

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

FULTON COUNTY OFFICE BUILDING
COMMISSIONERS/COUNCIL ROOM
WEDNESDAY, OCTOBER 11, 2023
7:00 P.M.

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR:

SEPTEMBER 13, 2023

OLD BUSINESS:

NEW BUSINESS:

Nolan Imhoff (#230625)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

**FULTON COUNTY BOARD OF ZONING APPEALS
SEPTEMBER 13, 2023**

**FULTON COUNTY
BOARD OF ZONING APPEALS**

WEDNESDAY, SEPTEMBER 13, 2023

7:00 P.M.

COMMISSIONERS/COUNCIL ROOM

BOARD OF ZONING APPEALS MINUTES FOR:

AUGUST 09, 2023

OLD BUSINESS:

Keith & Wilma Imhoff (220692)

NEW BUSINESS

Bryan Tam (#230611)

Oscar & Christina Haughs (#230635)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

**FULTON COUNTY BOARD OF ZONING APPEALS
SEPTEMBER 13, 2023**

The Fulton County Board of Zoning Appeals met on Wednesday the 13th day of September 2023, at 7:00 P.M. in the Commissioners/Council Room located in the Fulton County Office Building. Chairperson, Scott Hizer called the meeting to order at 7:00 P.M. The following members were present: Barry Baldwin, Seth Wilson, Phil Miller and Scott Hizer. Also, in attendance were: Executive Director, Heather Redinger, Administrative Secretary, Kim Gard and Board Attorney, Andy Perkins

It is duly noted Debbie Barts was absent.

IN RE: MINUTES

August 09, 2023

Chairperson, Scott Hizer, asked for any additions, deletions or corrections to be made to the August 09, 2023 minutes. Phil Miller moved to approve the August 09, 2023 Fulton County Board of Zoning Appeals minutes, Seth Wilson seconded the motion. Motion carried as follows: Barry Baldwin, Seth Wilson, Phil Miller and Scott Hizer being in favor and no one opposing.

IN RE: OLD BUSINESS

Keith and Wilma Imhoff (220692)

Keith & Wilma Imhoff (#220692) is requesting a review of the Special Exception that was approved on November 09, 2022 with the condition to be reviewed in one year to operate a kennel, on property located at 4136 E 550 N Rochester, within the Agricultural (AG) District, 4.72 acres.

Mr. & Mrs. Imhoff would like to utilize his existing building that is approximately 19' x 17' to operate the kennel. There will be an outside puppy area approximately 12' x 10'. There will be five outside kennels that will be approximately 3' x 8'. There is an outside run that will have a 3' or 4' fence. Mr. Imhoff stated there will be a fence and trees so there is no excessive barking. There are no neighbors close to where the kennels will be located. Mr. Imhoff stated the breeds would be dachshund and chihuahua. The hours of operation would be between the hours of 8 AM and 5 PM. No sign will be needed at this time.

Mr. Imhoff called on July 5, 2023 and stated he would have 8 adult dogs.

At this time the Planning Commission has not been contacted with any concerns or complaints.

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 then open public hearing.

Scott Hizer asked if anyone would like to speak in favor or oppose the petition.

Being no further comment, Scott closed public hearing.

Scott then asked for any board discussion.

FULTON COUNTY BOARD OF ZONING APPEALS
SEPTEMBER 13, 2023

Being no further Board comments Scott entertained a motion. Barry Baldwin moved to approve Keith & Wilma Imhoff (#220692) requesting a review of the Special Exception that was approved on November 09, 2022 to operate a kennel, on property located at 4136 E 550 N Rochester, within the Agricultural (AG) District, 4.72 acres. Phil Miller seconded. Motion carried as follows: Barry Baldwin, Seth Wilson, Phil Miller and Scott Hizer being in favor and no one opposing.

IN RE: NEW BUSINESS

Bryan Tam (#230611)

Bryan Tam (#230611) is requesting a Special Exception to allow a medium ground mount solar array, on property located east of 6249 S 300 W, on parcel 005-102004-01., Rochester, IN 46975 within the Agricultural (AG) District, 146.86 total acres.

FC ordinance 5-1.5 Solar Energy Systems (SES) Standards (SE) SE-07: 4. Medium (1750 – 40,00sf) and Large (40,000 to 435,600) systems are special exception uses in the AG, AP, RR, SR, KW, IR, HC, VC, GC, IN, and IU Districts. Bryan Tam would like to erect approximately 17,875 s/f solar array on their property south east of their home and north of the hog barns. Therefore, a special exception to allow a medium ground mount solar array is be requested.

FC ordinance 5-1.5 Solar Energy Systems (SES) Standards (SE) SE-07: 2. A Technical Review Committee (TRC) site plan approval is required for Medium- and Large-scale solar energy systems prior to building permit approval.

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 then open public hearing.

Scott Hizer asked if anyone would like to speak in favor or oppose the petition.

Christine Bennett, 3350 S 500 W, Kewanna IN 46939, aske where the solar array was going to be located. Mrs. Bennett stated she has not problem with the petition.

Being no further comment, Scott closed public hearing.

Scott then asked for any board discussion.

Being no further Board comments Scott entertained a motion. Barry Baldwin moved to approve Bryan Tam (#230611) requesting a Special Exception to allow a medium ground mount solar array, on property located east of 6249 S 300 W, on parcel 005-102004-01., Rochester, IN 46975 within the Agricultural (AG) District, 146.86 total acres. Phil Miller seconded.

Administrative Secretary, Kim Gard conducted roll call vote.

Barry Baldwin Yea

**FULTON COUNTY BOARD OF ZONING APPEALS
 SEPTEMBER 13, 2023**

Seth Wilson	Yea
Phil Miller	Yea
Scott Hizer	Yea

Motion to approve approve Bryan Tam (#230611) is requesting a Special Exception to allow a medium ground mount solar array, on property located east of 6249 S 300 W, on parcel 005-102004-01., Rochester, IN 46975 within the Agricultural (AG) District, 146.86 total acres. Passed with four votes being in favor and no one opposed.

IN RE: NEW BUSINESS

Oscar & Christina Haughs (#230635)

Oscar & Christina Haughs (#230635) are requesting development standard variances of 10' off of the side yard setback and 15' off of the front yard setbacks for the purpose of a new home on property located at (009-112151-00) south of 2588 N 450 E, Rochester IN, within the Agriculture (AG) district.

In the Agriculture (AG) district the front yard setback is 50' and the side yard setbacks are 30'. Due to the existing barn to the north and the silos to the south, Mr. and Mrs. Haughs would like to construct a new home that would sit approximately 35' off of the front property line and approximately 20' from the south side property line. Therefore, variances of 10' off of the side yard setback and 15' off of the front yard setbacks are 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 then opened public hearing.

Scott Hizer asked if anyone would like to speak in favor or oppose the petition.

Being no further comment, Scott closed public hearing.

Scott then asked for any board discussion.

Being no further Board comments Scott entertained a motion. Debbie Barts moved to approve Oscar & Christina Haughs (#230635) requesting development standard variances of 10' off of the side yard setback and 15' off of the front yard setbacks for the purpose of a new home on property located at (009-112151-00) south of 2588 N 450 E, Rochester IN, within the Agriculture (AG) district.

Administrative Secretary, Kim Gard conducted roll call vote.

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

**FULTON COUNTY BOARD OF ZONING APPEALS
SEPTEMBER 13, 2023**

Motion to approve Oscar & Christina Haughs (#230635) requesting development standard variances of 10' off of the side yard setback and 15' off of the front yard setbacks for the purpose of a new home on property located at (009-112151-00) south of 2588 N 450 E, Rochester IN, within the Agriculture (AG) district. Passed with four votes being in favor and no one opposed.

IN RE: PLAN DIRECTOR REPORT

Heather presented the board with the end of the month reports.

Being no further business to come in front of the Board of Zoning Appeals, Scott Hizer, entertained a motion to adjourn the September 13, 2023 Fulton County Board of Zoning Appeals meeting. Seth Wilson moved to adjourn the September 13, 2023 Fulton County Board of Zoning Appeals meeting at 7:30 P.M. Barry Baldwin seconded the motion. Motion carried as follows: Barry Baldwin, Seth Wilson, Phil Miller and Scott Hizer being in favor and no one opposing.

FULTON COUNTY BOARD OF ZONING APPEALS

ATTEST: _____

Kim Gard, Administrative Secretary

Docket #230625
Nolan Imhoff
Development Standard Variance

Nolan Imhoff (#230625) is requesting a development standard variance of approximately 75' off of the minimum lot width for the purpose of a split, on property located at 008-102037-02 west of 2770 W 600 N. Rochester, within the Agriculture (AG) district.

In the Agriculture (AG) district the minimum lot with is 125'. Mr. Imhoff would like to split approximately 3 acres off this land but will not be able to maintain 125' throughout the lot. At the road the lot would be approximately 50' for the drive way. Therefore, a variance off of the minimum lot with is being requested.

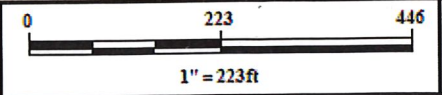
The request is for a Development Standard Variance of approximately 75' off of the minimum lot width for the purpose of a split, on property located at 008-102037-02 west of 2770 W 600 N. Rochester, within the Agriculture (AG) district.



- Townships
Feature Name:
— Richland Twp
- Parcels
 - City Town Boundary
 - Sections
- Addresses
 - ▲ Permits - Accessory
 - Bldg Permits
- Parcels
 - Lots
 - Highways
 - Roads
 - Tippecanoe River
 - fchd-permit

~~4136 550A~~

Imhoff



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 Development Standard Variance before the Fulton County Board of Zoning Appeals supplied to you by the applicant of said public hearing,

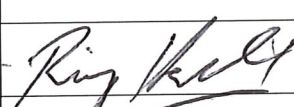
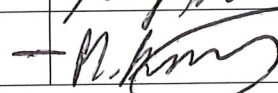
Nolan Imhoff (#230625)

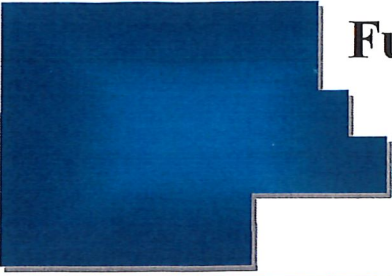
Located at: 008-I02037-02 west of 2770 W 600 N, Rochester IN

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
Jeffery K Warner	4161 E 50 S Rochester, IN 46975	GC
Ricky G & Theresa Hall	2970 W 600 N Rochester, IN 46975	
Michael S Bitterling	2857 W 600 N Rochester, IN 46975	



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

FCAPC@co.fulton.in.us

Owner Verification Form

I, Keith M Imhoff, owner of parcel located at 008-102037-02
_____, approximately 15.0 acres do certify

that, Nolan Imhoff

has my permission to split this property

On the above stated 15.0 acres.

Keith M Imhoff
Owner's Signature

8-22-23
Date

NOTARY:

State of Indiana)
County of Fulton) SS:
Subscribed and sworn before me on this _____ day of _____, 20____

Notary Public _____,
Signed _____ Printed _____



Fee Summary Paid Totals

09/01/2023 - 09/30/2023

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
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Group: 1001.20301.000.0036

A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$2,723.80	24
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$657.50	24
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.20301.000.0036	\$200.00	5
A-2. County, Akron, & Town of Fulton COMMERCIAL - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$480.00	3
A-2. County, Akron, & Town of Fulton COMMERCIAL-Permit Fee		1001.20301.000.0036	\$453.00	2
			\$4,514.30 ✓	58

Group Total: 5

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$555.00	8
B-1. City of Rochester	Enter Number of Inspections	1001.20302.000.0036	\$545.00	8

Residential- Inspection Fee				
B-2. CITY OF ROCHESTER ELECTRICAL PERMIT		1001.20302.000.0036	\$20.00	1
B-5. City of Rochester Residential- Renewal		1001.20302.000.0036	\$87.50	2
			\$1,207.50 ✓	19

Group Total: 4

Group: 1001.20303.000.0036

BZA. Development Standard Variance		1001.20303.000.0036	\$525.00	3
BZA. Special Exception		1001.20303.000.0036	\$175.00	1
Fee addition	Fee additions and/or corrections	1001.20303.000.0036	\$70.00	1
ZO. LIP		1001.20303.000.0036	\$1,700.00	34
ZO. Signs	Enter Square Feet	1001.20303.000.0036	\$311.91	1
ZO. Solar Array- Medium		1001.20303.000.0036	\$150.00	1
			\$2,931.91	41

Group Total: 6

			\$8,653.71	118
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Total Records: 15

10/2/2023

Page: 1 of 1