

**HANCOCK COUNTY AREA PLAN COMMISSION  
111 AMERICAN LEGION PLACE  
GREENFIELD, IN 46140**

**BOARD OF ZONING APPEALS MINUTES  
DATE: JANUARY 29<sup>TH</sup>, 2026.                      TIME: 6:30 P.M.**

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**PRESENT:**  
**MICHAEL LONG, PRESIDENT**  
**LACEY WILLARD, SECRETARY**  
**SANDY CASEY**  
**JASON FAUCETT**  
**RHONDA COOK, ATTORNEY**  
**MARIA HENRIQUEZ, ASSISTANT PLANNER**  
**KAYLA BROOKS, DIRECTOR**  
**DENNIS NWANDU, RECORDING SECRETARY**

**ABSENT: SCOTT RUBLE**

The January 29<sup>th</sup>, 2026, meeting of the Hancock County Area Board of Zoning Appeals was brought to order by President Mr. Long. Ms. Willard moved to approve the previous month's minutes as received via e-mail. Mr. Faucett seconded. Motion carried 4 ayes, 0 nays.

Ms. Casey moved to reappoint Michael Long as President, Mr. Faucett seconded. Motion Carried. Mr. Long moved to reappoint Jason Faucett as Vice President, Ms. Willard seconded. Motion carried. Mr. Faucett moved to reappoint Lacey Willard as Secretary, Mr. Long seconded. Motion carried.

Ms. Rhonda Cook, the Board's attorney, duly swore in all persons appearing before the Board of Zoning Appeals.

Mr. Faucett moved to adjourn. Ms. Willard seconded, and the meeting was adjourned at 7:29 p.m.

**ATTEST:**

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**MICHAEL LONG, PRESIDENT**

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**LACEY WILLARD, SECRETARY**

1. Edward Ransom  
7519 W 500 N 300 W  
Buck Creek Township

26-2644 Residential (2.5) Variance

[Petition](#)  
[Site Plan](#)  
[Staff Report](#)

**Staff Report Presentation:**

Ms. Henriquez presented the staff report, explaining that the petitioner is requesting a development standards variance to allow an accessory structure to be located within the front yard of a residentially zoned property, which is not permitted under the Hancock County Zoning Ordinance. The request is based on the unique layout and constraints of the lot, which limit feasible placement of the structure in the side or rear yard while still allowing reasonable use of the property. The petitioner stated that compliance with the ordinance would result in practical difficulties due to these site conditions. Staff reviewed the applicable front yard setback and accessory structure standards, as well as the statutory criteria required for granting a variance. Staff also evaluated the potential impacts on neighboring properties and determined that the proposed structure would not adversely affect public health, safety, or welfare. Based on this review, staff recommended approval of the variance, subject to conditions requiring timely permitting, construction in substantial conformance with the submitted plans, and completion within the established timeframe.

**Key findings:**

- Property zoned Residential (2.5); petitioner wants to replace a temporary hoop barn with a permanent barn.
- The Hancock County Zoning Ordinance §16.062(5)(c) prohibits accessory structures in the front yard, requiring the petitioner to seek a development standards variance.
- Due to the lot configuration and existing improvements, strict compliance with side or rear yard placement would create a practical difficulty and limit reasonable use of the property.
- The proposed structure meets all other applicable zoning standards, including height and setback requirements except accessory structure location.
- Staff determined that the request would not negatively impact adjacent properties or the public health, safety, or welfare.
- Based on the variance criteria and site-specific conditions, staff found the request to be justified and supportable with appropriate conditions.

**Staff Recommendation:** *Approval of Variance request, with conditions:*

1. *Building permit relating to this variance must be obtained within 12 months of the above approval date and an occupancy permit must be obtained within 12 months of the approval of the building permit, or the variance will automatically expire.*
2. *The accessory structure must be constructed in the same approximate location as shown on the site plan.*

**Petitioner Testimony:**

Mr. Edward Ransom was duly sworn in.

- Mr. Ransom testified that he purchased the property in 2024 with an existing hoop-style barn, which proved unsuitable for year-round use or storage due to airflow and humidity issues that caused property damage.
- After consulting professionals, he determined the existing structure could not reasonably be remedied and that constructing a new, permanent metal pole barn was the most practical solution.
- The proposed barn is intended primarily as a recreational structure (e.g., pickleball court, family gatherings) and general storage, not as a dwelling unit, rental, or mother-in-law quarters.
- He began coordination with county departments in fall 2024, including the Health Department, completed soil testing, and confirmed septic feasibility given that the septic system is located elsewhere on the property.
- Mr. Ransom affirmed that the barn will be constructed in substantial conformance with the submitted plans, will have minimal exterior lighting, and that he has no objections to staff conditions regarding permitting and occupancy timelines.

**Public Comments & Remonstrations:** No Comments or Remonstrations.

**Board Discussion & Motion:**

Following a brief discussion, where the board discussed the proposed conditions of approval, noting that the language largely reaffirmed standard requirements and reflected thorough review. No board members requested that any conditions be stricken or modified, and consensus was reached to apply all eight conditions. A motion to approve the variance subject to the full set of conditions was made by Ms. Willard and seconded by Mr. Faucett. Motion Carried.

**Finalized Conditions Imposed:**

1. The building permit relating to this variance must be obtained within twelve (12) months of the above approval date and an occupancy permit must be obtained within twelve (12) months of the approval of the building permit, or the variance will automatically expire.
2. The accessory structure must be constructed in the same approximate location as shown on the site plan.
3. The structure should complement the primary structure in terms of appearance.
4. The building permit application shall substantially conform to the site plan.
5. The garage shall include gutters and downspouts that point away from the property line.
6. Any lighting on the barn must comply with current lighting ordinance. Specs for light fixtures must be submitted with permit application.
7. The accessory structure must not exceed height standards.
8. A stake survey must be obtained, and stakes remain in the ground until final inspection is complete.

*Vote: Variance 26-2644 to allow an accessory structure in the front yard of residence, is granted, a vote of 4.0.*

2. Michael & Sara Graf  
6411 N Fortville Pike, Greenfield,  
Vernon Township.

26-2646 Residential (1.0) Variance

[Petition](#)

[Site Plan](#)

[Staff Report](#)

### **Staff Report Presentation:**

Ms. Henriquez presented the staff report, explaining that petitioners Michael and Sara Graf are requesting a development standards variance to increase the maximum height of an accessory structure from 26 feet to 32 feet on a Residential 1.0 zoned property located at 6411 N Fortville Pike in Vernon Township. The proposed barn location, as shown on the site plan, meets all applicable zoning standards other than height and is intended to provide storage, a workshop, and a recreational basketball area. Staff reviewed the applicable height standards under Section 156.061 and the variance decision criteria outlined in Section 156.102, including impacts on public welfare, adjacent properties, and practical difficulty. Elevation renderings demonstrate that the proposed accessory structure would be compatible with the primary residence in appearance. Staff recommended approval with conditions requiring timely permitting and occupancy, substantial conformance with the site plan, architectural compatibility, installation of gutters and downspouts, and compliance with the county lighting ordinance.

### **Key Findings:**

- The property is zoned Residential 1.0 (R1.0) and contains a single-family dwelling with a proposed new detached accessory structure (barn).
- Zoning standards limit accessory structure height to 26 feet; the petitioners request a variance to allow a 32-foot height, exceeding the standard by 6 feet.
- The proposed barn location complies with all other applicable development standards, including setbacks, lot coverage, and placement, as shown on the submitted site plan.
- Elevation drawings indicate the accessory structure is designed to be compatible with the primary residence in materials, scale, and appearance.
- The increased height is intended to accommodate functional interior uses, including storage, a workshop, and a recreational basketball area, without expanding the building footprint.
- Staff found that the request would not be injurious to public health, safety, or welfare and recommended approval subject to conditions ensuring conformity with plans, timely permitting, drainage controls, lighting compliance, and survey verification.

### **Staff Recommendation:** *Approval of Special Exception and Variance requests, with conditions:*

- 1. Building permits relating to this Variance must be obtained within 12 months of the above approval date, and a certificate of occupancy must be obtained within 12 months of approval of the building permit, or the Variance will automatically expire.*
- 2. Structure should complement primary structure in terms of appearance.*
- 3. The building permit application shall substantially conform to the site plan.*
- 4. The barn shall include gutters and downspouts.*
- 5. Any lighting on the barn must comply with current lighting ordinance. Specs for light fixtures must be submitted with permit application.*

**Petitioner Testimony:**

Mr. Graf was duly sworn in.

- Michael Graf testified that he and his wife own the property at 6411 N Fortville Pike, which is a residential parcel with the proposed barn located approximately 400 feet from the road.
- The request is for a variance to allow a few additional feet of height at the roof pitch to accommodate a workshop and recreational sport court inside the barn.
- The barn will be constructed to match the primary residence, using the same builder, board-and-batten siding, matching paint colors, black window trim, black garage doors, and similar overhangs.
- Mr. Graf confirmed the site has been re-staked and that the structure meets the required 75-foot setback from the power line.
- He stated that no neighbors submitted comments or objections, including after notice of the variance request.
- Mr. Graf thanked staff for their work, agreed to all recommended conditions, and respectfully requested approval of the variance.

**Public Comments & Remonstrations:** No Comments or Remonstrations.

**Board Discussion & Motion**

Following a brief discussion, where the board discussed the proposed conditions of approval, noting the staff-recommended variance conditions were appropriate and generally consistent with prior cases. Further discussion focused on whether a new stake survey was necessary, given that a recent survey had already been completed, and stakes were currently in place, the board determined that a new survey was not required, but emphasized the importance of ensuring the existing stakes remain in place to avoid encroachment into the utility easement. A motion to approve the variance subject to the full set of conditions was made by Ms. Willard and seconded by Mr. Faucett. Motion Carried.

**Finalized Conditions Imposed:**

1. The building permit relating to this variance must be obtained within twelve (12) months of the above approval date and an occupancy permit must be obtained within twelve (12) months of the approval of the building permit, or the variance will automatically expire.
2. Structure should complement primary structure in terms of appearance.
3. The building permit application shall substantially conform to the site plan.
4. The barn shall include gutters and downspouts.
5. Any lighting on the barn must comply with the current lighting ordinance. Specs for light fixtures must be submitted with permit application.
6. The stakes from the staked survey, already complete, must remain in the ground until final inspection.

*Vote: Variance 26-2646 to increase the maximum height requirement of 26 inches to 32 inches for an accessory structure/barn, is granted, a vote of 4.0.*

## **Other Business:**

### Board alternate update

- The Board received an update on alternate member appointments, staff noted that outreach emails have been sent but responses remain limited; however, progress is being made with potential alternates for the Town of Shirley.

### Legal Service Agreements

- The Board voted to forward a favorable recommendation to the Board of Commissioners for approval of the updated legal services agreement, a motion to this effect was moved by Ms. Willard and seconded by Mr. Faucett.

### Conflict of Interest

- The Board acknowledged receipt of conflict-of-interest forms, forms were reviewed, signed and returned to staff.

### Mega Farms Findings of Facts

- The Board discussed procedural questions related to the Mega Farms Findings of Fact, including clarification of vote tallies, prior related petitions, and references to Planning Commission versus staff actions, ultimately concluding the language was acceptable as written. Members acknowledged the historical context of the case and confirmed that staff actions occur under Planning Commission authority, even when the matter is before the BZA. The Board then voted unanimously to adopt the Findings of Fact as presented for submission to the court, a motion to this effect was moved by Ms. Willard and seconded by Mr. Faucett.

### Zoning Violation Report:

- Staff presented a violation report on two long-running zoning enforcement cases involving repeated violations of Hancock County environmental and use standards, including open dumping, outdoor waste storage, and improper vehicle parking, despite multiple notices, citations, payments, and extensions. In both cases, compliance has not been sustained, monetary penalties have proven ineffective, and violations have reoccurred after prior administrative closures, with one case also involving an unpaid citation. Staff recommended referral to the Board of Zoning Appeals because administrative enforcement options have been exhausted, and further action is needed to address chronic noncompliance. The Board raised due process concerns about discussing enforcement cases without formally notifying property owners and emphasized that violators should be given notice and an opportunity to appear before the BZA prior to escalation. Discussion centered on establishing a consistent enforcement escalation framework, potentially involving formal notice after the third violation, a demand letter from legal counsel, and referral to the BZA only after documented noncompliance. The Board generally agreed that enforcement matters should not be presented substantively without offender notice and participation, and that a standardized procedure balancing enforcement efficiency, and due process should be developed collaboratively by staff and counsel.