

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

FULTON COUNTY OFFICE BUILDING  
COMMISSIONERS/COUNCIL ROOM  
WEDNESDAY, SEPTEMBER 11, 2024  
7:00 P.M.

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**CALL TO ORDER**

**BOARD OF ZONING APPEALS MINUTES FOR:**

**AUGUST 14, 2024**

**OLD BUSINESS:**

**NEW BUSINESS:**

Jason Owens (240523)  
David Rabey (240528)  
Lanty Armstrong (240535)

**PLAN DIRECTOR REPORT**

**PUBLIC COMMENTS**

**BOARD COMMENTS**

**ADJOURNMENT**

FULTON COUNTY BOARD OF ZONING APPEALS  
AUGUST 14, 2024

**FULTON COUNTY  
BOARD OF ZONING APPEALS**

**WEDNESDAY, AUGUST 14, 2024  
7:00 P.M.  
COMMISSIONERS/COUNCIL ROOM**

**CALL TO ORDER**

**BOARD OF ZONING APPEALS MINUTES FOR:**

**JULY 10, 2024**

**OLD BUSINESS:**

**NEW BUSINESS**

Daniel Curtis (240378)  
Kenneth Janowski (240409)  
Jeff Haley (240451)  
Dennis Jeffers (240458)

**PLAN DIRECTOR REPORT**

**PUBLIC COMMENTS**

**BOARD COMMENTS**

**ADJOURNMENT**

**FULTON COUNTY BOARD OF ZONING APPEALS**  
**AUGUST 14, 2024**

The Fulton County Board of Zoning Appeals met on Wednesday the 14<sup>th</sup> day of August 2024, at 7:00 P.M. in the Commissioners/Council Room located in the Fulton County Office Building. Vice-Chairperson, Barry Baldwin called the meeting to order at 7:00 P.M. The following members were present: Phil Miller, Debbie Barts and Barry Baldwin. Also, in attendance were: Executive Director, Heather Redinger, Administrative Secretary, Kim Gard and Board Attorney, Andy Perkins.

It is duly noted Scott Hizer and Seth Wilson were absent.

IN RE:           MINUTES

July 10, 2024

Vice - Chairperson, Barry Baldwin asked for any additions, deletions or corrections to be made to the July 10, 2024 minutes. Barry Baldwin moved to approve the July 10, 2024 Fulton County Board of Zoning Appeals minutes as written, Phil Miller seconded the motion. Motion carried as follows: Phil Miller, Debbie Barts and Barry Baldwin being in favor and no one opposing.

RE: NEW BUSINESS

Daniel Curtis (#240378)

Daniel Curtis (#240378) is requesting a development standard variance of approximately 30' off of the front yard setback for the purpose of a steel carport, on property located 3735 W 800 S Kewanna IN within the Agriculture (AG) district.

In the Agriculture (AG) district, the front yard setback is 50'. Mr. Curtis would like to construct an 18' X 28' steel carport on the west side of his property that would set approximately 20' from the front property line. The proposed carport will not be any closer to the road than the home. Mr. Curtis would be approximately 40' from the center of 800 S. Therefore, a variance of 30' off of the front yard setback is being requested.

Barry Baldwin then asked the petitioner if they had anything further to add.

Being none, he then asked the Board for any questions or comments. Being none, he opened the public hearing.

Barry asked if anyone would like to speak in favor or opposition of the petition.

Being no comment, Barry closed the public hearing.

Barry asked the board for any discussion.

After Board discussion, Barry entertained a motion regarding the petition. Debbie Barts moved to approve Daniel Curtis (#240378) is requesting a development standard variance of approximately 30' off of the front yard setback for the purpose of a steel carport, on property located 3735 W 800 S Kewanna IN within the Agriculture (AG) district. Phil Miller seconded the motion.

Administrative Secretary, Kim Gard conducted roll call vote.

FULTON COUNTY BOARD OF ZONING APPEALS  
AUGUST 14, 2024

Debbie Barts            Yea  
Phil Miller             Yea  
Barry Baldwin         Yea

Motion to approve Daniel Curtis (#240378) is requesting a development standard variance of approximately 30' off of the front yard setback for the purpose of a steel carport, on property located 3735 W 800 S Kewanna IN within the Agriculture (AG) district. Passed with three votes being in favor and no one opposed.

RE: NEW BUSINESS

Kenneth Janowski (#240409)

Kenneth Janowski (#240409) is requesting a development standard variance of approximately 7'.8" of additional height for an accessory structure, on property located at 2649 SE Lakeshore Macy, IN within the Lake Residential (R3) district.

In the Lake Residential (R3) district, an accessory structure cannot exceed the height of the primary structure. Mr. Janowski would like to construct a detached 26'x24' garage that will exceed the height of the primary structure. Therefore, a variance of 7'.8" of additional height for an accessory structure is being requested.

Barry Baldwin then asked the petitioner if they had anything further to add.

Being none, he then asked the Board for any questions or comments. Being none, he opened the public hearing.

Barry asked if anyone would like to speak in favor or opposition of the petition.

Being no comment, Barry closed the public hearing.

Barry asked the board for any discussion.

After Board discussion, Barry entertained a motion regarding the petition. Phil Miller moved to approve Kenneth Janowski (#240409) is requesting a development standard variance of approximately 7'.8" of additional height for an accessory structure, on property located at 2649 SE Lakeshore Macy, IN within the Lake Residential (R3) district. Debbie Barts seconded the motion.

Administrative Secretary, Kim Gard conducted roll call vote.

Debbie Barts            Yea  
Phil Miller             Yea  
Barry Baldwin         Yea

Motion to approve Kenneth Janowski (#240409) is requesting a development standard variance of approximately 7'.8" of additional height for an accessory structure, on property located at 2649 SE Lakeshore Macy, IN within the Lake Residential (R3) district. Passed with three votes being in favor and no one opposed.

FULTON COUNTY BOARD OF ZONING APPEALS  
AUGUST 14, 2024

RE: NEW BUSINESS

Jeff Haley (#240451)

Jeff Haley (#240451) is requesting a special exception to construct a wireless communication tower, on property located at 001-108053-00, 1100 W & 600 N within the Agriculture (AG) District.

In the Agriculture (AG) district a wireless communication tower is a special exception. Mr. Haley would like to construct a 260' wireless, self-supporting communication tower. Therefore, a special exception to construct a wireless communication tower is being requested.

Barry Baldwin then asked the petitioner if they had anything further to add.

Being none, he then asked the Board for any questions or comments. Being none, he opened the public hearing.

Barry asked if anyone would like to speak in favor or opposition of the petition.

Being no comment, Barry closed the public hearing.

Barry asked the board for any discussion.

After much Board discussion in regards to landscaping and fences, Barry entertained a motion regarding the petition. Phil Miller moved to approve Jeff Haley (#240451) is requesting a special exception to construct a wireless communication tower, on property located at 001-108053-00, 1100 W & 600 N within the Agriculture (AG) District. Debbie Barts seconded the motion.

Administrative Secretary, Kim Gard conducted roll call vote.

Debbie Barts	Yea
Phil Miller	Yea
Barry Baldwin	Yea

Motion to approve Jeff Haley (#240451) is requesting a special exception to construct a wireless communication tower, on property located at 001-108053-00, 1100 W & 600 N within the Agriculture (AG) District. Passed with three votes being in favor and no one opposed.

RE: NEW BUSINESS

Dennis Jeffers (#240458)

Dennis Jeffers (#240458) is requesting development standard variances of approximately 740 s/f off of the minimum floor area and approximately 5' off of the side yard setback for a primary structure, on property located 001-110006-00, E of 7934 W Olson Rd Rochester, IN within the River Residential (RR) district.

In the River Residential (RR) district, the minimum floor area for a primary structure is 980 s/f and the side yard setback are 10'. Mr. Jeffers would like to construct a 12 x 20 seasonal cabin that would sit approximately 5' off of the northeast side yard. Therefore, a variance of approximately 740 s/f off of the minimum floor area and approximately 5' off of the side yard setback are being requested. Barry Baldwin then asked the petitioner if they had anything further to add.

FULTON COUNTY BOARD OF ZONING APPEALS  
AUGUST 14, 2024

Being none, he then asked the Board for any questions or comments. Being none, he opened the public hearing.

Barry asked if anyone would like to speak in favor or opposition of the petition.

Being no comment, Barry closed the public hearing.

Barry asked the board for any discussion.

After Board discussion, Barry entertained a motion regarding the petition. Phil Miller moved to approve Dennis Jeffers (#240458) is requesting development standard variances of approximately 740 s/f off of the minimum floor area and approximately 5' off of the side yard setback for a primary structure, on property located 001-110006-00, E of 7934 W Olson Rd Rochester, IN within the River Residential (RR) district. Debbie Barts seconded the motion.

Administrative Secretary, Kim Gard conducted roll call vote.

Debbie Barts	Yea
Phil Miller	Yea
Barry Baldwin	Yea

Motion to approve Dennis Jeffers (#240458) is requesting development standard variances of approximately 740 s/f off of the minimum floor area and approximately 5' off of the side yard setback for a primary structure, on property located 001-110006-00, E of 7934 W Olson Rd Rochester, IN within the River Residential (RR) district. Passed with three votes being in favor and no one opposed.

IN RE: PLAN DIRECTOR REPORT

Heather then presented the board with last month's report.

Being no further business to come in front of the Board of Zoning Appeals, Scott Hizer entertained a motion to adjourn the July 10, 2024 Fulton County Board of Zoning Appeals special meeting. Phil Miller moved to adjourn the July 10, 2024 Fulton County Board of Zoning Appeals special meeting at 7:25 P.M. Barry Baldwin seconded the motion. Motion carried as follows: Phil Miller, Barry Baldwin, Seth Wilson and Scott Hizer being in favor and no one opposing.

FULTON COUNTY BOARD OF ZONING APPEALS

ATTEST: \_\_\_\_\_

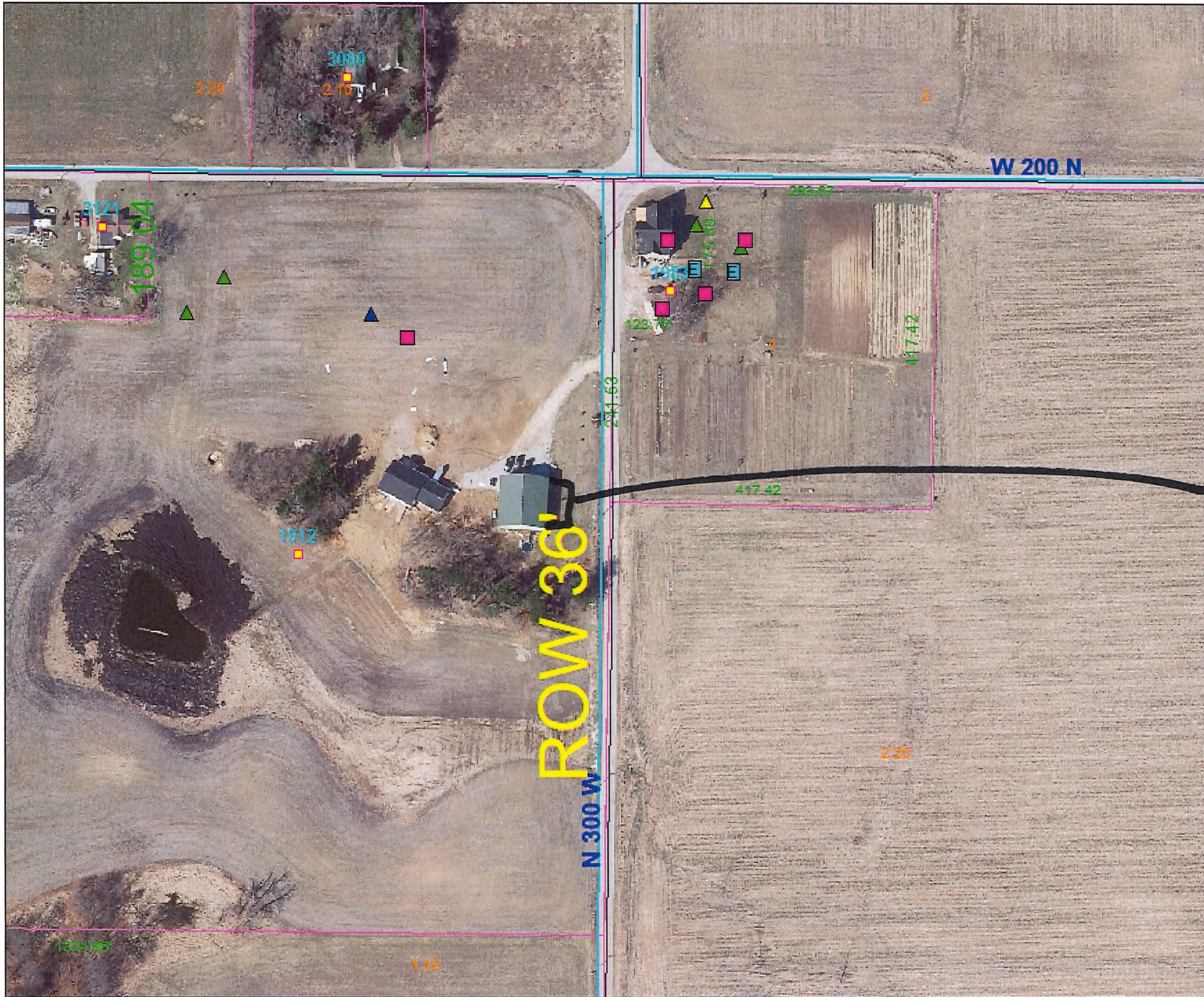
**Docket #240523**  
**Jason Owens**  
**Development Standard Variance**

Jason Owens (#240523) is requesting a development standard variance of approximately 24' off of the front yard setback for the purpose of an addition to an existing barn, on property located 1912 N 300 W Rochester, IN within the Agriculture (AG) district.

In the Agriculture (AG) district, the front yard setback for any structure is 50'. Mr. Owens would like to construct a 24 X 64 lean to addition to the existing barn that would set approximately 26' from his front property line. Therefore, a variance of 24' off of the front yard setback is being requested.

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The request is for a Development Standard Variance of approximately 24' off of the front yard setback for the purpose of an addition to an existing barn, on property located 1912 N 300 W Rochester, IN within the Agriculture (AG) district.



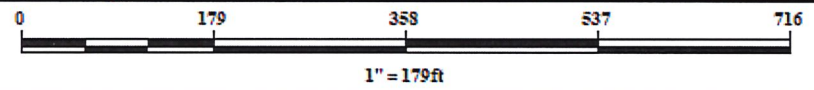
Townships  
 Feature Name:  
 — Rochester Twp

- Parcels
- City Town Boundary
- Sections

- Addresses
- ▲ Permits - Primary
- ▲ Permits - Accessory
- ▲ Permits - Signs
- Bldg Permits
- BZA SE

- Parcels
- Lots
- Dimensions
- Highways
- Roads
- Tippecanoe Rive
- fchd-permit

24x64  
 Lean to





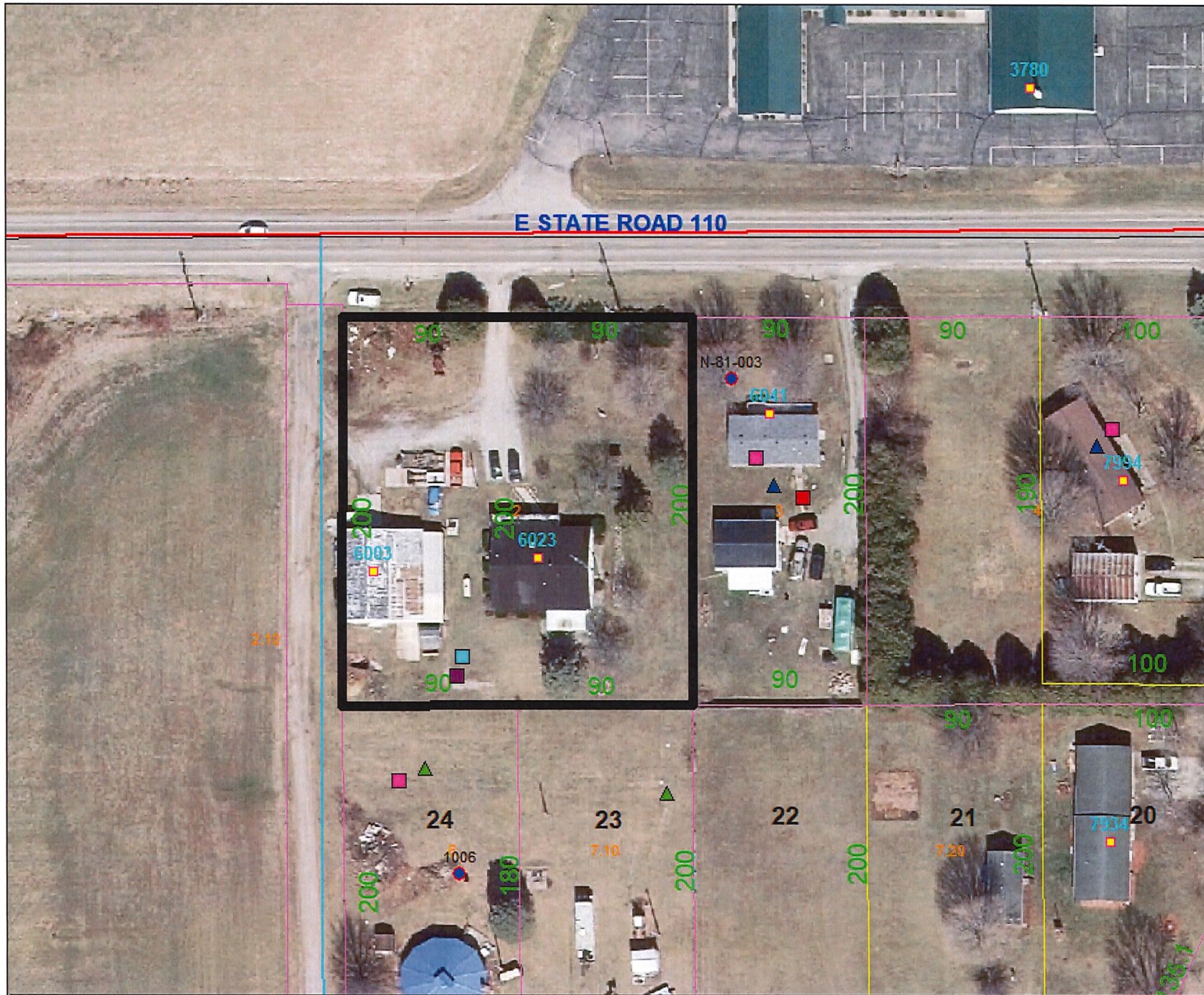
**Docket #240528  
David Rabey  
Special Exception**

David Rabey (#240528) is requesting a special exception to operate an auto repair shop, on property located at 6003 E State Rd 110 Rochester, IN within the Suburban Residential (SR) District.

In the Suburban Residential (SR) District an auto repair shop is a special exception. Mr. Rabey would like to operate an auto repair shop that will consist of general auto repair and he will work at his convince. There will not be any customers or employees, except for Mr. Rabey, in the existing building. Currently there is a gravel drive that will be utilized and parking, if needed will be in front of the building. There will be approximately three deliveries a day, UPS, FedEx, Amazon etc. At this time there is no plan for signage. Therefore, a special exception to operate an auto repair shop is being requested.

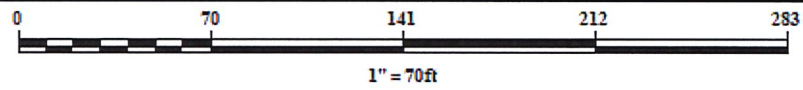
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The request is for a special exception to operate an auto repair shop, on property located at 6003 E State Rd 110 Rochester, IN within the Suburban Residential (SR) District.



- Townships**  
 Feature Name:  
 — Newcastle Twp
- Parcels  
 City Town Boundary  
 Sections
- Addresses  
▲ Permits - Primary  
▲ Permits - Accessory  
■ Bldg Permits  
■ Debris/Refuse/Waste  
■ Excess Vehicles  
■ Illegal Structure  
● fchd-permit
- Parcels  
 Lots  
 Highways  
 Roads  
 Tippecanoe River  
 Grid  
 Permits - Primary

27 interested parties notified



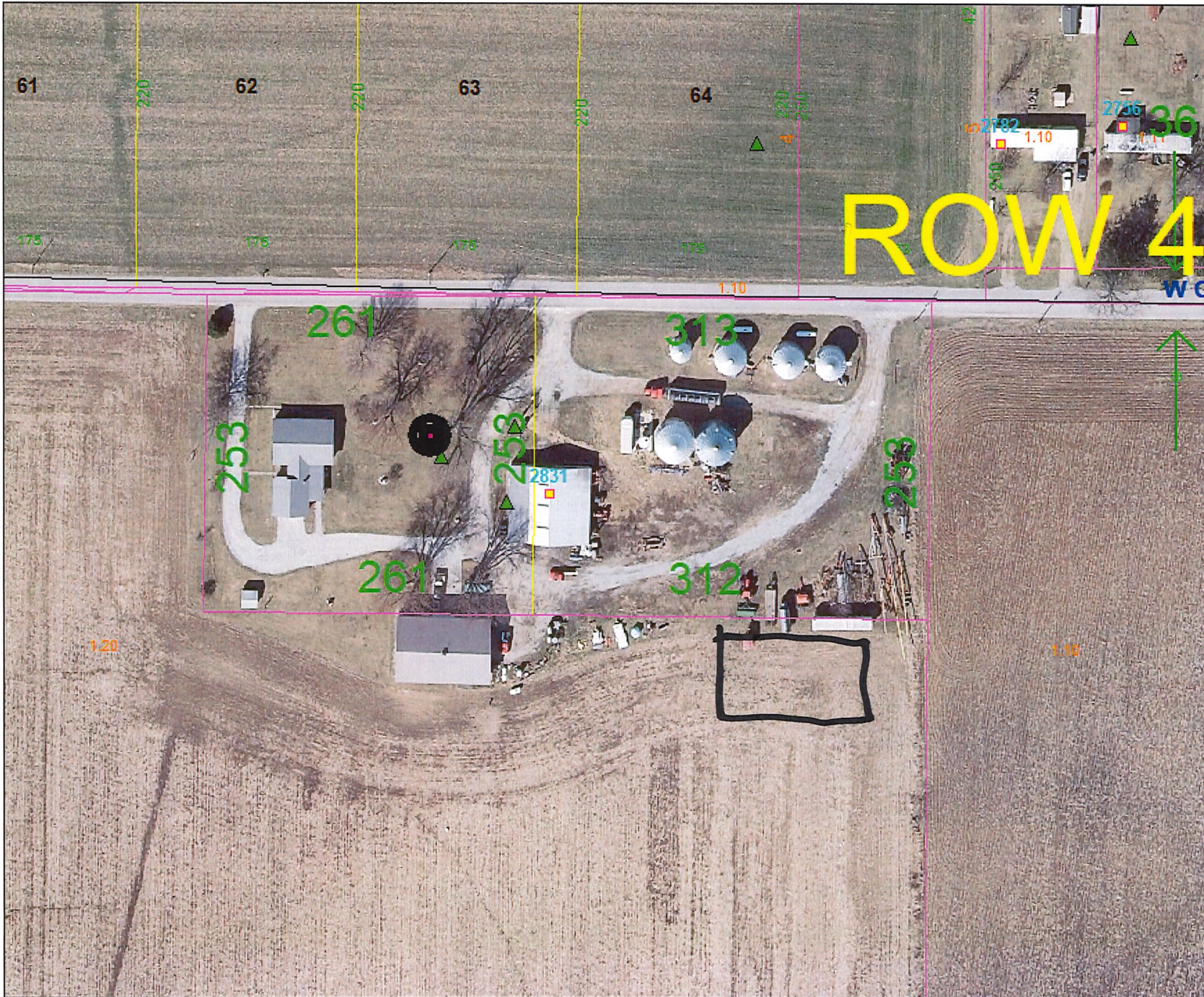
**Docket #240535**  
**Lanty Armstrong**  
**Development Standard Variance**

Lanty Armstrong (#240535) is requesting a development standard variance off of the parking standards PK-04 to allow 4 cargo containers on property located at 2831 W Olson Rd. Rochester, IN within the Agriculture (AG) district.

In the Agriculture (AG) district, only one cargo container is permitted. Mr. Armstrong would like to place 4 cargo containers that will be anchored to concrete slabs, with a roof over to create out door storage for farm equipment. The created building would be approximately 66 X 80 X 23. Therefore, a variance off of the parking standards PK-04 to allow 4 cargo containers is being requested.

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The request is for a Development Standard Variance off of the parking standards PK-04 to allow 4 cargo containers on property located at 2831 W Olson Rd. Rochester, IN within the Agriculture (AG) district.

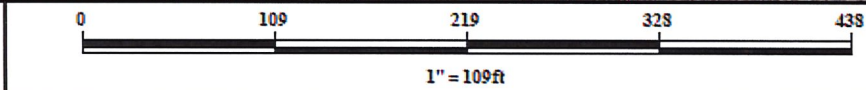


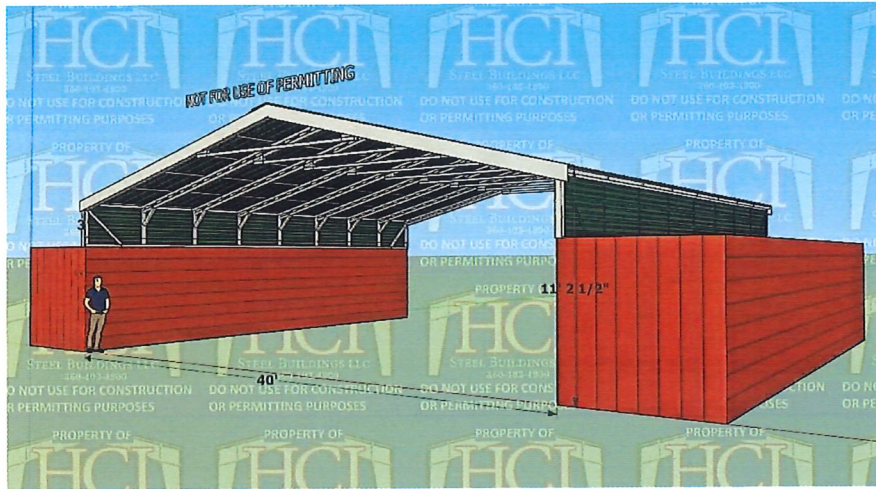
Townships  
 Feature Name:  
 — Richland Twp  
 — Rochester Twp

Parcels  
 City Town Boundary  
 Sections

Dimensions  
 Addresses  
 Permits - Accessory  
 Bldg Permits

Parcels  
 Lots  
 Dimensions  
 Highways  
 Roads  
 Tippecanoe Rive  
 fchd-permit





This Drawing is simply to give idea of what the building would look like.

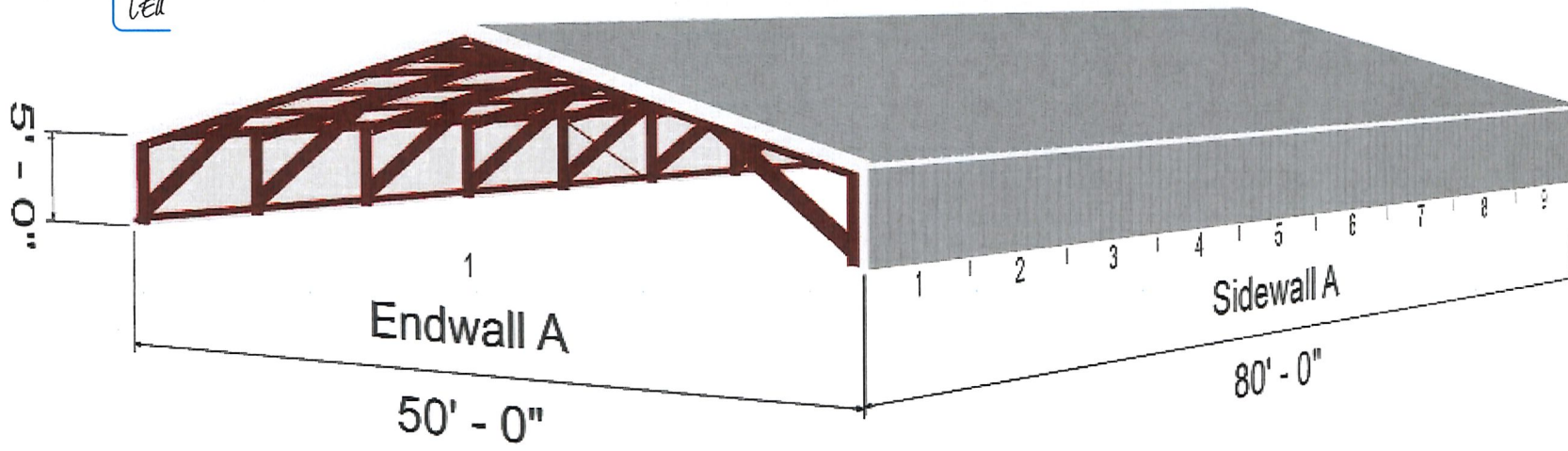


This is a picture from my building manufacturer only difference is mine would be two containers long or 80' and this one is only once container long or 40'

# Actual Building Drawing

DocuSign Envelope ID: F4F3D6CC-1E98-4399-9D3D-83DBA9BD3C28

<sup>DS</sup>  
LEA





Container #1



Container #2



Container #3



**Property Location for Variance and Building Permit**

Lanty and Shawnee Armstrong

2831W. Olson Rd

Rochester, IN 46975

Parcel Location of Building 009-113077-00

and joins near 009-101100-00

**Applicant Information**

Lanty E Armstrong II

2797E 500N

Rochester, IN 46975

**Project Information**

Address 2831W Olson Rd

Unincorporated County

Building Size 66x80x23

4000sq ft

Uses 4 Shipping Container that will be set and anchored to concrete slab

Project Cost \$65,000.00

Distance from Olson Rd to Building 245ft

Distance from East Line 35ft

Distance from West Line 1200ft

Distance from South Line 974ft

Machine Storage Shed no Plumbing or Sewer



# Fee Summary Paid Totals

08/01/2024 - 08/31/2024

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
<b>Group: 1001.20301.000.0036</b>				
A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$1,996.25	22
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$747.75	22
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	\$920.00	6
A-2. County, Akron, & Town of Fulton COMMERCIAL-Permit Fee		1001.20301.000.0036	\$761.47	6
			<b>\$4,505.47</b>	<b>58</b>

**Group Total: 5**

**Group: 1001.20302.000.0036**

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$70.00	7
B-1. City of Rochester Residential-	Enter Number of Inspections	1001.20302.000.0036	\$280.00	7

Inspection Fee				
B-3. City of Rochester COMMERCIAL Permit Fee		1001.20302.000.0036	\$1,658.50	3
B-4. City of Rochester COMMERCIAL-Inspection Fee		1001.20302.000.0036	\$600.00	3
			<b>\$2,608.50</b>	<b>20</b>

**Group Total: 4**

**Group: 1001.20303.000.0036**

BZA. Development Standard Varaince		1001.20303.000.0036	\$1,000.00	4
BZA. Special Exception		1001.20303.000.0036	\$500.00	2
ZO. LIP		1001.20303.000.0036	\$1,500.00	30
ZO. Signs	Enter Square Feet	1001.20303.000.0036	\$248.70	1
Zo. Solar Array Micro		1001.20303.000.0036	\$75.00	1
			<b>\$3,323.70</b>	<b>38</b>

**Group Total: 5**

			<b>\$10,437.67</b>	<b>116</b>
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**Total Records: 14**

**9/5/2024**

**Page: 1 of 1**