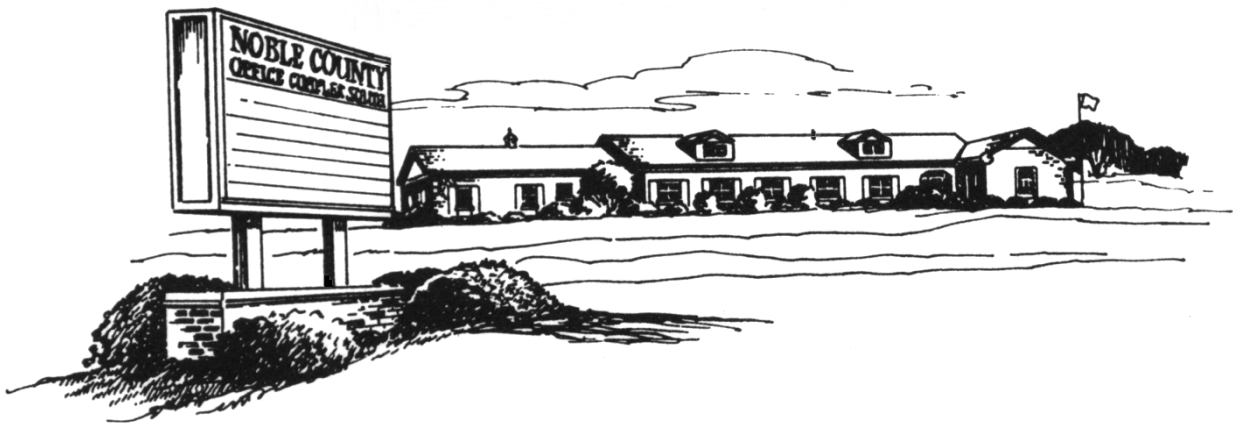


Noble County Plan Commission



Noble County Board of Zoning Appeals



2012 Year End Report

Noble County Commissioners – 2012

Joy LeCount	President
Jack Herendeen	Vice President
Dave Dolezal	Member

Noble County Council – 2012

Don Moore	President
Gary Leatherman	Vice President
Les Alligood	Member
Mark Pankop	Member
Jerry Jansen	Member
Wayne Clouse	Member
Tom Janes	Member

Noble County Plan Commission – 2012

Scott Zeigler	President
George Bennett	Vice President
Anthony Feichter	Member
Josh Rosenogle	Member
Donald Leighty	Member
James McFarlin	Member
Joy LeCount	Member
Mark Pankop	Member
Jeff Wolheter	Member

Board of Zoning Appeals – 2012

George Bennett	Chairman
Anthony Feichter	Vice Chairman
Sandra Knepper	Member
Samuel Buckles	Member
Carol Edwards	Member

Noble County Plan Commission Staff

Steve Kirkpatrick	Plan Director
Michele Bricker	Adm. Asst.
Everett Newman	PC/BZA Attorney

Noble County Building Department Staff

Richard Adair	Building Inspector
Teri Warrix	Adm. Asst.
Ed Gibbons	Part-time Inspector

“PLANNING AND ZONING”

The overall objective of the Noble County Comprehensive Plan and the Unified Development Ordinance strives to offer its residents a pleasant environment in which to live, work and enjoy their leisure time along with maintaining fair property values for everyone.

Prior to beginning any Noble County construction projects outside the corporate limits, as well as the extra-territorial jurisdiction of Albion, Avilla, Cromwell, Kendallville, Ligonier, Rome City and Wolcottville, be sure to call the Noble County Plan Commission Office for zoning, allowable uses, and associated setbacks.

Noble County
Plan Commission / Board of Zoning Appeals
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Comprehensive Plan -Electronic copies of the Noble County Comprehensive Plan adopted June 25, 2007 can be viewed on our website by pursuing the following - www.nobleco.org – then click on Boards – then click on Planning Commission – then make your selection of documents along the left column. There were several Implementation Measures (IM) adopted into the Comprehensive Plan that have been reviewed by the Plan Commission in recent years regarding value and effectiveness.

Review and potential revision of the Noble County Comprehensive Plan was encouraged to be pursued every 5 years in an effort to be proactive to development, as well as keeping up-to-date with statewide changes and mandates. The proposed June 2012 review date of the Comprehensive Plan was delayed until June 2013 in order to allow implementation of the Unified Development Ordinance and see how the two documents work together. This review will be very important to assure we stay current with the Comprehensive Plan as well as with our Ordinances.



Unified Development Ordinance (UDO) – This is a combination of the former 1987 Zoning and Subdivision Control Ordinances, updates as described in Indiana Code, as well as suggestions from an appointed Technical Review Committee, Interest Groups, the Plan Commission, Board of Zoning Appeals and the County Commissioners, all under the guidance of Ground Rules Inc, a company based in Zionsville, Indiana.

The process of reviewing and rewriting all ordinances affecting land use within our jurisdictional area began in August 2007. Certification by the Plan Commission, and adoption by the County Commissioners of the UDO was pursued in 2012 with an implementation date of January 1, 2013.

The Plan Commission has agreed to have a UDO review process in June 2013 to address what may not be working as originally intended, we have a “scribble copy” of the UDO in the front office that allows anyone to share UDO concerns, that information will then be provided to the Plan Commission for their June review process.



Agricultural Compatibility Clause – There were 53 applied for and recorded in 2012. These forms were adopted in 1994 by the Plan Commission and are required prior to granting any Improvement Location or Building Permits within or adjacent to agriculture zoning districts. The intentions of the Ag Clause are to protect the farming operations of Noble County. The recorded form transfers through property ownership and states that the landowner will not contest nearby farming operations.



Application/Petition Activity - What appears to be a misconception with many, and often misused as a guide as to how busy the Plan Commission Office is during the year, is the number of applications for Variances, Special Exceptions, etc. heard by the Plan Commission and Board of Zoning Appeals. The American/Indiana Planning Association asserts “the assumed lack of petitions/applications heard by these boards throughout the year is actually a positive sign of good management and development” as set forth by Indiana Code as well as by the local zoning and subdivision control ordinances.



Violation Complaints – General Ordinance #2010-06 regarding the accumulation of junk, trash, debris and inoperable vehicles was adopted by the County Commissioners on November 1, 2010 and became enforceable on January 1, 2011. This ordinance replaces what was once considered a “zoning violation” in relation to junk, debris and unlicensed/inoperable vehicles. The new ordinance is written to tie in with the Board of Zoning Appeals Rules for process and enforcement.

There were 24 complaints filed in 2012 regarding the accumulation of junk, trash, debris and inoperable vehicles for a total of 67 resolved complaints since implementation of the ordinance.

2012 Report of Total Revenues Collected And Deposited into the County General Fund

Description	Unit Price	Total Collected
Comprehensive Plan	\$ 35.00	\$ 0.00
Copies	\$.25	\$ 13.50
Copies	\$.50	\$ 0.00
Cromwell Billings	\$ 500.00	\$ 500.00
County Maps	\$ 2.00	\$ 0.00
Design Review	\$50.00	\$ 0.00
Exclusion	\$ 50.00	\$ 0.00
Improvement Location Permit	\$ 30.00	\$ 1,290.00
Legal Fees		\$ 0.00
Major Plat		\$ 0.00
Minor Plat	\$ 75.00	\$ 0.00
Plat Amendment	\$ 75.00	\$ 0.00
Rezoning	\$ 75.00	\$ 0.00
Special Exception	\$ 75.00	\$ 375.00
Subdivision Ordinance	\$ 15.00	\$ 15.00
Vacation	\$ 75.00	\$ 0.00
Variance	\$ 75.00	\$ 1,425.00
Zoning Ordinance	\$35.00	\$ 70.00
Zoning Ordinance on CD	\$ 30.00	\$ 0.00
Black & White Aerials (8 ½ x 11)	\$ 1.00	\$ 0.00
Color Aerials (8 ½ x 11)	\$4.00	\$ 0.00
Variance at Advertising Costs		\$ 0.00
Address Establishment - No ILP	\$30.00	\$ 0.00
2012 Total Revenue		\$ 3688.50

Definitions :

- * **IMPROVEMENT LOCATION PERMITS (ILP)** are required for new homes/businesses. Additional requirements for an ILP as described in the UDO will include Home Businesses Types 2 & 3.
- * **REZONINGS** and **VACATIONS OF PUBLIC WAY** are heard by the Plan Commission with a recommendation forwarded to the Commissioners for final determination.
- * **VACATIONS OF PLATTED LAND** are heard/determined by the Plan Commission.
- * **SPECIAL EXCEPTIONS** are heard/determined by the Board of Zoning Appeals. Considered a permitted use with BZA input regarding any needed conditions, these follow the property through ownership.
- * **USE VARIANCES** are designed to apply to the current owner/petitioner and do not normally transfer to future owners, new options apply as described in the UDO.
- * **DEVELOPMENT STANDARD VARIANCES** follow the property through ownership.

Total Revenue Comparisons for 2001 through 2012 :

Revenue collected in 2012	\$ 3,688.50
Revenue collected in 2011	\$ 3,595.00
Revenue collected in 2010	\$ 3,520.00
Revenue collected in 2009	\$ 4,690.00
Revenue collected in 2008	\$ 4,702.25
Revenue collected in 2007	\$ 6,277.50
Revenue collected in 2006	\$ 9,096.50
Revenue collected in 2005	\$ 8,904.75
Revenue collected in 2004	\$ 9,538.25
Revenue collected in 2003	\$ 10,000.99
Revenue collected in 2002	\$ 12,373.94
Revenue collected in 2001	\$ 13,345.73

Budgeted vs. Funds Returned to General Fund :

Year	Budgeted	Returned to General Fund
2012	\$ 103,850.00	\$ 24,631.52
2011 *	\$ 98,900.00	\$ 4,738.12
2010 *	\$ 100,900.00	\$ 10,663.64
2009 *	\$ 97,400.00	\$ 8,217.68
2008 *	\$ 105,416.00	\$ 5,918.41
2007	\$ 98,100.00	\$ 5,302.65
2006	\$ 91,110.00	\$ 5,037.63
2005	\$ 92,526.00	\$ 4,506.41
2004	\$ 92,526.00	\$ 7,648.61
2003	\$ 98,308.00	\$ 6,178.44
2002	\$ 94,008.00	\$ 10,141.66
2001	\$ 96,260.00	\$ 10,330.00

* 2008 – Encumbered \$6,983.00 from the 2007 budget for GIS Pictometry

* 2009 – Encumbered \$3657.00 from the 2009 budget for proposed UDO copies

* 2010 – Encumbered to 2012 - \$ 7950.00 from Official Book Records for UDO copies

* 2010 – Encumbered to 2012 - \$ 398.09 from Gas, Oil, Lube

* 2011 – Encumbered to 2012 - \$ 8700.00 from Contractual Professionals for new aerials

* 2011 – Encumbered to 2012 - \$ 8250.00 from Official Books & Records for UDO copies

* 2012 – Portions of the encumbered \$8250.00 in Official Books & Records was used by the Commissioners

for final payments of the Unified Development Ordinance, the remaining \$6073.85 was returned to the general fund at year end.

* 2012 – The \$8700.00 encumbered in 2012 to Contractual Professionals for new aerials was not requested

from our budget by the GIS Department for use in 2012 as planned, it was all returned to the general fund at year end.

**Noble County Plan Commission and Board of Zoning Appeals
Financial Report for 2012**

100-____-027		NOTES	BUDGET	COUNCIL BUDGET CUTS	ADDITIONALS	TRANSFER CREDIT (See Notes)	TRANSFER DEBIT (See Notes)	EXPENSES	ENDING BALANCE
PERSONAL SERVICES									
11232	PLAN DIRECTOR		38,550.00					38,550.00	.00
12400	ADMINISTRATIVE ASSISTANT		29,200.00					29,200.00	.00
13301	EDUCATION & TRAINING		1,000.00					750.00	250.00
13302	LONGEVITY PAY		2,900.00					2,900.00	.00
13700	PART TIME		500.00					0.00	500.00
15303	PLAN COMMISSION MEMBERS		6,300.00					4,290.00	2,010.00
15304	BOARD OF ZONING MEMBERS		4,300.00					1,840.00	2,460.00
15400	ATTORNEY RETAINER FEE		9,400.00					9399.96	0.04
SUPPLIES									
21200	OFFICIAL BOOKS & RECORDS	1	300.00		8,250.00			6,073.85	2,476.15
21400	HOUSE NUMBER SUPPLIES		250.00					0	250.00
22100	GAS, OIL, LUBE		1,200.00					689.09	510.92
22300	GARAGE & OTHERS		1,000.00					0.00	1,000.00
OTHER SERVICES									
31100	LEGAL SERVICES		4,000.00					407.00	3,593.00
32101	CONTRACTUAL PROFESSIONALS	1	0.00		8,700.00			0.00	8,700.00
32300	MILEAGE		800.00					63.36	736.64
32400	TELEPHONE		1,200.00					1,106.59	93.41
33100	PRINTING & ADVERTISING		250.00					0.00	250.00
33200	LEGAL PUBLICATIONS		1,400.00					308.68	1,091.32
33500	FIELD MARKERS		300.00					0.00	300.00
36500	EQUIPMENT REPAIR		300.00					0.00	300.00
39100	DUES & SUBSCRIPTIONS		700.00					589.96	110.04
TOTAL: \$			103,850.00		16,950.00			96,168.49	24,631.52

NOTES:

1 – Encumbered from 2011 into 2012 budget



2012 Plan Commission Meetings

- 8 Regular Sessions
- 3 Executive Sessions

2012 Petitions

<i>Petition / Application #</i>	<i>Petition / Application Details</i>	<i>Board Action</i>	<i>Date of Hearing</i>
Rezoning 373	Richard & Elizabeth Wolf requesting rezoning from R2 to I2 on 3 parcels to allow placement of warehouse storage / self-storage units. Location Swan 25-100-054, 055, 231, .81 acres. Known as High Street and South Grand St, LaOtto.	Approved	PC 1/18/12 & Co Comm 2/6/12

* Findings of Fact as required per Indiana Code and the Unified Development Ordinance are applied to all Plan Commission and Board of Zoning Appeals approvals and denials.

2012 Board of Zoning Appeals Meetings



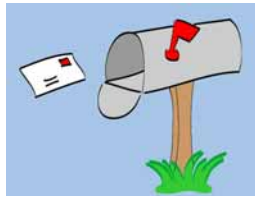
- 6 Regular Sessions

2012 Petitions

<i>Petition / Application #</i>	<i>Petition / Application Details</i>	<i>Board Action</i>	<i>Date of Hearing</i>
Variance 1847	Nicholas J & Pam Cardinal requesting variance from Table 1, Authorized uses to re-examine variance 1759 for car sales and to continue used auto sales business. Located Green-6-400-007, 2.039 acres in B3 zoning. Known as 0061 S St Rd 9, Albion	Approved	4/4/2012
Variance 1848	John & Tristin Snyder requesting variance from Table 1, Authorized Uses to allow a beauty shop in an LR District in basement of home. Located Noble 15-200-023, Lot 11 and 12 Dolphin Harbour. Known as 8180 W Tiddlewink Trail, Kimmell.	Approved	4/4/2012
Variance 1849	John & Sonya Witte requesting variance from Table 2, Residential Uses and District Requirements to allow division of 20' road frontage into two 10' road frontages to allow the division of a root parcel for a family member. Located Green 4-100-002, 41.8 acres in A2 zoning. Known as 0416 S 300 E, Albion.	Approved	4/4/2012
Variance 1850	Jesse Roark requesting variance from Table 1, Authorized Uses to allow the conversion of existing house to a duplex for a rental property. Located Elkhart 28-200-100 in R2 zoning. Known as 7452 N Albion St, Wawaka.	Approved	4/4/2012
Variance 1851	Erwin & Irma Yoder requesting variance from Table 1, Authorized Uses to allow light industrial manufacturing of furniture. Located Elkhart 9-100-009, 6.02 acres in A2 zoning. Known as 3150 W 1075 N, Wawaka.	Approved	5/2/2012
Variance 1852	Orvan & Marlene Fry requesting variance from Chapter 2, District Requirements to allow two homes on one parcel. Located Perry 1-100-013. Known as 11685 N 600 W - 57, Topeka.	Approved	5/2/2012
Variance 1853	Toby & Nicole Shenefield requesting variance from Table 1, Authorized Uses to allow continued operation of dog grooming business in LR zoning. Located Noble 33-200-135. Known as 3408 W Hilltop Dr - 57, Columbia City.	Approved	5/2/2012
Variance 1854	Shalana Ratliff requesting variance from Chapter 2, Districts to allow 2 homes on one parcel. Located Elkhart 29-400-010, 1 acre plus 4.39 acres in A2 zoning. Known as 7927 N 450 W, Wawaka.	Approved	7/11/2012
Variance 1855	Jeremy & Lindsay Barron requesting variance from Table 2, Residential Uses and District Requirements to allow reduced road frontage of 110', 20 acres with house and pond and 45 acres farm ground with 150' road frontage. Located Allen 19-100-012. Known as 6644 E St Rd 8, Kendallville.	Approved	7/11/2012

Variance 1856	Sherman & Penny Shrock requesting variance from Table 1, Authorized Uses to allow continued operation of dog grooming, breeding and kennel business in A2 zoning. Located Perry 24-100-023, 3.0 acres. Known as 6181 W 900 N, Ligonier.	Approved	8/1/2012
Variance 1857	Joseph & Susie Miller requesting variance from Table 1, Authorized Uses to allow a woodworking/light manufacturing workshop with sales to the public in A2 zoning. Located Elkhart 1-100-015, 3.46 acres. Known as 11979 N Baseline Rd, Wolcottville.	Approved	8/1/2012
Variance 1858	Dustin & Roxanne Pulver requesting variance from Table 1, Authorized Uses to allow a beauty shop with tanning bed to be operated from existing building in A2 zoning. Located York 1-100-003, 4.16 acres. Known as 5717 N St Rd 9, Albion.	Approved	8/1/2012
Variance 1859	Peter Gingerich requesting variance from Table 2, Residential Uses & District Requirements to allow variance for home/living space in existing barn in A2 zoning. Located Jefferson 11-200-019, 5.0 acres. Known as 4862 E 415 N, Kendallville.	Approved	8/1/2012
Variance 1860	Stephen & Denice Evers requesting variance from Chapter 2, District Requirements to allow a second home with reduced living space on one parcel in R1 zoning. Located Wayne 19-300-115, 3.682 acres. Known as 1391 Buena Vista Rd, Kendallville.	Approved	9/5/2012
Variance 1861	Corey Fairchild requesting variance from Table 1, Authorized Uses to allow operation of dog/cat grooming business from home/garage in A2 zoning. Located Green 34-100-017, 14.706 acres. Known as 3575 E 550 S - 57, Churubusco.	Approved	10/3/2012
Variance 1862	John & Althea Clugston requesting variance from Table 1, Authorized Uses to allow continued operation of business for inside/outside boat storage and boat repair in LR zoning. Located Washington 4-300-274, 275, 276. Known as 0731 S June Dr, Cromwell	Approved	10/3/2012
Special Exception 426	Leroy & Inah Schrock & Derek Frederickson requesting special exception from Chapter 4, Uses and Table 1, Authorized Uses to allow installation of a 12,000 gallon above-ground propane tank to be used for propane distribution in A2 zoning. Located Perry 18-100-008, 11.88 acres. Known as 9569 N 1100 W, Ligonier.	Approved	10/3/2012

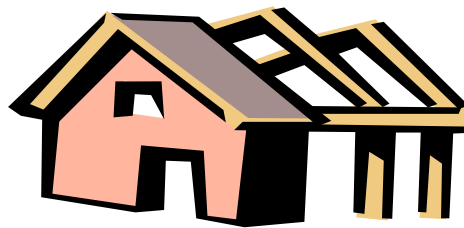
* Findings of Fact as required by Indiana Code, and detailed in the UDO are applied to all Board of Zoning Appeals and Plan Commission approvals and denials.



2012 Addresses Established

For the combined city/town and county jurisdiction:

- 34 –Structure addresses within jurisdiction of the Noble County Plan Commission.
- 1 – Public access sites (parking lots / trail access) within our jurisdiction.
- 0 – Railroad PTC structures within our jurisdiction.
- 0 – Electrical substation within our jurisdiction.
- 6 – Corrections within our jurisdiction.
- 2 – within the extra-territorial jurisdiction of Albion.
- 1 – within the extra-territorial jurisdiction of Avilla.
- 0 – within the extra-territorial jurisdiction of Rome City.
- 0 – within the extra-territorial jurisdiction of Ligonier.



Single Family Residences – Constructed During 2012

Township	Manuf Homes	Conventional	Estimated Cost
Allen	0	1	\$233,700
Elkhart	1	3	\$392,000
Green	0	7	\$1,300,000
Jefferson	1	5	\$691,125
Noble	0	6	\$1,050,000
Orange	1	1	\$220,000
Perry	0	2	\$219,000
Sparta	0	2	\$89,500
Swan	1	5	\$1,266,665
Washington	0	3	\$490,000
Wayne	0	1	\$25,000
York	0	2	\$318,600
Totals	4	38	\$6,295,590

The above mentioned figures do not include the corporate and extra-territorial jurisdiction limits of Albion, Avilla, Cromwell, Kendallville, Ligonier, Rome City and Wolcottville. They each have their own Planning/Building Departments and monitor/report their own construction independently from the Noble County Plan Commission report.

Data from Prior Years

Year	# of Manufactured Homes	# of Conventional Homes	Total
2012	4	38	42
2011	5	40	45
2010	7	29	36
2009	8	35	43
2008	9	36	45
2007	14	61	75
2006	14	63	77
2005	33	67	100
2004	42	62	104
2003	43	70	113
2002	32	65	97
2001	59	74	133
2000	70	56	126
1999	66	79	145

Year	Township w / Most Homes	# of Homes
2012	Green	7
2011	Noble	9
2010	Elkhart	8
2009	Swan	8
2008	Noble	7
2007	Noble	18
2006	Noble	16
2005	Noble, Swan	11
2004	Swan	11
2003	Swan	17
2002	Elkhart	10
2001	Noble	14
2000	Elkhart, Swan	10
1999	Swan	13



Manufactured Homes (including Singlewides)

Year	Township with Most Homes	No. of Homes	Township with Fewest Homes	No. of Homes
2012	Elkhart, Jefferson, Orange, Swan	1 (each)	Allen, Green, Noble, Perry, Sparta, Washington, Wayne, York	0
2011	Noble	2	Elkhart, Jefferson, Perry, Sparta, Swan, Washington, Wayne, York	0
2010	Green	3	Elkhart, Jefferson, Noble, Orange, Sparta, Swan, Wayne	0
2009	Swan	9	Perry, Sparta	0
2008	Elkhart	8	York, Wayne	1
2007	Noble	24	Perry	1
2006	Noble	18	Allen, Washington	1
2005	Noble	20	Allen	1
2004	Noble	18	Orange	3
2003	Noble, Swan	21	Orange	2
2002	Elkhart, York, Swan	38	Orange, Perry, Sparta	10

Conventional Homes

Year	Township with Most Homes	No. of Homes	Township with Fewest Homes	No. of Homes
2012	Green	7	Allen, Orange, Wayne	1 (each)
2011	Noble	9	Allen	0
2010	Elkhart	8	Sparta	0
2009	Swan	8	Perry, Sparta	0
2008	Noble	7	Orange, Washington, Wayne, York	1 (each)
2007	Noble	18	Perry	0
2006	Noble	16	Allen, Washington	0
2005	Noble, Swan	11	Sparta	0
2004	Swan	11	Orange, Washington	1 (each)
2003	Swan	17	Orange	0
2002	Elkhart		Sparta	1 (each)

County Owned/Department Vehicle - a total of 6316 miles accumulated in 2012 on the 1997 Chevrolet Cavalier for daily Plan Commission/Board of Zoning Appeals duties.