

FULTON COUNTY
AREA PLAN COMMISSION
FULTON COUNTY OFFICE BUILDING
COMMISSIONERS/COUNCIL ROOM
JUNE 27, 2022
7:00 P.M.

CALL TO ORDER

AREA PLAN COMMISSION MINUTES FOR:
APRIL 25, 2022

PUBLIC COMMENT (Not to pertain to Agenda Items)

OLD BUSINESS

NEW BUSINESS:
North Shore Estates Replat

PLAN DIRECTOR REPORT:

PUBLIC COMMENTS

BOARD COMMENTS

FULTON COUNTY AREA PLAN COMMISSION
APRIL 25, 2022

FULTON COUNTY
AREA PLAN COMMISSION
MEETING

MONDAY, APRIL 25, 2022

7:00 P.M.
COMMISSIONERS/COUNCIL ROOM

CALL TO ORDER

AREA PLAN COMMISSION MINUTES FOR:
March 28, 2022

PUBLIC COMMENT
(Not to pertain to Agenda Items)

OLD BUSINESS

NEW BUSINESS:
Joseph Reed (#220126)

PLAN DIRECTOR REPORT:
Proposed amendments

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON COUNTY AREA PLAN COMMISSION
APRIL 25, 2022

The Fulton County Area Plan Commission met on Monday the 25th of April 2022, at 7:00 P.M. in the Commissioners/Council Room located within the Fulton County Office Building. Chairperson, Randy Sutton called the meeting to order at 7:00 P.M. The following members were present: Debbie Barts, Mark Kepler, Phil Miller, Gloria Carvey, Cathy Miller, Seth White, Rick Ranstead, Crystal Weida, and Randy Sutton. Also in attendance were: Plan Director, Heather Redinger, Board Attorney, Andy Perkins and Administrative Secretary, Kim Gard

It is duly noted the following were absent: Duane Border and Ruth Gunter.

IN RE: MINUTES

March 28, 2022

Randy Sutton asked for any additions, deletions or corrections to be made to the March 28, 2022 minutes. Crystal Weida stated she was not present at the March 28, 2022 meeting and did not second the motion to approve Vice-Chair Person. Cathy Miller did second the motion. Being no more corrections, Randy entertained a motion. Phil Miller moved to approve the March 28, 2022 minutes with corrections made. Rick Ranstead seconded the motion. Motion carried as follows: Debbie Barts, Mark Kepler, Phil Miller, Gloria Carvey, Cathy Miller, Seth White, Rick Ranstead, Crystal Weida, and Randy Sutton being in favor and no one opposing.

It is duly noted that Ruth Gunter arrived at 7:08pm.

IN RE: NEW BUSINESS

Joseph Reed (#220126)

Joseph Reed is requesting a zone map amendment of property located at 10783 E SR 14, Rochester, 2.69 acres to be changed from Suburban Residential (SR) to Agriculture (AG).The parcel is situated to best support agricultural activity such as, grazing, greenhouse, orchard, storage of agricultural products and agricultural equipment.

Charles Drudge, 11018 E SR 14, stated he only had concerns with the property being used for a hog farm. He also stated that Mr. Reed has cleaned up the property.

Mr. Reed stated his plans are to use it for a green house and gardening.

Randy asked for any Board comments. Being none, he entertained a motion. Rick Ranstead moved to make a favorable recommendation to the Fulton County Commissioners of the proposed zone map amendment as stated above. Ruth Gunter seconded the motion. Motion carried as follows: Debbie Barts, Mark Kepler, Phil Miller, Gloria Carvey, Cathy Miller, Seth White, Rick Ranstead, Crystal Weida, Ruth Gunter and Randy Sutton being in favor and no one opposing.

IN RE: PLAN DIRECTOR REPORT

Heather stated Northwind Pork Llc, 1127 S 600 W, has contact the office about removing all of the existing buildings and lagoon to rebuild and upgrade the location, with possible increase of animals. They have been established for many years, however the problem is the size of the lot. She also stated they would have to go through the variance process because the structures would not meet setbacks. She also stated she informed them, they would not be able to add any additional animals, unless they purchase more land, which they have been discussing with the surround property owner. Heather stated her question for the Board is, if they

FULTON COUNTY AREA PLAN COMMISSION
APRIL 25, 2022

removed the structures, would they still be grandfathered to be able to operate their business as it is. The Board agreed to allow Northwind Pork to remove existing buildings, rebuild and continue operation as is.

Heather then asked the Board for a time line as to how long someone will be able to have a storage/moving pod on their property where cargo containers are not allowed. When someone is having their home remodeled or built, and have a valid permit on file, they can utilize a recreational vehicle, until the project is complete or the permit expires. Building permits are valid for one year. She stated her thoughts were a storage/moving pods could be treated the same.

The Board agreed a storage/moving pod can sit on the property until the build or remodel is complete or the duration of the building permit.

Heather then talked to the Board about making the processes of violations quicker and a little stricter.

Rick Ranstead asked what the process is right now.

Heather stated for zoning violations, the first letter is a warning, they have 15 days to become in compliance. If the property is not in compliance the fines begin at \$50, and then double and accrue every 15 days. Heather stated if the property is being cleaned up and progress is being made we will work with them and not fine them. However, there are those properties that don't clean up at all and become a nuisance.

Debbie Barts stated how long is the process from the first letter to turning it over to the attorney.

Heather stated it depends on the situation, it takes about 4 months.

Andy Perkins asked if the \$2000 mark to turn over to the attorney is in the ordinance or can you turn it over sooner.

Heather stated it does say up to \$2000 before it is turned over to the attorney.

Seth White stated is every fine different.

Heather stated fines start at \$50 then doubles and accrues every 15 days.

Phil Miller stated on the 15th day Heather, do you then send someone out to take pictures.

Heather stated yes we try to group them together so the inspector can visit several properties at one time, in the same area.

Seth White stated increase the fines to get to the \$2000 sooner.

Heather stated right now we send out 6 letters to get to \$2000.

Randy stated maybe cut it down to 4 letters.

Seth stated start the first fine at \$100, then increase to \$500, \$1400, \$2000.

Randy asked will these changes have to go to the county commissioners.

FULTON COUNTY AREA PLAN COMMISSION
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Heather stated these changes will need to go through the amendment process.

The Board agreed to the violation changes.

Heather then stated Mike Andersons owns 3 lots to the west of their business. They have submitted permits to install solar panels for each lot. However, they would be combined as one array to be used for Mike Anderson. Separately they are a small solar array which is permitted, however, together the equal a medium size solar array, which is not allowed in this district.

Randy stated the fact they are being tied together would make them one array. If all the power is going to one entity or one box then it becomes one solar array.

Seth then stated if they were all different hook-up it would be fine but they are all running to the same hook-up and supplying the same entity.

Phil Miller stated when running the lines they will be crossing lot lines to tie the solar array together.

Randy stated when tying them together they become one unit.

Gloria asked Heather what the problem is with a medium size solar array in a residential district.

Heather stated micro and small are permitted in all districts. Medium and large are a special exception in almost all the districts.

Andy asked if the permits we're submitted at the same time, and did this become a medium when combined.

Heather stated the first one had two panels totaling 1144 sf, when you add the second it becomes approximately 2500 sf.

Randy stated the panels will run to one service panel. If the ran to different service panels it would be ok. Because they are running to one service panel it combines them. They are not permitted.

The Board agreed they would not be permitted as presented.

Heather stated she can permit, the two panels at the south lot and the two panels the north lot.

Heather then stated she has the draft of comprehensive plan if anyone wants to see it.

Debbie asked how the last two meeting went.

Heather stated it was a very disappointing week, we had 9 people show up in Fulton, 4 in Akron and 1 in Kewanna. Tomorrow is the last meeting at the fair grounds for the city and county. She explained to the Board, Samantha will greet at the door, hand them a brochure and a survey letting them know what they are there for. Heather stated she did not have a presentation planned so people didn't feel obligated to stay for the entire time.

Heather stated again she can email or print a copy of the comprehensive plan for anyone to go over it. It is not completed and we have some adjustments that will need made.

FULTON COUNTY AREA PLAN COMMISSION
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Randy asked how long it will take to complete the comprehensive plan. He then stated he would like to see the plan once it was completed and ready for review.

Heather stated she was still a little confused from last meeting. She needed clarification whether she would finish putting the comprehensive plan together or do they want it sent out to an independent company.

Randy stated he was asked again by Bryan Lewis whether we needed an independent company to look over it before we adopt it. Since Casi has been working on it over two to three years, concerns were maybe some of it is already outdated. He then stated the last conversation with Bryan Lewis, they did not feel it was necessary to hire a consulting firm.

The Board then agreed to have Heather finish the comprehensive plan and Gloria Carvey would receive a copy of the rough draft to go over.

IN RE: BOARD COMMENTS

IN RE: ADJOURNMENT

With no further business to come before the Board, Randy Sutton entertained a motion to adjourn the April 25, 2022 meeting. Rick Ranstead moved to adjourn the April 25, 2022 Fulton County Area Plan Commission Board at 8:45 P.M. Debbie Barts seconded the motion. Motion carried as follows: Debbie Barts, Mark Kepler, Phil Miller, Gloria Carvey, Cathy Miller, Seth White, Rick Ranstead, Crystal Weida, Ruth Gunter and Randy Sutton being in favor and no one opposing.

Kim Gard, Administrative Secretary

North Shore Estates Replat

North Shore Estates is located at North Shore Drive and Federal Rd.
They would like to replat lots 6 through 10 into A&B.
Attached is the survey of the replat.

NORTH SHORE ESTATES

Subdivision Replat of Lots 6, 7, 8, 9, & 10

NOTES:

1. THE PURPOSE OF THIS RE-PLAT IS TO SPLIT ORIGINAL LOTS 8, 9, & 10 (FOUND IN INSTRUMENT #202102682) IN TO TWO LOTS DIVIDING THE NOW BUILT DUPLEXES DOWN THE EXISTING COMMON WALL. LOTS #6 AND #7 WERE SPLIT AT THE OWNERS LOCATION OF NEW LINE(S) AS SHOWN.
2. APPARENT BASE FLOOR ELEVATION OF LAKE MANTOU IS 790.8 ACCORDING TO PUBLISHED DATA FROM DNR.
3. ALL HOMES SHALL BE BUILT SO THAT THE FINISHED FLOOR ELEVATION OF THE LOWEST LIVING SPACE MUST EXCEED THE BASE FLOOR ELEVATION BY 2.2 FEET.
4. ALL LOTS NEED TO BE GRADED TO FINISH GRADE ELEVATION TO FACILITATE DRAINAGE AWAY FROM THE HOME IN ACCORDANCE WITH THE FINISHED FLOOR REQUIREMENT.
5. ALL BUILDING SETBACKS SHALL BE DICTATED BY THE MOST CURRENT EDITION OF THE FULTON COUNTY ZONING ORDINANCE AT THE TIME OF LOT DEVELOPMENT.
6. PROPOSED DEVELOPMENT IS WITHIN THE CITY OF ROCHESTER CORPORATE LIMITS.
7. THE PLAT IS BASED ON THE NORTH SHORE ESTATES SUBDIVISION OF LOTS #6, #7, AND #8 RECORDED IN INSTRUMENT #202102682.
8. THE MONUMENTS SET ON NORTH SHORE DRIVE WERE SET ON THE PROPERTY LINES, DIRECTLY BEHIND THE SIDEWALK.
9. THE SOUTH LINE OF LOTS #6A & #7A RUNS IN BETWEEN THE TELEPHONE POSTS AND THE ELECTRIC BOX. NO CORNER WAS SET THERE BECAUSE SAID CORNER FALLS WITHIN INCHES OF THE WEST SIDE OF SAID BOXES.

DEDICATION CERTIFICATE:
 I, KEN HOFF, K. H. PROPERTIES, LLC, THE UNDERSIGNED OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT I HAVE RELATED LOTS #6, #7, #8, #9, & #10 OF NORTH SHORE ESTATES SUBDIVISION REPLAT OF LOTS #6, #7, #8, #9, AND #10 (S/AID SUBDIVISION SHOWN IN INSTRUMENT #202102682) TO NOW BE KNOWN AND RENUMBERED AS LOTS #6A & #6B, LOTS #7A & #7B, LOTS #8A & #8B, LOTS #9A & #9B, AND LOTS #10A & #10B. CLEAR TITLE TO THE LAND CONTAINED IN THE PLAT IS GUARANTEED. (ANY ENCUMBRANCES AND SPECIAL ASSESSMENTS ARE EXPLAINED AS FOLLOWS).

- THE SETBACK LINES SHALL BE DETERMINED BY THE REGULATIONS OF THE FULTON COUNTY ZONING ORDINANCE OF CURRENT ADAPTATION.
- THERE ARE STRIPS OF GROUND SHOWN ON THIS PLAT AND MARKED EASEMENT, RESERVED FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES. WITHIN THESE EASEMENTS, NO STRUCTURE, PLANTING, OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF UTILITIES OR WHICH MAY OBSTRUCT OR RETARD THE FLOW OF WATER THROUGH DRAINAGE CHANNELS IN THE EASEMENTS. THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER OF THE LOT, EXCEPT FOR THOSE IMPROVEMENTS FOR WHICH A PUBLIC AUTHORITY OR UTILITY IS RESPONSIBLE.

- THE RIGHT TO ENFORCE THESE PROVISIONS BY THE INJUNCTION, TOGETHER WITH THE RIGHT TO CAUSE THE REMOVAL, BY DUE PROCESS OF LAW, OF ANY STRUCTURE OR PART THEREOF ERRECTED OR MAINTAINED IN VIOLATION HEREOF, IS DEDICATED TO THE PUBLIC, AND RESERVED TO THE OWNERS OF THESE LOTS IN THIS SUBDIVISION AND TO THEIR HEIRS AND ASSIGNS.

KENNETH HOFF
 1021 EAST OLSON ROAD
 ROCHESTER, IN 46975

STATE OF INDIANA)
) COUNTY OF FULTON)

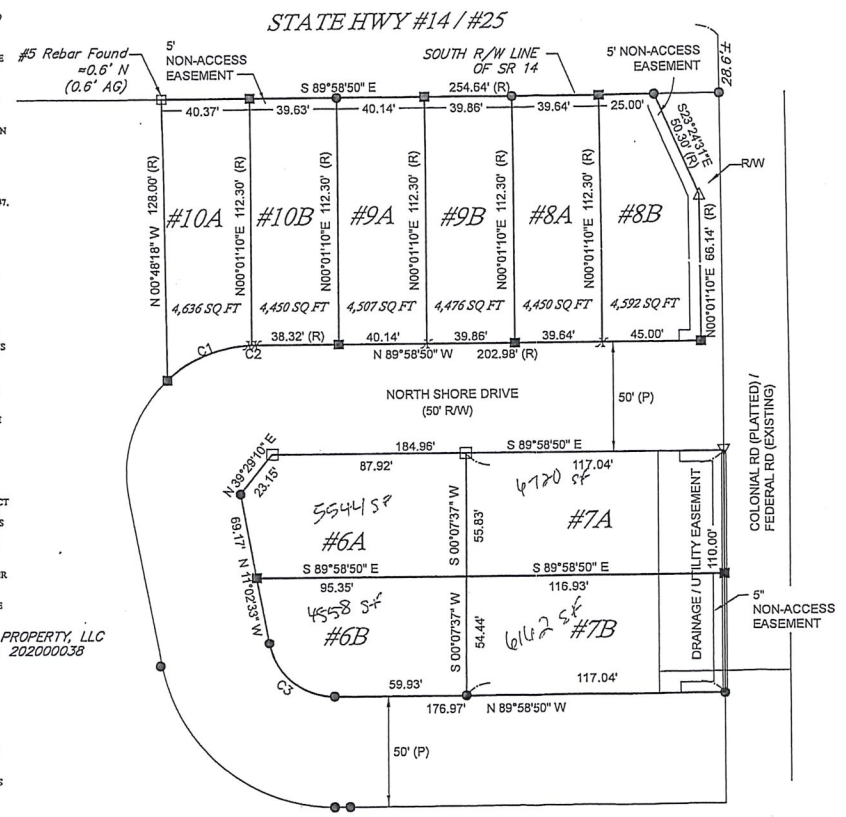
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE PERSONALLY APPEARED,
 KENNETH HOFFMAN,
 WHO ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS VOLUNTARY ACT AND DEED FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS 14 DAY OF JUNE, 2022.

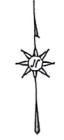
NOTARY PUBLIC
 COUNTY OF RESIDENCE-FULTON

MY COMMISSION EXPIRES 2-15-2030

SAMANTHA HYDE
 My Commission Expires
 February 15, 2030
 Commission Number NP0739208
 Fulton County



COORD	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	BEAT ANGLE
C1	58.45'	(M) 42.54'	(M) 41.81'	(M) N 67°48'49" W	41°42'01"
C2	58.45'	(M) 1.31'	(M) 1.31'	(M) N 81°18'18" W	11°52'50"
C3	50.00'	(P) 41.33'	(P) 38.31'	(M) N 50°10'48" W	7°58'17"



LEGEND

- #5 STEEL REBAR FOUND (NO CAP)
- △ MAGNAIL PLUMB
- #5 STEEL REBAR FOUND (ALOI CAP)
- #5 STEEL REBAR SET (WHITE CAP)
- × NO MONUMENT SET (FALLS IN CONCRETE DRIVE)
- ▽ SURVEY MARK SPIKE SET

SUBDIVISION COVENANTS

1. All lot improvements shall be to North Shore Drive.
2. All lot driveways shall be constructed of concrete or stone pavers.
3. Private fences shall not be constructed within the subdivision.
4. A driveway shall be constructed to accommodate with City of Rochester design and construction standards along North Shore Drive to front of Lots 10 and 11. Driveway construction shall be the responsibility of each lot developer to the back of each lot and each lot. Each lot owner shall be responsible for signing and work according to grade and proximity to applicable. Driveway construction shall be completed prior to issuance of building occupancy permit.

DRAINAGE BOARD APPROVAL
 Approved by the Fulton County Drainage Board
 on June 11, 2022

UNDER AUTHORITY PROVIDED BY IC 14-3-36, SUBDIVISION CONTROL, AND ANY APPLICABLE ORDINANCES, AND AFTER PROPER NOTICE OF PUBLIC HEARINGS HAS BEEN GIVEN, THE FOLLOWING SHALL BE THE APPROVAL BY THE FULTON COUNTY PLANNING COMMISSION AS FOLLOWS:
 APPROVED BY THE FULTON COUNTY PLANNING COMMISSION AT A MEETING HELD _____ 2022

 PLANNING COMMISSION OFFICER

 PLANNING COMMISSION OFFICER

I, SETH A. WHITE, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF INDIANA AND THAT THIS PLAT CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION CONTROL ACT, IC 14-3-36, THAT ARE APPLICABLE TO THIS PLAT AND TO THE LAND SHOWN THEREON. I HAVE REVIEWED THE RECORDS OF THE FULTON COUNTY PLANNING COMMISSION AND THE RECORDS OF THE FULTON COUNTY ZONING DEPARTMENT AND I HAVE DETERMINED THAT THE PLAT IS IN ACCORDANCE WITH THE FULTON COUNTY ZONING ORDINANCE AND THE RECORDS OF THE FULTON COUNTY ZONING DEPARTMENT. I HAVE ALSO REVIEWED THE RECORDS OF THE FULTON COUNTY ZONING DEPARTMENT AND I HAVE DETERMINED THAT THE PLAT IS IN ACCORDANCE WITH THE FULTON COUNTY ZONING ORDINANCE AND THE RECORDS OF THE FULTON COUNTY ZONING DEPARTMENT.

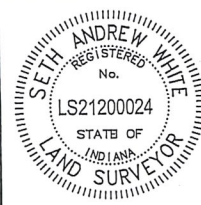
Date: 6/14/2022
 SETH A. WHITE
 REGISTERED LAND SURVEYOR NO. 220664
 STATE OF INDIANA
 SETH WHITE SURVEYING, LLC
 7801 SOUTH 1000 WEST
 KEWANNA, IN 46939
 TEL: (317) 817-0511

PLAN PREPARER:
 Seth White Surveying, LLC
 7801 South 1000 West
 Kewanee, IN 46939
 574-817-0511

OWNER/DEVELOPER:
 KH PROPERTY, LLC
 1021 East Olson Road
 Rochester, IN 46975
 574-376-5875

I, SETH A. WHITE, AFFIRM UNDER THE PENALTIES OF PERJURY THAT I HAVE TAKEN THE NECESSARY PRECAUTIONS TO VERIFY THE ACCURACY OF EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS INDICATED OTHERWISE BY LAW.

SETH A. WHITE



SETH WHITE SURVEYING, LLC
 7801 SOUTH 1000 WEST,
 KEWANNA, INDIANA 46939
 PHONE: (317) 817-0511
 SETH A. WHITE P.L.S.

PROJECT NUMBER: 220604

AUTHORIZED BY: SETH WHITE
 JOB NAME: NORTH SHORE REPLAT

DATE: JUNE 12, 2022

SCALE: 1" = 50'

SHEET 1 OF 1





Fee Summary Paid Totals

05/01/2022 - 05/31/2022

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	\$2,000.00	30
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$350.65	30
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.20301.000.0036	\$240.00	6
A-2. County, Akron, & Town of Fulton COMMERCIAL - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$80.00	1
A-2. County, Akron, & Town of Fulton COMMERCIAL-Permit Fee		1001.20301.000.0036	\$52.50	1
			\$2,723.15	68

Group Total: 5

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$183.32	14
B-1. City of Rochester Residential-Inspection Fee	Enter Number of Inspections	1001.20302.000.0036	\$400.00	14
B-2. CITY OF		1001.20302.000.0036	\$120.00	6

ROCHESTER ELECTRICAL PERMIT				
B-3. City of Rochester COMMERCIAL Permit Fee		1001.20302.000.0036	\$663.00	2
B-4. City of Rochester COMMERCIAL- Inspection Fee		1001.20302.000.0036	\$240.00	2
			\$1,606.32	38

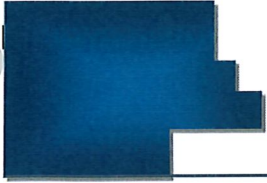
Group Total: 5**Group: 1001.20303.000.0036**

BZA. Development Standard Variance		1001.20303.000.0036	\$175.00	1
BZA. Special Exception		1001.20303.000.0036	\$350.00	2
ZO. LIP		1001.20303.000.0036	\$1,550.00	31
			\$2,075.00	34

Group Total: 3

			\$6,404.47	140
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Total Records: 13**6/1/2022****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

[AppLabel] Fe

05/01/2022 - 05/31/2022

Fee Date	Account Number	Contractor Name	Fee Name	Paid By	Fee Amount	Payment Type	Payment Date	Receipt #
5/4/2022	1001.20302.000.0036	Lan-Con	Electrical Registration Fee	applicant	10.00	Check	5/4/2022	142
5/17/2022	1001.20302.000.0036	Bradley Heating & Cooling	Electrical Registration Fee		10.00	Card	5/17/2022	143
5/23/2022	1001.20302.000.0036	TAK Enterprises LLC	Electrical Registration Fee	Applicant	10.00	Cash	5/23/2022	144
5/17/2022	1001.20302.000.0036	Bradley Heating & Cooling	Plumbing Registration Renewal Fee		10.00	Card	5/17/2022	143
5/23/2022	1001.20302.000.0036	TAK Enterprises LLC	Plumbing Registration Renewal Fee	Applicant	10.00	Cash	5/23/2022	144
					50.00			

Total Records: 5

6/1/2022

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