favor and no one opposing. Heather Redinger was appointed as the Fulton County Board of Zoning Appeals Administrative Secretary.

Chairperson, Scott Hizer then stated the Board needed to appoint an Attorney to represent them. Debbie Barts moved to appoint, Andy Perkins, Peterson, Waggoner & Perkins, LLP. Barry Baldwin seconded the motion. Motion carried as Debbie Barts, Barry Baldwin, Phil Miller and Scott Hizer being in favor and no one opposing. Andy Perkins, Peterson, Waggoner & Perkins, LLP was appointed as the Fulton County Board of Zoning Appeals Attorney.

IN RE: ADOPTION OF MEETING RESOLUTION

Chairperson, Scott Hizer read Resolution 01122021 regarding the meeting dates and times for the Fulton County Board of Zoning Appeals in 2021. He entertained a motion to adopt Resolution 01122021. Debbie Barts moved to adopt Resolution 01122021 for the Fulton County Board of Zoning Appeals meeting dates and times in 2021. Phil Miller seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller and Scott Hizer being in favor and no one opposing. Resolution 01122021 reads as follows:

### **RESOLUTION 001122021**

A RESOLUTION OF THE FULTON COUNTY BOARD OF ZONING APPEALS, OF THE COUNTY OF FULTON, INDIANA, ESTABLISHING MEETING TIMES FOR 2020.

WHEREAS, the Fulton County Board of Zoning Appeals has established that they will meet on the second (2nd) Wednesday each month at 7:00 P.M. in the Commissioners/Council Room at the Fulton County Office Building unless that Wednesday falls on a County observed Holiday, then the meeting will be held on the second (2nd) Thursday at 7:00 P.M. in the Commissioners/Council Room at the Fulton County Office Building.

WHEREAS, the Fulton County 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 County Zoning Board of Appeals that:

- 1. The Fulton County Board of Zoning Appeals will meet on the second (2nd) Wednesday every month at 7:00 P.M. in the Commissioners/Council Room at the Fulton County Office Building unless that Wednesday falls on a County observed Holiday, then the meeting will be held on the second (2nd) Thursday at 7:00 P.M. in the Commissioners/Council Room at the Fulton County Office Building.
- 2. Other meetings will be scheduled and a public notice will be given.

Adopted this 12th day of January 2021

FULTON COUNTY BOARD OF ZONING APPEALS

Ch	airperson	
Vic	ce Chairperson	
Ex	xecutive Secretary	
AT	TEST:	
H	Heather Redinger, Administrative Secretary	
N RE:	MINUTES	October 14, 2020

Chairperson, Scott Hizer, asked for any additions, deletions or corrections to be made to the October 14, 2020 minutes. Debbie Barts moved to approve the October 14, 2020 Fulton County Board of Zoning Appeals minutes as written Barry Baldwin seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller and Scott Hizer being in favor and no one opposing.

IN RE:

**NEW BUSINESS** 

Nick Tuleja (#200804)

Development Standard Variance

Mr. Tuleja (#200804) is requesting a Development Standard Variance of 5.5' off of each side yard, for the purpose of a new home, on property located at 5901 N Lakeshore Drive, Macy, IN within the Lake Residential (R3) District.

In the R3 district the minimum side yard setback is 8'. Mr. Tuleja's lot is 50' x 116' and would like to place a new 45' x 27' home on the lot. The new home would sit approximately 2.5' off of each side yard. There was an existing home on the lot, Mr Tuleja removed the existing home and the new home would sit approximately in the same location. Therefore a 5.5' variance off of each side yard is being requested.

Scott Hizer asked petitioner if they had anything further to add.

He did not at this time.

Scott then asked for any Board questions or comments. Being none, he entertained a motion to open public hearing. Debbie Barts moved to open public hearing. Phill Miller seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller and Scott Hizer being in favor and no one opposing.

Scott Hizer asked if anyone would like to speak in favor or opposed the petition. Being no one to speak, he entertained a motion to close public hearing. Debbie Barts moved to close public hearing. Phill Miller seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller and Scott Hizer being in favor and no one opposing.

Being no further Board comments Scott entertained a motion. Phil Miller moved to approve Mr. Tuleja (#200804) is requesting a Development Standard Variance of 5.5' off of each side yard, for the purpose of a new home, on property located at 5901 N Lakeshore Drive, Macy, IN within the Lake Residential (R3) District. Barry Baldwin seconded the motion.

Administrative Secretary, Heather Redinger conducted roll call vote.

Scott Hizer	Yea
Debbie Barts	Yea
Barry Baldwin	Yea
Phil Miller	Yea

Motion to approve Mr. Tuleja (#200804) is requesting a Development Standard Variance of 5.5' off of each side yard, for the purpose of a new home, on property located at 5901 N Lakeshore Drive, Macy, IN within the Lake Residential (R3) District. Passed with four votes being in favor and no one opposed.

### IN RE: PLAN DIRECTOR REPORT

Being no further business to come in front of the Board of Zoning Appeals, Scott Hizer, entertained a motion to adjourn the January 12, 2021 Fulton County Board of Zoning Appeals meeting. Debbie Barts moved to adjourn the January 12, 2021 Fulton County Board of Zoning Appeals meeting at 7:15 P.M. Phil Miller seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller and Scott Hizer, being in favor and no one opposing.

ATTEST:

Heather Redinger, Administrative Secretary

## Docket #210067 Bryan Hart Development Standard Variance

Mr. Hart (#210067) is requesting Development Standard Variances of 2' off of east side yard and 26' off of front yard, for the purpose of a pole barn, on property located at 3348 W 700 N, Rochester, IN within the Agricultural (AG) District.

In the AG district the side yard setback for an accessory structure is the height of the structure or 25' whichever is less. The front yard setback is 50' off of the right of way. Mr. Hart would like to construct a 30' x 48' x 16' pole barn. The proposed barn would sit approximately 14' off of the east side yard and 24' off of the front yard. Therefore variances of 2' off east side yard and 26' off of the front yard are being requested.

The request is for a Development Standard Variances of 2' off of east side yard and 26' off of front yard, for the purpose of a pole barn, on property located at 3348 W 700 N, Rochester, IN within the Agricultural (AG) District.







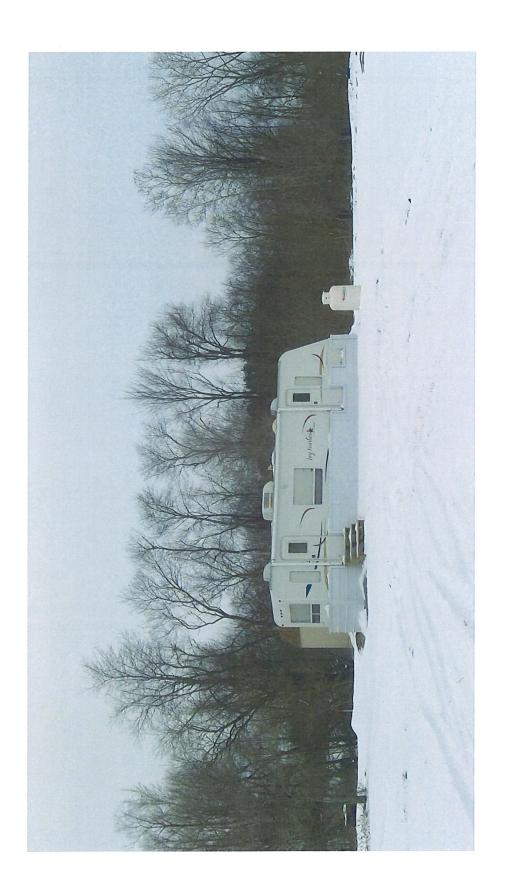


## Docket #210064 Daniel Brubaker Development Standard Variance

Mr. Brubaker (#210064) is requesting a Development Standard Variance off of the recreational vehicle codes, to allow a recreational vehicle on-site without a primary structure, on property located at 7569 W 600 N, Culver, IN within the Agricultural (AG) District.

In the AG district recreational vehicles are not allowed to be parked on a parcel without a primary structure. Mr. Brubaker has a recreational vehicle on site he utilizes while he is maintaining and developing the property for future plans of home construction. Therefore a 5.5' variance off of recreational vehicle codes, is being requested.

The request is for a Development Standard Variance off of the recreational vehicle codes, to allow a recreational vehicle on-site without a primary structure, on property located at 7569 W 600 N, Culver, IN within the Agricultural (AG) District.





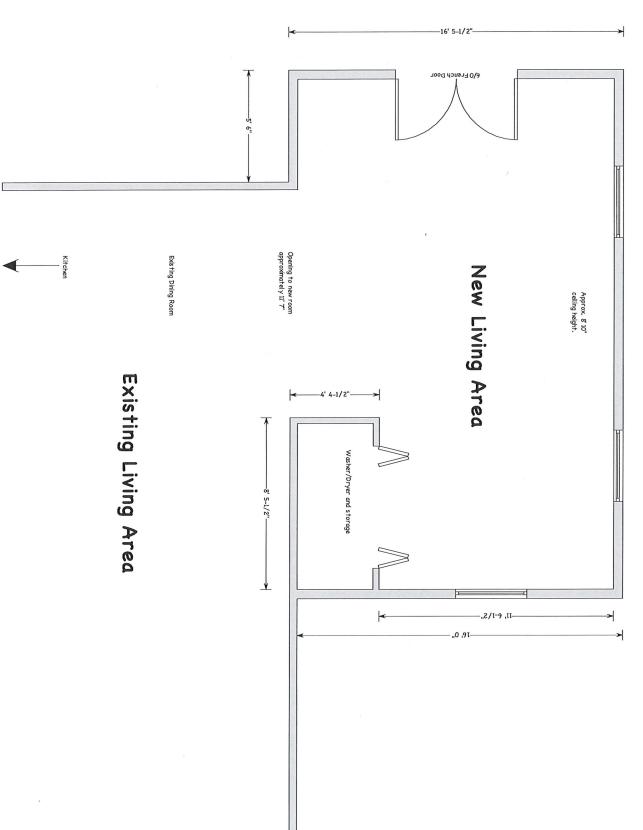
## Docket #210068 Gale Field Development Standard Variance

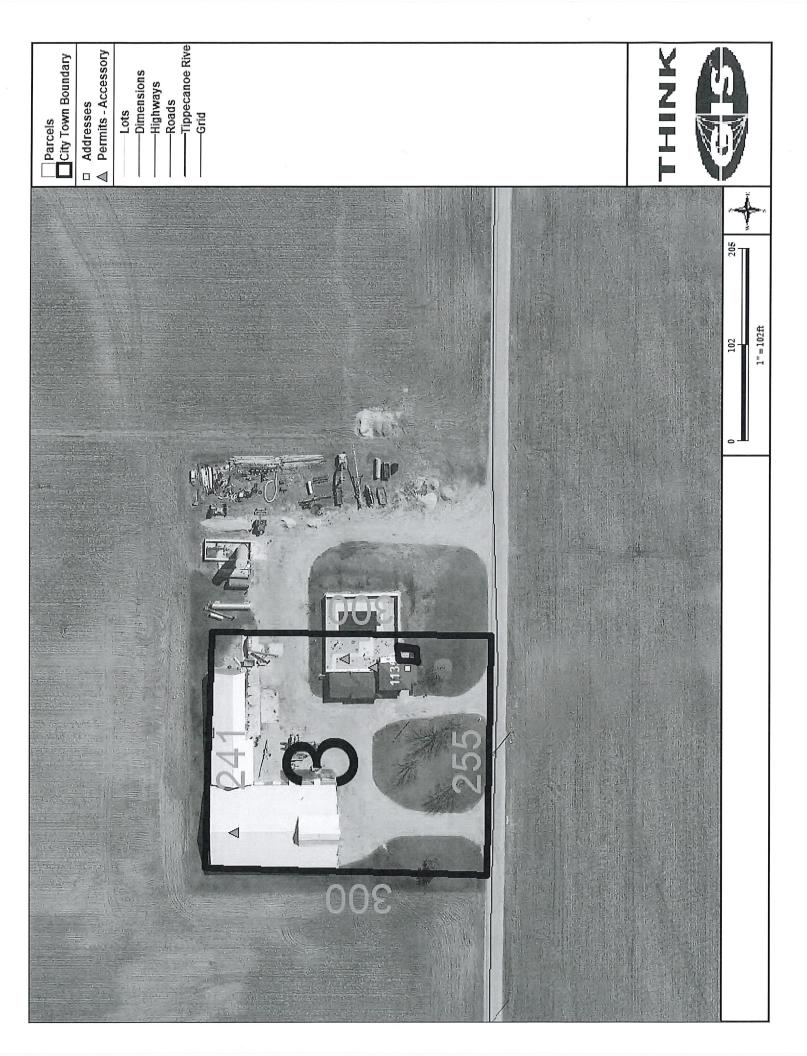
Mr. Field (#210068) is requesting a Development Standard Variance of 22' off of east side yard, for the purpose of an addition, on property located at 11350 W 350 S, Kewanna, IN within the Agricultural (AG) District.

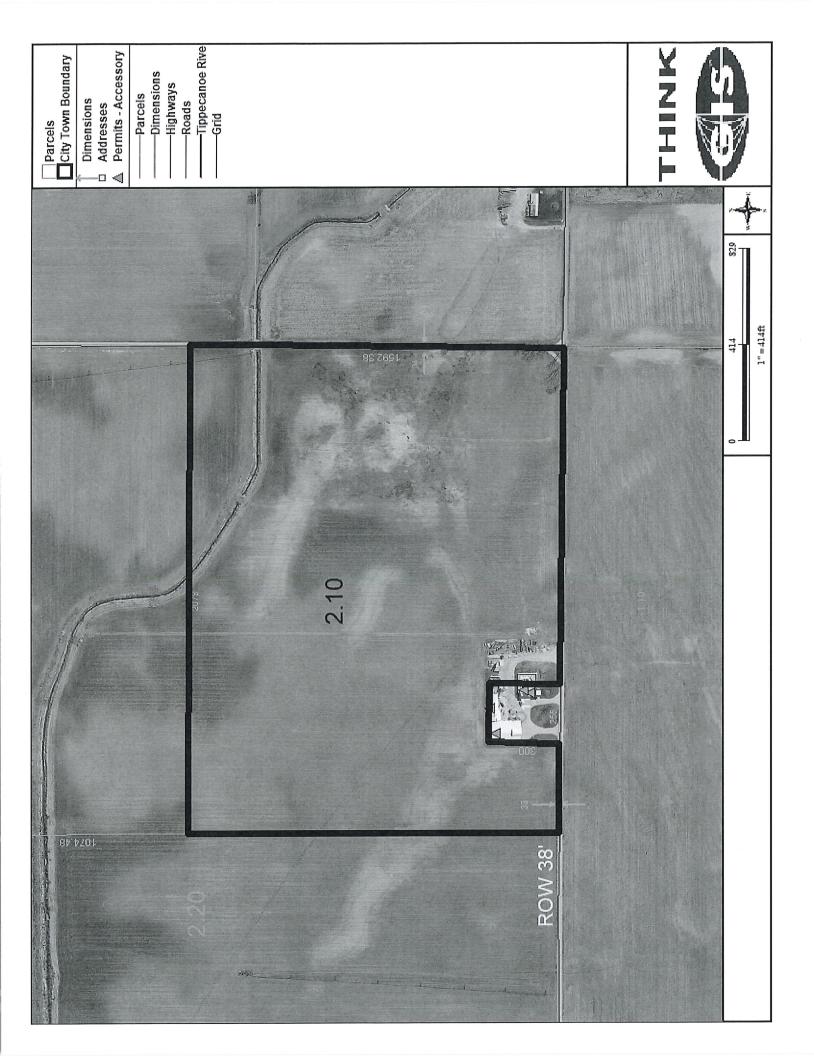
In the AG district the minimum side yard setback is 30' for a primary structure. Mr. Field would to construct a 16' x 26' addition onto the east side of the home, which would sit approximately 8' off the side yard. Mr. Field owns the property surrounding the home lot. Therefore a 22' variance off of the side yard is being requested.

The request is for a Development Standard Variance of 22' off of east side yard, for the purpose of an addition, on property located at 11350 W 350 S, Kewanna, IN within the Agricultural (AG) District.









## Docket #210082 Liberty Baptist Church Development Standard Variance

Liberty Baptist Church (#210082) is requesting a Development Standard Variance of 27 sf of additional signage on property located at 2089 Liberty Baptist Road, Rochester, IN within the suburban Residential (SR) District.

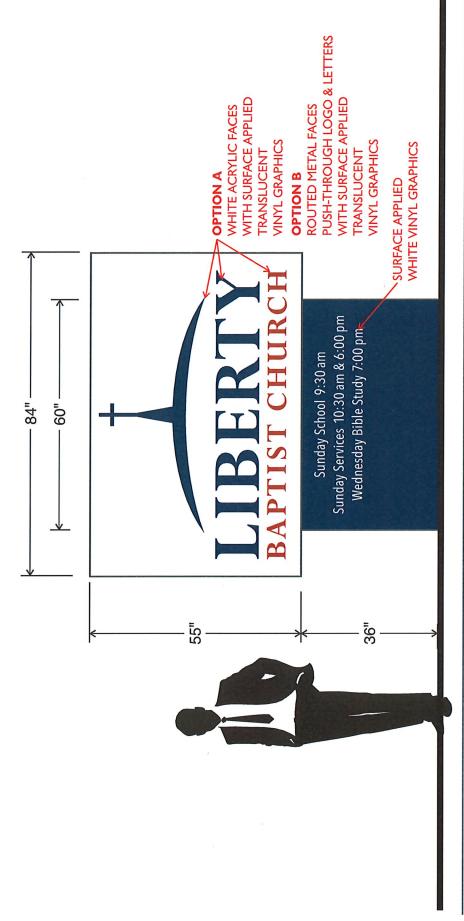
In the SR district the maximum signage allowed is 24 sf. They currently have a 32 sf non-illuminated sign and would like to replace with a 51 sf illuminated sign. Therefore a variance 27 sf of additional signage is being requested.

The request is for a Development Standard Variance of 27 sf of additional signage on property located at 2089 Liberty Baptist Road, Rochester, IN within the suburban Residential (SR) District.



Image capture: Aug 2019 © 2021 Google

# **ROCHESTER**



Vanadco Signs
10625 STATE RD. 10- ARGOS, IN-46501 | vanadco.com

Internally Illuminated Monument Sign

All drawings/designs/derivatives: ©2020, Vanadoo Signs, Inc., All Rights Reserved. Due to the limitations of the printing process, printed colors can vary from actual colors.

SCALE: 3/4"=1"

DATE: **09-23-2020** 

DATE: U9-23-2020
FILE: Liberty Baptist A.cdr

## Docket #210119 David Partridge Special Exception

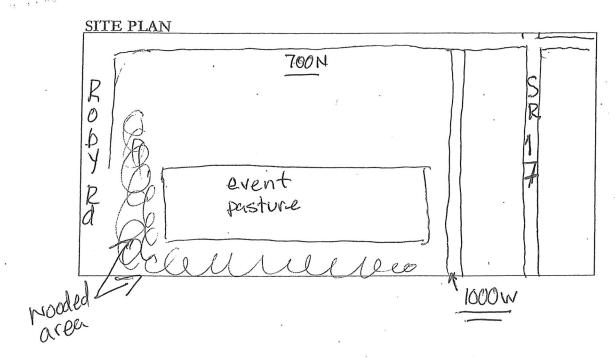
Mr. Partridge (#210119) is requesting a special exception to operate and outdoor event venue, on property located at 700 N & 1000 W, Culver, within the Agricultural (AG) District, approximately 27.2 acres.

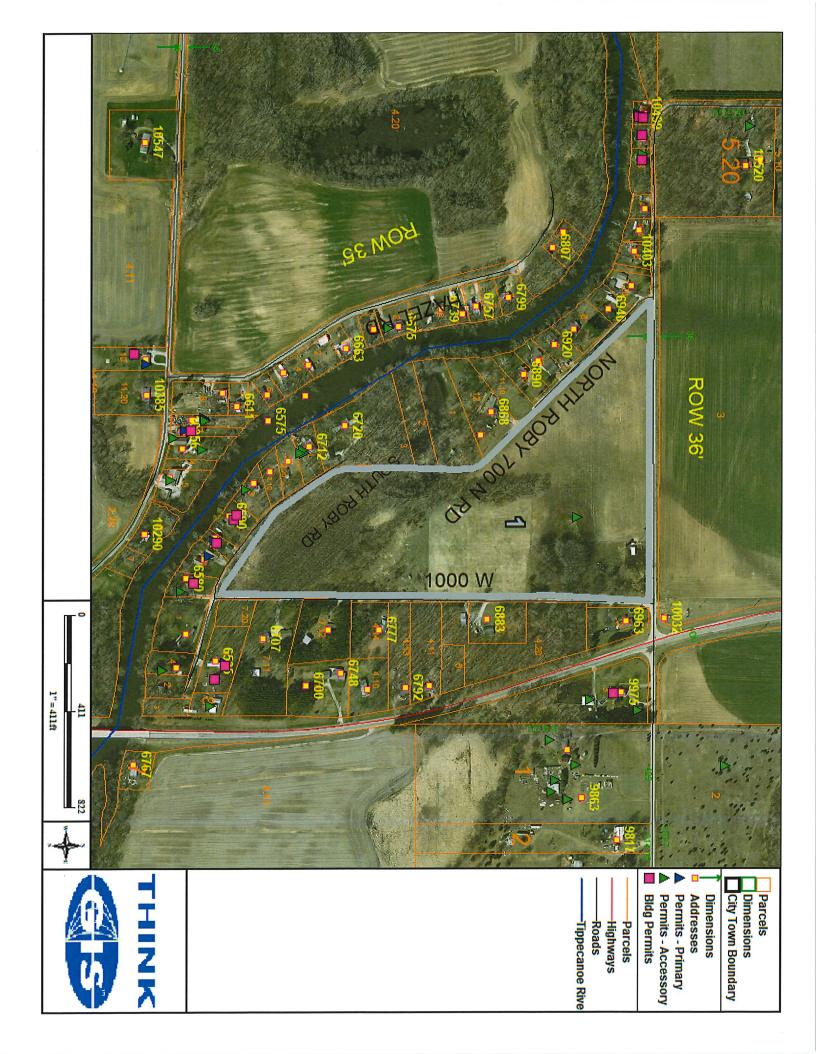
Mr. Partridge would like to utilize the northern portion of his farm pasture for events (i.e. wedding, birthdays, family reunions, charity event and fundraisers). The parking would be in the pasture, entry and exit gates would be located on 1000 W. The proposed hours would be 10 am-9pm Sunday-Thursday and 10 am -11pm Friday-Saturday. At this time there are no buildings, all events would be held in the open or temporary tents would be allowed.

The request is for a special exception to operate and outdoor event venue, on property located at 700 N & 1000 W, Culver, within the Agricultural (AG) District, approximately 27.2 acres.

# SPECIAL EXCEPTION QUESTIONNAIRE FOR BUSINESSES

	posed project or business, and where will it be located?	
	sture to be used for events, ie weddings, etc.	
charity.	events, fundraisers	
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4.	9pm - Son thru Thur.	
	11 pm - Friday - Sat.	
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myself		
vviga		
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por toe jor		
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### **Heather Redinger**

From:

Gale Beller

Sent:

Thursday, April 8, 2021 10:03 AM

То:

Heather Redinger

Subject:

FW: David Patridge

----Original Message-----

From: Melodie Ackerson [mailto:mlackerson@yahoo.com]

Sent: Thursday, April 8, 2021 9:23 AM To: Gale Beller <gbeller@co.fulton.in.us>

Subject: David Patridge

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Fulton County Board of Zoning,

We are opposed to have David Partidge, Doc #BZA 210019, to operate an Event Venue on the property located at 700N & 1000W, Culver IN.

We live at 10499W 700N. Our concerns are the extra traffic, noise, garbage and damage to the environment. We would hate to see any kind of disturbance to the neighborhood and the wild life.

We are asking the board to deny the request to change the zoning from agriculture to on Event Venue.

Kind Regards, Kim and Melodie Ackerson

: David Partridge

Docket # BZA2I 0119

ar Zoning Board Members:

names are Regina and Steven Wawok and we live at 6890 N Roby Road/700 N Culver IN.

hborhood. We live on a quite street zoned for agriculture and we would like to keep it like that. The Irbance this would bring to our safe and quite neighborhood would be devasting not only to us but are opposed for the request to operate an event venue in our neighborhood. We feel that this will g traffic, noise, garbage, light pollution, parking problems and unwanted visitors to our streets and e wild life and community.

ake pride in keeping our neighborhood and river clean and free of pollution, chemicals and debris.

this time we are asking that you denied this request for a change in zoning from agriculture to an

you in advance.

and Steven Wawok

Docket #210160
Fulton County Commissioners
Special Exception &
Development Standard Variance

Fulton County Commissioners (#210160) are requesting a special exception to erect a 300' public telecommunication tower, also requesting a development standard variance off of the landscaping codes on property located at 2006 Sweetgum Road, Rochester, within the Highway Commercial (HC) District.

The proposed tower will be placed at the Fulton County Detention Center, with that location they are requesting to not have landscaping around the tower site.

The request is for a special exception to erect a 300' public telecommunication tower, also requesting a development standard variance off of the landscaping codes on property located at 2006 Sweetgum Road, Rochester, within the Highway Commercial (HC) District.



C200

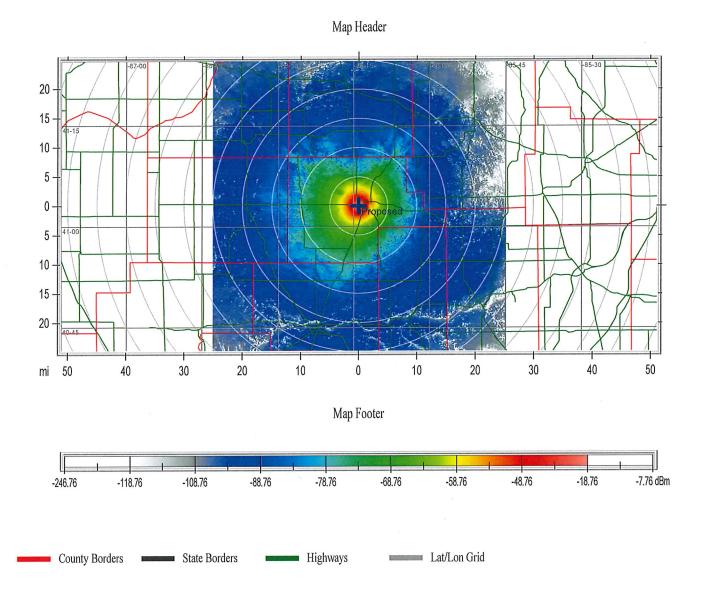
TOWER COMPOUND SITE PLAN

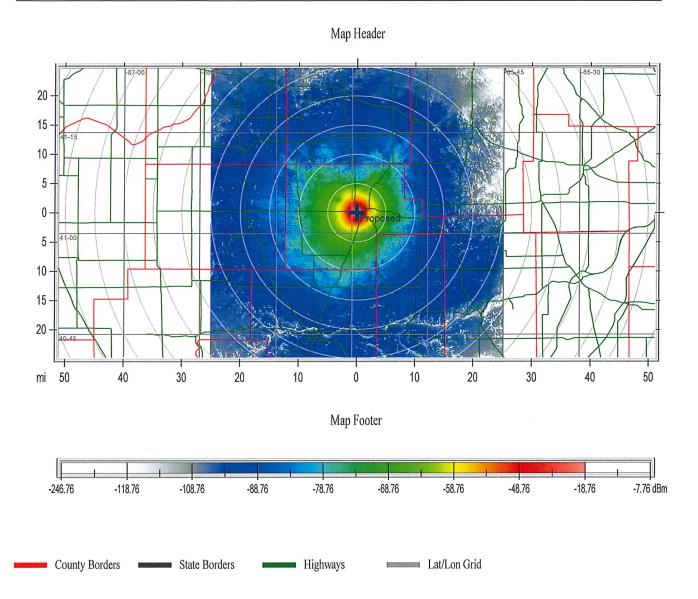
# Fulton County Public Safety Communication Infrastructure Project



203 Good Avenue Indianapolis, IN 46219 Phone: 317-396-9426







# **Registration Search Results**

Displayed Results

PA = Pending Application(s)

### **Specified Search**

Latitude='41-3-7.1 N', Longitude='86-14-1.6 W', Radius=4.8 Kilometers Overall Height Above Ground (AGL) from 91 to 95

Registration Number

Status

File

Owner

Structure

Overall Height Above

Latitude/Longitude City/State Ground (AGL)

1 1057071

Cancelled A0557669 Nextel West

Number

Name

Corp.

41-00-52.0N 086-11-27.0W

ROCHESTER, 91.4

IN

CLOSE WINDOW

Find | Next





# **Fee Summary Paid Totals**

### 03/01/2021 - 03/31/2021

		03/01/2021 - 03/31/2021					
Fee Name 🕏	Fee ‡ Description	Account Number \$	Total ‡ Amount	Total ‡ Fees			
Group: 1001.0	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

4/1/2021			iWorQ Rep	orting
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** 

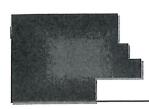
		\$11,237.69	179

**Total Records: 16** 

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

www.co.fulton.in.us

**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

Page: 1 of 1

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

www.co.fulton.in.us

## **Case Fee Paid Report Beta**

#### 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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