

FULTON COUNTY
AREA PLAN COMMISSION
FULTON COUNTY OFFICE BUILDING
COMMISSIONERS/COUNCIL ROOM
SEPTEMBER 23, 2019
7:00 P.M.

CALL TO ORDER

AREA PLAN COMMISSION MINUTES FOR:
April 22, 2019

PUBLIC COMMENTS
(Comments Not To Pertain To Agenda Items)

OLD BUSINESS:

NEW BUSINESS:
Old Orchard Estates (#33-0819 & #34-0819)
Town of Akron Amendments

PLAN DIRECTOR REPORT:

Airbnb
Roof top solar panels
Commercial sign codes
Perimeter plantings
iWorQ
Comprehensive Plan & stipend

PUBLIC COMMENTS:

BOARD COMMENTS

ADJOURNMENT

FULTON COUNTY AREA PLAN COMMISSION
April 22, 2019

**FULTON COUNTY
AREA PLAN COMMISSION**

MONDAY, APRIL 22, 2019

**7:00 P.M.
COMMISSIONERS/COUNCIL ROOM**

CALL TO ORDER

**AREA PLAN COMMISSION MINUTES FOR:
February 6, 2019**

PUBLIC COMMENT (Not to pertain to Agenda Items)

OLD BUSINESS

**NEW BUSINESS:
Casie Atkins (#32-0319)**

PLAN DIRECTOR REPORT:

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON COUNTY AREA PLAN COMMISSION
April 22, 2019

The Fulton County Area Plan Commission held a meeting on Monday the 22nd of April 2019, at 7:00 P.M. in the Commissioners/Council Room located within the Fulton County Office Building. Executive Director, Casi Cowles called the meeting to order at 7:00 P.M. The following members were present: Kathy Hobbs, Mark Kepler, David Roe, Randy Sutton, Seth White, Eric Straeter, Debbie Barts, Cathy Miller, Racheal Moore, Crystal Weida, Rick Ranstead and Gary Clevenger. Also in attendance were: Plan Director, Casi Cowles; Administrative Secretary, Heather Redinger and Board Attorney, Andy Perkins.

IN RE: MINUTES

February 6, 2019

Eric Straeter asked for any additions, deletions or corrections to be made to the February 6, 2019 minutes. Randy Sutton stated the Administrative Secretary and Board Attorney are nominated, not appointed. He then moved to approve the February 6, 2019 minutes, with the change. Kathy Hobbs, Mark Kepler, David Roe, Randy Sutton, Seth White, Gary Clevenger, Debbie Barts, Cathy Miller, Racheal Moore, Crystal Weida, Rick Ranstead and Eric Straeter being in favor and no one opposing.

It is duly noted Duane Border arrived at 7:05 pm.

IN RE: NEW BUSINESS

Casie Atkins (#32-0319)

Mrs. Atkins is requesting a zone map amendment property located at 6122 E State Road 14, Rochester. She would like her children to be able to raise 4-H animals. The Residential Cluster (R1) does not allow farm animals. Therefore, the request for the zone map amendment of 6122 E State Road 14, Rochester, 2.20 acres changed from residential Cluster (R1) to Agricultural (AG).

The adjoining lots to the north, west and south are zoned agricultural.

Eric Straeter entertained a motion to open public hearing. Debbie Barts moved to open the public hearing. Duane Border seconded the motion. Motion carried as follows: Kathy Hobbs, Mark Kepler, David Roe, Randy Sutton, Seth White, Gary Clevenger, Debbie Barts, Cathy Miller, Racheal Moore, Crystal Weida, Rick Ranstead, Duane Border and Eric Straeter being in favor and no one opposing.

Eric 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 the public hearing. Rick Ranstead seconded the motion. Motion carried as follows: Kathy Hobbs, Mark Kepler, David Roe, Randy Sutton, Seth White, Gary Clevenger, Debbie Barts, Cathy Miller, Racheal Moore, Crystal Weida, Rick Ranstead, Duane Border and Eric Straeter being in favor and no one opposing.

Casi stated they have received letters of opposition, the Board had received copies. The opposition stated they did not want farm animals in the residential area.

Eric Straeter asked for Board comments.

Duane Border asked what are the locations of the opposition.

Casi stated they were located across the road, on the south east side.

FULTON COUNTY AREA PLAN COMMISSION
April 22, 2019

Kathy Hobbs asked if there were any other complaints.
Casi stated there were not.

Gary Clevenger stated he had no issues with the proposed change.

Mark Kepler, Rick Ranstead, Randy Sutton, David Roe, Seth White, Debbie Barts, Cathy Miller, Crystal Weida, Debbie Barts and Eric Straeter also stated they had no issues.

Being no further Board comments, Eric Straeter entertained a motion. Gary Clevenger moved to approve a favorable recommendation for the zone map amendment, Casie Atkins (#32-0319). Randy Sutton seconded the motion. Motion carried as follows: Kathy Hobbs, Mark Kepler, David Roe, Randy Sutton, Seth White, Gary Clevenger, Debbie Barts, Cathy Miller, Racheal Moore, Crystal Weida, Rick Ranstead, Duane Border and Eric Straeter being in favor and no one opposing.

IN RE: PLAN DIRECTOR REPORT

Casi stated she had an alternate landscape plan for Steve Hearn's site on 1446 Wabash.

The Board agreed to approve the alternate landscape plan. 13-0

IN RE: BOARD COMMENTS

Eric Straeter stated he would like to see the agenda and minutes on the website.

IN RE: ADJOURNMENT

With no further business to come before the Board, Eric Straeter entertained a motion to adjourn the April 22, 2019 meeting. Crystal Weida moved to adjourn the April 22, 2019 Fulton County Area Plan Commission Board at 8:00 P.M. David Roe seconded the motion. Motion carried as follows: Kathy Hobbs, Mark Kepler, David Roe, Randy Sutton, Seth White, Gary Clevenger, Debbie Barts, Cathy Miller, Racheal Moore, Crystal Weida, Rick Ranstead, Duane Border and Eric Straeter being in favor and no one opposing.

Heather Redinger, Administrative Secretary

Docket #PC 33-0819 & 34-0819
Old Orchard Estates
Primary and Secondary Plat Approval
Suburban Residential District

Primary Plat and Secondary Plat Approval Request

Miller Fellers, LLC is requesting the approval of a primary and secondary plat application for the proposed ten (10) lot subdivision, the property is located at S Wabash Ave (009-102061-00), Rochester containing approximately 50.198 acres.

Current Zoning

Suburban Residential District

Procedure

1. The petitioner obtains Drain Board approval on the Primary Plat from the Fulton County Drain Board.
2. The petitioner obtains Primary Plat approval with or without conditions from the Fulton County Plan Commission.
3. The petitioner obtains Secondary (final) Plat approval from the Fulton County Plan Commission after meeting all conditions of the Primary Plat approval (if any).

Adjacent Uses

Institutional Recreational, Industrial, Lake Residential and Multi-family Residential

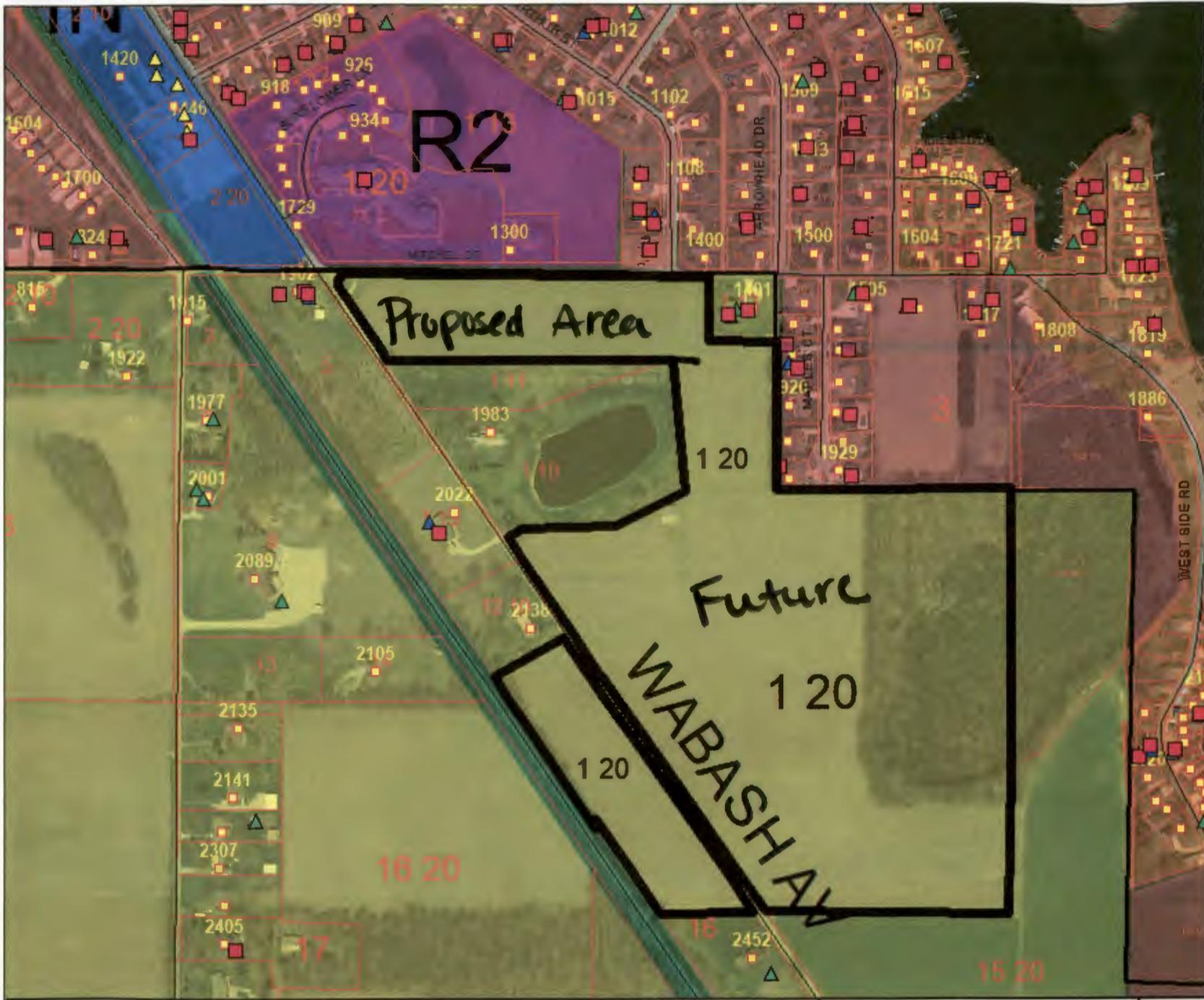
In its review of subdivision plats, the Plan Commission shall consider the following criteria:

- A. The degree to which the application and plat meets the criteria for plat approval set forth in the Subdivision Control Ordinance and as determined by the reports of the Plan Director, Fulton County Surveyor and the Fulton County Drainage Board.*
- B. Consistency with the goals and objectives of the Comprehensive Plan.*
- C. Consistency with the intent of the zoning district in which it is located.*
- D. The presence or absence of any exceptions to the development standards for the zoning district in which it is located, any general development standards, site design and improvement standards; as evidenced by the listing of any exceptions in the primary plat application.*
- E. The presence or absence of any protective covenant for the subdivision which would alter its impact from what would typically be permitted in the zoning district in which it is located; as evidenced by the inclusion of any covenants in the primary plat application.*

Recommendations

Primary Plat

The proposed subdivision complies with all of the Fulton County Zoning Ordinances and Fulton County Subdivision Control Ordinances. I do not, at this time, see a reason to deny this application for a primary plat. Nor do I see a reason to deny the secondary (final) plat, if the primary plat is approved without conditions.



Area Zone Map
Feature Name:

- AG
- HC
- IN
- IR
- R1
- R2
- R3
- SR

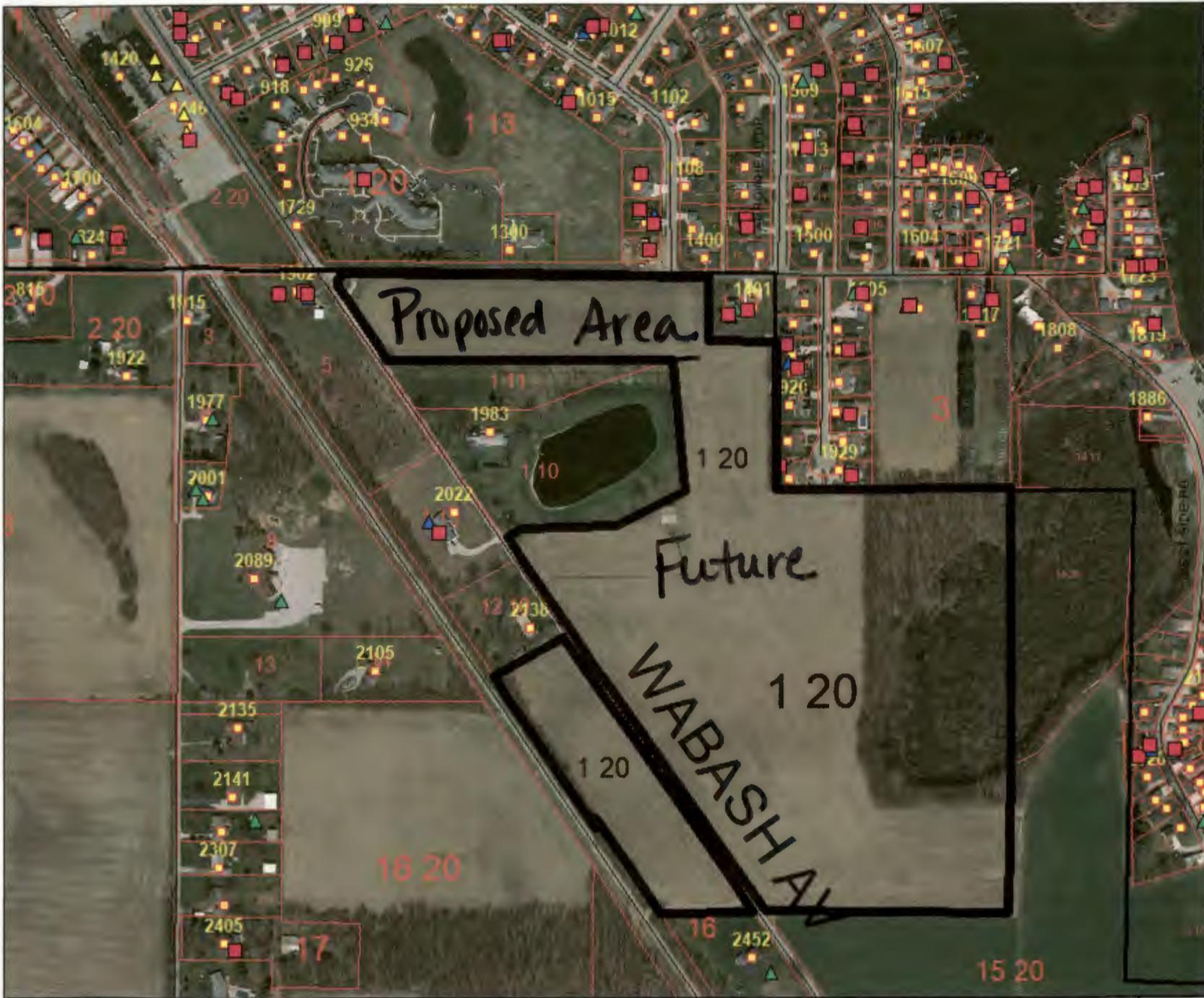
- Parcels
- City Town Boundary
- New Buildings

- Addresses
- Permits - Primary
- Permits - Accessory
- Permits - Commercial
- Permits - Signs
- Bldg Permits

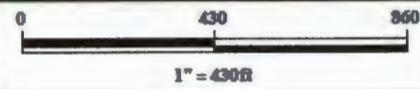
- Parcels
- Parcel History
- Highways
- Roads
- Tippecanoe River
- New Buildings
- Bldg Permits

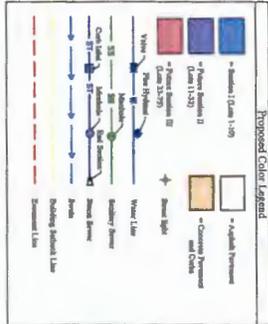
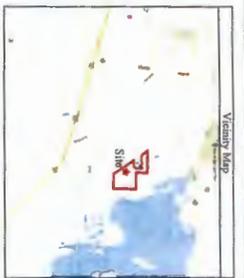
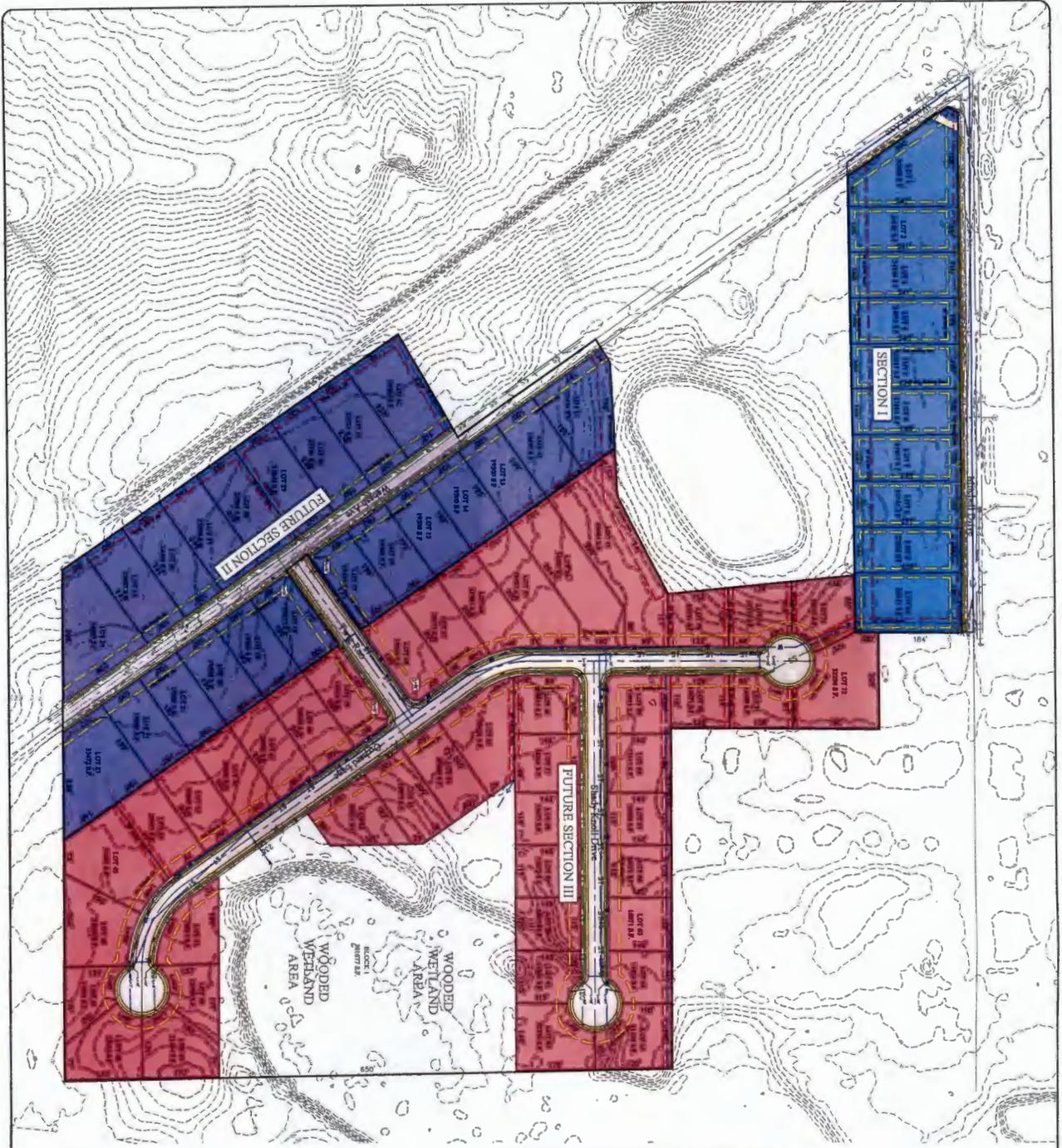
THINK





- Parcels
- City Town Boundary
- New Buildings
- Addresses
- Permits - Primary
- Permits - Accessory
- Permits - Commercial
- Permits - Signs
- Bldg Permits
- Parcels
- Parcel History
- Highways
- Roads
- Tippecanoe River
- New Buildings
- Bldg Permits





- NOTES**
1. This is a preliminary sketch and is not intended to be used for any legal or financial purposes. It is for informational purposes only.
 2. The boundaries shown are based on the best available information and are not guaranteed.
 3. The wetland areas shown are based on the best available information and are not guaranteed.
 4. All other items shown are for informational purposes only.



EX	Old Orchard Estates 1902 Wabash Avenue Rochester, IN 46975 Rochester Twp. Sect. 16, T30N, R3E Contiguous Holdings Sketch	REVISIONS: <table border="1"> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table>										PREPARED FOR: Bryan Lewis and Charles Miller 2885 S State Road 25 Rochester, IN 46975 574-835-1892	<p>ENGINEERING YOUR TOMORROW...TODAY</p> <p>Furt Wayne Office 10000 West Creek Road Furt Wayne, IN 46825 Phone (317) 499-8871</p> <p>Marion Office 220 Township Albany, IN 46772 Phone (317) 697-6866</p> <p>Derek J. Stett, P.E. No. PE11900076</p>
DATE: 02/10/2010 DRAWN BY: JLM CHECKED BY: JLM PROJECT NO.: 090801017	25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1												



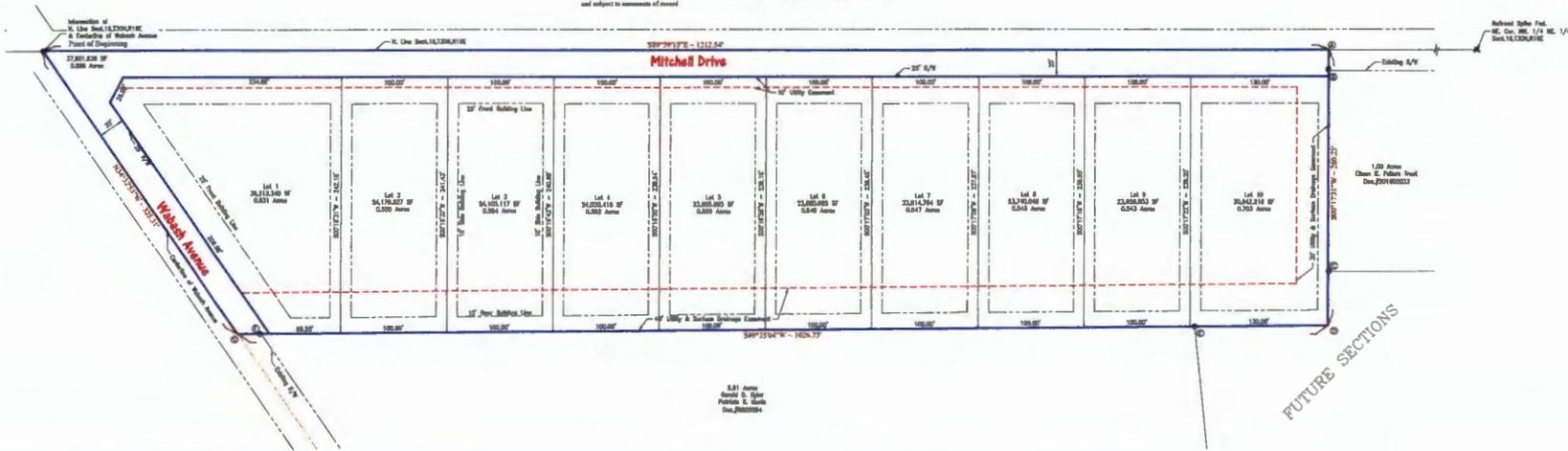
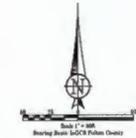
Old Orchard Estates, Section I - Secondary Plat

A SUBDIVISION BEING A PART OF THE NORTHWEST QUARTER AND NORTHEAST QUARTER OF SECTION 16, T-30-N, R-3-E, ROCHESTER TWP., FULTON COUNTY, INDIANA.

LEGAL DESCRIPTION

Part of the Northwest Quarter and Northeast Quarter of the First Section 16, Township 30 North, Range 3 East of the Second Principal Meridian, Rochester Township in Fulton County, Indiana, based on an original survey by Brett R. Miller, Indiana Professional Surveyor Number 201000109 of Miller Land Surveying, Inc., Survey No. 1908117, filed August 21, 2019, and being more particularly described as follows:

SECONDARY as a 5/8" Broad Rubber Road 6.2 feet below grade marking the intersection of extension of Walnut Avenue and the North line of said Section 16. thence South 89 degrees 39 minutes 15 seconds East (S89°39'15" E) 100.00 feet to the intersection of extension of Mitchell Drive, thence South 89 degrees 39 minutes 15 seconds East (S89°39'15" E) 1212.54 feet along said North line and within the right-of-way of Mitchell Drive to a 200.00 foot wide West line of an existing 120.00 foot wide road as described in Decree Number 201900103 in the Office of the Recorder of Fulton County, Indiana. thence South 89 degrees 39 minutes 15 seconds West, a distance of 1008.75 feet along said extension and the North line of said 2.31 acre tract of land as described in Decree Number 1902004 in the Office of the Recorder of Fulton County, Indiana as a 200.00 foot wide West line of extension of said Walnut Avenue. thence North 84 degrees 32 minutes 33 seconds West, a distance of 325.31 feet along the said extension to the Point of Beginning. Containing 6.705 acres or less, subject to the right-of-way of Mitchell Drive and Walnut Avenue and subject to easements of record.



NOTES

- Building Set Back Lines are as follows and shown as plus:
 - 25 Feet Building Line
 - 15 Feet Building Line
 - 10 Feet Building Line
- All property corners are marked with a 3/8" x 3/4" Brass Nail or 1/2" x 3/4" Brass Nail.

DEDICATION

We, Charles E. and Catherine A. Miller, Miller Feltus LLC, the undersigned, owners for and in fee of certain lands as recorded in the Fulton County Recorder's Office as Decree No. 20170023 of the real estate shown and described herein, do hereby give, sell, dedicate and convey, with and under such title, terms and easements as are contained herein on the plat. Further, we hereby subject and improve all of said land to said subdivision with the limitations and easements attached hereto and make a part thereof by reference. This Dedication shall be binding and irrevocable as to:

Old Orchard Estates - Section I
Containing 15 Lots and containing 6.795 acres

RIGHT-OF-WAY DEDICATION

We, Charles E. and Catherine A. Miller, Miller Feltus LLC, the undersigned, owners of the real estate shown and described herein, do hereby certify that we are jointly deducing to the public Mitchell Drive and Walnut Avenue easements right-of-way as shown and described herein.

The width here shall be determined by the regulations of the Fulton County Zoning Ordinance of record.

This dedicated easement right-of-way shall include the preservation of any existing right-of-way, or, in the event the proposed dedicated road right-of-way by an existing or future public utility service facilities including any easement, utility, water, sewer, storm, or other equipment or any public utility to be used or made service to the public and also subject to the right of eminent domain for the purpose of servicing and maintaining the public utility service facilities.

There are no easements of record shown on this document and no other easements, restrictions, planning, or other recorded shall be placed or prevented to remain which may damage or interfere with the installation and maintenance of utilities or which may change the character or use of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each lot or property and all improvements to be installed or maintained continuously by the owner of the lot or property, except for those improvements for which a public authority or utility is responsible. The right to enforce these provisions by litigation, together with the right to sue the recordor for the purpose of law, of any restriction or part hereof of record or maintained in violation hereof, is dedicated to the public, and reserved to the owners of the real estate proposed and contained in this plat and map. Witness our hands and seals this _____ day of _____, 20____.

APPROVAL

Primary Approval
Approved by the Fulton County Planning Commission at a Meeting Held _____

Secondary (Final) Approval:
All conditions of the preliminary approval of this plat and this plat general Ordinance (Final) Approval:
Approved by the Fulton County Planning Commission this _____

Plan Commission Member _____

Plan Commission Member _____

Design Board Approval
Approved by the Fulton County Design Board at a Meeting Held _____

MONUMENT LEGEND

A = 200.00' x 100.00' x 100.00' x 100.00' (Plat)
B = 100.00' x 100.00' x 100.00' x 100.00' (Plat)
C = 100.00' x 100.00' x 100.00' x 100.00' (Plat)
D = 100.00' x 100.00' x 100.00' x 100.00' (Plat)
E = 100.00' x 100.00' x 100.00' x 100.00' (Plat)
F = 100.00' x 100.00' x 100.00' x 100.00' (Plat)
G = 100.00' x 100.00' x 100.00' x 100.00' (Plat)

FLOOD PLAIN CERTIFICATION

This property is within Zone "X" (area determined to be outside the 0.2% annual chance floodplain) as defined by the FEMA (Flood Insurance Rate Map) for Fulton County, Indiana, Community No. 180074, Flood No. 01-02C, dated August 16, 2012.

Charles E. Miller 2885 South State Route 25 Bloomington, IN 47403	Date _____	Catherine A. Miller 2885 South State Route 25 Bloomington, IN 47403	Date _____
State of Indiana) County of Fulton)	SS: _____	State of Indiana) County of Fulton)	SS: _____

CERTIFICATION

I, Brett R. Miller, hereby certify that I am a Licensed Surveyor, licensed in compliance with the laws of the State of Indiana, that this plat correctly represents a survey conducted under my supervision in accordance with Title 36 IAC, Article 1, Rule 12, Section 1 (b) 29, that all measurements were made in accordance with the provisions of the Planning Ordinance, and that the location, size, type and material are accurately shown.

Brett R. Miller
Brett R. Miller, PLS Date: August 23, 2019

Miller Feltus LLC
2885 South State Route 25
Bloomington, IN 47403

State of Indiana)
County of Fulton)

Whereas my bond and surety had date _____ day of _____, 20____.

Henry Public
County of Bloomington _____
My Commission Expires _____

Charles E. Miller _____
Catherine A. Miller _____
Miller Feltus LLC _____

Developer:
Charles E. Miller & Catherine A. Miller
2885 S State Route 25
Bloomington, Indiana 47403
Miller Feltus LLC
Bryant Lewis
1714 Onyx Feather Lane
Rochester, IN 46775

Plat Prepared By:
Miller Land Surveying, Inc.
Brett R. Miller, PLS No. 201000109
Robert J. Marston, PLS No. LD2000028
Helen R. Mark, PLS No. LD1790009

Corporate Office
221 Third Street
Mishawaka, IN 46772
Phone: (219) 865-6166
Fax: (219) 865-6166
10000 East Creek Blvd
West Warrick, IN 46782
Phone: (219) 865-4371

LEGEND:
N1 - Building Line
U.B.D.E - Utility & Surface Drainage Easement
U.R.D.E - Utility & Regulated Drainage Easement
U2 - Utility Easement

MS
Miller Land Surveying, Inc.

Subdivision Primary Plat Checklist

All plans prepared for Primary Plat approval shall be prepared in accordance with the following specifications.

1. General

- If more than one page is used, each page shall be numbered sequentially. All plans must be legible and of sufficient quality to provide for a quality reproduction or recording.
- The plat shall be prepared and certified by a land surveyor registered by the State of Indiana.

2. Plans for Primary Plat for Subdivision Approval

The plat shall be drawn at a scale of fifty (50) feet to one (1) inch, except that when the drawing at that scale exceeds one sheet. In this case, the proposed primary plat may be drawn at a scale of one hundred (100) feet to one (1) inch. The sheet shall be twenty-four by thirty-six (24 x 36) inches.

A.) Description

- Proposed name and legal description of the subdivision
- Name, address, and telephone number of the petitioner
- Name, address, and telephone number of land surveyor
- Legend and notes, including a graphic scale, north point, and date
- Review/Approval checklist for Fire Departments, County Highway Superintendent, 911 Coordinator, School Transportation Director (as applicable)
- Plan Commission certificate for primary approval (area for signatures)

B.) Existing Conditions

- Boundary line of proposed subdivision indicated by a solid heavy line
- Location, width and names of all existing or prior platted streets or other public ways; railroad and utility rights-of-way, and parks and other public open spaces.
- In case of a replat, all descriptive lines of the original plat being vacated shall be shown by dotted lines in their proper position in relation to the new arrangement of the plat, the new plat being clearly shown in solid lines.
- Location of natural streams, regulated drains, 100-year flood plains, floodway, water courses, marshes, wooded areas, isolated preservable trees, wetlands, historic features, existing structures, dry wells, utility lines, fire hydrants and any other significant feature(s) that may influence the design of the subdivision.
- Location, width and purpose of existing easements
- Location and pipe size of sanitary sewers, storm sewers, water mains and natural gas mains. Invert elevations, direction and flow shall be noted for sanitary sewers and storm sewers. If water mains, sanitary sewers or storm sewers are not located on or adjacent to the tract the direction, distance to and size shall be shown.
- Subsurface conditions on the tract, location and results of tests made to ascertain subsurface soil, rock and ground water conditions, depth to ground water (unless test pits are dry to a depth of seven feet).
- Topographic contours at vertical intervals of two (2) feet if the general slope of the site and adjacent roadways is less than ten (10) percent. Topographic contours at vertical intervals of five (5) feet will be permitted where the general slope is greater or equal to ten (10) percent. (existing)
- Topographical survey which extends from Right-of-Way to Right-of-Way and consists of 300 feet in all directions of any adjacent roadway that has a proposed entrance intersecting it which includes elevation, contours [contours defined according to Fulton County Subdivision Control Ordinance, Section 3.4 C b (8)], profiles, center line, and edge of pavement to determine site distance.

~Continued on Reverse Side~

C.) Proposed Conditions

- ✓ Layouts of proposed streets and alleys, their names, roadway widths, approximate gradients, types and widths of pavements, curbs, sidewalks, bikeways, jogging paths, and other recreational ways. The names of streets shall conform so far as practicable to the names of streets on the same approximate alignment existing in the vicinity of a the subdivision.
- ✓ Proposed lot boundary lines showing dimensions, bearings, angles, and references to section, township, range lines or corners, and existing bench marks.
- ✓ Proposed lot numbers, location of monuments, and area for each lot (square footage). All lots shall meet the minimum requirement for area, width, and frontage of the Fulton County Zoning Ordinance.
- ✓ Approximate location of proposed septic systems including termination point and outlet of all perimeter drain systems for subdivisions that contain a lot less than 33,000 square feet. The subdivider shall also provide Fulton County Health Department preliminary approval for each proposed lot requiring a septic system and a copy of the complete soils report written by an ARCPACS Certified Soil Science Consultant or a Professional Soil Scientist approved by the Indiana State Department of Health. The soils report shall be completed in the format supplied by the Plan Commission Office or a format that contains the same information included in the forms supplied by the Plan Commission Office. The preliminary approval by the Fulton County Health Department required at this time, in no way guarantees that the requirements can be met to install a septic system. All of the Fulton County Health Department's requirements must still be met to obtain the actual septic permit for each proposed lot requiring a septic system.
- ✓ All applicable county, state or federal approvals such as IDNR, IDEM, NRCS, etc.
- ✓ Location, width, and purpose of proposed easements.
- ✓ Location, size, and invert elevation of proposed utilities including storm and sanitary sewers; water mains; electrical, telephone, and cable television lines; street lights; fire hydrants; and such other utilities as may be appropriate.
- ✓ Building setback lines.
- ✓ Parcels of land proposed to be dedicated or temporarily reserved for public use or set aside for use of properties in the subdivision. Land dedicated or reserved for parks or other public uses shall be set forth and described in the articles of dedication or reservation and shall also be shown on the plat the appropriate heading, such as "Park Land" or "Out Lot for Public Use."
- ✓ Proposed sidewalks and pedestrian trails.
- ✓ A description of protective covenants or private restrictions to be incorporated in the plat.
- ✓ If the primary plat is to be divided into sections or phases of development, the boundaries and numbers of such sections shall be shown, and a conceptual plan for the entire subdivision shall be submitted as a "phasing schedule."
- ✓ Whenever the primary plat covers only a part of a petitioner's contiguous holdings, the petitioner shall submit, at the scale of no more than one (1) inch equals two hundred (200) feet, a sketch of the entire holding, including the proposed subdivision area, showing an indication of the probable future street and drainage systems, for the remaining portion of the tract.
- ✓ Any other information requested in writing by members of the Plan Commission or Plan Director deemed important to the development of the subdivision.

~Continued on Page 3~

Subdivision Secondary Plat Checklist

All plans prepared for Secondary Plat approval shall be prepared in accordance with the following specifications.

1. General

- If more than one page is used, each page shall be numbered sequentially. All plans must be legible and of sufficient quality to provide for quality reproduction or recording.
- The plat shall be prepared and certified by a land surveyor registered by the State of Indiana.

2. Plans for Secondary Plat for Residential Subdivision Approval

The plat shall be drawn at a scale of fifty (50) feet to one (1) inch, except that when the drawing at that scale exceeds one sheet. In this case, the proposed secondary (final) plat may be drawn at a scale of one hundred (100) feet to one (1) inch. The sheet shall be twenty-four by thirty-six (24 x 36) inches.

A.) Description

- Accurate metes and bounds description of the tract boundary.
- Proof of property ownership or permission from property owner.
- Name of subdivision followed by the words "Secondary Plat."
- Name, address, and phone number of the petitioner.
- North point, graphic scale, and date.
- Certification by a registered land surveyor.
- Dedication certificate.
- An agreement executed by the petitioner(s) to make and install all improvements in accordance with the plans and specifications approved by the Commission and accompanying the secondary (final) plat.
- Certificate of approval by the Plan Commission.
- The secondary (final) plat may include all or only a part of the primary plat which has received approval. If the secondary (final) plat does not contain all of the land approved on the primary plat, it shall be designated by a section number in a numerical order.

B.) Proposed Conditions

- Accurate boundary lines, with dimensions and angles, which provide a legal survey per state statute.
- Accurate distances and directions to the nearest official monument. Reference corners shall be accurately described on the plat.
- Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
- Street names.
- Complete curve table for all curves included in the plat.
- Street lines with accurate dimensions in feet and hundredths of feet with angles to street, alley, and lot lines. Radii, points of curvatures, tangent bearings, and lengths of all arcs of street lines shall be provided.
- Lot numbers and dimensions including the square footage of each lot.
- Accurate locations of easements, description of their use, and any limitations on such semipublic or community use.
- Accurate dimensions for any property to be dedicated or reserved for public, semi-public, or community use, including sidewalks, bikeways, and other recreational ways.
- Building lines and setback dimensions throughout the subdivision.
- Location, type, material, and size of all monuments and markers.
- Approximate location of proposed septic systems including termination point and outlet of all perimeter drain systems for subdivisions that consist completely of lots larger than 33,000

square feet. The subdivider shall also provide Fulton County Health Department preliminary approval for each proposed lot requiring a septic system and a copy of the complete soils report written by an ARCPACS Certified Soil Science Consultant or a Professional Soil Scientist approved by the Indiana State Department of Health. The soils report shall be completed in the format supplied by the Plan Commission Office or a format that contains the same information included in the forms supplied by the Plan Commission Office. The preliminary approval by the Fulton County Health Department required at this time, in no way guarantees that the requirements can be met to install a septic system. All of the Fulton County Health Department's requirements must still be met to obtain the actual septic permit for each proposed lot requiring a septic system.

- Restrictions of all types which will run with the land and become covenants in the deeds for lots.
- Any other information or data requested by the Plan Commission necessary to clarify conditions and terms of primary plat approval.
- The Planning Director may waive any of the above requirements if they are not applicable to the petition.

Fulton County Subdivision Secondary Plat Application Project Routing Sign-Off Sheet

Property Owner:	<u>Miller Fellers LLC</u>
Address:	_____
Developer/Agent:	<u>Bryan Lewis</u>
Address:	_____
Project:	<u>Old Orchard Estates</u>
Project Location:	<u>1902 Wabash Avenue Rochester, IN 46975</u>

A routing system is needed in order to alert all agencies associated with the proposed subdivision project. Please inform each applicable department of the proposed project and obtain their signature verifying notification.

Certified Mail will be accepted as notification. Record the tracking numbers below in lieu of a signature and attach online delivery confirmation.

Electric Utility - Signature	_____
Comments:	_____
NIPSCO - Signature	<u>e-mail</u>
Comments:	_____
Phone Company - Signature	<u>Joey Smyth</u>
Comments:	_____
Health Dept. - Signature	<u>Shannon Shephard</u>
Comments:	<u>city water & sewer</u>
Water Dept. - Signature	<u>Devil Holloway</u>
Comments:	<u>City Water Superintendent</u>
Wastewater Dept. - Signature	<u>[Signature]</u>
Comments:	<u>WWTP Superintendent</u>
Stormwater Dept. - Signature	_____
Comments:	_____

Fulton County Plan Commission
125 E. 9th Street
Rochester, Indiana 46975
Phone (219) 223.7667 / Fax (219) 223.2211
plandirector@rtcol.com

Fulton County Subdivision Primary Plat Application Project Routing Sign-Off Sheet

Property Owner:	<u>Miller Fellers LLC</u>
Address:	_____
Developer/Agent:	<u>Bryan Lewis</u>
Address:	_____
Project:	<u>Old Orchards Estates</u>
Project Location:	<u>1902 Wabash Ave Rochester, IN 46975</u>

A routing system is needed in order to alert all agencies associated with the proposed subdivision project. Please inform each applicable department of the proposed project and obtain their signature verifying notification.

Certified Mail will be accepted as notification. Record the tracking numbers below in lieu of a signature and attach online delivery confirmation.

Fire Departments - Signature	<u>Ry J Murphy</u>
Comments:	
State/County Highway Superintendent - Signature	<u>[Signature]</u>
Comments:	
911 Coordinator - Signature	<u>Jaille Karas</u>
Comments:	
School Transportation Director - Signature	<u>Kim Hoig</u>
Comments:	
Other - Signature	
Comments:	

From: Bryan Lewis <bryan@rtcol.com>
Sent: Monday, September 16, 2019 12:11 PM
To: Casi Cowles
Subject: Fwd: Old Orchard Estates Set

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sent from my iPhone

Begin forwarded message:

From: Josh Padgett <joshp@mlswebsite.us>
Date: September 13, 2019 at 1:09:28 PM EDT
To: "Belton, Kayla Lynne" <Kayla.Belton@duke-energy.com>
Cc: Bryan Lewis <bryan@rtcol.com>
Subject: RE: Old Orchard Estates Set

Kayla,

I will inform Bryan that a work order is necessary. I am not sure how you would like to handle it as this subdivision is in the process of being platted and none of the lots have sold yet. Do we need to submit a work order for the whole subdivision (10 lots) or would we submit separate work orders when the individual lots have sold and the houses are going to be built?

Thank you for your help,

Josh Padgett, EI, SIT

Project Designer

MLSEngineering

10080 Bent Creek Blvd.

Fort Wayne, IN 46825

Office: 260-489-8571

Cell: 317-614-5450

From: Belton, Kayla Lynne <Kayla.Belton@duke-energy.com>
Sent: Friday, September 13, 2019 12:59 PM
To: Josh Padgett <joshp@mlswebsite.us>
Subject: RE: Old Orchard Estates Set

Afternoon Josh,

I just received an email for our local office and this is what they advised.

Kayla – this customer needs to call in and make an appointment. Whether or not he's ready to set up an account yet doesn't matter. I have nowhere to attach these plans and I do not know who the designer will be until that is done. As far as if they've been received, you can say we have them, but all I can do is hold these in my emails. They need a work order to be attached to.

I believe Keon is a call center rep, and as below, my supervisor told him this on Monday. On Monday, someone from the call center sent an email to our operations group asking where they could send these plans. I told her (Megan) to tell them a work order was needed.

Has someone / will someone from the call center contact Bryan and tell him a work order is needed? If not, I will, but he will have to do that.

Thank you!

Kayla Belton

Customer Care Team Lead

317-707-5212



From: Josh Padgett [<mailto:joshp@mlswebsite.us>]
Sent: Friday, September 13, 2019 12:46 PM
To: Belton, Kayla Lynne <Kayla.Belton@duke-energy.com>
Subject: Old Orchard Estates Set

***** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. *****

Hi Kayla,

I just wanted to check in again. We were hoping to get confirmation today that you received the improvement plan set for the Old Orchard Estates subdivision plat for your review.

Thank you,

Josh Padgett, EI, SIT

Project Designer

MLSEngineering

10060 Bent Creek Blvd.

Fort Wayne, IN 46825

Office: 260-489-8571

Cell: 317-614-5450

Casi Cowles

NIPSCO

From: Bryan Lewis <bryan@rtcol.com>
Sent: Monday, September 16, 2019 12:12 PM
To: Casi Cowles
Subject: Fwd: CUSTOMER INFORMATION NEEDED TO SET UP ACCT AT NIPSCO / DEVELOPER APPLICATION
Attachments: Customer Information Sheet LLC.pdf; NIPSCO DEVELOPER APPLICATION.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sent from my iPhone

Begin forwarded message:

From: NIPSCO_NEW_BUSINESS@nisource.com
Date: September 11, 2019 at 11:37:03 AM EDT
To: Bryan Lewis <bryan@rtcol.com>
Subject: CUSTOMER INFORMATION NEEDED TO SET UP ACCT AT NIPSCO / DEVELOPER APPLICATION

Dear NIPSCO Customer,

Thank you for your recent service request. NIPSCO works hard to provide Northern Indiana safe and reliable Natural Gas and Electric Service, we look forward to serving your needs.

Please provide copies of the documents below:

- 1) NIPSCO Customer Information Form (see attached)
- 2) **Federal Tax ID/EIN#** this would be a **copy of the letter from the IRS SS-4 Form.**
- 3) **LLC's Certificate of Organization issued by the Secretary of State**
or
a Certificate of Authority of foreign corporations - IF out of state corporation. If LLC, Inc. will also required Corporation Papers.

Should you have any questions regarding the forms, feel free to contact NIPSCO New Business at 1-866-728-4533.

Please **email** the information to nipsconewbusiness@nisource.com or **fax** to 1-219-647-6370 as soon as possible.

Thank you. We appreciate your business.

**NIPSCO New Business
Builder Developer Department
1-866-728-4533**

The contents of this e-mail and any attachments hereto are intended solely for the use of the intended recipients, who may or may not be identified above. This e-mail transmission, and any attachments hereto, may contain information that is subject to a privilege, be confidential or proprietary in nature, or otherwise be exempt from disclosure under various applicable laws, statutes, ordinances or rules. If you have received this e-mail and any attachments in error and are not the intended recipient, please notify the sender immediately by return e-mail, take any necessary actions to delete this e-mail and any attachments, and destroy any copies that may exist on your computer system or your data back up facilities. Any unauthorized retransmission or use of this e-mail or attachments hereto may be subject to legal action.

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 Primary Plat Approval Before the Fulton County Area Plan Commission supplied to you by the applicant of said public hearing,

Old Orchard Estates
Docket #PC 33-0819 & 34-0819

Located at: S Wabash Ave., Rochester, IN 46975

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
Darin & Sue Beeker 2440 Westside Dr Rochester, IN 46975	Mail ✓
Lynch Revocable Trust 2406 Westside Dr Rochester, IN 46975	Mail ✓
Peter Roberts 2400 Westside Dr Rochester, IN 46975	Mail ✓
Donald & Jody Cameron 2396 Westside Dr Rochester, IN 46975	Mail ✓
Val & Shirley Pemberton 2982 Hickory Lane Rochester, IN 46975	Mail ✓
Joseph & Mandy McCarter 1075 W 9 th St Rochester, IN 46975	Mail ✓
Douglas Brovont 1509 Ewing Rochester, IN 46975	Mail ✓
Manitou Holdings Group, LLC 2530 Wolf's Point Dr. Rochester, IN 46975	Mail ✓
Shafer Real Estate Holdings, LLC PO Box 786 Rochester, IN 46975	Mail ✓

Gerald Kyler & Patricia Menis 1983 Wabash Ave Rochester, IN 46975	Mail	✓
Richard Brown 824 Mitchell Dr. Rochester, IN 46975	Mail	✓
City Of Rochester 320 Main St Rochester, IN 46975	Mail	✓
Fulton County LLC PO Box 545 Rochester, IN 46975	Mail	✓
Steven Hearn 2320 Wolf's Point Dr Rochester, IN 46975	Mail	✓
DDR LLC C/O Whitley Manufacturing Co Po Box 496 South Whitley, IN 46787	Mail	✓
Everett & Norma Henderson 1922 S Liberty Road Rochester, IN 46975	Mail	✓
Fred & Joanna Grimes 1915 S Liberty Rd Rochester, IN 46975	Mail	✓
Showley Enterprises 3200 S 500 E Rochester, IN 46975	Mail	✓
Ernest & Ge Nelle Smoker Trust 1944 S Liberty Rd Rochester, IN 46975	Mail	✓
Liberty Baptist Church 2089 S Liberty Rd Rochester, IN 46975	Mail	✓
Stephen Overmyer PO Box 933 Rochester, IN 46975	Mail	✓
Karen Jason 2105 Liberty Rd Rochester, IN 46975	Mail	✓
LE Albert & Doris Eshelman Joyce Walker 205 W Sigler St #395 Hebron, IN 46341	Mail	✓
Matthew Flenar 2135 Liberty Rd Rochester, IN 46975	Mail	✓
Terry & Patricia Yates 2141 Liberty Rd Rochester, IN 46975	Mail	✓
Wm & Melinda Burkett 2267 S Liberty Rd Rochester, IN 46975	Mail	✓
Robert & Constance Hoppes 2307 S Liberty Rd Rochester, IN 46975	Mail	✓

William & Sandra Coffman 2355 S Liberty Rd Rochester, IN 46975	mail	✓
Scott & Janette Johnson 521 Sheridan Mchenry, IL 60051	mail	✓
Christine Jones 2461 Liberty Rd Rochester, IN 46975	mail	✓
Marilyn Ann Summe Young Third Amendment Agreement Po Box 1041 Rochester, IN 46975	mail	✓
James & Pamela Loebig Revocable Living Trust 1256 Big Hills Rd Rochester, IN 46975	mail	✓
Landon Good 1101 Dogwood Dr. Rochester, IN 46975	mail	✓
David & Cami Shriver 1611 N 825 E Akron, IN 46910	mail	✓
Chad & Cherie Thomas 2621 Big Hills Rd Rochester, IN 46975	mail	✓
Matthew Loehmer 2669 Big Hills Dr Rochester, IN 46975	mail	✓
Thomas & Valerie Grosvenor 2740 Big Hills Dr Rochester, IN 46975	mail	✓
Todd & Kim Marschand 27745 N Webster Pit Rd Atlanta, IN 46031	mail	✓
James & Kelli Rezo 1739 W 300 S Kokomo, IN 46902	mail	✓
John Little PO Box 6 Rochester, IN 46975	mail	✓
Shieldeen Zalewski PO Box 8 Rochester, IN 46975	mail	✓
Jeffrey & Pamela Greer Trust 11618 Old Oakland Blvd North D Indianapolis, IN 46236	mail	✓
Narry & Patricia Howell Revocable Living Trust 2215 Westside Dr Rochester, IN 46975	mail	✓
Patricia Darling 2219 Westside Rd Rochester, IN 46975	mail	✓
William & Barb Hardesty 3028 S SR 19 Mentone, IN 9	mail	✓

	Roger & Caroline Bitzer 2121 Westside Rd Rochester, IN 46975		Repeat ✓
(A)	Scott & Tara Seufferer 900 Arthur Street Rochester, IN 46975	Not Home	Scott Seufferer
R	Stephen & Linda Sanders 906 Arthur Street Rochester, IN 46975		Melinda Sanders
A	Brovont Lots LLC C/O Doug Brovont 912 Arthur Street Rochester, IN 46975		Mail ✓
A	Christopher M & Laura E Ricketts 1000 Arthur Street Rochester, IN 46975		Richard
A	Kassandra Caroline Barkman 1010 Arthur Street Rochester, IN 46975		Kassandra Caroline Riege
A	Lyle C & Cana L Lingenfelter 1024 Lakeview Drive Rochester, IN 46975		Canad Lingenfelter
A	Jimmie L Tyler 1108 Arthur Street Rochester, IN 46975		Jimmie J. Tyler
(A)	Darlene Stone 1113 Arthur Street Rochester, IN 46975	Not Home	Darlene Stone
A	Thomas M & Judith D Hartzell 1017 Arthur Street Rochester, IN 46975		Judith D. Hartzell
(A)	Brandon A & Brook N Conley 1011 Arthur Street Rochester, IN 46975	Not Home	Brook Conley
A	Cho K & Shu Ling Phoun 902 Arthur Street Rochester, IN 46975	Not Home	Mail ✓
A	Brady Bryant & Vonda Mullet 908 Arthur Street Rochester, IN 46975	Bryant	Vonda J Bryant
(A)	Danny W & Barbara L Bose 914 Arthur Street Rochester, IN 46975	Not Home	mail ✓
A	Donald L & Maxine M Cowles 1004 Arthur Street Rochester, IN 46975		Maxine M. Cowles
(A)	Christopher Newell 1012 Arthur Street Rochester, IN 46975	Not Home	Mail ✓
A	Roger & Judy Terry 1104 Arthur Street Rochester, IN 46975		Tom Terry
A	Timothy W & Katie M Yarber 1110 Arthur Street Rochester, IN 46975		Kattim Yarber

David P & Rhonda J Cholger 1111 Arthur Street Rochester, IN 46975	Not Home	
Ashley N Burrus 1015 Arthur Street Rochester, IN 46975		Ashley Burrus
Michael J & Julie S Hiatt 1009 Arthur Street Rochester, IN 46975	Not Home	Julie Hiatt
Charles M & Judith Evans 904 Arthur Street Rochester, IN 46975	Not Home	Charles Evans
Carol A Walker + John 910 Arthur Street Rochester IN 46975		Carol A. Walker
Margaret A Walters 922 Arthur Street Rochester, IN Rochester, IN 46975 46975	Not Home	John Moore
Bernard L & Grace J Holloway 1008 Arthur Street Rochester, IN 46975		Grace Holloway
Martin J Smith 1100 Arthur Street Rochester, IN 46975		Mail
Mary Heller 1106 Arthur Street Rochester, IN 46975		Mary F. Heller
Stefanie Dillingham 1400 Mitchell Drive Rochester, IN 46975		Col Dillingham
Jeffrey W & Lisa K Schnitz 1109 Arthur Street Rochester, IN 46975 <i>JWS 8/29/19</i>	Not Home	Jeffrey W Schnitz
Todd A & Paula S Beehler 1013 Arthur Street Rochester, IN 46975	Not Home	Paul Beehler
Kyle P & Meghan L McLochlin 1007 Arthur Street Rochester, IN 46975		Meghan McLochlin
Glen D & Mitzi D Anderson 1005 Arthur Street Rochester, IN 46975		Mitzi Anderson
Larry & Brenda S Urbin 913 Arthur Street Rochester, IN 46975		Brenda Urbin
Kristopher & Tina Barnett 907 Arthur Street Rochester, IN 46975	Not Home	Tina Barnett
Dwight B & Katherine L Lingenfelter 901 Arthur Street Rochester, IN 46975		Dwight B Lingenfelter
Cardinal Center Inc 504 North Bay Drive Warsaw, IN 46580		Mail

	Steven Skidmore Thomas Skidmore 3014 S Wabash Rd Rochester, IN 46975	Mail	✓
H	Larry & Ruthann Hunter TOD David Hunter 2941 Hickory Lane Rochester, IN 46975	Mail	✓
H	John & Sue Cash Revocable Living Trust 2913 Hickory Lane Rochester, IN 46975	Mail	✓
H	Thomas & Betty Evans 2879 Hickory Lane Rochester, IN 46975	Mail	✓
H	Neal & Sandra Estrada 2855 Hickory Ln Rochester, IN 46975	Mail	✓
H	Judith Shelton 2819 Hickory Ln Rochester, IN 46975	Mail Judith Shelton	
H	Christopher Newell Revocable Trust 2791 Hickory Ln Rochester, IN 46975	Mail	✓
H	Charles & Janet Yocum 2759 Hickory Lane Rochester, IN 46975	mail	✓
H	Christopher & Brooke Towell 2721 Hickory Lane Rochester, IN 46975	mail	✓
	Terry & Beverly Lewis 2785 Wabash Ave Rochester, IN 46975	Mail	✓
W	Debra Dierdorf Revocable Living Trust 2755 Wabash Ave Rochester, IN 46975	mail	✓
W	Jay & Dean Ann McCall 2746 Wabash Rd Rochester, IN 46975	Dean McCall	
W	Dustin Overmyer 2570 Wabash Rd Rochester, IN 46975	Mail	✓
W	Jason & Andrea Kiser 2452 Wabash Ave Rochester, IN 46975	Mail	✓
W	David & Martha Roberts Megan Mondragon 2138 Wabash Ave Rochester, IN 46975	Mail	✓
	Lori Williams C/O Jared Williams 2022 Wabash Ave. Rochester, IN 46975	Lori Williams	
W	Delmos & Jean Marshall 1902 Wabash Ave. Rochester, IN 46975	Jean Marshall	

Stephen Overmyer LE Bonnie Overmyer 2750 Hickory Lane Rochester, IN 46975	Mail	✓
Jason Grube 1909 Boulevard St Rochester, IN 46975	Mail	✓
Douglas & Stephanie Weigt 3406 Timber Valley Dr Kokomo, IN 46902	Mail	✓
Larry M & Jeaneene Durham Rev Liv Trust 2017 Westside Rd Rochester, IN 46975 (2)	Mail	✓
Linda Clayton 2113 Westside Rd Rochester, IN 46975	Mail	✓
Jeremiah & Sally O'Conner 3202 E 52 nd St Indianapolis, IN 46205	Mail	
Larry & Irene Rolland 2307 Westside Rd Rochester, IN 46975	Mail	✓
Bradley & Judy Cummins 2206 Westside Rd Rochester, IN 46975	Mail	✓
Matt Campbell 2116 Westside Rochester, IN 46975	Mail	✓
LE Dana & Bradley Scott 1414 Sugar Water Court Russiaville, IN 46979	Mail	✓
Richard & Martha Ortman Trust 723 Willowridge Dr Kokomo, IN 46091	Mail	
Kathleen McDaniel 111 N Briar Rd Muncie, IN 47304	Mail	✓
Greg & Jean Ann Halfast 2225 Westside Rd Rochester, IN 46975	Mail	✓
Cubic Investment Group LLC 403 E 100 S Valparaiso, IN 46383	Mail	✓
Roger & Caroline Bitzer 2121 Westside Rd Rochester, IN 46975	Mail	✓
Judith Lynn Gross 2112 Westside Dr. Rochester, IN 46975	Mail	Returned ✓
William Brown Living Trust 2103 Westside Rd Rochester, IN 46975	Mail	✓
Michael & Brandon Gibson 11662 Stoney Moon Dr Noblesville, IN 46060	Mail	✓

Patty Paxton 1123 S Old US 31 Rochester, IN 46975	Mail ✓
Gloria M Carvey 3212 Country Club Drive E Rochester, IN 46975	Mail ✓
Mark & Kathlee Blackman 1500 Mitchell Drive Rochester, IN 46975	Kathy Blackman
Harold D & Maridean Howard 1505 Mitchell Drive Rochester, IN 46975	Mail ✓
Travis W & Angela K Heishman 1907 Maples Court Rochester, IN 46975	Angela
Randy & Christine Sutton 1003 Arthur Street Rochester, IN 46975	Chris Sutton
Donald R & Mariellen A Winsett 911 Arthur Street Rochester, IN 46975	Vacant
Timothy A & Donna J Renie 905 Arthur Street Rochester, IN 46975	Timothy A. Renie
Wayland Place LLC 145 Fulton Avenue Rochester, IN 46975	Mail ✓
Eileen K Fellers 1401 Mitchell Drive Rochester, IN 46975	Eileen K. Fellers
Jerry A Smiley 1514 Arrowhead Drive Rochester, IN 46975	Mail ✓
Sean Kirk McKee 1716 Ewing Road Rochester, IN 46975	Mail ✓
Patricia G Stansbury 1502 Mitchel Drive Rochester, IN 46975	Mail ✓
Leigh Michelle Soderlund 1902 Maples Court Rochester, IN 46975	CEA STS
Grant M & Sara J Downs 1913 Maples Court Rochester, IN 46975	Sara Downs
Brian W & Natalie Anne Bolin 977 Arthur Street Rochester, IN 46975	Brian Bolin
Diane S Weaver-Gady 909 Arthur Street Rochester, IN 46975	Diane Gady
Linda W Novak 903 Arthur Street Rochester, IN 46975	Linda W Novak

Larry M & Jeaneene Durham 2017 Westside Drive Rochester, IN 46975	Mail
Eloise W Brown 2103 Westside Drive Rochester, IN 46975	Mail



FILED

September 13, 2019

SEP 17 2019

To the Fulton County Plan Commission

In the issue of the hearing on the proposed subdivision on Mitchell Drive and
Wabash Avenue. *Sept 23, 2019*

Fulton County
Plan Commission

I am adamantly opposed the first 10 section I and the sequent sections II and III.

The first 10 lots on Mitchell Drive are the proverbial "camel's nose under the tent". Get those 10 approved and the rest will get shoved thru.

Potentially surrounding my neighbors and over building the Wabash Avenue area.

- # 1 There would be 20 drives, alleys and streets between the Wabash Ave and Mitchell corner and Maples Court, one block essentially.
- #2 Traffic at Wabash Ave and Mitchell Drive will be incredible, hard to control. There are problems now with people that don't stop and with truck and speed Issues.
- #3 Look at that area. The addition across the street and behind Wynnfield Crossing and Cardinal Center is not complete and has several more empty Lots. There will be one big overbuilt area with no potential of increased Roads to handle the unnecessary traffic.
- #4 The infrastructure cannot handle more. Trucks routinely come up Wabash from 31, only to find signs at Mitchell and Wabash that restricts them in all directions. But they continue on a regular basis. Where do they go, just vanish?
- #5 The 4 way stop sign at Mitchell and Wabash is routinely ignored by traffic, and the MPH limit on Wabash Ave is just a **suggestion**.

2 weeks ago there was an article in the Sentinel as to how we can't get factories to locate in Fulton County. There are not factory facilities available, we need to build spec factories. Really? So where would the potential property owners going to work?

The county could increase revenue by monitoring and ticketing for speed, stop sign and truck traffic violation. At least the revenue might help pay for the damage from increased traffic and truck traffic on Wabash Ave.

To add 10 properties and the possibility of 62 more, the area will be overwhelmed. Add the 30 drives from Mitchell to Overmeyers hay field and it will become ridiculous. 20 drives in a 1 block area on Mitchell? Ridiculous.

Then factor in the nature and wildlife. Those 14 deer that cross over thru the area including that 10 property site will vanish, along with many other wild life.

No absolutely no start to any subdivision not 10 not any.

Respectfully

Martha I. Roberts, Wabash Ave. Resident.

Article Five

Section Eight - Akron Development Standards

5-8.0 Interpretation

The following development standards listed within Section Eight are only applicable within the incorporated area of the Town of Akron (except as may otherwise be provided within this ordinance).

5-8.1 Accessory Structures Standards (AS)

AS-01: Accessory Uses shall comply with all development standards of the applicable zoning District unless an exception is provided for specifically in this ordinance.

- A. Accessory Uses shall not encroach upon any platted easements unless specifically authorized by the terms of the easement or by written consent of the agency in whose favor the easement is granted.
- B. Underground facilities shall not be located in or under any required Front, Side or Rear Yard or Bufferyard.
- C. Game Courts shall not be located in any required Front, Side or Rear Yard, or between the established Front Building Line and the Front Lot Line provided, however, a basketball goal may be located in a driveway in any residential district.

AS-02: Accessory Uses shall be permitted in all zoning Districts, however, Accessory Uses shall not be permitted on a Lot prior to the erection of the Primary Building or Use.

A. By way of example only, typical residential Accessory Uses are:

- Garages
- Carports
- Porches
- Decks
- Awnings
- Canopies
- Mini-Barns
- Patios
- Outdoor Fireplaces
- Bathhouses
- Children's Playhouses
- Swings
- Game Courts, Including Tennis or Basket-Ball Courts
- Parking Areas
- Signs
- Hot Tubs
- Radio Sending and Receiving Antennas
- Satellite Dish Antennas
- Storage Buildings
- Swimming Pools

AS-03: Additional Development Standards for Accessory Uses in any residential district. Accessory Uses permitted shall also comply with the following Development Standards:

- A. The total square foot area of all Accessory Buildings on a Lot shall not exceed fifty (50) percent of the Finished Floor Area of the Primary Building; and the total number of Accessory Buildings on a Lot shall not exceed two (2) Accessory Buildings.
- B. A swimming pool or hot tub shall not be located between any Front Lot Line and the established Front Building Line, or in any required Side or Rear Yard.
- C. The swimming pool or hot tub shall be enclosed by either: a fence, which shall be adequate to prevent persons, children or animals from harm, and shall be equipped with a self-closing,



Article Five

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- Decks
- Awnings
- Canopies
- Mini-Barns
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- Bathhouses
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- Satellite Dish Antennas
- Storage Buildings
- Swimming Pools

AS-03: Additional Development Standards for Accessory Uses in any residential district. Accessory Uses permitted shall also comply with the following Development Standards:

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- B. A swimming pool or hot tub shall not be located between any Front Lot Line and the established Front Building Line, or in any required Side or Rear Yard.
- C. The swimming pool or hot tub shall be enclosed by either: a fence, which shall be adequate to prevent persons, children or animals from harm, and shall be equipped with a self-closing,



self-latching gate; or a safety pool cover complying with the provisions of IAC 20-4-27(c). If a fence is utilized, such fence shall:

- a. if erected at Grade, be not less than five (5) feet in height; or,
- b. if erected on the deck of an above ground pool or hot tub, not be less than thirty-six (36) inches in height measured from the surface of the deck.

D. No pool or hot tub shall be erected or constructed unless adequate distance from overhead electrical wires is provided in accordance with the National Safety Code and the National Electrical Code, current editions.

E. Abandoned or unused swimming pools or hot tubs, situated on a lot where the dwelling unit is not occupied for periods of thirty (30) days or more, shall be drained or equipped with a cover adequate to prevent persons, children or animals from danger or harm.

F. All swimming pools or hot tubs, including associated decking and aprons, shall be included in the calculation of Maximum Lot Coverage.

G. Patios, Porches, gazebos and Decks shall comply with all Maximum Lot Coverage, Minimum Yards and Building Setback, and Maximum Building Height regulations of the applicable zoning District for Primary Buildings.

H. Fences (including chain link, solid, architectural screen, latticework or masonry) or Hedges,

- a. Shall not exceed forty-eight (48) inches in height above Grade in a required Front Yard;
- b. Shall not exceed six (6) feet in height above Grade in a required Side or Rear Yard;
- c. Shall comply with all Vision Clearance Area requirements of Section 8-5-1.23 of this Ordinance; and,

d. Shall not exceed the Maximum Building Height allowed for an Accessory Building if located elsewhere on a Lot.

AS-04: Satellite Dish Antennas in Residential Districts

A. In all Residential Districts, the regulations of this Section shall apply to Satellite Dish Antennas which are greater than one meter (39.37") in diameter. These regulations are intended to allow Satellite Dish Antennas to be located in a manner that: (i) does not unreasonably delay or prevent the installation, maintenance or use of the antenna; (ii) does not unreasonably increase the cost of installation, maintenance or use of the antenna; or (iii) preclude reception of an acceptable quality signal.

B. The regulations of this Section are intended to accomplish the following specific and clearly defined health, safety and aesthetic objectives:

- a. To promote the public health and safety by providing criteria for the placement of Satellite Dish Antennas greater than one meter (39.37") in diameter which ensure that all such installations are performed in a manner which limits endangerment of life and property on the site and on surrounding properties if the antennas should collapse or are felled by ice or high winds; and
- b. To ensure the aesthetic harmony of residential areas by providing for a harmonious Street scape, consistent with the Comprehensive Plan, uncluttered by nonresidential Structures, including guy wires, poles, masts, cables or other appurtenances which can create a visual blight offensive to those who reside, work or travel in the Town of Akron.

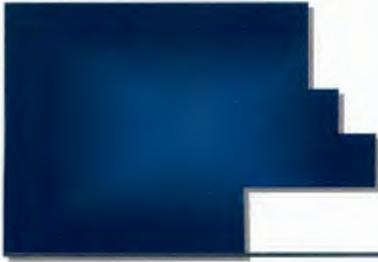
C. The following regulations are intended to meet the above objectives without unnecessarily burdening the Federal interests in ensuring the availability of satellite services and in promoting fair and effective competition among competing communication service providers.

a. Satellite Dish Antennas greater than one meter (39.37") in diameter shall be permitted provided that:

1. If ground mounted, Satellite Dish Antennas shall:

- a. not be located in any required front, side or rear yard, or between the established Front Building Line and the Front Lot Line; and,
- b. not exceed the Maximum Building Height allowed for an Accessory Structure.





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

Fulton County Zone Ordinance - Article 5, Section 8: Akron Development Standards Proposed Amendments to FCZO 5-8.1 (AS-03): Swimming Pool/Pond Regulations

Black Font = Effective Code Language

Red Font = Draft Amendment Language

Green Font = Director Comments

AS-03: Additional Development Standards for Accessory Uses in any residential district. Accessory Uses permitted shall also comply with the following Development Standards:

A. The total square foot area of all Accessory Buildings on a Lot shall not exceed fifty (50) percent of the Finished Floor Area of the Primary Building; and the total number of Accessory Buildings on a Lot shall not exceed two (2) Accessory Buildings.

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-A 1000 sf home cannot build a 24x24 (576 sf) garage/carport with this code language. 24'x24' is one of the most popular dimensions for a 2 car garage design.

-A Lot in Akron cannot have a deck, a mini-barn, and a pool with this code language. The following is listed in the Akron Development Codes as accessory building examples:

AS-02:

A. By way of example only, typical residential Accessory Uses are:

- Garages
- Carports
- Porches
- Decks
- Awnings
- Canopies
- Mini-Barns
- Patios
- Outdoor Fireplaces
- Bathhouses
- Children's Playhouses
- Swings
- Game Courts, Including Tennis or Basket-Ball Courts
- Parking Areas
- Signs



Fulton County Area Plan Commission

125 East 9th Street, Suite 012 - Rochester, IN 46975

Phone: (574) 223-7667 Fax: (574) 223-3652

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- Hot Tubs
- Radio Sending and Receiving Antennas
- Satellite Dish Antennas
- Storage Buildings
- Swimming Pools

[I would also suggest striking some of these Accessory Uses out of the list to clean up the code – i.e. Awnings, outdoor fireplaces (does Akron allow burning in Town limits?) playhouses, swings, signs, antennas]

-
- A. Man-made bodies of water (i.e. ponds, reservoirs, lake, lagoon, swamp, etc.) of any type are not allowed to be developed within the incorporate limits of the Town of Akron, unless otherwise stated within this ordinance or required by the Fulton County Drain Board.
- a. Koi/Ornamental Ponds are allowed within the Town of Akron. Such Koi/Ornamental Ponds must comply with the following regulations:
1. Said pond is lined with materials acceptable to the industry standard to maintain the water volume and prevent water leakage.
 2. Said pond shall not be more than four (4) feet in depth.
 3. Said pond shall not be sized to hold more than 1,100 gallons of water (6'x8'x3' pond = 1,077 gallon capacity).
 4. Said pond shall maintain a setback of 10' from all side and rear property lines and comply with the front setback required in the applicable zone district.
 5. Said pond does not require a permit.

[New Language]

-
- B. A swimming pool or hot tub shall not be located between any Front Lot Line and the established Front Building Line, or in any required Side or Rear Yard.
- B. All temporary and permanent A swimming pools ~~or~~ and hot tubs ~~shall not be located~~ shall only be located within the side and/or rear yard and must comply with a 10' setback from all side and rear lot lines. ~~between any Front Lot Line and the established Front Building Line.~~

-
- C. The swimming pool or hot tub shall be enclosed by either: a fence, which shall be adequate to prevent persons, children or animals from harm, and shall be equipped with a self-closing, self-latching gate; or a safety pool cover complying with the provisions of IAC 20-4-27(c). If a fence is utilized, such fence shall:
- a. if erected at Grade, be not less than five (5) feet in height; or,
 - b. if erected on the deck of an above ground pool or hot tub, not be less than thirty-six (36) inches in height measured from the surface of the deck.



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C. A hot tub or an in-ground, or semi in-ground, The swimming pool shall be enclosed by either a fence equipped with a self-closing, self-latching gate, which shall be adequate to prevent persons, children or animals from harm, ~~and shall be equipped with a self-closing, self-latching gate~~; or a safety pool cover complying with the provisions of ~~IAC 20-4-27(e)~~ the American Society for Testing and Materials industry standard for pool safety covers (ASTM F 1346).

a. A semi in-ground pool shall be regulated as an in-ground pool when the walls are less than thirty-six (36) inches in height above grade. If at any time the walls reach a consistent height of more than thirty-six (36) inches above grade, then it shall be regulated as an above ground pool in regard to safety measures.

~~b.a.~~ If a fence is utilized, such fence shall:

1. if erected at Grade, be not less than ~~five (5)~~ thirty-six (36) inches ~~feet~~ in height; or,
2. if erected on the deck of an above ground pool or hot tub, not be less than thirty-six (36) inches in height measured from the surface of the deck.

[For Comparison: Building Code requirement for a railing around a deck/porch is 36" in height.]

D. Above ground pools used by the majority of owners for less than 6 months out of the year and designed to be placed in storage for 5 months or more a year, are considered temporary in nature and do not require a permit.

a. Appropriate safety measures must be adhered to in relation to the design of the pool (i.e. removal of the water in shallow pools, safety ladders or ladder removal in deeper pools, etc.)

b. All temporary pools with walls equaling a height of thirty six (36) inches or more, must be set in the side and/or rear yard and maintain a minimum 10' setback from all property lines.

[New Language]

E. Above ground pools designed to be installed permanently and remain on-site, at the site of initial installation, 12 months a year, for multiple years until deterioration or upgrade dictate the pool's removal, are considered permanent in nature and require a permit.

a. Appropriate safety measures must be adhered to in relation to the design of the pool (i.e. safety ladders, ladder removal practices, etc.)

b. All permanent pools must be installed in the side and/or rear yard and maintain a minimum 10' setback from all property lines.

[New Language]



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- D.** No pool or hot tub shall be erected or constructed unless adequate distance from overhead electrical wires is provided in accordance with the National Safety Code and the National Electrical Code, current editions.

[No Change]

-
- E.** Abandoned or unused swimming pools or hot tubs, situated on a lot where the dwelling unit is not occupied for periods of thirty (30) days or more, shall be drained or equipped with a cover adequate to prevent persons, children or animals from danger or harm.

- E.** Abandoned or unused swimming pools or hot tubs, situated on a lot where the dwelling unit is not occupied for periods of thirty (30) days or more, shall be drained or equipped with a **pool safety cover as defined and regulated by ASTM F 1346** adequate to prevent persons, children or animals from danger or harm.

-
- F.** All swimming pools or hot tubs, including associated decking and aprons, shall be included in the calculation of Maximum Lot Coverage.

- ~~**F.** All swimming pools or hot tubs, including associated decking and aprons, shall be included in the calculation of Maximum Lot Coverage.~~

[This code is redundant and can be stricken. Each individual zone district has a Maximum Lot Coverage regulation and by virtue of a swimming pool being considered an accessory structure, the Maximum Lot Coverage applies to swimming pools without this regulation.]

-
- G.** Patios, Porches, gazebos and Decks shall comply with all Maximum Lot Coverage, Minimum Yards and Building Setback, and Maximum Building Height regulations of the applicable zoning District for Primary Buildings.

- ~~**G.** Patios, Porches, gazebos and Decks shall comply with all Maximum Lot Coverage, Minimum Yards and Building Setback, and Maximum Building Height regulations of the applicable zoning District for Primary Buildings.~~

[This code is redundant and can be stricken. Each individual zone district has a Maximum Lot Coverage regulation and by virtue of Patios, Porches, gazebos and Decks, etc. being considered accessory structures, the Maximum Lot Coverage applies to these structures without this regulation.]



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- H. Fences (including chain link, solid, architectural screen, latticework or masonry) or Hedges.
- Shall not exceed forty-eight (48) inches in height above Grade in a required Front Yard;
 - Shall not exceed six (6) feet in height above Grade in a required Side or Rear Yard;
 - Shall comply with all Vision Clearance Area requirements of Section 8-5-1.23 of this Ordinance; and,
 - Shall not exceed the Maximum Building Height allowed for an Accessory Building if located elsewhere on a Lot.

- ~~H. Fences (including chain link, solid, architectural screen, latticework or masonry) or Hedges.~~
- Shall not exceed forty-eight (48) inches in height above Grade in a required Front Yard;
 - Shall not exceed six (6) feet in height above Grade in a required Side or Rear Yard;
 - Shall comply with all Vision Clearance Area requirements of Section ~~8-5-1.23~~ 5-8.14 of this Ordinance; and,
 - ~~Shall not exceed the Maximum Building Height allowed for an Accessory Building if located elsewhere on a Lot.~~

-I would suggest striking Hedges out of this section. Section 5-8.14 allows for different heights in landscaping and regulates vision clearance issues with landscaping and reads as follows: No Building, Structure or Improvement, including landscaping, shall be erected, placed, planted or maintained so as to interfere with a Vision Clearance Area located between the heights of two and one-half (2-1/2) feet and nine (9) feet above the crown of a Street, Driveway or Alley.

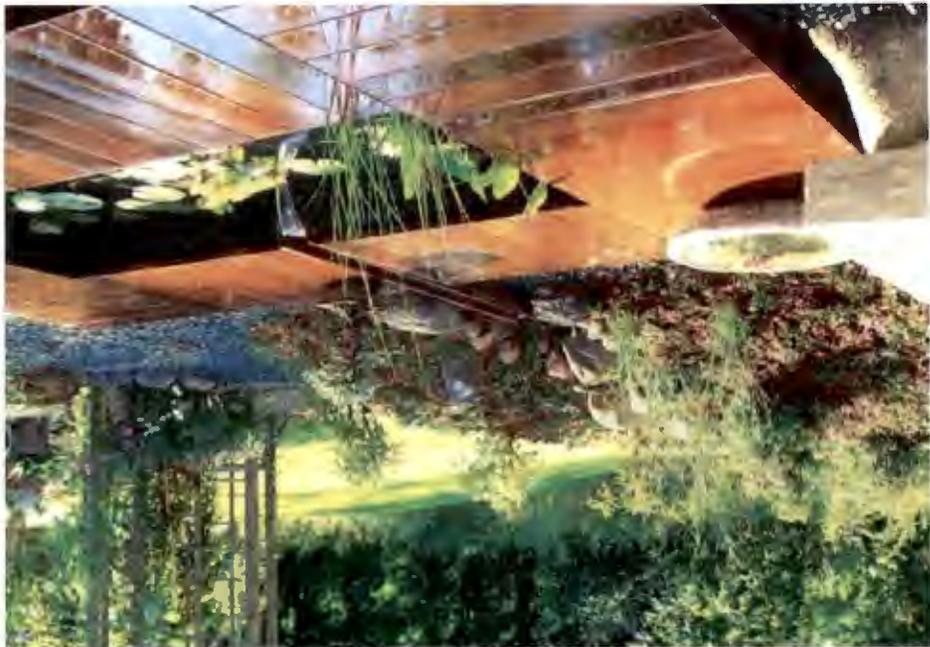
-I would also suggest striking (d.) out of this section. The maximum height of an accessory building is on average 20' and the language stating the fence cannot exceed the height...if located elsewhere on the Lot - the code already defines the front, side, and rear yards, by definition there is nowhere else a fence or accessory structure can be located. This is a very confusing code and should be removed.



POND EXAMPLES

KOI / ORNAMENTAL POND EXAMPLES





K&I/ORNAMENTAL POND IN DECK/PATIOS

Temp. POOLS



Pool
SWIM CENTER
PARADISE SEASIDE
POOL

For Ages
3+
YEARS

Approximate inflated size
103 in x 63 in x 18 in

WARNING:

Advertisement

TEMP. POOLS



Pool SAFETY Covers on Perm. Pools



Extra Strong, UV stabilized net protects your above-ground pool from unwanted intrusion and helps keep children



Commercial Sign Codes

Horses 1.7

MS-07: A confined feeding operation must maintain fewer than 1,200 animal units on any parcel adjoining or contiguously operating or owned parcels as determined from the following chart.

<u>Animal Type</u>	<u>Units</u>
Calves (150-750 lbs.).....	.7
Feeder cattle (750-1,200 lbs.).....	1.5
Cows	3.0
Nursery pigs (15 to 50 lbs.).....	.08
Grower/feeder pigs (50-280 lbs.).....	.4
Sow and litter5
Boars.....	.5
Sheep and Goats4
Turkeys and Geese.....	.02
Chickens01
Ducks015
Horses	1.7

5-7.14 Temporary Sign Standards (TS)

TS-01: The following temporary signs shall be permitted. No freestanding sign shall be located within the vision clearance area. Free standing signs shall be a minimum of ten (10) feet from right-of-way. A temporary Sign permit is required unless otherwise specified.

- A. One noncommercial freestanding sign no larger than thirty-two (32) square feet. Signs for an event of public interest (e.g. county fair or church event) are considered noncommercial for the purpose of this article in addition to all other noncommercial signs. No permit is required.
- B. Pennants, Banners or similar devices are permitted for grand openings or special promotions.
- C. Portable signs are permitted for grand openings or special promotions under the following conditions.
 - a. Such sign shall not be not be used for a time to exceed three (3) months in a twelve (12) month period.
 - b. Such sign shall not exceed thirty-two (32) square feet
 - c. One portable sign is permitted per street frontage.
- D. Construction signs are permitted only during under the following conditions.
 - a. Such sign shall not exceed thirty-two (32) square feet in area.
 - b. Such sign shall be permitted for the duration of the construction period only.

5-7.15 Permanent Sign Standards (SI)

SI-01: HD, DC, and VC Districts only. All signs require a permit unless otherwise specified. The following signs shall be permitted— except when in a federally funded state highway right-of-way or when the sign is intended to be viewed from any federally funded state highway within Fulton County, unless specifically permitted by INDOT.

- A. Total sign area allowed per lot - The length of building that faces the road = the amount of signage allowed per lot. For example: If a building is 100 feet wide than 100 square feet of signage would be allowed for the lot. Any combination of signs permitted under this section may be used as long as they do not exceed the total area allowed per lot. In addition, the following maximums apply.
 - a. Under no circumstance may a ground sign exceed eighty (80) square feet
 - b. Under no circumstance shall the total square footage of all other signs exceed one-hundred (100) square feet.



Commercial Sign Codes

- B. Wall sign - Wall signs shall be flushed to the building.
- C. Awning sign
- D. Marquee sign
- E. Projecting sign
- F. Ground sign - One ground sign per lot not to exceed 9 feet in height. Sign area must be within the total sign area allotted per lot. No portion of the sign shall encroach on the public right-of-way or create a vision clearance issue for surrounding drives or street/alley intersections.
- G. Directional Signs - Directional signs no more than three (3) feet in height and no more than six (6) square feet. No permit is required and they shall not be counted toward the total area allowed per lot.

SI-02: HC and GC District only. All signs require a permit unless otherwise specified. The following signs shall be permitted— except when in a federally funded state highway right-of-way or when the sign is intended to be viewed from any federally funded state highway within Fulton County, unless specifically permitted by INDOT.

- A. Total sign area allowed per lot - $1.5 \times$ the length of building that faces the road = the amount of signage permitted per lot. For example: If a building is 100 feet wide, then 150 square feet of signage would be permitted per lot. Any combination of signs permitted under this section may be used as long as they do not exceed the total area allowed per lot. In addition, the following maximums apply.
 - a. Under no circumstance may a freestanding sign (or ground sign) exceed one-hundred and fifty (150) square feet
 - b. Under no circumstance shall the total square footage of all other signs exceed two-hundred (200) square feet
- B. Wall signs - Wall signs shall be flushed to the building.
- C. Awning sign
- D. Freestanding signs - One freestanding sign per lot. Sign area must be within the total sign area allowed per lot. Sign height shall be permitted according to the following chart.

Maximum Height	Distance from right of way
10 feet	5 feet
20 feet	10 feet
25 feet	15 feet
30 feet	20 feet
35 feet	25 feet

- E. Directional Signs - Directional signs no more than three (3) feet in height and no more than six (6) square feet. No permit is required and they shall not be counted toward the total area allowed per lot.
- F. Billboards - A commercial billboard, permanently affixed in the ground (not attached or constructed to a motor vehicle or trailer) that is greater than one hundred (100) square feet, but not exceeding three-hundred and thirty (330) square feet, is permitted in the Commercial Districts. No commercial billboard shall be permitted unless it is consistent with the following:
 - a. The sign shall be set back a minimum of thirty (30) feet from the road right-of-way and a minimum of 20 feet off of any side and/or rear property lines.
 - b. The sign shall be set back a minimum of five hundred (500') feet from other billboards on the same side of the highway measured between two points at the edge of pavement, found by lines drawn from the nearest edge of each sign perpendicular to the edge of pavement.
 - c. The sign must be located more than five-hundred (500) feet from the intersection of any two public rights-of-way measured at which point the pavement widens and the direction of measurement shall be along the edge of pavement away from the intersection.
 - d. The sign shall consist only of a single structure, having either one advertising face, or two



back-to-back advertising faces. There shall be no double-decked (stacked) or side-by-side commercial billboards.

- e. Back-to-back billboards are permitted provided that such signs are completely back-to-back or at an offset no greater than an angle of forty-five (45) degrees.
- f. The maximum height of the sign face shall not exceed thirteen (13) feet and the maximum length of the sign face shall not exceed twenty-five (25) feet exclusive of structural members or supports.

SI-03: IN and IU Districts only. The following signs shall be permitted. All signs require a permit unless otherwise specified.

- A. Total sign area allowed per lot - $2 \times$ the length of building that faces the road = the amount of signage permitted per lot. For example: If a building is 100 feet wide, then 200 square feet of signage would be permitted per lot. Any combination of signs permitted under this section may be used as long as they do not exceed the total area allowed per lot. In addition, the following maximums apply.
 - a. Under no circumstance may a freestanding sign (or ground sign) exceed two-hundred (200) square feet.
 - b. Under no circumstance shall the total square footage of all other signs exceed two-hundred and fifty square (250) feet.
- B. Wall signs - Wall signs shall be flushed to the building.
- C. Awning sign
- D. Freestanding signs - One freestanding sign per lot. Sign area must be within the total sign area allowed per lot. Sign height shall be permitted according to the following chart.

Maximum Height	Distance from right of way
10 feet	5 feet
20 feet	10 feet
25 feet	15 feet
30 feet	20 feet
35 feet	25 feet

- E. Directional Signs - Directional signs no more than three (3) feet in height and no more than six (6) square feet. No permit is required and they shall not be counted toward the total area allowed per lot.
- F. Billboards - A commercial billboard, permanently affixed in the ground (not attached or constructed to a motor vehicle or trailer) that is greater than one hundred (100) square feet, but not exceeding three-hundred and thirty (330) square feet, is permitted as a permitted use in the Commercial Districts. No commercial billboard shall be permitted unless it is consistent with the following:
 - a. The sign shall be set back a minimum of thirty (30) feet from the road right-of-way and a minimum of 20 feet off of any side and/or rear property lines.
 - b. The sign shall be set back a minimum of five hundred (500') feet from other billboards on the same side of the highway measured between two points at the edge of pavement, found by lines drawn from the nearest edge of each sign perpendicular to the edge of pavement.
 - c. The sign must be located more than five-hundred (500) feet from the intersection of any two public rights-of-way measured at which point the pavement widens and the direction of measurement shall be along the edge of pavement away from the intersection.
 - d. The sign shall consist only of a single structure, having either one advertising face, or two back-to-back advertising faces. There shall be no double-decked (stacked) or side-by-side commercial billboards.
 - e. Back-to-back billboards are permitted provided that such signs are completely back-to-back



Commercial Sign Codes

- or at an offset no greater than an angle of forty-five (45) degrees.
- f. The maximum height of the sign face shall not exceed thirteen (13) feet and the maximum length of the sign face shall not exceed twenty-five (25) feet exclusive of structural members or supports.



alternate perimeter
landscape location

SR 25

7930

7931

4
7000
3

1

2

36

36

5

- City Town Boundary
- Lakes/River
- Parcels
- Addresses
- Dimensions
- Highways
- Roads
- Lakes/River
- Parcels
- Lots

Tri Eagle, LLC
requesting
alternate
landscape
plan due
to USDA
regulations.



Landscape Alt. Plan



LS-02: Minimum Plantings Required by Use:

USE	NUM.	TYPE	PER	SIZE
Multiple Family Plantings	3	Trees	2 dwelling units	1" caliper if deciduous 3 feet tall if evergreen
	1	Ornamental	4 dwelling units	6 feet tall
	1	Foundation	10' of perimeter	18" tall Plant-
Retail Comm. (Not HD District)	3	Trees	1000 sq. ft. floor area	1" caliper if deciduous 3 feet tall if evergreen
	1	Foundation Plantings	20' of perimeter	18" tall
Office Comm. (Not HD District)	3	Trees	1000 sq. ft. floor area	1" caliper if deciduous 3 feet tall if evergreen
	1	Foundation Plantings	10' of perimeter	18" tall
Institutional (Not HD District)	3	Trees	1000 sq. of ground ft. floor area	1" caliper if deciduous 3 feet tall if evergreen
	1	Foundation Plantings	10' of perimeter	18" tall
Industrial (Not HD District)	3	Trees	3000 sq. ft. floor area	1" caliper if deciduous 3 feet tall if evergreen
	1	Foundation Plantings	30' of perimeter	18" tall

- A. The plantings required to meet Buffer Yard standards shall not be counted toward this minimum landscaping requirement.
- B. Existing trees on site can be counted toward the minimum landscaping requirements. The floor area from all existing buildings must be calculated and accounted for when determining if the existing trees on site will accommodate the minimum requirements listed above.
- C. All foundation plantings must be within ten (10) feet of the structures' foundation and should be shrubs, ornamental bushes, ornamental plants, or flowering plants. The following is required for all single family developments.
- D. Any landscaping plan deviating from the requirements above may be submitted for approval to the Plan Commission as an alternate landscaping plan.

5-7.6 Lighting Standards (LT)

LT-01: The intent of lighting standards are to provide a level of illumination for adequate, safe and efficient movement of vehicle and persons without affecting neighboring properties. Further the level of illumination shall vary according to the type of use on a lot. The intensity of light created on any site shall not significantly go beyond the property line of the subject property.

The following lighting standards apply:

- A. All lighting shall be shielded with opaque material to prevent direct lighting on streets, alleys, and adjacent properties.
- B. All lighting elements used to cast light on building facades, features of buildings or signs shall have cutoff luminaires with less than a ninety degree angle ("downlighting").
- C. Lighting for parking lots must all be consistent in their color, size, height, and design. Further, all parking lot lights shall have cutoff luminaires with less than a ninety-degree angle (down-



adjacent to one another. The need for Buffer Yard Standards stems from the periodic occurrence of two (2) adjacent zoning districts conflicting or have the potential of conflicting. If a property in a VC district is adjacent to any other district other than the VC District, an additional ten (10) feet of setback shall be required in addition to the normal setback on the yard(s) abutting the other zoning district.

BY-03: A general purpose of zoning is to protect conflicting Zoning Districts from being adjacent to one another. The need for Buffer Yard Standards stems from the periodic occurrence of two adjacent Zoning Districts conflicting or have the potential of conflicting. The following Buffer Yard Standards only apply along the property lines where two conflicting Zoning Districts meet.

If a GC or HC District is adjacent to SR, RR, R1, R2, R3, or MP. A buffer shall be installed on the property located in the GC or HC district. The following buffer standards shall apply:

- A. The developer or owner of the subject property is responsible for installing the Buffer Yard.
- B. The adjacent property owner shall not have to participate in installing the Buffer Yard.
- C. An additional twenty (20) feet of setback shall be required in addition to the normal setback.
- D. One (1) deciduous canopy tree and two (2) needled evergreen trees must be planted for every twenty (20) feet of contiguous boundary with conflicting district.
- E. All trees must be planted within five (5) to fifteen (15) feet from the property line.
- F. An irregular line or row of trees is preferred.
- G. All trees must have at least a one (1") to two inch (2") caliper, be properly maintained, and be replaced if the tree dies, is diseased, or is damaged.

5-7.5 Landscaping Standards (LS)

LS-01: Landscaping is an essential part in the design and development of a site. Such plantings are a benefit to the environment, public health, safety, comfort, convenience and general welfare of the community. These standards will result in the reduction of storm water runoff, glare, heat build-up, following general standards apply.

- A. No landscaping materials, vegetation, plants, shrubs, trees, retaining walls, bedding, lighting, or mounds may extend into any existing or proposed right-of-way or easement without the written permission from the agency that established the right-of-way or easement.
- B. No trees may be planted within five (5') feet of sidewalks, streets, curbs, gutters, drainage tile, or other infrastructure, unless approved otherwise by the planning commission.
- C. The species of trees and plants for proposed landscape plan may be subject to approval of plan commission or its designees.
- D. All landscaping must be properly maintained (i.e. pruning, replacing plants and/or trees that have died, is diseased or damaged, etc.)





**Service Agreement for
Fulton County, IN**

iWorQ

Community Development & Public Works Software

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Executive Summary

Thank you for your interest in iWorQ Systems! We have been providing government software solutions since 2001 and serve more than 1,400 customers throughout the United States and Canada. We lead the industry in delivering hosted web-based solutions and were the first vendor in this market to provide a fully web-based system.

Since cities and counties often have limited capital budgets, we lease our applications so that our clients are not confronted with large capital investments and our annual support and maintenance fees do not increase year to year. We have found that this model allows agencies to plan for growth in a cost-conscious way.

To access our applications all you need is an internet connection and your choice of device including desktops, laptops, smartphones (iPhone, Android) and tablet devices (iPad, Galaxy, etc.) The system's graphical user interface, including all screens and dashboards, is natively touch screen enabled allowing your staff the flexibility to determine which device to utilize inside the office or in the field.

We are confident in providing a solution that can improve your internal communication as well as increase your responsiveness to your citizens and customers while reducing the time and effort from your staff. We also provide additional access through our Citizen Engagement mobile app and web portal for internal staff and citizens.

Thank you again for considering iWorQ, we will follow up with you to review any questions you may have about this proposal and the next steps in our consultative sales process.

Best Regards,

A handwritten signature in black ink that reads "Adam Laing". The signature is written in a cursive, flowing style.

Adam Laing
Vice President

Application Description

iWorQ software solutions and professional services together provide a seamless fit for Fulton County software project. Having implemented over 1,400 customer agencies and configuring a unique fit for each one provides our team the experience and background required to ensure a successful implementation.

iWorQ's browser-based software is an off-the-shelf system which requires no custom modifications to the code, only configuration of the application which requires no coding. As it is already utilized by hundreds of offices of all different sizes, we can scale and configure as much as needed for each implementation in order to meet your project goals. The system will provide access in the field and in the office, assuring your staff will be efficient and have all the data necessary to run a paperless system. iWorQ's hosted solution provides a smooth transition from your current system because much of the complexity of setting up the server hardware and networking environment is not required, which helps save time, money, and resources.

Since iWorQ's applications are configurable, we are able to provide a familiar and intuitive system that easy to use and understand. For example, when a user logs in, their screen contains only the fields on their dashboard that are pertinent to them, which makes the training process resonate with each of the end users. iWorQ implementers will consult with each department during the set-up process to configure the applications in order to meet the unique needs of each of your departments.

Project Initiation and Management

Throughout the history of our company, iWorQ's success with adding and maintaining customers can be accredited to our carefully structured methodology and approach with each implementation. Our phased project methodology allows regular checkpoints and frequent opportunities to ensure that all of our team members are in sync. During the planning phase, our project teams meet to analyze how each department operates today, and how you would like your new system to work going forward. Based on our discussions, we create a project plan, agree on major milestones, and set a project schedule. The project plan will also address communications, managing risk and change management.

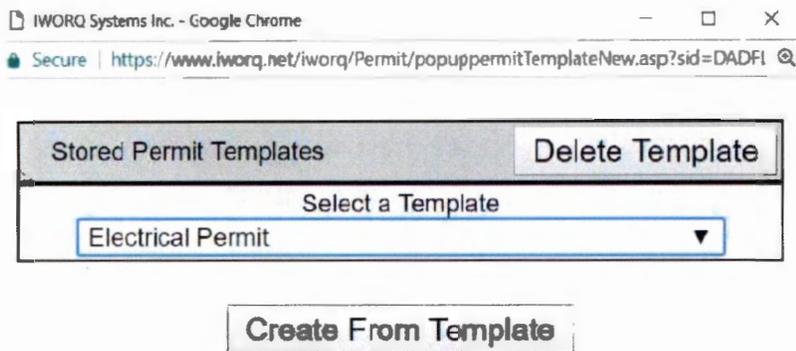
Throughout the project, iWorQ will hold regular status meetings in which both teams report on progress, tasks, and timelines, as agreed upon during the planning phase and outlined in the project plan. The iWorQ project manager acts as your main point of contact during the project and works with your staff to ensure that adequate communication takes place, assuring that the project moves along smoothly.

iWorQ has standard documentation to record decisions made during the project. These documents list tasks, person responsibilities, decisions made, etc.

Developing Specific Deliverables for Your Project

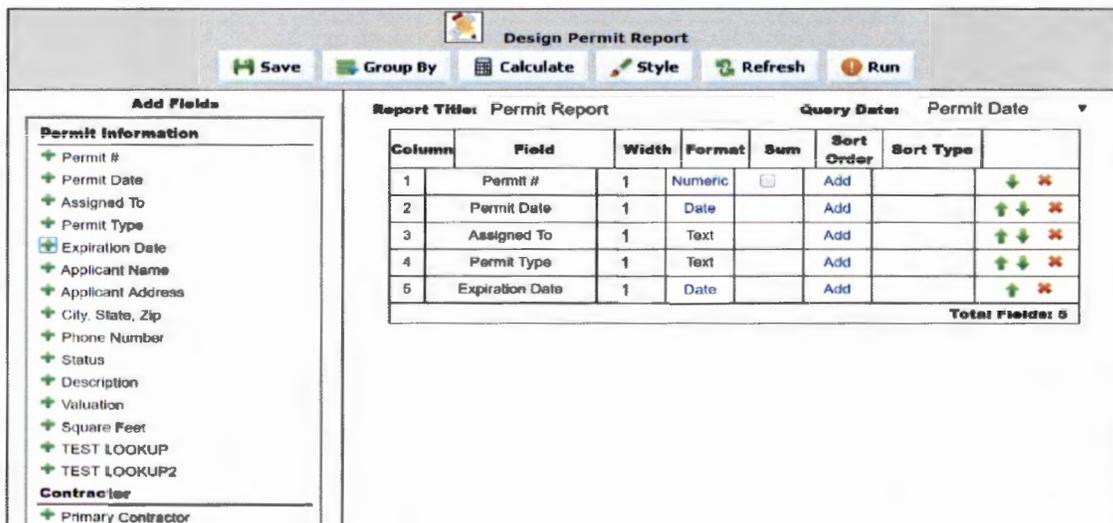
The iWorQ team works with your subject matter experts (that you assign) during the initiating and planning phases to determine what deliverables to build for your solution (e.g., reports, documents, templates, and dashboards etc.). After we create a deliverable, we test it to ensure it meets your specifications and then pass it to your team for user acceptance.

Figure 1.1



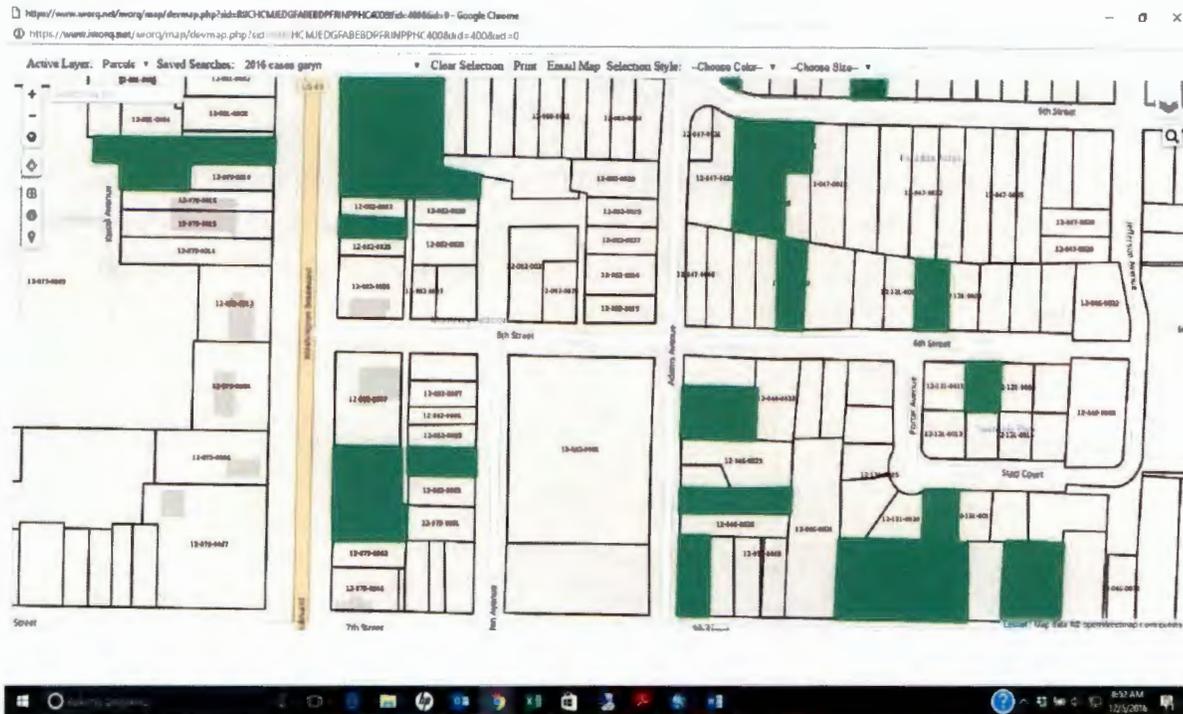
The above screen shows how easy it is to create a permit template with prefilled information.

Figure 1.2



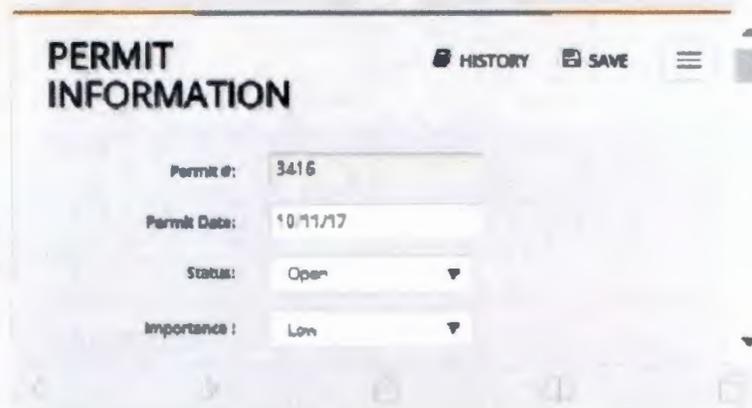
iWorQ's report builder provides a user interface that only requires a user to simply click on the "+" button below to instantly report on desired input. This enables you to add new fields when desired and create adhoc and saved reports.

Figure 1.3



Map above shows Responsive interface- Showing the parcel layer with highlighted parcels. The map is showing the permits issued last year. User can select, display, and edit data directly from the map.

Figure 1.4



The screenshot shows iWorQ's Mobile HTML 5 Interface making access in the field easy to use, which includes icons to help assure your field staff will be successful accessing the system.

Implementation Phases

Your project is configured through a four-phased approach that includes Initiation, Planning, Executing, and Closing phases. Throughout these phases, iWorQ bears the bulk of the project risk. We provide as much training and services as you need to be successful throughout the project.

This section discusses:

- Initiation Phase
- Planning Phase
- Executing Phase
- Closing Phase

Initiation Phase

During this phase, we install your software in our secure, hosted (SaaS) data center utilizing Amazon Web Services (AWS). During this phase, you should determine what staff members will assist with the project. We ask you to complete initial worksheets that allow us to import data into iWorQ dropdown fields. These worksheets are system-agnostic, and do not require that you understand iWorQ data structures to complete this phase.

Planning Phase

During the Planning phase, the iWorQ project team works with your team to define how processes at Fulton County work today and how you would like your new system to operate going forward. As part of this, your team should analyze the reports and documents you currently have to determine which ones you need to have in iWorQ. Based on our discussions, we create a project plan that includes project timelines, goals, priorities, and responsibilities. Our project team will work with you to set a clear project plan with detailed requirements. Both teams follow this plan during the executing phase.

Executing Phase

During the Executing phase, we train your project team and together configure the solution. Concurrent with your system configuration, our data integration team will work with you to build data interfaces and migrate data if they are part of the project scope. After our teams complete these tasks, we train your staff members.

Your success is our highest priority. While each of our training phases has a specific plan, we provide additional or repeat trainings at no additional cost if necessary for a successful implementation. As a customer, we will provide additional training anytime it is desired for no additional cost. The time

completion of project phases is often dependent upon Fulton County go-live goals and staff availability.

Go Live

After the configuration, iWorQ will train each of your staff members. During our training, attendees learn by doing actual data entry. They should come to the training with any materials they regularly use to enter cases (e.g., a stack of permits or code cases to be entered). Instructors will provide the training online. Instructors provide personal assistance to attendees, answer specific questions, and personalize teaching styles to meet the needs of individual attendees.

Closing Phase

During the closing phase, your iWorQ project team continues to work with you to answer any questions and resolve any configuration questions. We hold a project closure meeting to ensure a smooth transition from our project team to our iWorQ customer support team, who will support you going forward and as long as you are a customer.

Training

Your administrator and other individuals you designate receive several different types of training that cover iWorQ's key functionalities.

Our training involves guiding staff to use iWorQ to complete actual work tasks. Instructors provide personal assistance to attendees, answer specific questions, model examples and exercises, and personalize teaching styles to individual attendees. This informal style helps your staff relax and feel comfortable asking and responding to questions.

These trainings are described in further detail below:

Administrator Training: Administrator training teaches your iWorQ administrator(s) how to manage iWorQ going forward. This training covers items such as setting up code tables (options in drop-down lists); security rules; and iWorQ tools.

Configuration Training: During the configuration phase, your administrators make many decisions about configuring iWorQ to make your office its most efficient. During Configuration Training, iWorQ's project team helps trainees understand approaches, methodologies, and best practices for making these decisions and recognizing the ramifications of the decisions they make.

Go-Live Training: Prior to Go-Live, every user on the system will receive training pertinent to their role type on the system. We provide unlimited training during implementation and after Go-Live via conference calls, webinars, or online screen share and we offer an annual, national users' conference to learn new and advanced skills.

Fulton County	Quote creation: 9/12/2019
815 N Main St, Rochester, IN 46975, USA	Prepared by: Steve Hulse & Adam Laing

1. QUOTE

Fulton County- hereafter known as "Customer", enters into the following Service Agreement with iWorQ Systems, "iWorQ", headquartered Logan, UT. Customer will pay an annual fee for the services and a one-time setup fee detailed below:

Population: 20,059

Community Development Applications and Services	Package Price	Billing
Community Development Package - Available on any computer, tablet, or mobile device using Chrome browser - Code Enforcement with OpenStreetMap - Permit Management with OpenStreetMap - Quarterly parcel upload - Track contractors and their associated permits and inspections - Free letters, and / or permits utilizing iWorQ's template library, and up to 3 custom letters. Plan Review Management - Draw & annotate on plans - Save data in layers on plans - Place watermarks on plans - Must have premium data to use (Included with Portal Home)	\$7,000	Annual
Portal Home *Permit Portal *Code Enforcement Portal -Configurable portal for ease of applying for permits and tracking current permits online -Allows for submitting code enforcement issues online and viewing code cases on the map -Includes Premium Data (25 MB Uploads, 100 GB Total Storage) -3 Custom Forms -Messaging feature for easy interaction with citizens -Built-in automatic workflow capabilities -Ensures better communication with citizens and allows for easy interaction	\$3,000	Annual
Payment Processing - Credit/debit card processing NOTE: Payment provider has standard merchant fees associated with their processing - Merchant account and gateway via payment provider - Payments are recorded and tracked in iWorQ -iWorQ's robust reporting tool can track all historical transactions	\$1,000	Annual
Letters and Forms - 4 additional custom letters, forms, permits, and/or documents.	\$800 \$500	Annual

ANNUAL TOTAL	\$11,800	
	\$11,500	

Setup, training, and system configuration	\$7,900	Once
	\$6,700	
Grand total due	\$19,700	
	\$18,200	

Notes

- 1- Invoices for amount will be sent out 2 weeks after signature. Terms of the invoicing is Net 30 days.
- 2- This quote cannot be disclosed or used to compete with other companies, subject to the Indiana's Access to Public Records Act (ARPA).
- 3- The Annual fees quoted in this agreement are locked in for the life of this agreement. Initial pricing is based on population and number of applications. Removing or adding any items from this quote may require application prices to be updated.
- 4- This quote and the discounts (\$1,500) found herein are provided at the customer's request and is good until September 30th, 2019. Invoices for the amount above will be sent out January 15th, 2020 and is contingent upon disbursement and availability of pre-approved funds. If funds are not available or final approval by the State of Indiana or Fulton county is not granted, iWorQ will not send an invoice and the agreement will be canceled and considered null and void if the County provides cancellation confirmation prior to the invoice date.

2. ADDITIONAL SERVICES

iWorQ provides additional applications and services that can be purchased as part of the Community Development solution. These can be added to the customer's annual* cost, upon request. The services listed below may already be included in the quote in Section 1.

Licensing – track business, animal, liquor, rental, and other license types. Includes customized automated reminder letters and online renewal.	Price based on Population	Annual
Additional Storage – Each unit of storage contains an additional 100 GB.	\$250	Annual
Onsite Backup – iWorQ will send a *.BAK on a scheduled basis to an FTP server maintained by the customer.	\$1000	Annual
Monthly Parcel Update – iWorQ will import an electronic file on a scheduled basis from a file stored on an FTP server maintained by the Customer.	\$1000	Annual
Interactive Voice Response (IVR) – used by contractors to schedule inspections via telephone.	\$1000	Annual
Additional letters/forms	\$200 each	Annual

**Additional services are subject to setup fees which are 2/3 of the annual cost.*

3. GUIDELINES

3.1 Getting started

iWorQ will assign an account manager to your account to begin the setup and training process upon contract signature.

Send the signed service agreement to iWorQ Systems:

Email: sales@iworq.com

Fax: 1 (866) 379-3243

Mailing address:

PO Box 3784

Logan, UT 84323

Physical address:

1125 W. 400. N. Suite 102

Logan, UT 84321

3.2 Billing information

iWorQ will invoice Customers on an annual basis. Customers reserves the right to cancel service at any time after the initial year, by providing iWorQ a 30-day written notice.

3.3 Data conversion

As part of the project setup, iWorQ provides a data conversion service. This service consists of importing data, sent by the Customer, in an electronic (relational database) format. iWorQ provides contact information and an upload site where the electronic data can be sent. Additional costs apply for data that does not meet the criteria listed above.

4. SERVICES and SUPPORT

4.1 Data ownership

All customer data remains the property of the customer. Customer can request data electronically or on disk, upon cancellation of Service Agreement. iWorQ will disburse data within 30 days of written notification.

4.2 FREE training

iWorQ provides FREE training and support. iWorQ provides webinars, phone support, written manuals, web videos, documentation and help files. Training is available to any Customer with a login.

4.3 FREE updates

All updates, bug fixes, and upgrades are FREE to the Customer. iWorQ is a web-based application. Customer only needs to login to get any updates to the applications.

4.4 FREE support

Customer support and training are FREE and available from 6:00 A.M. to 5:00 p.m. Mountain Standard Time.

4.5 FREE data back up

iWorQ does back-ups twice weekly and offsite once weekly.

4.6 Proprietary letters/forms

Letters and forms, including permits, certificates, or other documents must be owned by the customer and have a clear copyright.

4.7 Data upload and storage limits

Standard data plan includes uploads of up to 3 MB per file and 10 GB total storage. iWorQ offers a premium data plan available for an additional annual cost.

4.8 Software Terms and Limitations

The iWorQ Software is the proprietary information and a trade secret of iWorQ, Systems Inc. and this agreement grants no title or rights of ownership with the software. The software is protected by United States copyright laws and international copyright treaties, as well as other intellectual property laws. Customer shall not permit any user or other party to, (a) copy or otherwise reproduce, reverse engineer or decompile all or any part of the iWorQ Software, (b) make alterations to or modify the Software, (c) grant sublicenses, leases or other rights, or (d) permit any party access to the Licensed Software for purposes of programming against it.

5. SETUP & BILLING INFORMATION

5.1 Implementation information

Primary Contact(s) Casi Cowles

Phone (574) 223-7667 Cell (574) 835-0670 Email ccowles@co.fulton.in.us

Additional Contact(s) Josh Sriver, F.C. IT Director

Phone (574) 223-2909 Cell (574) 653-1077 Email itdept@co.fulton.in.us

5.2 Billing information

Billing Contact F.C. Plan Commission Phone (574) 223-7667 Cell N/A

Email hredinger@co.fulton.in.us Prefer to receive invoice by email? Yes No

Billing Address 125 East 9th Street - Suite 012

City Rochester State IN Zip 46975

PO# _____ (if required) Tax exempt ID# 0031184520

6. DEPARTMENT SIGNATURE

Signature of this Agreement is based on the understanding and acknowledgement of the terms and conditions stated within this Service Agreement.

(574) 223-7667
(Phone)

(574)835-0670
(Mobile)

ccowles@co.fulton.in.us
(Email)

(Signature)

Casi Cowles, Executive Director
(Print Name & Title)

09/23/2019
(Date)

7. FULTON COUNTY BOARD OF COMMISSIONERS AUTHORIZATION

Signature of this Agreement is based on the understanding and acknowledgement of the terms and conditions stated within this Service Agreement.

September _____, 2019

President

Vice President

ATTEST: Fulton County Auditor

Member

MEMORANDUM OF AGREEMENT

It is hereby agreed by and between the Fulton County signatory parties below in regard to the attached iWorQ Service Agreement for Fulton County, IN:

1. This quote and the discounts found herein are provided at the customer's request and are good until September 30, 2019.
2. Invoices for the amount state in the Services Agreement, which is hereby adopted by reference, will be sent January 15, 2020 and are contingent upon disbursement and availability of pre-approved funds.
3. If funds are not available or final approval by the State of Indiana or Fulton County is not granted, iWorQ will not send an invoice on January 15, 2020.
4. That providing the County submits a cancellation confirmation prior to said invoice date, the agreement will be cancelled and considered null and void forthwith.

Said Memorandum of Agreement signed on the ___ day of September 2019.

Board of Commissioners: Bryan Lewis, President

Said Memorandum of Agreement signed on the ___ day of September 2019.

Fulton County Council: Phyl Olinger, President

Said Memorandum of Agreement signed on the ___ day of September 2019.

Fulton County Plan Commission: Eric Straeter, President

**MONTHLY REPORT FOR THE
FULTON COUNTY PLAN COMMISSION OFFICE**

Permits issued in August	Current	Prior	YTD
Non-Commercial	30	161	191
Commercial	4	15	19
Sign	4	5	9
Building	20	140	160
Electrical	8	38	46
Applications Submitted in August			YTD
Special Exeptions	2	9	11
Administrative Appeals	0	0	0
Development Standard Variance	6	22	28
PC- Rezone/Plats/Sub-Div	2	1	3
Fees Collected in August			YTD
Permits, Applications, Copies	\$4,365.71	\$15,506.36	\$19,872.07
Fines	\$371.00	\$711.00	\$1,082.00
City Building Permits/EI& PI Registrations	\$852.50	\$7,541.05	\$8,393.55
County Building Permits	\$325.00	\$2,970.00	\$3,295.00
TOTAL:	\$5,914.21	\$26,728.41	\$32,642.62

