

***FULTON/KEWANNA
BOARD OF ZONING APPEALS***

KEWANNA TOWN HALL
TUESDAY SEPTEMBER 6, 2022
7:00 P.M.

CALL TO ORDER

**BOARD OF ZONING APPEALS MINUTES:
MARCH 7, 2022**

OLD BUSINESS:

Victoria Martindale (#210693)

NEW BUSINESS:

Verlin Klinefelter/Chris Brown (#220477)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON/KEWANNA BOARD OF ZONING APPEALS
MARCH 7, 2022

FULTON/KEWANNA
BOARD OF ZONING APPEALS

TUESDAY MARCH 7, 2022

7:00 P.M.
KEWANNA TOWN HALL

CALL TO ORDER

ELECTION OF OFFICERS

ADOPTION OF MEETING RESOLUTION

BOARD OF ZONING APPEALS MINUTES:

November 1, 2021

OLD BUSINESS

NEW BUSINESS
Stephen Hancock(#220041)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON/KEWANNA BOARD OF ZONING APPEALS
MARCH 7, 2022

The Fulton/Kewanna Board of Zoning Appeals met on 7th day of March 2022, at 7:00 P.M. in the Kewanna Town Hall. Executive Director, Heather Redinger called the meeting to order at 7:00 P.M. The following members were present: Kimberly Brockus, Kathy Hobbs and Larry Baldwin. Also in attendance 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. Kathy Hobbs nominated Larry Baldwin as Chairperson. Kimberly Brockus seconded the nomination. Being no further nominations, Kathy Hobbs moved to close the nominations for Chairperson. Kimberly Brockus seconded the motion. Motion carried as follows: Kimberly Brockus, Kathy Hobbs and Larry Baldwin all being in favor and no one opposing. Larry Baldwin was elected as Chairperson for the Fulton/Kewanna Board of Zoning Appeals.

Chairperson, Larry Baldwin, opened the floor to nominations for Vice-Chairperson. Larry Baldwin nominated Kathy Hobbs as Vice-Chairperson. Kimberly Brockus seconded the nomination. Being no further nominations, Larry Baldwin moved to close the nominations for Vice-Chairperson. Rachel Moore seconded the motion. Motion carried as follows: Kimberly Brockus, Kathy Hobbs and Larry Baldwin all being in favor and no one opposing. Kathy Hobbs was elected as Vice-Chairperson for the Fulton/Kewanna Board of Zoning Appeals.

Larry Baldwin asked for nominations for Executive Secretary. Kathy Hobbs nominated Kimberly Brockus as Executive Secretary. Larry Kimble seconded the nomination. Motion carried as follows: Kimberly Brockus, Kathy Hobbs and Larry Baldwin all being in favor and no one opposing. Rachael Moore was elected as Executive Secretary for the Fulton/Kewanna Board of Zoning Appeals.

Larry Baldwin stated the Board needed to appoint an Administrative Secretary. Kathy Hobbs nominated Kim Gard as Administrative Secretary. Larry Kimble seconded the nomination. Motion carried as follows: Kimberly Brockus, Kathy Hobbs and Larry Baldwin all being in favor and no one opposing. Kim Gard was appointed as the Fulton/Kewanna Board of Zoning Appeals Administrative Secretary.

Larry Baldwin stated the Board needed to hire an Attorney to represent them. Kathy Hobbs moved to hire PW&P Law Office, Rochester, IN. Rachael Moore seconded the motion. Motion carried as follows: Kimberly Brockus, Kathy Hobbs and Larry Baldwin all being in favor and no one opposing. PW&P Law Office was hired as the Fulton/Kewanna Board of Zoning Appeals Attorney.

IN RE: ADOPTION OF MEETING RESOLUTION

Larry Baldwin, read Resolution 03072022 regarding the meeting dates and times for the Fulton/Kewanna Board of Zoning Appeals in 2022. Larry Baldwin entertained a motion to adopt Resolution 03072022 Rachael Moore moved to adopt Resolution 03072022 for the Fulton/Kewanna Board of Zoning Appeals meeting dates and times in 2022. Kathy Hobbs seconded the motion. Motion carried as follows: Kimberly Brockus, Kathy Hobbs and Larry Baldwin all being in favor and no one opposing. Resolution 03072022 reads as follows:

RESOLUTION 03072022

FULTON/KEWANNA BOARD OF ZONING APPEALS
MARCH 7, 2022

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

WHEREAS, the Fulton/Kewanna Board of Zoning Appeals has established that they will meet on the first (1st) Monday each month at 7:00 P.M. in the Kewanna Town Hall unless that Monday falls on a County observed Holiday, then the meeting will be held on the first (1st) Tuesday at 7:00 P.M. in the Kewanna Town Hall.

WHEREAS, the Fulton/Kewanna 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/Kewanna Board of Zoning Appeals that:

1. The Fulton/Kewanna Board of Zoning Appeals will meet on the first (1st) Monday every month at 7:00 P.M. in the Kewanna Town Hall unless that Monday falls on a County observed Holiday, then the meeting will be held on the first (1st) Tuesday at 7:00 P.M. in the Kewanna Town Hall.
2. Other meetings will be scheduled and a public notice will be given.

Adopted this 7th day of March 2022.

FULTON/KEWANNA BOARD OF ZONING APPEALS

Chairperson

Vice Chairperson

Executive Secretary

ATTEST: _____

Heather Redinger, Administrative Secretary

**FULTON/KEWANNA BOARD OF ZONING APPEALS
MARCH 7, 2022**

IN RE: MINUTES

November 1, 2021

Larry Baldwin asked for any additions, deletions, or corrections to be made to the November 1, 2021 minutes. Kathy Hobbs moved to approve the November 1, 2021 minutes. Kimberly Brockus seconded the motion. Motion carried as follows: Kimberly Brockus, Kathy Hobbs and Larry Baldwin all being in favor and no one opposing.

IN RE: OLD BUSINESS

Kathy asked about a petition that took place in November, if the Martindale's have moved the chickens. Larry Baldwin stated they have moved them to the other side of the property.

IN RE: NEW BUSINESS

Stephen Hancock (#220041)
Development Standard Variance

Stephen Hancock (#220041) is requesting a Development Standard Variance to allow a cargo container on property located at 408 N Troutman St., Kewanna IN 46939, within the Kewanna (KW) District.

In the Town of Kewanna no vehicle, tractor, semitrailer, railroad bulk storage container, cargo container or similar type of trailer/storage may be located on any parcel or lot. Mr. Hancock would like to set a cargo container on his property. The cargo container would be placed behind the home in the wooded area. In the future he plans to build a barn in front of the container. Therefore, a variance to allow a cargo container is being requested.

Larry asked the petitioner if he was building a barn in front of the container.

Petitioner stated he is and has already applied for the permits.

Larry stated he has spoken to one neighbor and she didn't have any problems with the petition.

Larry Baldwin asked the petitioner if they had anything further to add at this time.

They did not have anything at this time.

Larry Baldwin entertained a motion to open the public hearing. Kathy Hobbs moved to open the public hearing. Kimberly Brockus seconded the motion. Motion carried as follows: Kimberly Brockus, Kathy Hobbs and Larry Baldwin all being in favor and no one opposing.

Heather stated the petitioner had 6 interested parties, she also spoke with Joann who is one of the interested parties and has no issues with the petition.

Andy asked Heather if the variance was for this container only or would it apply to any others he wanted to set on the property.

Heather stated the variance was for this one container only any others would need a variance.

Being no further public questions or comments, Larry Baldwin entertained a motion to close the public hearing. Kathy Hobbs moved to close the public hearing. Kimberly Brockus seconded the motion. Motion

FULTON/KEWANNA BOARD OF ZONING APPEALS
MARCH 7, 2022

carried as follows: Kimberly Brockus, Kathy Hobbs and Larry Baldwin all being in favor and no one opposing.

Mr. Baldwin asked if there were any further Board comments, being none, he then entertained a motion. Kathy Hobbs moved to approve Stephen Hancock (#220041) is requesting a Development Standard Variance to allow a cargo container on property located at 408 N Troutman St., Kewanna IN 46939, within the Kewanna (KW) District. Kimberly Brockus seconded the motion.

The Board members filled out there finding of facts. Heather then took roll call vote.

Kathy Hobbs	Yea
Kimberly Brockus	Yea
Larry Baldwin	Yea

Motion to approve Stephen Hancock (#220041) is requesting a Development Standard Variance to allow a cargo container on property located at 408 N Troutman St., Kewanna IN 46939, within the Kewanna (KW) District. Passed with three votes being in favor and no one opposed.

IN RE: PLAN DIRECTOR REPORT

Heather answered Mr. Rudes question in regards to several cargo containers in town with walk ways to each of them.

Heather stated they are remodeling some apartments and are using them for storage of construction materials and the walk ways are because the muddy ground.

IN RE: ADJOURNMENT

Being no further business to come in front of the Board of Zoning Appeals, Larry Baldwin, entertained a motion to adjourn the March 7, 2022 Fulton/Kewanna Board of Zoning Appeals meeting Larry Kimble moved to adjourn the March 7, 2022 Fulton/Kewanna Board of Zoning Appeals meeting at 7:25 P.M. John Moore seconded the motion. Motion carried as follows: Kimberly Brockus, Kathy Hobbs and Larry Baldwin all being in favor and no one opposing.

FULTON/KEWANNA BOARD OF ZONING APPEALS

ATTEST: _____
Kim Gard, Administrative Secretary

Docket #210693
Victoria Martindale
Special Exception
Renewal

Victoria Martindale is requesting a renewal of the special exception granted to allow chickens on their property located at 307 S Smith St., Kewanna IN, within the Kewanna (KW) District, on November 01, 2021.

Victoria Martindale were granted their request upon these conditions:

- 1) the ten (10) chickens and no ducks will be moved away from the adjoining neighbors within 30 days of decision
 - 2) the petition will be reviewed in one (1) year.
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Docket #220477
Verlin Klinefelter/Chris Baldwin
Development Standard Variance

Verlin Klinefelter/Chris Baldwin (#220477) is requesting a Development Standard Variance of 10' off of the front yard setback, for the purpose of an attached carport, on property located 303 E Park St., Kewanna IN 46939, within the Kewanna (KW) District

In the (KW) district the front setback is 10'. Verlin Klinefelter/Chris Baldwin would like to construct an attached carport that would sit less than 1' off of the front yard setback. Therefore, a variance of 10' off of the front yard setback is being requested.

Verlin Klinefelter/Chris Baldwin (#220477) is requesting a Development Standard Variance of 10' off of the front yard setback, for the purpose of an attached carport, on property located 303 E Park St., Kewanna IN 46939, within the Kewanna (KW) District.

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 A Special Exception Before the Fulton and Kewanna Board of Zoning Appeals supplied to you by the applicant of said public hearing,

Verlin Klinefelter #220477

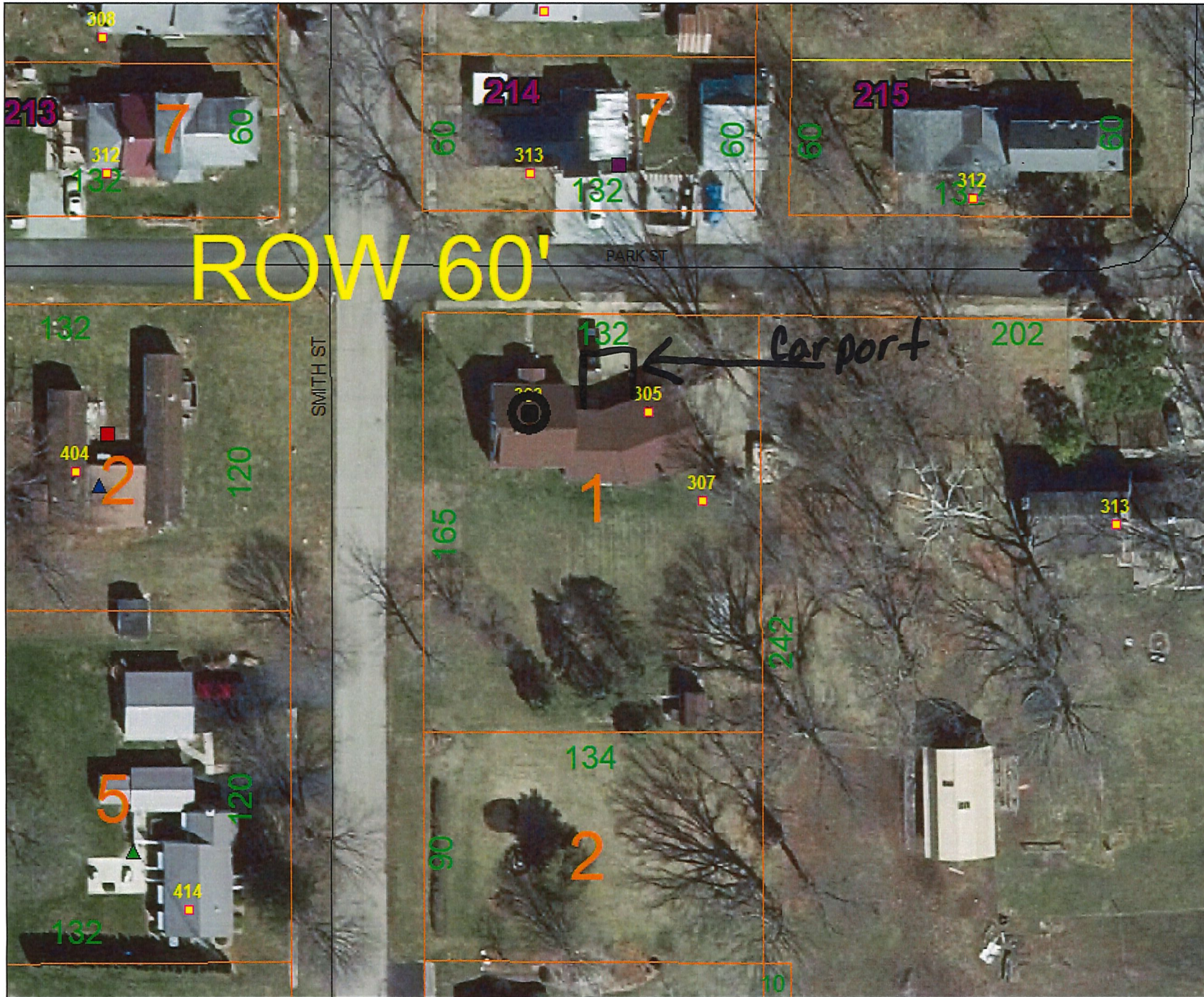
Located at: 305 E Park St., Kewanna, IN 46939

Legal Notification Requires:

- The legal notice of public hearing is sent via certified return receipt requested mail at least 25 days prior to the public hearing to all interested parties, and the receipts of said action are included in the application's supportive information to the Board; or
- Signatures written on a form supplied by the Plan Commission Office are presented with the application's supportive information to the Plan Commission Office verifying that each interested party received a copy of the Notice of Public Hearing.

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
Rachelle J & Jose L Roman	313 S Smith St Kewanna, IN 46939	✓ CC
Cole Nilson	404 S Smith St Kewanna, IN 46939	✓ CC
Gregory J & Judy A Collins	P O Box 112 Kewanna, IN 46939	<i>Gregory Collins</i>
Nickey Klinefelter Jr	PO Box 292 Kewanna, IN 46939	<i>Nickey Klinefelter Jr</i>
Diane S Miller	1944 N 375 E Kewanna, IN 46939	✓ ✓ ✓ FL
Mark & Tari Bateman	321 Southwood Shores Dr Coldspring, TX 77331	✓ CC
Larry Joe & Karen Jo Good	Po Box 307 Kewanna, IN 46939	<i>Larry Joe Good</i>

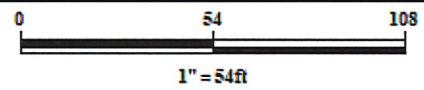


ROW 60'

Carport

- Parcels
- Townships
- City Town Boundary
- Addresses
- ▲ Permits - Primary
- ▲ Permits - Accessory
- Debris/Refuse/Waste
- Illegal Structure
- Parcels
- Lots
- Dimensions
- Highways
- Roads
- fchd-permit

19' wide
 21' E Long
 27' W Long





Fee Summary Paid Totals

07/01/2022 - 07/31/2022

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	\$2,138.20	20
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$748.74	20
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	\$160.00	2
A-2. County, Akron, & Town of Fulton COMMERCIAL-Permit Fee		1001.20301.000.0036	\$25.00	2
			\$3,151.94	46

Group Total: 5

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$152.50	11
B-1. City of Rochester Residential-Inspection Fee	Enter Number of Inspections	1001.20302.000.0036	\$380.00	10
B-2. CITY OF		1001.20302.000.0036	\$40.00	2

ROCHESTER ELECTRICAL PERMIT				
B-3. City of Rochester COMMERCIAL Permit Fee		1001.20302.000.0036	\$20.00	2
B-4. City of Rochester COMMERCIAL-Inspection Fee		1001.20302.000.0036	\$60.00	2
B-5. City of Rochester Residential-Renewal		1001.20302.000.0036	\$5.00	1
			\$657.50	28

Group Total: 6

Group: 1001.20303.000.0036

BZA. Development Standard Variance		1001.20303.000.0036	\$700.00	4
BZA. Special Exception		1001.20303.000.0036	\$175.00	1
PC. County Residential Primary Plat	Enter number of lots	1001.20303.000.0036	\$750.00	1
PC. Residential Secondary Plat - All Jurisdictions		1001.20303.000.0036	\$100.00	1
ZO. LIP		1001.20303.000.0036	\$1,550.00	31
ZO. Signs	Enter Square Feet	1001.20303.000.0036	\$222.00	1
ZO. Site Plan Review - TRC		1001.20303.000.0036	\$175.00	1
ZO. Solar Array- Small		1001.20303.000.0036	\$80.00	1
			\$3,752.00	41

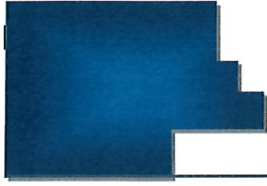
Group Total: 8

			\$7,561.44	115
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Total Records: 19

8/1/2022

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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

[AppLabel] F

07/01/2022 - 07/31/2022

Fee Date	Account Number	Contractor Name	Fee Name	Paid By	Fee Amount	Payment Type	Payment Date	Receipt #
7/25/2022	1001.20302.000.0036	Gen X Electrical Solutions, LLC	Electrical Registration Fee	Applicant	10.00	Check	7/25/2022	148
7/5/2022	1001.20302.000.0036	Herrman & Goetz, INC.	Electrical Registration Fee		10.00	Check	7/5/2022	146
7/19/2022	1001.20302.000.0036	DG Electric	Electrical Registration Fee	Applicant	10.00	Check	7/19/2022	147
					30.00			

Total Records: 3

8/1/2022

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