

**FOUNTAIN COUNTY  
ADVISORY PLANNING COMMISSION  
MINUTES  
FEBRUARY 28, 2019  
6:15 P.M.**

**A: Call to Order:**

The Fountain County Planning Commission met January 24, 2019 at 6:00 p.m. at the Fountain County Courthouse in the Commissioners Meeting Room. A motion was made by Laura Bush and was seconded by Brad Freeman to approve the minutes of the January 24th meeting as presented.

Vote: 4-0

**B. The following members were present:**

<input checked="" type="checkbox"/> Kyle Crowder	<input type="checkbox"/> Andy Smart
<input type="checkbox"/> Tim Shumaker	<input checked="" type="checkbox"/> Sue Ann Anderson
<input checked="" type="checkbox"/> Dale Clawson	<input checked="" type="checkbox"/> Laura Bush
<input type="checkbox"/> Courtney Stierwalt	<input checked="" type="checkbox"/> Brad Freeman

Others in Attendance were:

County Attorney, Tyler Nichols and Fountain County Auditor, Brenda Hardy.

**C. Determination of Quorum** - ☒ Yes   ☐ No

**D. public comment --**

None.

**E. Report of Committees and officers --**

None.

**F. Old Business --**

**G. New Business -**

**PUBLIC HEARING - REZONING NO# 2019-1**

**From Agricultural District to Business District at the following address:  
3339 E State Rd 32, Waynetown, IN 47990**

A motion was made by Dale Clawson and was seconded by Laura Bush to favorable pass the rezone application for Andy Byler.

Vote: 5-0

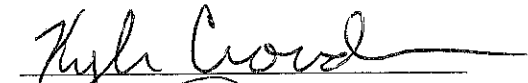


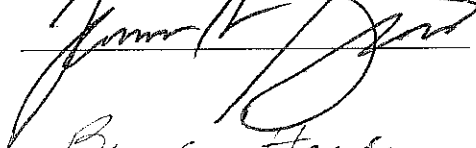
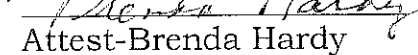
**H. Communications from Members -**


The next meeting will be Thursday, March 28th at 6:00 p.m.

A motion was made by Brad Freeman and was seconded by Laura Bush to adjourn the meeting.

Vote: 5-0

Meeting adjourned at 6:38 p.m.

  
  
  
  
  
Attest-Brenda Hardy

  
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**FOUNTAIN COUNTY  
ADVISORY PLANNING COMMISSION  
MINUTES  
JUNE 27, 2019  
6:00 P.M.**

**A: Call to Order:**

The Fountain County Planning Commission met February 28, 2019 at 6:00 p.m. at the Fountain County Courthouse in the Commissioners Meeting Room. A motion was made by Laura Bush and was seconded by Sue Anderson to approve the minutes of the February 28, 2019 meeting as presented.

Vote: 5-0

**B. The following members were present:**

<input checked="" type="checkbox"/> Kyle Crowder	<input checked="" type="checkbox"/> Andy Smart
<input checked="" type="checkbox"/> Tim Shumaker	<input checked="" type="checkbox"/> Sue Ann Anderson
<input type="checkbox"/> Dale Clawson	<input checked="" type="checkbox"/> Laura Bush
<input type="checkbox"/> Courtney Stierwalt	<input type="checkbox"/> Brad Freeman

Others in Attendance were:

Fountain County Auditor, Brenda Hardy

**C. Determination of Quorum** - ☒ Yes ☐ No

**D. public comment –**

None

**E. Report of Committees and officers –**

None

**F. Old Business –**

The Auditor sent notice to Paul Stultzman on February 22, 2019 regarding rezoning to Business District or Commercial District from Agricultural District on parcel number 23-11-31-402-001.000-020 PT E1/2 SE 31-19-7 22.432A at 2384 S US HWY 41, VEEDERSBURG, IN since he is manufacturing trusses there. They would keep 1-2 Acres as residential according to what standards the Assessor is compliant with. No response from him at this time.

A motion was made by Andy Smart and seconded by Tim Shumaker to rezone to Business District with provision from County Attorney that we are within our legal rights to do so.

Vote: 5-0

We will need to have a public Hearing on the legal description of the Business District portion of land that needs to be rezoned.

## **G. New Business –**

**New Zoning Plan** – Reviewing Montgomery County's Ordinance and needing to redo Fountain County Ordinance with minor changes. Need to compare to current Wind Ordinance and talk to County Attorney for changes that need to be made. Montgomery County Ordinance - Article 7 "PUD" Area would need to be removed since Fountain County doesn't have this kind of growth. The Plan Commission will present and recommend to the Commissioners to pass once they have gone through the proper procedures to adopt the new Ordinance.

**Tommy's B's Golf Cart/Shar Tire** – Discussion on how are they being taxed and do we need to rezone to Business District? All four corners should be Business District at US Hwy 32/US Hwy 41. The Flea Market Area is listed as Business District on the Ordinance map.

A motion was made by Andy Smart and seconded by Sue Anderson to rezone to Business District with provision from County Attorney that we are within our legal rights to do so. Vote: 5-0

We will need to have a public Hearing on the legal description of the Business District portion of land that needs to be rezoned.


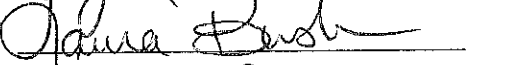


## **H. Communications from Members –**

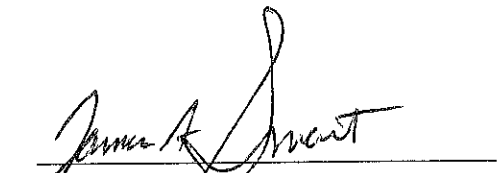
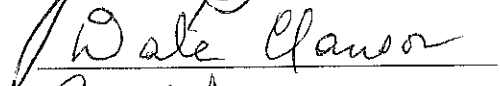
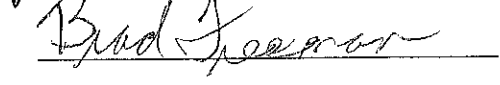

Adam Tyler will be replacing Courtney Stierwalt as Extension Educator.

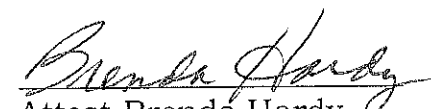
The next meeting will be Thursday, July 25, 2019 at 6:00 p.m.

A motion was made by Tim Shumaker and was seconded by Laura Bush to adjourn the meeting. Vote: 5-0

Meeting adjourned at 7:03 p.m.

  
Attest-Brenda Hardy

**FOUNTAIN COUNTY  
ADVISORY PLANNING COMMISSION  
MINUTES  
AUGUST 22, 2019  
6:00 P.M.**

**A: Call to Order:**

The Fountain County Planning Commission met June 27, 2019 at 6:00 p.m. at the Fountain County Courthouse in the Commissioners Meeting Room.

A motion was made by Tim Shumaker and was seconded by Andy Smart to approve the minutes of the June 27, 2019 meeting as presented. Vote: 6-0

**B. The following members were present:**

<input checked="" type="checkbox"/> Kyle Crowder	<input checked="" type="checkbox"/> Andy Smart
<input checked="" type="checkbox"/> Tim Shumaker	<input checked="" type="checkbox"/> Sue Ann Anderson
<input checked="" type="checkbox"/> Dale Clawson	<input checked="" type="checkbox"/> Laura Bush
<input checked="" type="checkbox"/> Adam Tyler	<input checked="" type="checkbox"/> Brad Freeman

Others in Attendance were:

Brenda Hardy, Adm. of Records

**C. Determination of Quorum** - ☒ Yes ☐ No

**D. public comment** – None

**E. Report of Committees and officers** – None

**F. Old Business** –

**G. New Business** –

New Zoning Ordinance - Descriptive of Districts was discussed on Business, Commercial or Industrial and need to define number of employees, traffic, etc. in new Ordinance for Fountain County.

A Public Notice will be put in the newspaper for a public hearing on September 26<sup>th</sup> at 6:00 p.m. to approve the text changes in the Ordinance and to consider the adoption of proposed amendments to the Zoning Ordinance for Fountain County.

A motion was made by Laura Bush and seconded by Sue Anderson Vote: 8-0



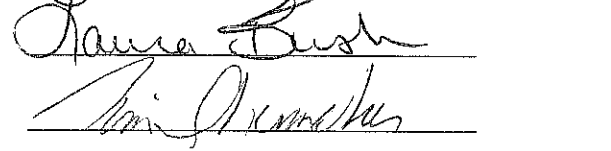
**H. Communications from Members** –


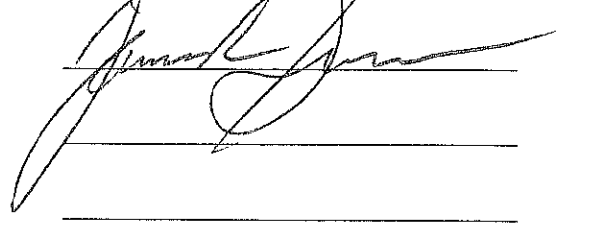
The next meeting will be Thursday, September 26, 2019 at 6:00 p.m.

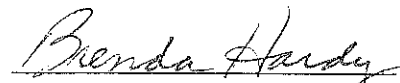
A motion was made by Brad Freeman and was seconded by Tim Shumaker to adjourn the meeting.

Vote: 8-0

Meeting adjourned at 7:07 p.m.

  
Attest-Brenda Hardy

**FOUNTAIN COUNTY  
ADVISORY PLANNING COMMISSION  
PUBLIC HEARING  
September 26, 2019  
6:00 P.M.**

**A: Call to Order:**

The Fountain County Planning Commission met September 26, 2019 at 6:00 p.m. at the Fountain County Courthouse in the Commissioners Meeting Room.

**B. The following members were present:**

<input checked="" type="checkbox"/> Kyle Crowder	<input checked="" type="checkbox"/> Andy Smart
<input checked="" type="checkbox"/> Tim Shumaker	<input type="checkbox"/> Sue Ann Anderson
<input checked="" type="checkbox"/> Dale Clawson	<input checked="" type="checkbox"/> Laura Bush
<input checked="" type="checkbox"/> Adam Tyler	<input type="checkbox"/> Brad Freeman

Others in Attendance were:

Brenda Hardy, Admin. Of Records

Commissioners - Don Hesler & Craig Stalter.

**C. Determination of Quorum** - ☒ Yes ☐ No

**D. public comment** – None

**E. Report of Committees and officers –**

A motion was made by Tim Shumaker and was seconded by Laura Bush to approve the minutes of the August 22, 2019 meeting as presented.

Vote: 6-0

**F. Old Business** – None

**G. New Business –**

Discussion on the proposed Ordinance and Tim shared with the other members that he showed the proposed Ordinance to the Wind Farm Concerned Citizens and they were agreeable to the language.

**Public Hearing - Zoning Ordinance 2019-13**

Subject to change to ordinance to add solar farm as Ag permitted usage.

A motion was made by Tim Shumaker and was seconded by Laura Bush to favorable recommend to the Fountain County Commissioners the Amended Zoning Ordinance.

Vote: 6-0

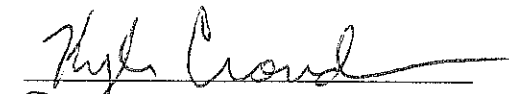

**H. Communications from Members -**


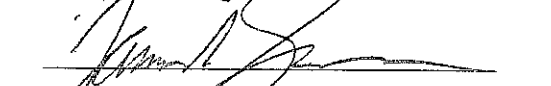
The next meeting will be Thursday, January 23, 2020 at 6:00 p.m.


A motion was made by Andy Smart and was seconded by Adam Tyler to adjourn the meeting.

Vote: 6-0

Meeting adjourned at 6:40 p.m.

  
  
Laura Bush  
Sue Ann Cinderson

  
  
Dak Clawson

  
Attest-Brenda Hardy, Admin of Records



## Fountain County Plan Commission

### Notice of Public Hearing to Consider Proposed Amendments to the Zoning Ordinance for Fountain County, Indiana

The Fountain County Plan Commission will hold a public hearing on Thursday, September 26, 2019, at 6:00 p.m. to consider the adoption of proposed amendments to the Zoning Ordinance for the County. The meeting will be held in the Fountain County Courthouse's Council Chambers, 2<sup>nd</sup> floor, 301 Fourth Street, Covington, Indiana 47932. The proposed amended Zoning Ordinance, if adopted, will apply to all unincorporated areas in Fountain County.

The proposed amendments to the Zoning Ordinance amend established agricultural, residential, commercial and industrial zoning districts in the unincorporated areas of Fountain County. The proposed amending ordinance also revises established procedural rules for applications for rezones, text amendments, appeals and enforcement. The proposed amending ordinance also revises certain established permitted uses, special exceptions for use and development standards for each district. The proposed amending ordinance also revises established regulations for wind turbine zoning, siting, set-backs, and other matters. The proposed amending ordinance provides that wind turbines are allowed only as a special exception in industrial districts and are not permitted in other zoning districts. The proposed amending ordinance establishes other rules and regulations to provide for efficient development of land in Fountain County.

The proposed ordinance contains the following penalty provisions:

**VIOLATIONS AND PENALTIES:** Any structure or use that violates this Ordinance shall be deemed to be a common nuisance and the owner of the structure or land shall be liable for maintaining a common nuisance. Any person or legal entity that is found by a Court of competent jurisdiction to have violated any provision of this Ordinance may be fined not more than Two Thousand Five Hundred Dollars (\$2,500.00) per offenses, plus costs, and attorney fees where the action is not brought pursuant to I.C. 36-7-4-1013, and have judgment entered accordingly.

Citizens appearing at the public hearing will have an opportunity to provide comments concerning the proposed Zoning Ordinance. All interested citizens are encouraged to attend. The Plan Commission may continue the hearing from time to time as may be found necessary. Citizens may file written objections with Auditor Brenda Hardy, 301 Fourth Street, Covington, Indiana 47932 before the public hearing. All such written objections will be considered by the Plan Commission.

A copy of the proposed Amended Zoning Ordinance is on file and may be examined at the Fountain County Auditor's office at 301 Fourth Street, Covington, Indiana 47932 (765-793-6243), office hours are 8:00-4:00 weekdays except holidays.

In accordance with the Americans with Disabilities Act, if anyone intending to attend the public hearing needs reasonable accommodation, please contact the Fountain County Auditor's office at 301 Fourth Street, Covington, Indiana 47932 (765-793-6243).

This notice dated August 28, 2019.

Brenda Hardy, Auditor