

***TOWN OF AKRON  
BOARD OF ZONING APPEALS***

AKRON TOWN HALL  
APRIL 22, 2021  
7:00 P.M.

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CALL TO ORDER

ELECTION OF OFFICERS

ADOPTION OF MEETING RESOLUTION

BOARD OF ZONING APPEALS MINUTES FOR:

JULY 23, 2021

OLD BUSINESS:

NEW BUSINESS:

Freedom Family Properties (#210158)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

**TOWN OF AKRON BOARD OF ZONING APPEALS  
AS OF 2020**

**BOARD MEMBER**

**TERM EXPIRES**

**1st MONDAY**

**Cathy Miller, Exe. Sec**

Plan Commission's Appointee

1/2022

Akron, IN 46910  
Cell: 574-527-3101

**Crystal Weida  
Chairperson**

404 E Rochester St  
P.O. Box 613  
Akron, IN 46910  
Cell: 574-292-3971

Plan Commission's Appointee

1/2021

**Jose Manual  
Executive Secretary**

Akron, IN 46910  
Cell:

Akron Town Council Appointee

1/2024

**Ryan Adams**

Akron, IN 46910  
Home:

Akron Town Council Appointee

1/2023

**David Leininger**

910 E Walnut  
Akron, IN 46910  
Home (574) 893- 4091  
Cell: (260) 255-0392

Akron Town Council Appointee

1/2024

**STAFF**

**Casi Cowles  
Plan Director**

PO Box 356  
Rochester, IN 46975

Cell: 574-835-1512  
Office: 574-223-7667

**Gary Madlem  
Zoning Inspector**

112 E 7<sup>th</sup> Street  
Rochester, IN 46975

Office: 574-224-1000

Office: 574-223-7667

**Zoning Inspector**

Rochester, IN 46975

**Heather Redinger  
Administrative Secretary**

3734 E 650 N  
Rochester, IN 46975

Office: 574-223-7667

**Andy Perkins  
Attorney**

125 E 10<sup>th</sup> Street  
Rochester, IN 46975

Office: 574-223-4292

RESOLUTION 04222021

A RESOLUTION FOR THE DIVISION OF THE TOWN OF AKRON BOARD OF ZONING APPEALS, OF THE COUNTY OF FULTON, INDIANA, ESTABLISHING MEETING TIMES FOR 2021.

WHEREAS, the Division of the Town of Akron Board of Zoning Appeals has established that they will meet on the fourth (4<sup>th</sup>) Thursday of each month at 7:00 p.m. in the Akron Town Hall unless that Thursday falls on a County observed Holiday, then the meeting will be held on the fourth (4<sup>th</sup>) Friday at 7:00 p.m. in the Akron Town Hall.

WHEREAS, the division of the Town of Akron 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 this division of the TOWN OF AKRON Zoning Board of Appeals that:

1. The Town of Akron Board of Zoning Appeals will meet on the fourth (4<sup>th</sup>) Thursday every month at 7:00 p.m. in the Akron Town Hall unless that Thursday falls on a County observed Holiday, then the meeting will be held on the fourth (4<sup>th</sup>) Friday at 7:00 p.m. in the Akron Town Hall.
2. Other meetings will be scheduled and a public notice will be given.

Adopted this 22<sup>nd</sup> day of April 2021.

THE DIVISION OF THE TOWN OF AKRON BOARD OF ZONING APPEALS HOLDING JURISDICTION OVER ALL THE AREAS WITHIN THE INCORPORATED LIMITS OF THE TOWN OF AKRON.

\_\_\_\_\_  
Chairperson

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

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

ATTEST: \_\_\_\_\_  
Administrative Secretary

**TOWN OF AKRON BOARD OF ZONING APPEALS**  
July 23, 2020

**TOWN OF AKRON**  
**BOARD OF ZONING APPEALS**

**THURSDAY JULY 23, 2020**

**7:00 P.M.**  
**AKRON TOWN HALL**

**CALL TO ORDER**

**ELECTION OF OFFICERS**

**ADOPTION OF MEETING RESOLUTION**

**BOARD OF ZONING APPEALS MINUTES**

**FOR:**

**March 28, 2019**

**OLD BUSINESS:**

**NEW BUSINESS:**

**Maria Lancon (#200299)**

**PLAN DIRECTOR REPORT**

**PUBLIC COMMENTS**

**BOARD COMMENTS**

**ADJOURNMENT**



**TOWN OF AKRON BOARD OF ZONING APPEALS**

**July 23, 2020**

The Town of Akron Board of Zoning Appeals met on Thursday the 23<sup>rd</sup> day of July 2020, at 7:00 P.M. in the Akron Town Hall. Executive Director, Casi Cowles, called the meeting to order at 7:00P.M. The following members were present: Ryan Adams, Cathy Miller, David Leininger, Manny Manuel and Crystal Weida. Also in attendance were: 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. Crystal Weida nominated Cathy Miller as Chairperson. David Leininger seconded the nomination. Being no further nominations, Ryan Adams moved to close the nominations for Chairperson. Crystal Weida seconded the motion. Motion carried as follows Ryan Adams, Crystal Weida, David Leininger, Manny Manuel and Cathy Miller being in favor and no one opposing. Cathy Miller was elected as Chairperson for the Town of Akron Board of Zoning Appeals.

Cathy Miller asked for nominations for Vice-Chairperson. Crystal Weida nominated Ryan Adams as Vice-Chairperson. David Leininger seconded the nomination. Being no further nominations, Crystal Weida moved to close the nominations for Vice-Chairperson. Cathy Miller seconded the motion. Motion carried as follows Ryan Adams, Crystal Weida, David Leininger, Manny Manuel and Cathy Miller being in favor and no one opposing. Ryan Adams was elected as Vice-Chairperson for the Town of Akron Board of Zoning Appeals.

Cathy Miller asked for nominations for Executive Secretary. Crystal Weida nominated Manny Manuel as Executive Secretary. Cathy Miller seconded the nomination. Motion carried as follows Ryan Adams, Crystal Weida, David Leininger, Manny Manuel and Cathy Miller being in favor and no one opposing. Manny Manuel was elected as Executive Secretary for the Town of Akron Board of Zoning Appeals.

Cathy Miller stated the Board needed to appoint an Administrative Secretary Cathy Miller motioned to appoint Heather Redinger as Administrative Secretary. Ryan Adams seconded the nomination. Motion carried as follows Ryan Adams, Crystal Weida, David Leininger, Manny Manuel and Cathy Miller being in favor and no one opposing. Heather Redinger was elected as the Town of Akron Board of Zoning Appeals Administrative Secretary.

Cathy Miller stated the Board needed to hire an Attorney to represent them. Ryan Adams moved to hire PW&P Law Office, Rochester, IN. Cathy Miller seconded the motion. Motion carried as follows Ryan Adams, Crystal Weida, David Leininger, Manny Manuel and Cathy Miller being in favor and no one opposing.. PW&P Law Office was hired as the Town of Akron Board of Zoning Appeals Attorney.

IN RE: ADOPTION OF MEETING RESOLUTION

Chairperson, Cathy Miller read Resolution 07232020 regarding the meeting dates and times for the Town Of Akron Board of Zoning Appeals in 2020. Cathy entertained a motion to adopt Resolution 07232020. Ryan Adams moved to adopt Resolution 07232020 for the Town Of Akron Board of Zoning Appeals meeting dates and times in 2020. Crystal Weida seconded the motion. Motion carried as follows Ryan

**TOWN OF AKRON BOARD OF ZONING APPEALS**

**July 23, 2020**

Adams, Crystal Weida, David Leininger, Manny Manuel and Cathy Miller being in favor and no one opposing. Resolution 07232020 reads as follows:

RESOLUTION 07232020

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

WHEREAS, the Town Of Akron Board of Zoning Appeals has established that they will meet on the fourth (4th) Thursday each month at 7:00 P.M. in the Akron Town Hall unless that Thursday falls on a County observed Holiday, then the meeting will be held on the fourth (4th) Friday at 7:00 P.M. in the Akron Town Hall.

WHEREAS, the Town Of Akron 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 Town Of Akron Board of Zoning Appeals that:

1. The Town Of Akron Board of Zoning Appeals will meet on the fourth (4th) Thursday every month at 7:00 P.M. in the Akron Town Hall unless that Thursday falls on a County observed Holiday, then the meeting will be held on the fourth (4th) Friday at 7:00 P.M. in the Akron Town Hall.
2. Other meetings will be scheduled and a public notice will be given.

Adopted this 23<sup>rd</sup> of July 2020

TOWN OF AKRON BOARD OF ZONING APPEALS

\_\_\_\_\_  
Chairperson

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

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

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

TOWN OF AKRON BOARD OF ZONING APPEALS

July 23, 2020

IN RE: MINUTES

March 28, 2019

Chairperson, Cathy Miller asked any additions, deletions, or corrections to be made to the March 28, 2019 minutes. Being none, Ryan Adams moved to approve the March 28, 2019 Town of Akron Board of Zoning Appeals minutes as written. Crystal Weida seconded the motion. Motion carried as follows Ryan Adams, Crystal Weida, David Leininger, Manny Manuel and Cathy Miller being in favor and no one opposing.

IN RE: NEW BUSINESS

Maria Lancon (#200299)

Maria Lancon (#200299) is requesting a development standard variance, of 6' off of the side yard, for the purpose of an attached garage, within the residential cluster (R1) District located at 208 S Pine Street, Akron, IN.

In the R1 district, the side yard setback is 10' for a primary structure. The proposed attached garage would be 21' x 30' and sit approximately 4' off of the north side property line. Therefore, a variance of 6' off of the side yard is being requested.

Cathy Miller asked if they had anything further to add.

They did not have anything at this time.

Cathy asked for any Board questions. Being none, she then entertained a motion to open public hearing. Crystal Weida moved to open public hearing. Ryan Adams seconded the motion. Motion carried as follows Ryan Adams, Crystal Weida, David Leininger, Manny Manuel and Cathy Miller being in favor and no one opposing.

Cathy asked if anyone would like to speak in favor or opposed the petition. Being none, she then entertained a motion to close public hearing. Ryan Adams moved to close public hearing. Manny Manuel seconded the motion. Motion carried as follows Ryan Adams, Crystal Weida, David Leininger, Manny Manuel and Cathy Miller being in favor and no one opposing.

Cathy asked for any Board questions or comments. Being no further questions or public she then entertained a motion regarding the petition. Ryan Adams moved to approve Maria Lancon (#200299) is requesting a development standard variance, of 6' off of the side yard, for the purpose of an attached garage, within the residential cluster (R1) District located at 208 S Pine Street, Akron, IN. Crystal Weida seconded the motion.

The Board members then proceeded to fill out their Findings of Fact Forms. The Administrative Secretary, Heather Redinger, conducted a roll call vote:

David Leininger	Yea
Ryan Adams	Yea
Crystal Weida	Yea
Manny Manuel	Yea
Cathy Miller	Yea

The motion to approve, Maria Lancon (#200299) is requesting a development standard variance, of 6' off of the side yard, for the purpose of an attached garage, within the residential cluster (R1) District located at 208 S Pine Street, Akron, IN. Passed with five votes being in favor no one opposing.



**TOWN OF AKRON BOARD OF ZONING APPEALS**  
**July 23, 2020**

IN RE:           PLAN DIRECTOR'S REPORT

Casi discussed with the Board members the end of the year report.

Being no further business to come in front of the Board of Zoning Appeals, Cathy Miller, entertained a motion to adjourn the July 23, 2020 Town of Akron Board of Zoning Appeals meeting. Ryan Adams moved to adjourn the July 23, 2020 Town of Akron Board of Zoning Appeals meeting at 7:25 p.m. Crystal Weida seconded the motion. Motion carried as follows Ryan Adams, Crystal Weida, David Leininger, Manny Manuel and Cathy Miller being in favor and no one opposing.

TOWN OF AKRON BOARD OF ZONING APPEALS

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



**Docket #210158**  
**Freedom Family Properties**  
**Development Standard Variances**

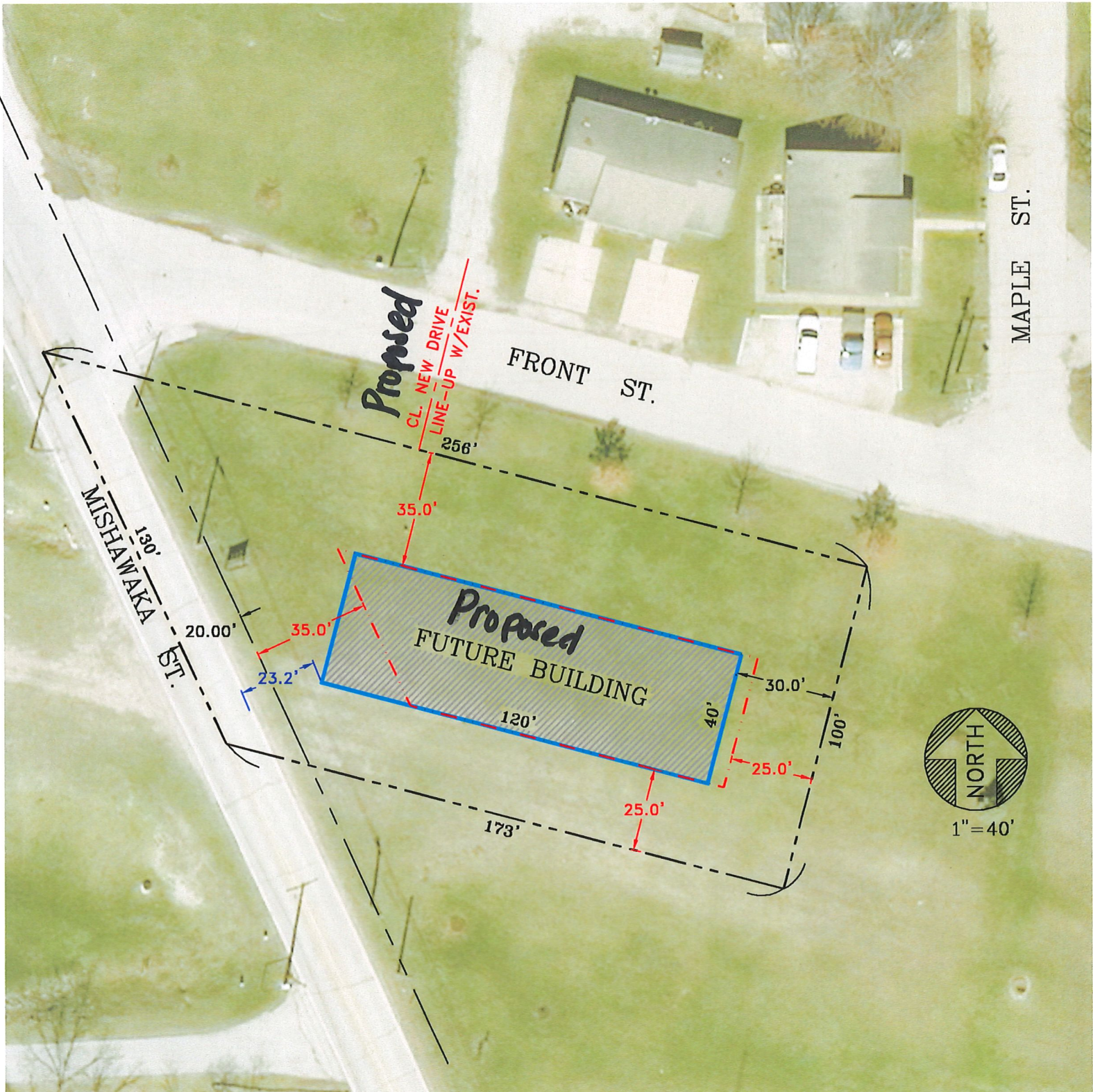
Freedom Family Properties (#210158) is requesting a development standard variance, of 15' off of the front yard setback for the purpose of a proposed new commercial building, also a variance off of the parking standards, for the purpose of a gravel drive and parking area, within the Industrial (IN) District located at 305 E Front Street, Akron, IN.

In the IN district, the front yard setback is 35' for a primary structures and the parking standards require asphalt or concrete drives and parking areas. This is located on a corner lot and has 2 front yard setbacks, which use up a lot of buildable area. The proposed building would sit approximately 20' off of the front yard and he is requesting to be allowed to use gravel for the parking area.

The petitioner has stated using asphalt or concrete for the drives would make this project no feasible financially.

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The requested variance of 15' off of the front yard setback for the purpose of a proposed new commercial building, also a variance off of the parking standards, for the purpose of a gravel drive and parking area, within the Industrial (IN) District located at 305 E Front Street, Akron, IN.



NOTE: THERE WAS NO FIELD WORK DONE FOR THIS SITE. ALL DIMENSIONS ARE APPROXIMATE.



**Affidavit of Notice to Interested Parties of Public Hearing  
 Before the Town Of Akron Board of Zoning Appeals**

I, Freedom Family Properties, do hereby certify that notice to interested parties of the public hearing before the Town of Akron Board of Zoning Appeals, to consider the application of: #210158

**Requesting:** A Development Standard Variance off of the front yard and parking standards for new structure with gravel drive on property located within the Industrial (IN) District.

**Located at:**  
 208 S Pine Street, Akron, IN

**Interested Parties Associated with the Property**

Pike Lumber Co Inc	Po Box 247 Akron, IN 46910	<i>green card</i>
Shannon & Mary Buck	12325 E. 300 S. Akron, IN 46910	<i>green card</i>
Akron Church of God Inc	301 West St Akron, IN 46910	<i>green card</i>
Rafael Ramirez	15915 E 375 S Silver Lake, IN 46982	<i>green card</i>
Robert & Patricia Newman	521 Brentwood Dr. Akron, IN 46910	<i>green card</i>

And that said notices were sent by certified mail on or before the 28<sup>th</sup> day of March 2021, being at least twenty five (25) days prior to the date of the Public Hearing, and/or

The interested party's signatures were obtained and written on a form supplied by the Plan Commission on or before the 12<sup>th</sup> day of April, 2021 being at least ten (10) days prior to the date of the Public Hearing.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 <APPLICANT>

**NOTARY:**

State of Indiana)  
 County of Fulton) SS:  
 Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Public \_\_\_\_\_, \_\_\_\_\_  
 Notary Public, Signed Printed Name

Residing in \_\_\_\_\_ County My Commission expires \_\_\_\_\_



# Fee Summary Paid Totals

03/01/2021 - 03/31/2021

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
<b>Group: 1001.03201.000.0036</b>				
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
			<b>\$5,183.89</b>	<b>88</b>

**Group Total: 5**

**Group: 1001.03203.000.0036**

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
			<b>\$2,105.80</b>	<b>41</b>

**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
			<b>\$3,948.00</b>	<b>50</b>

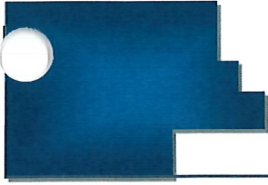
**Group Total: 5**

			<b>\$11,237.69</b>	<b>179</b>
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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

www.co.fulton.in.us

## Entity Fee Repo

03/01/2021 - 03/31/2021

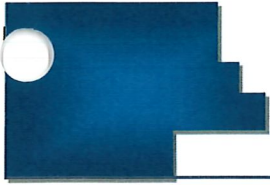
Fee Date	Account Number	Contractor Name	Fee Name	Paid By	Fee Amount	Payment Type	Payment Date	Receipt #
3/30/2021	1001.03203.000.0036	Small's Maintenance & Electrical	Electrical Registration Fee		10.00	Cash	3/30/2021	68
3/12/2021	1001.03203.000.0036	Daniel Franklin	Electrical Registration Fee		10.00	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

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 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

Page: 1 of 1