

***FULTON COUNTY
BOARD OF ZONING APPEALS***

FULTON COUNTY OFFICE BUILDING
COMMISSIONERS/COUNCIL ROOM
WEDNESDAY, FEBRUARY 9, 2022
7:00 P.M.

CALL TO ORDER

ELECTION OF OFFICERS

ADOPTION OF MEETING RESOLUTION

BOARD OF ZONING APPEALS MINUTES FOR:

JANUARY 12, 2022

OLD BUSINESS:

Clayton Howes (#13-0401)
Edward Strack (#108-0110)
Manitou Crossing (#210947)

NEW BUSINESS:

Nathan Imhoff (#211010)
Jesse Reason (#211026)
Samatha Town (#220003)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON COUNTY BOARD OF ZONING APPEALS
January 12, 2022

FULTON COUNTY
BOARD OF ZONING APPEALS

WEDNESDAY, JANUARY 12, 2022

7:00 P.M.

COMMISSIONERS/COUNCIL ROOM

CALL TO ORDER

ELECTION OF OFFICERS

ADOPTION OF MEETING RESOLUTION

BOARD OF ZONING APPEALS MINUTES FOR:

October 13, 2021

OLD BUSINESS:

Clayton Howes (#13-0401)
Mark Kneller (#89-0809)
Edward Strack (#108-0110)
Paul Burkholder (#549-0319)

NEW BUSINESS

Angela Bailey(#210975)
Olivia Baca(#210989)
Manitou Crossing(#210947)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON COUNTY BOARD OF ZONING APPEALS

January 12, 2022

The Fulton County Board of Zoning Appeals met on Wednesday the 12th day of January 2022, at 7:00 P.M. in the Commissioners/Council Room located in the Fulton County Office Building. Executive Director, Heather Redinger, called the meeting to order at 7:00 P.M. The following members were present: Debbie Barts, Phil Miller, Barry Baldwin, Seth Wilson and Scott Hizer. Also in attendance were: Executive Director, Heather Redinger, Board Attorney, Andy Perkins and Administrative Secretary, Kim Gard.

IN RE: ELECTION OF OFFICERS

Executive Director, Heather Redinger, 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, Seth Wilson 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, Seth Wilson 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. Barry Baldwin nominated Phil Miller as Executive Secretary. Debbie Barts 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, Seth Wilson 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. Barry Baldwin nominated Kim Gard as Administrative Secretary. Phil Miller seconded the nomination. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller, Seth Wilson and Scott Hizer being in favor and no one opposing. Kim Gard 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, Seth Wilson 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.

FULTON COUNTY BOARD OF ZONING APPEALS
January 12, 2022

IN RE: ADOPTION OF MEETING RESOLUTION

Chairperson, Scott Hizer read Resolution 01122022 regarding the meeting dates and times for the Fulton County Board of Zoning Appeals in 2022. He entertained a motion to adopt Resolution 01122022. Debbie Barts moved to adopt Resolution 01122022 for the Fulton County Board of Zoning Appeals meeting dates and times in 2022. Phil Miller seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller, Seth Wilson and Scott Hizer being in favor and no one opposing. Resolution 01122022 reads as follows:

RESOLUTION 001122022

A RESOLUTION OF THE FULTON COUNTY BOARD OF ZONING APPEALS,
OF THE COUNTY OF FULTON, INDIANA, ESTABLISHING MEETING TIMES
FOR 2022.

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 2022

FULTON COUNTY BOARD OF ZONING APPEALS

FULTON COUNTY BOARD OF ZONING APPEALS

January 12, 2022

Chairperson

Vice Chairperson

Executive Secretary

ATTEST: _____

Kim Gard, Administrative Secretary

IN RE: MINUTES

October 13, 2021

Chairperson, Scott Hizer, asked for any additions, deletions or corrections to be made to the October 13, 2021 minutes. Debbie Barts moved to approve the October 13, 2021 Fulton County Board of Zoning Appeals minutes as written, Barry Baldwin seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller, Seth Wilson and Scott Hizer being in favor and no one opposing.

IN RE: OLD BUSINESS

Clayton Howes (#13-0401)

Edward Strack (#108-0110)

Clayton Howes is requesting a renewal of his special exception, granted on May 9th, 2001 for a temporary second dwelling unit on his property located in the Ag District, 12518 E 300 S, Akron, IN 46910.

Mr. Howes petition was granted with the following conditions:

- 1) Mr. Howes is required to obtain a Location Improvement Permit and a Building Permit for the placement of the mobile home; and
- 2) the mobile home is never used as a rental unit; and
- 3) the mobile home be utilized as a dwelling for no one except Mrs. Hazel Howes; and
- 4) the mobile home is removed after Mrs. Hazel Howes no longer utilizes it as a dwelling
- 5) the special exception is renewed every two (2) years.

Mr. Strack is requesting a renewal of the three development standard variances he was granted on March 10, 2010. Which consisted of a variance off the Fulton County Ordinance to be allowed to keep two (2) cargo containers on his property, as well as, 33' off of the front yard for the purpose of the placement of the containers, on property located at 9399 Prairie Street, Rochester, within the Agricultural (AG) District, approximately 0.36 acres.

Mr. Strack's requests were approved with the condition that it is re-evaluated and renewed yearly.

Mr. Strack is also requesting a renewal for a special exception for a hardship dwelling, as well as, a variance of 788 sf off of the minimum main floor area for the purpose of the hardship dwelling, in the AG District located at 9399 Prairie, Rochester, IN. with the following condition:

FULTON COUNTY BOARD OF ZONING APPEALS

January 12, 2022

This request was granted with the condition that it is re-evaluated and renewed yearly.

The Plan Commission Office has not been made aware of any changes in these situation.

No one was present, the Board tabled the petition to the end of the meeting.

IN RE: OLD BUSINESS

Mark Kneller (#89-0809)

Mr. Kneller is requesting a renewal of his Special Exception for a temporary second dwelling unit on his property, located at 959 N 1000 E, Akron within the Agricultural (AG) District, approximately 33.93 acres. The temporary second dwelling unit (16 X 72 mobile home) will be utilized for Calvin & April Kneller and their four children, (Mr. Kneller's son, daughter-in-law and grandchildren). The special exception was granted on October 14, 2009 with the following conditions:

- 1.) Mr. Kneller is required to meet the regulations stipulated by the Fulton County Zoning Ordinance, the Fulton County Building Code, and the Fulton County Health Department, prior to the placement of the temporary home; and
- 2.) The temporary home is never used as a rental unit; and
- 3.) The temporary home be used as a dwelling for no one except Mr. Kneller's son and his family (Calvin & April Kneller)
- 4.) The temporary home is either removed or a renewal requested, no later than two years from the date of the public hearing.

The Plan Commission Office has not been made aware of any changes in these situation.

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

They did not at this time.

Scott Hizer then asked for any Board questions or comments. Being no further Board comments Scott entertained a motion. Debbie Barts moved to approve Mr. Kneller is requesting a renewal of the Special Exception for a temporary second dwelling unit on his property, located at 959 N 1000 E, Akron within the Agricultural (AG) District, approximately 33.93 acres. The temporary second dwelling unit (16 X 72 mobile home) will be utilized for Calvin & April Kneller and their four children, (Mr. Kneller's son, daughter-in-law and grandchildren). Phil Miller seconded the motion.

Administrative Secretary, Kim Gard conducted roll call vote.

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

FULTON COUNTY BOARD OF ZONING APPEALS

January 12, 2022

Motion to approve Mr. Kneller requesting a renewal of a Special Exception for a temporary second dwelling unit on his property, located at 959 N 1000 E, Akron within the Agricultural (AG) District, approximately 33.93 acres. The temporary second dwelling unit (16 X 72 mobile home) will be utilized for Calvin & April Kneller and their four children, (Mr. Kneller's son, daughter-in-law and grandchildren).

Passed with five votes being in favor and no one opposed.

IN RE: OLD BUSINESS

Paul Burkholder (#549-0319)

Paul Burkholder is requesting a renewal of the special exception granted to operate a kennel, on property located at, 4090 E 300 N, Rochester, within the Ag District, 10 acres, on April 10, 2019.

Mr. Burkholder was granted the request upon these conditions:

- 1) Approved for the existing 10 dogs, with possibility of expansion after a two (2) year review.

The Plan Commission Office has not been made aware of any changes in these situation.

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

Mr. Burkholder stated he still has 10 dogs and still would like to expand.

Scott Hizer asked the board for any discussion.

Debbie Barts stated Mr. Burkholder should still keep the original conditions:

- 2) Approved for the existing 10 dogs, with possibility of expansion after a two (2) year review.

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

They did not at this time.

Scott Hizer then asked for any Board questions or comments.

Being no further Board comments Scott entertained a motion. Debbie Barts moved to approve Paul Burkholder is requesting a renewal of the special exception granted to operate a kennel, on property located at, 4090 E 300 N, Rochester, within the Ag District, 10 acres, on April 10, 2019, with original conditions.

Seth Wilson seconded the motion.

Administrative Secretary, Kim Gard conducted roll call vote.

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

FULTON COUNTY BOARD OF ZONING APPEALS

January 12, 2022

Motion to approve Paul Burkholder is requesting a renewal of the special exception granted to operate a kennel, on property located at, 4090 E 300 N, Rochester, within the Ag District, 10 acres, on April 10, 2019, with original conditions. Passed with five votes being in favor and no one opposed.

IN RE: NEW BUSINESS

Angela Bailey (#210975)
Development Standard Variance

Angela Bailey (#210975) is requesting a Development Standard Variance off of the maximum lot depth, for the purpose of a split on property located at 9559 E Division Rd., Akron IN within the Agricultural (AG) District.

In the AG district the maximum lot depth cannot exceed 3 times (3x) the lot width. The proposed lots will be approximately 503.79' in width and approximately 1765.02 in depth, which exceeds the 3:1 ratio for the maximum lot depth. Therefore, a variance off of the maximum lot depth is being requested.

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

They 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. Barry Baldwin seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller, Seth Wilson 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. Phil Miller seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller, Seth Wilson and Scott Hizer being in favor and no one opposing.

Being no further Board comments Scott entertained a motion. Debbie Barts moved to approve Angela Bailey (#210975) requesting a Development Standard Variance off of the maximum lot depth, for the purpose of a split on property located at 9559 E Division Rd., Akron IN within the Agricultural (AG) District. Barry Baldwin seconded the motion.

Administrative Secretary, Kim Gard conducted roll call vote.

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

Motion to approve Angela Bailey (#210975) requesting a Development Standard Variance off of the maximum lot depth, for the purpose of a split on property located at 9559 E Division Rd., Akron IN within the Agricultural (AG) District. Passed with five votes being in favor and no one opposed.

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IN RE: NEW BUSINESS

Olivia Baca (#210989)
Development Standard Variance

Olivia Baca (#210989) is requesting a Development Standard Variance of approximately 12' off of the front yard setback, for the purpose of an attached porch, on property located at 1885 S 1275 E, Akron, IN within the Agricultural (AG) District.

In the AG district the minimum front yard setback is 50'. Mrs. Baca has an attached front porch that sits approximately 38' off the right of way. Therefore, a 12' variance off of the front yard setback is being requested.

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

They 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. Phil Miller seconded the motion. Motion carried as follows: Debbie Barts, Barry Baldwin, Phil Miller, Seth Wilson 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, Seth Wilson and Scott Hizer being in favor and no one opposing.

Being no further Board comments Scott entertained a motion. Debbie Barts moved to approve Olivia Baca (#210989) requesting a Development Standard Variance of approximately 12' off of the front yard setback, for the purpose of an attached porch, on property located at 1885 S 1275 E, Akron, IN within the Agricultural (AG) District. Barry Baldwin seconded the motion.

Administrative Secretary, Kim Gard conducted roll call vote.

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

Motion to approve Olivia Baca (#210989) requesting a Development Standard Variance of approximately 12' off of the front yard setback, for the purpose of an attached porch, on property located at 1885 S 1275 E, Akron, IN within the Agricultural (AG) District. Passed with five votes being in favor and no one opposed.

At this time Debbie Barts recused herself.

IN RE: NEW BUSINESS

Manitou Crossing – Andis Dimants (#210947)
Development Standard Variance

FULTON COUNTY BOARD OF ZONING APPEALS

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Manitou Crossing – Andis Dimants (#210947) is requesting a special exception to allow apartments and a YMCA, on property located at ST RD 25 & ST RD 31, (009-105045-00) within the General Commercial (GC) District.

The special exception request is part of a long term project. If the request is approved, Mr. Dimants would also like to request up to 5 years for the completion. The ordinance states a special exception must be established within one year.

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

They did not at this time.

Scott then asked for any Board questions or comments. Being none, he entertained a motion to open public hearing. Phil Miller moved to open public hearing. Seth Wilson seconded the motion. Motion carried as follows: Barry Baldwin, Phil Miller, Seth Wilson 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.

There were numerous to speak in opposition of the petition. Many had same concerns regarding land purchase, controlling what is being built, water runoff, traffic, maintaining the property long term, affordable housing, educational system, jobs to support the influx of people, increase in crime and drugs.

Kristy Alber-1401 Washington St.
Ted Edwards-1700 Colonial Dr
Steve Olmsted-1314 Hill St.
Darrell Hopkins-1125 East 4th St
Jim Rezo- 2207 West Side Rd
Mark Sroufe - 1401 W 13th Street
Jim Collins- 1110 S Old U S 31
Maury Siders- 1133 Spade Dr
Doug Holcome- 1559 E 75 S
Randy Sutton-1003 Arthur St
John Little- 2209 Westside Rd
Markie Edwards- 1700 Colonial Dr
Shawn Baily- 2500 Bessmore Park Rd
Dave Campbell- 2496 Southway 31
Greg Lucas- 2101 Westside Rd
John Baily- 2808 Manitou Park Dr.

Mr. Rezo asked when was the last study was done that Mr. Dimants is speaking of.

Mr. Dimants stated there were approximately 6 studies conducted within the last 6 months by numerus universities and other counties. They were not commercial entities. He also stated all studies were done by a third party.

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Mr. Rezo stated a YMCA is membership based. It's a great idea that Fulton County would get a YMCA. However, if we are providing affordable housing, and people are in need of affordable housing, they are not spending money on membership. The concern is what portion of this affordable housing, if there is not enough people to fill them, becomes section eight housing. The question becomes the burden and impact that section eight does to the county, fire and police. Where are these people going to work? Do we have some kind of economic development plan that we're not aware of?

Susan Dunn – has there been any studies done in how that is going to affect our school system. Is our school corporation able to handle the increase of children that will come in with this project? How is our hospital equipped to take care of that many extra people if the pandemic makes a spike. What about the welfare department? Food stamp people? Have you studied that? Are there enough child welfare case workers to take care of the increase of the amount of child abuse that will definitely increase? Not because of affordable housing because they are human beings and that goes with any population. Do we have the resources to take care of 1500 minimum extra people all of a sudden? Where are they going to work? Is there some place they can work? When you say affordable housing, I guess I need a definition. You are not talking about not people who will be paying the full amount of rent. You are talking about subsidized housing is that right?

Mr. Dimants stated the misconception with affordable housing is that you don't have a job and don't pay rent. All it means is that you're getting a discounted rent. For example if rent is \$1000 a month with affordable housing you would be paying \$900.

Mrs. Dunn stated none of it will be subsidized housing that someone can move in there at \$800 a month rent and they only pay \$25.

Mr. Dimants stated it's based on published HUD rates affordable housing is inverted from market housing. Market rate housing you go get a lease you don't make enough money that you can't have the lease. Affordable housing is the opposite. If you make too much money then you don't qualify for that percentage of discount.

Mrs. Dunn stated anyone living in this housing would have to pay at least 90% of the rent?

Mr. Dimants stated no not everybody. There is a decision to be made on the affordable side. You can have 20 50 or 80 percent affordable housing on a project and the rest would be multi-family.

Many others went on to voice their concerns.

James Rezo stated I have a property in Kokomo, they built an affordable housing apartments and they tried filling them and they can't. Is there no stipulation that you'll put on this says from now until the time its built that you're going to limit section eight housing? This is going to be a burden to our community and police force. Are you going to raise taxes to pay for the police officers that it's going to take?

Scott entertained a motion to close public hearing. Phil Miller moved to close public hearing. Seth Wilson seconded the motion. Motion carried as follows: Barry Baldwin, Phil Miller, Seth Wilson and Scott Hizer being in favor and no one opposing.

Scott ask for any board comments.

Scott stated he does not believe they have enough information to make a decision tonight.

FULTON COUNTY BOARD OF ZONING APPEALS

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Barry Baldwin stated the whole area is zoned General Commercial and apartments fall under a special exception. Looking at the four points the board has to consider we have to stay on point with these. There are a lot of concerns and a lot of these questions would have to be directed to other boards. We did get the concerns from the public and I have 17 questions that I'd like to see answers to before I commit one way or the other to a project like this.

Being no further Board comments Scott entertained a motion. Phil Miller moved to table Manitou Crossing – Andis Dimants (#210947) is requesting a special exception to allow apartments and a YMCA, on property located at ST RD 25 & ST RD 31, (009-105045-00) within the General Commercial (GC) District. Barry Baldwin seconded the motion.

Administrative Secretary, Kim Gard conducted roll call vote.

Barry Baldwin	Yea
Phil Miller	Yea
Seth Wilson	Yea
Scott Hizer	Yea

Motion to table Manitou Crossing – Andis Dimants (#210947) is requesting a special exception to allow apartments and a YMCA, on property located at ST RD 25 & ST RD 31, (009-105045-00) within the General Commercial (GC) District. Tabled with four votes being in favor and no one opposed.

IN RE: OLD BUSINESS Clayton Howes (#13-0401)
Edward Strack (#108-0110)

Barry Baldwin moved to table Clayton Howes (#13-0401), Edward Stack (#108-0110) until the next scheduled meeting. Phil Miller seconded the motion. Motion carried as follows: Phil Miller, Seth Wilson, Barry Baldwin and Scott Hizer, being in favor and no one opposing.

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, 2022 Fulton County Board of Zoning Appeals meeting. Barry Baldwin moved to adjourn the January 12, 2022 Fulton County Board of Zoning Appeals meeting at 8:50 P.M. Phil Miller seconded the motion. Motion carried as follows: Barry Baldwin, Phil Miller, Seth Wilson and Scott Hizer, being in favor and no one opposing.

FULTON COUNTY BOARD OF ZONING APPEALS

ATTEST: _____
Kim Gard, Administrative Secretary

**Docket #13-0401
Clayton Howes
Special Exception
1 Action**

Clayton Howes is requesting a renewal of his special exception, granted on May 9th, 2001 for a temporary second dwelling unit on his property located in the Ag District, 12518 E 300 S, Akron, IN 46910.

Mr. Howes petition was granted with the following conditions:

- 1) Mr. Howes is required to obtain a Location Improvement Permit and a Building Permit for the placement of the mobile home; and
 - 2) the mobile home is never used as a rental unit; and
 - 3) the mobile home be utilized as a dwelling for no one except Mrs. Hazel Howes; and
 - 4) the mobile home is removed after Mrs. Hazel Howes no longer utilizes it as a dwelling.
- 5) The special exception is renewed every three years

The Plan Commission Office has not been made aware of any changes in the situation.



Howes

Docket #108-0110
Edward Strack
Development Standard Variance
& Special Exception
Re-evaluation and renewal

Mr. Strack is requesting a renewal of the three development standard variances he was granted on March 10, 2010. Which consisted of a variance off the Fulton County Ordinance to be allowed to keep two (2) cargo containers on his property, as well as, 33' off of the front yard for the purpose of the placement of the containers, on property located at 9399 Prairie Street, Rochester, within the Agricultural (AG) District, approximately 0.36 acres.

Mr. Strack's requests were approved with the condition that it is re-evaluated and renewed yearly.

Mr. Strack is also requesting a renewal for a special exception for a hardship dwelling, as well as, a variance of 788 sf off of the minimum main floor area for the purpose of the hardship dwelling, in the AG District located at 9399 Prairie, Rochester, IN. with the following condition:

This request was granted with the condition that it is re-evaluated and renewed yearly.





Docket #210947
Manitou Crossing – Andis Dimants
Special Exception

Manitou Crossing – Andis Dimants (#210947) is requesting a special exception to allow apartments and a YMCA, on property located at ST RD 25 & ST RD 31, (009-105045-00) within the General Commercial (GC) District.

The special exception request is part of a long term project. If the request is approved, Mr. Dimants would also like to request up to 5 years for the completion. The ordinance states a special exception must be established within one year.

*Updated information provided after the January 12th meeting.

The special exception request is proposed as a five (5) phase process over five (5) years. As proposed, each phase would represent 132 apartments. If all five phases are developed, it would be a total of 660 apartments, with half of the units slated to meet the communities affordable/workforce housing needs. A request to allow a YMCA, is also being requested. Currently, there are no plans on the location of a YMCA, however it could be a potential possibility within the development.

The request is for a special exception to allow apartments and a YMCA, on property located at ST RD 25 & ST RD 31, (009-105045-00) within the General Commercial (GC) District.

DETENTION AREA

MF 1

CLUBHOUSE & POOL AREA

MF 2

DETENTION AREA

C1

C2

C5

C3

C4

C6

MF 3

MF 4

DETENTION AREA

HOTEL
H1

HOTEL
H2

HOTEL
H3

HOTEL
H4

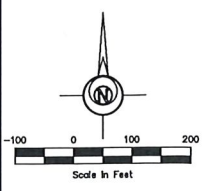
CLUBHOUSE & POOL AREA

MF 5

LOT TYPES & AREAS		
LOT TYPE	LOT NUMBER	AREA (ACRES)
MULTIFAMILY	MF1	11.04 AC
MULTIFAMILY	MF2	9.73 AC
MULTIFAMILY	MF3	7.05 AC
MULTIFAMILY	MF4	9.22 AC
MULTIFAMILY	MF5	8.26 AC
HOSPITALITY	H1	3.37 AC
HOSPITALITY	H2	2.81 AC
HOSPITALITY	H3	2.80 AC
HOSPITALITY	H4	3.54 AC
COMMERCIAL	C1	1.78 AC
COMMERCIAL	C2	2.99 AC
COMMERCIAL	C3	1.71 AC
COMMERCIAL	C4	2.13 AC
COMMERCIAL	C5	2.87 AC
COMMERCIAL	C6	2.14 AC

City

County



ELDS DESIGN SERVICES
 Architecture | Engineering | Surveying
 2323 Dixon Street, Des Moines, Iowa 50316 | PO Box 4626, Des Moines, Iowa 50305 | PH: 515 265 8196

**MIXED USE CONCEPT
 ROCHESTER, IN**

DATE	PROJECT	SCALE	NO.
	A BRADFIELD		21-143

CONCEPT

**Docket #211010
Nathan Imhoff
Special Exception**

Nathan Imhoff (#211010) is requesting a special exception to operate a saw mill/lumber yard, on property located at 4586 E 650 N Rochester, IN within the Agricultural (AG) District.

Mr. Imhoff would like to operate a saw mill/lumber yard on his property. He would like to construct a building, he will not be adding any bathrooms or electrical. In the agricultural district a lumber yard is allowed with a special exception.

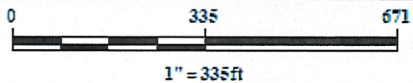
The request is for a special exception to operate a saw mill/lumber yard, on property located at 4586 E 650 N Rochester, IN within the Agricultural (AG) District.



- City Town Boundary
- Townships
- Sections
- Parcels

- Addresses
- Bldg Permits
- Permits - Primary
- Permits - Accessory

- Sections
- Highways
- Roads
- Grid
- Parcels
- Lots
- Permits - Primary



Interested Party Legal Notification

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 Special Exception before the Fulton County Board of Zoning Appeals supplied to you by the applicant of said public hearing,




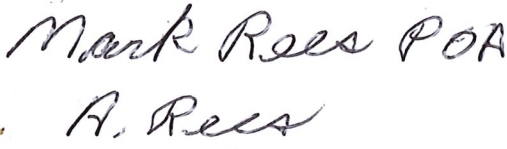

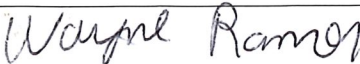


Nathan Imhoff
#BZA-211010

Located at: 4586 E 650 N, Rochester, IN

Legal Notification Requires:

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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
Christopher & Marianne Kromkowski 4840 E 650 N Rochester, IN 46975	
Shanklin Arik 4978 E 650 N Rochester, IN 46975	
Tashijan John V & Tashijan R V 58363 Beech Rd Mishawaka, IN 46544	
Rees Chlora Beth & Albert C Revocable Living Trust 5118 E 700 N Rochester, IN 46975	 
Ramer Wayne W 6600 N 450 E Rochester, IN 46975	
Schwenk Family Farms LLC 2750 E 700 N Rochester, IN 46975	
Martin Michael & Elsie 6146 N 475 E Rochester, IN 46975	

<p>Alber Paul & Holly 6450 N 475 E Rochester, IN 46975</p>	<p><i>Paul & Holly</i></p>
<p>Imhoff Philip R & Maryellen 4240 E 700 N Rochester, IN 46975</p>	<p><i>Philip Imhoff</i></p>
<p>Hayworth James D Revocable Trust; Trustee Hayworth James D PO Box 279 Monticello, IN 47960</p>	<p>✓</p>
<p>Ramer Reuben W & Julia R 4131 E 700 N Rochester, IN 46975</p>	<p><i>Reuben Ramer</i></p>
<p>Francis Jerry & Karen A 4801 E 700 N Rochester, IN 46975</p>	<p><i>Jerry Francis</i></p>
<p>Cooper Gloria J 4890 E 650 N Rochester, IN 46975</p>	<p><i>Gloria Cooper</i></p>

Docket #211026
Jesse Reason
Special Exception

Mr. Reason (#211026) is requesting a special exception to operate a major/minor auto repair and body shop and a development standard variance for an 8' chain link fence on property located at 2527 Old US 31 Rochester, IN 46975 within the (AG) Agriculture District.

In the (AG) Agriculture District a major/minor auto repair and body shop is permitted with a special exception and a chain link fence cannot exceed 4' in the front yard. Mr. Reason purchased a property with two existing buildings approximately 320' x 50' and 190' x 50' he would like to utilize the existing buildings to operate a major/minor auto repair and body shop. The hours of operation would be Monday through Friday 8 AM to 5 PM, there would be 3 part-time and 2 full time employees. The existing building has a restroom, office space and gravel parking in the front of the building. There will be approximately two deliveries a week, UPS and LTL. Currently the business will not be open to the public. There is an existing steel pole he will be placing a sign on. Mr. Reason would also like to erect an 8' chain link fence around the property, for security and safety.

Therefore, a special exception to operate a major/minor auto repair and body shop and a development standard variance to erect an 8' chain link fence, are being requested.

The request is for a special exception to operate a major/minor auto repair and body shop and a development standard variance for an 8' chain link fence on property located at 2527 Old US 31 Rochester, IN 46975 within the (AG) Agriculture District.



1408.26










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145

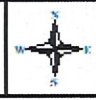
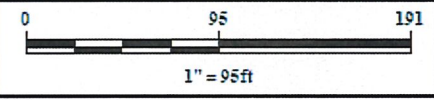
660

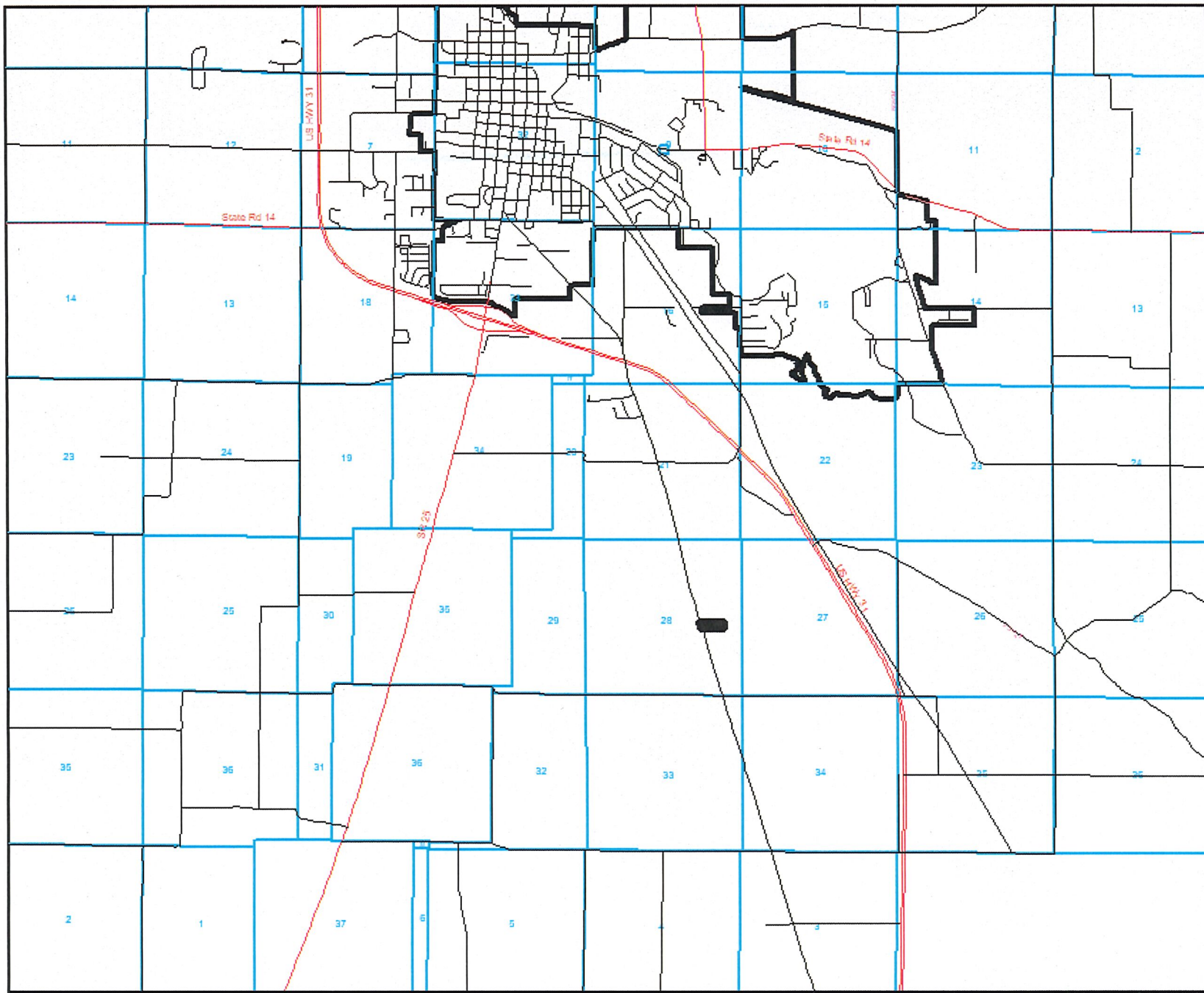
3

2527

-  City Town Boundary
 -  Townships
 -  Sections
 -  Parcels
-
-  Addresses
-
-  Highways
 -  Roads
 -  Parcels
 -  Lots

THINK

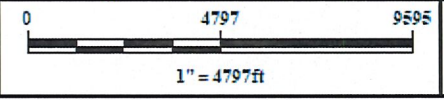




- City Town Boundary
- Sections
- Shaffer's Lake side A
- Vacated Area for New

Sections

- Sections
- Highways
- Roads
- Vacated Area for New



SPECIAL EXCEPTION QUESTIONNAIRE FOR BUSINESSES

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

Major/Minor auto repair and body shop

- What are the proposed hours of operation?

8-5pm Mon-Fri

- How many employees?

3 part time

2 Full time

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

There is an existing restroom in the structure.

Business is not open to the public

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

In front of the building. Stone driveway.

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

Two pickups per week UPS LTL

- 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?

Existing structure, 320 feet by 50 feet, 190 feet by 50 feet

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

Yes

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

An existing sign is in place on a steel pole at front of business

Interested Party Legal Notification

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 Special Exception before the Fulton County Board of Zoning Appeals supplied to you by the applicant of said public hearing,

Jesse Reason
#BZA-211010

Located at: 2527 OLD US 31, Rochester, IN

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	NAME & ADDRESS	SIGNATURE
	Shriver Donald R & Bethany 2321 S Old US Highway 31 Rochester, IN 46975	<i>Don Shriver</i>
<i>AW</i>	Reese Larry J & Ruth E 3417 S Old US 31 Rochester, IN 46975	<i>Alan J Reese</i> <i>574 835 4411</i>
✓	Miller Gregory Charles 1844 E 300 S Rochester, IN 46975	GC ✓
✓	Sommers Dale H Trust; Trustee Greg Brown 2618 N Old US Highway 31 Rochester, IN 46975	GC ✓
✓	Shriver Ronald G Trust Agreement 1/2; Shrader Carol S Amended Trust Agreement 1/2 781 Fortna Dr Rochester, IN 46975	GC ✓
✓	Reese Alan Lloyd 2446 S Old US 31 Rochester, IN 46975	<i>Alan J Reese</i>

**Docket #220003
Samatha Towne
Special Exception**

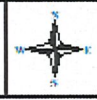
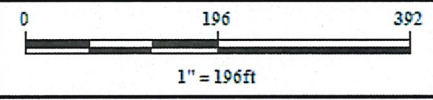
Samatha Towne (#220003) is requesting a special exception to operate a private Christian school, on property located at 4795 N 200 W, Rochester, within the Agricultural (AG) District.

Mrs. Towne would like to utilize the existing Whippoorwill Community Church to operate a private Christian school. Proposed hours of operation would be 8:30 AM to 3 PM Monday through Friday with approximately 4-7 employees. Parking will be in the existing parking lot with no change to the entrance or exit. Deliveries will be occasional teaching materials. A sign for the school would be portable.

The request is for a special exception to operate a private Christian school, on property located at 4795 N 200 W, Rochester, within the Agricultural (AG) District.



- City Town Boundary
- Townships
- Sections
- Parcels
- Addresses
- Bldg Permits
- Permits - Commercial
- Highways
- Roads
- Parcels
- Lots



Utilizing
all areas

Exit

Basement
Stairs

Sanctuary
Sq ft 1890

Exit

Storage

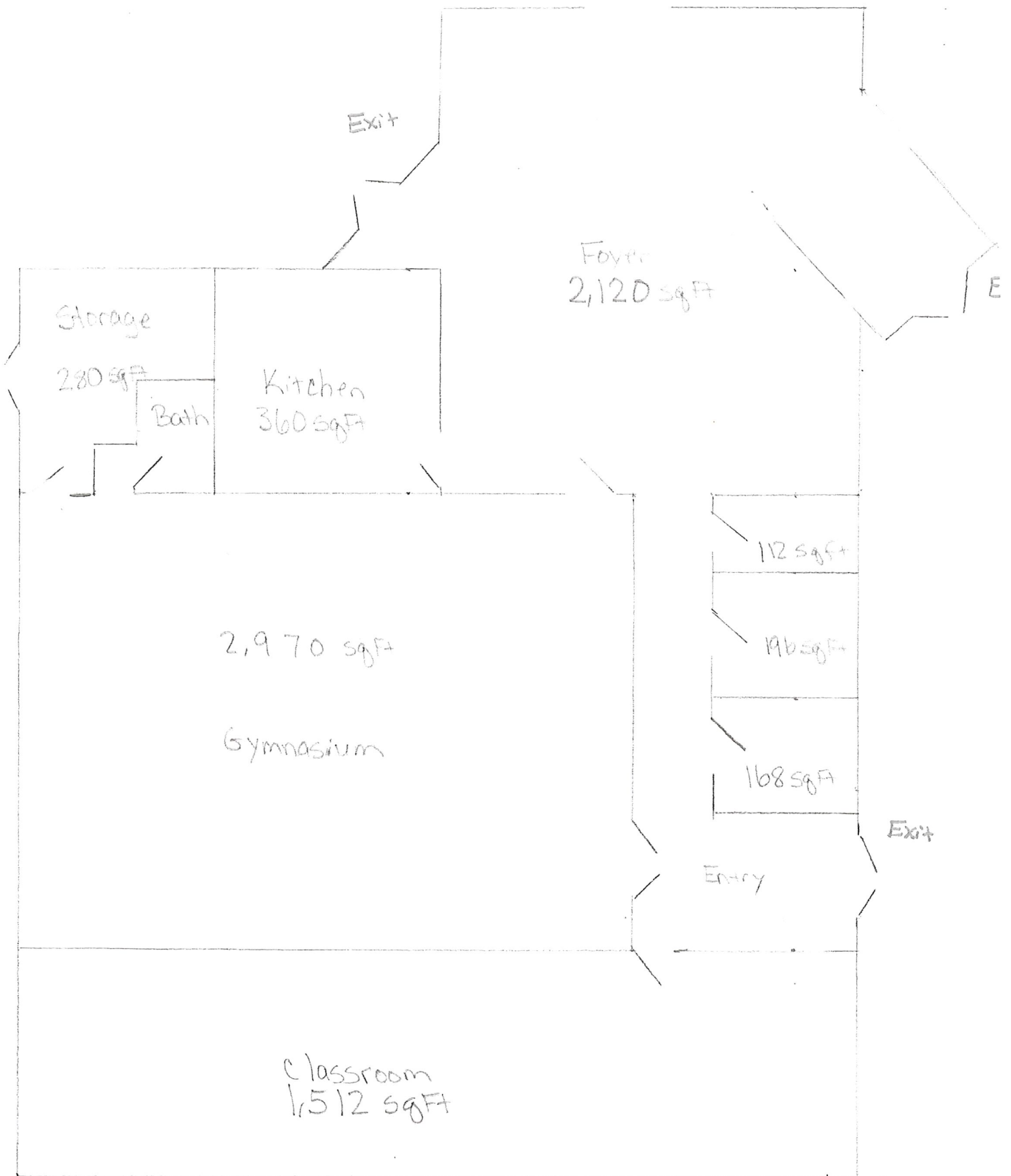
Basement
Stairs

Women's
Bath

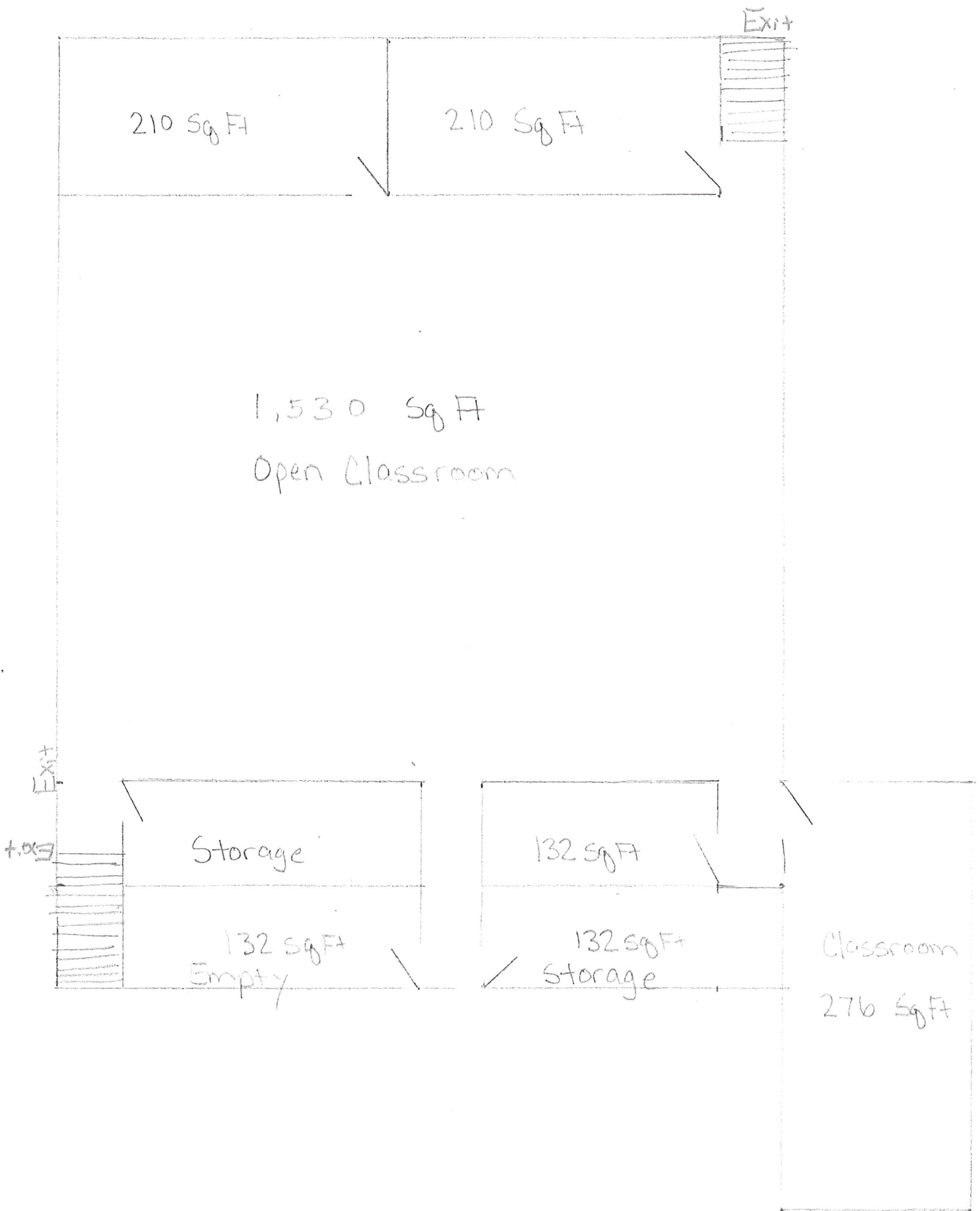
Foyer
Sq ft
1350

Nursery

Men's
Bath



Basement *utilizing for classrooms



Interested Party Legal Notification

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

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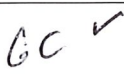
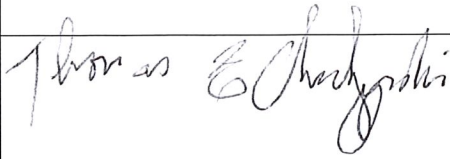

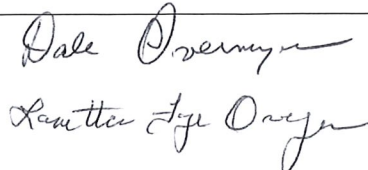
Samatha Towne
#BZA-220003

Located at: 4795 N 200 W, Rochester, IN

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	NAME & ADDRESS	SIGNATURE
3	Rick L & Sheila Banush 5736 N 200 W Rochester, IN 46975	
2	Richard Derek A & Megan E Richard Family Trust created 8/30/2019; Co-Trustees Richard Derek A & Mega 5334 N 200 W Rochester, IN 46975	
4	Barkman Sven E 1/3; Buck Esther M 1/3; Alexander Charles V 1/3 1533 W 500 N Rochester, IN 46975	
7	Chuzynski Thomas E 1991 W 500 N Rochester, IN 46975	
9	Moore Gerald Devon & Alberta L 2188 W 500 N Rochester, IN 46975	
0	Overmyer Dale H & Lanetta Faye 6410 N 150 W Rochester IN 46975	

12	Giesler Russell 4371 Boicourt Rochester, IN 46975	<i>Russell Giesler</i>
10	Burch Larry P 2632 W 500 N Rochester, IN 46975	<i>GC ✓</i>
8	Richard Carl A & Charla R 2183 W 500 N Rochester, IN 46975	<i>Charla Richard</i>
6	Kays Douglas W 1609 W 500 N Rochester, IN 46975	<i>Douglas Kays</i>
5	Bitterling Jeff S 1539 W 500 N Rochester, IN 46975	<i>Jeff Bitterling</i>
11	Imhoff Wilson & Bethany 1857 W 450 N Rochester, IN 46975	<i>Bethany Imhoff</i>
1	Conley Wheeler T Jr 1/2; Conley Matthew D 1/2 4440 N 200 W Rochester, IN 46975	<i>Matthew Conley</i>



Fee Summary Paid Totals

01/01/2022 - 01/31/2022

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
Group: 1001.20301.000.0036				
A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$840.00	8
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$91.18	8
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.20301.000.0036	\$80.00	2
A-2. County, Akron, & Town of Fulton COMMERCIAL - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$240.00	2
A-2. County, Akron, & Town of Fulton COMMERCIAL-Permit Fee		1001.20301.000.0036	\$100.00	2
			\$1,351.18	22

Group Total: 5

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$20.00	2
B-1. City of Rochester Residential-Inspection Fee	Enter Number of Inspections	1001.20302.000.0036	\$40.00	2
B-2. CITY OF		1001.20302.000.0036	\$20.00	1

ROCHESTER ELECTRICAL PERMIT				
			\$80.00	5

Group Total: 3

Group: 1001.20303.000.0036

BZA. Development Standard Variance		1001.20303.000.0036	\$175.00	1
BZA. Special Exception		1001.20303.000.0036	\$175.00	1
ZO. LIP		1001.20303.000.0036	\$400.00	8
ZO. Solar Array- Small		1001.20303.000.0036	\$320.00	4
			\$1,070.00	14

Group Total: 4

			\$2,501.18	41
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Total Records: 12

2/1/2022

Page: 1 of 1